
DRAFT STATUTORY INSTRUMENTS

2018 No.

The Welsh Ministers (Transfer of Functions) Order 2018

Salmon and Freshwater Fisheries Act 1975

15.—(1) The functions of “the Minister” under section 37A (fixed penalty notices for certain offences) of the Salmon and Freshwater Fisheries Act 1975⁽¹⁾ (“the 1975 Act”), so far as they are exercisable in relation to Wales, are transferred to the Welsh Ministers.

(2) The functions of the Secretary of State under section 38 (works below high water mark) of the 1975 Act, so far as they are exercisable in relation to Wales or the Welsh zone, are transferred to the Welsh Ministers.

(1) [1975 c. 51](#); section 37A was inserted by section 104 of the Environment Act [1995 \(c. 25\)](#) and was amended by article 4(1) of, and paragraphs 127 and 147 (1) to (3) of Part 1 of Schedule 2 to, [S.I. 2013/755](#). The functions of the Secretary of State, so far as exercisable in relation to Wales, were transferred to the Welsh Ministers by article 2 of, and Schedule 1 to, the 1999 Order, leaving the functions of “the Minister” exercisable by a Minister of the Crown. The expression “the Ministers” is defined in section 37A as meaning the Secretary of State and the Minister – thus the transfer effected by this article transfers all the Minister of the Crown functions under this section which are exercisable in relation to Wales, to the Welsh Ministers.