



# Sea Fisheries (Wildlife Conservation) Act 1992

## 1992 CHAPTER 36

An Act to require appropriate Ministers and relevant bodies to have regard to the conservation of flora and fauna in the discharge of their functions under the Sea Fisheries Acts. [16th March 1992]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

### Annotations:

#### Modifications etc. (not altering text)

- C1 Act: transfer of functions (1.7.1999) by S.I. 1999/672, art. 2, [Sch. 1](#)
- C2 Act: transfer of functions (31.3.2010) by [The Welsh Zone \(Boundaries and Transfer of Functions\) Order 2010 \(S.I. 2010/760\)](#), arts. 1(3), [4\(1\)\(f\)](#) (with art. 5(2)(3))

#### Commencement Information

- II Act wholly in force at 16.05.1992. see s. 2(2)

## 1 Conservation in the exercise of sea fisheries functions.

- <sup>F1</sup>(1) In discharging any functions conferred or imposed on him or them by or under the Sea Fisheries Acts, the Minister or Ministers<sup>[F2]</sup> or the Marine Management Organisation]... shall, so far as is consistent with the proper and efficient discharge of those functions—
- have regard to the conservation of marine flora and fauna; and
  - endeavour to achieve a reasonable balance between that consideration and any other considerations to which he is or they are required to have regard.

- <sup>F3</sup>(2) In this section—

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**Changes to legislation:** *Sea Fisheries (Wildlife Conservation) Act 1992 is up to date with all changes known to be in force on or before 16 December 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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“enactment” [<sup>F4</sup>includes an Act of the Scottish Parliament and any subordinate legislation under such an Act, and] does not include an enactment contained in Northern Ireland legislation;

“the Minister or Ministers” means any one of the following or any two or more of them acting jointly, namely—

- (a) the Minister of Agriculture, Fisheries and Food;
- [<sup>F5</sup>(b) the Scottish Ministers;
- (bb) the Secretaries of State respectively concerned with the sea fishing industry in Wales and Northern Ireland;]
- (c) the Department of Agriculture for Northern Ireland;

...

“the Sea Fisheries Acts” means any enactments for the time being in force relating to sea-fishing, including any enactment relating to fishing in the sea for shellfish, salmon or migratory trout.

#### Annotations:

##### Amendments (Textual)

- F1** Words in s. 1(1) repealed (1.4.2010 for W., 1.4.2011 for E.) by [Marine and Coastal Access Act 2009](#) (c. 23), s. 324(3), [Sch. 22 Pt. 4](#); S.I. 2010/630, art. 3(b) (with arts. 812); S.I. 2011/556, art. 2(2)(o) (with art. 2(3))
- F2** Words in s. 1(1) inserted (1.4.2010) by [Marine and Coastal Access Act 2009](#) (c. 23), [ss. 11](#), 324(3); S.I. 2010/298, art. 2, [Sch. para. 3](#)
- F3** Words in s. 1(2) repealed (1.4.2010 for W., 1.4.2011 for E.) by [Marine and Coastal Access Act 2009](#) (c. 23), s. 324(3), [Sch. 22 Pt. 4](#); S.I. 2010/630, art. 3(b) (with arts. 812); S.I. 2011/556, art. 2(2)(o) (with art. 2(3))
- F4** Words in s. 1(2) inserted (1.7.1999) by S.I. 1999/1820, arts. 1(2), 4, [Sch. 2 Pt. 1 para. 107\(a\)](#)
- F5** Para. (b)(bb) in the definition of "the Minister or Ministers" substituted for para. (b) (1.7.1999) by S.I. 1999/1820, arts. 1(2)(3), 4, [Sch. 2 Pt. 1 para. 107\(b\)](#)

## 2 Short title, commencement and extent.

- (1) This Act may be cited as the Sea Fisheries (Wildlife Conservation) Act 1992.
- (2) This Act shall come into force at the end of the period of two months beginning with the day on which it is passed.
- (3) This Act extends to Northern Ireland.

**Changes to legislation:**

Sea Fisheries (Wildlife Conservation) Act 1992 is up to date with all changes known to be in force on or before 16 December 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act functions transferred by [2017 c. 4 s. 53\(2\)\(d\)\(3\)](#)