
STATUTORY INSTRUMENTS

1990 No. 1157

SEA FISHERIES

**The Sea Fisheries Districts (Constitution
of Committees) (Variation) Order 1990**

Made - - - - 29th May 1990
Coming into force - - 30th May 1990

The Minister of Agriculture, Fisheries and Food and the Secretary of State, acting jointly so far as relates to sea fisheries districts comprising any part of the coast of Wales or of the sea adjacent thereto, in exercise of the powers conferred by section 1 of the Sea Fisheries Regulation Act 1966⁽¹⁾ as modified by paragraph 5(1) of Schedule 17 to the Water Act 1989⁽²⁾ and now vested in them⁽³⁾ and of all other powers enabling them in that behalf and the said Minister, in exercise of the powers conferred on him by the said section 1 as modified as aforesaid and of all other powers enabling him in that behalf hereby make the following Order, containing only provisions which appear to the said Minister and Secretary of State to be appropriate in consequence of section 141(5) of, and paragraph 5(2) of Schedule 17 to, the Water Act 1989, and a draft of which has lain before Parliament for forty days prior to its being made:—

Title, commencement and interpretation

1.—(1) This Order may be cited as the Sea Fisheries Districts (Constitution of Committees) (Variation) Order 1990 and shall come into force on 30th May 1990.

(2) In this Order—

“the first principal Order” means the Order made by the Board of Trade on 31 March 1892⁽⁴⁾ (which created the Devon Sea Fisheries District and constituted a local fisheries committee for the regulation of the sea fisheries within that district);

“the second principal Order” means the Order made by the Board of Trade on 5 May 1890⁽⁵⁾ (which created the Kent and Essex Sea Fisheries District and constituted a local fisheries committee for the regulation of the sea fisheries within that district);

“the third principal Order” means the North Eastern Sea Fisheries District Order 1986⁽⁶⁾;

(1) 1966 c. 38, amended by the Local Government Act 1985 (c. 51), section 16 and Schedule 8, paragraph 19.

(2) 1989 c. 15.

(3) By the Transfer of Functions (Wales) Order 1969, Schedule 2, paragraph 6(d) (S.I. 1969/388).

(4) Parl. Papers 1892 No. 132; the only relevant amending instrument is S.I. 1970/370.

(5) Parl. Papers 1890 No. 159, as modified by section 53 of the Southend-on-Sea Corporation Act 1913 (3 & 4 Geo.V.Ch. cv).

(6) S.I. 1986/647.

“the fourth principal Order” means the North Western and North Wales Sea Fisheries District Order 1986(7);

“the fifth principal Order” means the Southern Sea Fisheries District Order 1989(8).

Variation of the principal Orders

2. The principal Orders shall be varied as follows:—
 - (a) In article 2 of the first principal Order for the word “Eight” there shall be substituted the word “Nine” and the word “each” shall be deleted.
 - (b) In article 2 of the second principal Order for the word “Seven” there shall be substituted the word “Nine” and the word “each” shall be deleted.
 - (c) In article 3(2) of the third principal Order for the word “Fifteen” there shall be substituted the word “Seventeen” and the word “each” shall be deleted.
 - (d) In article 3(2) of the fourth principal Order for the words “North West Water Authority, one person by the” shall be deleted and for the word “sixteen” there shall be substituted the word “seventeen”.
 - (e) In article 3(2) of the fifth principal Order for the word “Eight” there shall be substituted the word “Nine” and the word “each” shall be deleted.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on

18th May 1990.

John Selwyn Gummer
Minister of Agriculture, Fisheries and Food

29th May 1990

David Hunt
Secretary of State for Wales

(7) S.I. 1986/1201, to which there are amendments not relevant to this Order.

(8) S.I. 1989/671.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order varies the provisions of the Order made by the Board of Trade on 31 March 1892 (as varied), the Order made by the Board of Trade on 5 May 1890 (as varied), the NorthEastern Sea Fisheries District Order 1986, the NorthWestern and NorthWales Sea Fisheries District Order 1986 and the Southern Sea Fisheries District Order 1989, being five Orders relating to the constitution of local sea fisheries committees, in accordance with the amendment to section 2(2) of the Sea Fisheries Regulation Act 1966 made by section 14(5) of, and paragraph 5 of Schedule 17 to, the Water Act 1989.

The sea fisheries districts affected are respectively Devon, Kent and Essex, NorthEastern, NorthWestern and NorthWales, and Southern.

Prior to the Water Act 1989 each water authority having jurisdiction within a sea fisheries committee's district appointed a member of that committee. Following the amendment to section 2(2) of the Sea Fisheries Regulation Act 1966, the National Rivers Authority is made responsible for appointing only one member of a committee. This correspondingly increases the number of appointments made by the Minister of Agriculture, Fisheries and Food and the Secretary of State for Wales under that section.

This Order implements that provision in the five districts affected.