
STATUTORY INSTRUMENTS

2010 No. 760

**The Welsh Zone (Boundaries and
Transfer of Functions) Order 2010**

Transfer of functions

4.—(1) Subject to articles 5 and 6, the following functions of a Minister of the Crown are, so far as exercisable in relation to the Welsh zone(1), transferred to the Welsh Ministers—

- (a) functions conferred or imposed by or under section 15 or 16 of the Sea Fisheries (Shellfish) Act 1967(2);
- (b) functions conferred or imposed by or under the Sea Fish (Conservation) Act 1967(3), except the functions of the “Board of Trade” under section 8(4);
- (c) functions conferred or imposed by or under the Sea Fisheries Act 1968(5);
- (d) functions conferred or imposed by or under the Fishery Limits Act 1976(6);
- (e) functions conferred or imposed by or under Parts 2 to 4 of the Fisheries Act 1981(7);
- (f) functions conferred or imposed by or under the Sea Fisheries (Wildlife Conservation) Act 1992(8);
- (g) functions under the Sea Fish (Marketing Standards) Regulations 1986(9).

(2) In consequence of the transfer effected by paragraph (1)(b), the Sea Fish (Conservation) Act 1967 is amended as follows.

(3) In section 1 (size limits etc for fish) in subsection (9) (as substituted by section 194(5) of the Marine and Coastal Access Act 2009(10)) in paragraph (a) of the definition of “the appropriate national authority” after “Wales” insert “or the Welsh zone”.

(4) In section 5 (power to restrict fishing for sea fish) in subsection (9) (as substituted by section 198(3) of the Marine and Coastal Access Act 2009) in paragraph (a) of the definition of “the appropriate national authority” after “Wales” insert “or the Welsh zone”.

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- (1) So far as relating to Wales (which, by virtue of the definition in section 158(1) of the Government of Wales Act 2006, includes the sea adjacent to Wales out as far as the seaward boundary of the territorial sea), the functions in question are already functions of the Welsh Ministers, either having been conferred or imposed directly on them, or having been transferred to them from the National Assembly for Wales by paragraph 30 of Schedule 11 to the Government of Wales Act 2006. The functions so transferred from the National Assembly for Wales were transferred to it from Ministers of the Crown by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), in the case of the functions mentioned in sub-paragraphs (a) to (f), and by the National Assembly for Wales (Transfer of Functions) Order 2000 (S.I. 2000/253) in the case of the functions mentioned in paragraph (g).
 - (2) 1967 c. 83. There are amendments to section 16 which are not relevant to this Order.
 - (3) 1967 c. 84.
 - (4) Section 8 is amended by paragraph 43 of Part 1 of Schedule 2 to the Scotland Act 1998 (Consequential Modifications) (No. 2) Order 1999 (S.I. 1999/1820). For the meaning of “the Board of Trade” and the vesting of functions under section 8 in the Secretary of State for Business, Innovation and Skills, see the following statutory instruments: 1970/1537, 1974/692, 1983/1127, 2007/3324 and 2009/2748.
 - (5) 1968 c. 77.
 - (6) 1976 c. 86.
 - (7) 1981 c. 29.
 - (8) 1992 c. 36.
 - (9) S.I. 1986/1272. The Regulations are amended by S.I. 1989/687 and S.I. 1994/452 and have been revoked in relation to Scotland by S.S.I. 2004/498.
 - (10) 2009 c. 23.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(5) Paragraphs (2) to (4) are without prejudice to the effect of paragraph (1) in relation to other provisions of the Acts and instruments mentioned in that paragraph.