
STATUTORY INSTRUMENTS

2017 No. 899

SEA FISHERIES, ENGLAND

CONSERVATION OF SEA FISH

The Lobsters and Crawfish (Prohibition of Fishing and Landing) (Amendment) (England) Order 2017

Made - - - - *7th September 2017*

Laid before Parliament *8th September 2017*

Coming into force - - *1st October 2017*

The Secretary of State for Environment, Food and Rural Affairs makes the following Order in exercise of the powers conferred by sections 5(1)(a)(ii), 6(1) and 20(1) of the Sea Fish (Conservation) Act 1967(1) and now vested in the Secretary of State(2).

In accordance with section 6(1) of that Act, the Secretary of State has consulted the Secretary of State for Business, Energy and Industrial Strategy(3).

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- (1) [1967 c.84](#). Section 5 was amended by section 22(1), (2) and (3) of the Fisheries Act [1981 \(c.29\)](#); section 198 of, and paragraph 3 of Schedule 15 to, the Marine and Coastal Access Act [2009 \(c.23\)](#) and [S.I. 2010/760](#). See section 5(9) for the definition of “the appropriate national authority” and section 22(1) for the definition of “sea fish”. The function exercisable under section 5 in relation to Wales was transferred to the National Assembly for Wales by article 2(a) of, and Schedule 1 to, [S.I. 1999/672](#) and then transferred from that body to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act [2006 \(c.32\)](#). In so far as exercisable in relation to the Welsh zone, that function was transferred to the Welsh Ministers by article 4(1)(b) of [S.I. 2010/760](#). Section 6 was amended by section 23(1), (2) and (3) of the Fisheries Act 1981 and by [S.I. 1999/1820](#). Sections 5(1) and 6 were modified in their effect by section 33(1) of the Fisheries Act 1981. See section 22(2)(a) (as amended by section 45(b) of the Fisheries Act 1981) for the definition of “the Ministers”.
- (2) The function exercisable under section 5 in relation to Scottish fishing boats within British fishery limits but outside the Scottish zone is exercisable by the Secretary of State concurrently with the Scottish Ministers by virtue of article 3(1) of, and Schedule 1 to, [S.I. 1999/1592](#). The function exercisable under section 5 in relation to Northern Ireland fishing boats within British fishery limits but outside the Northern Ireland zone also remains exercisable by the Secretary of State by virtue of paragraph 3(2) of Schedule 1 to [S.I. 2002/790](#). The functions of the Secretaries of State respectively concerned with the sea fishing industry in Scotland and Wales under section 6 were transferred to the Minister of Agriculture, Fisheries and Food by article 2(1) of, and the Schedule to, [S.I. 2000/1812](#). The function of the Minister of Agriculture, Fisheries and Food under section 6 was transferred to the Secretary of State by article 2(2) of [S.I. 2002/794](#) and the function of the Minister of Agriculture, Fisheries and Food and the Secretary of State concerned with the sea fishing industry in Northern Ireland, acting jointly, under section 6 was transferred to the Secretary of State for Environment, Food and Rural Affairs and the Secretary of State concerned with the sea fishing industry in Northern Ireland, acting jointly, by article 2(5) of that Order. The function under section 6 exercisable by the Secretary of State for Environment, Food and Rural Affairs and the Secretary of State concerned with the sea fishing industry in Northern Ireland jointly was transferred to the Secretary of State for Environment, Food and Rural Affairs by article 3(2) of [S.I. 2012/2747](#).
- (3) The functions of the Board of Trade under section 6(1) were transferred to the Secretary of State for Business, Energy and Industrial Strategy by virtue of consecutive transfers made by: paragraph 10 of Schedule 2 to [S.I. 1970/1537](#); article 2(1) of, and Schedule 1 to, [S.I. 1974/692](#); article 2(1) of [S.I. 1983/1127](#); article 11 of [S.I. 2007/3224](#); article 4(1) of [S.I. 2009/2748](#) and article 6(1) of [S.I. 2016/992](#).