

2018 No. 185

SEA FISHERIES

**The Sea Fishing (Miscellaneous Amendments and Revocations)
Order (Northern Ireland) 2018**

Made - - - - - *25th October 2018*

Coming into operation- - - - - *1st December 2018*

The Department of Agriculture, Environment and Rural Affairs^(a) is designated^(b) for the purposes of section 2(2) of the European Communities Act 1972^(c) in relation to the common agriculture policy and the environment of the European Union.

The Department of Agriculture, Environment and Rural Affairs makes the following Order in exercise of powers conferred by section 127(1) and (3A) of the Fisheries Act (Northern Ireland) 1966^(d), section 2(2) of the European Communities Act 1972 and section 30(2) of the Fisheries Act 1981^(e).

Citation and commencement

1. This Order may be cited as the Sea Fishing (Miscellaneous Amendments and Revocations) Order (Northern Ireland) 2018 and shall come into operation on 1 December 2018.

Amendment to secondary legislation

2. Schedule 1 shall have effect.

Revocations

3. The Orders in Schedule 2 are revoked insofar as they relate to Northern Ireland.

4. The Regulations in Schedule 3 are revoked.

Sealed with the Official Seal of the Department of Agriculture, Environment and Rural Affairs on 25 October 2018.

(a) The Ministry of Agriculture became known as the Department of Agriculture by virtue of section 7(5) of the Northern Ireland Constitution Act 1973 (c.36). The Department of Agriculture for Northern Ireland was renamed the Department of Agriculture and Rural Development by Article 3(4) of the Departments (Northern Ireland) Order 1999 (S.I. 1999/283 (N.I.1)). The Department of Agriculture and Rural Development was renamed the Department of Agriculture, Environment and Rural Affairs by section 1(2) of the Departments Act (Northern Ireland) 2016 (c.5) (N.I.).

(b) S.I. 2000/2812 and S.I. 2008/301

(c) 1972 c.68.

(d) 1966 c.17

(e) 1981 c.29



Dr John Speers
A senior officer of the
Department of Agriculture, Environment and Rural Affairs

SCHEDULES

SCHEDULE 1

Article 2

Crabs and Lobsters (Minimum Size) Order (Northern Ireland) 2000

1. In Article 2(1) (Interpretation) of The Crabs and Lobsters (Minimum Size) Order (Northern Ireland) 2000(a) after the definition of “the Act” insert—

““British fishing boat” means a fishing boat which is either registered in the United Kingdom under Part II of the Merchant Shipping Act 1995(b) or is owned by persons qualified to own British ships for the purposes of that part of the Act;

“foreign fishing boat” means a fishing boat which is not a British fishing boat; and”.

The Registration of Fish Buyers and Sellers and Designation of Fish Auction Sites Regulations (Northern Ireland) 2005

2. In regulations 14(3) of The Registration of Fish Buyers and Sellers and Designation of Fish Auction Sites Regulations (Northern Ireland) 2005(c) for “justice of the peace” and “justice” substitute “lay magistrate”.

SCHEDULE 2

Article 3

Revocations

<i>Instruments revoked</i>	<i>Reference</i>	<i>Extent</i>
The Sea Fishing (Enforcement of Community Licensing Measures) (North of Scotland Box) Order 1984	S.I. 1984 No. 291	The Whole Order, in Northern Ireland
The Fishing Boat (Marking and Documentation) (Enforcement) Order 1993	S.I. 1993 No. 2015	The Whole Order, In Northern Ireland
The Sea Fishing (Enforcement	S.I. 2000 No. 51	The Whole Order, in Northern

(a) S.R. 2000 No. 200

(b) 1995 c.21

(c) S.R. 2005 No. 419 as amended by S.R. 2016 No. 120

of Community Control Measures) Order 2000		Ireland
The Sea Fishing (Enforcement of Community Satellite Monitoring Measure) Order 2000	S.I. 2000 No. 181	The Whole Order, in Northern Ireland
The Sea Fishing (Enforcement of Community Quota and Third Country Fishing Measures) Order 2000	S.I. 2000 No. 827	The Whole Order, in Northern Ireland
The Sea Fishing (Enforcement of Community Conservation Measures) Order 2000	S.I. 2000 No. 1081	The Whole Order, in Northern Ireland
The Undersized Lobsters Order 2000	S.I. 2000 No. 1503	The Whole Order, in Northern Ireland
The Sea Fishing (Enforcement of Community Quota and Third Country Fishing Measures) (Amendment) Order 2000	S.I. 2000 No. 2008	The Whole Order, in Northern Ireland
The Sea Fishing (North-East Atlantic Control Measures) Order 2000	S.I. 2000 No. 1843	The Whole Order, in Northern Ireland
The Sea Fishing (Enforcement of Community Conservation Measures) (Amendment) Order 2002	S.I. 2002 No. 426	The Whole Order, in Northern Ireland
The Sea Fishing (Enforcement of Community Control Measures) (Amendment) Order 2005	S.I. 2005 No. 2624	The Whole Order, in Northern Ireland
The Sea Fishing (Restriction on Days at Sea) Order (Northern Ireland) 2007	S.R. 2007 No. 407	The Whole Order
The Sea Fishing (Marking and Identification of Passive Fishing Gear and Beam Trawls) Order (Northern Ireland) 2008	S.R. 2008 No. 484	The Whole Order

SCHEDULE 3

Article 4

Revocations

<i>Regulations revoked</i>	<i>Reference</i>
The Fisheries and Aquaculture Structures (Grants) Regulations (Northern Ireland) 1995	S.R. 1995 No. 1576
The Fisheries and Aquaculture Structures (Grants) (Amendment) Regulations (Northern Ireland) 1998	S.R. 1998 No. 243
The Environmental Impact Assessment (Fish Farming in Marine Waters) Regulations (Northern Ireland) 2007	S.R. 2007 No. 23

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes minor amendments to a number of statutory rules and revokes a number of other statutory instruments,

Article 2 and Schedule 1 provide for a number of minor amendments which correct a drafting omission and some definitions.

Article 3 and Schedule 2 revoke 13 statutory instruments insofar as they extend to Northern Ireland.

Article 4 and Schedule 3 revoke 3 statutory rules in their entirety.

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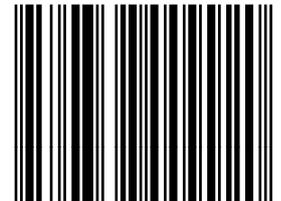
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