

1988 No. 1668

RIVER, ENGLAND AND WALES

SALMON AND FRESHWATER FISHERIES

The Welsh Water Authority (Fixed Engine) Order 1988

Made - - - - - *10th August 1988*

Coming into force *23rd September 1988*

Whereas the Secretary of State, in accordance with paragraph 7 of Schedule 3 to the Salmon and Freshwater Fisheries Act 1975(a), caused notice of his intention to make the following Order and of the place where copies of the draft of the Order could be inspected and obtained, and of the time within and the manner in which objections to the draft Order might be made, to be published;

And whereas the Secretary of State has received no objections to the draft Order;

Now, therefore, the Secretary of State, in exercise of the powers conferred by section 28(3) and (6) and section 41(1) and (2) of, and paragraph 1(b) and (c) of Schedule 3 to, the said Act, and now vested in him(b), and of all other powers enabling him in that behalf, on the application of the Welsh Water Authority in accordance with paragraph 5(a) of the said Schedule 3 hereby makes the following Order:—

Citation, commencement and interpretation

1.—(1) This Order which may be cited as the Welsh Water Authority (Fixed Engine) Order 1988 shall come into force on 23rd September 1988 unless a memorial is presented to the Secretary of State in accordance with paragraph 9 of Schedule 3 to the Act praying that this Order shall be subject to special parliamentary procedure(c).

(2) In this Order —

“the Act” means the Salmon and Freshwater Fisheries Act 1975;

“the Authority” means the Welsh Water Authority;

“the definitive plan” means the plan marked “Welsh Water Authority (Fixed Engine) Order 1988”, dated 10th August 1988, signed by an Assistant Secretary of the Welsh Office and deposited at the offices of the Authority at Penrhosgarnedd, Bangor, Gwynedd LL57 2DJ.

Power to work fixed engines

2.—(1) Notwithstanding the provisions of section 6, or any other provisions, of the Act, which limit or prohibit the placing, use or working (whether or not in a fish pass) of a fixed engine, or any provisions amending or extending such provisions, the Authority may, subject to the approval of the Secretary of State and to paragraph (2) below, erect and work at any time of the year by themselves or their lessees the fixed engine situate at Gelli Goch, Gwynedd on the Afon Eden (described on the definitive plan) for catching salmon and migratory trout

(a) 1975 c. 51; section 6 was amended by the Salmon Act 1986 (c. 62), section 33.

(b) By virtue of S.I. 1978/272.

(c) Section 6 of the Statutory Orders (Special Procedure) Act 1945 (c. 18) (9 and 10 Geo. 6) makes provision for Orders subject to special parliamentary procedure.

for scientific purposes and also for the purpose of improving stocks of fish in the basin of the Afon Mawddach.

(2) The aforesaid fixed engine shall not be worked under the authority of this article for any period exceeding five years unless the authority is from time to time extended by licence of the Secretary of State for such term as may be specified in the licence and not exceeding at any one time five years.

Signed by authority of the Secretary of State for Wales
10th August 1988

H.R. Bollington
Assistant Secretary,
Welsh Office

CONFIRMED by the Secretary of State for Wales on 22nd September 1988.

Signed by authority of the Secretary of State for Wales

H.R. Bollington
Assistant Secretary,
Welsh Office

EXPLANATORY NOTE

(This note is not part of the Order)

This Order enables the Welsh Water Authority, with the approval of the Secretary of State, to erect and work a fixed engine at Gelli Goch, Gwynedd for catching salmon and migratory trout for scientific purposes and also for the purpose of improving stocks of fish. A definitive plan describing the situation of the fixed engine may be inspected during office hours at the offices of the Authority at Penrhosgarnedd, Bangor, Gwynedd LL57 2DJ

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