

SCHEDULE 1

Article 4

Consequential amendments to, and revocations of, existing enactments

PART 1

Amendments to Subordinate Legislation

The Tribunals and Inquiries (Discretionary Inquiries) Order 1975

1. In Part II of the Schedule to the Tribunals and Inquiries (Discretionary Inquiries) Order 1975(1), omit paragraph 97.

The Transfer of Functions (Wales) (No 1) Order 1978

2. In the Transfer of Functions (Wales) (No 1) Order 1978(2)—
- (a) in Schedule 1 (enactments conferring functions transferred by article 2), omit the words “Sea Fisheries Regulation Act 1966 (c 38) except section 15.”; and
 - (b) in Schedule 2 (enactments conferring functions transferred by article 4), omit the words “Section 15 of the Sea Fisheries Regulation Act 1966 (c 38).”.

The Sea Fisheries Districts (Variation) Order 1993

3. In the Sea Fisheries Districts (Variation) Order 1993(3)—
- (a) omit article 9 (North Western and North Wales Sea Fisheries District); and
 - (b) omit article 11 (South Wales Sea Fisheries District).

The National Assembly for Wales (Transfer of Functions) Order 1999

4. In Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999(4) omit the words “Sea Fisheries Regulation Act 1966 (c 38) in respect of the functions transferred to the Secretary of State by the 1978 transfer order.”.

The Sea Fishing (Enforcement of Measures for the Recovery of the Stock of Cod) (Irish Sea) (Wales) Order 2000

5. In the Sea Fishing (Enforcement of Measures for the Recovery of the Stock of Cod) (Irish Sea) (Wales) Order 2000(5)—
- (a) in article 2(1) (interpretation), omit the definition of “local fisheries committee”;
 - (b) omit article 9 (powers of other officers);
 - (c) in article 10 (protection of officers), replace “6 to 9” with “6 to 8”;
 - (d) in article 11(c) (obstruction of officers), replace “6 to 9” with “6 to 8”;
 - (e) omit article 13 (proceedings); and

(1) [S.I. 1975/1379](#). Part II of the Schedule has been amended by [S.I. 1983/1287](#), article 3 and [S.I. 1990/526](#), article 2 and Schedule. There are further amendments to the 1975 Order which are not relevant to this Order.

(2) [S.I. 1978/272](#). Schedule 1 has been amended by [S.I. 2000/2031](#), article 5.

(3) [S.I. 1993/2532](#).

(4) [S.I. 1999/672](#) to which there are amendments not relevant to this Order.

(5) [S.I. 2000/976 \(W.46\)](#) to which there are amendments not relevant to this Order.

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- (f) in article 14(1) (admissibility in evidence of logbooks and other documents), omit paragraph (d).

The Sea Fishing (Enforcement of Community Conservation Measures) (Wales) Order 2000

6. In the Sea Fishing (Enforcement of Community Conservation Measures) (Wales) Order 2000⁽⁶⁾—

- (a) in article 2 (interpretation)—
- (i) in paragraph (1), omit the definition of “local fisheries committee”,
 - (ii) omit paragraph (3);
- (b) in article 9 (powers of other officers)—
- (i) in paragraph (2)—
 - (aa) in sub-paragraph (b), replace “; and” with “.”, and
 - (bb) omit sub-paragraph (c),
 - (ii) omit paragraph (3); and
- (c) omit article 13 (proceedings).

The Water Environment (Water Framework Directive) (England and Wales) Regulations 2003

7. In regulation 12 (river basin management plans: public participation) of the Water Environment (Water Framework Directive) (England and Wales) Regulations 2003⁽⁷⁾—

- (a) in paragraph (4), omit sub-paragraph (j); and
- (b) in paragraph (5), omit sub-paragraph (d).

The Local Authorities (Alternative Arrangements) (Wales) Regulations 2007

8. In Part I (miscellaneous functions) of Schedule 1 (functions not to be the responsibility of an authority’s board) to the Local Authorities (Alternative Arrangements) (Wales) Regulations 2007⁽⁸⁾ omit paragraph 2.

The Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007

9. In Part I (miscellaneous functions) of Schedule 1 (functions not to be the responsibility of an authority’s executive) to the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007⁽⁹⁾ omit paragraph 2.

The Legislative and Regulatory Reform (Regulatory Functions) Order 2007

10. In Part 3 of the Schedule to the Legislative and Regulatory Reform (Regulatory Functions) Order 2007⁽¹⁰⁾ omit the words “Sea Fisheries Regulation Act 1966”.

(6) [S.I. 2000/2230 \(W.148\)](#).

(7) [S.I. 2003/3242](#). Regulation 12 has been amended by [S.I. 2005/2035](#), regulation 22. There are further amendments to the 2003 Regulations which are not relevant to this Order.

(8) [S.I. 2007/397 \(W.43\)](#). Schedule 1 has been amended by [S.I. 2009/2993 \(W.262\)](#), regulations 2 and 3. There are further amendments to the 2007 Regulations which are not relevant to this Order.

(9) [S.I. 2007/399 \(W.45\)](#). Schedule 1 has been amended by [S.I. 2009/2983 \(W.260\)](#), regulations 2 and 3. There are further amendments to the 2007 Regulations which are not relevant to this Order.

(10) [S.I. 2007/3544](#). Part 3 of the Schedule has been amended by [S.I. 2008/1277](#), regulation 30(1), (3), Schedule 2, Part 2, paragraph 115(1), (2)(a) and (b), Schedule 4, Part 2; [S.I. 2008/1284](#), regulation 26; [S.I. 2008/1597](#), regulation 26, Schedule 7, paragraph

The Sea Fishing (Enforcement of Community Measures) (Penalty Notices) Order 2008

11. In article 3(1) of the Sea Fishing (Enforcement of Community Measures) (Penalty Notices) Order 2008(11), replace the definition of “authorised officer” with—

““authorised officer” means a person—

- (a) who by virtue of section 7 of the Sea Fisheries Act 1968 is a British sea-fishery officer,
- (b) who has been appointed a fishery officer under section 10 of the Sea Fisheries Regulation Act 1966, or
- (c) who has been appointed as a marine enforcement officer under section 235 of the Marine and Coastal Access Act 2009;”.

PART 2

Revocations

12. The enactments specified in this Part are revoked—

- (a) the Order of the Board of Agriculture and Fisheries on 27th June 1912 (which created the South Wales Sea Fisheries District and constituted a local fisheries committee for the regulation of sea fisheries within that district(12));
- (b) the South Wales Sea Fisheries District (Expenses) Order 1953(13);
- (c) the South Wales Sea Fisheries District (Constitution of Committee and Expenses) (Variation) Order 1973(14);
- (d) the Sea Fisheries Regulation Act 1966 (Amendment) Order 1973(15);
- (e) the South Wales Sea Fisheries District (Variation) Order 1980(16);
- (f) the Sea Fisheries (Byelaws) Regulations 1985(17);
- (g) the Local Fisheries Committees (Fees for Copy Byelaws) Order 1993(18);
- (h) the North Western and North Wales Sea Fisheries District Order 1999(19);
- (i) the South Wales Sea Fisheries District (Variation) Order 2003(20); and
- (j) the South Wales Sea Fisheries Committee (Levies) Regulations 2003(21).

7; S.I. 2008/1816, regulations 3, 4, Schedule 1, paragraph 6, Schedule 2; S.I. 2009/2824, regulation 7, Schedule, paragraph 5 and S.I. 2009/2981, articles 2, 4(4)(a)-(f), 4(4)(g)(i) and (ii) and 4(4)(h). There are further amendments to the 2007 Order which are not relevant to this Order.

(11) S.I. 2008/984.

(12) S.R. & O. 1926/1121.

(13) S.I. 1953/443.

(14) S.I. 1973/2203.

(15) S.I. 1973/1610.

(16) S.I. 1980/823.

(17) S.I. 1985/1785.

(18) S.I. 1993/1116.

(19) S.I. 1999/1043.

(20) S.I. 2003/3036 (W.284).

(21) S.I. 2003/3072 (W.294).

SCHEDULE 2

Article 10

Premises and assets of the North Western and North Wales Sea Fisheries Committee

PART 1

North Western and North Wales Sea Fisheries Committee : premises located in Wales.

1. Office at Room 234 at the School of Ocean Sciences, Westbury Mount, Menai Bridge, Anglesey, more particularly described in the Licence to Occupy made on 1st August 2008 between Bangor University and North Western and North Wales Sea Fisheries Committee.

2. Storage Unit at Colwyn Bay, Wales pursuant to an agreement between M & M Construction (N.W.) Ltd (Company Registration Number 02264163) and the North Western and North Wales Sea Fisheries Committee.

3. Storage Unit at Conwy Marina, Wales pursuant to an agreement between Quay Marinas Limited (Company Registration Number 01094247) and the North Western and North Wales Sea Fisheries Committee.

4. Storage Unit at Hendy, Llanbedrog, Pwllheli, Gwynedd, Wales pursuant to an agreement between Mr Jones (of Hendy, Llanbedrog, Pwllheli, Gwynedd, Wales, LL53 7UA) and the North Western and North Wales Sea Fisheries Committee.

5. Vessel berth known as “A Leg Hammerhead” at Conwy Marina, Conwy, Wales, pursuant to an agreement between Quay Marinas Limited (Company Registration Number 01094247) and the North Western and North Wales Sea Fisheries Committee.

PART 2

North Western and North Wales Sea Fisheries Committee : specified assets.

6. The Fishery Patrol Vessel “Aegis” 16m Arun class (Lloyds Build Certification : Lloyds HCC – SOU511003) and all associated motors, radar and other equipment.

7. Three Honda All Terrain Vehicles (including those with serial numbers 1HFTE25U464505424 and LFL6H28HNW200201087) and three associated trailers.

8. Three Zodiac Grand Raid III Rigid Inflatable Boats (serial numbers 3432, 3433 and 3434) and all associated motors (including three Yamaha 40 HP outboard motors (serial numbers 6H4S 193699, 6H4S 190308 and 6H4S 109271) and three Yamaha Malta Outboard motors (serial numbers 6L5S 055626X, 6L5S 053555 and 6L5S 032634)), three trailers and other associated equipment.

9. Two road vehicles, as follows—

- (a) Ford Fiesta Van, registration number Y685XCW; and
- (b) Land Rover Defender, registration number PE58XKF.

10. The following vehicles, in accordance with the specified lease agreements between the North Western and North Wales Sea Fisheries Committee and ARVAL Ltd (Company Registration Number 03171162)—

- (a) Nissan Terrano 4x4 vehicle, registration number WN55 WEA, by virtue of lease agreement dated 23rd November 2005;
- (b) Vauxhall Astra Car, registration number AU06 UMJ, by virtue of lease agreement dated 2nd May 2006;

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- (c) Citroen Berlingo Van, registration number WM07 GJY, by virtue of lease agreement dated 20th July 2007; and
- (d) Renault Clio Car, registration number RE58 EZT, by virtue of lease agreement dated 3rd October 2008.

SCHEDULE 3

Article 13(1)

Byelaws of the South Wales Sea Fisheries Committee

<i>Byelaw Number</i>	<i>Title</i>
Byelaw 2	Application
Byelaw 3	Lobster – Minimum size
Byelaw 5	Protection of V-Notched Lobsters
Byelaw 6	Crabs – Minimum size
Byelaw 7	Crawfish – Minimum size
Byelaw 8	Bass – Minimum Size
Byelaw 9	Thick Lipped Grey Mullet – Minimum size
Byelaw 10	Skate and Ray – Minimum size
Byelaw 11	Whelk – Minimum Size
Byelaw 12	Winkles
Byelaw 13	Shellfish – Minimum Sizes
Byelaw 14	Scallops – Minimum Size
Byelaw 15	Vehicle Usage in the Burry Inlet Cockle Fishery
Byelaw 16	No Sunday Gathering
Byelaw 17	The Licensing of Cockle Gathering in the Burry Inlet
Byelaw 18	Daily Cockle Quota (Burry Inlet)
Byelaw 19	Personal Cockle Gathering – Burry Inlet
Byelaw 20	Protection of Shellfish Beds – Burry Inlet
Byelaw 21	Prohibition of night gathering of Cockles
Byelaw 22	Allowances for Weighing
Byelaw 23	Shellfish – Re-Deposit of
Byelaw 24	Temporary Closure of Shellfish fisheries
Byelaw 25	Prohibited area for Towed Fishing Gear Milford Haven
Byelaw 26	Prohibited area for Trawl and Seine Nets Milford Haven
Byelaw 27	Prohibited area for use of Dredges and Beam Trawls - Skomer
Byelaw 28	Prohibited area for Scallop Fishing - Skomer

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<i>Byelaw Number</i>	<i>Title</i>
Byelaw 29	Bass Nursery Area – Restrictions on Fishing
Byelaw 30	Fixed Nets
Byelaw 31	Drift Net Prohibitions
Byelaw 32	Mesh Sizes – Nets other than Trawl and Purse Seine Nets
Byelaw 33	Set, Stake and Stop Nets
Byelaw 34	Set and Drift Nets
Byelaw 35	Reducing Mesh of Nets
Byelaw 36	Minimum Size of Nets in the Burry Inlet
Byelaw 37	Beach Drag and Beach Seine Nets
Byelaw 39	Beam Trawl Restriction
Byelaw 40	Bivalve Molluscan Shellfish – Methods of Fishing
Byelaw 41	Boat Fishing (Catch Returns) Permit
Byelaw 42	Set or Night Lines
Byelaw 43	Foul Hooking of Sea fish
Byelaw 44	Marking of Fishing Gear and Keep Pots
Byelaw 45	Restriction on fishing for Scallops
Byelaw 46	Parts of Crustacean Shellfish
Byelaw 47	Permit to Take Cockles within the Three Rivers Estuary
Byelaw 48	Vehicle Usage within the Three Rivers Estuary

SCHEDULE 4

Article 13(3)

Byelaws of the North Western and North Wales Sea Fisheries Committee

<i>Byelaw Number</i>	<i>Title</i>
Byelaw 1	
Byelaw 2	Attachments to Nets
Byelaw 3	Prohibition of Seine Netting
Byelaw 4	Mesh Size – Trawl Nets
Byelaw 5	Permit to fish for Cockles (<i>Cerastoderma edule</i>) and Mussels (<i>Mytilus edulis</i>)
Byelaw 6	Shrimp and Prawns – Restriction on Fishing
Byelaw 7	Mesh Sizes – Nets other than Trawl Nets
Byelaw 8	Small Mesh Nets – Other than Trawl Nets – Restrictions
Byelaw 9	Mechanically Propelled Vessels – Maximum Length

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<i>Byelaw Number</i>	<i>Title</i>
Byelaw 10	Set and Drift Nets
Byelaw 11	Marking of Fishing Gear and Keep Pots
Byelaw 12	Restrictions on Fishing for Bivalve Molluscan Shellfish
Byelaw 13	Cockles – Minimum Size
Byelaw 13A	Cockles and Mussels – Management of the Fishery
Byelaw 14	Cockle Fishery – Seasonal Closure
Byelaw 15	Mussels – Minimum Size
Byelaw 16	Shell Fishery – Temporary Closure
Byelaw 17	Re-Deposit of Shellfish
Byelaw 18	Foul Hooking of Sea Fish
Byelaw 19	Specified Fish Sizes
Byelaw 20	Restriction of Fishing for Escallop in Cardigan Bay
Byelaw 21	Prohibition of Bottom Towed Fishing Gear
Byelaw 24	Fixed Engines – Prohibitions (Wales)
Byelaw 25	Drift Nets – Prohibitions (Wales)
Byelaw 28	Application of Byelaws
Byelaw 29	Minimum size of Lobster
Byelaw 30	Fishing for Lobster, Crawfish, Crab Prawn and Whelk
Byelaw 31	Protection of V-Notched Lobsters

SCHEDULE 5

Article 13(4)

Byelaws of the Environment Agency, or its predecessors, made whilst exercising the powers of a local fisheries committee.

<i>Byelaw Number of the 1990 National Rivers Authority (Welsh Region) Fishery Byelaws (also known as the Wales Sea Fishery Byelaws) as amended by modification confirmed by the Secretary of State for Wales on 5th August 1992 and by the Minister of Agriculture, Fisheries and Food on 11th August 1992.</i>	<i>Title</i>
Byelaw 1	Application of Byelaws
Byelaw 2	Interpretation
Byelaw 3	Placing and Use of Fixed Engines

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<i>Byelaw Number of the 1990 National Rivers Authority (Welsh Region) Fishery Byelaws (also known as the Wales Sea Fishery Byelaws) as amended by modification confirmed by the Secretary of State for Wales on 5th August 1992 and by the Minister of Agriculture, Fisheries and Food on 11th August 1992.</i>	<i>Title</i>
Byelaw 4	Method of Construction and Manner of Use of Fixed Engines
Byelaw 5	Use of Instruments
Byelaw 6	Foul Hooking of Fish
Byelaw 7	Protection for certain acts

<i>Byelaw Number of Welsh National Water Development Authority, Dee and Clwyd River Division, Byelaws for Regulating the Sea Fisheries (also known as the River Dee Sea Fishery Byelaws) made by the Board of Conservators of the Dee Fishery District and confirmed by a certificate of the Board of Trade on 2nd July 1895.</i>	
Byelaw 1	
Byelaw 2	
Byelaw 3	
Byelaw 4	
Byelaw 5	
Byelaw 6	
Byelaw 7	
Byelaw 8	
Byelaw 9	
Byelaw 10	
Byelaw 11	
Byelaw 12	
Byelaw 13	
Byelaw 14	
Byelaw 15	
Byelaw 16	
Byelaw 17	
Byelaw 18	
Byelaw 19	
Byelaw 20	
Byelaw 21	

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<i>Byelaw Number of the National Rivers Authority Welsh Region, Byelaws Regulating Fishing for Shellfish in the River Dee and its Estuary (also known as the Dee Shellfish Byelaws)</i>	<i>Title</i>
Byelaw 1	Application of Byelaws
Byelaw 2	Interpretation
Byelaw 3	Fishing for Cockles
Byelaw 4	Minimum Size of Cockles
Byelaw 5	The Annual Close Season for Cockles
Byelaw 6	Shell Fishery – Temporary Closure
Byelaw 7	Redeposit of Shellfish
Byelaw 8	Introduction of Shellfish
Byelaw 9	Catch Returns
Byelaw 10	The Protection for Scientific Acts
Byelaw 11	Protection of Shellfish Beds
Byelaw 12	Use of Nets – Beam Trawl or Otter Trawl
Byelaw 13	Mechanically Propelled Vehicles