STATUTORY INSTRUMENTS

2017 No. 1219

SEA FISHERIES, ENGLAND

FISHERY LIMITS

The Fishing Boats Designation (England) (Amendment) Order 2017

Made - - - -	*6th December 2017*
Laid before Parliament	*7th December 2017*
Coming into force - -	*4th January 2018*

The Secretary of State makes this Order in exercise of the powers conferred by sections 2(1) and (4) and 6(2) of the Fishery Limits Act 1976(**1**), and now vested in the Secretary of State(**2**).

(**1**) 1976 c. 86. Section 2(1) and (4) of that Act were amended by S.I. 1999/1820 article 4, Schedule 2, paragraph 57(1) and (2)(a).

(**2**) The functions of the Ministers under the Fishery Limits Act 1976 ("the 1976 Act") in relation to Wales were transferred to the National Assembly for Wales and then transferred from that body to Welsh Ministers: see article 2(a) of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I 1999/672) and paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32). Insofar as those functions were exercisable in relation to the Welsh zone, they have been transferred to Welsh Ministers by article 4(1) of the Welsh Zone (Boundaries and Transfer of Functions) Order 2010 (S.I. 2010/760). The functions under the 1976 Act within British fishery limits but outside the Scottish zone are exercisable by "the Ministers" (defined in section 8 of the 1976 Act). Functions under section 2 of the 1976 Act, which are now exercisable in relation to areas within the Scottish zone by virtue of section 2(9) of the 1976 Act, are exercisable by the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46). Any remaining functions of the Secretaries of State concerned with the sea fishing industry in Scotland and Wales under section 2 of the 1976 Act were transferred to the Minister of Agriculture, Fisheries and Food: see article 2(1) of, and the Schedule to, the Transfer of Functions (Agriculture and Fisheries) Order 2000 (S.I. 2000/1812). Functions under section 2 of the 1976 Act were transferred to the Department of Agriculture and Rural Development (now renamed the Department of Agriculture, Environment and Rural Affairs) under article 3(3) of, and paragraph 4 of Schedule 3 to, the Sea Fisheries (Northern Ireland) Order 2002 (S.I. 2002/790). Functions under section 2 of the 1976 Act have been transferred to the Secretary of State: see article 3(1)(c) of the Transfer of Functions (Sea Fisheries) Order (S.I. 2012/2747).