WELSH STATUTORY INSTRUMENTS

2012 No. 2571 (W.282)

SEA FISHERIES, WALES

The Sea Fish (Specified Sea Areas) (Prohibition of Fishing Method) (Wales) Order 2012

Made - - - -	*10 October 2012*
Laid before the National Assembly for Wales - -	*11 October 2012*
Coming into force - -	*1 November 2012*

The Welsh Ministers make the following Order in exercise of the powers conferred by sections 5(1) and (1B), 5A(1) and 20(1) of the Sea Fish (Conservation) Act 1967(**1**) which are now vested (**2**) in them.

Title, commencement and application

1.—(1) The title of this Order is the Sea Fish (Specified Sea Areas) (Prohibition of Fishing Method) (Wales) Order 2012 and it comes into force on 1 November 2012.

(2) This Order applies in relation to Wales.

Interpretation

2. In this Order—

"bottom towed fishing gear" ("*offer pysgota sy'n llusgo'r gwaelod*") means any fishing gear or equipment which is capable of being towed, dragged or moved along the seabed including, but not limited to, any fishing dredge, beam trawl or otter trawl;

"co-ordinate" ("*cyfesuryn*") means a co-ordinate of latitude and longitude given in degrees, minutes and decimal fractions of a minute on the World Geodetic System 1984;

"specified sea areas" ("*ardaloedd môr penodedig*") means the areas described in the Schedule to this Order; and

(**1**) 1967 c. 84.

(**2**) By virtue of article 2(a) of and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672) the functions exercisable under section 5 of the 1967 Act were transferred to the National Assembly for Wales (as constituted under the Government of Wales Act 1998 (c. 38)) in so far as exercisable in relation to Wales. Those functions of the National Assembly for Wales were transferred to the Welsh Ministers by virtue of section 162 of and paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

"Wales" ("*Cymru*") has the meaning given in section 158 of the Government of Wales Act 2006(**3**).

Prohibition

3.—(1) Fishing for sea fish within the specified sea areas using bottom towed fishing gear is hereby prohibited.

(2) All bottom towed fishing gear must be inboard, stowed and secured when any fishing boat is within the specified sea areas.

Revocation and Consequential Amendment

4.—(1) Byelaw 21 (Prohibition of Bottom Towed Fishing Gear)(**4**) of the former North Western and North Wales Sea Fisheries Committee(**5**) is revoked in relation to Wales.

(2) In the Table in Schedule 4 to the Marine and Coastal Access Act 2009 (Commencement No. 1, Consequential, Transitional and Savings Provisions) (England and Wales) Order 2010(**6**) the row relating to Byelaw 21 is deleted.

Alun Davies
Deputy Minister for Agriculture, Food, Fisheries and European Programmes, under authority of the Minister for Business, Enterprise, Technology and Science, one of the Welsh Ministers

10 October 2012

(**3**) 2006 c. 32.
(**4**) From 1 April 2010, Byelaw 21 of the former North Western and North Wales Sea Fisheries Committee has effect as if made by the Welsh Ministers in a statutory instrument in relation to the same area of Wales as the area to which that byelaw originally applied by virtue of article 13(3) of and Schedule 4 to the Marine and Coastal Access Act 2009 (Commencement No. 1, Consequential, Transitional and Savings Provisions) (England and Wales) Order 2010 (S.I. 2010/630 (C.42)).
(**5**) The North Western and North Wales Sea Fisheries Committee was dissolved, in relation to Wales, on 1 April 2010 when article 3 of the Marine and Coastal Access Act 2009 (Commencement No. 1, Consequential, Transitional and Savings Provisions) (England and Wales) Order 2010 (S.I. 2010/630 (C.42)) brought into force section 187 of the Marine and Coastal Access Act 2009 (c. 23), with the effect of repealing the Sea Fisheries Regulation Act 1966 (c. 38).
(**6**) S.I. 2010/630 (C.42).