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## EXPLANATORY NOTE

*(This note is not part of the Order)*

Article 3 of this Order brings into force on 1st April 2010 the following provisions of the Marine and Coastal Access Act 2009 (c. 23) (“the 2009 Act”), in relation to Wales—

- (a) section 187, which repeals the Sea Fisheries Regulation Act 1966 (c. 38) (“the 1966 Act”); and
- (b) section 321, in so far as it relates to the repeals in Part 4 (Management of Inshore Fisheries) of Schedule 22 (Repeals) to the 2009 Act, which makes changes to other enactments which are consequential upon repeal of the 1966 Act.

Article 4 of, and Schedule 1 to, this Order make a number of amendments to and revocations of subordinate legislation, in relation to Wales, which are consequential upon repeal of the 1966 Act. The repeal of the 1966 Act in relation to Wales will result in the dissolution of the South Wales Sea Fisheries Committee and the North Western and North Wales Sea Fisheries Committee, so far as the latter relates to Wales.

Article 5 provides for the transfer of the staff employed by or on behalf of the South Wales Sea Fisheries Committee so that those individuals will become members of the staff of the Welsh Assembly Government on 1st April 2010.

Article 6 provides that, apart from the transfer effected by article 7, all property held by or on behalf of or for the purposes of the South Wales Sea Fisheries Committee, together with all rights and liabilities to which that Sea Fisheries Committee was entitled or subject, are transferred to the Welsh Ministers on 1st April 2010.

Article 7 transfers the functions, properties rights and liabilities of the South Wales Sea Fisheries Committee under the Burry Inlet Cockle Fishery Order 1965 (S.I. 1965/1235) to the Environment Agency.

Article 9 provides for the transfer of the staff employed by or on behalf of the North Western and North Wales Sea Fisheries Committee so that those individuals will become members of the staff of the Welsh Assembly Government on 1st April 2010.

Article 10 provides that, apart from the transfer effected by article 11, the property specified in that article (and the related Schedule 2) held by or on behalf of or for the purposes of the North Western and North Wales Sea Fisheries Committee, together with associated rights and liabilities, are transferred to the Welsh Ministers on 1st April 2010. It further provides that all other rights and liabilities to which that Sea Fisheries Committee was entitled or subject so far as the same related to Wales are transferred to the Welsh Ministers on 1st April 2010.

Article 11 transfers the functions, properties rights and liabilities of the North Western and North Wales Sea Fisheries Committee under the Menai Strait Oyster and Mussel Fisheries Order 1962 (S.I. 1962/705) to the Menai Strait Fishery Order Management Association.

Articles 8 and 12 make certain transitional and saving provisions relating to the functions, staff, property, rights and liabilities transferred by this Order. Article 13 makes transitional and saving provisions relating to byelaws regulating inshore fisheries management and applies in relation to Wales.

As a result of the North Western and North Wales Sea Fisheries Committee being constituted as a cross border body (i.e. partly in Wales and partly in England), articles 1, 2, 9, 10, 11 and 12 of, and Schedule 2 to, this Order apply in relation to England and Wales.

**Status:** *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

A full impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.