

This Scottish Statutory Instrument has been made in consequence of a defect in S.S.I. 2008/102 and is being issued free to all known recipients of that instrument.

SCOTTISH STATUTORY INSTRUMENTS

2008 No. 156

SEA FISHERIES

**The Sea Fishing (Control Procedures for Herring, Mackerel
and Horse Mackerel) (Scotland) Amendment Order 2008**

<i>Made</i>	- - - -	<i>16th April 2008</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>17th April 2008</i>
<i>Coming into force</i>	- -	<i>9th May 2008</i>

The Scottish Ministers make the following Order in exercise of the powers conferred by section 30(2) of the Fisheries Act 1981(1) and paragraph 1A of Schedule 2 to the European Communities Act 1972(2).

This Order makes provision for a purpose mentioned in section 2(2) of the European Communities Act 1972(3) and it appears to the Scottish Ministers that it is expedient for any reference to Commission Regulation (EC) No. 1542/2007(4) to be construed as a reference to that Regulation as amended from time to time.

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- (1) 1981 c. 29 (“the 1981 Act”); relevant modifications are contained in the Scotland Act 1998 (Functions Exercisable in or as Regards Scotland) Order 1999 (S.I.1999/1748), article 5 and the Scotland Act 1998 (Modification of Functions) Order 1999 (S.I. 1999/1756), articles 3, 5 and 6. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46). See section 30(3) of the 1981 Act for definitions of “enforceable Community restriction”, “enforceable Community obligation” and “the Ministers”. Section 30 of the 1981 Act has effect in relation to Scotland as modified by section 30(5) of that Act which was inserted by the Scotland Act (Consequential Modifications) (No. 2) Order 1999 (S.I. 1999/1820), Schedule 2, paragraph 68(5)(b).
- (2) 1972 c. 68; paragraph 1A of Schedule 2 was inserted by the [Legislative and Regulatory Reform Act \(c.51\)](#), section 28.
- (3) section 2(2) was amended by the Scotland Act 1998, Schedule 8, paragraph 15(3) which was amended by section 27(4) of the [Legislative and Regulatory Reform Act 2006 \(c. 51\)](#). Section 2(2) was also amended by section 27(1)(a) of the [Legislative and Regulatory Reform Act 2006 Act](#).
- (4) O.J. No. L 337, 21.12.2007, p.56.