

SCHEDULE 2

PART I

MODIFICATIONS OF ACTS OF PARLIAMENT

Sea Fisheries (Shellfish) Act 1967 (c. 83)

42.—(1) The Sea Fisheries (Shellfish) Act 1967 is amended as follows.

(2) In section 1 (power to make orders as to fisheries for shellfish)(1)—

- (a) in subsection (1), for “Great Britain” there is substituted “England and Wales”;
- (b) after subsection (1) there is inserted—

“(1A) Subsection (1) above has effect in relation to Scotland, with the modification that for “waters adjacent to England and Wales to” there is substituted “that part of the Scottish zone within”.”.

(3) In section 6 (report to Parliament), at the end there is inserted “or, in the case of a report in relation to Scotland, before the Scottish Parliament”.

(4) In section 8 (proof of certain matters), after “department” there is inserted “or, as regards Scotland, signed by a member of the staff of the Scottish Administration”.

(5) In section 9 (grants and loans for restoration of fisheries), after subsection (1) there is inserted—

“(1A) Subsection (1) above has effect in relation to Scotland with the modification that the words “with the approval of the Treasury” are omitted.”.

(6) In section 12 (power to prohibit deposit of shellfish)—

- (a) in subsection (2)(a), for “Great Britain” there is substituted “England and Wales”; and
- (b) after subsection (2) there is inserted—

“(2A) Subsection (2) above has effect in relation to Scotland with the modification that in paragraph (a) for “adjacent to England and Wales” there is substituted “within the Scottish zone”.”.

(7) In section 13 (power to prohibit importation of shellfish in certain cases)(2)—

- (a) in subsection (4), for “Great Britain” there is substituted “England and Wales”; and
- (b) after subsection (4) there is inserted—

“(5) This section has effect in relation to Scotland with the modification that in subsection (4) for “England and Wales” there is substituted “Scotland”.”.

(8) In section 17 (taking and sale of certain crabs and lobsters prohibited)(3)—

- (a) in subsection (3), for “Great Britain” there is substituted “England and Wales”; and
- (b) after subsection (3) there is inserted—

“(3A) Subsection (3) of this section has effect in relation to Scotland, with the modifications that—

- (a) for “Minister and the Secretary of State for Scotland and the Secretary of State for Wales” there is substituted “Scottish Ministers”; and

(1) Section 1 was amended by the Sea Fisheries Act 1968 (c. 77), section 15(2) and the Fishery Limits Act 1976 (c. 86), Schedule 2, paragraph 15.

(2) Section 13 was amended by S.I. 1972/971 and the Hovercraft Act 1968 (c. 59), Schedule, paragraph 4.

(3) Section 17 was amended by S.I. 1978/272 and the Criminal Justice and Public Order Act 1994 (c. 33), Schedule 8.

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

(b) for “England and Wales” there is substituted “Scotland”.”.

(9) In section 20 (orders and regulations)–

- (a) in subsection (2), at the end there is inserted “or, in the case of an order in relation to Scotland, the Scottish Parliament”; and
- (b) in subsection (3), at the end there is inserted “or, in the case of an order in relation to Scotland, the Scottish Parliament”.

(10) In section 22 (interpretation)–

- (a) in subsection (1), for “Secretary of State” there is substituted “Scottish Ministers”; and
- (b) in subsection (2), there is inserted in the appropriate place–
 ““the Scottish zone” has the same meaning as in the Scotland Act 1998.”.