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SCOTTISH STATUTORY INSTRUMENTS

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**2012 No. 63**

**SEA FISHERIES**

**CONSERVATION OF SEA FISH**

**The Sharks, Skates and Rays (Prohibition of Fishing,  
Trans-shipment and Landing) (Scotland) Order 2012**

*Made* - - - - 28th February 2012  
*Laid before the Scottish  
Parliament* - - - - 1st March 2012  
*Coming into force* - - 30th March 2012

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 5(1) (a)(iii), 6(1), (1A) and (2)(b) and 15(3) of the Sea Fish (Conservation) Act 1967<sup>(1)</sup> and all other powers enabling them to do so.

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(1) 1967 c.84 (“the 1967 Act”); section 5(1) was substituted by section 198(2) of the Marine and Coastal Access Act 2009 (c.23), which extends to Scotland by virtue of section 158(1) of the Marine (Scotland) Act 2010 (asp 5) (“the 2010 Act”). Section 6(1) of the 1967 Act was amended by paragraph 43(6)(a) of Schedule 2 to the Scotland Act 1998 (Consequential Modifications) (No. 2) Order 1999 (S.I. 1999/1820). Section 6(1A) of the 1967 Act was inserted by section 23(2) of the Fisheries Act 1981 (c.29) (“the 1981 Act”) and amended by paragraph 43(2)(b) of Schedule 2 to S.I. 1999/1820. Section 15(3) of the 1967 Act was substituted by paragraph 38(3) of Schedule 1 to the Sea Fisheries Act 1968 (c.77) and amended by paragraph 16(1) of Schedule 2 to the Fishery Limits Act 1976 (c.86) and paragraph 43(2)(b) of Schedule 2 to S.I. 1999/1820. Sections 5, 6 and 15(3) of the 1967 Act are modified in relation to Scotland by section 22A(2), (6), (7) and (10) of that Act. Section 22A was inserted by paragraph 43(13) of Schedule 2 to S.I. 1999/1820 and section 22A(6) was substituted by section 159(4) of the 2010 Act. Relevant modifications are contained in article 5 of the Scotland Act 1998 (Functions Exercisable in or as Regards Scotland) Order 1999 (S.I. 1999/1748) and articles 3, 5 and 6 of the Scotland Act 1998 (Modification of Functions) Order 1999 (S.I. 1999/1756). The functions of the Secretary of State, in or as regards Scotland, were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46). Section 22(2) of the 1967 Act, which contains a definition of “the Ministers” for the purposes of sections 6(1) and (1A) and 15(3), was amended by sections 19(2)(d) and 45 of the 1981 Act and paragraph 43(12) of Schedule 2 to S.I. 1999/1820. The definition was modified in relation to Scotland by section 22A(12) (b) of the 1967 Act.