

Changes to legislation: There are currently no known outstanding effects for the Water Resources Act 1991, Cross Heading: Emergency fisheries byelaws. (See end of Document for details)

SCHEDULES

[^{F1}SCHEDULE 27

EMERGENCY FISHERIES BYELAWS

Textual Amendments

- F1** Sch. 27 inserted (12.1.2010) by [Marine and Coastal Access Act 2009 \(c. 23\), ss. 225\(2\), 324\(3\); S.I. 2009/3345, art. 2, Sch. para. 14](#)

Emergency fisheries byelaws

- 1 (1) In this Schedule, “emergency fisheries byelaw” means a byelaw made under paragraph 6 of Schedule 25 to this Act (fisheries) in the circumstances in sub-paragraph (2) below.
- (2) The circumstances are that—
- (a) the [^{F2}appropriate agency] considers that, because of any event or likely event, harm is occurring or is likely to occur to—
 - (i) any fish to which paragraph 6 of Schedule 25 to this Act applies or to the spawn, gametes or food of any such fish, or
 - (ii) the marine or coastal, or aquatic or waterside, environment,
 - (b) the [^{F2}appropriate agency] considers that the byelaw would prevent or limit that harm, or would be reasonably likely to do so,
 - (c) the [^{F2}appropriate agency] considers that for that purpose there is a need for the byelaw to come into force as a matter of urgency, and
 - (d) the event or the likelihood of the event could not reasonably have been foreseen.
- (3) Schedule 26 to this Act (procedure relating to byelaws made by the [^{F2}appropriate agency]) does not apply in relation to an emergency fisheries byelaw.
- (4) In sub-paragraph (2)(a), the reference to harm to the marine or coastal, or aquatic or waterside, environment is to—
- (a) harm to the natural beauty or amenity of marine or coastal, or aquatic or waterside, areas (including their geological or physiographical features) or to any features of archaeological or historic interest in such areas, or
 - (b) harm to flora or fauna which are dependent on or associated with the marine or coastal, or aquatic or waterside, environment.]

Textual Amendments

- F2** Words in Sch. 27 para. 1 substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\), art. 1\(2\), Sch. 2 para. 315\(d\)](#) (with Sch. 7)

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