

1973 No. 2203

SEA FISHERIES

**The South Wales Sea Fisheries District
(Constitution of Committee and Expenses) (Variation) Order 1973**

Laid before Parliament in draft

Made - - - 19th December 1973

Coming into Operation 1st April 1974

The Minister of Agriculture, Fisheries and Food and the Secretary of State for Wales, on the application of the local fisheries committee for the South Wales Sea Fisheries District and after consultation with every county council concerned, in exercise of the powers conferred by section 1 of the Sea Fisheries Regulation Act 1966(a) and now jointly vested in them(b) and all other powers enabling them in that behalf, hereby make the following Order:—

Citation, Commencement and Interpretation

1.—(1) This Order may be cited as the South Wales Sea Fisheries District (Constitution of Committee and Expenses) (Variation) Order 1973 and shall come into operation on 1st April 1974.

(2) In this Order—

“the Act” means the Sea Fisheries Regulation Act 1966;

“the principal order” means the order made by the Board of Agriculture and Fisheries on 27th June 1912(c) (which created the South Wales Sea Fisheries District and constituted a local fisheries committee for the regulation of the sea fisheries within that district) as varied by the South Wales Sea Fisheries District (Expenses) Order 1953(d);

“first members” means the first members of the Committee as varied by this Order;

“quadrennial period” means the period of four years beginning with 1st July 1973 and with every fourth anniversary of that day.

(3) The Interpretation Act 1889(e) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

(a) 1966 c. 38.

(b) See the Transfer of Functions (Wales) Order 1969 (S.I. 1969/388 (1969 I, p. 1070)).

(c) S.R. & O. 1926/1121.

(d) S.I. 1953/443.

(e) 1889 c. 63.

Variation of Principal Order

2. For Articles 6 to 22 of the principal order (constitution of committee and expenses) there shall be substituted the following Articles:—

“Constitution of Committee

“6. A local fisheries committee (in this Order called ‘the Committee’) shall be constituted for the regulation of the sea fisheries within the district.

“7. The Committee shall be a joint committee of the county councils referred to in column 1 of the Schedule to this Order and shall consist of twenty members. The number of members appointed by each constituent council shall be the number which is set out in column 2 of the Schedule opposite the reference to such council. Nine additional members shall be appointed jointly by the Minister of Agriculture, Fisheries and Food and the Secretary of State for Wales and one additional member by the Welsh National Water Development Authority.

“8. The first members shall come into office on 1st April 1974 or, in the case of a first member who is for any reason appointed after that day, on the day on which the appointment is made, and shall hold office until the end of June 1977. Any subsequent members shall come into office at the beginning of the quadrennial period next following the day on which they are appointed and shall hold office for that quadrennial period: Provided that if for any reason any member is appointed on or after the beginning of a quadrennial period, he shall come into office on the day on which he is appointed and shall hold office for the remainder of that quadrennial period. Retiring members shall be eligible for re-appointment.

“9. Where for any reason whatsoever there occurs a casual vacancy in the Committee, the body by whom the vacating member was appointed may fill the vacancy by the appointment of a new member. It shall be the duty of the Clerk of the Committee forthwith to notify every such vacancy to the appointing body.

“10. No act or proceeding of the Committee shall be questioned on account of any vacancy in the Committee, and no defect in the appointment of any person acting as a member of the Committee shall vitiate any proceedings of the Committee in which he has taken part.

“11. Except as hereinafter provided, no council shall make, vary or revoke any regulation or standing order respecting the quorum or proceedings of the Committee or as to the area within which it is to exercise its authority: Provided that nothing herein contained shall prevent the making of any restrictions or conditions authorised by section 10 of the Act: Provided also that any council may make a regulation requiring the Committee to submit to such council once in each financial year an abstract of its accounts for the preceding financial year, and to afford to any person appointed for the purpose by the council access at all reasonable times to the books containing its minutes and accounts.

“12. Subject to any such restrictions or conditions as to expenditure made under section 10 of the Act, the Committee shall not be required to submit its acts or proceedings to any council for approval.

“13. The first meeting of the Committee shall be summoned by the Chairman of the County Council of West Glamorgan.

“14. The Committee shall hold four quarterly meetings in each year for the transaction of general business, in addition to any special or adjourned meetings.

“15. Five members shall be a quorum at any meeting of the Committee.

“16. The Committee may from time to time appoint a sub-committee or sub-committees and may delegate to such sub-committee or sub-committees such duties as it may from time to time determine.

“*Expenses*

“17. The expenses of the Committee, other than those which it may be required to incur under section 17(2) of the Act, shall be chargeable jointly on the counties referred to in column 1 of the Schedule in the respective proportions set out in column 3 of the Schedule opposite the reference to each county and shall be expenses for general county purposes:

Provided that the Committee shall not in any financial year incur expenses which would involve a charge on any county greater than the amount which can in that year be raised by a rate of three-fourths of a new penny in the pound on the rateable value of the property within that county.”

3. Articles 23 and 24 of the principal order (definitions and commencement) shall be re-numbered and become Articles 18 and 19 respectively.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 19th December 1973.

Joseph Godber,
Minister of Agriculture, Fisheries and Food.

(L.S.)
19th December 1973

Peter Thomas,
Secretary of State for Wales.

SCHEDULE

(CONSTITUTION AND EXPENSES)

Column 1	Column 2	Column 3
Constituent Councils	Number of Representatives	Proportion of Expenses (per cent)
Dyfed County Council	4	40
Mid Glamorgan County Council ...	1	10
South Glamorgan County Council ...	1	10
West Glamorgan County Council ...	4	40

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order varies the constitution of the South Wales Local Fisheries Committee (constituted in 1912 by order of the Board of Agriculture and Fisheries under the Sea Fisheries Regulation Act 1888 (c. 54)) in consequence of the establishment of new local government areas in England and Wales under the Local Government Act 1972 (c. 70). The county councils referred to in the Schedule to the Order are made constituent councils of the Committee and consequential adjustments are made to the Committee's membership, to members' tenure of office and to the liability of constituent councils to contribute to the Committee's expenses.