

*This Statutory Instrument has been made in consequence of defects in [S.I. 2005/1605](#) and [S.I. 2007/3284](#) and is being issued free of charge to all known recipients of those Statutory Instruments.*

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STATUTORY INSTRUMENTS

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**2009 No. 1309**

**SEA FISHERIES, ENGLAND**

SEA FISH INDUSTRY

**FISH FARMING, ENGLAND**

The Fisheries (Miscellaneous Amendments) Regulations 2009

*Made - - - - 21st May 2009*

*Laid before Parliament 29th May 2009*

*Coming into force - - 30th June 2009*

The Secretary of State is designated<sup>(1)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(2)</sup> in relation to the common agricultural policy of the European Community and in exercise of the powers conferred by that section makes the following Regulations.

**Citation and commencement** **U.K.**

1.—(1) These Regulations may be cited as the Fisheries (Miscellaneous Amendments) Regulations 2009.

(2) These Regulations come into force on 30th June 2009.

**Amendment of the Registration of Fish Buyers and Sellers and Designation of Fish Auction Sites Regulations 2005** **U.K.**

2.—(1) The Registration of Fish Buyers and Sellers and Designation of Fish Auction Sites Regulations 2005<sup>(3)</sup> are amended as follows.

(2) For paragraphs (3) and (4) of regulation 1, substitute—

“(3) These Regulations apply—

(a) in England;

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(1) [S.I. 1972/1811](#).

(2) 1972 c. 68.

(3) [S.I. 2005/1605](#).

- (b) in relation to any relevant British fishing boat wherever it is, except when it is in Wales; and
- (c) in relation to any other fishing boat within British fishery limits, except when the boat is in—
  - (i) the Northern Ireland zone (as defined in section 98 of the Northern Ireland Act 1998<sup>(4)</sup>);
  - (ii) the Scottish zone (as defined in section 126(1) of the Scotland Act 1998<sup>(5)</sup>);
  - (iii) the territorial sea adjacent to the Isle of Man, Jersey<sup>(6)</sup> or Guernsey; or
  - (iv) Wales.

(4) In paragraph (3)(b) and (c)(iv), “Wales” has the same meaning as in section 158(1) of the Government of Wales Act 2006<sup>(7)</sup>.”

(3) For paragraph (1) of regulation 13, substitute—

“(1) For the purpose of enforcing these Regulations or any equivalent provisions, any British sea-fishery officer may exercise the powers conferred by this regulation in relation to any fishing boat to which these Regulations apply.”.

(4) In paragraph (3) of regulation 13, for “article”, substitute “regulation”.

(5) For regulation 15, substitute—

“**15.** Any British sea-fishery officer may seize any fish (including any receptacle that contains the fish) in respect of which the officer has reasonable grounds to suspect that an offence under these Regulations or under any equivalent provision has been committed.”.

#### **Amendment to the Grants for Fishing and Aquaculture Industries Regulations 2007** **U.K.**

**3.**—(1) The Grants for Fishing and Aquaculture Industries Regulations 2007<sup>(8)</sup> are amended as follows.

(2) In regulation 3, omit “out of monies provided by Parliament”.

*Huw Irranca-Davies*  
Parliamentary Under Secretary of State  
Department for Environment, Food and Rural  
Affairs

21st May 2009

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<sup>(4)</sup> 1998 c. 47.

<sup>(5)</sup> 1998 c. 46.

<sup>(6)</sup> See section 1 of the [Territorial Sea Act 1987 \(c. 49\)](#), as extended to Jersey by [S.I. 1997/278](#) (as amended by [S.I. 2002/250](#)), and to the Isle of Man by [S.I. 1991/1722](#).

<sup>(7)</sup> 2006 c. 32.

<sup>(8)</sup> [S.I. 2007/3284](#).

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations correct errors in the Registration of Fish Buyers and Sellers and Designation of Fish Auction Sites Regulations 2005 and the Grants for Fishing and Aquaculture Industries Regulations 2007.

An impact assessment has not been prepared for these Regulations, as no impact on the private, public or voluntary sector is foreseen.

**Changes to legislation:**

There are currently no known outstanding effects for the The Fisheries (Miscellaneous Amendments) Regulations 2009.