CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2001 Rhif 2019 (Cy.140)

PYSGODFEYDD MÔR, CYMRU

CADWRAETH PYSGOD MÔR

Gorchymyn Gwyniaid Rhy Fach (Diddymu) (Cymru) 2001

NODYN ESBONIADOL

(Nid yw'r nodyn hwn yn rhan o'r Gorchymyn)

Mae'r Gorchymyn hwn yn diddymu Gorchymyn Gwyniaid Rhy Fach 1992 ("Gorchymyn 1992"), sydd eisoes wedi'i ddiddymu mewn perthynas â'r Alban, Lloegr a Gogledd Iwerddon (erthygl 2). Pennodd Gorchymyn 1992 isafswm maint ar gyfer glanio a gwerthu gwyniaid (*Merlangius merlangus*) ym Mhrydain ac ar gyfer eu cludo ar gwch pysgota Prydeinig. Gwnaed darpariaeth gysylltiedig ynddo hefyd ar gyfer gorfodi.

Erbyn hyn, rhagnodir yr isafswm maint ar gyfer glanio, gwerthu, storio a chludo gwyniaid gan erthygl 19 (o'i darllen gydag erthygl 17) o Reoliad y Cyngor (EC) Rhif 850/98 (OJ Rhif L125, 27.04.98, t.1). Mae'r Rheoliad hwnnw'n darparu ar gyfer cadwraeth adnoddau pysgodfeydd drwy gyfrwng mesurau technegol ar gyfer diogelu y rhai ifanc o organeddau morol. Mae darpariaethau ar gyfer gorfodi'r cyfyngiadau a'r rhwymedigaethau a geir yn y Rheoliad hwnnw wedi'u nodi yng Ngorchymyn Pysgota Môr (Gorfodi Mesurau Cadwraeth y Gymuned) (Cymru) 2000, a ddaeth i rym ar 11 Medi 2000. [2000 Rhif 2230 (Cy. 148)].

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2001 No. 2019 (W.140)

SEA FISHERIES, WALES

CONSERVATION OF SEA FISH

The Undersized Whiting (Revocation) (Wales) Order 2001

EXPLANATORY NOTE

(This note does not form part of the Order)

This Order revokes the Undersized Whiting Order 1992 ("the 1992 Order"), which has already been revoked in relation to Scotland, England and Northern Ireland (article 2). The 1992 Order prescribed minimum sizes for the landing and sale in Great Britain, and for carriage on a British fishing boat, of whiting (*Merlangius merlangus*). It also made related provision for enforcement.

Minimum sizes for the landing, sale, transportation, storage and carriage of whiting are now prescribed by article 19 (read with article 17) of Council Regulation (EC) No. 850/98 (OJ No. L125, 27.04.98, p.1). That Regulation provides for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms. Provisions for the enforcement of restrictions and obligations contained in that Regulation have been laid down in the Sea Fishing (Enforcement of Community Conservation Measures) (Wales) Order 2000, which came into force on 11th September 2000. [2000 No. 2230 (W.148)].

OFFERYNNAU STATUDOL

2001 Rhif 2019 (Cy. 140)

PYSGODFEYDD MÔR, CYMRU

CADWRAETH PYSGOD MÔR

Gorchymyn Gwyniaid Rhy Fach (Diddymu) (Cymru) 2001

Wedi'i wneud	*17 Mai 2001*
Yn dod i rym	*1 Mehefin 2001*

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Gorchymyn canlynol drwy arfer y pwerau a roddwyd iddo gan adrannau 1, 15(3) ac 20(1) o Ddeddf Pysgod Môr (Cadwraeth) 1967(**a**), a phob pŵer arall sy'n ei alluogi yn y cyswllt hwnnw:-

Enwi a chychwyn

1. Enw'r Gorchymyn hwn yw Gorchymyn Gwyniaid Rhy Fach (Diddymu) (Cymru) 2001 a daw i rym ar 1 Mehefin 2001.

Diddymu

2. Mae Gorchymyn Gwyniaid Rhy Fach 1992(**b**)

(a) 1967 p.84. Amnewidiwyd adran 1 gan Ddeddf Pysgodfeydd 1981 (p.29) adran 19(1), a'i diwygio gan baragraff 38(a) o Atodlen 13 i Ddeddf Llongau Masnachol 1995 (p.21) a pharagraff 43(2) a (3) o Atodlen 2 i Orchymyn Deddf yr Alban 1998 (Addasiadau Canlyniadol) (Rhif 2) 1999 (O.S. 1999/1820). Amnewidiwyd adran 15(3) gan Ddeddf Pysgodfeydd Môr 1968 (p.77) Atodlen 1, paragraff 38(3) a'i diwygio gan Ddeddf Terfynau Pysgodfeydd 1976 (p.86) Atodlen 2, paragraff 16(1) ac O.S. 1999/1820, paragraff 43(2)(b).

Yn rhinwedd erthygl 2(a) o Orchymyn Cynulliad Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) cafodd y swyddogaethau sy'n arferadwy o dan adrannau 1, 15(3) ac 20(1) o Ddeddf 1967 eu trosglwyddo i'r Cynulliad Cenedlaethol i'r graddau y maent yn arferadwy mewn perthynas â Chymru.

Diffiniwyd "Wales" yn adran 155(1) o Ddeddf Llywodraeth Cymru 1998 (p.38) fel ei bod yn cynnwys "the sea adjacent to Wales out as far as the seaward boundary of the territorial sea". Mewn perthynas â dyfroedd y tu hwnt i Gymru mae'r swyddogaethau hyn yn dal yn arferadwy gan y Gweinidogion.

Gweler adran 22(2) o Ddeddf 1967 i gael diffiniadau o "the Ministers" at ddibenion adrannau 1 a 15(3). Diwygiwyd adran 22(2) gan Ddeddf Pysgodfeydd 1981, adrannau 19(2)(d) a 45(b) ac (c) a chan O.S. 1999/1820, paragraff 43(12) o Atodlen 2.

(b) O.S. 1992/1212. Cafodd y Gorchymyn ei ddiddymu gan O.S. 2000/1234 ac eithrio i'r graddau yr oedd yn rhan o Gyfraith yr Alban neu yn effeithiol mewn perthynas â Chymru. Cafodd ei ddiddymu ymhellach mewn perthynas â'r Alban gan O.S.A. 2000/82.

STATUTORY INSTRUMENTS

2001 No. 2019 (W. 140)

SEA FISHERIES, WALES

CONSERVATION OF SEA FISH

The Undersized Whiting (Revocation) (Wales) Order 2001

Made	*17th May 2001*
Coming into force	*1 June 2001*

The National Assembly for Wales makes the following Order in exercise of the powers conferred on it by sections 1, 15(3) and 20(1) of the Sea Fish (Conservation) Act 1967(**a**), and of all other powers enabling it in that behalf:-

Title and commencement

1. This Order is called the Undersized Whiting (Revocation) (Wales) Order 2001 and shall come into force on 1st June 2001.

Revocation

2. The Undersized Whiting Order 1992(**b**) is

(a) 1967 c.84. Section 1 was substituted by the Fisheries Act 1981 (c.29) section 19(1), and was amended by paragraph 38(a) of Schedule 13 to the Merchant Shipping Act 1995 (c.21) and paragraph 43(2) and (3) of Schedule 2 to the Scotland Act 1998 (Consequential Modifications) (No.2) Order 1999 (S.I. 1999/1820). Section 15(3) was substituted by the Sea Fisheries Act 1968 (c.77) Schedule 1, paragraph 38(3) and amended by the Fishery Limits Act 1976 (c.86) Schedule 2, paragraph 16(1) and S.I. 1999/1820, paragraph 43(2)(b).

By virtue of article 2(a) of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) the functions exercisable under sections 1, 15(3) and 20(1) of the 1967 Act were transferred to the National Assembly in so far as exercisable in relation to Wales.

Wales was defined in section 155(1) of the Government of Wales Act 1998 (c.38) as including "the sea adjacent to Wales out as far as the seaward boundary of the territorial sea". In respect of waters beyond Wales these functions remain exercisable by the Ministers.

See section 22(2) of the 1967 Act for definitions of "the Ministers" for the purposes of sections 1 and 15(3). Section 22(2) was amended by the Fisheries Act 1981, sections 19(2)(d) and 45(b) and (c) and by S.I. 1999/1820, paragraph 43(12) of Schedule 2.

(b) S.I. 1992/1212. The Order was revoked by S.I. 2000/1234 except in so far as it formed part of the Law of Scotland or had effect in relation to Wales. It was further revoked in relation to Scotland by S.S.I. 2000/82.

drwy hyn wedi'i ddiddymu mewn perthynas â Chymru fel y diffiniwyd yn adran 155(1) o Ddeddf Llywodraeth Cymru 1998(**a**).

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998.

hereby revoked in relation to Wales as defined in section 155(1) of the Government of Wales Act 1998(**a**).

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998.

17 Mai 2001

17th May 2001

John Marek

Dirpwy Lywydd y Cynulliad Cenedlaethol

The Deputy Presiding Officer of the National Assembly

(a) 1998 p.38. (Gweler y diffiniad yn nhroednodyn (a) uchod.)

(a) 1998 c.38. (See definition in footnote (a) above.)

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CONSERVATION OF SEA FISH

The Undersized Whiting (Revocation) (Wales) Order 2001

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ISBN 0-11-090261-0

9 780110 902616

£1.75

W/231/07/01 ON