
WELSH STATUTORY INSTRUMENTS

2022 No. 213 (W. 69)

SEA FISHERIES, WALES

SHELLFISH

The Menai Strait (East) Mussel and Oyster Fishery Order 2022

<i>Made</i>	- - - -	<i>3 March 2022</i>
<i>Laid before Senedd Cymru</i>		<i>4 March 2022</i>
<i>Coming into force</i>	- -	<i>2 April 2022</i>

The Menai Strait Fishery Order Management Association (Company Number: 07163689) (“the Grantee”) made an application to the Welsh Ministers for an order conferring rights of fishery under section 1(2) of the Sea Fisheries (Shellfish) Act 1967(1) (“the Act”).

The Welsh Ministers have prepared a draft Order and served a copy of it on the Grantee in accordance with paragraph 1 of Schedule 1 to the Act(2).

The Grantee has caused printed copies of the draft Order to be published and circulated, and has given notice of the application, in accordance with paragraph 2 of Schedule 1 to the Act.

The Welsh Ministers have considered the objections and representations made in respect of the draft Order, in accordance with paragraphs 3 to 6 of Schedule 1 to the Act, and consider that it is expedient to make this Order.

The Welsh Ministers have had regard to the powers and duties of the Crown Estate Commissioners under the Crown Estate Act 1961(3) in accordance with paragraph 6(2) of Schedule 1 to the Act.

This Order includes appropriate provision to prevent harm to European marine sites and for the purpose of protecting the marine environment in accordance with section 5A of the Act.

The Welsh Ministers make the following Order in exercise of the powers conferred by sections 1 and 4 of the Act which are now vested in them(4).

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- (1) 1967 c. 83. Section 1 of the Sea Fisheries (Shellfish) Act 1967 (“the Act”) was amended by section 9(1) of, and paragraph 15 of Schedule 2 to, the Fishery Limits Act 1976 (c. 86); sections 202(1), (2) and (3), 203 and 321 of, and Part 5(A) of Schedule 22 to, the Marine and Coastal Access Act 2009 (c. 23); and sections 71(1) and 74(1) of the Environment (Wales) Act 2016 (anaw 3). Section 1 is to be read with section 15(3) to (5) of the Sea Fisheries Act 1968 (c. 77). See section 22(1) of the Act for a definition of “the appropriate Minister”.
 - (2) Schedule 1 to the Act was amended by section 15(1) and (7) of the Sea Fisheries Act 1968; section 31(6) of the Criminal Law Act 1977 (c. 45); sections 37 and 46 of the Criminal Justice Act 1982 (c. 48) and sections 202(1), (4) and 214(1) to (4) and 321 of, and Part 5(A) of Schedule 22 to, the Marine and Coastal Access Act 2009.
 - (3) 1961 c. 55.
 - (4) By virtue of article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) the functions of the appropriate Minister, as defined in section 22(1) of the Act, were transferred to the National Assembly for Wales in so far as exercisable in relation to Wales. Those functions of the Assembly were subsequently transferred to the Welsh Ministers by virtue of section 162 of, and paragraph 30 of schedule 11 to, the Government of Wales Act 2006 (c. 32).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
