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WELSH STATUTORY INSTRUMENTS

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**2022 No. 213**

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

**PART 1**

Introductory matters

**Title, commencement and application**

1.—(1) The title of this Order is the Menai Strait (East) Mussel and Oyster Fishery Order 2022 and it comes into force on 2 April 2022.

(2) This Order applies in relation to Wales.

**Interpretation**

2. In this Order—

“the Act” (“*y Ddeddf*”) means the Sea Fisheries (Shellfish) Act 1967;

“co-ordinate” (“*cyfesuryn*”) means a co-ordinate of latitude and longitude on the World Geodetic System 1984;

“the European marine sites” (“*y safleoedd morol Ewropeaidd*”) means —

- (a) Anglesey Terns/Morwenoliaid Ynys Môn designated special protection area ((EU code UK 9013061);
- (b) Liverpool Bay/Bae Lerpwl designated special protection area (EU code UK 9020294);
- (c) Traeth Lafan/Lavan Sands Conway Bay designated special protection area (EU code UK 9013031);
- (d) Y Fenai a Bae Conwy/Menai Strait and Conwy Bay designated special area of conservation (EU code UK 0030202);
- (e) Ynys Seiriol/Puffin Island designated special protection area (EU code UK 9020285);  
in so far as they consist of marine areas;

“the Grantee” (“*y Granti*”) means the Menai Strait Fishery Order Management Association (Company number: 07163689) whose registered office is at c/o Myti Mussels Limited, Port Penrhyn, Bangor, Gwynedd, LL57 4HN;

“laying” (“*magwrfa*”) means an area of the several fishery area with respect to which a lease may be or has been granted;

“lease” (“*les*”) means a lease of the right of several fishery;

“licence” (“*trwydded*”) means a licence granted under section 4 of the Act;

“licensed vessel” (“*llestr drwyddedig*”) means a vessel authorised to fish by a licence issued under section 14 or section 16 of the Fisheries Act 2020(1);

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*Status: This is the original version (as it was originally made).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

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“marine environment” (“*amgylchedd morol*”) has the meaning given in section 5A(2) of the Act;

“the Order area” (“*ardal y Gorchymyn*”) means the area described in the Schedule to this Order;

“the prescribed species” (“*y rhywogaethau rhagnodedig*”) means shellfish of the species *mytilus edulis* and *ostreidae*;

“the regulated fishery area” (“*ardal y bysgodfa a reoleiddir*”) means any part of the Order area that is not for the time being designated as the several fishery area;

“the several fishery area” (“*ardal y bysgodfa unigol*”) means any part of the Order area designated as the several fishery area in accordance with article 4(1);

“site protection notice” (“*hysbysiad gwarchod safle*”) means a notice served on the Grantee under section 5B of the Act(2);

“statutory undertaker” (“*ymgymerydd statudol*”) means any person who is, or is deemed to be, a statutory undertaker for the purposes of any provision of Part 11 of the Town and Country Planning Act 1990(3);

“tenant” (“*tenant*”) means a person to whom a lease is granted under article 8(2);

“watercraft identification number” (“*rhif adnabod bad dŵr*”) means an identification number provided for—

- (a) in Part A, paragraph 2.1 of Annex 1 to the Directive as set out in Schedule 1 to the Recreational Craft Regulations 2017(4);
- (b) in Part A, paragraph 2.1 of Annex 1 to the Directive as set out in Schedule 1 to the Recreational Craft Regulations 2004(5);
- (c) in paragraph 2.1 of Annex 1 to the Directive as set out in Schedule 1 to the Recreational Craft Regulations 1996(6).

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(2) Section 5B was inserted by section 73 of the Environment (Wales) Act 2016.

(3) 1990 c. 8.

(4) S.I. 2017/737 amended by S.I. 2019/696.

(5) S.I. 2004/1464. These Regulations were revoked by regulation 90(2) of the Recreational Craft Regulations 2017 save as regard their application to any watercraft placed on the market or put into service prior to 3 August 2017.

(6) S.I. 1996/1353. These Regulations were revoked by regulation 90(1) of the Recreational Craft Regulations 2017 save as regard their application to any watercraft placed on the market or put into service prior to 1 January 2005.