
STATUTORY INSTRUMENTS

2009 No. 1847

SEA FISHERIES, ENGLAND

**The Sea Fishing (Enforcement of Community
Control Measures) (Amendment) Order 2009**

<i>Made</i>	- - - -	<i>8th July 2009</i>
<i>Laid before Parliament</i>		<i>14th July 2009</i>
<i>Coming into force</i>	- -	<i>10th August 2009</i>

This Order makes provision for a purpose mentioned in section 2(2) of the European Communities Act 1972⁽¹⁾ and it appears to the Secretary of State that it is expedient for the references to Council Regulation (EC) No 1966/2006⁽²⁾ (on electronic recording and reporting of fishing activities and on means of remote sensing) and Commission Regulation (EC) No 1077/2008⁽³⁾ (laying down detailed rules for the implementation of Council Regulation (EC) No 1966/2006 and repealing Regulation (EC) No 1566/2007⁽⁴⁾) to be construed as references to those instruments as amended from time to time.

The Secretary of State for Environment, Food and Rural Affairs and the Secretary of State concerned with sea fishing in Northern Ireland make the following Order, in exercise of the powers conferred by section 30(2) of the Fisheries Act 1981⁽⁵⁾ and now vested in them⁽⁶⁾, and paragraph 1A of Schedule 2 to the European Communities Act 1972⁽⁷⁾.

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- (1) 1972 c. 68.
(2) OJ No L 409, 30.12.2006, p 1.
(3) OJ No L 295, 4.11.2008, p 3.
(4) OJ No L 340, 22.12.2007, p 46.
(5) 1981 c. 29 (“the 1981 Act”). See section 30(3) for the definitions of “enforceable Community restriction”, “enforceable Community obligation” and “the Ministers”, as modified by Schedule 2, paragraph 68(5) of the Scotland Act 1998 (Consequential Modifications) (No. 2) Order 1999 (S.I. 1999/1820).
(6) The function of the Ministers under section 30(2) of the 1981 Act in relation to Wales was transferred to the National Assembly for Wales and then transferred from that body to the Welsh Ministers: see article 2(a) of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) and paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32). The function of the Ministers under section 30(2) of the 1981 Act in relation to the Northern Ireland zone and Northern Ireland fishing boats outside that zone was transferred to the Department of Agriculture and Rural Development in Northern Ireland under article 3(2) of, and paragraph 3(1) of Schedule 2 to the Sea Fisheries (Northern Ireland) Order 2002 (S.I. 2002/790). The functions of the Secretaries of State for Scotland and Wales under section 30(2) of the 1981 Act in relation to England have been transferred to the Minister of Agriculture, Fisheries and Food: see article 2(1) of the Transfer of Functions (Agriculture and Fisheries) Order 2000 (S.I. 2000/1812). The function of that Minister and the Secretary of State concerned with sea fishing in Northern Ireland acting jointly under section 30(2) has been transferred to the Secretary of State for Environment, Food and Rural Affairs and the Secretary of State concerned with sea fishing in Northern Ireland acting jointly: see article 2(5) of the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (S.I. 2002/794).
(7) Paragraph 1A of Schedule 2 was inserted by section 28 of the Legislative and Regulatory Reform Act 2006 (c. 51).