



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2008 Rhif 3144 (Cy.279)

2008 No. 3144 (W.279)

**PYSGODFEYDD MÔR,
CYMRU**

**SEA FISHERIES,
WALES**

CADWRAETH PYSGOD MÔR

CONSERVATION OF SEA FISH

**Gorchymyn Rhwydi Pysgota
Berdys (Cymru) (Diwygio) 2008**

**The Shrimp Fishing Nets (Wales)
(Amendment) Order 2008**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Order)

Mae'r Gorchymyn hwn yn diwygio erthygl 3(1)(ch) o Orchymyn Rhwydi Pysgota Berdys (Cymru) 2008 ("Gorchymyn 2008").

This Order amends article 3(1)(d) of the Shrimp Fishing Nets (Wales) Order 2008 ("the 2008 Order").

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**Gorchymyn Rhwydi Pysgota
Berdys (Cymru) (Diwygio) 2008**

<i>Gwnaed</i>	<i>8 Rhagfyr 2008</i>
<i>Gosodwyd gerbron Cynulliad Cenedlaethol Cymru</i>	<i>9 Rhagfyr 2008</i>
<i>Yn dod i rym</i>	<i>2 Ionawr 2009</i>

Mae Gweinidogion Cymru wedi'u dynodi(1) at ddibenion adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972(2), fel y'i darllenir gyda pharagraff 1A o Atodlen 2 i'r Ddeddf honno(3), o ran polisi amaethyddol cyffredin y Gymuned Ewropeaidd.

Mae'r Gorchymyn hwn yn darparu at ddiben a grybwyllir yn adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972 ac mae'n ymddangos i Weinidogion Cymru ei bod yn hwylus dehongli'r cyfeiriadau at offerynnau'r Gymuned Ewropeaidd yng Ngorchymyn 2008 fel cyfeiriadau at yr offerynnau hynny fel y'u diwygir o bryd i'w gilydd.

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- (1) O.S. 2005/2766 (fel y'i diwygiwyd gan O.S. 2006/3329). Yn rhinwedd adrannau 59(1) ac 162 o Ddeddf Llywodraeth Cymru 2006 (p.32) a pharagraffau 28 a 30 o Atodlen 11 iddi, mae swyddogaethau a roddwyd i Gynulliad Cenedlaethol Cymru (fel y'i cyfansoddiwyd dan Ddeddf Llywodraeth Cymru 1998 (p.38)) yn arferadwy gan Weinidogion Cymru.
- (2) 1972 p.68.
- (3) Mewnosodwyd paragraff 1A gan adran 28 o Ddeddf Diwygio Deddfwriaethol a Rheoleiddiol 2006 (p.51).

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<i>Made</i>	<i>8 December 2008</i>
<i>Laid before the National Assembly for Wales</i>	<i>9 December 2008</i>
<i>Coming into force</i>	<i>2 January 2009</i>

The Welsh Ministers are designated(1) for the purposes of section 2(2) of the European Communities Act 1972(2), as read with paragraph 1A of Schedule 2 to that Act(3), in relation to the common agricultural policy of the European Community.

This Order amends the 2008 Order that makes provision for a purpose mentioned in section 2(2) of the European Communities Act 1972 and it appears to the Welsh Ministers that it is expedient for the references to European Community instruments in the 2008 Order to be construed as references to those instruments as amended from time to time.

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- (1) S.I. 2005/2766 (as amended by S.I. 2006/3329). By virtue of sections 59(1) and 162 of and paragraphs 28 and 30 of Schedule 11 to the Government of Wales Act 2006 (c.32), functions conferred on the National Assembly for Wales (as constituted under the Government of Wales Act 1998 (c.38)) are exercisable by the Welsh Ministers.
- (2) 1972 c.68.
- (3) Paragraph 1A was inserted by section 28 of the Legislative and Regulatory Reform Act 2006 (c.51).

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd gan adran 3(1) o Ddeddf Pysgod Môr (Cadwraeth) 1967(1), a thrwy arfer y pwerau a roddwyd gan adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972 a pharagraff 1A o Atodlen 2 iddi, yn gwneud y Gorchymyn a ganlyn:

Enwi, cymhwyso a chychwyn

1. Enw'r gorchymyn hwn yw Gorchymyn Rhwydi Pysgota Berdys (Cymru) (Diwygio) 2008. Mae'n gymwys o ran Cymru a daw i rym ar 2 Ionawr 2009.

Diwygiadau

2.—(1) Diwygir Gorchymyn Rhwydi Pysgota Berdys (Cymru) 2008(2) fel a ganlyn.

(2) Yn erthygl 3, paragraff 1(d), o'r testun Saesneg yn lle "or" rhodder "of", ac yn erthygl 3, paragraff 1(ch) o'r testun Gymraeg dileer y gair "ac".

The Welsh Ministers, in exercise of the powers conferred by section 3(1) of the Sea Fish (Conservation) Act 1967(1), and in exercise of the powers conferred by section 2(2) of, and paragraph 1A of Schedule 2 to, the European Communities Act 1972, make the following Order:

Title, application and commencement

1. The title of this Order is the Shrimp Fishing Nets (Wales) (Amendment) Order 2008. It applies in relation to Wales and comes into force on 2 January 2009.

Amendments

2.—(1) The Shrimp Fishing Nets (Wales) Order 2008(2) is amended as follows.

(2) In article 3, paragraph 1(d), of the English text for "or" substitute "of", and in article 3, paragraph 1(ch) of the Welsh text delete the word "ac".

Elin Jones

Y Gweinidog dros Faterion Gwledig, un o Weinidogion Cymru

Minister for Rural Affairs, one of the Welsh Ministers

8 Rhagfyr 2008

8 December 2008

(1) 1967 p.84. Diwygiwyd adran 3 gan Ddeddf Terfynau Pysgodfeydd 1976 (p.86), adran 9(1) ac Atodlen 2, paragraff 16(1); Deddf Pysgota'r Glannau (Yr Alban) 1984 (p.26), adran 10 (1) ac Atodlen 1 ac O.S. 1999/1820, erthygl 4, Atodlen 2, Rhan1, paragraff 43(1), (2) a (4). *Gweler* adran 22(2)(a) am ddiffiniadau o "*the Ministers*" at ddbenion adran 3; diwygiwyd adran 22(2) gan Ddeddf Pysgodfeydd 1981 (p.29), adrannau 19(2)(d) a 45(b) ac (c) a chan O.S. 1999/1820, erthygl 4, paragraff 43(12) o Atodlen 2. Trosglwyddwyd swyddogaethau'r Gweinidogion yn adrannau 3(1) o Ddeddf 1967, i'r graddau y maent yn arferadwy o ran Cymru, i Ysgrifennydd Gwladol Cymru gan Orchymyn Trosglwyddo Swyddogaethau (Cymru) (Rhif 1) 1978 (O.S. 1978/272). Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol i Gynulliad Cenedlaethol Cymru (fel y'i cyfansoddwyd o dan Ddeddf Llywodraeth Cymru 1998) gan erthygl 2 ac Atodlen 1 i Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672). Trosglwyddwyd y swyddogaethau hynny wedyn i Weinidogion Cymru gan adran 162 o Ddeddf Llywodraeth Cymru 2006 (p.38) a pharagraff 30 o Atodlen 11 iddi.

(2) O.S. 2008/1811 (Cy.175).

(1) 1967 c.84. Section 3 was amended by the Fishery Limits Act 1976 (c.86), section 9(1) and Schedule 2, paragraph 16(1); the Inshore Fishing (Scotland) Act 1984 (c.26), section 10(1) and Schedule 1 and S.I. 1999/1820, article 4, Schedule 2, Part I, paragraph 43(1), (2) and (4). *See* section 22(2)(a) for definitions of "*the Ministers*" for the purposes of section 3; section 22(2) was amended by the Fisheries Act 1981 (c.29), sections 19(2)(d) and 45(b) and (c) and by S.I. 1999/1820, article 4, paragraph 43(12) of Schedule 2. The functions of the Ministers in section 3(1) of the 1967 Act, so far as they are exercisable in relation to Wales, transferred to the Secretary of State for Wales by the Transfer of Functions (Wales) (No 1) Order 1978 (S.I. 1978/272). Functions of the Secretary of State for Wales transferred to the National Assembly for Wales (as constituted under the Government of Wales Act 1998) by article 2 of and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). Those functions were subsequently transferred to the Welsh Ministers by section 162 of and paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c.32).

(2) S.I. 2008/1811 (W.175).

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