STATUTORY INSTRUMENTS

1977 No. 254

RIVER, ENGLAND AND WALES
SALMON AND FRESHWATER FISHERIES

The Welsh National Water Development Authority (Fixed Engine) Order 1976

Made - - - - 29*th November* 1976

Coming into Operation 1*st February* 1977

The Minister of Agriculture, Fisheries and Food and the Secretary of State for Wales (hereinafter referred to as "the Ministers") in exercise of the powers conferred on them by sections 28 (3), (6) and 41(2) of the Salmon and Freshwater Fisheries Act 1975(a) and of all other powers enabling them in that behalf, and on the application of the Welsh National Water Development Authority, acting jointly hereby make the following Order:—

Citation and Commencement

1. This Order which may be cited as the Welsh National Water Development Authority (Fixed Engine) Order 1976 shall, unless subject to special Parliamentary procedure, come into operation on the date of its confirmation by the Ministers.

Interpretation

2.—(1) In this Order unless the context otherwise requires:—
"the Minister" means the Minister of Agriculture, Fisheries and Food;

"the Authority" means the Welsh National Water Development Authority as constituted under the Welsh National Water Development Authority (Establishment and Constitution) Order 1973(b).

(2) The Interpretation Act 1889(c) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Power to work Fixed Engines

3.—(1) Notwithstanding the provisions of Section 6, or any other provisions, of the Salmon and Freshwater Fisheries Act 1975, which limit or prohibit the working of a fixed engine, or any provisions amending or extending such provisions, the Authority may subject to the approval of the Minister erect and work at any time of the year, subject to paragraph (2) below by itself or its lessees the fixed engines situate at Afon-y-Bala, Gwynedd, between Llyn Peris and the Afon Hwch Diversion Channel (described on a plan sealed by the Ministers in relation to this Order and marked FGB 33184 and deposited with the Authority) for catching salmon and migratory trout for the purpose of restocking waters in the Afon Seiont watershed.

(a) 1975 c. 51. (b) S.I. 1973/1345 (1973 II, p. 4127). (c) 1889 c. 63.

(2) The aforesaid fixed engines shall not be worked under the authority of this Article for any period exceeding five years unless the authority is from time to time extended by licence of the Minister for such term as may be specified in the licence and not exceeding at any one time five years.

(3) All rents and profits of the aforesaid fixed engines shall be appropriated for the purpose of the maintenance, improvement or development of the fisheries in the authority area.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 22 November 1976.

(Sgd.) *W. R. Small*
(L.S.) Assistant Secretary.

Signed by authority of the Secretary of State for Wales on 29 November 1976.

(Sgd.) *R. H. Jones*
Assistant Secretary.

CONFIRMED by the Minister of Agriculture, Fisheries and Food.

IN WITNESS whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 27th January 1977.

(Sgd.) *W. R. Small,*
(L.S.) Assistant Secretary.

Signed by authority of the Secretary of State for Wales on 1st February 1977.

(Sgd.) *R. H. Jones,*
Assistant Secretary.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order enables the Welsh National Water Development Authority to erect and work fixed engines at Afon-y-Bala, Gwynedd for catching salmon and migratory trout for restocking purposes.

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