STATUTORY INSTRUMENTS

1973 No. 2201

SEA FISHERIES

The Northumberland Sea Fisheries District (Constitution of Committee and Expenses) (Variation) Order 1973

Laid before Parliament in draft

Made - - -	19*th December 1973*
Coming into Operation	1*st April* 1974

The Minister of Agriculture, Fisheries and Food, on the application of the local fisheries committee for the Northumberland Sea Fisheries District and after consultation with every county council concerned, in exercise of the powers conferred on him by section 1 of the Sea Fisheries Regulation Act 1966(a) and of all other powers enabling him in that behalf, hereby makes the following Order:—

Citation, Commencement and Interpretation

1.—(1) This Order may be cited as the Northumberland Sea Fisheries District (Constitution of Committee and Expenses) (Variation) Order 1973 and shall come into operation on 1st April 1974.

(2) In this Order—

"the Act" means the Sea Fisheries Regulation Act 1966;

"the principal order" means the order made by the Board of Trade on 20th March 1890(b) (which created the Northumberland Sea Fisheries District and constituted a local fisheries committee for the regulation of the sea fisheries within that district) as varied by an order made by the Board of Agriculture and Fisheries on 12th July 1906(c);

"first members" means the first members of the Committee as varied by this Order;

"quadrennial period" means the period of four years beginning with 1st July 1973 and with every fourth anniversary of that day.

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

Variation of Principal Order

2. For Articles 2 and 3 of the principal order (constitution of committee and expenses) there shall be substituted the following Articles:—

(a) 1966 c. 38.
(b) Parl. Papers 1890 No. 105.
(c) S.R. & O. 1906/846.
(d) 1889 c. 63.

"*Constitution of Committee*

"2. A local fisheries committee (in this Order called 'the Committee') shall be constituted for the regulation of the sea fisheries within the said district. The Committee shall be a joint committee of the County Councils referred to in column 1 of the Schedule to this Order and shall consist of twenty members. The number of members appointed by each constituent Council shall be the number which is set out in column 2 of the Schedule hereto opposite the reference to such Council. Nine additional members shall be appointed by the Minister of Agriculture, Fisheries and Food and one additional member by the Northumbrian Water Authority.

"3. The first members shall come into office on 1st April 1974 or, in the case of a first member who is for any reason appointed after that day, on the day on which the appointment is made, and shall hold office until the end of June 1977. Any subsequent members shall come into office at the beginning of the quadrennial period next following the day on which they are appointed and shall hold office for that quadrennial period: Provided that if for any reason any member is appointed on or after the beginning of a quadrennial period, he shall come into office on the day on which he is appointed and shall hold office for the remainder of that quadrennial period. Retiring members shall be eligible for re-appointment.

"4. Where for any reason whatsoever there occurs a casual vacancy in the Committee, the body by whom the vacating member was appointed may fill the vacancy by the appointment of a new member. It shall be the duty of the Clerk of the Committee forthwith to notify every such vacancy to the appointing body.

"5. No act or proceeding of the Committee shall be questioned on account of any vacancy in the Committee, and no defect in the appointment of any person acting as a member of the Committee shall vitiate any proceedings of the Committee in which he has taken part.

"6. No Council shall make, vary or revoke any regulation or standing order respecting the quorum or proceedings of the Committee or as to the area within which it is to exercise its authority: Provided that any Council may make a regulation requiring the Committee to submit to such Council once in each year an estimate of expenses proposed to be incurred by it under the Act, and once in each year an abstract of its accounts for the preceding year, and to afford to any person appointed for the purpose by the Council access at all reasonable times to the books containing its accounts.

"7. Subject to any restriction or condition made under section 10 of the Act, the Committee shall not be required to report its proceedings to any Council, nor shall its acts or proceedings be submitted to any Council for approval.

"8. The first meeting of the Committee shall be summoned by the chairman of the County Council of Northumberland.

"9. The Committee shall hold four quarterly meetings in each year for the transaction of general business, in addition to any special or adjourned meetings.

"10. Five members shall be a quorum at any meeting of the Committee.

"11. The Committee may from time to time appoint a sub-committee or sub-committees and may assign to such sub-committee or sub-committees such duties as it may from time to time determine.

"*Expenses*

"12. The expenses of the Committee shall be chargeable to the constituent Councils in the respective proportions set out in column 3 of the Schedule hereto opposite the reference to each constituent Council and shall be expenses for general county purposes."

3. Article 4 of the principal order (definitions) shall be re-numbered and become Article 13.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 19th December 1973.

(L.S.)

Joseph Godber,
Minister of Agriculture, Fisheries and Food.

SCHEDULE

(CONSTITUTION AND EXPENSES)

Column 1	Column 2	Column 3
Constituent Councils	Number of Representatives	Proportion of Expenses (per cent)
Northumberland County Council ...	9	90
Tyne and Wear County Council	1	10

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order varies the constitution of the Northumberland Local Fisheries Committee (constituted in 1890 by order of the Board of Trade under the Sea Fisheries Regulation Act 1888 (c. 54)) in consequence of the establishment of new local government areas in England and Wales under the Local Government Act 1972 (c. 70). The County Councils referred to in the Schedule to the Order are made constituent Councils of the Committee and consequential adjustments are made to the Committee's membership, to members' tenure of office and to the liability of constituent Councils to contribute to the Committee's expenses.