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SCOTTISH STATUTORY INSTRUMENTS

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**2014 No. 297**

**ENVIRONMENTAL PROTECTION  
MARINE MANAGEMENT**

**The South Arran Marine Conservation  
(Amendment) Order 2014**

*Made - - - - 6th November 2014*  
*Laid before the Scottish*  
*Parliament - - - - 7th November 2014*  
*Coming into force - - 6th December 2014*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 85(1)(a), (2) and (4)(b) and (c), 86(1) and (3) and 92(1) of the Marine (Scotland) Act 2010<sup>(1)</sup> and of all other powers enabling them to do so.

In accordance with section 85(1)(a) of that Act, this Order is made for the purpose of furthering the stated conservation objectives for the South Arran Nature Conservation Marine Protected Area<sup>(2)</sup> in so far as the conservation objectives relate to maerl beds<sup>(3)</sup>.

In accordance with section 87(2) of that Act, the Scottish Ministers have sent a copy of a draft of this Order to persons whom the Ministers consider are likely to be interested in or affected by the making of this Order.

In accordance with section 87(3) of that Act, the Scottish Ministers have placed a copy of a draft of this Order in such place as they consider is likely to be most convenient for the purpose of enabling it to be inspected by persons likely to be affected by the making of this Order.

In accordance with section 87(6) and (7) of that Act, the Scottish Ministers have published notice of their proposal to make this Order.

**Citation and commencement**

**1.** This Order may be cited as the South Arran Marine Conservation (Amendment) Order 2014 and comes into force on 6th December 2014.

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(1) [2010 asp 5](#).

(2) The South Arran Nature Conservation Marine Protected Area was designated by the South Arran Nature Conservation Marine Protected Area Order 2014 (“the 2014 Order”). The 2014 Order is available at <http://www.scotland.gov.uk/Resource/0045/00456829.pdf>

(3) The conservation objectives are stated in article 5 of the 2014 Order and the protected features are stated in Schedule 2 to, as introduced by article 4 of, the 2014 Order.

## **Amendment of the South Arran Marine Conservation Order 2014**

**2.**—(1) The South Arran Marine Conservation Order 2014<sup>(4)</sup> is amended in accordance with paragraphs (2) to (4).

(2) In article 2 (interpretation), after the definition of “fishing gear”, insert—

““handline” means a single fishing line which is held in a person’s hand;”.

(3) In article 4 (prohibited and regulated activities), insert—

“(5) Paragraphs (2)(b) and (3) do not apply in relation to the use of—

(a) a rod and line; or

(b) a handline.”.

(4) In article 5 (authorisation of things prohibited by this Order) for paragraph (2)(c), substitute—

“(c) the deployment and use of—

(i) a pelagic trawl;

(ii) a creel; or

(iii) a parlour creel.”.

St Andrew’s House,  
Edinburgh  
6th November 2014

*RICHARD LOCHHEAD*  
A member of the Scottish Government

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the South Arran Marine Conservation Order 2014 (“the principal Order”). The principal Order designates a protected area within the South Arran Nature Conservation Marine Protected Area within which certain activities are prohibited and regulated.

This Order amends article 4 of the principal Order to provide that fishing with a rod and line, or with a handline, is not a prohibited activity within the protected area. A definition for a “handline” is inserted into article 2 of the principal Order.

Article 5 of the principal Order provides that the Scottish Ministers may issue permits authorising certain specified activities which would, apart from such permit, be unlawful within the protected area. This Order amends article 5 of the principal Order to provide that the Scottish Ministers may issue permits authorising additional activities: the deployment and use of a creel or a parlour creel within the protected area.