

2006 No. 383

SEA FISHERIES

**The Inshore Fishing (Prohibition of Fishing for Cockles)
(Scotland) (No. 2) Order 2006**

<i>Made</i> - - - -	<i>30th June 2006</i>
<i>Laid before the Scottish Parliament</i>	<i>30th June 2006</i>
<i>Coming into force</i> - -	<i>1st July 2006</i>

The Scottish Ministers, in exercise of the powers conferred by section 1 of the Inshore Fishing (Scotland) Act 1984(a) and of all other powers enabling them in that behalf, and having consulted such bodies as they consider appropriate, hereby make the following Order:

Citation and commencement

1. This Order may be cited as the Inshore Fishing (Prohibition of Fishing for Cockles) (Scotland) (No. 2) Order 2006 and shall come into force on 1st July 2006.

Interpretation

2. In this Order—

“the specified area” means that part of Scottish inshore waters which lies within the area bounded by the mean high-water mark of ordinary spring tides, by a straight line extending due east from the Isle of Whithorn at a point at 54°41'46" North latitude and 04°22'00" West longitude and by the line referred to in article 3(b)(i) of the Scottish Adjacent Waters Boundaries Order 1999(b).

Prohibitions of fishing for cockles

3. Subject to article 4, fishing for cockles (*Cerastoderma edule*)—

- (a) from or by means of any vehicle in Scottish inshore waters; and
- (b) in the specified area,

is prohibited.

Exception for scientific investigation

4. The prohibitions contained in this Order shall not apply to fishing for cockles by, or authorised by, the Scottish Ministers for the purposes of scientific investigation.

(a) 1984 c.26; section 1 was amended by the Inshore Fishing (Scotland) Act 1994 (c.27), section 1. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).
(b) S.I. 1999/1126.

Revocation

5. The Inshore Fishing (Prohibition of Fishing for Cockles) (Scotland) Order 2006^(a) is revoked.

St Andrew's House,
Edinburgh
30th June 2006

MALCOLM CHISHOLM
A member of the Scottish Executive

^(a) S.S.I. 2006/58.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order prohibits, subject to an exception, fishing for cockles (*Cerastoderma edule*)—

- (a) from or by means of any vehicle in Scottish inshore waters, and
- (b) by any means in the area of the Solway Firth specified in article 2 (article 3).

Fishing for cockles by, or authorised by, the Scottish Ministers for the purpose of scientific investigation is excepted from the prohibitions (article 4).

An illustrative map showing the specified area accompanies this Note.

“Scottish inshore waters” is defined in section 9(1) of the Inshore Fishing (Scotland) Act 1984.

The Order revokes the Inshore Fishing (Prohibition of Fishing for Cockles) (Scotland) Order 2006 (article 5).

The Regulatory Impact Assessment relating to this Order is available from the Scottish Executive Environment and Rural Affairs Department, Pentland House, 47 Robb's Loan, Edinburgh, EH14 1TY.

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