

2008 No. 10

SEA FISHERIES

The Shrimp Fishing Nets (Scotland) Amendment Order 2008

Made - - - - *17th January 2008*

Laid before the Scottish Parliament *18th January 2008*

Coming into force - *7th February 2008*

The Scottish Ministers, make the following Order in exercise of the powers conferred by section 3(1) of the Sea Fish (Conservation) Act 1967(a) and of all other powers enabling them to do so:

Citation and commencement

1. This Order may be cited as the Shrimp Fishing Nets (Scotland) Amendment Order 2008 and shall come into force on 7th February 2008.

Amendment of the Shrimp Fishing Nets (Scotland) Order 2004

2. In article 3 (prohibition on fishing for shrimps without a separator trawl or sorting grid) of the Shrimp Fishing Nets (Scotland) Order 2004(b) for paragraph (2)(d) substitute—

“(d) where sea fish have been caught, the quantity of either common shrimp (*Crangon* spp.) or Aesop shrimp (*Pandalus montagui*) or a combination of the two retained on board does not exceed 5% of the total live weight of catch retained on board in accordance with Article 25 of Council Regulation (EC) No. 850/98(c).”.

RICHARD LOCHHEAD

A member of the Scottish Executive

St Andrew's House,
Edinburgh
17th January 2008

(a) 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 the Scotland Act 1998 (Consequential Modifications) (No. 2) Order 1999 (S.I. 1999/1820) (“the 1999 Order”), article 4 and Schedule 2, paragraph 43(1), (2) and (4). See section 22(2) for the definition of “the Ministers” for the purpose of section 3. Section 22(2) was amended by the Fisheries Act 1981 (c.29), sections 19(2)(d) and 45; and by the 1999 Order, article 4 and Schedule 2, paragraph 43(12).

(b) S.S.I. 2004/261.

(c) O.J. No. L 125, 27.4.98, p.1; as amended by Council Regulation (EC) 1298/2000 (O.J. No. L 148, 22.6.2000, p.1).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends one of the specified exceptions to the prohibition against carrying or deploying a net with a mesh size of between 16 and 31 millimetres provided for in article 3 of the Shrimp Fishing Nets (Scotland) Order 2004.

The exception is that 5% or less by the live weight of the catch retained on board comprises common shrimp, Aesop shrimp or a combination of the two.

No Regulatory Impact Assessment has been prepared in respect of this Order.

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