
SCOTTISH STATUTORY INSTRUMENTS

2016 No. 90

**The Loch Sunart to the Sound of Jura
Marine Conservation Order 2016**

Prohibited and regulated activities

4.—(1) Paragraphs (2), (3) and (4)(b) apply in order to further the stated conservation objectives for the Loch Sunart to the Sound of Jura MPA in relation to common skate and to protect the Firth of Lorn SAC in respect of reefs.

(2) A person must not deploy (by any means) or use any fishing gear within the protected area.

(3) While a fishing vessel is within the protected area the master of the vessel must ensure that any fishing gear carried on board the vessel is properly lashed and stowed in such a way that it may not be readily used.

(4) Subject to paragraph (5), paragraphs (2) and (3) do not apply to the deployment or use of—

- (a) any fishing gear within the protected area for the purpose of saving life, or for the purpose of securing the safety of a vessel, aircraft or marine structure; or
- (b) a mechanical dredge, or a demersal trawl (other than a beam trawl) but without the attachment and use of tickler chains, within those parts of the protected area which are described in Schedule 2.

(5) Paragraph (4)(b) has effect with regard to those parts of the protected area which are described in Parts 3 to 6 of Schedule 2 only during the following periods—

- (a) 1st January to 31st March; and
- (b) 1st October to 31st December,

each year.

(6) In this article—

“beam trawl” means a type of demersal trawl which has its mouth extended by a beam, bar or other rigid device;

“creel” means a basket, small cage, pot, receptacle or container with one or more openings or entrances which may be baited and placed on the seabed for the purpose of catching fish or shellfish;

“demersal seine net” means an encircling net, attached to ropes, which is laid on, and towed across, the seabed;

“demersal trawl” means a net which is towed along the seabed;

“dredge” means—

- (a) a mechanical dredge; or
- (b) a suction dredge which raises material, fish and shellfish from the seabed by the use of a solids pump, air lift or water jets which dig into the seabed;

“fishing gear” means any beam trawl, demersal seine net, demersal trawl, dredge, passive gear and any rope or wire associated with the gear;

“groundrope” means a weighted rope or wire which holds the bottom of the net mouth to the seabed;

“parlour creel” means a creel which has at least two compartments, entry to one or more of which is likely to be gained only through an internal connection from another compartment;

“passive gear” means any fishing gear or catch operation which does not require an active movement of the gear, including—

- (a) gillnets, trammel nets and trap nets;
- (b) drifting gillnets, and drifting trammel nets, any of which may be equipped with anchoring, floating or navigational gear; and
- (c) long lines and lines,

but excluding creels and parlour creels; and

“tickler chain” means a chain which is attached across the mouth of a trawl, and positioned in front of the groundrope, for the purpose of disturbing fish from the seabed causing them to rise and be caught by the net.