

SCOTTISH STATUTORY INSTRUMENTS

2021 No. 467

SEA FISHERIES

CONSERVATION OF SEA FISH

The Sea Fish (Prohibited Methods of Fishing)
(Firth of Clyde) Order 2021 (revoked)^{F1}

Made - - - - 8th December 2021
Laid before the Scottish
Parliament - - - - 10th December 2021
Coming into force - - 14th February 2022

F1

F1 Order revoked (12.2.2022) by [The Sea Fish \(Prohibition on Fishing\) \(Firth of Clyde\) \(No. 2\) Order 2022 \(S.S.I. 2022/35\)](#), arts. 1(1), **4(b)** (with art. 1(2))

PROSPECTIVE

Citation, commencement, cessation and effect
^{F1}1.

PROSPECTIVE

Interpretation
^{F1}2.

Status: This version of this Instrument contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the The Sea Fish
(Prohibited Methods of Fishing) (Firth of Clyde) Order 2021 (revoked). (See end of Document for details)

PROSPECTIVE

Prohibited methods of fishing

^{F1}3.

PROSPECTIVE

Revocation

^{F1}4.

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EXPLANATORY NOTE

(This note is not part of the Order)

This Order prohibits, subject to certain exceptions, all methods of fishing within specified areas of the Firth of Clyde from 14 February to 30 April, during both 2022 and 2023 (articles 1(3) and 3(1)). The Order remains in force until the end of 30 April 2023 (article 1(2)).

The areas closed to fishing under this Order are shown on the illustrative map which accompanies this Explanatory Note.

The area diagonally hatched on the illustrative map is defined in article 3(1)(a).

The area horizontally hatched on the illustrative map is defined in article 3(1)(b).

The Order applies only to British fishing boats (article 3(1)). The prohibition does not apply to British fishing boats that fish within the closed areas exclusively with scallop dredges, creels or (in relation to the area diagonally hatched on the illustrative map) trawls used for fishing for Norway lobsters (article 3(2) and (3)). However, the South Arran Marine Conservation Order 2015 imposes separate restrictions on fishing activities within part of the area described in article 3(1)(a). Article 3(4) provides that article 3(2) is not to be read as allowing fishing for sea fish in any part of the area described in article 3(1)(a), where that is otherwise prohibited under that Order.

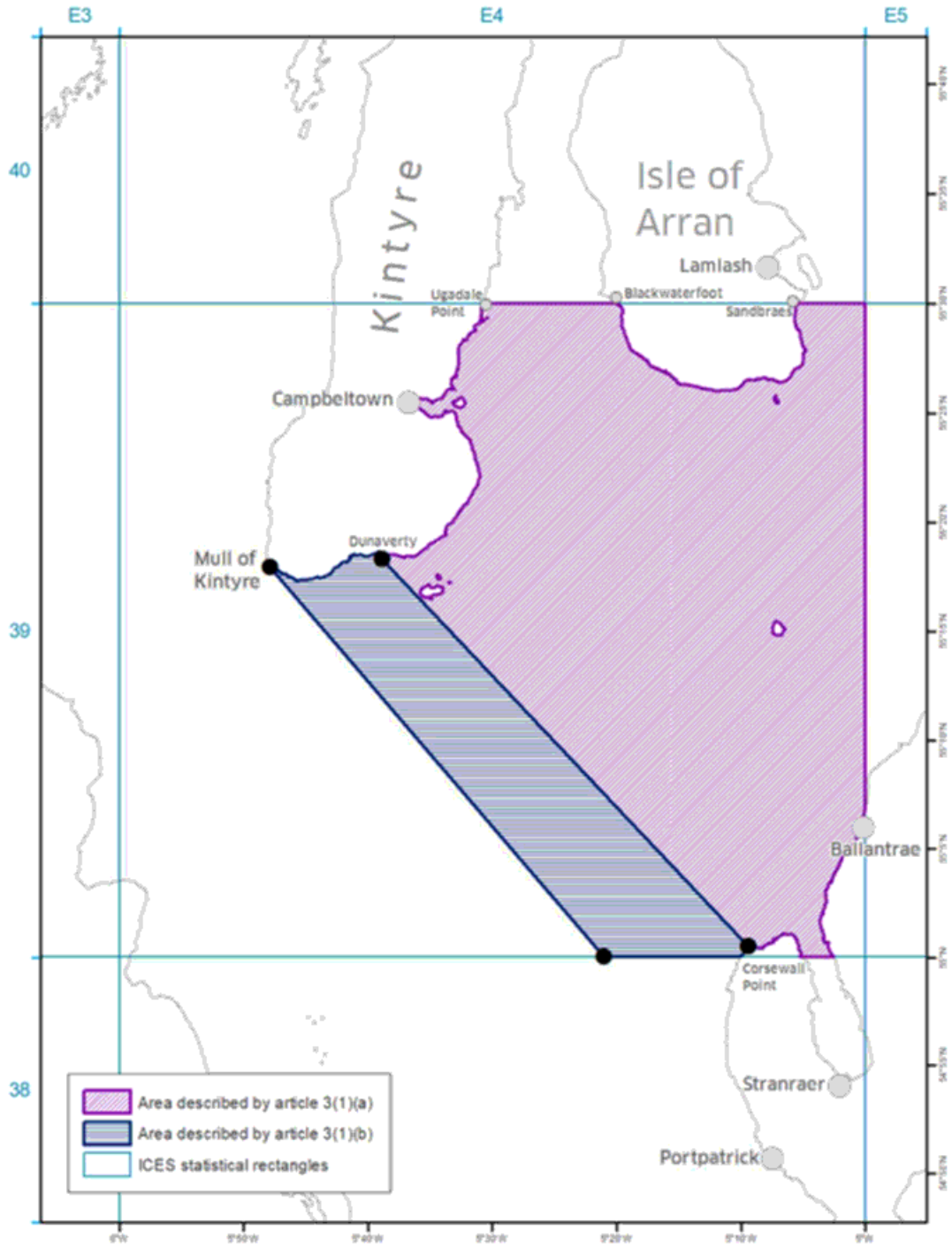
It is an offence under section 5(1) of the Sea Fish (Conservation) Act 1967 to use a fishing boat in contravention of a prohibition imposed by this Order. The penalties are fixed by section 11 of that Act. On summary conviction, the penalty is a fine not exceeding £50,000. On conviction on indictment, the penalty is an unlimited fine. In either case, the court may also order forfeiture of any fish in respect of which the offence was committed and of any net or other fishing gear used in committing the offence. On summary conviction, if the court does not order the forfeiture of fish, it may impose an additional fine not exceeding the value of the fish.

The Order revokes the Sea Fish (Prohibited Methods of Fishing) (Firth of Clyde) Order 2019 (article 4).

A Business and Regulatory Impact Assessment (“BRIA”) has been prepared in relation to this Order and placed in the Scottish Parliament Information Centre. Copies of the BRIA are available from Marine Scotland, Victoria Quay, Leith, Edinburgh EH6 6QQ and online at www.legislation.gov.uk.

Status: This version of this Instrument contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the The Sea Fish (Prohibited Methods of Fishing) (Firth of Clyde) Order 2021 (revoked). (See end of Document for details)

Illustrative Map Referred to in the Explanatory Note to the Sea Fish (Prohibited Methods of Fishing) (Firth of Clyde) Order 2021



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Status:

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Changes to legislation:

There are currently no known outstanding effects for the The Sea Fish (Prohibited Methods of Fishing) (Firth of Clyde) Order 2021 (revoked).