

**2007 No. 126**

**SEA FISHERIES**

**The Conservation of Seals (Scotland) Order 2007**

*Made* - - - - - *28th February 2007*

*Laid before the Scottish Parliament* *1st March 2007*

*Coming into force* - - - *23rd March 2007*

The Scottish Ministers, in exercise of the powers conferred by section 3(1) of the Conservation of Seals Act 1970(a) and of all other powers enabling them in that behalf, after consultation with the Natural Environment Research Council as required by that section, and considering that it appears to them to be necessary, for the proper conservation of seals, to make an order under that section, hereby make the following Order:

**Citation, commencement and extent**

1.—(1) This Order may be cited as the Conservation of Seals (Scotland) Order 2007 and shall come into force on 23rd March 2007.

(2) This Order extends to Scotland only.

**Prohibition on killing, injuring or taking of seals**

2. The killing, injuring or taking of seals of the species known as *Phoca vitulina* (common seals) is prohibited in the areas specified in the Schedule to this Order.

*SARAH H BOYACK*  
Authorised to sign by the Scottish Ministers

St Andrew's House,  
Edinburgh  
28th February 2007

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(a) 1970 c.30. The functions of the Secretary of State under section 3(1) were, in so far as exercisable within devolved competence, transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

## SCHEDULE

## Article 2

The following areas are specified for the purposes of article 2:—

- (a) that area of land and sea enclosed by a line beginning at a point on the seaward limit of the territorial sea at  $58^{\circ} 47.154'$  North latitude and  $003^{\circ} 52.327'$  West longitude; then following a straight line in a generally easterly direction to a point on the seaward limit of the territorial sea at  $58^{\circ} 40.574'$  North latitude and  $002^{\circ} 30.374'$  West longitude; then following the seaward limit of the territorial sea in a generally northerly, then westerly, then southerly direction to the point of beginning;
- (b) that area of land and sea enclosed by a line beginning at a point on the coast of Scotland at mean high water springs at Garron Point at  $56^{\circ} 58.807'$  North latitude and  $002^{\circ} 10.794'$  West longitude; then due east to the seaward limit of the territorial sea; then in a generally southerly direction following the seaward limit of the territorial sea to the point of intersection with a line drawn due east from a point on the coast of Scotland at mean high water springs at Torness Point at  $55^{\circ} 58.321'$  North latitude and  $002^{\circ} 24.194'$  West longitude; then due west to that point at Torness Point; then in a generally northerly direction, following the line of mean high water springs, to the point of beginning.

## **EXPLANATORY NOTE**

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

This Order prohibits, from 23rd March 2007, the killing, injuring or taking of *Phoca vitulina* (common seals) in two areas (article 2 and Schedule).

The first area is the Orkney and Shetland Islands and territorial waters adjacent to them. The second area is the territorial sea adjacent to the east coast of Scotland from Garron Point in the north to Torness Point in the south.

These prohibitions are in addition to those contained in section 2(1) of the Conservation of Seals Act 1970 (c.30) (“the 1970 Act”).

Subject to general exceptions in section 9 of the 1970 Act and to actings under a licence issued by the Scottish Ministers under section 10 of that Act, any person who acts in contravention of this Order is guilty of an offence under section 3(2) of the 1970 Act and liable on summary conviction to a fine not exceeding level 4 on the standard scale.

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