
SCOTTISH STATUTORY INSTRUMENTS

2017 No. 77

SEA FISHERIES

The Little Loch Broom Scallops Several Fishery Order 2017

<i>Made</i>	- - - -	<i>14th March 2017</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>16th March 2017</i>
<i>Coming into force</i>	- -	<i>7th May 2017</i>

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 1 and 7(4)(a)(iii) of the Sea Fisheries (Shellfish) Act 1967(1) (as read with section 2 and schedule 1 of that Act) and all other powers enabling them to do so.

In accordance with paragraphs 1 and 6 of that schedule(2), they have prepared a draft of this Order, served a copy of it on the applicant, and had regard to the powers and duties of the Crown Estate Commissioners under the Crown Estate Act 1961(3).

In accordance with paragraph 2 of that schedule, the applicant caused a draft of this Order to be published and circulated and gave notice of the application.

With regard to paragraph 3 of that schedule, no objections were received and no representations were made in writing to the Scottish Ministers in respect of the draft of this Order.

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- (1) 1967 c.83 (“the 1967 Act”). Section 1 was relevantly amended by the Fishery Limits Act 1976 (c.86), section 9 and schedule 2, paragraph 15; the Marine and Coastal Access Act 2009 (c.23) (“the 2009 Act”), section 203; the Marine (Scotland) Act 2010 (asp 5) (“the 2010 Act”), section 160(1) and (2) and 161(2); the Aquaculture and Fisheries (Scotland) Act 2013 (asp 7) (“the 2013 Act”), section 55(1); and by the Scotland Act 1998 (Consequential Modifications) (No. 2) Order 1999 (S.I. 1999/1820), article 4 and schedule 2, paragraph 42(2)(a) and (b). Section 2 was modified by the Fisheries Act 1981 (c.29), section 34. Section 7(4)(a)(iii) was inserted by the Sea Fisheries (Shellfish) Amendment (Scotland) Act 2000 (asp 12), section 1. Schedule 1 of the 1967 Act was amended by the Sea Fisheries Act 1968 (c.77), section 15(7); the 2009 Act, section 214; the 2010 Act, sections 160(3), 161(1)(g) and (h) and 161(5); and the 2013 Act, section 58(1). The reference to the “appropriate Minister” in section 22(1) of the 1967 Act is to be read as a reference to the Scottish Ministers by virtue of S.I. 1999/1820, schedule 2, paragraph 42(10).
- (2) Paragraph 6(1) of schedule 1 of the 1967 Act was amended by the 2013 Act, section 58(1). Paragraph 6(2) of schedule 1 of the 1967 Act was inserted by the 2010 Act, section 160(3) and requires the Scottish Ministers to have regard to the powers and duties of the Crown Estate Commissioners under the Crown Estate Act 1961 where a proposed Order under section 1 of the 1967 Act relates to any portion of the sea shore which belongs to Her Majesty in right of the Crown as is the case here. “Sea shore” is described in section 1(1) of the 1967 Act as read with section 1(1A).
- (3) 1961 c.55.