
STATUTORY INSTRUMENTS

1994 No. 326 (S. 10)

SEA FISHERIES

The Inshore Fishing (Prohibition of Fishing and Fishing Methods) (Scotland) Amendment Order 1994

<i>Made</i>	- - - -	<i>14th February 1994</i>
<i>Laid before Parliament</i>		<i>21st February 1994</i>
<i>Coming into force</i>	- -	<i>14th March 1994</i>

The Secretary of State, in exercise of the powers conferred on him by section 1 of the Inshore Fishing (Scotland) Act 1984((1)) and of all other powers enabling him in that behalf and having consulted such bodies as he considers appropriate, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Inshore Fishing (Prohibition of Fishing and Fishing Methods) (Scotland) Amendment Order 1994 and shall come into force on 14th March 1994.

(2) In this Order, “the principal Order” means the Inshore Fishing (Prohibition of Fishing and Fishing Methods) (Scotland) Order 1989((2)) and reference in this Order to an article, paragraph, Schedule, column or item means an article, paragraph, Schedule, column or item in the principal Order.

Amendment of the principal Order

2. Paragraph (2) of article 8 (prohibition of fishing for lobsters) shall be deleted and there shall be substituted the following:—

“(2) The sea area mentioned in paragraph (1) above is the sea area bounded by a line beginning at a point on the mainland of Orkney at 58° 57'.175 North latitude and 3° 17'.53 West longitude (The Ness); thence in a south westerly direction to a point on the Island of Graemsay at 58° 56'.35 North latitude and 3° 18'.725 West longitude (Point of Oxan); thence in a south westerly direction to a point on the Island of Hoy at 58° 55'.7 North latitude and 3° 19'.5 West longitude (Bu Point); thence in a southeasterly direction following the coast of the Island of Hoy to a point at 58° 49'.4 North latitude and 3° 10'.2 West longitude (Martello Tower); thence in an easterly direction to a point on the Island of Flotta at 58° 49'.4 North latitude and 3° 08'.5 West longitude; thence in a northerly, easterly and thereafter southerly

(1) 1984 c. 26.

(2) S.I.1989/2307.

direction following the coast of the Island of Flotta to a point at 58° 48'.85 North latitude and 3° 04'.8 West longitude (Stanger Head); thence in an easterly direction to a point on the coast of the Island of South Ronaldsay at 58° 49' North latitude and 3° 01'.95 West longitude (Hoxa Head); thence in a northerly direction following the west coasts of the Islands of South Ronaldsay, Burray, Glims Holm and Lamb Holm and Churchill barriers 1, 2, 3 and 4 to a point on the mainland of Orkney at 58° 53'.75 North latitude and 2°53'.75 West longitude; thence following the coast of the mainland of Orkney to the point of beginning.”.

3. There shall be inserted after article 8 the following:—

“Prohibition of fishing for shrimps

8A.—(1) Subject to paragraph (2) below, fishing for shrimps (Crangon crangon and Crangon allmani) by beam trawl or otter trawl in the sea area described in paragraph (3) below is prohibited.

(2) Paragraph (1) hereof shall not apply—

- (a) in the case of fishing by beam trawl, where the length of the beam, or where more than one beam is used at the same time by the same vessel the combined lengths of those beams, is 6 metres or less, or
- (b) in the case of fishing by otter trawl, where the length of the headline is 6 metres or less.

(3) The sea area referred to in paragraph (1) above means that part of Scottish inshore waters adjacent to the coast of Scotland between, in the west, a point at 54°52'.35 North latitude and 3°35'.60 West longitude (hereafter “Southernness Point”) and, in the east, the border with England and lying to the east of a straight line drawn from Southernness Point in a direction of 184.5° true, but excluding from that area any waters which are nearer to any point on the coast of England than to any point on the coast of Scotland.

(4) “Length” in relation to a beam, shall be measured between its extremities including all attachments thereto.”.

4. Schedule 1 (prohibitions of fishing with mobile or active gear) shall be amended—

- (a) by inserting in the title of column 3 after the words “mobile”, the words “or active”; and
- (b) at item 27,
 - (i) by adding at the end of the entry in column 2—

“but excluding therefrom that area known as Montrose Basin, and that part of the course of the River South Esk, lying to the west of the 2° 28' West line of longitude.”; and
 - (ii) by deleting the entry in column 3 and substituting—

“In respect of the area of waters—

 - (a) within one mile of the mean high water mark of ordinary spring tides, 1st January to 31st March and 1st October to 31st December, in each year; and
 - (b) within one half mile of the mean high water mark of ordinary spring tides, 1st April to 30th September, in each year.”.

5. Schedule 3 (general prohibition of fishing in specified areas) shall be amended—

- (a) at item 1,
 - (i) by inserting in the entry in column 2 after the words “Firth of Clyde,” the words “being the sea area”; and

- (ii) by inserting in the entry in column 4 at the beginning—
 - “Subject to any other prohibition imposed by this Order”; and
- (b) at item 2, by inserting in the entry in column 2 after the words “Firth of Forth,” the words “being the sea area”.

St. Andrew’s House,
Edinburgh
14th February 1994

Hector Monro
Parliamentary Under Secretary of State, Scottish
Office

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Inshore Fishing (Prohibition of Fishing and Fishing Methods) (Scotland) Order 1989 by—

- (a) redefining the area of prohibition of fishing for lobsters in Scapa Flow (article 2);
- (b) introducing a ban on fishing for shrimps (*Crangon crangon* and *Crangon allmani*) by beam or otter trawl within that part of the Solway Firth specified, except where the beam (or beams) or the headline used for such fishing measures 6 metres or less in length (article 3);
- (c) redefining the area, and periods, of prohibition of the use of mobile or active gear in areas of water adjacent to the coast between Doolie Ness and Lang Craig (article 4(b));
- (d) making minor drafting amendments to Schedules 1 and 3 (articles 4(a) and 5).

The Compliance Cost Assessment relating to this Order is available in the library of each House of Parliament. A copy of it can be obtained from Scottish Office Agriculture and Fisheries Department, Division J, Room 510, Pentland House, 47 Robb's Loan, Edinburgh EH14 1TW.