
STATUTORY INSTRUMENTS

1996 No. 1475 (S.131)

SEA FISHERIES

The Inshore Fishing (Prohibition of Fishing and Fishing Methods) (Scotland) Amendment Order 1996

<i>Made</i>	- - - -	<i>31st May 1996</i>
<i>Laid before Parliament</i>		<i>17th June 1996</i>
<i>Coming into force</i>	- -	<i>8th July 1996</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 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 1996 and shall come into force on 8th July 1996.

(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 principal Order

2.—(1) The principal Order shall be amended in accordance with the following provisions of this article.

(2) Article 8 shall be amended by—

(a) deleting the headnote and substituting therefor “Prohibition of fishing for crustaceans”; and

(b) inserting after paragraph (1), the following:—

“(1A) Fishing for squat lobsters (*Munida rugosa*), spiny lobsters (*Palinurus vulgaris*), green shore crabs (*Carcinus maenas*), brown crabs (*Cancer pagurus*) and velvet crabs (*Necora puber*) in Scapa Flow, being the area specified in paragraph (2) below, is

(1) 1984 c. 26; section 1 was amended by the Inshore Fishing (Scotland) Act 1994 c. 27, section 1.

(2) S.I.1989/2307, amended by S.I. 1994/326.

prohibited from the first day of June to the fifteenth day of September, both dates inclusive, in each year.”.

(3) Schedule 1 shall be amended—

- (a) at item 18, by deleting the entries in columns 3 and 4 and substituting for the entry in column 4 “1st January to 31st December in each year”; and
- (b) at item 26, by deleting, in the entry in column 2, the words “two miles” and substituting therefor “one mile”.

(4) The words—

- (a) “sea areas” where they appear in articles 2(3), 3, 5 and 6; and
- (b) “sea area” where they appear in articles 4, 7, 8, 8A, Schedule 1 (in the heading of, and in the entries at items 5 and 6 in, column 2), Schedule 2 (in the heading of, and in the entries at items 1 and 2 in, column 2) and Schedule 3 (in the heading of, and in the entries at items 1 and 2 in, column 2),

shall be deleted and there shall be substituted therefor the word “area”.

St Andrew’s House,
Edinburgh
31st May 1996

Raymond S Robertson
Parliamentary Under Secretary of State, Scottish
Office

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—

- (a) at article 8, by inserting a new prohibition on fishing in Scapa Flow, being the area specified in article 8(2), for squat lobsters (*Munida rugosa*), spiny lobsters (*Palinurus vulgaris*), green shore crabs (*Carcinus maenas*), brown crabs (*Cancer pagurus*), and velvet crabs (*Necora puber*) between 1st June and 15th September, each year;
- (b) in Schedule 1 at item 18, by deleting the existing prohibitions on the use of mobile gear between Gallan Head and Aird Barvas and substituting a prohibition on suction dredging only, between 1st January and 31st December each year (article 2(3)(a));
- (c) in Schedule 1 at item 26, by reducing the area subject to a restriction on the use of mobile gear between Mons Craig and Doolie Ness from two miles to one mile from the mean high water mark of ordinary spring tides (article 2(3)(b)); and
- (d) by deleting reference to “sea area” and “sea areas” and substituting reference to “area”(article 2(4)) as a consequence of amendments of the same kind made to the Inshore Fishing (Scotland) Act 1984 by the Inshore Fishing (Scotland) Act 1994.

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