
EXPLANATORY NOTE

(This note is not part of the Order)

This Order consolidates the Inshore Fishing (Prohibition of Fishing and Fishing Methods) (Scotland) Order 1989 with amendments.

The Order makes some minor drafting amendments to the definition of “parlour creel” and introduces a definition of the word “creel” (article 2 (1)).

It also introduces a prohibition on fishing boats greater than 12 metres in length from fishing with creels in Luce Bay and Wigtown Bay (article 5 and Schedule 2).

The Order also—

- (a) prohibits fishing for such sea fish with mobile or active gear (including a suction dredge), subject to specified exceptions, in specified areas at certain times of the year (articles 3 and 4 and Schedule 1);
- (b) prohibits fishing with creels in specified areas at specified times of the year subject to specified exceptions (article 5 and Schedule 2);
- (c) prohibits fishing for sea fish within Scottish inshore waters by parlour creel with a mesh size smaller than 60 millimetres (article 6);
- (d) prohibits in relation to the Firths of Clyde and Forth fishing for any such sea fish other than herring, mackerel and sprats by fishing boats exceeding 21.34 metres in length in the Firth of Clyde and 16.77 metres in length in the Firth of Forth throughout the year (articles 7 and 8 and Schedule 3); and
- (e) prohibits fishing for lobsters within Scottish inshore waters, with the exception of lobsters of a specified size (article 9);
- (f) prohibits fishing for shrimps 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 10).

There is an exception from the prohibitions where fishing for sea fish is conducted for the purpose of scientific investigation (article 11).

Contravention of the Order is an offence under section 4 of the Inshore Fishing (Scotland) Act 1984.

The Order revokes the Inshore Fishing (Prohibition of Fishing and Fishing Methods) (Scotland) Order 1989, together with the amending Orders specified in Schedule 4, subject to a saving (article 12.)

A Regulatory Impact Assessment relating to the Order is available from The Scottish Executive Environment and Rural Affairs Department, Sea Fisheries Division, Room 510 Pentland House, 47 Robb’s Loan, Edinburgh EH14 1TY.