
EXPLANATORY NOTE

(This note does not form part of the Order)

This Order prohibits, subject to certain exceptions, all methods of fishing within certain areas of the Firth of Clyde from 14th February to 30th April 2007. The Order is made pursuant to Article 46 of Council Regulation (EC) No. 850/98 of 30th March 1998 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms. A map showing the areas closed to fishing under this Order is appended to this note for illustrative purposes only. The Order remains in force until the end of 30th April 2007 (article 1(2)).

Area 1 on the illustrative map is defined in article 3(1)(a).

Area 2 on the illustrative map is defined in article 3(1)(b).

The prohibition does not apply to vessels fishing within the closed areas exclusively with scallop dredges, creels and (in relation to area 1 on the illustrative map) trawls used for fishing for Norway lobsters (articles 3(2) and (3)).

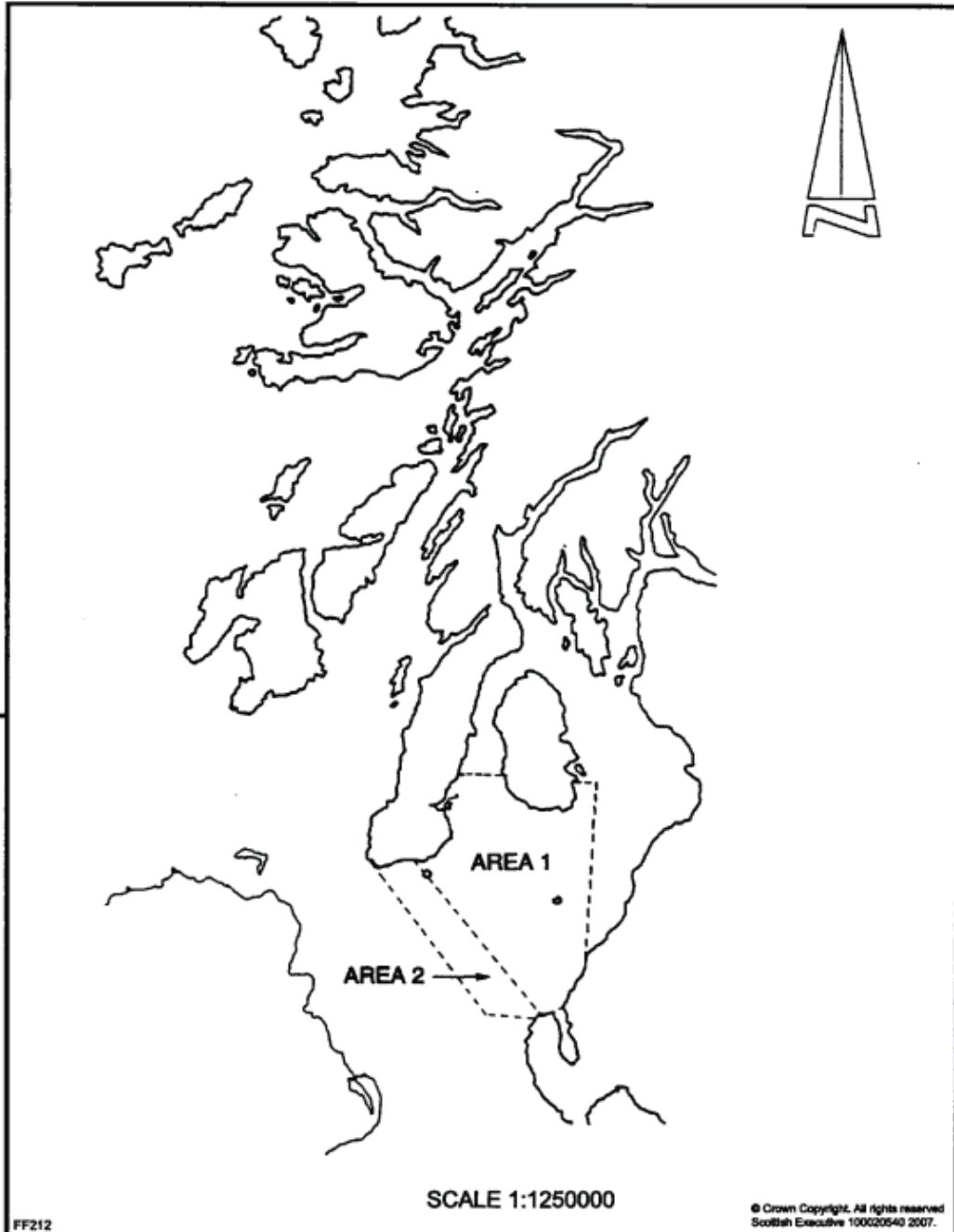
The Order gives British sea-fishery officers powers to enforce the Order, including power to detain a vessel in port (article 4).

It is an offence under section 5(1) of the Sea Fish (Conservation) Act 1967 to use a fishing boat in contravention of a prohibition imposed by this Order. The penalties are fixed by section 11 of that Act. On summary conviction the penalty is a fine not exceeding £50,000. On conviction on indictment the penalty is an unlimited fine. In either case the court may also order forfeiture of any fish in respect of which the offence was committed and of any net or gear used in committing the offence. On summary conviction, if the court does not order the forfeiture of fish, it may impose an additional fine not exceeding the value of the fish.

The Order revokes the Sea Fish (Prohibited Methods of Fishing) (Firth of Clyde) Order 2006.

The Regulatory Impact Assessment relating to this Order is available from the Scottish Executive Environment and Rural Affairs Department, Pentland House, 47 Robb's Loan, Edinburgh, EH14 1TY.

Status: This is the original version (as it was originally made).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



Ref. No.	2618	A4
Plan No.	436	
Drawn	AIM	
Traced	SYG	
Date	2.2.2007.	

ILLUSTRATIVE MAP REFERRED TO IN THE EXPLANATORY NOTE TO THE SEA FISH (PROHIBITED METHODS OF FISHING) (FIRTH OF CLYDE) ORDER 2007

THE SCOTTISH ENVIRONMENT & Rural Aff. - 2 FEB 2007
DUNCAN SCOTT
DUNDEE & ST. ANDREW