

---

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order appoints 16th September 2013 as the day on which the remaining provisions of the Aquaculture and Fisheries (Scotland) Act 2013 (“the Act”) come into force. Sections 4 (meaning of “wellboat”), 22 (interpretation of Part 1, Chapter 3) and 53 (interpretation of Part 3) and Part 6 (general) came into force on the day after Royal Assent, which was granted on 18th June 2013.

Articles 3 and 4 make transitional provision in respect of sections 49(3) and 56(3) of the Act which, respectively, insert new section 4A into the Inshore Fishing (Scotland) Act 1984 and new section 3A into the Sea Fisheries (Shellfish) Act 1967. Those provisions apply in respect of criminal proceedings under those Acts and allow the court to infer that an offence has been committed where certain facts are proved. The effect of articles 3 and 4 of this Order is to apply those new provisions only in respect of offences which have been committed on or after the appointed day.