
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 280

SEA FISHERIES

**The Loch Sligachan, Isle of Skye,
Scallops Several Fishery Order 2013**

Made - - - - 24th September 2013
*Laid before the Scottish
Parliament* - - - - 26th September 2013
Coming into force - - 16th November 2013

The Scottish Ministers make the following Order in exercise of the powers conferred by section 1 of the Sea Fisheries (Shellfish) Act 1967(1) (as read with section 2 of, and Schedule 1 to, that Act) and all other powers enabling them to do so.

In accordance with paragraphs 1 and 6 of Schedule 1 to the Sea Fisheries (Shellfish) Act 1967(2), they have prepared a draft of this Order, served a copy of it on the applicant, and had regard to the powers and duties of the Crown Estate Commissioners under the Crown Estate Act 1961(3).

In accordance with paragraph 2 of that Schedule, the applicant caused a draft of this Order to be published and circulated and gave notice of the application.

With regard to paragraph 3 of that Schedule, no objections were received and no representations were made in writing to the Scottish Ministers in respect of the draft of this Order.

-
- (1) 1967 c.83 (“the 1967 Act”). Section 1 was amended by the Sea Fisheries Act 1968 (c.77) (“the 1968 Act”), section 15(2); the Fishery Limits Act 1976 (c.86), section 9 and Schedule 2, paragraph 15; the Sea Fisheries (Shellfish) (Amendment) Act 1997 (c.3), section 1; the Scotland Act 1998 (Consequential Modifications) (No. 2) Order 1999 (S.I. 1999/1820), article 4 and Schedule 2, paragraph 42(2)(a) and (b); the Marine (Scotland) Act 2010 (asp 5) (“the 2010 Act”), sections 160(1) and (2) and 161(2); and the Aquaculture and Fisheries (Scotland) Act 2013 (asp 7) (“the 2013 Act”), section 55(1). Schedule 1 to the 1967 Act was amended by the 1968 Act, section 15(7) and by the 2010 Act, sections 160(3), 161(1)(g) and (h) and 161(5). The reference to the “appropriate Minister” in section 22(1) of the 1967 Act is to be read as a reference to the Scottish Ministers by virtue of S.I. 1999/1820, Schedule 2, paragraph 42(10).
- (2) Paragraph 6(1) of Schedule 1 to the 1967 Act was amended by the 2013 Act, section 58(1). Paragraph 6(2) of Schedule 1 to the 1967 Act was inserted by the 2010 Act, section 160(3), and requires the Scottish Ministers to have regard to the powers and duties of the Crown Estate Commissioners under the Crown Estate Act 1961 where a proposed Order under section 1 of the 1967 Act relates to any portion of the sea shore which belongs to Her Majesty in right of the Crown, as is the case here. “Sea shore” is described in section 1(1) of the 1967 Act, as read with section 1(1A).
- (3) 1961 c.55.