

## EXPLANATORY NOTE

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

This Order confers on David Neil Oakes for a period of 15 years the right of several fishery for scallops in part of Loch Sligachan (article 2). The part of Loch Sligachan to which the Order applies is described in the Schedule. The location of the area is also shown on the map which is described in article 1(2). A representation of the map, for illustrative purposes only, is appended to this Note.

Article 3 requires the harvesting of scallops under the right of several fishery to be carried out manually by divers.

Article 4 specifies creels as permitted fishing implements which can be used within the fishery.

Article 5 prohibits the assignation or other transfer of the right of several fishery without the prior written consent of the Scottish Ministers.

Article 6 requires the limits of the area to be clearly marked and maintained on the bed and surface of the sea.

Article 7 provides that the Order will not prejudicially affect the rights of the Crown.

By virtue of section 2 of the Sea Fisheries (Shellfish) Act 1967 this Order confers on the applicant the exclusive right to deposit, propagate, fish for and take scallops within the area.

A Business and Regulatory Impact Assessment (“BRIA”) has been prepared in relation to this Order and placed in the Scottish Parliament Information Centre. Copies of the BRIA are available from Marine Scotland, Victoria Quay, Leith, Edinburgh EH6 6QQ and on line at [www.legislation.gov.uk](http://www.legislation.gov.uk).

