
EXPLANATORY NOTE

(This note is not part of the Order)

This Order prohibits specified forms of fishing in specified areas of the Outer Hebrides. It consolidates new prohibitions with existing prohibitions for the specified areas previously in the Inshore Fishing (Prohibition of Fishing and Fishing Methods) (Scotland) Order 2004 (“the 2004 Order”).

Article 3 prohibits specified forms of fishing for specified fish at specified times in an area of Scottish inshore waters in the Loch Maddy to Stuley Island Protected Area (which is defined in schedule 1). This expands the prohibition on scallop fishing which currently applies in the same area under the 2004 Order. The provision in the 2004 Order which sets out the current prohibition is revoked by this Order.

Article 3(1)(a) prohibits suction dredging for any species of sea fish in that area.

Article 3(1)(b) prohibits the use of mobile or active gear - a trawl, Danish seine or similar net, purse seine, ring net or dredge - to fish for any species of sea fish except king scallops and queen scallops in that area between 1st March and 31st October in each year.

Article 3(1)(c) prohibits any method of fishing for king scallops or queen scallops in the area at any time between 1st March and 30th April, and between 25th August and 31st October in each year.

Article 4 prohibits suction dredging in an area of Scottish inshore waters in the Sound of Harris Protected Area (which is defined in schedule 2). A similar prohibition currently applies in the same area under the 2004 Order which includes a broader prohibition on mobile gear fishing. The provision in the 2004 Order which sets out the current prohibition is revoked by this Order.

Article 5 prohibits fishing using a creel or parlour creel in an area of Scottish inshore waters in the Bragar to Dell Protected Area (which is defined in schedule 3) between 1st January and 31st March, and between 1st November and 31st December in each year. A prohibition on fishing using this gear currently applies in the same area under the 2004 Order but in relation to different times of the year. The provision in the 2004 Order which sets out the current prohibition is revoked by this Order.

Article 6 prohibits fishing using a creel or parlour creel in an area of Scottish inshore waters in the Barra Head (Berneray) to Harris Protected Area (which is defined in schedule 4) between 1st January and 31st March, and between 1st November and 31st December in each year. This expands the area covered by a current prohibition on fishing using a creel or parlour creel in a similar area under the 2004 Order. The provision in the 2004 Order which sets out the current prohibition is revoked by this Order.

Article 7 prohibits fishing for shellfish using a creel or parlour creel in an area of Scottish inshore waters in the Loch Roag Protected Area (which is defined in schedule 5) between 1st May and 31st July in each year.

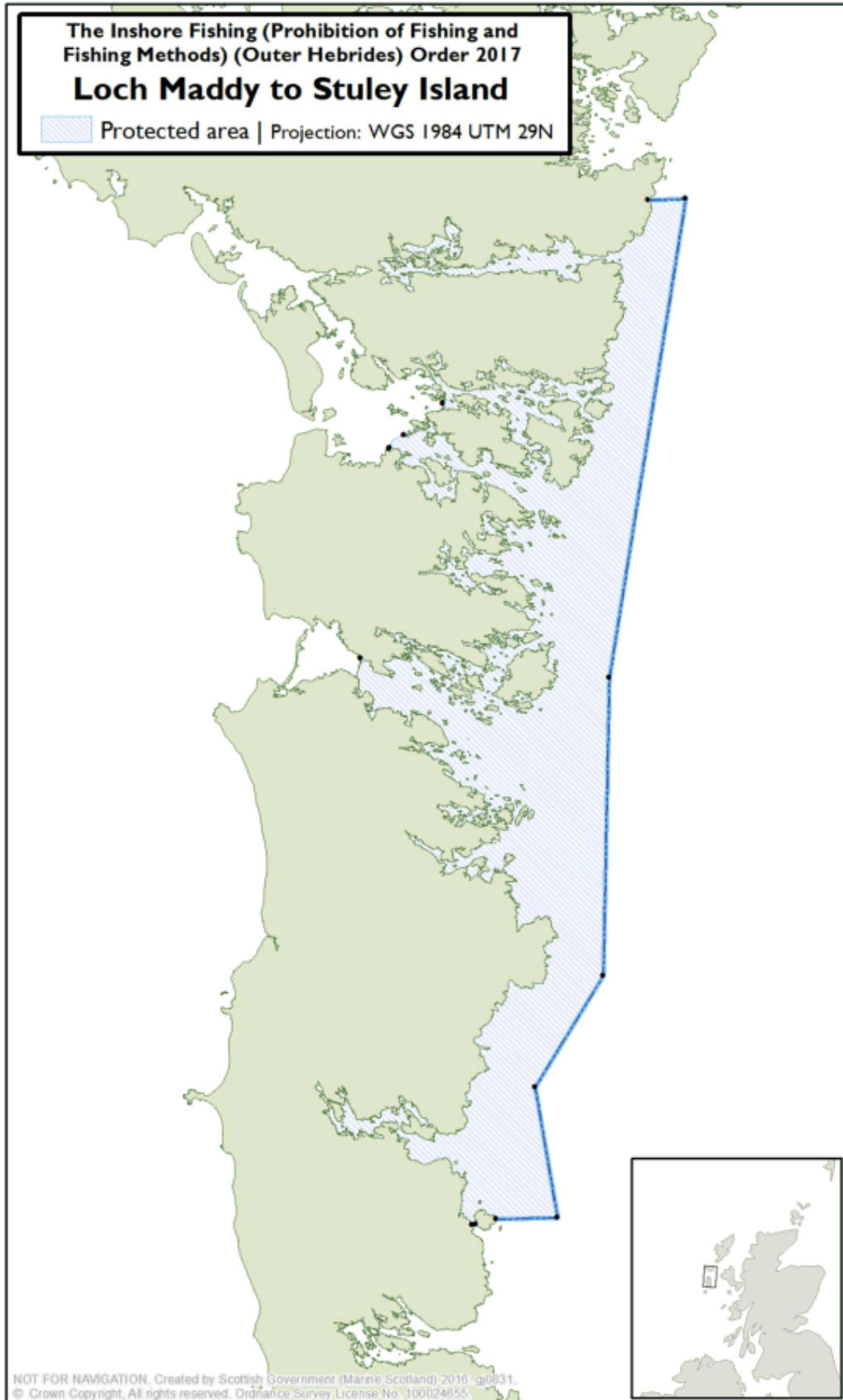
Article 8 revokes various provisions of the 2004 Order.

Any person who contravenes a provision contained in this Order commits an offence under section 4 of the Inshore Fishing (Scotland) Act 1984.

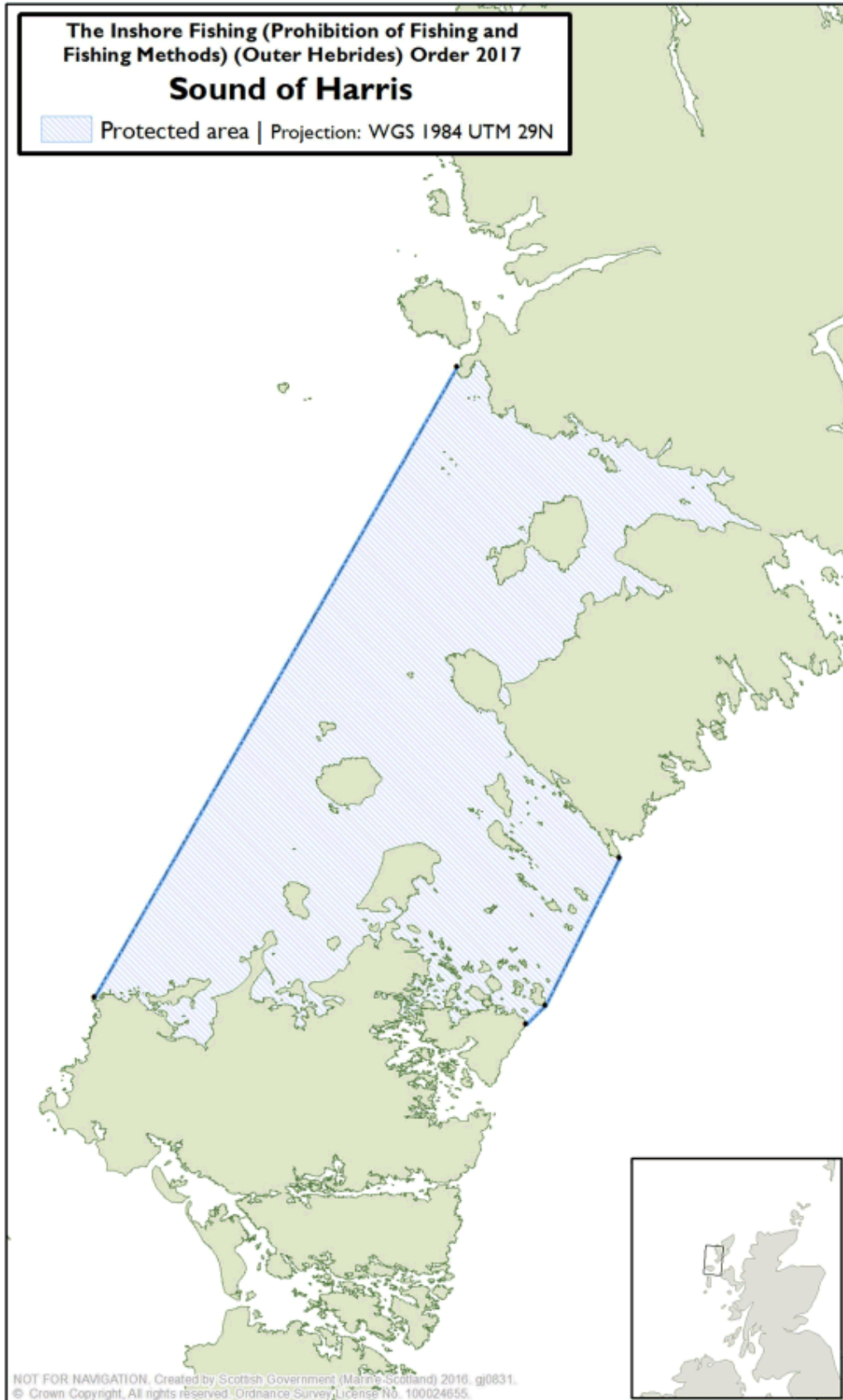
Five illustrative maps showing the protected areas are appended to this Note.

A business and regulatory impact assessment has been prepared in relation to this Order and placed in the Scottish Parliament Information Centre. A copy of this can be obtained from Marine Scotland, the Scottish Government, Victoria Quay, Edinburgh EH6 6QQ.

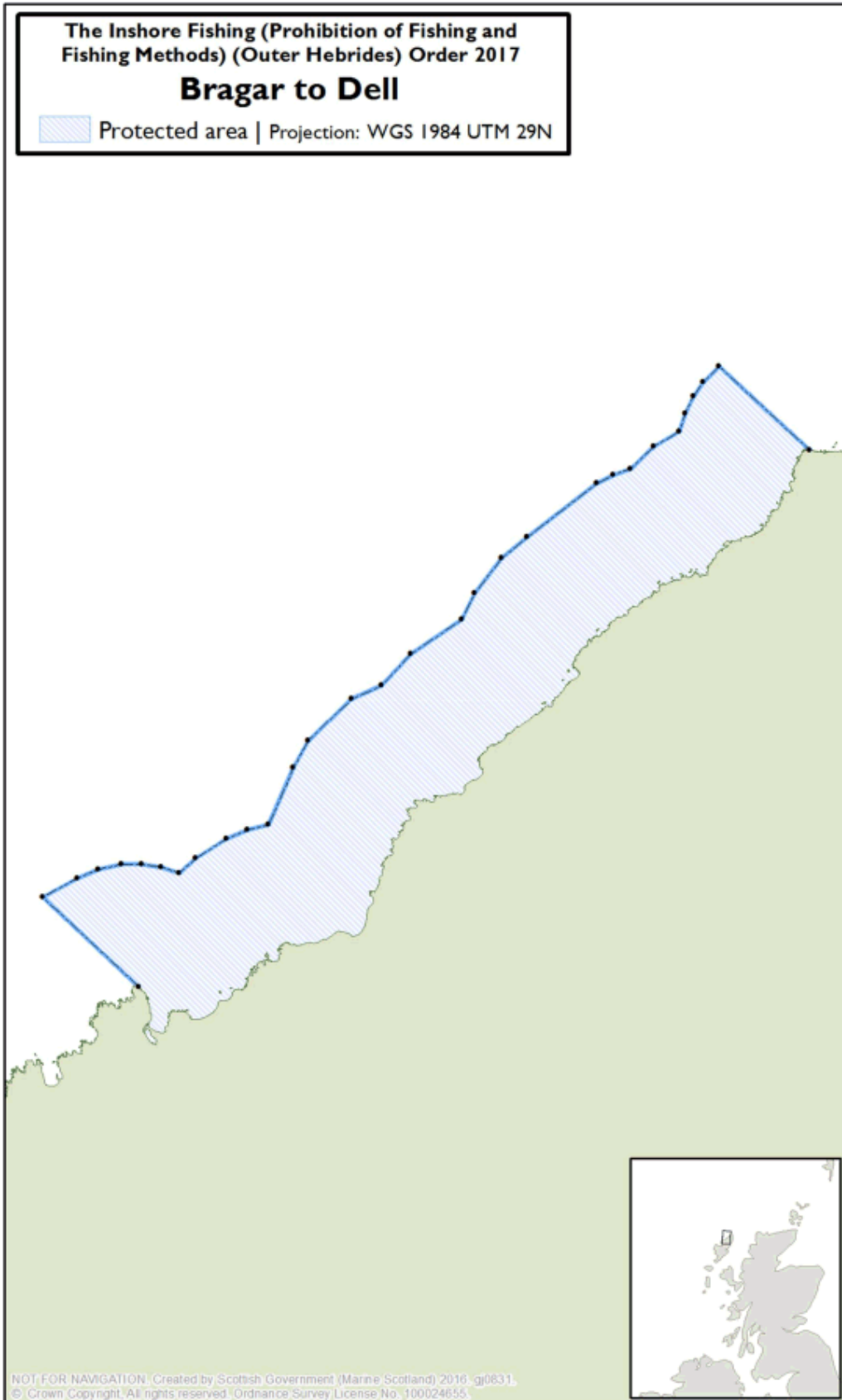
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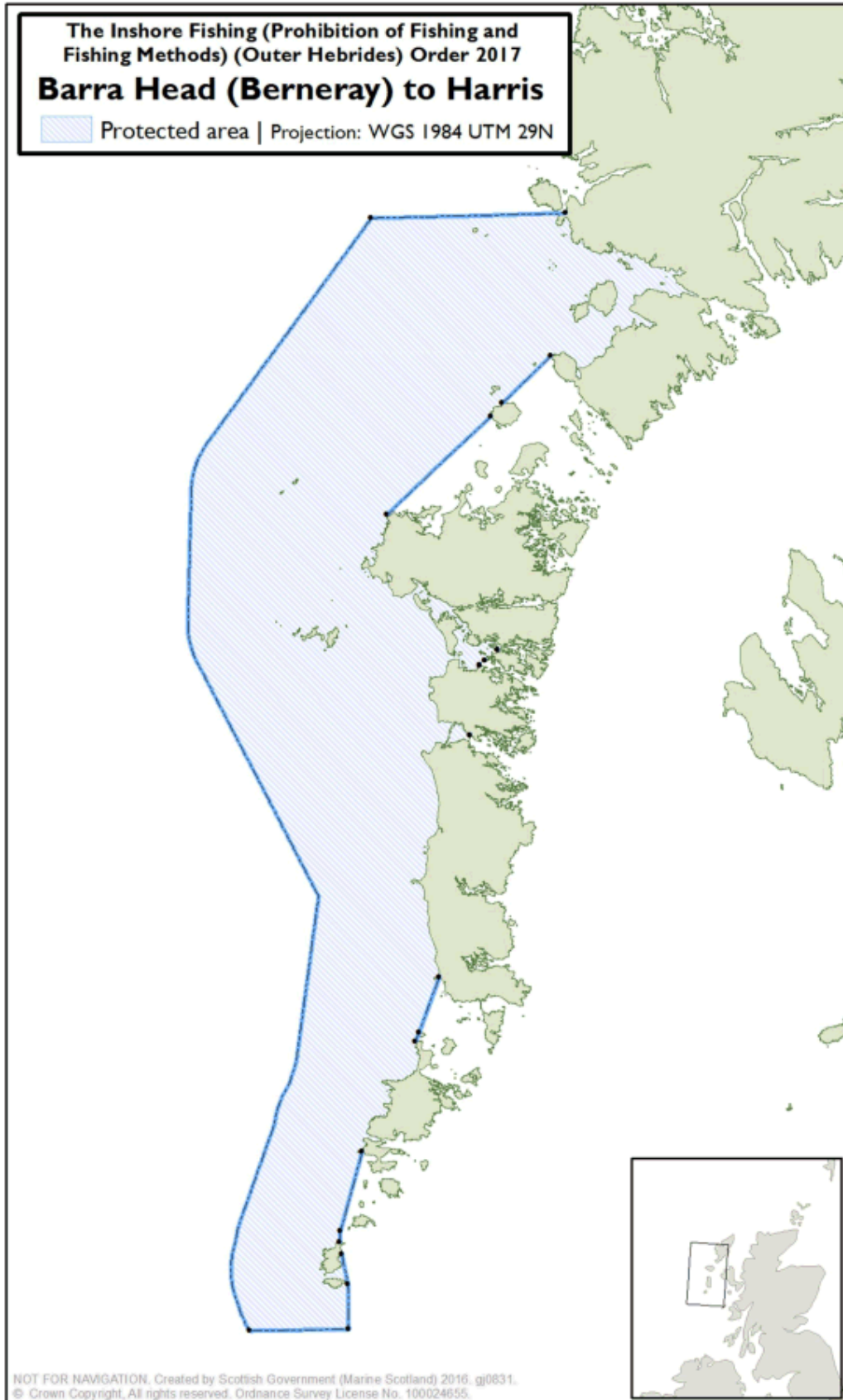
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