

**1977 No. 2183 (S. 165)**
**SEA FISHERIES**
**The Sea Fisheries (Scotland) Byelaw (No. 88) 1977**

*Made* - - - - - 17th November 1977

*Coming into Operation* 28th December 1977

The Secretary of State in exercise of the powers conferred by section 4 of the Sea Fisheries (Scotland) Amendment Act 1885(a) and now vested in him by section 1(1) of the Reorganisation of Offices (Scotland) Act 1939(b) and of all other powers enabling him in that behalf, hereby makes the following byelaw:—

*Citation, commencement and interpretation*

1.—(1) This byelaw may be cited as the Sea Fisheries (Scotland) Byelaw (No. 88) 1977.

(2) This byelaw shall come into operation on the date of its confirmation by the Secretary of State.

(3) The Interpretation Act 1889(c) shall apply for the interpretation of this byelaw as it applies for the interpretation of an Act of Parliament.

*Prohibition of methods of fishing for herring in Firth of Clyde*

2. Except as hereinafter provided, during the whole or any part of the following periods namely, from 1st January to 31st March 1978, 1st January to 31st March 1979 and 1st January to 31st March 1980, all dates inclusive, it shall not be lawful for any person to use any of the following methods of fishing, namely—

beam trawling; otter trawling; pair trawling; drift netting; ring netting; trammel netting; purse seining; seining;

for catching herring within that area of the sea lying inside a line drawn from Corsewall Point in Dumfries and Galloway Region to the Mull of Kintyre in Strathclyde Region;

Provided that

(a) where during any such period any such method of fishing is used within that area and herring are comprised in the catch, the use of such method shall be deemed to be lawful if such herring do not exceed in weight 5 per cent. of the total weight of the catch, determined on the basis of a sample selected by a British Sea Fishery Officer and being a quantity of not less than two kilograms in weight taken from any part of the catch; and

(b) nothing in this byelaw shall apply in relation to the use, within the said area, for catching herring, of

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(a) 1885 c. 70.

(b) 1939 c. 20.

(c) 1889 c. 63.

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- (i) any such method of fishing, by a person in the service of the Secretary of State; or
  - (ii) any such method of fishing by a person authorised by permission in writing of the Secretary of State and that for a purpose of scientific investigation specified in such permission.

Given under the Seal of the Secretary of State on 17th November 1977.

(L.S.)

*J. Cormack*  
Fisheries Secretary.

Confirmed under the Seal of the Secretary of State on 28th December 1977.

(L.S.)

*J. Cormack*  
Fisheries Secretary.

Department of Agriculture  
and Fisheries for Scotland,  
Chesser House,  
Edinburgh.

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#### EXPLANATORY NOTE

*(This Note is not part of the Byelaw.)*

This Byelaw prohibits specified methods of fishing for herring in the Firth of Clyde during the periods 1st January to 31st March 1978, 1st January to 31st March 1979 and 1st January to 31st March 1980, all dates inclusive. The use of a prohibited method of fishing where the quantity of herring in the catch does not exceed a specified percentage in weight of the total catch, is deemed to be lawful, and operations authorised by the Secretary of State are excepted.

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