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STATUTORY INSTRUMENTS

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**1989 No. 2307 (S.150)**

**SEA FISHERIES**

**The Inshore Fishing (Prohibition of Fishing and Fishing Methods) (Scotland) Order 1989**

<i>Made</i>	- - - -	<i>4th December 1989</i>
<i>Laid before Parliament</i>		<i>11th December 1989</i>
<i>Coming into force</i>	- -	<i>1st January 1990</i>

The Secretary of State, in exercise of the powers conferred on him by section 1 of the Inshore Fishing (Scotland) Act 1984 (1) and of all other powers enabling him in that behalf and having consulted such bodies as he considers appropriate, hereby makes the following Order:

**Citation and commencement**

1. This Order may be cited as the Inshore Fishing (Prohibition of Fishing and Fishing Methods) (Scotland) Order 1989 and shall come into force on 1st January 1990.

**Interpretation**

2.—(1) In this Order—

“sea fish” does not include salmon or migratory trout;

“suction dredging” means the raising from the sea bottom of material, fish and shell fish with gear involving the use of a solids pump or air lift, or water jets to dig into the sea bottom; and

“suction dredge” shall be construed accordingly.

(2) Any reference in this Order to a numbered column in a numbered Schedule is a reference to the column so numbered in the Schedule so numbered to this Order.

(3) The periods of prohibition specified in column 3 and, where appropriate, the additional periods of prohibition, excepted methods of fishing for sea fish and periods of exception specified, as the case may be, in columns 4, 5 and 6 of Schedules 1, 2 and 3 are so specified for the purposes of articles 3, 4, 5, 6 and 7 of this Order in relation to the sea areas specified in column 2 of the said Schedules opposite to which they appear.

### **Prohibition of fishing with mobile or active gear**

3.—(1) Subject to article 4 below, fishing for sea fish with a trawl, Danish seine or similar net, purse seine, ring net or dredge (including a suction dredge) is prohibited within the sea areas within Scottish inshore waters specified in column 2 of Schedule 1 during the periods specified in column 3 of that Schedule in relation to such sea areas.

(2) In addition to the prohibition on suction dredging specified in paragraph 1 above, fishing for sea fish with a suction dredge is prohibited in the sea areas within Scottish inshore waters specified in column 2 of Schedule 1 during the periods specified in column 4 of that Schedule in relation to such sea areas.

### **Exceptions to prohibitions in article 3**

4. The prohibitions contained in article 3 of this Order shall not prevent the use in a sea area specified in column 2 of Schedule 1 of any method of fishing specified in column 5, during the period specified in column 6, of that Schedule, when the method so specified is used in fishing for the species of sea fish also specified in column 5 of the Schedule in the sea area so specified.

### **Prohibition of creel fishing**

5. Creel fishing for any species of sea fish is prohibited within the sea areas within Scottish inshore waters specified in column 2 of Schedule 2 during the periods specified in column 3 of that Schedule in relation to such sea areas.

### **General prohibition of fishing in specified areas**

6. Subject to article 7 below, fishing for any species of sea fish is prohibited within the sea areas within Scottish inshore waters specified in column 2 of Schedule 3 during the period specified in column 3 of that Schedule in relation to such sea areas.

### **Exceptions to prohibition in article 6**

7. The prohibition in article 6 of this Order shall not prevent the use, in a sea area specified in column 2 of Schedule 3, of any method of fishing specified in column 4, during the period specified in column 5, of that Schedule, when the method so specified is used for fishing for the species of sea fish also specified in column 4 of the Schedule in the sea area so specified.

### **Prohibition of fishing for lobsters**

8.—(1) Fishing for lobsters (*Homarus gammarus*) in Scapa Flow, being the sea area described in paragraph (2) below, is prohibited from the first day of April to the thirtieth day of September, both dates inclusive, in each year.

(2) The sea area mentioned in paragraph (1) above is the sea area bounded on the west by a line drawn from a point on the Island of Hoy at 58 degs 55'.7 North latitude and 03 degs 19'.5 West longitude (Bu Point) to a point on the Island of Graemsay at 58 degs 56'.35 North latitude and 03 degs 18'.725 West longitude (Point of Oxan) to a point on the mainland of Orkney at 58 degs 57'.175 North latitude and 03 degs 17'.53 West longitude (The Ness), and on the south by a straight line drawn from a point on the Island of Hoy at 58 degs 48'.25 North latitude and 03 degs 08'.7 West longitude (Martello Tower) to a point on the Island of Flotta at 58 degs 48'.85 North latitude and 03 degs 04'.8 West longitude (Stanger Head) to a point on South Ronaldsay at 58 degs 49' North latitude and 03 degs 01'.95 West longitude (Hoxa Head), and on the east by the Causeways (Churchill Barriers) linking the mainland of Orkney in the vicinity of St Mary's Holm to Land Holm, Glims Holm, Burray and South Ronaldsay.

### **Exemption for scientific investigation**

**9.** The prohibitions contained in this Order shall not apply to fishing for sea fish for the purpose of scientific investigation.

### **Revocations**

**10.** The Inshore Fishing (Prohibition of Fishing and Fishing Methods) (Scotland) Order 1985 **(2)** and the Inshore Fishing (Prohibition of Fishing and Fishing Methods) (Scotland) (Amendment) Order 1985 **(3)** are hereby revoked.

St Andrew's House,  
Edinburgh  
4th December 1989

*Sanderson of Bowden*  
Minister of State, Scottish Office

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**(2)** [S.I.1985/962](#)  
**(3)** [S.I. 1985/1569](#)

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## SCHEDULE 1

Articles 3(3), 3 and 4

## PROHIBITIONS OF FISHING WITH MOBILE OR ACTIVE GEAR

Column 1 <i>Item</i>	Column 2 <i>Sea area within which prohibition applies</i>	Column 3 <i>Period of prohibition of use of mobile gear (all date inclusive)</i>	Column 4 <i>Additional period of prohibition of suction dredging (all dates inclusive)</i>	Column 5 <i>Method of fishing for species of sea fish excepted from prohibition</i>	Column 6 <i>Period of exception (all dates inclusive)</i>
1.	<i>Luce Bay,</i> within a straight line drawn from a point on the mainland at 58°:38':.05 North latitude and 4°:51':.3 West longitude (Mull of Galloway) to a point on the mainland at 54°:40':.6 North latitude and 4°:23':.45 West longitude (Burrow Head).	1st March to 31st August in each year.			
2.	<i>Lock Ryan,</i> within a straight line drawn from a point on the mainland at 55°:01':.1 North latitude and 05°:05':.8 West longitude (Milleur Point) to a point on the mainland at 55°:00':.65 North latitude and 05°:03':.2 West longitude (Garry Point).	1st January to 31st December in each year.		Dredging for mussels and oysters.	1st January to 31st December in each year.

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3.	<p><i>Ballantrae Bank, being the area of waters bounded by a line drawn from a point on the mainland at 55°:04':.9 North latitude and 5°:01':.6 West longitude (Downan Point) to a point at 55°:04':.9 North latitude and 5°:06': West longitude; thence to a point at 55°:9':.04 North latitude and 5°:06': West longitude, and thence to a point on the mainland at 55°:06':.3 North latitude and 4°:59':.7 West longitude (Bennane Head).</i></p>	<p>1st February to 30th April in each year.</p>			
4.	<p><i>The Gare Loch, within a straight line drawn from a point on the mainland at 55°:59':.26</i></p>	<p>1st January to 31st December in each year.</p>			

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	North latitude and 4°:46':.01 West longitude (Rosneath Point) to a point on the mainland at 55°:58':.31 North latitude and 4°:42':.25 West longitude (Ardmore Head)				
5.	<i>Firth of Clyde</i> , being the sea area within a straight line drawn from a point on the mainland at 55°:17':.9 North latitude and 05°:47':.8 West longitude (Mull of Kintyre) to a point on the mainland at 55°:00':.5 North latitude and 05°:09':.4 West longitude (Corsewall Point).	From midnight on Friday until midnight on Sunday from 1st January to 31st December in each year.			
6.	<i>Loch Sween</i> , being the sea area within a line drawn from a point on the mainland at 55°:56':.91 North latitude and 5°:42':.82		1st January to 31st December in each year.		

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	West longitude (Rubha na Cille) to a point at 55°:56':.28 north latitude and 5°:43':.08 West longitude (Keills Rock); thence to a point at 55°:55':.97 North latitude and 5°:42':.73 West longitude (Dana Rock), thence to a point at 55°:55':.13 North latitude and 5°:41':.25 West longitude (Elean Puirt Leithe), and thence to a point on the mainland at 55°:54':.99 North latitude and 5°:41':.11 West longitude (Port Liath).				
7.	<i>The Inner Sound including Lochs torridon, Carron, Kishorn, Duich, Alsh and Hourn,</i> within a straight line drawn from	1st January to 31st March and 1st october to 31st december in each year.	1st April to 30th September in each year.		

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	<p>a point on the mainland at 57°:38':.4 North latitude and 05°:49':.1 West longitude (Red Point) to a point on the Island of Rona at 57°:34':.88 North latitude and 05°:57':.5 West longitude; thence along the eastern coast of Rona and Raasay to a point at 57°:19':.72 North latitude and 06°:03': West longitude (Rudha na Cloiche); from there in a straight line to a point on Skye at 57°:18':.7 North latitude and 06°:03': West longitude; thence along the eastern coast of Skye to a point at 57°:08':.6 North latitude and 05°:46':.8 West longitude (Ornsay Lighthouse);</p>				



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8.	<p>from thence in a straight line to a point on the mainland at 57°:07':.1 North latitude and 05°:43':.25 West longitude (Rubha ard Slisneach).</p> <p><i>Loch Gairloch</i>, within a straight line drawn from a point on the mainland at 57°:44':.7 North latitude and 5°:47':.3 West longitude (Big Sand) to a point on Longa Island at 57°:44':.25 North Latitude and 05°:47':.3 West longitude; thence along the north and west shores of Longa Island to a point on Eag Mhor at 57°:43':.83 North latitude and 05°:49':.27 West longitude; from there in a straight line</p>	<p>1st January to 31st December in each year.</p>			

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	to a point on the mainland at 57°:39':.05 North latitude and 05°:48':.9 West longitude (Red point).				
9.	<i>Little Loch Broom and Gruinard Bay</i> , within a straight line drawn from a point on the mainland at 57°:55':.96 North latitude and 05°:24': West longitude (in the vicinity of Cailleach Head Lighthouse) to a point on the mainland at 57°:55':.12 North latitude and 05°:33':.7 West longitude (Rubha Beag).	1st January to 31st march and 1st October to 31st December in each year.	1st April to 30th September in each year.		
10.	<i>Enard Bay</i> , within a straight line drawn from a point on the mainland at 58°:09':.35 North latitude and 05°:18':.5 West longitude (Rubha Rodha) to a point on the mainland at	1st January to 31st march and 1st October to 31st December in each year.	1st April to 30th September in each year.		

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	58°:00':.36 North latitude and 05°:26': West longitude (Rubha Coigeach).				
11.	<i>Edrachillis Bay</i> , within a straight line drawn from a point on the mainland at 58°:20':.44 North latitude and 05°:10':.5 West longitude (Rubha Aird an-t-Sionnaich) to a point on Oldany Island at 58°:16':.15 North latitude and 05°:15':.65 West longitude.	1st January to 31st March and 1st October to 31st December in each year.	1st April to 30th September in each year.		
12.	<i>Loch Laxford</i> , within a straight line drawn from a point on the mainland at 58°:25':.7 North latitude and 05°:06':.9 West longitude (Dughaill Point) to a point on the mainland at 58°:24':.7 North latitude and 05°:08':.7	1st January to 31st March and 1st October to 31st December in each year.	1st April to 30th September in each year.		

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13.	<p>West longitude (Rudha Ruadh).</p> <p><i>Stuley Island to Barra Head and Gurney Point</i>, being the area of waters bounded on the east by a line from a point on Stuley Island at 57°:11'.5 North latitude and 07°:14':.4 West longitude to a point at 57°:11':.5 North latitude and 07°:11':.8 West longitude, and then joining the following points:— 57°:06':.5 North latitude and 07°:10':.5 West longitude, 57°:00':.9 North latitude and 07°:16':.9 West longitude, 56°:54':.4 North latitude and 07°:24':.5 West longitude, 56°:50':.5 North latitude</p>	1st March to 31st October in each year	1st January to the last day of February and 1st November to 31st December in each year.	<p><b>a.</b> any method of fishing for sandeels.</p> <p><b>b.</b> dredging (but suction dredging) for scallops.</p>	<p><b>a.</b> 1st of March to 31st in each year.</p> <p><b>b.</b> 1st May to 24th August in each year.</p>

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	and 07°:31':.2 West longitude, 56°:45':.9 North latitude and 07°:35':.1 West longitude, 56°:45':.6 North latitude and 07°:38':.4 West longitude, 56°:46':.3 North latitude and 07°:40':.8 West longitude, thence to a point on Mingulay at 56°:49':.35 North latitude and 07°:39':.4 West longitude (Guarsay Mor), thence in a straight line to a point on barra at 57°:00':.8 North latitude and 07°:31':.65 West longitude(Greian Hear) and thence to a point on South Uist at 57°:06':.85 North latitude and 07°:23':.45 West longitude				

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14.	(Gurney Point).  <i>Loch Maddy to Stuley Island</i> , being the area of waters bounded by a line joining a point on North uist at 57°:34':.7 North latitude and 07°:06':.8 West longitude, to a point at 57°:34':.7 North latitude and 07°:05':.2 West longitude then to the following points:— 57°:23':.8 North latitude and 07°:09': West longitude, 57°:17': North latitude and 07°:09':.6 West longitude, 57°:14':.5 North latitude and 07°:12':.6 West longitude, 57°:11':.5 North latitude and 07°:11':.8 West longitude,	1st March to 31st October in each year.	1st January to last day of February and 1st November to 31st December in each year.	Dredging (but not suction dredging) for scallops.	1st May to 24th August in each year.

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15.	thence to a point on Stuley Island at 57°:11':.5 North latitude and 07°:14':.4 West longitude.  <i>Sound of Harris</i> , being the area of waters bounded on the east coast by a straight line drawn from a point on Harris at 57°:43':.7 North latitude and 6°:58': West longitude (Rhenish Point) to a point on Hermetray Island at 57°:39': North latitude and 7°:02':.6 West longitude (Big Reef) to a point on North uist at 57°:38':.4 North latitude and 7°:03°:.8 West longitude (Leac no Hoe), and on the west coast by a line from a point on Harris at	1st March to 30th September in each year	1st January to last day of February and 1st October to 31st December in each year.	Dredging (but not suction dredging) for scallops.	1st March to 30th September in each year.

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	57°:59':.5 North latitude and 07°:06':.8 West longitude (Hushinish Point) to a point on North Uist at 57°:39':.5 North latitude and 7°:29':.5 West longitude (Grinish Point).				
16.	<i>Broad Bay</i> , within a straight line drawn from a point on Lewis at 58°:20':.6 North latitude and 06°:09':.6 West longitude (Tolsta Head) to a point at 58°:15':.7 North latitude and 06°:08':.2 West longitude (Tumpan Head).	1st January top 31st December in each year.			
17.	<i>Loch Roag</i> , within a straight line drawn from a point on Lewis at 58°:14':.75 North latitude and 07°:01':.5 West longitude (Gallan Head) to a point on Old hill at 58°:17': North	1st January to 31st December in each year.			



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18.	<p>latitude and 06°:55':.5 West longitude; thence to a point at 58°:18':.25 North latitude and 06°:48': West longitude (Tiumpan)</p> <p><i>Gallan Head to Aird Barvas,</i> being the area of waters bounded by a line joining the following points—from 58°:14':.75 North latitude and 07°:01':.5 West longitude (Gallan Head), thence to 58°:15':.5 North latitude and 07°:03': West longitude, 58°:18': North latitude and 06°:56':.5 West longitude, 58°:24':.1 North latitude and 06°:33': West longitude and thence to a point on Lewis at 58°:23':.25 North latitude</p>	<p>1st June to 30th September in each year.</p>	<p>1st January to 31st May and 1st October to 31st December in each year.</p>		

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	and 06°:31':.5 West longitude (Aird Barvas).				
19.	<i>Thurso and Dunnet Bay</i> , within a straight line drawn from a point on the mainland at 58°:37':.4 North latitude and 03°:32': West longitude (Holborn Head) to a point at 58°:40':.3 North latitude and 03°:22':.5 West longitude (Dunnet Head).	1st January to 31st December in each year.			
20.	<i>Sinclair Bay</i> , being the area of water within a line drawn from a point on the mainland at 58°:38':.65 North latitude and 03°:01':.4 West longitude (Duncansby Head Lighthouse), to a point at 58°:38':.65 North latitude and 03°:00': West longitude,	1st January to 31st December in each year.			

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	thence to a point 58°:28':.75 North latitude and 03°:00': West longitude and thence to a point on the mainland at 58°:28':.75 North latitude and 03°:03': West longitude (Noss Head Lighthouse).				
21.	<i>The Berry to Costa Head</i> , being the area of waters within 2 miles of the mean high water mark at ordinary spring tides on the coasts of Hoy and Orkney mainland bounded at the southern end by a line drawn from a point on Hoy at 58°:48': North latitude and 3°:19':.3 West longitude (The Berry) at a bearing of 270°: true, and at the northern end by a point on Orkney	1st May to 30th September in each year.			

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22.	<p>mainland at 59°:09':.25 North latitude and 03°:12':.8 West longitude (Costa Head) at a bearing of 360°: true, excepting an area of waters in Rackwick Bay bounded to the south by a line drawn from a point on Hoy at 59°:50':.85 North latitude and 03°:22':.5 West longitude (Santoo Head) at a bearing of 235°: true, and to the north by a line drawn from a point on Hoy at 59°:52':.35 North latitude and 03°:26': West longitude (Rora Head) at a bearing of 270°: true.</p> <p><i>Dornoch Firth</i>, within a straight line drawn from a point on the mainland at 57°:51':.7 North latitude and 04°:00':.6 West longitude</p>	1st January to 31st December in each year.		Dredging (but not suction dredging) for mussels.	1st January to 31st December in each year.

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	(Dornoch Point) to a point at 57°:50':.75 North latitude and 03°:57':.6 West longitude (Rubh'na n-innse Moire).				
23.	<i>Cromarty Firth</i> , within a straight line drawn from a point on the mainland at 57°:40':.68 North latitude and 03°:59':.5 West longitude (South Sutor Stack) to a point at 57°:41':.53 North latitude and 03°:59':.5 West longitude (North Sutor).	1st January to 31st December in each year.		Dredging (but not suction dredging) for cockles and mussels.	1st January to 31st January in each year.
24.	<i>Inverness Firth</i> , within a straight line drawn from a point on the mainland at 57°:34':.46 North latitude and 04°:05':.4 West longitude (Chanonry Point) to a point at 57°:35': North latitude and 04°:04':.5 West longitude	1st January to 31st December in each year.		Dredging (but not suction dredging) for cockles and mussels.	1st January to 31st December in each year.

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Column 1 <i>Item</i>	Column 2 <i>Sea area within which prohibition applies</i>	Column 3 <i>Period of prohibition of use of mobile gear (all date inclusive)</i>	Column 4 <i>Additional period of prohibition of suction dredging (all dates inclusive)</i>	Column 5 <i>Method of fishing for species of sea fish excepted from prohibition</i>	Column 6 <i>Period of exception (all dates inclusive)</i>
	(Near Fort George).				
25.	<i>Aberdeen to Mons Craig, being the area of waters within one half mile of the mean high water mark of ordinary spring tides on the mainland coast bounded at the northern end by a line drawn from a point of the mainland at 57°:08':.38 North latitude and 02°:02':.8 West longitude (Girdleness Lighthouse) at a bearing of 90°: true, and at the southern end by a line drawn from a point on the mainland at 56°:56':.1 North latitude and 02°:11':.8 West longitude (Mons Craig) at a bearing of 135°: true.</i>	1st January to 31st March and 1st October to 31st December in each year.			
26.	<i>Mons Craig to Doolie Ness, being the area of water within</i>	1st January to 31st December in each year.			

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Column 1 <i>Item</i>	Column 2 <i>Sea area within which prohibition applies</i>	Column 3 <i>Period of prohibition of use of mobile gear (all date inclusive)</i>	Column 4 <i>Additional period of prohibition of suction dredging (all dates inclusive)</i>	Column 5 <i>Method of fishing for species of sea fish excepted from prohibition</i>	Column 6 <i>Period of exception (all dates inclusive)</i>
27.	<p>two miles of the mean high-water mark of ordinary spring tides on the mainland coast bounded at the northern end by a line drawn from a point on the mainland at 56°:56':.1 north latitude and 02°:11':.8 West longitude (Mons Craig) at a bearing of 135°: true, and at the southern end by a line drawn from a point on the mainland at 56°:49':.7 North latitude and 02°:17':.1 West longitude (Doolie Ness) at a bearing of 90°: true.</p> <p><i>Doolie Ness to Lang Craig,</i> being the areas of waters within</p> <p>(a) one mile and</p> <p>(b) one half mile, of the mean high water mark of ordinary</p>	<p>(a) <del>1st</del> April to 30th september in each year.</p> <p>(b) 1st January to 31st March</p>			

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Column 1 <i>Item</i>	Column 2 <i>Sea area within which prohibition applies</i>	Column 3 <i>Period of prohibition of use of mobile gear (all date inclusive)</i>	Column 4 <i>Additional period of prohibition of suction dredging (all dates inclusive)</i>	Column 5 <i>Method of fishing for species of sea fish excepted from prohibition</i>	Column 6 <i>Period of exception (all dates inclusive)</i>
28.	<p><i>Lang Craig to Arbroath, being the area of waters within two miles of the mean high water mark of ordinary spring tides on the mainland coast bounded at the northern end by a point on the mainland at</i></p>	<p>and 1st October to 31st December in each year.</p> <p>1st January to 31st December in each year.</p>			



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Column 1 <i>Item</i>	Column 2 <i>Sea area within which prohibition applies</i>	Column 3 <i>Period of prohibition of use of mobile gear (all date inclusive)</i>	Column 4 <i>Additional period of prohibition of suction dredging (all dates inclusive)</i>	Column 5 <i>Method of fishing for species of sea fish excepted from prohibition</i>	Column 6 <i>Period of exception (all dates inclusive)</i>
	56°:37':.7 North latitude and 02°:28':.62 West longitude (Lang Craig) at a bearing of 90°: true, and at the southern end by a line drawn from a point at 56°:33':.25 North latitude and 02°:34':.9 West longitude (Arbroath) at a bearing of 135°: true.				
29.	<i>St Andrews Bay</i> , within a straight line drawn from a point on the mainland at 56°:27':.8 North latitude and 02°:44': West longitude (Buddon Ness) to a point on the mainland at 56°:16':.7 North latitude and 02°:35':.1 West longitude (Fife Ness).	1st January to 31st December in each year.			
30.	<i>St Abbs—Eyemouth Area</i> , being the area of waters within one mile of	1st January to 31st December in each year.			

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Column 1 <i>Item</i>	Column 2 <i>Sea area within which prohibition applies</i>	Column 3 <i>Period of prohibition of use of mobile gear (all date inclusive)</i>	Column 4 <i>Additional period of prohibition of suction dredging (all dates inclusive)</i>	Column 5 <i>Method of fishing for species of sea fish excepted from prohibition</i>	Column 6 <i>Period of exception (all dates inclusive)</i>
	the mean high-water mark of ordinary spring tides on the mainland coast bounded at the northern end by a line drawn from a point on the mainland at 55°:55': North latitude and 02°:08':.2 West longitude (St Abbs Head) at a bearing of 360°: true, and at the southern end by a line drawn from a point on the mainland at 55°:48':.67 North latitude and 02°:02': West longitude (the Border) at a bearing of 055°: true.				

SCHEDULE 2

Articles 2(3) and 5

PROHIBITION OF CREEL FISHING

Column 1 <i>Item</i>	Column 2 <i>Sea area within which prohibition applies</i>	Column 3 <i>Period of prohibition of creel fishing (all dates inclusive)</i>
1.	The Flannan Isles, being the sea area within 6 miles of	1st January to 31st March and 1st to 31st December in each year.

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Column 1 <i>Item</i>	Column 2 <i>Sea area within which prohibition applies</i>	Column 3 <i>Period of prohibition of creel fishing (all dates inclusive)</i>
2.	the mean high-water mark of ordinary spring tides.  <i>Bragar to Dell</i> , being the sea area within 2 miles of the mean high-water mark of ordinary spring tides, bounded at the northern end by a line drawn from a point on Lewis at 58°:78':.75 North latitude and 6°:19':.8 West longitude (Aird Dell) at a bearing of 315°: true, and at the southern end by a line drawn from a point on Lewis at 58°:21':.3 North latitude and 6°:38':.95 West longitude (Aird Mhor Braghair) at a bearing of 315°: true.	1st July to 30th September in each year.

## SCHEDULE 3

Articles 2(3), 6 and 7

## GENERAL PROHIBITION OF FISHING IN SPECIFIED AREAS

Column 1 <i>Item</i>	Column 2 <i>Sea area within which prohibition applies</i>	Column 3 <i>Period of prohibition of fishing (all dates inclusive)</i>	Column 4 <i>Method of fishing for species of sea fish excepted from prohibition</i>	Column 5 <i>Period of exception (all dates inclusive)</i>
1.	<i>Firth of Clyde</i> , within the straight line drawn from a point on the mainland at 55°:17':.9 North latitude and 05°:47':.8 West longitude (Mull of Kintyre) to a point on the mainland at 55°:00':.5 north latitude and 05°:09':.4 West longitude (Corsewall Point).	1st January to 31st December in each year.	(a) <del>(a)ny</del> method of fishing for herring, mackerel and sprats;  (b) Fishing for any species of sea fish (except herring, mackerel	1st January to 31st December in each year.

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Column 1 <i>Item</i>	Column 2 <i>Sea area within which prohibition applies</i>	Column 3 <i>Period of prohibition of fishing (all dates inclusive)</i>	Column 4 <i>Method of fishing for species of sea fish excepted from prohibition</i>	Column 5 <i>Period of exception (all dates inclusive)</i>
2.	<p><i>Firth of Forth, within a straight line drawn from a point on the mainland at 56°:16':.75 North latitude and 02°:35':.2 West longitude (Fife Ness Lighthouse) to a point on the Isle of May at 56°:11':.6 North latitude and 02°:33':.8 West longitude (North Ness), thence along the east coast of the Isle of May to a point on the Isle of May at 56°:10':.85 north latitude and 02°:32':.6 West longitude (South Ness) and thence to a point on the mainland at 56°:03':.4 North latitude and 02°:38':.8 West longitude (Tantallon Castle).</i></p>	<p>1st January to 31st December in each year.</p>	<p>and sprats) from a fishing boat with an overall length not greater than 70 feet.</p> <p>(a) <del>(a)</del> Any method of fishing for herring, mackerel and sprats;</p> <p>(b) Fishing for any species of sea fish (except herring, mackerel and sprats) from a fishing boat with an overall length not greater than 55 feet.</p>	<p>1st January to 31st December in each year.</p>

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## EXPLANATORY NOTE

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

This Order amends the existing regulatory regime governing fishing in Scottish inshore waters for sea fish other than salmon and migratory trout.

The Order—

- (a) prohibits fishing for such sea fish with mobile gear (including a suction dredge), subject to specified exceptions, in specified sea areas at certain times of the year (articles 3 and 4 and Schedule 1);
- (b) prohibits creel fishing around the Flannan Isles and an area off the north west coast of Lewis at specified times of the year (article 5 and Schedule 2);
- (c) prohibits in relation to the Firths of Clyde and Forth fishing for any such sea fish other than herring, mackerel and sprats by fishing boats exceeding 70 feet in length in the Firth of Clyde, and 55 feet in length in the Firth of Forth, throughout the year (articles 6 and 7 and Schedule 3); and
- (d) prohibits fishing for lobsters in Scapa Flow between 1st April and 30th September in each year (article 8).

There is an exception from the prohibitions where fishing for sea fish is conducted for the purpose of scientific investigation (article 9).

Contravention of the Order is an offence under section 4 of the Inshore Fishing (Scotland) Act 1984.

The Order revokes the Inshore Fishing (Prohibition of Fishing and Fishing Methods) (Scotland) Order 1985 and the Inshore Fishing (Prohibition of Fishing and Fishing Methods) (Scotland) (Amendment) Order 1985, which it replaces (article 10).