2002 No. 404

SEA FISHERIES

The Conservation of Seals (Scotland) Order 2002

Made	*2nd September 2002*
Laid before the Scottish Parliament	*3rd September 2002*
Coming into force	*4th September 2002*

The Scottish Ministers, in exercise of the powers conferred by section 3(1) of the Conservation of Seals Act 1970(**a**) and of all other powers enabling them in that behalf, and after consultation with the Natural Environment Research Council as required by that section, hereby make the following Order:

Citation, commencement, cessation and extent

1.—(1) This Order may be cited as the Conservation of Seals (Scotland) Order 2002 and shall come into force on 4th September 2002.

(2) This Order shall cease to have effect at midnight on 3rd September 2004.

(3) This Order extends to Scotland only.

Interpretation

2. In this Order, "Scotland" has the same meaning as in section 126(1) of the Scotland Act 1998(**b**).

Prohibition on killing, injuring or taking of seals

3. The killing, injuring or taking of seals of the species known as Phoca vitulina (common seals) is prohibited in Scotland.

4. The killing, injuring or taking of seals of the species known as Halichoerus grypus (grey seals) is prohibited in that part of the territorial waters adjacent to Scotland which are situated to the west of a line drawn between the point on the mainland at 57°43'North latitude and 3°16'West longitude and the point on the mainland at 58°15'North latitude and 3°25'West longitude.

ROSS FINNIE
A member of the Scottish Executive

St Andrew's House
Edinburgh
2nd September 2002

(a) 1970 c.30. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).
(b) 1998 c.46. See also the Scottish Adjacent Waters Boundaries Order 1999 (S.I. 1999/1126).

EXPLANATORY NOTE

(This note is not part of the Order)

In addition to the close seasons for seals provided for in section 2(1) of the Conservation of Seals Act 1970 ("the 1970 Act"), this Order prohibits in the period from 4th September 2002 to 3rd September 2004 the killing, injuring or taking of common seals in Scotland and adjacent territorial waters (article 3) and the killing, injuring or taking of grey seals in a defined area within the Moray Firth (article 4).

Subject to general exceptions in section 9 and to actings under a licence issued under section 10 of the 1970 Act, any person who acts in contravention of this Order is guilty of an offence under section 3(2) of the 1970 Act and liable on summary conviction to a fine not exceeding level 4 on the standard scale.

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