The Sea Fisheries (Scotland) Byelaw (No. 47), 1950

1950 No. 433 (S. 27)

Made - - - - 20*th May*, 1946
Coming into Operation 16*th February*, 1950

Byelaw made by the Secretary of State under the Sea Fisheries (Scotland) Amendment Act, 1885 (48 & 49 Vict. c. 70) altering, as to certain Waters, Byelaw (No. 17) made by the Fishery Board for Scotland.

1. Notwithstanding Byelaw No. 17, made by the Fishery Board for Scotland on 21st October, 1898, and confirmed by the Secretary for Scotland on 7th December, 1898, it shall be lawful to use a seine net, or a flounder net with a bag, in the capture of white fish in the waters lying within the exclusive fishery limits between a line drawn due east (true) from Red Head in Angus and a line drawn due east (true) from Babbet Ness in Fife, except to the westward of a line joining Buddon Ness Front (Low) Leading Light and Kinkell Ness;

Provided that—

(1) no otter boards, whether of wood or canvas or other material, shall be used and that no boat carrying otter boards shall use a seine net or flounder net within the permitted area;

(2) the boat from which the net is used shall not exceed 50 feet overall, and shall not be propelled otherwise than by sails, or oars, or by a motor engine;

(3) in the working of the net only one boat shall be employed;

(4) the net shall not be used between sunset and sunrise;

(5) the net shall be hauled in as soon as its ends have been brought together and shall not be otherwise dragged or trailed along the bottom of the sea;

(6) the size of each mesh of the wings of the net employed shall be such that a square gauge of $2\frac{3}{4}$ inches measured along each side of the square will pass easily when the net is wet, and that the size of each mesh of any bag attached to the net shall be such that a square gauge of 2 inches measured along each side of the square will so pass;

(7) the bag of the net shall not be covered with canvas or any other material and that no artifice shall be used for the purpose of evading the restrictions on the mesh of nets imposed by this Byelaw;

(8) no flat fish under 10 inches in length taken in such fishing shall be landed;

(9) the net shall not be used within one-half mile of the mouth of any river, or within one-half mile of any salmon stake, fly or bag net; and

(10) any flat fish under 10 inches in length and any salmon or sea trout taken in such fishing shall be returned to the sea immediately after each haul of the net is completed.

2. This Byelaw shall come into force from and after the date of its confirmation by the Secretary of State, and shall remain in force for five years thereafter, unless it is sooner revoked or altered.

Made by the Secretary of State this twentieth day of May, 1946.

(L.S.) *A. J. Aglen,*
Fisheries Secretary.

Confirmed by the Secretary of State this sixteenth day of February, 1950.

(L.S.) *J. E. de Watteville,*
Deputy Secretary.

Scottish Home Department,
Edinburgh.

The Sea Fisheries (Scotland) Byelaw (No. 48), 1950

1950 No. 434 (S. 26)

Made - - - - 20*th May,* 1946
Coming into Operation 16*th February,* 1950

Byelaw made by the Secretary of State under the Sea Fisheries (Scotland) Amendment Act, 1885 (48 & 49 Vict. c. 70) altering, as to certain Waters, Byelaw (No. 17) made by the Fishery Board for Scotland.

1. Notwithstanding Byelaw No. 17, made by the Fishery Board for Scotland on 21st October, 1898, and confirmed by the Secretary for Scotland on 7th December, 1898, it shall be lawful to use a seine net in the capture of white fish in the waters lying within the exclusive fishery limits around the Shetland Islands, except (*a*) within one-half mile of the mouth of any stream as at lowest ebb tide, and (*b*) within one-half mile of any salmon stake, fly or bag net;

Provided that—

(1) no otter boards, whether of wood or canvas or other material, shall be used and that no boat carrying otter boards shall use a seine net or flounder net within the permitted area;

(2) the boat from which the net is used shall not exceed 50 feet overall, and shall not be propelled otherwise than by sails, or oars, or by a motor engine;

(3) in the working of the net only one boat shall be employed;

(4) the net shall not be used between sunset and sunrise;

(5) the net shall be hauled in as soon as its ends have been brought together and shall not be otherwise dragged or trailed along the bottom of the sea;

(6) the size of each mesh of the wings of the net employed shall be such that a square gauge of $2\frac{3}{4}$ inches measured along each side of the square will pass easily when the net is wet, and that the size of each mesh of any bag attached to the net shall be such that a square gauge of 2 inches measured along each side of the square will so pass;