1961 No. 758 (S. 45)

SEA FISHERIES

The Sea Fisheries (Scotland) Byelaw (No. 60), 1961

Made - - - - 23*rd February*, 1961
Coming into Operation 13*th April*, 1961

The Secretary of State in exercise of the powers conferred on him by section 4 of the Sea Fisheries (Scotland) Amendment Act, 1885(a), and of all other powers enabling him in that behalf, hereby makes the following Byelaw:—

1.—(1) This Byelaw may be cited as the Sea Fisheries (Scotland) Byelaw (No. 60), 1961.

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

2. 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(b), it shall be lawful to use a seine net 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 no boat carrying otter boards shall use a seine net within the permitted area;

(2) the boat from which any such net is used shall not exceed 50 feet in length overall;

(3) 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;

(4) 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

(5) any sea-fish of any description which are of less than the minimum size prescribed in relation to sea-fish of that description by any Order in force under section 4 of the Sea-Fishing Industry Act, 1933(c), as amended by section 38 of the Sea Fish Industry Act, 1938(d), 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.

(a) 48 & 49 Vict. c. 70. (b) S.R. & O. 1898/1061 (Rev. VII, p. 1032: 1898, p. 371).
(c) 23 & 24 Geo. 5. c. 45. (d) 1 & 2 Geo. 6. c. 30.

Made by the Secretary of State this twenty-third day of February, 1961.

A. J. Aglen,
Fisheries Secretary.

Confirmed by the Secretary of State this thirteenth day of April, 1961.

A. J. Aglen,
Fisheries Secretary.

St. Andrew's House,
Edinburgh, 1.

EXPLANATORY NOTE

(This Note is not part of the Byelaw, but is intended to indicate its general purport.)

This Byelaw permits, on certain conditions, the use of a seine net for the capture of white fish in certain waters off the East Coast between Red Head, Angus, and Babbet Ness, Fife.

Under sections 3 and 8 of the Sea-Fishing Industry Act, 1933, as amended by section 38 of the Sea Fish Industry Act, 1938; section 1 of the White Fish and Herring Industries Act, 1948; and section 5 of the Sea Fish Industry Act, 1959, the mesh to be used is the standard laid down by the Order for the time being in force under the above Acts.