STATUTORY INSTRUMENTS

1963 No. 1803 (S. 88)

SEA FISHERIES

The Sea Fisheries (Scotland) Byelaw (No. 69) 1963

Made - - - - 30*th August* 1963
Coming into Operation 24*th October* 1963

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. 69) 1963 and shall come into operation on the date of its confirmation by the Secretary of State.

(2) The Sea Fisheries (Scotland) Byelaw (No. 57) 1958(b) is hereby revoked.

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(c), 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 (hereinafter referred to as "the permitted area").

Provided that—

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

(ii) any such 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;

(iii) no otter boards shall be used in the operation of any such net;

(iv) no such net shall be used within one-half mile of the mouth of any river or stream at its lowest ebb tide or within one-half mile of any salmon stake, fly or bag net;

(v) any salmon or sea trout taken in such fishing shall be returned to the sea immediately after each haul of the net is completed.

Made by the Secretary of State this thirtieth day of August 1963.

Matthew Campbell,
Secretary.

Confirmed by the Secretary of State this twenty-fourth day of October 1963.

Matthew Campbell,
Secretary.

Department of Agriculture and
Fisheries for Scotland,
St. Andrew's House,
Edinburgh, 1.

(a) 48 & 49 Vict. c. 70. (b) S.I. 1958/1666 (1958 II, p. 2132).
(c) S.R. & O. 1898/1061 (Rev. VII, p. 1032: 1898, p. 371).

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 in the capture of white fish within exclusive fishery limits around the Shetland Islands.

The mesh of net to be used in such fishing and the minimum size limits of fish which may be landed are those prescribed in the relevant Orders for the time being in force under sections 3, 4 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.