1968 No. 600 (S.56)

SEA FISHERIES

The Sea Fisheries (Scotland) Byelaw (No. 80) 1968

Made - - - - 22*nd February* 1968

Coming into Operation 9*th April* 1968

The Secretary of State in exercise of the powers conferred upon him by section 6 of the Herring Fishery (Scotland) Act 1889(a), and of all other powers enabling him in that behalf, hereby makes the following Byelaw:—

Citation, commencement and interpretation

1.—(1) This Byelaw may be cited as the Sea Fisheries (Scotland) Byelaw (No. 80) 1968.

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

(3) The Interpretation Act 1889(b) shall apply for the interpretation of this Byelaw as it applies for the interpretation of an Act of Parliament.

Revocation of Byelaw (No. 72) 1965

2. The Sea Fisheries (Scotland) Byelaw (No. 72) 1965(c) is hereby revoked.

Method of fishing permitted in a defined area in the Firth of Clyde

3. It shall be lawful to use the method of fishing known as otter trawling in that area of the Firth of Clyde lying inside a line drawn from Corsewall Point in the County of Wigtown to the Mull of Kintyre in the County of Argyll, except within three miles of low water mark of any part of the coast, which area is hereinafter referred to as "the defined area", subject to the following conditions:—

(*a*) such method of fishing shall be so lawful during the period from the date of coming into operation of this Byelaw until 5th July 1968 and for the purpose of capturing nephrops norvegicus;

(*b*) any boat from which such method of fishing is used within the defined area shall not exceed 70 feet in length overall;

(*c*) the number of otter boards used on any occasion in such method of fishing shall not exceed two;

(*d*) any otter board so used shall not exceed one inch in thickness and shall be of such other dimensions that if placed on a level surface with the towing bracket upwards the product of the maximum length and the maximum breadth of the surface so covered shall not exceed 16 square feet;

(*e*) the surface area of the cross-section of any metal keel or shoe forming part of any otter board so used shall not exceed three square inches;

(a) 1889 c. 23. (b) 1889 c. 63. (c) S.I. 1965/1417 (1965 II, p. 4193).

(*f*) it shall not be lawful for any boat carrying any otter board which does not comply with the provisions of the foregoing conditions (*d*) and (*e*) to be engaged in using such method of fishing within the defined area;

(*g*) no landing at the termination of a voyage by a boat which has been engaged in such method of fishing within the defined area at any time during such voyage shall contain more than 25 per centum by weight of fish other than nephrops norvegicus.

Made by the Secretary of State 22nd February 1968.

A. J. Aglen,
Fisheries Secretary.

Confirmed by the Secretary of State 9th April 1968.

A. J. Aglen,
Fisheries Secretary.

St. Andrew's House,
Edinburgh, 1.

EXPLANATORY NOTE

(*This Note is not part of the Byelaw.*)

This Byelaw replaces Byelaw (No. 72) 1965. It permits, on certain conditions, the use of a trawl net for the capture of Norway Lobsters in certain specified waters in the Firth of Clyde from the date of coming into operation of this Byelaw to 5th July 1968. It provides a method of measuring otter boards of irregular shape and removes a previous restriction which required that such boards should be made of wood.