1964 No. 1429 (S. 93)

SEA FISHERIES

The Sea Fisheries (Scotland) Byelaw (No. 71) 1964

Made - - - - 12*th June* 1964

Coming into Operation 4*th September* 1964

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 section 6 of the Herring Fishery (Scotland) Act 1889(b) 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. 71) 1964.

(2) This Byelaw shall come into force on the date of its confirmation by the Secretary of State and shall remain in force until 6th July 1965.

(3) The Sea Fisheries (Scotland) Byelaw (No. 68) 1963(c) is hereby revoked.

2. Notwithstanding the provisions of section 6(1) of the Herring Fishery (Scotland) Act 1889, it shall be lawful between 1st April and 31st October in any year to use the method of fishing known as otter trawling for the capture of Norway lobsters (nephrops norvegicus) in the waters lying within the area specified below, that is to say—in the Firth of Clyde 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:

Provided that:—

(1) the boat from which the trawl is used shall not exceed 70 feet in length overall;

(2) the otter boards used in operating the trawl shall not exceed two in number and shall be made of wood; they shall be not more than one inch in thickness and fifteen square feet in area including an iron keel or shoe not bigger than one inch wide by three inches in depth and no artifice shall be used for the purpose of evading the restrictions on the type and size of boards imposed by this Byelaw;

(3) no boat carrying otter boards constructed otherwise than above or exceeding the above dimensions shall use a trawl or other net within the permitted area;

(4) no landing at the termination of a voyage by a boat which has been engaged in such fishing at any time during the voyage within the permitted area shall contain more than twenty-five per cent. by weight of fish other than Norway lobsters.

Made by the Secretary of State 12th June 1964.

A. J. Aglen,
Fisheries Secretary.

Confirmed by the Secretary of State 4th September 1964.

A. J. Aglen,
Fisheries Secretary.

St. Andrew's House,
Edinburgh, 1.

(a) 48 & 49 Vict. c. 70. (b) 52 & 53 Vict. c. 23. (c) S.I. 1963/681 (1963 I, p. 841).

EXPLANATORY NOTE

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

This Byelaw revokes Byelaw No. 68 made by the Secretary of State for Scotland which 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 ; and re-enacts the byelaw with an extension of the permitted season to include October.

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.