STATUTORY INSTRUMENTS

1968 No. 239 (S. 18)

SEA FISHERIES

The Sea Fisheries (Scotland) Byelaw (No. 78) 1967

Made - - - - 19*th September* 1967
Coming into Operation 19*th February* 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. 78) 1967.

(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. 74) 1965

2. The Sea Fisheries (Scotland) Byelaw (No. 74) 1965(c) is hereby revoked.

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

3. It shall be lawful to use the method of fishing known as otter trawling within the following areas of the Firth of Forth—

(*a*) that area bounded on the north and south by the shores of the Firth; on the west by straight lines drawn from Kincraig Point to Inchkeith Lighthouse and thence to the end of the East Pier of Fisherrow Harbour; and on the east by straight lines drawn from Fife Ness to the Isle of May Lighthouse and thence to Tantallon Castle;

(*b*) the area lying within 3 miles of low water mark of any part of the coast of the Isle of May;

(which areas are 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 55 feet in length overall;

(*c*) the number of otter boards used on any occasion in such method of fishing within the defined area shall not exceed 2;

(*d*) any otter board so used shall not exceed 1 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;

(a) 1889 c. 23. (b) 1889 c. 63.
(c) S.I. 1965/1419 (1965 II, p. 4197).

(*e*) the surface of the cross-section of any metal keel or shoe forming part of any otter board so used shall not exceed 3 square inches ;

(*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, 19th September 1967.

A. J. Aglen,
Fisheries Secretary.

Confirmed by the Secretary of State, 19th February 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. 74) 1965. It permits from 19th February 1968 to 5th July 1968, on certain conditions, the use of a trawl net for the capture of Norway lobsters in certain waters in the Firth of Forth including waters within 3 miles of low water mark of the Isle of May where this method of fishing was previously prohibited. It also 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.