STATUTORY INSTRUMENTS

1985 No. 962 (S. 85)

SEA FISHERIES

The Inshore Fishing (Prohibition of Fishing and Fishing Methods) (Scotland) Order 1985

Made - - - -	19*th June* 1985
Laid before Parliament	5*th July* 1985
Coming into Operation	26*th July* 1985

In exercise of the powers conferred on me by section 1 of the Inshore Fishing (Scotland) Act 1984 (**a**) and of all other powers enabling me in that behalf and having consulted such bodies as I consider appropriate, I hereby make the following order:—

Title and commencement

1. This order may be cited as the Inshore Fishing (Prohibition of Fishing and Fishing Methods) (Scotland) Order 1985 and shall come into operation on 26th July 1985.

Interpretation

2.—(1) In this order "sea fish" does not include salmon or migratory trout.

(2) Any reference in this order to a numbered column is a reference to the column so numbered in the Schedule to this order.

(3) The periods of prohibition, excepted methods of fishing for species of sea fish and periods of exception specified in columns 3, 4, and 5 respectively are so specified for the purposes of articles 3 and 4 hereof in relation to the sea areas specified in column 2 opposite to which they appear.

Prohibition of fishing with mobile gear

3. Fishing for sea fish with a trawl, Danish seine or similar net, purse seine, ring net or dredge is prohibited in a sea area within Scottish inshore waters specified in column 2 during the period specified in column 3 in relation to such sea area.

Exceptions to prohibition in article 3

4. The prohibition contained in article 3 of this order shall not prevent the use, in a sea area specified in column 2 of the method specified in column 4 during the period specified in column 5, when the method so specified is used in fishing for the species of sea fish also specified in column 4 in the sea area so specified.

(**a**) 1984 c.26.

Prohibition of fishing for lobsters

5. Fishing for lobsters (Homarus gammarus) in Scapa Flow, being the sea area bounded on the west by a line drawn from a point on the Island of Hoy at 58° 57′.7 North latitude and 03° 19′.5 West longitude (Ba Point) to a point on the Island of Graemsay at 58° 56′.35 North latitude and 03° 18′.725 West longitude (Point of Oxan) to a point on the mainland of Orkney at 58° 57′.175 North latitude and 03° 17′.53 West longitude (The Ness), and on the south by a straight line drawn from a point on the Island of Hoy at 58° 48′.25 North latitude and 03° 08′.7 West longitude (Martello Tower) to a point on the Island of Flotta at 58° 48′.85 North latitude and 03° 04′.8 West longitude (Stanger Head) to a point on South Ronaldsay at 58° 49′ North latitude and 03° 01′.95 West longitude (Hoxa Head), and on the east by the Causeways (Churchill Barriers) linking the mainland of Orkney in the vicinity of St Mary's Holm to Land Holm, Glims Holm, Burray and South Ronaldsay is prohibited from the first day of April to the thirtieth day of September, both dates inclusive, in each year.

Prohibition of fishing from a specified description of fishing boat

6.—(1) Fishing for any species of sea fish other than herring, mackerel and sprats in the Firth of Clyde, being the sea area within a straight line drawn from a point on the mainland at 55° 17′.9 North latitude and 05° 47′.8 West longitude (Mull of Kintyre) to a point on the mainland at 55° 00′.5 North latitude and 05° 09′.4 West longitude (Corsewall Point), from a fishing boat greater than 70 feet overall in length is prohibited from the first day of January to the thirty first day of December, both dates inclusive, in each year.

(2) Fishing for any species of sea fish other than herring, mackerel and sprats in the Firth of Forth, being the sea area within a straight line drawn from a point on the mainland at 56° 16′.75 North latitude and 02° 35′.2 West longitude (Fife Ness Light House) to a point on the Isle of May at 56° 11′.6 North latitude and 02° 33′.8 West longitude (North Ness), thence along the east coast of the Isle of May to a point on the Isle of May at 56° 10′.85 North latitude and 02° 32′.6 West longitude (South Ness) to a point on the mainland at 56° 03′.4 North latitude and 02° 38′.8 West longitude (Tantallon Castle) from a fishing boat greater than 55 feet overall in length is prohibited from the first day of January to the thirty first day of December, both dates inclusive, in each year.

Exemption for scientific investigation

7. The prohibitions contained in this order shall not apply to fishing for sea fish for the purpose of scientific investigation.

George Younger,
One of Her Majesty's Principal
Secretaries of State.

New St Andrew's House,
Edinburgh.

19th June 1985.

SCHEDULE

Articles 3 and 4

Column 1	Column 2	Column 3	Column 4	Column 5
Item	*Sea area within which prohibition applies*	*Period of prohibition (all dates inclusive)*	*Methods of fishing for species of sea fish excepted from prohibition*	*Period of exception (all dates inclusive)*
1	*Loch Laxford,* within a straight line drawn from a point on the mainland at 58° 25′.7 North latitude and 05° 06′.9 West longitude (Dughaill Point) to a point on the mainland at 58° 24′.7 North latitude and 05° 08′.7 West longitude (Rudha Ruadh).	1st January to 31st March and 1st October to 31st December in each year		
2	*Eddrachilis Bay* within a straight line drawn from a point on the mainland at 58° 20′.44 North latitude and 05° 10′.5 West longitude (Rubha Aird an-t-Sionnaich) to a point on Oldany Island at 58° 16′.15 North latitude and 05° 15′.65 West longitude.	1st October to 31st March in each year		
3	*Enard Bay* within a straight line drawn from a point on the mainland at 58° 09′.35 North latitude and 05° 18′.5 West longitude (Rubha Rhoda) to a point on the mainland at 58° 06′.36 North latitude and 05° 26′ West longitude (Rubha Coigeach).	1st October to 31st March in each year		
4	*Little Loch Broom and Gruinard Bay* within a straight line drawn from a point on the mainland at 57° 55′.96 North latitude and 05° 24′ West longitude (in the vicinity of Cailleach	1st October to 31st March in each year		

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	Head Lighthouse) to a point on the mainland at 57° 55′.12 North latitude and 05° 33′.7 West longitude (Rubha Beag).			
5	*Loch Gairloch* within a straight line drawn from a point on the mainland at 57° 44′.7 North latitude and 05° 47′.35 West longitude (Big Sands) to a point on Longa Island at 57° 44′.23 North latitude and 05° 47′.30 West longitude; thence along the eastern and southern shore of Longa Island to a point at 57° 43′.62 North latitude and 05° 47′.98 West longitude (Sron na Cailleich); from there in a straight line to a point on the mainland at 57° 39′.05 North latitude and 05° 48′.9 West longitude (Red Point).	1st October to 31st March in each year		
6	*The Inner Sound including Lochs Torridon, Carron, Kishorn, Duich, Alsh and Hourn* within a straight line drawn from a point on the mainland at 57° 38′.4 North latitude and 05° 49′.1 West longitude (Red Point) to a point on the Island of Rona at 57° 34′.88 North latitude and 05° 57′.5 West longitude; thence	1st October to 31st March in each year		

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Item	*Sea area within which prohibition applies*	*Period of prohibition (all dates inclusive)*	*Methods of fishing for species of sea fish excepted from prohibition*	*Period of exception (all dates inclusive)*
	along the eastern coast of Rona and Raasay to a point at 57° 19′.72 North latitude and 06° 03′ West longitude (Rudha na Cloiche); from there in a straight line to a point on Skye at 57° 18′.7 North latitude and 06° 03′ West longitude; thence along the eastern coast of Skye to a point at 57° 08′.6 North latitude and 05° 46′.8 West longitude (Ornsay Lighthouse); from there in a straight line to a point on the mainland at 57° 07′.1 North latitude and 05° 43′.25 West longitude (Rubha ard Slisneach).			
7	*Loch Roag* within a straight line drawn from a point on Lewis at 58° 14′.75 North latitude and 07° 01′.5 West longitude (Gallon Head) to a point on Old Hill at 58° 17′ North latitude and 06° 55′.5 West longitude; thence to a point at 58° 18′.25 North latitude and 06° 48′ West longitude (Tiumpan).	1st January to 31st December each year		
8	*Gallon Head to Aird Barvas* being the area of waters bounded by a line joining the following points from 58° 14′.75 North latitude and 07° 01′.5 West longitude (Gallon Head), thence to 58° 15′.5 North	1st May to 31st October in each year		

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	latitude and 07° 03′ West longitude, 58° 18′ North latitude and 06° 56′.5 West longitude, 58° 24′.1 North latitude and 06° 33′ West longitude, to a point on Lewis at 58° 23′.25 North latitude and 06° 31′.5 West longitude (Aird Barvas).			
9	*Broad Bay* within a straight line drawn from a point on Lewis at 58° 20′.6 North latitude and 06° 09′.6 West longitude (Tolsta Head) to a point at 58° 15′.7 North latitude and 06° 08′.2 West longitude (Tiumpan Head).	1st January to 31st December in each year		
10	*Sound of Harris* being the area of waters bounded on the east coast by a straight line drawn from a point on Harris at 57° 43′.7 North latitude and 6° 58′ West longitude (Rhenish Point) to a point on Hermetray Island at 57° 39′ North latitude and 7° 02′.6 West longitude (Big Reef) to a point on North Uist at 57° 38′.4 North latitude and 7° 03′.8 West longitude (Leac no Hoe), and on the west coast by a line from a point on Harris at 57° 59′.5 North latitude and 07° 07′.8 West longitude (Hushinish Point) to a point on North Uist at	1st March to 30th September in each year		

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Item	*Sea area within which prohibition applies*	*Period of prohibition (all dates inclusive)*	*Methods of fishing for species of sea fish excepted from prohibition*	*Period of exception (all dates inclusive)*
	57° 35′.5 North latitude and 7° 29′.5 West longitude (Griminish Point).			
11	*Loch Maddy to Stuley Island* being the area of waters bounded by a line joining a point on North Uist at 57° 34′.7 North latitude and 07° 06′.8 West longitude, to a point at 57° 34′.7 North latitude and 07° 05′.2 West longitude, then to the following points 57° 23′.8 North latitude and 07° 09′ West longitude, 57° 17′ North latitude and 07° 09′.6 West longitude, 57° 14′.5 North latitude and 07° 12′.6 West longitude, 57° 11′.5 North latitude and 07° 11′.8 West longitude, thence to a point on Stuley Island at 57° 11′.5 North latitude and 07° 14′.4 West longitude.	1st March to 31st October in each year	Dredging for scallops	14th April to 31st August in each year
12	*Stuley Island to Barra Head and Gurney Point* being the area of waters bounded on the east by a line from a point on Stuley Island at 57° 11′.5 North latitude and 07° 14′.4 West longitude to a point at 57° 11′.5 North latitude and 07° 11′.8 West longitude, and then joining the	1st March to 31st October in each year	*(a)* any method of fishing for sandeels *(b)* dredging for scallops	1st March to 31st October in each year 14th April to 14th July in each year

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	following points 57° 06′.5 North latitude and 07° 10′.5 West longitude, 57° 00′.9 North latitude and 07° 16′.9 West longitude, 56° 54′.4 North latitude and 07° 24′.5 West longitude, 56° 50′.5 North latitude and 07° 31′.2 West longitude, 56° 45′.9 North latitude and 07° 35′.1 West longitude, 56° 45′.6 North latitude and 07° 38′.4 West longitude, 56° 46′.3 North latitude and 07° 40′.8 West longitude, thence to a point on Mingulay at 56° 49′.35 North latitude and 07° 39′.4 West longitude (Guarsay Mor), thence in a straight line to a point on Barra at 57° 00′.8 North latitude and 07° 31′.65 West longitude (Greian Head), thence to a point on South Uist at 57° 06′.85 North latitude and 07° 23′.45 West longitude (Gurney Point).			
13	*The Berry to Costa Head* being the area of waters within 2 miles of the mean high water mark on the coast of Orkney mainland and Hoy bounded at the southern end by a line drawn from a point on Hoy at 58° 48′ North latitude and 3° 19′.3 West longitude (The Berry) at a bearing of 270° true,	1st May to 30th September in each year		

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Item	*Sea area within which prohibition applies*	*Period of prohibition (all dates inclusive)*	*Methods of fishing for species of sea fish excepted from prohibition*	*Period of exception (all dates inclusive)*
	and at the northern end by a point on Orkney mainland at 59° 09′.25 North latitude and 03° 12′.8 West longitude (Costa Head) at a bearing of 360° true, excepting an area of waters in Rackwick Bay bounded to the south by a line drawn from a point on Hoy at 59° 50′.85 North latitude and 03° 22′.5 West longitude (Santoo Head) at a bearing of 235° true, and to the north by a line drawn from a point on Hoy at 59° 52′.35 North latitude and 03° 26′ West longitude (Rora Head) at a bearing of 270° true.			
14	*Thurso and Dunnet Bay* within a straight line drawn from a point on the mainland at 58° 37′.4 North latitude and 03° 32′ West longitude (Holborn Head) to a point at 58° 40′.3 North latitude and 03° 22′.5 West longitude (Dunnet Head).	1st January to 31st December in each year		
15	*Sinclair Bay* being the area of water bounded by a line drawn from a point on the mainland at 58° 38′.65 North latitude and 03° 01′.4 West longitude (Duncansby Head Lighthouse), to a point at 58° 38′.65 North latitude and 03° 00′ West longitude, thence to a	1st January to 31st December in each year		

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Item	*Sea area within which prohibition applies*	*Period of prohibition (all dates inclusive)*	*Methods of fishing for species of sea fish excepted from prohibition*	*Period of exception (all dates inclusive)*
	point at 58° 28′.75 North latitude and 03° 00′ West longitude, thence to a point on the mainland at 58° 28′.75 North latitude and 03° 03′ West longitude (Noss Head Lighthouse).			
16	*Dornoch Firth* within a straight line drawn from a point on the mainland at 57° 51′.7 North latitude and 04° 00′.6 West longitude (Dornoch Point) to a point at 57° 50′.75 North latitude and 03° 57′.6 West longitude (Rubh'na n-innse Moire)	1st January to 31st December in each year	Dredging for mussels	1st January to 31st December in each year
17	*Cromarty Firth* within a straight line drawn from a point on the mainland at 57° 40′.68 North latitude and 03° 59′.5 West longitude (South Sutor Stack) to a point at 57° 41′.53 North latitude and 03° 59′.5 West longitude (North Sutor).	1st January to 31st December in each year		
18	*Inverness Firth* within a straight line drawn from a point on the mainland at 57° 34′.46 North latitude and 04° 05′.4 West longitude (Chanonry Point), to a point at 57° 35′ North latitude and 04° 04′.5 West longitude (near Fort George).	1st January to 31st December in each year		

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19	*Aberdeen to Red Head* being the area of waters within one half mile of the mean high water mark on the mainland coast bounded at the northern end by a line drawn from a point on the mainland at 57° 08′.38 North latitude and 02° 02′.8 West longitude (Girdleness Light House) at a bearing of 090° true, and at the southern end by a line drawn from a point on the mainland at 56° 37′ North latitude and 02° 29′.3 West longitude (Red Head) at a bearing of 135° true, also an area of waters within two miles of the mean high water mark on the mainland coast bounded at the northern end by a line drawn from a point on the mainland at 56° 56′.1 North latitude and 02° 11′.8 West longitude (Mons Craig) at a bearing of 090° true, and at the southern end by a line drawn from a point on the mainland at 56° 49′.7 North latitude and 02° 17′.1 West longitude (Leap Ness) at a bearing of 135° true.	1st January to 31st December in each year		
20	*Red Head to Arbroath* being the area of waters within two miles of the mean high water mark on the mainland coast bounded at the	1st August to 28th February in each year		

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	northern end by a line drawn from a point on the mainland at 56° 37′ North latitude and 02° 29′.3 West longitude (Red Head) at a bearing of 135° true, and at the southern end by a line drawn from a point on the mainland at 56° 33′.25 North latitude and 02° 34′.9 West longitude (Arbroath) at a bearing of 135° true.			
21	*St Andrews Bay* within a straight line drawn from a point on the mainland at 56° 27′.8 North latitude and 02° 44′.0 West longitude (Buddon Ness) to a point on the mainland at 56° 16′.7 North latitude and 02° 35′.1 West longitude (Fife Ness).	1st January to 31st December in each year		
22	*St Abbs – Eyemouth Area* being the area of waters within one mile of the mean high water mark on the mainland coast bounded at the northern end by a line drawn from a point on the mainland at 55° 55′ North latitude and 02° 08′.2 West longitude (St Abbs Head) at a bearing of 360° true, and at the southern end by a line drawn from a point on the mainland at 55° 48′.67 North latitude and 02° 00′.2 West longitude (the Border) at a bearing of 052° true.	1st January to 31st December in each year		

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23	*Loch Ryan* within a straight line drawn from a point on the mainland at 55° 01′.1 North latitude and 05° 05′.8 West longitude (Milleur Point) to a point on the mainland at 55° 00′.65 North latitude and 05° 03′.2 West longitude (Garry Point).	1st January to 31st December in each year		

EXPLANATORY NOTE

(This Note is not part of the Order.)

This order establishes a new regulatory regime to govern inshore fishing in Scottish waters.

The order—

(a) prohibits, subject to specified exceptions, fishing for sea fish with mobile gear in sea areas at specified times of the year (article 3 and Schedule);

(b) prohibits fishing for lobsters in Scapa Flow between 1st April and 30th September (article 5);

(c) prohibits fishing for any species of sea fish other than herring, mackerel and sprats by fishing boats exceeding 70 feet in length in the Firth of Clyde and 55 feet in length in the Firth of Forth throughout the year (article 6).

There is an exception from the prohibitions where fishing for sea fish is conducted for the purpose of scientific investigation (article 7).

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