
EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Prohibition of Fishing with Multiple Trawls (No. 2) (Scotland) Order 2000 (S.S.I. 2000/405) (“the principal Order”). The Order forms part of the law of Scotland only.

The principal Order provides for stricter measures for the management and conservation of stocks pursuant to Article 46 of Council Regulation (EEC) No. 850/98 of 30th March 1998 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms (O.J. No. L 125, 27.4.98, p.1).

The Order, which is also made pursuant to Article 46 of that Regulation, substitutes a new article 3 of the principal Order (article 2). New article 3(1) prohibits fishing with any trawl other than a single trawl, subject to the exceptions set out in article 3(2). The prohibition applies to Scottish fishing boats wherever they may be and to relevant British fishing boats within the Scottish zone (article 3(1)).

The prohibition does not apply to fishing with two trawls or fewer where such fishing is carried out by any beam trawler (article 3(2)(a)) or where such fishing is carried out in certain areas with trawls having a mesh size of not less than 80 millimetres (article 3(2)(b) and (c)) or where such fishing is carried out in any area with trawls having a mesh size of 95 millimetres or more (article 3(2)(d)).

Article 3 of the Order revokes the Prohibition of Fishing with Multiple Trawls (No. 2) (Scotland) Amendment Order 2003.

A Regulatory Impact Assessment relating to this Order has been prepared and placed in the Scottish Parliament Information Centre. Copies can be obtained from The Scottish Executive Environment and Rural Affairs Department, Pentland House, 47 Robb’s Loan, Edinburgh, EH14 1TW.