



Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003

2003 asp 15

PART 1

METHODS OF FISHING AND OFFENCES RELATED TO FISHING

Exemptions

29 Exemption from certain offences in respect of certain acts in relation to salmon

- (1) A person shall not, in respect of any act or omission relating to fishing for or taking salmon, be guilty of a contravention of an enactment prohibiting or regulating that act or omission if the act or omission has been exempted by the Scottish Ministers.
- (2) The Scottish Ministers may exempt an act or omission under subsection (1) above only if they are satisfied that—
 - (a) the proprietor of every affected salmon fishery in the salmon fishery district in which the act or omission is to take place, being a salmon fishery entered in the valuation roll; and
 - (b) if there is one, the district salmon fishery board for that district, have previously consented to it.
- (3) In subsection (2) above “affected” means appearing to the Scottish Ministers to be likely to be affected by the exemption.
- (4) An exemption under this section—
 - (a) may relate only to such person as may be specified in it;
 - (b) may be subject to such conditions as may be so specified;
 - (c) shall be in writing;
 - (d) shall specify—
 - (i) the limits of the waters to which it relates;
 - (ii) its duration; and
 - (iii) the enactment to which it relates.