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

2003 asp 15

PART 4

ADMINISTRATION OF FRESHWATER FISHERIES

50 Powers of entry and obstruction of wardens etc.

(1) A warden shall have right to enter any land—

(a) in the vicinity of any waters in the prescribed area for the purpose of exercising any of the powers conferred by section 49(2) of this Act;

(b) for the purpose of affixing or maintaining a copy of any order or notice which that person is required to affix or maintain by any provision of schedule 3 to this Act;

(c) in the vicinity of any waters in the prescribed area and remain there during any period for the purpose of preventing a breach of a protection order or of detecting any person contravening a protection order; and no warden remaining on such land for such a purpose shall be deemed to be a trespasser on that land.

(2) Any person duly authorised in writing by the Scottish Ministers under schedule 3 to this Act shall have a right to enter land for the purpose of affixing or maintaining a copy of any notice or order which that person is required to affix or maintain by any provision of that schedule.

(3) Any person who wilfully obstructs or refuses to allow—

(a) a warden to exercise any of the powers conferred by section 49(2) of this Act or subsection (1) above; or

(b) any person referred to in subsection (2) above to exercise the powers conferred by that subsection,

shall be guilty of an offence, and liable on summary conviction to a fine not exceeding level 3 on the standard scale or to imprisonment for a term not exceeding 3 months.

(4) The production of the instrument of appointment of a warden purporting to be signed by or on behalf of the Scottish Ministers or of the authorisation by the Scottish

Changes to legislation: *There are currently no known outstanding effects for the Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003, Section 50. (See end of Document for details)*

Ministers of any person referred to in subsection (2) above shall be sufficient warrant for the exercise of any power which has been conferred on that warden or such a person.

(5) In this section "land" does not include any building.

Commencement Information

I1 S. 50 in force at 1.4.2005 by S.S.I. 2005/174, **art. 2**

Changes to legislation:
There are currently no known outstanding effects for the Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003, Section 50.