



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

2003 asp 15

## PART 6

### MISCELLANEOUS

#### 64 Power of Scottish Ministers to conduct inquiries and to obtain information

- (1) For the purpose of protecting and developing stocks of salmon and trout the Scottish Ministers may—
- [<sup>F1</sup>(za) require a person having rights in a salmon fishery or freshwater fishery to provide the Scottish Ministers with such information relating to the fishery as they may reasonably request;]
  - (a) conduct inquiries and investigations into questions of practical or scientific importance to salmon and freshwater fisheries, and for such purpose enter on and conduct such operations as may be necessary in any fishery<sup>F2</sup>...
  - [<sup>F3</sup>(b) to make orders requiring any proprietor or occupier of a salmon fishery to furnish them with such statistics relating to salmon or to fishing for salmon as they may specify, in such form and at such times as they may specify; and they may make different provision for different cases, including different provision in relation to different persons, circumstances or areas; and]
  - (c) publish such statistics in such manner as they think fit.
- (2) [<sup>F4</sup>Any person having rights in a salmon fishery or freshwater fishery] who wilfully refuses to comply with any requirement made in pursuance of this section, or makes any statement in relation to such a requirement which is false in a material particular, shall be guilty of an offence, and liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- [<sup>F5</sup>(3) In this section, a “person having rights in a salmon fishery or freshwater fishery” means—
- (a) a proprietor of a salmon fishery;
  - (b) an occupier of such a fishery;
  - (c) an owner of land to which a right of fishing for freshwater fish pertains; or
  - (d) an occupier of such a right.]

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**Changes to legislation:** There are currently no known outstanding effects for the Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003, Section 64. (See end of Document for details)

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[<sup>F6</sup>(3) The power under this section to make orders shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.]

#### Textual Amendments

- F1** S. 64(1)(za) inserted (16.9.2013) by Aquaculture and Fisheries (Scotland) Act 2013 (asp 7), **ss. 28(2)(a)**, 66(2) (with s. 65); S.S.I. 2013/249, art. 2
- F2** Words in s. 64(1)(a) repealed (16.9.2013) by Aquaculture and Fisheries (Scotland) Act 2013 (asp 7), **ss. 28(2)(b)**, 66(2) (with s. 65); S.S.I. 2013/249, art. 2
- F3** S. 64(1)(b) substituted (1.4.2005) by 1989 (c.15), s. 141, Sch. 17 para. 4(a) (as amended by Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003 (asp 15), s. 71(2), **Sch. 4 para. 3** (with s. 71(3)(4)(6))); S.S.I. 2005/174, art. 2
- F4** Words in s. 64(2) substituted (16.9.2013) by Aquaculture and Fisheries (Scotland) Act 2013 (asp 7), **ss. 28(3)**, 66(2) (with s. 65); S.S.I. 2013/249, art. 2
- F5** S. 64(3) inserted (16.9.2013) by Aquaculture and Fisheries (Scotland) Act 2013 (asp 7), **ss. 28(4)**, 66(2) (with s. 65); S.S.I. 2013/249, art. 2
- F6** S. 64(3) added (1.4.2005) by 1989 (c.15), s. 141, Sch. 17 para. 4(b) (as amended by Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003 (asp 15), s. 71(2), **Sch. 4 para. 3** (with s. 71(3)(4)(6))); S.S.I. 2005/174, art. 2

#### Commencement Information

- I1** S. 64 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 64.