



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

2003 asp 15

PART 1

METHODS OF FISHING AND OFFENCES RELATED TO FISHING

Offences related to fishing for salmon and freshwater fish

8 Taking of dead salmon or trout

- (1) ^{F1}... any person other than—
- (a) a constable or a water bailiff in the exercise of their respective duties;
 - (b) a person authorised in that regard by the Scottish Ministers or a district salmon fishery board; or
 - (c) a person with a right to fish therein or the agent of any such person,
- who takes or removes dead salmon or trout from any waters, including any part of the sea within 1.5 kilometres of low water mark, shall be guilty of an offence, and liable on summary conviction to a fine not exceeding level 4 on the standard scale.
- (2) Without prejudice to section 294 (attempts to commit crime) of, and paragraph 10 of Schedule 3 to, the Criminal Procedure (Scotland) Act 1995 (c. 46), any person who attempts to commit or who does any act preparatory to the commission of the offence mentioned in subsection (1) above shall be guilty of an offence, and liable to the same punishment as if that person had committed the offence mentioned.

Annotations:

Amendments (Textual)

- F1** Words in s. 8(1) omitted (27.3.2009) by virtue of [Aquatic Animal Health \(Scotland\) Regulations 2009](#) (S.S.I. 2009/85), reg. 1(2)(c), [Sch. 2 para. 10\(a\)](#) (with reg. 2.)

Commencement Information

- I1** S. 8 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 8.