



# Aquaculture and Fisheries (Scotland) Act 2013

2013 asp 7

## PART 2

### SALMON FISHERIES, ETC.

#### *Management*

#### **29 Monitoring and evaluation of the effects of orders, etc.**

- (1) The Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003 is amended in accordance with this section.
- (2) In section 33 (salmon fishing: regulations as to baits and lures), after subsection (6) insert—
  - “(6A) Regulations under subsection (1) above may impose requirements on district salmon fishery boards in relation to monitoring and evaluation of the effect of the regulations on salmon stocks.
  - (6B) A district salmon fishery board commits an offence if the board—
    - (a) acts in contravention of any such requirements; or
    - (b) fails to take any action required of the board by any such requirements.
  - (6C) A board which commits an offence under subsection (6B) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.”.
- (3) In section 37 (annual close times for salmon)—
  - (a) in subsection (2), after “below” insert “ and to section 38(5)(c) of this Act ”,
  - (b) in subsection (3), at the beginning insert “ Without prejudice to section 38(5) (c) of this Act, ”,
  - (c) after subsection (3) insert—

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*Changes to legislation: There are currently no known outstanding effects for the Aquaculture and Fisheries (Scotland) Act 2013, Section 29. (See end of Document for details)*

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“(3A) An annual close time order may impose requirements on district salmon fishery boards or proprietors of salmon fisheries in relation to monitoring and evaluation of the effect of the order on salmon stocks.

(3B) A district salmon fishery board or proprietor commits an offence if the board or proprietor—

- (a) acts in contravention of any such requirements; or
- (b) fails to take any action required of the board or proprietor by any such requirements.

(3C) A board which or proprietor who commits an offence under subsection (3B) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.”.

(4) In section 38 (salmon conservation regulations)—

- (a) in subsection (4), after “subsection (5)(b)” insert “ and (c) ”,
- (b) in subsection (5), after paragraph (b) insert—
  - “(c) subject to section 37(1) of this Act, prescribe for any salmon fishery district the dates of the annual close time for salmon and the periods within that time when it is permitted to fish for and take salmon by rod and line.”,
- (c) in subsection (6), after paragraph (b) insert—
  - “(ba) impose on district salmon fishery boards or proprietors of salmon fisheries such requirements as the Scottish Ministers consider necessary or expedient in relation to monitoring and evaluation of the effect of the regulations on salmon stocks;”.

**Annotations:**

**Commencement Information**

**II** S. 29 in force at 16.9.2013 by [S.S.I. 2013/249](#), [art. 2](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Aquaculture and Fisheries (Scotland) Act 2013, Section 29.