

*Changes to legislation: There are currently no known outstanding effects for the Theft Act 1968, SCHEDULE 1. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 1

Section 32.

#### OFFENCES OF TAKING, ETC. DEER OR FISH

<sup>F1</sup>1 .....

##### Textual Amendments

**F1** Sch. 1 para. 1 repealed by Deer Act 1980 (c. 49, SIF 4:3), s. 9(2)

#### *Taking or destroying fish*

2 [<sup>F2</sup>(1) A person who unlawfully takes or destroys, or attempts to take or destroy, any fish in water which is private property or in which there is any private right of fishery shall on summary conviction be liable to a fine not exceeding level 5 on the standard scale.]

<sup>F2</sup>(2) <sup>F3</sup> .....

(3) The court by which a person is convicted of an offence under [<sup>F4</sup>sub-paragraph (1) above]<sup>F4</sup> may order the forfeiture of anything which, at the time of the offence, he had with him for use for taking or destroying fish.

(4) [<sup>F5</sup>Any person may arrest without warrant anyone who is, or whom he, with reasonable cause, suspects to be, committing an offence under sub-paragraph (1) above, and may seize from any person who is, or whom he, with reasonable cause, suspects to be, committing any offence under this paragraph anything which on that person's conviction of the offence would be liable to be forfeited under sub-paragraph (3) above.<sup>F5F5</sup>]

##### Textual Amendments

**F2** Sch. 1 para. 2(1) substituted (12.1.2010) by Marine and Coastal Access Act 2009 (c. 23), ss. 228(2), 324; S.I. 2009/3345, art. 2(2), Sch. para. 14

**F3** Sch. 1 para. 2(2) repealed (12.1.2010) by Marine and Coastal Access Act 2009 (c. 23), ss. 228(3), 321, 324, Sch. 22 Pt. 5B; S.I. 2009/3345, art. 2, Sch. paras. 14, 27(b)

**F4** Words in Sch. 1 para. 2(3) substituted (12.1.2010) by Marine and Coastal Access Act 2009 (c. 23), ss. 228(4), 324; S.I. 2009/3345, art. 2(2), Sch. para. 14

**F5** Sch. 1 para. 2(4) ceases to have effect in part (1.1.2006) by virtue of Serious Organised Crime and Police Act 2005 (c. 15), ss. 111, 178, Sch. 7 para. 38; S.I. 2005/3495, art. 2(1)(m)

##### Modifications etc. (not altering text)

**C1** Sch. 1 para. 2(1): Criminal Justice Act 1982 (c. 48, SIF 39:1), ss. 35 (in relation to liability on first and subsequent convictions), 38 (increase of fines) and 46 (substitution of references to levels on the standard scale) apply (E.W.)

**Changes to legislation:**

There are currently no known outstanding effects for the Theft Act 1968, SCHEDULE 1.