

Status: Point in time view as at 18/12/1996.

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

F11

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F1 Sch. 1 para. 1 repealed by [Deer Act 1980 \(c. 49, SIF 4:3\)](#), s. 9(2)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 (1) Subject to sub-paragraph (2) below, 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 fifty pounds or, for an offence committed after a previous conviction of an offence under this sub-paragraph, to imprisonment for a term not exceeding three months or to a fine not exceeding one hundred pounds or to both.
- (2) Sub-paragraph (1) above shall not apply to taking or destroying fish by angling in the daytime (that is to say, in the period beginning one hour before sunrise and ending one hour after sunset); but a person who by angling in the daytime 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 [F2]level 1 on the standard scale.]
- (3) The court by which a person is convicted of an offence under this paragraph 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) 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.

Textual Amendments

F2 Words substituted by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), ss. 38, 46

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.)

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