



Salmon and Freshwater Fisheries Act 1975

CHAPTER 51

SALMON AND FRESHWATER FISHERIES ACT 1975

PART I

PROHIBITION OF CERTAIN MODES OF TAKING OR DESTROYING FISH, ETC.

- 1 Prohibited implements.
- 2 Roe, spawning and unclean fish, etc.
- 3 Nets.
- 4 Poisonous matter and polluting effluent.
- 5 Prohibition of use of explosives, poisons or electrical devices and of destruction of dams etc.

PART II

OBSTRUCTIONS TO PASSAGE OF FISH

- 6 Fixed engines.
- 7 Fishing weirs.
- 8 Fishing mill dams.
- 9 Duty to make and maintain fish passes.
- 10 Power of water authority to construct and alter fish passes.
- 11 Minister's consents and approvals for fish passes.
- 12 Penalty for injuring or obstructing fish pass or free gap.
- 13 Sluices.
- 14 Gratings.
- 15 Power of water authority to use gratings etc. to limit movements of salmon and trout.
- 16 Boxes and cribs in weirs and dams.
- 17 Restrictions on taking salmon or trout above or below an obstruction or in mill races.

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Salmon and Freshwater Fisheries Act 1975. (See end of Document for details)

- 18 Provisions supplementary to Part II.

PART III

TIMES OF FISHING AND SELLING AND EXPORTING FISH

- 19 Close seasons and close times.
20 Close seasons and close times—fixed engines and obstructions.
21 Eel baskets etc.
22 Sale of salmon and trout.
23 Export of salmon and trout.
24 Consignment of salmon and trout.

PART IV

FISHING LICENCES

- 25 Licences to fish.
26 Limitation of fishing licences.
27 Unlicensed fishing.

PART V

ADMINISTRATION AND ENFORCEMENT

Regulation of fisheries etc.

- 28 General powers and duties of water authorities and Minister.
29 Fish rearing licences.
30 Introduction of fish into inland waters.

Powers of water bailiffs etc.

- 31 Powers of search etc.
32 Power to enter lands.
33 Orders and warrants to enter suspected premises.
34 Power to apprehend persons fishing illegally at night.
35 Power to require production of fishing licences.
36 Provisions supplementary to sections 31 to 35.

Offences

- 37 Prosecution etc. of offences.
37A Fixed penalty notices for certain offences.

PART VI

MISCELLANEOUS AND SUPPLEMENTARY

- 38 Works below high water mark.
39 Border rivers and Solway Firth.
40 River Severn.
41 Interpretation.
42 Repeals etc.
43 Citation etc.

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SCHEDULES

SCHEDULE 1 — Close Seasons and Close Times

- 1 It shall be the duty of every water authority to...
- 2 If a water authority have not before the commencement of...
- 3 The minimum close seasons and close times are specified in...
- 4 If byelaws neither specify nor dispense with an annual close...
- 5 The annual close season for rainbow trout for any waters...
- 6 Subject to any byelaws under this Act or the Salmon...

SCHEDULE 2 — Licences

Duty on licences

- 1 (1) Subject to sub-paragraph (2) below, there shall be payable...
- 2 Different duties may be fixed under paragraph 1 above for...
- 3 A water authority shall at least one month before fixing...
- 4 If during the month immediately following the publication of a...
- 5 The Minister, with or without a local inquiry, may refuse...
- 6 No duty fixed under the foregoing provisions of this Schedule...
- 6 Where the fixing or alteration of any duty takes effect...
- 7 A water authority may grant a temporary licence, that is...
- 8 There shall be payable in respect of a general licence...

Net etc. licences for salmon and trout fishing

- 9 A person shall be treated for the purposes of section...
- 9 (1) A person who uses an instrument of any description...
- 10 The name and address of a servant or agent may...
- 11 The date of entry in the licence shall be stated...
- 12 The name and address of a servant or agent may...
- 13 The number of servants or agents whose names may at...
- 14 Any person who, with intent to deceive, enters on a...

Miscellaneous

- 15 Subject to section 26 above, a fishing licence shall be...
- 16 A fishing licence shall not confer any right to fish...
- 17 A fishing licence shall not authorise the erection of any...
- 18 The production of a printed copy of a statement purporting...

SCHEDULE 3 — Administration

Part I — ORDERS

Scope

- 1 An order may provide— (a) for the imposition, collection and...
- 2 An order shall not authorise a fixed engine to be...
- 3 The Minister shall not grant a licence until he has...
- 4 An order may contain any incidental, consequential or supplemental provisions,...

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Procedure

- 5 An application for an order may be made by any...
 6 The applicant for an order shall give such security for...
 7 Before he makes an order the Minister shall—
 8 Before making an order the Minister shall consider any objections...
 9 A statutory instrument containing an order shall be subject to...
 12
 13 Where— (a) any fishery, land or foreshore proposed to be...
 Part II — BYELAWS

General

- 14 Subject to Schedule 1 above, the power to make byelaws...
 15 Byelaws may be made for any of the purposes mentioned...
 16 A byelaw may be made to apply to
 17 If at any time before the end of 12 months...
 18 When the compensation is payable under any award by way...

Purposes for which Byelaws may be made

- 19 Fixing or altering, subject to paragraph 3 of Schedule 1...
 20 Dispensing with a close season for freshwater fish or rainbow...
 21 Specifying the nets and other instruments (not being fixed engines)...
 21A Authorising the placing and use of fixed engines at such...
 22 Requiring and regulating the attachment to licensed nets and
 instruments...
 23 Prohibiting the carrying in any boat or vessel whilst being...
 24 Prohibiting or regulating the carrying in a boat or vessel...
 25 Prohibiting the use for taking salmon, trout, or freshwater fish...
 26 Prohibiting the taking or removal from any water without lawful...
 27 Determining for the purposes of this Act the period of...
 28 Prohibiting or regulating the taking of trout or any freshwater...
 29 Prohibiting or regulating the taking of fish by any means...
 30 Prohibiting or regulating fishing with rod and line between the...
 31 Regulating the deposit or discharge in any waters containing fish...
 32 Requiring persons to send to the National Rivers Authority returns...
 33 Regulating the use in connection with fishing with rod and...
 34 Determining the time during which it shall be lawful to...
 35 Authorising fishing with rod and line for eels during the...
 36 The better execution of this Act and the better protection,...
 Part III — MISCELLANEOUS
 37 Without prejudice to section 145 of the Water Act 1989,...
 38 Without prejudice to the said section 145, a water authority...
 39 (1) Without prejudice to the said paragraph 2section 145, a...

SCHEDULE 4 — Offences

Part I — PROSECUTION AND PUNISHMENT

- 1 (1) Column 2 of the Table below gives a description...

Part II — PROCEDURE

- 2 Any offence against this Act committed on the sea-coast or...
 3 Offences against this Act committed in Scotland shall be proceeded...
 4 A justice of the peace shall not be disqualified from...
 5 The court by which a person is convicted of an...

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- 6 Schedule 3 to the Customs and Excise Management Act 1979...
- 7 An authorised officer may seize any salmon, trout or freshwater...
- 8 Where any fish or any other thing of a perishable...
- 9 If a person is convicted of an offence against this...
- 10 A person who is prosecuted for an offence against this...
- 11 Where a court orders a fishing or general licence to...
- 12 Where any person is convicted of an offence against this...
- 13 A certificate under paragraph 12 above shall be receivable in...
- 14 In paragraphs 10 and 12 above “ proper officer ”...

SCHEDULE 5 — REPEALS

Status:

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