



Salmon and Freshwater Fisheries Act 1975

1975 CHAPTER 51

PART V

ADMINISTRATION AND ENFORCEMENT

Powers of water bailiffs etc.

31 Powers of search etc.

- (1) Any [^{F1}water bailiff appointed by the appropriate agency and] any person appointed by the Minister—
- (a) may examine any dam, fishing weir, fishing mill dam, fixed engine or obstruction, or any artificial watercourse, and for that purpose enter on any land;
 - (b) may examine any instrument or bait which he has reasonable cause to suspect of having been or being used or likely to be used in taking fish ^{F2}... or any container which he has reasonable cause to suspect of having been or being used or likely to be used for holding any such instrument, bait or fish;
 - (c) may stop and search any boat or other vessel used in [^{F3}fishing in the appropriate agency's area] or any vessel or vehicle which he has reasonable cause to suspect of containing—
 - (i) fish ^{F4} ...;
 - (ii) any such instrument, bait or container as aforesaid;
 - (d) may seize any fish [^{F5} (or a sample of any fish)] and any instrument, vessel, vehicle or other thing liable to be forfeited in pursuance of this Act.
 - [^{F6}(e) may disable or destroy any dam, fishing weir, fishing mill dam or fixed engine which he has reasonable cause to suspect of having operated or been used, or of being likely to be used, in contravention of this Act.]
- (2) If any person refuses to allow a water bailiff or a person appointed by the Minister to make any entry, search or examination which he is by this section authorised to make, or to seize anything which he is so authorised to seize, or resists or obstructs a water

Changes to legislation: There are currently no known outstanding effects for the Salmon and Freshwater Fisheries Act 1975, Section 31. (See end of Document for details)

bailiff or person so appointed in any such entry, search, examination or seizure, he shall be guilty of an offence.

Textual Amendments

- F1** Words in s. 31(1) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\)](#), art. 1(2), **Sch. 2 para. 143(2)** (with Sch. 7)
- F2** Words in s. 31(1)(b) repealed (12.1.2010) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), ss. 220(2)(a), 324(3), **Sch. 22 Pt. 5(B)**; S.I. 2009/3345, art. 2, Sch. paras. 12, 27(b)
- F3** Words in s. 31(1)(c) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\)](#), art. 1(2), **Sch. 2 para. 143(3)** (with Sch. 7)
- F4** Words in s. 31(1)(c)(i) repealed (12.1.2010) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), ss. 220(2)(b), 324(3), **Sch. 22 Pt. 5(B)**; S.I. 2009/3345, art. 2, Sch. paras. 12, 27(b)
- F5** Words in s. 31(1)(d) inserted (12.1.2010) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), **ss. 220(2)(c)**, 324(3); S.I. 2009/3345, art. 2, Sch. para. 12
- F6** S. 31(1)(e) inserted (12.1.2010) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), **ss. 220(2)(d)**, 324(3); S.I. 2009/3345, art. 2, Sch. para. 12

Modifications etc. (not altering text)

- C1** S. 31(1) extended (30.6.1999) by [S.I. 1999/1746](#), **arts. 1(1)**, 8(1) (with art. 2)
- C2** By [Salmon Act 1986 \(c. 62, SIF 52:2\)](#), **ss. 32(6)(a)**, 43(4) it is provided that s. 31(1)(b)(c) is amended (E.W. and as mentioned in the said s. 43(4) (border rivers))
- C3** S. 31(2) excluded (30.6.1999) by [S.I. 1999/1746](#), **arts. 1(1)**, 8(9) (with art. 2); [S.I. 1998/3178](#), **art. 3**

Changes to legislation:

There are currently no known outstanding effects for the Salmon and Freshwater Fisheries Act 1975, Section 31.