



Salmon Act 1986

1986 CHAPTER 62

PART I

ADMINISTRATION OF SALMON FISHERIES IN SCOTLAND

General regulation of salmon fisheries

3 Regulations.

- [^{F1}(1) Subject to subsection (4) below, regulations made under the Salmon Fisheries (Scotland) Acts 1862 to 1868 as respects the matters specified in section 6(6) of the Salmon Fisheries (Scotland) Act 1862 shall have effect in relation to a salmon fishery district as they had effect, immediately before the commencement of this section, in relation to the part of that salmon fishery district which was a district within the meaning of these Acts and which had the same coastal limits as that salmon fishery district.
- (2) The Secretary of State shall have power, after consulting such persons as he considers appropriate, to make regulations with respect to—
- (a) the due observance of the weekly close time;
 - (b) the construction and use of cruives;
 - (c) the construction and alteration of dams, including mill dams, or lades or water wheels so as to afford a reasonable means for the passage of salmon;
 - (d) the meshes, materials and dimensions of nets used in fishing for or taking salmon;
 - (e) obstructions in rivers or estuaries to the passage of salmon;
 - (f) the construction, alteration and use for the control of the passage of salmon of—
 - (i) screens in off-takes from inland waters; and
 - (ii) structures associated with such screens.
- (3) The Secretary of State shall have power, after consulting such persons as he considers appropriate, to make regulations amending section 13 of the ^{M1}Salmon and Freshwater

*Changes to legislation: There are currently no known outstanding effects
for the Salmon Act 1986, Section 3. (See end of Document for details)*

Fisheries (Protection) (Scotland) Act 1951 (extent of the weekly close time and the period within which rod and line fishing is permitted); provided always that such regulations shall not shorten the periods specified in the said section 13.

- (4) The power to make regulations under subsection (2) above includes power to revoke any regulations as described in subsection (1) above; and such regulations shall be treated as revoked insofar as they are inconsistent with the provisions of regulations made under this section.
- (5) The power to make regulations under paragraphs (c) or (f) of subsection (2) above includes power to except from the application of a regulation or part of a regulation any works or any category of works; and section 11 of the ^{M2}Salmon Fisheries (Scotland) Act 1868 shall apply to regulations so made.
- (6) The power to make regulations under subsection (2)(d) above includes power—
- (a) to make different provision for different districts or different parts of a district;
 - (b) to except from the application of a regulation or part of a regulation a district or part of a district specified in the regulations.
- (7) References in any enactment, other than in this Act or in section 36 of the Salmon Fisheries (Scotland) Act 1868, to—
- (a) byelaws or regulations made under the Salmon Fisheries (Scotland) Acts 1862 to 1868 as respects the matters specified in section 6(6) of the ^{M3}Salmon Fisheries (Scotland) Act 1862; or
 - (b) the provisions of any of the Schedules to that Act of 1868 relating to such matters
- shall be construed as including references to regulations made under subsection (2) above.
- (8) Regulations under this section shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.]

Textual Amendments

F1 Ss. 1-3 repealed in part (1.4.2005) by [Salmon and Freshwater Fisheries \(Consolidation\) \(Scotland\) Act 2003 \(asp 15\)](#), s. 71(2), **sch. 4 Pt. 2** (with s. 71(3)(4)(6)); S.S.I. 2005/174, art. 2

Marginal Citations

M1 1951 c. 26.

M2 1868 c. 123.

M3 1862 c. 97.

Changes to legislation:

There are currently no known outstanding effects for the Salmon Act 1986, Section 3.