



Salmon and Freshwater Fisheries (Protection) (Scotland) Act 1951 (repealed)

1951 CHAPTER 26 14 and 15 Geo 6

PART III

MISCELLANEOUS

Textual Amendments applied to the whole legislation

- F1** Act repealed (except in relation to the River Tweed and the Upper Esk) (1.4.2005) by [Salmon and Freshwater Fisheries \(Consolidation\) \(Scotland\) Act 2003 \(asp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; and (only in relation to the Tweed district) (15.11.2006) by [The Scotland Act 1998 \(River Tweed\) Order 2006 \(S.I. 2006/2913\)](#), art. 1(2), [Sch. 4 Pt. 2](#) (with art. 1(3))

13 The weekly close time.

- (1) No person shall fish for or take salmon during Sunday.
- [^{F1}(2) No person shall fish for or take salmon (except during Friday, Saturday or Monday by rod and line) during the weekly close time.
- (3) The weekly close time shall extend from the hour of six in the evening on Friday to the hour of six on the following Monday morning.]
- (4) If any person contravenes this section he shall be guilty of an offence against this Act.

Textual Amendments

- F1** [S. 13\(2\)\(3\)](#) substituted by [S.I. 1988/390](#), [art. 2](#)

Changes to legislation: There are currently no known outstanding effects for the Salmon and Freshwater Fisheries (Protection) (Scotland) Act 1951 (repealed), Part III. (See end of Document for details)

Modifications etc. (not altering text)

- C1** S. 13: power to amend conferred by Salmon Act 1986 (c. 62, SIF 52:2), s. 3(3)
C2 S. 13 amended by Freshwater and Salmon Fisheries (Scotland) Act 1976 (c. 22), s. 7, Sch. 3 Pt. I para. 8(c)

14 F2

Textual Amendments

- F2** S. 14 repealed by Salmon Act 1986 (c. 62, SIF 52:2), s. 41, Sch. 5

15 Power of Secretary of State to conduct inquiries and to obtain information.

(1) For the purpose of protecting and developing stocks of salmon and trout the Secretary of State shall have power—

(a) to conduct inquiries and investigations into questions of practical or scientific importance to salmon and freshwater fisheries, and for such purpose to enter on and conduct such operations as may be necessary in any fishery, provided always that no damage shall be done to such fishery and that no interference shall be caused to the rights of the owner or occupier of such fishery;

[^{F3}(b) to make orders requiring any proprietor or occupier of a salmon fishery to furnish him with such statistics relating to salmon or to fishing for salmon as he may specify, in such form and at such times as he may specify; and he may make different provision for different cases, including different provision in relation to different persons, circumstances or areas; and]

(c) to publish such statistics in such manner as may seem to him proper . . . ^{F4}

(2) Any proprietor or occupier who wilfully refuses or neglects to comply with any order made in pursuance of the last foregoing subsection, or makes any statement in relation to such an order which is false in a material particular, shall be guilty of an offence against this Act.

[^{F5}(3) The power under this section to make orders shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.]

Textual Amendments

- F3** S. 15(1)(b) substituted by Water Act 1989 (c. 15, SIF 130), s. 141, Sch. 17 para. 4(a) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), 194(9), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58)
F4 Words repealed by Salmon Act 1986 (c. 62, SIF 52:2), s. 41, Sch. 4 para. 9
F5 S. 15(3) added by Water Act 1989 (c. 15, SIF 130), s. 141, Sch. 17 para. 4(b) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), 194(9), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58)

Modifications etc. (not altering text)

- C3** S. 15(1) modified (30.6.1999) by S.I. 1999/1746, arts. 1(1), 12(1)

16 Packages of salmon or trout to be marked.

- (1) No person shall consign or send by any common or other carrier any salmon, sea trout or trout unless the package containing the salmon, sea trout or trout is marked conspicuously on the outside thereof with the word “salmon”, “sea trout” or “trout”, as the case may be, and the name and address of the sender.
- (2) Any of the following persons, that is to say—
 - (a) any person appointed for the purpose by the Secretary of State;
 - (b) any officer of a district board acting within the district of that board or in any adjoining district; or
 - (c) any constable;may open any package consigned or sent, or brought to any place to be consigned or sent, and suspected to contain salmon, sea trout or trout, and if any such package is found to contain salmon, sea trout or trout and is not marked in accordance with this section, or if there is reasonable cause to suspect that the salmon, sea trout or trout contained in any marked package is being dealt with contrary to law, may detain the package and the contents thereof pending proceedings for an offence against this Act. If, before the conclusion of such proceedings, any salmon, sea trout or trout so detained becomes unfit for human food, any such person as aforesaid may destroy the same or cause the same to be destroyed.
- (3) If any person contravenes this section or refuses to allow any person acting under the authority thereof to exercise the powers conferred thereby, or obstructs any such person in the exercise of those powers, he shall be guilty of an offence against this Act.

17 Rates to be levied.

Any enactment which imposes a limit on the maximum annual rate or assessment which may be levied by a district board shall, in so far as it imposes such a limit, cease to have effect.

Changes to legislation:

There are currently no known outstanding effects for the Salmon and Freshwater Fisheries (Protection) (Scotland) Act 1951 (repealed), Part III.