



Salmon Fisheries (Scotland) Act 1868

1868 CHAPTER 123 31 and 32 Vict

19 Penalties for destroying the young of salmon, or disturbing spawning beds.

Every person who shall [^{F1}knowingly] take or destroy any smolt or salmon fry, or shall buy, sell, or expose for sale, or have in his possession, the same, or shall place any device or engine for the purpose of obstructing the passage of the same, or shall [^{F1}knowingly] injure the same, or shall [^{F1}knowingly] injure or disturb any salmon spawn, or disturb any spawning bed, or any bank or shallow in which the spawn of salmon may be, or during the annual close time shall obstruct or impede salmon in their passage to any such bed, bank, or shallow, shall be liable to a penalty not exceeding five pounds for every such offence, and shall forfeit every rod, line, net, device, or engine used in committing any such offence, and shall forfeit any smolt or salmon fry that may be found in his possession; but nothing herein contained shall apply to acts done . . . ^{F2} in the course of cleaning or repairing any dam or mill-lade, or in the course of the exercise of rights of property in the bed of any river or stream: Provided also, that the district board may, with the consent of all the proprietors of salmon fisheries in any river or estuary, adopt such means as they think fit for preventing the ingress of salmon into narrow streams in which they or the spawning beds are from the nature of the channel liable to be destroyed, but always so that no water rights used or enjoyed for the purposes of manufactures, or agricultural purposes or drainage, shall be interfered with thereby.

Textual Amendments

F1 Word substituted by [Salmon Act 1986 \(c. 62, SIF 52:2\)](#), s. 41, [Sch. 4 para. 4](#)

F2 Words repealed by [Salmon Act 1986 \(c. 62, SIF 52:2\)](#), s. 41, [Sch. 4 para. 3\(2\)](#)

Modifications etc. (not altering text)

C1 [S. 19](#) excluded by [Salmon Act 1986 \(c. 62, SIF 52:2\)](#), [ss. 28\(2\)\(b\)\(iii\)](#), 29

C2 [S. 19](#) extended by [Salmon and Freshwater Fisheries \(Protection\) \(Scotland\) Act 1951 \(c. 26\)](#), [s. 22\(1\)](#) and amended by [Freshwater and Salmon Fisheries \(Scotland\) Act 1976 \(c. 22\)](#), s. 6, [Sch. 2](#)

Changes to legislation:

There are currently no known outstanding effects for the Salmon Fisheries (Scotland) Act 1868, Section 19.