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STATUTORY INSTRUMENTS

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**1990 No. 1971 (S. 178)**

**RIVER, SCOTLAND**

**SALMON AND FRESHWATER FISHERIES**

**The River Don Catchment Area (Part) Protection Order 1990**

*Made* - - - - - *28th September 1990*

*Coming into force* - - - - - *29th October 1990*

The Secretary of State, having received relevant proposals, having taken into consideration the need for conservation, having been satisfied as to the availability of fishing for freshwater fish in the area to be prescribed in the following Order and having carried out all necessary consultations, in exercise of the powers conferred on him by section 1 of the Freshwater and Salmon Fisheries (Scotland) Act 1976<sup>(1)</sup>, and of all other powers enabling him in that behalf, hereby makes the following Order:

**Citation and commencement**

1. This Order may be cited as the River Don Catchment Area (Part) Protection Order 1990 and shall come into force on 29th October 1990.

**Interpretation**

2. In this Order—

“freshwater fish” has the same meaning as in section 24(1) of the Salmon and Freshwater Fisheries (Protection) (Scotland) Act 1951<sup>(2)</sup>;

“the map” means the map marked “Area of the River Don Catchment Area (Part) Protection Order 1990”, signed on behalf of the Secretary of State for Scotland and deposited in the office of the Department of Agriculture and Fisheries for Scotland, Pentland House, Robb’s Loan, Edinburgh.

**Prohibition of fishing without legal right or written permission**

3. Fishing for or taking freshwater fish in the inland waters in the area prescribed in article 4 hereof, without legal right or without written permission from a person having such a right, is hereby prohibited.

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(1) 1976 c. 22.  
(2) 1951 c. 26.

**Prescribed area**

4. The prescribed area, which lies in Grampian Region, shall consist of that part of the catchment area of the River Don comprising—

- (a) the River Don and its banks, between, in the west, the confluence of the Allt Tuileach and the Meoir Veannaich and, in the east, the Brig of Balgownie, and
- (b) the River Urie and its banks downstream from the upstream side of Howford Bridge,

and is shown coloured blue on the map.

Department of Agriculture and Fisheries for  
Scotland,  
Pentland House,  
Edinburgh  
28th September 1990

*T J Kelly*  
Assistant Secretary, Scottish Office

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order prohibits the fishing for or taking of freshwater fish in inland waters in the area prescribed, without legal right or written permission from someone having that right.

The prescribed area lies in Grampian Region and consists of the part of the catchment area of the River Don comprising the River Don and its banks between, in the west, the confluence of the Allt Tuileach and the Meoir Veannaich and, in the east, Brig of Balgownie, and the River Urie and its banks downstream from the upstream side of Howford Bridge. The area is defined by reference to a detailed large scale map which may be inspected at the office of the Department of Agriculture and Fisheries for Scotland, Pentland House, Robb's Loan, Edinburgh on any working day between 8.30am and 4.30pm.

The map annexed to and forming part of this note gives a general guide to the parts of the rivers comprising the prescribed area.

Under section 9(1) of the Freshwater and Salmon Fisheries (Scotland) Act 1976 "inland waters" are defined as not including the tidal parts of rivers. The prohibition in article 3 of the Order does not apply to the tidal parts of the River Don.

