
STATUTORY INSTRUMENTS

1992 No. 1974

**The Salmon (Definition of Methods of Net Fishing
and Construction of Nets) (Scotland) Regulations 1992**

PART I

**Regulations made under section 2 of the Salmon and
Freshwater Fisheries (Protection)(Scotland) Act 1951**

Definition of methods of net fishing

2. For the purposes of section 2 of the Salmon and Freshwater Fisheries (Protection) (Scotland) Act 1951—

- (a) [^{F1}fishing for or taking salmon by net and coble means the use of a sweep net, paid out from a boat, and worked from the bank or shore or from waters adjacent to the bank or shore, whereby the salmon are surrounded by the net and drawn to the bank or shore, provided that—
- (i) the net and any warps are not made or held stationary, nor allowed to remain stationary, nor allowed to drift with the current or tide, but are both paid out and hauled in as quickly as practicable and kept in unchecked motion by and under the effectual command and control of the fisherman for the purpose of enclosing the salmon within the sweep of the net and drawing them to the bank or shore;]
 - (ii) no stakes, dykes, other obstructive devices or other nets are used in association with the net;
 - (iii) the water is not disturbed by throwing of stones or other objects, or splashing or other activity in order to drive salmon into the area to be swept by the net; ^{F2}...
 - (iv) the net shall not come within 50 metres of any other such net already being paid out or hauled, until the last mentioned net has been fully hauled in to the bank or shore; and
- [^{F3}(v) the net is not designed or constructed for the purpose of catching fish by enmeshing them; and]
- (b) fishing for or taking salmon by bag net, fly net or other stake net means the use of a fish trap (including the use of a landing net to remove salmon from such a trap) consisting of one or more fish courts and associated inscales and wings, together with a leader net designed to lead the salmon into the trap; the whole of which is fixed or moored to the shore or seabed [^{F4}provided that—
- (i) no part of the bag net, fly net or other stake net, except mooring [^{F5}warps] and anchors, shall extend seawards beyond 1300 metres from the mean low water mark [^{F6}; and
 - (ii) no part of the net or trap is designed or constructed for the purpose of catching fish by enmeshing them.]

Changes to legislation: There are currently no known outstanding effects for the *The Salmon (Definition of Methods of Net Fishing and Construction of Nets) (Scotland) Regulations 1992, PART I*. (See end of Document for details)

- F1** Words in [reg. 2](#) substituted (15.3.1993) by [The Salmon \(Definition of Methods of Net Fishing and Construction of Nets\) \(Scotland\) Amendment Regulations 1993 \(S.I. 1993/257\)](#), regs. 1(1), **2(a)(i)**
- F2** Word in [reg. 2\(a\)\(iii\)](#) omitted (15.3.1993) by virtue of [The Salmon \(Definition of Methods of Net Fishing and Construction of Nets\) \(Scotland\) Amendment Regulations 1993 \(S.I. 1993/257\)](#), regs. 1(1), **2(a)(ii)**
- F3** [Reg. 2\(a\)\(v\)](#) inserted (15.3.1993) by [The Salmon \(Definition of Methods of Net Fishing and Construction of Nets\) \(Scotland\) Amendment Regulations 1993 \(S.I. 1993/257\)](#), regs. 1(1), **2(a)(iii)**
- F4** Words in [reg. 2\(b\)](#) substituted (15.3.1993) by [The Salmon \(Definition of Methods of Net Fishing and Construction of Nets\) \(Scotland\) Amendment Regulations 1993 \(S.I. 1993/257\)](#), regs. 1(1), **2(b)(i)**
- F5** Word in [reg. 2\(b\)](#) substituted (15.3.1993) by [The Salmon \(Definition of Methods of Net Fishing and Construction of Nets\) \(Scotland\) Amendment Regulations 1993 \(S.I. 1993/257\)](#), regs. 1(1), **2(b)(ii)**
- F6** [Reg. 2\(b\)\(ii\)](#) and word inserted (15.3.1993) by [The Salmon \(Definition of Methods of Net Fishing and Construction of Nets\) \(Scotland\) Amendment Regulations 1993 \(S.I. 1993/257\)](#), regs. 1(1), **2(b)(iii)**

Commencement Information

- I1** [Reg. 2](#) in force at 1.1.1993, see [reg. 1\(1\)](#)

Repeal of provision in the Tweed Fisheries Act 1857

3. Section 62 (as to the working of wear shot nets) of the Tweed Fisheries Act 1857(1) is hereby repealed.

Commencement Information

- I2** [Reg. 3](#) in force at 1.1.1993, see [reg. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Salmon (Definition of Methods of Net Fishing and Construction of Nets) (Scotland) Regulations 1992, PART I.