
STATUTORY INSTRUMENTS

1995 No. 2194 (S.155)

RIVER, SCOTLAND

SALMON AND FRESHWATER FISHERIES

The Alness Salmon Fishery District Designation Order 1995

Made - - - - *18th August 1995*
Coming into force - - *22nd September*
1995

The Secretary of State, on application to him by Alness District Salmon Fishery Board, having consulted and given notice in accordance with Schedule 1 to the Salmon Act 1986⁽¹⁾ and there being no objections or representations duly made, in exercise of the powers conferred on him by sections 1(2) and 2 of, and Schedule 1 to, that Act 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 Alness Salmon Fishery District Designation Order 1995 and shall come into force on 22nd September 1995.

Designation of area of district

2.—(1) The area described in Schedule 1 to this Order is designated as the salmon fishery district to be known as the Alness Salmon Fishery District.

(2) The existing Alness Salmon Fishery District, being superseded by the district designated by this Order, is abolished.

Application of regulations

3. The regulations specified in Schedule 2 to this Order shall apply to the district designated by article 2 above.

Annual close time

4. The annual close time for the district designated by this Order shall be the period from 27th August to 10th February, both dates inclusive, in each year and the period within that time when it

(1) 1986 c. 62.

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is permitted to fish for and take salmon by rod and line shall be the period from 27th August to 31st October, both dates inclusive, in each year.

Chesser House West,
Edinburgh
18th August 1995

D R Dickson
Assistant Secretary, Scottish Office

SCHEDULE 1

Article 2(1)

DESCRIPTION OF DESIGNATED AREA

The catchment area of each river which flows directly or indirectly into the Cromarty Firth between, in the West, Ordnance Survey Grid Reference NH 6255 6528 (“Balconie Point”) and in the East, Ordnance Survey Grid Reference NH 7961 6870 (“the slipway at Nigg Ferry”) together with the adjacent part of that Firth lying within a line drawn due South from Balconie Point to the mid-line of the Firth at high water, thence Eastwards following that mid-line to the point where it intersects a line drawn due North from Ordnance Survey Grid Reference NH 7095 6718 (“Newhall Point”) and thence in a straight line to the slipway at Nigg Ferry.

SCHEDULE 2

Article 3

REGULATIONS APPLIED TO THE DISTRICT DESIGNATED BY THIS ORDER IN ACCORDANCE WITH SECTION 2(2) OF THE SALMON ACT 1986

Regulations made under section 3 of the Salmon Act 1986

1. Part II of the Salmon (Definition of Methods of Net Fishing and Construction of Nets) (Scotland) Regulations 1992(2).
2. The Salmon (Fish Passes and Screens) (Scotland) Regulations 1994(3).

Regulations made under the Salmon Fisheries (Scotland) Acts 1862 to 1868(4) as respects the matters specified in section 6(6) of the Salmon Fisheries (Scotland) Act 1862

3. Byelaw made by the Commissioners appointed under the Salmon Fisheries (Scotland) Acts 1862 to 1868 dated 11th January and 19th April, 1864 with respect to the due observance of the weekly close time(5).
4. Byelaw made by the said Commissioners dated 18th April and 19th July, 1865 with respect to the construction and use of cruives(6).
5. Byelaw made by the said Commissioners dated 29th April and 19th July, 1865 with respect to the construction and alteration of mill dams or lades, or water wheels(7).

(2) S.I.1992/1974 as amended by S.I. 1993/257 and 1994/111. Part II only of S.I. 1992/1974 was made under section 3 of the 1986 Act.

(3) S.I. 1994/2524.

(4) **1862 c. 97, 1864 c. 118 and 1868 c. 123. These Acts (with the exception of certain provisions of the 1868 Act) were repealed by the Salmon Act 1986 (c. 62), section 41 and Schedule 5.**

(5) Byelaw subsequently enacted as Schedule D to the Salmon Fisheries (Scotland) Act 1868 (c. 123) by section 10 of that Act. Schedule D was repealed by the Salmon Act 1986, section 41 and Schedule 5. Byelaw retained in effect by section 3(1) of the 1986 Act.

(6) Byelaw subsequently enacted as Schedule F to the Salmon Fisheries (Scotland) Act 1868 by section 10 of that Act. Schedule F was repealed by the Salmon Act 1986, section 41 and Schedule 5. Byelaw retained in effect by section 3(1) of the 1986 Act.

(7) Byelaw subsequently enacted as Schedule G to the Salmon Fisheries (Scotland) Act 1868 by section 10 of that Act. Schedule G was amended by the Salmon and Freshwater Fisheries (Protection) (Scotland) Act 1951 (c. 26), Schedule 1 and by the Electricity (Scotland) Act 1979 (c. 11), Schedule 11 and revoked by the Salmon Act 1986, section 41 and Schedule 5. Byelaw retained in effect by sections 3(1) and 10(1) of the 1986 Act but revoked for certain purposes and revoked prospectively for others by the Salmon (Fish Passes and Screens) (Scotland) Regulations 1994 (S.I. 1994/2524).

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EXPLANATORY NOTE

(This note is not part of the Order)

This Order designates the area described in Schedule 1 as a salmon fishery district to be known as the Alness Salmon Fishery District (article 2(1) and Schedule 1) and abolishes the existing Alness Salmon Fishery District which is superseded by it (article 2(2)).

The Order applies those regulations made under section 3 of the Salmon Act 1986 and 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, set out in Schedule 2 to the Order, to the district designated (article 3 and Schedule 2).

The Order makes provision for the annual close time and for the period during which fishing for and taking salmon by rod and line is permitted (article 4).