



# Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003

2003 asp 15

## PART 1

### METHODS OF FISHING AND OFFENCES RELATED TO FISHING

#### *Close times for salmon*

#### **15 Removal of boats and nets during annual close time**

- (1) The proprietor or occupier of any salmon fishery shall within thirty-six hours after the commencement of the annual close time—
  - (a) remove and carry from such fishery, and from the landing places and grounds adjacent thereto, all boats, oars, nets, engines and other tackle used or employed by such occupier in taking salmon; and
  - (b) effectually secure the same so as to prevent their being used in fishing until the end of the close time,with the exception of such boats and oars as may be used in angling.
- (2) The proprietor or occupier of any cruive shall within thirty-six hours after the commencement of the annual close time—
  - (a) remove and carry away all the hecks, rails and inscales;
  - (b) effectually secure the same so as to prevent their being used in fishing; and
  - (c) remove all planks and temporary fixtures and other obstructions to the free passage of fish through the cruive.
- (3) Any proprietor or occupier who fails to comply with the duty imposed by subsection (1) or, as the case may be, (2) above shall be guilty of an offence, and liable on summary conviction to a fine not exceeding level 4 on the standard scale.
- (4) A person who commits an offence under this section may be convicted on the evidence of one witness.
- (5) Nothing in this section applies to—

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*Status: This is the original version (as it was originally enacted).*

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- (a) any ferry-boat or prevents the continued use of any boat by the owner, or the family of the owner, of lands, if the boat has the owner's name painted on it, and is secured, when not in use for lawful purposes, by lock and key;
- (b) the pins fixed in the ground to assist in the support of the stakes or poles of fly nets or other stake nets;
- (c) the fastenings fixed in rocks for the support of bag nets; or
- (d) the pins and poles of certificated fixed engines.