



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

2003 asp 15

PART 1

METHODS OF FISHING AND OFFENCES RELATED TO FISHING

[^{F1}Unauthorised introduction of fish into inland waters]

[^{F1}33B Power to modify district salmon fishery boards' functions under section 33A

- (1) This section applies to the functions of the appropriate authority under section 33A(3)(b) and (3A) of this Act (the “consenting functions”) so far as the functions may be carried out by district salmon fishery boards.
- (2) The Scottish Ministers may by regulations—
 - (a) provide for the consenting functions to be carried out by the Scottish Ministers instead of district salmon fishery boards in specified cases or circumstances,
 - (b) provide for applications made to district salmon fishery boards for consent under section 33A of this Act to be referred to the Scottish Ministers in specified cases or circumstances,
 - (c) in relation to an application referred to the Scottish Ministers by virtue of provision made under paragraph (b) above, provide for the Scottish Ministers—
 - (i) to determine the application and to carry out the consenting functions in relation to the application, or
 - (ii) to issue directions to the district salmon fishery board to which the application was made about the determination of the application and the carrying out of the consenting functions in relation to the application.
- (3) Regulations under subsection (2) above may—
 - (a) make different provision for different purposes, including different provision for—
 - (i) different district salmon fishery districts, or

Changes to legislation: *There are currently no known outstanding effects for the Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003, Section 33B. (See end of Document for details)*

- (ii) different inland waters or parts of such waters,
 - (b) include incidental, supplemental, consequential, transitional, transitory or saving provision.
- (4) In subsection (2) above, “specified” means specified in regulations under that subsection.]

Textual Amendments

F1 S. 33B inserted (16.9.2013) by [Aquaculture and Fisheries \(Scotland\) Act 2013 \(asp 7\)](#), **ss. 32(3), 66(2)** (with s. 65); [S.S.I. 2013/249](#), art. 2

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