



Aquaculture and Fisheries (Scotland) Act 2007

2007 asp 12

PART 5

MISCELLANEOUS

35 **Unauthorised introduction of fish into inland waters**

- (1) Section 24 of the 2003 Act is repealed.
- (2) After section 33 of that Act (salmon fishing: regulations as to baits and lures), insert—

“Unauthorised introduction of fish into inland waters

33A Unauthorised introduction of fish into inland waters

- (1) A person shall be guilty of an offence if the person intentionally introduces any live fish or live spawn of any fish into inland waters.
- (2) A person shall be guilty of an offence if the person possesses any live fish or live spawn of any fish with the intention of introducing it into inland waters.
- (3) A person shall not be guilty of an offence under this section if—
 - (a) the inland waters concerned constitute or are included in a fish farm, or
 - (b) the appropriate authority have previously consented in writing.
- (4) Where—
 - (a) the fish concerned are salmon or the spawn concerned are salmon spawn, and
 - (b) the inland waters concerned are in a salmon fishery district for which there is a district salmon fishery board,the district salmon fishery board are the appropriate authority.

In any other case the Scottish Ministers are the appropriate authority.

Status: This is the original version (as it was originally enacted).

- (5) Any person guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (6) A person who commits an offence under this section may be convicted on the evidence of one witness.”.