



Aquaculture and Fisheries (Scotland) Act 2007

2007 asp 12

PART 5

MISCELLANEOUS

VALID FROM 01/08/2008

35 Unauthorized 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- (1) Section 24 of the 2003 Act is repealed.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—

“Unauthorized introduction of fish into inland waters

33A Unauthorized 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

Status: Point in time view as at 01/08/2007. This version of this provision is not valid for this point in time.

Changes to legislation: There are currently no known outstanding effects for the Aquaculture and Fisheries (Scotland) Act 2007, Section 35. (See end of Document for details)

(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.

(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.”.

Commencement Information

II [S. 35](#) in force at 1.8.2008 by [S.S.I. 2007/333](#), [art. 2\(2\)](#)

Status:

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Changes to legislation:

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