

**2012 No. 210**

**RIVER**

**SALMON AND FRESHWATER FISHERIES**

**The Annual Close Time (Permitted Periods of Fishing) (River  
Dee (Aberdeenshire) Salmon Fishery District) Order 2012**

<i>Made</i> - - - -	<i>26th June 2012</i>
<i>Laid before the Scottish Parliament</i>	<i>28th June 2012</i>
<i>Coming into force</i> - -	<i>1st October 2012</i>

The Scottish Ministers make the following Order in exercise of the powers conferred by section 37(3) of the Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003<sup>(a)</sup> and all other powers enabling them to do so.

In accordance with paragraphs 10, 11 and 14(1) of Schedule 1 to that Act, they have consulted such persons as they considered appropriate, directed that notice be given of the general effect of this Order and considered objections made.

**Citation and commencement**

1. This Order may be cited as the Annual Close Time (Permitted Periods of Fishing) (River Dee (Aberdeenshire) Salmon Fishery District) Order 2012 and comes into force on 1st October 2012.

**Periods permitted to fish for and take salmon by rod and line within the annual close time**

2.—(1) Paragraph (2) applies to the part of the River Dee (Aberdeenshire) salmon fishery district comprising the River Dee<sup>(b)</sup>.

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(a) 2003 asp 15.

(b) The limits of the District of the River Dee (Aberdeenshire) are defined in the Byelaw made by the Commissioners appointed under the Salmon Fisheries (Scotland) Acts 1862 to 1868 dated 24th December 1862 which was enacted as Schedule A to the Salmon Fisheries (Scotland) Act 1868 (c.123). An illustrative map showing the extent of the River Dee and its tributaries is appended to the Explanatory Note to this Order.

(2) The periods prescribed within the annual close time for salmon(a) when it is permitted to fish for and take salmon by rod and line are—

(a) in 2012, 1st to 15th October 2012; and

(b) in each subsequent year, 1st February to 10th February and 27th August to 15th October, all dates inclusive.

*WILLIE COWAN*

A member of the staff of the Scottish Ministers

Victoria Quay,  
Edinburgh  
26th June 2012

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(a) The period of the annual close time for salmon for the River Dee (Aberdeenshire) salmon fishery district is from 27th August to 10th February, both dates inclusive, by virtue of the District of the River Dee (Aberdeenshire) (Annual Close Time) Order 1950 (S.I. 1950/229 (s.18)), as read with the provisions referred to in section 37(2)(b) of the Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003 (asp 15). In addition, the Annual Close Time (River Dee (Aberdeenshire) Salmon Fishery District) Order 1989 (S.I. 1989/1499 (“the 1989 Order”)) prescribes 27th August to 31st October as the period during the close time when it is permitted to fish for or take salmon by rod and line in that part of the district described in the schedule to the 1989 Order (River Carron and the River Cowie).

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

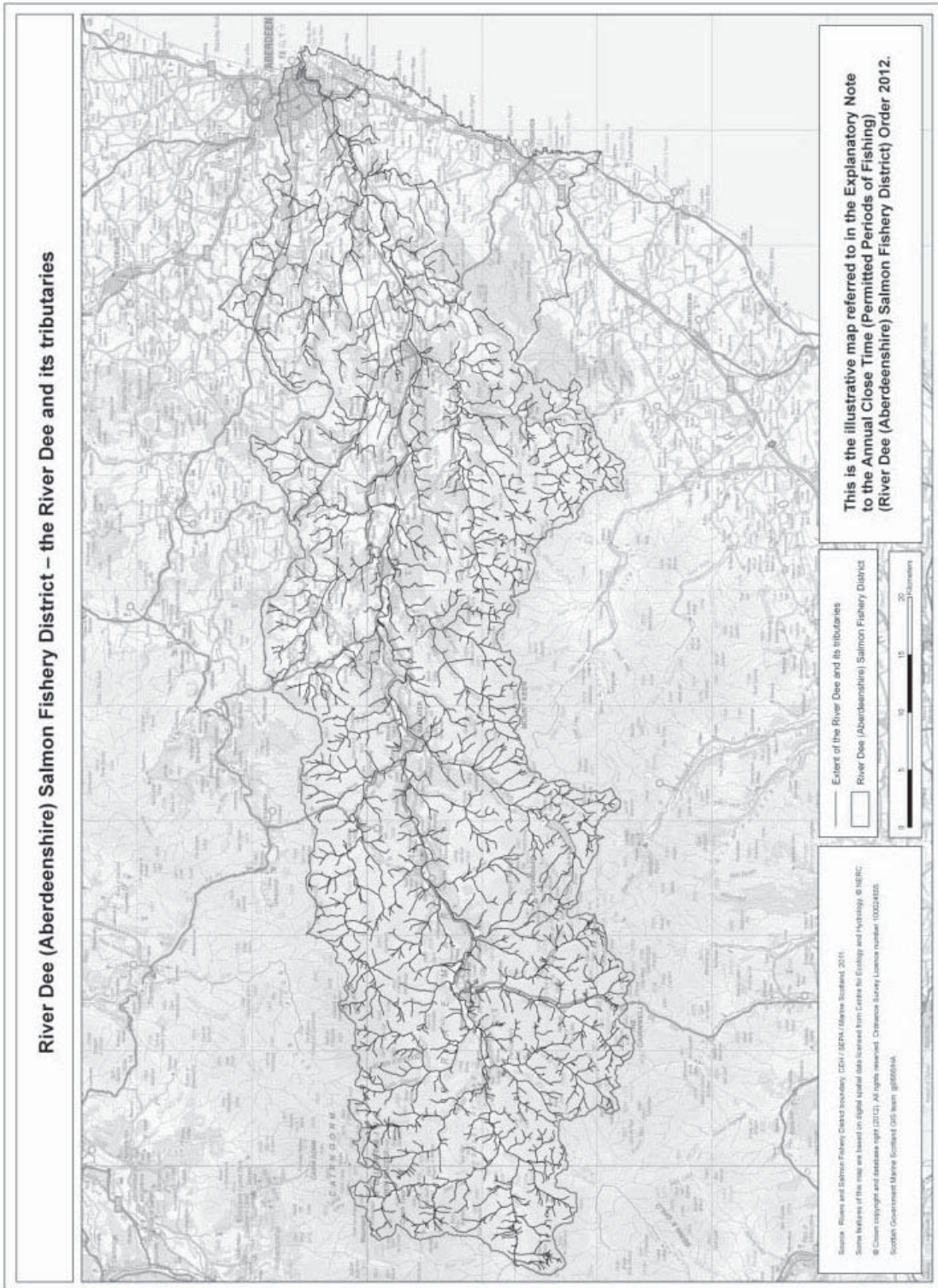
The annual close time of the River Dee (Aberdeenshire) salmon fishery district for the purposes of section 37(1) and (2) of the Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003 (“the 2003 Act”) is 27th August to 10th February, by virtue of the District of the River Dee (Aberdeenshire) (Annual Close Time) Order 1950 (S.I. 1950/299).

Section 37 of the 2003 Act prohibits all modes of fishing for and taking salmon in a salmon fishery district during the annual close time. It is an offence under section 14 of the 2003 Act to fish for or take salmon during the annual close time. An exception to this is where provision has been made for periods within the annual close time during which fishing for and taking salmon by rod and line is permitted.

It is permitted to fish for or take salmon by rod and line in the River Carron and the River Cowie within the district by virtue of the Annual Close Time (River Dee (Aberdeenshire) Salmon Fishery District) Order 1989 (S.I. 1989/1499).

This Order prescribes the periods when rod and line fishing for salmon is permitted during the annual close time in the part of the salmon fishery district comprising the River Dee. The periods are 1st February to 10th February and 27th August to 15th October in each year, and 1st to 15th October in 2012, all dates inclusive (article 2(2)). A map illustrating the extent of the River Dee within the district is appended to this note for information purposes only.

A Business Regulatory Impact Assessment (“BRIA”) has been prepared in relation to this Order and placed in the Scottish Parliament Information Centre. Copies of the BRIA are available from Marine Scotland, Victoria Quay, Leith, Edinburgh, EH6 6QQ and on line at [www.legislation.gov.uk](http://www.legislation.gov.uk).









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