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DRAFT STATUTORY INSTRUMENTS

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**2006 No.**

**The Scotland Act 1998 (River Tweed) Order 2006**

**PART 2**

**METHODS OF FISHING AND OFFENCES RELATED TO FISHING**

*Close times for salmon*

**Buying and selling salmon in annual close time**

**39.**—(1) Any person who buys, sells, exposes for sale or is in possession of any salmon within the district during the period when the annual close time is in force in the district, shall be guilty of an offence, and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(2) It shall be a defence to a prosecution brought under this article for the accused to prove that the salmon was caught lawfully.

(3) The burden of proving that any salmon was caught lawfully shall lie on the person charged with selling, exposing for sale or being in possession of, the salmon.

(4) A person who commits an offence under this article may be convicted on the evidence of one witness.