
DRAFT STATUTORY INSTRUMENTS

2006 No.

The Scotland Act 1998 (River Tweed) Order 2006

PART 4

PROVISIONS APPLICABLE ONLY IN SCOTLAND

Administration of freshwater fisheries

Appointment of wardens to secure compliance with protection order

69.—(1) For the purpose of securing compliance with a protection order, the Scottish Ministers may appoint as wardens such persons as they think fit from among persons nominated to them by or on behalf of an owner of land to which a right of fishing for freshwater fish pertains or by or on behalf of an occupier of such a right in any inland waters in the prescribed area.

(2) A warden appointed under paragraph (1) or a constable may—

- (a) make enquiry as to the legal right or written permission of any person to fish for or take freshwater fish in any waters in the prescribed area where there is reasonable cause to suspect that that person has no such right or permit and may require that person to produce written evidence of such right or permission within 14 days; and
- (b) if there is reasonable cause to suspect that a contravention of a prohibition contained in a protection order has taken place within the prescribed area, seize any instrument or article used or calculated to be of use in such contravention.

(3) In this article, “inland waters” does not include the tidal parts of the district.