

## SCHEDULE 4

Article 77

### CONSEQUENTIAL AMENDMENTS, REPEALS AND REVOCATIONS

#### PART 1

#### CONSEQUENTIAL AMENDMENTS

##### *Sea Fish (Conservation) Act 1967 (c. 84)*

1. In section 18 (enforcement of orders in relation to salmon and migratory trout) of the Sea Fish (Conservation) Act 1967, after subsection (2)(1), there shall be inserted the following subsection—

“(3) Where any order under the said section 4, 5 or 6 imposes any prohibition or restriction on fishing for salmon or migratory trout within any waters which form part of the Tweed district (as defined in article 2(1) of the Scotland Act 1998 (River Tweed) Order 2006 (S.I. 2006/ )), or on landing salmon or migratory trout at a place within that district, the provisions of articles 57 to 62 and 64(3) and (4) of that Order (which relate to enforcement and forfeiture) shall apply in relation to any contravention of the orders mentioned above as they apply in relation to a contravention of that Order.”.

##### *Salmon and Freshwater Fisheries Act 1975 (c. 51)*

2. In subsection (1) of section 39 (Border rivers and Solway Firth) of the Salmon and Freshwater Fisheries Act 1975, for the words from “means”, to the end there shall be substituted the words “means the Tweed district (as defined in article 2(1) of the Scotland Act 1998 (River Tweed) Order 2006 (S.I. 2006/ )).”.

##### *Inshore Fishing (Scotland) Act 1984 (c. 26)*

3. After section 7(2) of the Inshore Fishing (Scotland) Act 1984 there shall be inserted the following section—

#### **“Powers of water bailiffs in the Tweed district etc.**

7A.—(1) This section applies where an order under section 1 of this Act imposes any prohibition or restriction on fishing for salmon or migratory trout within any waters which form part of the Tweed district (as defined in article 2(1) of the Scotland Act 1998 (River Tweed) Order 2006 (S.I. 2006/ )).

(2) Any water bailiff or constable or any person appointed by the Scottish Ministers in pursuance of article 59(5) of that Order may exercise in relation to a contravention of an order referred to in subsection (1) any of the powers conferred upon him in relation to a contravention of that Order.

(3) The provisions of articles 57 to 62 and 64(3) and (4) of that Order shall apply in relation to an order referred to in subsection (1) as they apply in relation to a contravention of that Order.”.

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(1) Section 18(2) was substituted in respect of Scotland only by the [Salmon and Freshwater \(Consolidation\) \(Scotland\) Act 2003 \(asp 15\)](#) (“the 2003 Act”), section 70 and Schedule 4, paragraph 1.

(2) Section 7 was amended in respect of Scotland only by the 2003 Act, section 70 and Schedule 4, paragraph 2.

*Scotland Act 1998 (c. 46)*

4. In subsection (4) of section 111 of the Scotland Act 1998 (regulation of Tweed and Esk fisheries), in the definition of “the River Tweed”, for the words from “has” to the end there shall be substituted the words “means the Tweed district (as defined in article 2(1) of the Scotland Act 1998 (River Tweed) Order 2006 (S.I. 2006/ )):”.

## PART 2

## REPEALS AND REVOCATIONS

<i>Enactment</i>	<i>Extent of repeal or revocation</i>
Theft Act 1607 (c. 6)	The words “and fisches in propir stankis and loches”.
Tweed Fisheries Act 1857 (c.cxlviii)	The whole Act.
Tweed Fisheries Amendment Act 1859 (c.lxx)	The whole Act.
Salmon Fisheries (Scotland) Act 1868 (c. 123)	The whole Act.
Freshwater Fish (Scotland) Act 1902 (c. 29)	The whole Act.
Trout (Scotland) Act 1933 (c. 35)	The whole Act.
Salmon and Freshwater Fisheries (Protection) (Scotland) Act 1951 (c. 26)	The whole Act.
Rivers (Prevention of Pollution) (Scotland) Act 1965 (c. 13)	Section 13(1).
Tweed Fisheries Act 1969 (c.xxiv)	The whole Act.
Control of Pollution Act 1974 (c. 40)	In Schedule 3, paragraph 11.
Freshwater and Salmon Fisheries (Scotland) Act 1976 (c. 22)	The whole Act.
Fishery Limits Act 1976 (c. 86)	In Schedule 2, paragraph 12.
Fisheries Act 1981 (c. 29)	In Schedule 4, paragraphs 18 to 25.
Salmon Act 1986 (c. 62)	The whole Act, except section 31.
Water Act 1989 (c. 15)	In Schedule 17, paragraph 4.
Criminal Procedure (Consequential Provisions) (Scotland) Act 1995 (c. 40)	In Schedule 4, paragraph 11.
Deregulation (Salmon Fisheries (Scotland) Act 1868) Order 1996 (S.I. 1996/1211)	The whole Order.
Scotland Act 1998 (Border Rivers) Order 1999 (S.I. 1999/1746)	Part 3.
Salmon Conservation (Scotland) Act 2001 (asp 3)	The whole Act.