

SCHEDULE 4

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.”.

(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.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: The Scotland Act 1998 (River Tweed) Order 2006 No. 2913

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/))”.