



Tweed Fisheries Amendment Act 1859

1859 CHAPTER lxx 22 and 23 Vict

XI Removal of Boats and Nets used in fishing.

On or before the Seventeenth Day of *September* in every Year, every Occupier of a Fishery in the River shall and he is hereby required to remove from every Fishery, Fishing Shield, and Fishing Ground, and Houses and Premises occupied or used by him, all Boats, Oars, Nets, Engines, and other Tackle used and employed in taking and killing Salmon (excepting Boats with their Oars and such other Implements as are used for Angling or Rod-fishing), and to carry away the same to some Place or Places to be from Time to Time appointed by the Commissioners, where the same can be securely lodged and kept until the Thirteenth Day of *February* in the following Year; and each Boat with its Oars and other Implements as aforesaid so retained for the Purpose of Angling or Rod-fishing shall be removed or carried away on or before the Third Day of *December* in every Year, and shall be lodged and kept and remain as aforesaid until the Thirtieth Day of *January* in the following Year; and every such Occupier who neglects or refuses to remove and carry away all and every such Boats, Oars, Nets, Engines, and other Tackle as aforesaid, and to keep the same secured from the said Fisheries and Premises during the Period aforesaid, shall for every such Offence be liable to a Penalty not exceeding [^{F1}£50][^{F2}level 2 on the standard scale], and all such Boats, Oars, Nets, Engines, and other Tackle not removed or kept secured as aforesaid shall be forfeited: Provided always, that this Enactment shall not be held or construed to extend to public Ferry Boats, or to Boats used by any Owner or Occupier of Land adjoining the River solely for the Transport of himself, or his Family or Servants, or any Persons in his Employment; provided also, that all such last-mentioned Boats shall be under and subject to the Regulations prescribed in the recited Act with respect thereto; provided further, that this Enactment, so far as it requires Nets to be carried away to some Place or Places to be appointed by the Commissioners, shall not apply to the Stake Nets or Bag Nets to be set or placed as provided for by the Twelfth Section of this Act, but that all such Nets shall, on or before the Seventeenth Day of *September* in every Year, be removed and carried away from the said Fisheries and from the Strand or Shore, and kept in such Places as may be provided by the Owners of such Nets.

Changes to legislation: There are currently no known outstanding effects for the Tweed Fisheries Amendment Act 1859, Section XI. (See end of Document for details)

Textual Amendments

- F1** Words substituted by virtue of (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21\), s. 289C\(4\)\(5\)\(8\)](#) and (E.W.) [Criminal Law Act 1977 \(c. 45\), s. 31.\(5\)\(6\)\(9\)](#)
- F2** Words “level 2 on the standard scale” substituted (E.W.S.) for words “£50” by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\), s. 46](#) and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\), s. 289G](#)
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Modifications etc. (not altering text)

- C1** S. XI amended by [Freshwater and Salmon Fisheries \(Scotland\) Act 1976 \(c. 22\), s. 7, Sch. 3 Pt. I para. 3, Pt. II para. 10](#)
- C2** S. XI: power to amend conferred by [Salmon Act 1986 \(c. 62, SIF 52:2\), ss. 8, 10\(6\)](#)

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