



Tweed Fisheries Amendment Act 1859

1859 CHAPTER lxx 22 and 23 Vict

XII Regulating Stake and Bag Nets.

All Stake Nets and Bag Nets set or placed beyond the Limits of the Mouth or Entrance of the said River, as defined by the Forty-first Section of the recited Act and within the extended Limits defined by this Act, shall be subject to the following Provisions and Regulations:

The Nets used in the Formation and Construction of such Stake Nets and of the Leaders of such Bag Nets shall be extended evenly in such Manner that the Meshes of such Nets shall be stretched to their full Opening:

Every such Stake Net shall be so placed and constructed as that clear Openings for the free Passage of Salmon, as herein-after provided, can be made in the Traps or Chambers thereof:

In every such Stake Net there shall be made, and kept free from Obstruction during the whole Period of the Weekly Close Time, a clear Opening of at least [^{F1}90cm] in Width in the Traps or Chambers of such Stake Net from the Bottom to the Top thereof, so as effectually to allow of the free Passage of Salmon through such Traps or Chambers during the whole Period of the Weekly Close Time:

Every such Bag Net shall be so placed and constructed as that the Netting of the Leaders thereof can be raised and kept out of the Water:

The Netting of the Leader of every such Bag Net shall during the whole Period of the Weekly Close Time be raised and kept out of the Water:

[^{F2}The nets used in the formation and construction of stake nets and bag nets shall not comprise monofilament netting that is to say any netting containing any mesh, the sides of which consists of a single filament of synthetic material:

The leader of any bag net or stake net shall not exceed 300m in length.]

And every Person committing any Breach or Contravention of the said Provisions and Regulations shall for every such Offence be liable to a Penalty not exceeding [^{F3F4}£25][^{F4}level 1 on the standard scale], and an additional Penalty of [^{F5F6}50p][^{F6}level 1 on the standard scale] for each Salmon taken in or by means of any Bag or Stake Nets set, placed, or used contrary to the said Provisions and Regulations, and shall also forfeit any Salmon so taken, and every Bag or Stake Net so set, placed, or used; provided that nothing herein contained shall be construed to render liable to any Penalty or Forfeiture any Person who shall be prevented by Storm or Stress of Weather

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

from making such Openings in Stake Nets, or removing such Leaders of Bag Nets as aforesaid, or from removing such Stake Nets or Bag Nets at the Commencement of the Annual Close Time, in respect of any such Act or Omission while he shall be so prevented.

Textual Amendments

- F1** Words in s. XII substituted (1.1.1993) by S.I. 1992/1974, reg. 10(1)(a)
- F2** Provisions and regulations in s. XII inserted (1.1.1993) by S.I. 1992/1974, reg. 10(1)(b)
- F3** 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)
- F4** Words “level 1 on the standard scale” substituted (E.W.S.) for words “£25” 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
- F5** Words substituted by virtue of [Decimal Currency Act 1969 \(c. 19\)](#), s. 10(1)
- F6** Words “level 1 on the standard scale” substituted (E.W.S.) for words “50p” by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), ss. 38, 46 and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), ss. 289F, 289G

Modifications etc. (not altering text)

- C1** S. XII: power to amend conferred by [Salmon Act 1986 \(c. 62, SIF 52:2\)](#), ss. 3(2)(a), 10(6)(a)
- C2** S. XII: power to amend conferred by [Salmon Act 1986 \(c. 62, SIF 52:2\)](#), ss. 3(2)(d), 10(6)(b)

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