



Salmon and Freshwater Fisheries Act 1975

1975 CHAPTER 51

PART I

PROHIBITION OF CERTAIN MODES OF TAKING OR DESTROYING FISH, ETC.

1 Prohibited implements.

- (1) ^{F1}... no person shall—
- (a) use any of the following instruments, that is to say—
 - (i) a firearm within the meaning of the ^{M1}Firearms Act 1968;
 - (ii) an otter lath or jack, wire or snare;
 - (iii) a crossline or setline;
 - (iv) a spear, gaff, ^{F2}tailer,] stroke-haul, snatch or other like instrument;
 - (v) a light;for the purpose of taking or killing ^{F3}salmon, trout, eels, lampreys, smelt, shad, freshwater fish and any specified fish in any waters];
 - (b) have in his possession any instrument mentioned in paragraph (a) above intending to use it to take or kill ^{F4}any such fish in any waters];
 - (c) throw or discharge any stone or other missile for the purpose of taking or killing, or facilitating the taking or killing of ^{F5}any such fish in any waters].

^{F6}(1A) In this section “ specified fish ” means fish of such description as may be specified for the purposes of this section by order under section 40A below.

- (1B) The appropriate national authority may by order amend subsection (1)(a) above so as to—
- (a) add any instrument to it; or
 - (b) remove any instrument for the time being specified in it.]

- (2) If any person contravenes this section, he shall be guilty of an offence unless he proves to the satisfaction of the court that the act was done for the purpose of the preservation or development of a private fishery and with the previous permission in writing of ^{F7}the appropriate agency].

Changes to legislation: There are currently no known outstanding effects for the Salmon and Freshwater Fisheries Act 1975, Section 1. (See end of Document for details)

(3) In this section—

“crossline” means a fishing line reaching from bank to bank across water and having attached to it one or more lures or baited hooks;

“otter lath or jack” includes any small boat or vessel, board, stick or other instrument, whether used with a hand line, or as auxiliary to a rod and line, or otherwise for the purpose of running out lures, artificial or otherwise;

“setline” means a fishing line left unattended in water and having attached to it one or more lures or baited hooks;

“stroke-haul or snatch” includes any instrument or device, whether used with a rod and line or otherwise, for the purpose of foul hooking any fish.

[^{F8}(3A) References in this section to any waters include waters adjoining the coast of England and Wales to a distance of six nautical miles measured from the baselines from which the breadth of the territorial sea is measured.]

^{F9}(4)

Textual Amendments

- F1** Words in s. 1(1) repealed (12.1.2010) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), ss. 215(7)(a), 324(3), **Sch. 22 Pt. 5(B)**; S.I. 2009/3345, art. 2, Sch. paras. 10, 27(b)
- F2** Word in s. 1(1)(a)(iv) inserted (12.1.2010) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), **ss. 215(2)(a)**, 324(3); S.I. 2009/3345, art. 2, Sch. para. 10
- F3** Words in s. 1(1)(a) substituted (12.1.2010) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), **ss. 215(2)(b)**, 324(3); S.I. 2009/3345, art. 2, Sch. para. 10
- F4** Words in s. 1(1)(b) substituted (12.1.2010) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), **ss. 215(3)**, 324(3); S.I. 2009/3345, art. 2, Sch. para. 10
- F5** Words in s. 1(1)(c) substituted (12.1.2010) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), **ss. 215(4)**, 324(3); S.I. 2009/3345, art. 2, Sch. para. 10
- F6** S. 1(1A)(1B) inserted (12.11.2009 for specified purposes, 12.1.2010 in so far as not already in force) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), **ss. 215(5)**, 324(1)(c), 324(1)(d); S.I. 2009/3345, art. 2, Sch. para. 10
- F7** Words in s. 1(2) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\)](#), art. 1(2), **Sch. 2 para. 128** (with Sch. 7)
- F8** S. 1(3A) inserted (12.1.2010) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), **ss. 215(6)**, 324(3); S.I. 2009/3345, art. 2, Sch. para. 10
- F9** S. 1(4) repealed (12.1.2010) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), ss. 215(7)(b), 324(3), **Sch. 22 Pt. 5(B)**; S.I. 2009/3345, art. 2, Sch. paras. 10, 27(b)

Marginal Citations

- M1** 1968 c. 27.

Changes to legislation:

There are currently no known outstanding effects for the Salmon and Freshwater Fisheries Act 1975, Section 1.