



Salmon and Freshwater Fisheries Act 1975

1975 CHAPTER 51

PART II

OBSTRUCTIONS TO PASSAGE OF FISH

- 15** [^{F1}Power of appropriate agency] to use [^{F2}screens]etc. to limit movements of salmon and trout.
- (1) [^{F3}The appropriate agency—]
- (a) may cause a [^{F2}screen] or [^{F2}screens] of such form and dimensions as [^{F4}it] may determine to be placed and maintained, at the [^{F5}expense of the appropriate agency, at a suitable] place in any watercourse, mill race, cut, leat, conduit or other channel for conveying water for any purpose from any waters frequented by salmon or migratory trout; and
 - (b) may cause any watercourse, mill race, cut, leat, conduit or other channel in which a [^{F2}screen] is placed under this section to be widened or deepened at the [^{F6}expense of the appropriate agency so far] as may be necessary to compensate for the diminution of any flow of water caused by the placing of the [^{F2}screen], or shall take some other means to prevent the flow of water being prejudicially diminished or otherwise injured.
- (2) If any person—
- (a) injures any such [^{F2}screen]; or
 - (b) removed any such [^{F2}screen] or part of any such [^{F2}screen], except during any period of the year during which under a byelaw [^{F2}screens] need not be maintained; or
 - (c) opens any such [^{F2}screen] improperly; or
 - (d) permits any such [^{F2}screen] to be injured, or removed, except as aforesaid, or improperly opened;
- he shall be guilty of an offence.
- (3) [^{F7}The appropriate agency] may adopt such means [^{F8}as in its opinion are necessary] for preventing the ingress of salmon or trout into waters in which they or their

Changes to legislation: There are currently no known outstanding effects for the Salmon and Freshwater Fisheries Act 1975, Section 15. (See end of Document for details)

spawning beds or ova are, from the nature of the channel or other causes, liable to be destroyed.

(4) Nothing in this section shall—

- (a) affect the liability under this Act of any person to place and maintain a [^{F2}screen]; or
- (b) authorise a [^{F2}screen] to be so placed or maintained during any period of the year during which under a byelaw [^{F2}screens] need not be maintained; or
- (c) authorise any [^{F2}screen] to be placed or maintained so as to obstruct any conduit or channel used for navigation or in any way interfere with the effective working of any mill;

and nothing in subsection (3) above shall [^{F9}authorise the appropriate agency prejudicially] to interfere with water rights used or enjoyed for the purposes of manufacturing or for milling purposes or for drainage or navigation.

[^{F10}(5) In this section “ open ”, in relation to a screen which consists of apparatus, includes the doing of anything which interrupts, or otherwise interferes with, the operation of the apparatus.]

Textual Amendments

- F1** Words in s. 15 substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\), art. 1\(2\), Sch. 2 para. 137\(5\)](#) (with Sch. 7)
- F2** Word in s. 15 substituted (1.1.1999) by 1995 c. 25, s. 105, [Sch. 15 para. 14\(1\)](#) (with ss. 7(6), 115, 117); S.I. 1995/1983, [art. 4](#)
- F3** Words in s. 15(1) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\), art. 1\(2\), Sch. 2 para. 137\(2\)\(a\)](#) (with Sch. 7)
- F4** Word in s. 15(1)(a) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\), art. 1\(2\), Sch. 2 para. 137\(2\)\(b\)\(i\)](#) (with Sch. 7)
- F5** Words in s. 15(1)(a) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\), art. 1\(2\), Sch. 2 para. 137\(2\)\(b\)\(ii\)](#) (with Sch. 7)
- F6** Words in s. 15(1)(b) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\), art. 1\(2\), Sch. 2 para. 137\(2\)\(c\)](#) (with Sch. 7)
- F7** Words in s. 15(3) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\), art. 1\(2\), Sch. 2 para. 137\(3\)](#) (with Sch. 7)
- F8** Words in s. 15(3) substituted (1.4.1996) by 1995 c. 25, s. 105, [Sch. 15 para. 14\(3\)\(b\)](#)(with ss. 7(6), 115, 117); S.I. 1996/186, [art. 3](#)
- F9** Words in s. 15(4) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\), art. 1\(2\), Sch. 2 para. 137\(4\)](#) (with Sch. 7)
- F10** S. 15(5) added (1.1.1999) by 1995 c. 25, s. 105, [Sch. 15 para. 14\(4\)](#) (with ss. 7(6), 115, 117); S.I. 1995/1983, [art. 4](#)

Changes to legislation:

There are currently no known outstanding effects for the Salmon and Freshwater Fisheries Act 1975, Section 15.