



Salmon and Freshwater Fisheries Act 1975

1975 CHAPTER 51

PART V

ADMINISTRATION AND ENFORCEMENT

Powers of water bailiffs etc.

33 Orders and warrants to enter suspected premises.

- (1) Where from a statement on oath of a water bailiff or any other [^{F1}officer of the appropriate agency, or any person] appointed by the Minister, it appears to any justice of the peace that the person making the statement has good reason to suspect that any offence against this Act is being or is likely to be committed on any land situate on or near to any waters, the justice may by order under his hand authorise him, during a period not exceeding 24 hours to be specified in the order, to enter upon and remain on the land during any hours of the day or night for the purpose of detecting the persons committing the offence.
- (2) Any justice of the peace upon an information on oath that there is probable cause to suspect any offence against this Act to have been committed on any premises, or [^{F2} or an offence against this Act to have been committed in the taking of any fish], or any illegal nets or other instruments to be on any premises, by warrant under his hand and seal may authorise any water bailiff or other [^{F3}officer of the appropriate agency, or any person] appointed by the Minister, or any constable, to enter the premises for the purposes of detecting the offence or the fish, nets or other instruments, at such times of the day or night as are mentioned in the warrant, and to
 - [^{F4}(a) seize any illegal net or other instrument, or any net or other instrument suspected to have been illegally used, that may be found on the premises;
 - (b) seize any fish suspected to have been illegally taken or sold that may be found on the premises; or
 - (c) disable or destroy any dam, fishing weir, fishing mill dam or fixed engine suspected to have operated or been used illegally that may be found on the premises.]

Changes to legislation: There are currently no known outstanding effects for the Salmon and Freshwater Fisheries Act 1975, Section 33. (See end of Document for details)

- (3) A warrant under subsection (2) above shall not continue in force for more than [^{F5} three months].

Textual Amendments

- F1** Words in s. 33(1) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\)](#), art. 1(2), **Sch. 2 para. 145** (with Sch. 7)
- F2** Words in s. 33(2) substituted (12.1.2010) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(3), **Sch. 16 para. 12**; S.I. 2009/3345, art. 2, Sch. para. 15(d)
- F3** Words in s. 33(2) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\)](#), art. 1(2), **Sch. 2 para. 145** (with Sch. 7)
- F4** S. 33(2)(a)-(c) substituted (12.1.2010) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), **ss. 220(4)**, 324(3); S.I. 2009/3345, art. 2, Sch. para. 12
- F5** Words in s. 33(3) substituted (12.1.2010) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), **ss. 220(5)**, 324(3); S.I. 2009/3345, art. 2, Sch. para. 12

Modifications etc. (not altering text)

- C1** S. 33 extended (30.6.1999) by S.I. 1999/1746, **arts. 1(1)**, 8(1) (with art. 2); S.I. 1998/3178, **art. 3**
- C2** By [Salmon Act 1986 \(c. 62, SIF 52:2\)](#), **ss. 32(6)(b)**, 43(4) it is provided that s. 33(2) is amended (E.W. and as mentioned in the said s. 43(4) (border rivers))

Changes to legislation:

There are currently no known outstanding effects for the Salmon and Freshwater Fisheries Act 1975, Section 33.