



# Salmon Act 1986

## 1986 CHAPTER 62

### PART I

#### ADMINISTRATION OF SALMON FISHERIES IN SCOTLAND

##### *Salmon fishery districts*

#### **1 Salmon fishery districts.**

- [<sup>F1</sup>(1) A salmon fishery district shall be the area within the coastal limits of a district (within the meaning of the Salmon Fisheries (Scotland) Acts 1862 to 1868) and extending—
- (a) seaward for three miles from mean low water springs and
  - (b) landward to include the catchment area of each river which flows directly or indirectly into the sea within these limits
- but excluding any area designated as a salmon fishery district by an order made under subsection (2) below.
- (2) Notwithstanding subsection (1) above, the Secretary of State may, in accordance with section 2 of this Act, by order designate any area as a salmon fishery district, whether or not it includes all or part of a salmon fishery district—
- (a) established by subsection (1) above; or
  - (b) already designated as such by an order made under this subsection;
- and such an order is referred to in this Act as a “designation order”.
- (3) Districts within the meaning of the Salmon Fisheries (Scotland) Acts 1862 to 1868 shall cease to exist and, subject to subsection (6) below—
- (a) any reference in any enactment to a particular district within that meaning shall be construed as a reference to the salmon fishery district established by subsection (1) above which has the same coastal limits as that district; and
  - (b) for references in any enactment, excluding this Act, to such districts in general there shall be substituted references to salmon fishery districts

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*Changes to legislation: There are currently no known outstanding effects for the Salmon Act 1986, Cross Heading: Salmon fishery districts. (See end of Document for details)*

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and a salmon fishery district which has the same coastal limits as a district within the meaning of these Acts shall have the same name as that district.

- (4) After consulting such persons as he thinks fit, the Secretary of State may, by order made by statutory instrument—
- (a) where an island or part of an island is not within the area of a salmon fishery district by virtue of subsections (1) or (2) above, include in the area of a salmon fishery district—
    - (i) that island or that part; and
    - (ii) the sea within three miles from mean low water springs on that island or that part;
  - (b) where there is doubt as to whether a particular place is in a particular salmon fishery district, make provision for the purpose of removing that doubt; or
  - (c) change a reference used in describing a salmon fishery district where the suitability of that reference for that purpose has lessened or ceased
- but such an order shall not create a salmon fishery district.
- (5) The River Tweed shall not be a salmon fishery district except as otherwise provided in this Act.
- (6) References in the <sup>M1</sup>Salmon and Freshwater Fisheries (Protection) (Scotland) Act 1951 and in any other enactment as amended by that Act to a district shall be construed as including references to the River Tweed.]

#### Subordinate Legislation Made

- P1** S. 1: power previously exercised by [S.I. 1988/994](#), 1989/1869, 1990/324  
**P2** S. 1(2): s. 1(2) (with s. 2) power exercised by [S.I.1991/2271](#)

#### Textual Amendments

- F1** Ss. 1-3 repealed in part (1.4.2005) by [Salmon and Freshwater Fisheries \(Consolidation\) \(Scotland\) Act 2003 \(asp 15\)](#), s. 71(2), [sch. 4 Pt. 2](#) (with s. 71(3)(4)(6)); [S.S.I. 2005/174](#), art. 2

#### Marginal Citations

- M1** 1951 c. 26.

## 2 Designation orders.

- [<sup>F1</sup>(1) A designation order shall provide for the abolition of such salmon fishery districts as are superseded by the district so designated.
- (2) A designation order shall provide for the application to the district so designated of such regulations—
- (a) made under section 3 of this Act; or
  - (b) made under the Salmon Fisheries (Scotland) Acts 1862 to 1868 as respects the matters specified in section 6(6) of the <sup>M2</sup>Salmon Fisheries (Scotland) Act 1862

as the Secretary of State specifies in the order and he may, in such an order, amend regulations made under section 3(2)(d) of this Act or under section 6(6) of that Act in their application under this subsection.

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**Changes to legislation:** There are currently no known outstanding effects for the Salmon Act 1986, Cross Heading: Salmon fishery districts. (See end of Document for details)

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- (3) Subject to section 6(1) of this Act, a designation order shall specify for the district so designated the annual close time and the periods within that time when it is permitted to fish for and take salmon by rod and line; and the order may make different provision for different parts of the district.
- (4) The power under section 1(2) of this Act to make a designation order shall not extend to the River Tweed.
- (5) Schedule 1 shall have effect as to the procedure in the making of a designation order.
- (6) The Secretary of State may by order vary the provisions of Schedule 1 to this Act.
- (7) An order under subsection (6) above shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.]

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**Subordinate Legislation Made**

**P3** S. 2: power previously exercised by [S.I. 1988/994](#), 1989/1869, 1990/324

**P4** S. 2: s. 1(2) (with s. 2) power exercised by [S.I.1991/2271](#)

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**Textual Amendments**

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**Marginal Citations**

**M2** 1862 c. 97.

**Changes to legislation:**

There are currently no known outstanding effects for the Salmon Act 1986, Cross Heading: Salmon fishery districts.