

*Changes to legislation: There are currently no known outstanding effects for the Salmon Act 1986, SCHEDULE 3. (See end of Document for details)*

## SCHEDULES

### [<sup>F1</sup>SCHEDULE 3

Section 14(8).

#### TRANSITIONAL DISTRICT BOARDS

##### Textual Amendments

**F1** Sch. 3 repealed in part (1.4.2005) by [Salmon and Freshwater Fisheries \(Consolidation\) \(Scotland\) Act 2003 \(asp 15\)](#), s. 71(2), **sch. 4 Pt. 2** (with s.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

- 1 Subject to the provisions of this Schedule, a transitional district board within the meaning of section 14(8) of this Act shall be deemed to be a district salmon fishery board and have the powers and duties of such a board and references to a district salmon fishery board shall, unless the context otherwise requires, include references to a transitional district board.
- 2 (1) Sections 16(2) and 18 of this Act shall not apply to a transitional district board, which may retain the membership which it had at the commencement of section 14 of this Act.  
(2) Subject to paragraph 3 below, vacancies on that board may be filled by the board by an upper or, as the case may be, lower proprietor within the meaning of this Act.  
(3) The chairman or a member of a transitional district board may authorise a person to act for him as chairman or as such a member.
- 3 The chairman of a transitional district board shall be the proprietor whose salmon fishery or, taken together, fisheries in that district has or have the greatest value entered in the valuation roll.
- 4 The clerk to a transitional district board shall prepare a new roll of upper and lower proprietors in that district in accordance with section 11 of this Act so as to include in the roll any proprietors who were not proprietors of salmon fisheries in that district immediately before the commencement of section 14 of this Act.
- 5 (1) A transitional district board may continue to collect the whole or any outstanding part of the fishery assessment imposed under section 23 of the <sup>M1</sup>Salmon Fisheries (Scotland) Act 1862 from proprietors of fisheries on which that assessment had been imposed before the commencement of section 14 of this Act.  
(2) On the expiry of the period of the fishery assessment mentioned above, the board may levy a fishery assessment under section 15 of this Act but only in respect of fisheries in the district on which that assessment had been imposed before the commencement of section 14 of this Act.  
(3) The board may recover arrears of fishery assessment, whether due before or after the commencement of section 14 of this Act, by action for payment of money.

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- (4) The power under subparagraph (3) above to recover arrears of fishery assessment includes power to recover interest, chargeable at such rate as the Secretary of State shall, with the consent of the Treasury, determine, on such arrears from—
- (a) in the case of recovery of arrears due before the date of the coming into force of section 14 of this Act which have been outstanding for at least three months from that date, that date; or
  - (b) in the case of recovery of arrears due in respect of an assessment imposed by a transitional district board which have been outstanding for at least three months from the date of issue of a notice of assessment, that date
- until payment or the commencement of an action for payment, whichever is the earlier.

**Marginal Citations**

**M1** 1862 c. 97.

- 6 A transitional district board shall cease to be deemed a district salmon fishery board and shall cease to have such powers and duties on the expiry of—
- (a) three years from the date of the last meeting of proprietors within the meaning of sections 18 or 24 of the <sup>M2</sup>Salmon Fisheries (Scotland) Act 1862 or section 3 of the <sup>M3</sup>Salmon Fisheries (Scotland) Act 1868; or
  - (b) six months from the date of the commencement of section 14 of this Act, whichever is later.

**Marginal Citations**

**M2** 1862 c. 97.

**M3** 1868 c. 123.

- 7 At any time within the periods specified in paragraph 6 above, the clerk to a transitional district board shall, on the instructions of the board,—
- (a) call a meeting of the upper and lower proprietors of the district, at such time and place as the board may direct, for the purpose of forming an association of proprietors of salmon fisheries for that district and electing a committee to become the district salmon fishery board for that district; and
  - (b) give notice at least once in two successive weeks by advertising in a newspaper circulating in the district of the date, time and place of that meeting.
- 8 Notwithstanding paragraph 6 above, a transitional district board shall cease to be deemed a district salmon fishery board and shall cease to have the powers and duties of a transitional district board on the election in accordance with Schedule 2 to this Act of a committee of an association of proprietors within the meaning of section 14 of this Act.
- 9 The assets and liabilities of a district board within the meaning of the Salmon Fisheries (Scotland) Acts 1862 to 1868 shall be transferred to the transitional district board for that district and, likewise, the assets and liabilities of a transitional district board shall be transferred to the district salmon fishery board for that district whenever such a board is elected.]

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