



Salmon Act 1986

1986 CHAPTER 62

PART I

ADMINISTRATION OF SALMON FISHERIES IN SCOTLAND

General regulation of salmon fisheries

^{F1}10B Powers of enforcement, entry, search and arrest

- ^{F2}(1) Section 10(1)(d) of the Salmon and Freshwater Fisheries (Protection) (Scotland) Act 1951 (c.26) (powers of water bailiffs) and, in relation thereto, subsections (3) and (6) of that section shall apply to a water bailiff, a person appointed by the Scottish Ministers under subsection (5) of that section and any constable for the purposes of the enforcement of any provision of any regulations made under section 10A of this Act as they apply to a water bailiff for the purposes of that Act; and for this purpose the reference in the said section 10(1)(d) to forfeiture in pursuance of that Act shall be construed as a reference to forfeiture by virtue of section 10C of this Act.
- (2) Section 27 of the Salmon Fisheries (Scotland) Act 1868 (c.123) (constables or water bailiffs entering upon land) shall apply to a water bailiff and any constable for the purposes of the enforcement of any provision of any regulations made under section 10A of this Act as it applies to them for the purposes of the enforcement of the provisions of the said Act of 1951.
- (3) Regulations under section 10A of this Act may make provision in relation to a water bailiff, a person appointed by the Scottish Ministers under section 10(5) of the said Act of 1951 or any constable conferring on him such further powers of enforcement, in relation to the regulations, as the Scottish Ministers consider necessary or expedient for the conservation of salmon.
- (4) Section 11 of the said Act of 1951 (powers of entry and search) and, in relation thereto, section 10(3) and (6) of that Act shall apply to an offence against any provision of any regulations made under section 10A of this Act as they apply to an offence against any of the provisions of sections 3 and 4 of that Act; and for this purpose any reference in the said section 11 to an offence against any of the provisions of sections 3 and 4 of

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for the Salmon Act 1986, Section 10B. (See end of Document for details)*

that Act shall be construed as a reference to an offence against any of the provisions of any regulations made under section 10A of this Act.

- (5) Section 12 of the said Act of 1951 (apprehension of offenders) and, in relation thereto, section 10(3) and (6) of that Act shall apply to an offence against any provision of any regulations made under section 10A of this Act as they apply to an offence against the provisions of Part I of that Act; and for this purpose any reference in the said section 12 to an offence against the provisions of Part I of that Act shall be construed as a reference to an offence against the provisions of any regulations made under section 10A of this Act.]

Textual Amendments

- F1** Ss. 10A-10E inserted (S.) (15.4.2001) by [2001 asp 3, s. 1](#); [S.S.I. 2001/116, art. 2](#)
- F2** Ss. 5-30 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](#) and Act repealed in part (except s. 31) (15.11.2006) by [Scotland Act 1998 \(River Tweed\) Order 2006 \(S.I. 2006/2913\)](#), art. 1(2), Sch. 4 Pt. 2

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