



# Salmon Act 1986

## 1986 CHAPTER 62

### PART II

#### OTHER PROVISIONS APPLYING TO SCOTLAND

#### **20 Additional powers in respect of licensing and regulation of salmon dealing.**

[<sup>F1</sup>(1) Without prejudice to the generality of section 44 of the <sup>M1</sup>Civic Government (Scotland) Act 1982 (power to designate additional activities as subject to licensing and regulation) an order as respects dealing in salmon made under that section may—

- (a) define dealing in salmon and so define it as to—
  - (i) include such acts preparatory to or connected with dealing in salmon;
  - (ii) exclude dealing in such class or classes of salmonas may be specified in the order;
- (b) provide that the offence under section 7(1) of that Act (doing anything for which a licence is required without having one) shall be punishable—
  - (i) on summary conviction, by imprisonment for a term not exceeding three months, or a fine not exceeding the statutory maximum or both;
  - (ii) on conviction on indictment, by imprisonment for a term not exceeding two years, or a fine or both;
- (c) provide that it shall be an offence for any person, other than a person holding a salmon dealer's licence, to buy salmon from or sell salmon to a person not having such a licence;
- (d) provide that the offences under the said section 7(1) and any provision under paragraph (c) above shall be subject to such exceptions as may be specified in the order;
- (e) provide that a licence shall be required only for such class or classes of dealing in salmon and dealing in such class or classes of salmon as may be specified in the order;
- (f) provide as to the exercise of powers of entry and search by water bailiffs and persons appointed by the Secretary of State under section 10(5) of the <sup>M2</sup>Salmon and Freshwater Fisheries (Protection) (Scotland) Act 1951

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*Changes to legislation: There are currently no known outstanding effects  
for the Salmon Act 1986, Section 20. (See end of Document for details)*

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but not so as to enable these powers to be exercised in any dwelling house or any yard, garden, outhouses and pertinents belonging thereto or usually enjoyed therewith.

- (2) The Secretary of State shall have power, by order to prescribe, or to prescribe the maximum amounts of, the fees which the licensing authority may determine and charge under sub-paragraph (1) of paragraph 15 of Schedule 1 to the said Act of 1982 in respect of the licensing of dealing in salmon; and in that respect the licensing authority's powers under that paragraph shall be subject to the provisions of any such order.
- (3) An order made under subsection (2) 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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**Textual Amendments**

- F1** 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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**Marginal Citations**

- M1** 1982 c. 45.  
**M2** 1951 c. 26.

**Changes to legislation:**

There are currently no known outstanding effects for the Salmon Act 1986, Section 20.