



Water Act 1989

1989 CHAPTER 15

PART III

THE PROTECTION AND MANAGEMENT OF RIVERS AND OTHER WATERS

CHAPTER IV

SALMON AND FRESHWATER FISHERIES

141 Functions of the Authority in relation to fisheries.

- [^{F1}(1) It shall be the duty of the Authority—
- (a) to maintain, improve and develop salmon fisheries, trout fisheries, fresh water fisheries and eel fisheries;
 - (b) to establish and maintain advisory committees of persons who are not members of the authority but appear to it to be interested in any such fisheries in the different parts of the area mentioned in subsection (4) below; and
 - (c) to consult those committees as to the manner in which the Authority is to perform its duty under paragraph (a) above.
- (2) The duty to establish and maintain advisory committees imposed by paragraph (b) of subsection (1) above is a duty to establish and maintain—
- (a) a regional advisory committee for each such region of the area mentioned in subsection (4) below as the Authority considers it appropriate for the time being to regard as a region of that area for the purposes of this section; and
 - (b) such local advisory committees as it considers necessary to represent the interests referred to in that paragraph in the different parts of each such region;
- and it shall be the duty of the Authority in determining the regions for which regional advisory committees are established and maintained to ensure that one of those regions consists (apart from territorial waters) wholly or mainly of, or of most of, Wales.
- (3) There shall be paid by the Authority—

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- (a) to the chairman of an advisory committee established and maintained under this section such remuneration and such travelling and other allowances; and
- (b) to any other members of that committee such sums reimbursing them for loss of remuneration, for travelling expenses or for any other out-of-pocket expenses,
- as may, with the consent of the Treasury, be determined by the Minister or the Secretary of State.
- (4) The area in respect of which the Authority shall carry out its functions relating to fisheries shall be the whole of England and Wales, together with—
- (a) such part of the territorial sea adjacent to England and Wales as extends for six miles from the baselines from which the breadth of that sea is measured; and
- (b) in the case of subsection (1) above [^{F2}and the Salmon and Freshwater Fisheries Act 1975], so much of the River Esk with its banks and tributary streams up to their source as is situated in Scotland,
- but, in the case of that subsection and those Acts, excluding the River Tweed, that is to say, “the river” within the meaning of the ^{M1}Tweed Fisheries Amendment Act 1859, as amended by byelaws.]
- (5) Schedule 17 to this Act shall have effect for transferring the functions of water authorities relating to fisheries to the Authority and for making amendments of the enactments relating to the transferred functions and of corresponding enactments applying to fisheries in Scotland.
- (6) Nothing in the preceding provisions of this section or in the following provisions of this Act shall authorise the Authority to acquire any land in Scotland compulsorily.

[^{F1}(7) In this section, “miles” means international nautical miles of 1,852 metres.]

Textual Amendments

- F1** Ss. 13, 23, 141(1)–(4)(7), 172 repealed (E.W.) by [Water Consolidation \(Consequential Provisions\) Act 1991 \(c. 60, SIF 130\)](#), s. 3, **Sch. 3 Pt. I** (with s. 2, Sch. 2 paras. 10, 14(1), 15)
- F2** Words in s. 141(4)(b) substituted (27.3.2009) by [The Aquatic Animal Health \(Scotland\) Regulations 2009 \(S.S.I. 2009/85\)](#), reg. 1(2)(c), **sch. 2 para. 8(a)** (with reg. 2.)

Marginal Citations

- M1** 1859 c. lxx.

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