



Salmon and Freshwater Fisheries (Protection) (Scotland) Act 1951 (repealed)

1951 CHAPTER 26 14 and 15 Geo 6

PART II

POWERS OF WATER BAILIFFS AND OTHERS

12 Apprehension of offenders.

- (1) If any person shall be found committing any offence against the provisions of Part I of this Act, the provisions of section twenty-nine of the ^{M1}Salmon Fisheries (Scotland) Act 1868 (which relate to the apprehension of offenders), or, where the offence relates to the River Tweed, the provisions of section thirty-eight of the ^{M2}Tweed Fisheries Act 1857, shall apply in respect of that person as if he had been found committing any of the offences referred to in the said section twenty-nine or in the said section thirty-eight.
- (2) No person other than a water bailiff ^{F1}... or person appointed by the Secretary of State in pursuance of section ten of this Act shall have power by virtue of the said section twenty-nine to seize and detain any person who shall be found committing an offence against the said Act of 1868; and accordingly the said section twenty-nine shall have effect as if for the reference to person where that word first occurs there were substituted a reference to a water bailiff ^{F1}... or person appointed by the Secretary of State as aforesaid.
- (3) No person other than a water bailiff, constable or person appointed as aforesaid shall have power by virtue of section thirty-eight of the ^{M3}Tweed Fisheries Act 1857, to seize and detain any person who shall be found committing an offence against that Act, or the ^{M4}Tweed Fisheries Amendment Act 1859; and accordingly the said section thirty-eight shall have effect as if for the reference to other person there were substituted a reference to a constable or such person as aforesaid.

Changes to legislation: There are currently no known outstanding effects for the Salmon and Freshwater Fisheries (Protection) (Scotland) Act 1951 (repealed), Section 12. (See end of Document for details)

Textual Amendments

- F1** Words in s. 12(2) omitted (25.1.2018) by virtue of [The Criminal Justice \(Scotland\) Act 2016 \(Consequential and Supplementary Modifications\) Regulations 2017 \(S.S.I. 2017/452\)](#), reg. 1, **sch. para. 5**

Modifications etc. (not altering text)

- C1** S. 12 extended by [Sea Fish \(Conservation\) Act 1967 \(c. 84\)](#), s. **18(2)**
- C2** S. 12 extended by [Inshore Fishing \(Scotland\) Act 1984 \(c. 26, SIF 52:1\)](#), ss. **7(2)(a)(b)**, 10(2)
- C3** S. 12 extended (30.6.1999) by [S.I. 1999/1746](#), arts. **1(1)**, 8(3)
- S. 12 applied (with modifications) (15.4.2001) by [1986 c. 62](#), s. **10B(5)** (as inserted (15.4.2001) by [2001 asp 3](#), s. **1**; [S.S.I. 2001/116](#), art. **2**)
- C4** S. 12(2) modified (30.6.1999) by [S.I. 1999/1746](#), arts. **1(1)**, 12(1)

Marginal Citations

- M1** [1868 c. 123](#).
- M2** [1857 c. cxlviii](#).
- M3** [1857 c. cxlviii](#).
- M4** [1859 c. lxx](#).

Textual Amendments applied to the whole legislation

- F1** Act repealed (except in relation to the River Tweed and the Upper Esk) (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 (only in relation to the Tweed district) (15.11.2006) by [The Scotland Act 1998 \(River Tweed\) Order 2006 \(S.I. 2006/2913\)](#), art. 1(2), **Sch. 4 Pt. 2** (with art. 1(3))

Changes to legislation:

There are currently no known outstanding effects for the Salmon and Freshwater Fisheries (Protection) (Scotland) Act 1951 (repealed), Section 12.