



Sea Fisheries (Scotland) Amendment Act 1885

1885 CHAPTER 70 48 and 49 Vict

8 Compensation for damage caused by offence.

... ^{F1} Where any offence is committed, as set forth in section seven hereof, it shall be competent for the person whose property has been injured to give notice in writing to the person committing such offence, and to the sheriff clerk, that at the trial of said offence the [^{F2}sheriff principal] will be called upon to consider and dispose of the question of damages, and, in such case, the evidence led at said trial shall be evidence for the consideration of the [^{F2}sheriff principal] on the question of damages, and the [^{F2}sheriff principal], at the conclusion of the said trial, shall proceed to consider and dispose of the question of compensation to the injured party, and if a report of a [^{F3}British sea-fishery officer] has been produced, as set forth in section seven hereof, the [^{F2}sheriff principal] shall not allow any additional evidence to be heard unless he shall consider it to be necessary in order to do justice in the case; and, if he shall allow additional evidence, the accused person shall be allowed to be examined as a witness on the question of the amount of damages, and shall, if oral evidence is to be taken on the question of damages, allow the accused person to be examined as a witness on the question of damages, and shall, after hearing parties, give decree as in an ordinary action before the sheriff court.

[^{F4}Provided that nothing in this section shall apply to an offence under section 5 or 10 of the ^{M1}Sea Fisheries Act 1968 [^{F5}or section 2 of the ^{M2}Fishery Limits Act 1976].]

Textual Amendments

- F1** Words repealed by [Statute Law Revision Act 1898 \(c. 22\)](#), **Sch. Pt. I**
- F2** Words substituted by virtue of [Sheriff Courts \(Scotland\) Act 1971 \(c. 58\)](#), **s. 4**
- F3** Words substituted by virtue of [Sea Fisheries Act 1968 \(c. 77\)](#), **Sch. 1 para. 29**
- F4** [S. 8](#) proviso inserted by [Sea Fisheries Act 1968 \(c. 77\)](#), **Sch. 1 para. 29**
- F5** Words substituted by virtue of [Fishery Limits Act 1976 \(c. 86\)](#), **s. 2(8)(a)**

Marginal Citations

- M1** [1968 c. 77.](#)

Changes to legislation: There are currently no known outstanding effects for the Sea Fisheries (Scotland) Amendment Act 1885, Section 8. (See end of Document for details)

M2 1976 c. 86.

Changes to legislation:

There are currently no known outstanding effects for the Sea Fisheries (Scotland) Amendment Act 1885, Section 8.