

1982 No. 1420

RIVER, ENGLAND AND WALES

SALMON AND FRESHWATER FISHERIES

**The Thames Water Authority (Fixed Engines) Order 1982**

*Made - - - -*

30th July 1982

*Coming into Operation*

1st October 1982

The Minister of Agriculture, Fisheries and Food, in exercise of the power conferred on him by section 28(3) of the Salmon and Freshwater Fisheries Act 1975(a) and of all other powers enabling him in that behalf, on the application of the Thames Water Authority and with the consent of the Crown Estate Commissioners, hereby makes the following order:—

*Title and commencement*

1. This order may be cited as the Thames Water Authority (Fixed Engines) Order 1982 and shall come into operation on 1st October 1982; but if the order becomes subject to special parliamentary procedure, it shall come into operation in accordance with the provisions of the Statutory Orders (Special Procedure) Act 1945(b).

*Revocation*

2. The Thames Water Authority (Fixed Engines) Order 1981(c) is hereby revoked.

*Interpretation*

3. In this order—

“The Minister” means the Minister of Agriculture, Fisheries and Food;

“the Authority” means the Thames Water Authority as constituted under the Thames Water Authority Constitution Order 1973(d);

“the water authority area” means the area as respects which the Thames Water Authority are for the time being to exercise their fisheries functions.

*Power to work fixed engines*

4.—(1) Notwithstanding the provisions of section 6, or any other provisions, of the Salmon and Freshwater Fisheries Act 1975, which limit or prohibit the placing, use or working (whether or not in a fish pass) of a fixed engine, or any provisions amending or extending such provisions, the Authority may, subject to the approval of the Minister and to paragraph (2) below, erect and work at

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(a) 1975 c. 51.

(b) 1945 c. 18 (9 & 10 Geo. 6).

(c) The Thames Water Authority (Fixed Engines) Order 1981 was made on 28th January 1981 but was not confirmed by the Minister.

(d) S.I. 1973/1360.

any time of the year within the water authority area by themselves or their lessees fixed engines for catching salmon or migratory trout for the purpose of artificial propagation or for scientific purposes.

(2) No fixed engine shall be worked under the authority of this article for any period exceeding five years unless the authority is from time to time extended by licence of the Minister for such term as may be specified in the licence and not exceeding at any one time five years.

*Modification of section 21(1) of the Salmon and Freshwater Fisheries Act 1975*

5. Nothing in subsection (1) of section 21 of the Salmon and Freshwater Fisheries Act 1975 shall be taken as preventing the Authority from placing in any inland water in the water authority area any device whatsoever to catch or obstruct fish where the act is done for the purpose of artificial propagation or for scientific purposes.

*Saving rights of the Crown*

6. No fixed engine shall be placed on any portion of the foreshore or river bed belonging to Her Majesty in right of the Crown unless the Authority has first sought and obtained the consent of the Crown Estate Commissioners which consent may be given upon such terms and conditions as the Commissioners shall consider appropriate.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 30th July 1982.

(L.S.)

(Sgd.) *Hugh R. Neilson*,  
Assistant Secretary  
for the Minister of Agriculture,  
Fisheries and Food.

CONFIRMED by the Minister of Agriculture, Fisheries and Food. In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 30th September 1982.

(L.S.)

(Sgd.) *Hugh R. Neilson*,  
Assistant Secretary.

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EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This order enables the Thames Water Authority, with the approval of the Minister of Agriculture, Fisheries and Food, to erect and work fixed engines within their own area for catching salmon and migratory trout for artificial propagation or scientific purposes.