
STATUTORY INSTRUMENTS

1999 No. 1746

The Scotland Act 1998 (Border Rivers) Order 1999

PART I
GENERAL

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Scotland Act 1998 (Border Rivers) Order 1999 and shall come into force immediately before the principal appointed day⁽¹⁾

(2) In this Order—

“the 1951 Act” means the Salmon and Freshwater Fisheries (Protection) (Scotland) Act 1951⁽²⁾

“the 1975 Act” means the Salmon and Freshwater Fisheries Act 1975⁽³⁾

“the 1976 Act” means Freshwater and Salmon Fisheries (Scotland) Act 1976⁽⁴⁾

“the 1986 Act” means the Salmon Act 1986⁽⁵⁾

“the 1991 Act” means the Water Resources Act 1991⁽⁶⁾

“the 1995 Act” means the Environment Act 1995⁽⁷⁾

“the 1998 Act” means the Scotland Act 1998;

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

“the Environment Agency” means the body corporate established under section 1 of the 1995 Act;

“the River Tweed Council” means the council established by section 6 of the Tweed Fisheries Act 1969⁽⁸⁾

“sea trout” means migratory fish of the species *Salmo trutta* commonly known as sea trout and any part of such a fish; and

“Upper Esk” means that part of the River Esk lying upstream of a line drawn from a point at Ordnance Survey Grid Reference NY 3245 6632 on the western bank of the River Sark in a southerly direction to a point at Ordnance Survey Grid Reference NY 3245 6503 on the coast of Cumbria and “Lower Esk” means any part of that River downstream of that line.

(1) The principal appointed day is 1st July 1999 by virtue of article 3 of the Scotland Act (Commencement) Order 1998 (S.I.1998/3178).

(2) 1951 c. 26.

(3) 1975 c. 51.

(4) 1976 c. 22.

(5) 1986 c. 22.

(6) 1991 c. 57.

(7) 1995 c. 25.

(8) 1969 c.xxiv.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Saving

2.—(1) This Order shall not affect the validity of anything done under any Border rivers function relating to the conservation, management or exploitation of salmon, trout, eels and freshwater fish prior to the coming into force of this Order.

(2) Anything (including legal proceedings) which, at the time when this Order comes into force, is in the process of being done may, so far as it relates to any Border rivers function relating to the conservation, management or exploitation of salmon, trout, eels, and freshwater fish, be continued.