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STATUTORY INSTRUMENTS

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**2006 No. 2913**

**The Scotland Act 1998 (River Tweed) Order 2006**

**PART 2**

**METHODS OF FISHING AND OFFENCES RELATED TO FISHING**

*Methods of fishing*

**Methods of fishing: salmon**

**22.**—(1) Any person who fishes for or takes salmon in any inland waters, except by—

- (a) rod and line; or
- (b) net and coble,

shall be guilty of an offence.

(2) Any person who fishes for or takes salmon in any waters other than inland waters except by—

- (a) rod and line;
- (b) net and coble; or
- (c) bag net, fly net or other stake net,

shall be guilty of an offence.

(3) Any person who attempts to commit or who does any act preparatory to the commission of an offence mentioned in this article shall be guilty of an offence, and liable to the same punishment as if that person had committed the offence mentioned.

(4) For the purposes of this article “net and coble” and “bag net, fly net or other stake net” shall be construed in accordance with any orders made under article 52(4).

(5) A person found guilty of an offence under this article shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.

**Methods of fishing: freshwater fish**

**23.**—(1) Subject to paragraphs (3) and (4), any person who fishes for or takes freshwater fish in any inland waters except by rod and line shall be guilty of an offence, and liable on summary conviction to a fine not exceeding level 4 on the standard scale.

(2) Any person who attempts to commit or who does any act preparatory to the commission of the offence mentioned in paragraph (1) shall be guilty of an offence, and liable to the same punishment as if that person had committed the offence mentioned.

(3) In any pond or loch where all the owners are agreed, a right of fishing may be exercised by net.

(4) In any inland waters an owner or occupier may fish for or take freshwater fish, other than trout, by net or trap.

### **Use of landing net**

**24.** For the purposes of articles [22](#) and [23](#), it shall be prohibited to use any instrument other than a landing net as auxiliary to the taking of fish by rod and line.

### **Definition of “rod and line”**

**25.—**(1) In this Order “rod and line” means single rod and line (used otherwise than as a set line or by way of foul hooking) with such bait or lure as is not prohibited by this article or, in relation to fishing for salmon, under article [53](#) or [54\(5\)\(b\)](#).

(2) It is prohibited to use fish roe, fire or light as bait or lure.