



Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003

2003 asp 15

PART 1

METHODS OF FISHING AND OFFENCES RELATED TO FISHING

[^{F1}Close times for freshwater fish

[^{F1}17B Annual close time for freshwater fish other than trout

- (1) The Scottish Ministers may by order, after consulting such persons as they consider appropriate, specify an annual close time for freshwater fish other than trout.
- (2) An order under subsection (1) may make different provision for different species of freshwater fish.
- (3) Subject to subsections (4) and (5) below, any person who, during the annual close time specified by virtue of subsection (1) in relation to a species of fish—
 - (a) fishes for or takes such fish in any inland waters; or
 - (b) is in possession of such fish,shall be guilty of an offence, and liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (4) It shall not be an offence under this section for the owner or occupier of any water where fish in relation to which an annual close time is specified by virtue of subsection (1) are kept in captivity or artificially reared or fed, or any person employed by such a person, to take such fish from such water during the annual close time—
 - (a) for scientific or breeding purposes;
 - (b) for the purpose of removing them or having them removed, alive, to other waters.
- (5) It shall not be an offence under this section for a person to whom fish are consigned, whether by sale or otherwise, for the purpose mentioned in subsection (4)(b) above, to be in possession of such fish.

Changes to legislation: *There are currently no known outstanding effects for the Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003, Section 17B. (See end of Document for details)*

- (6) A person who commits an offence under this section may be convicted on the evidence of one witness.
- (7) An order under subsection (1) may specify that the effect of the order is applicable only to a particular part or area of Scotland.]

Textual Amendments

F1 S. 17A - S. 17B inserted (1.8.2007) by [Aquaculture and Fisheries \(Scotland\) Act 2007 \(asp 12\)](#), **ss. 22, 45(2)** (with s. 39); [S.S.I. 2007/333](#), art. 2(1)

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