



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

2003 asp 15

PART 1

METHODS OF FISHING AND OFFENCES RELATED TO FISHING

Offences related to fishing for salmon and freshwater fish

[^{F1}5A Prohibition against using pike gags and certain keepnets

- (1) Any person who uses a pike gag in relation to the fishing for or taking of fish shall be guilty of an offence, and liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (2) Any person who uses—
 - (a) a knotted keepnet (that is, a keepnet the mesh of which is knotted),
 - (b) a metallic keepnet, (that is, a keepnet the mesh of which is made of metallic material),in relation to the fishing for or taking of fish shall be guilty of an offence, and liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (3) Without prejudice to section 294 (attempts to commit crime) of, and paragraph 10 of Schedule 3 to, the Criminal Procedure (Scotland) Act 1995, any person who attempts to commit or who does any act preparatory to the commission of the offence mentioned in subsection (1) or (2) above shall be guilty of an offence, and liable to the same punishment as if that person had committed the offence mentioned.
- (4) In subsection (1), “pike gag” means a device used for the purpose of keeping the jaws of a fish open by inserting it into the mouth of the fish.]

Textual Amendments

- F1** S. 5A inserted (1.8.2007) by [Aquaculture and Fisheries \(Scotland\) Act 2007 \(asp 12\)](#), ss. 21, 45(2) (with s. 39); S.S.I. 2007/333, art. 2(1)

Status:

Point in time view as at 01/08/2007.

Changes to legislation:

There are currently no known outstanding effects for the Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003, Section 5A.