



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

2003 asp 15

PART 3

DISTRICT SALMON FISHERY BOARDS

District salmon fishery boards

44 Financial powers and duties of district salmon fishery boards

- (1) Each year, a district salmon fishery board shall prepare—
 - (a) a report; and
 - (b) a statement of accounts, which shall be audited,relating to the activities of the board; and the clerk of the board shall call an annual meeting of qualified proprietors in the district for the purposes of considering the report and the audited accounts.
- (2) A district salmon fishery board shall have power to impose an assessment, to be known as the fishery assessment, on each salmon fishery in their district.
- (3) The fishery assessment shall be assessed at such uniform rate as is determined for all fisheries in the district by the board and shall be exigible according to the valuation of a fishery as entered in the valuation roll.
- (4) Subsections (2) and (3) of section 40 of this Act shall apply for the purposes of this section as they apply for the purposes of that section.
- (5) Arrears of fishery assessment may, as the case may be, be recovered by—
 - (a) the district salmon fishery board which imposed the assessment; or
 - (b) the district salmon fishery board for a district created by a designation order in respect of an assessment imposed by a district salmon fishery board for a district superseded by that order,by action for payment of money.

- (6) The powers under subsection (5) above to recover arrears of fishery assessment include power to recover interest, chargeable at such rate as the Scottish Ministers shall determine, on such arrears from, in the case of recovery of arrears under subsection (5) above which have been outstanding for at least three months from the date of issue of a notice of assessment, that date until payment or the commencement of an action for payment, whichever is the earlier.
- (7) A board may, in carrying out their purpose under this Act, borrow—
- (a) an amount not exceeding twice the amount of the fishery assessment collected within the twelve month period immediately prior to the date of the decision to borrow; or
 - (b) such higher sum as is approved by the proprietors of fisheries which together amount to four fifths of the total value of fisheries in the district as entered in the valuation roll.
- (8) In subsection (7)(a) above, “collected” means collected in—
- (a) the district for which that board are the district salmon fishery board; and
 - (b) if that district has been designated in an order made under section 34(2) of this Act within that twelve month period, all the districts superseded by that order.
- (9) In carrying out their purpose, a district salmon fishery board may authorise expenditure, including expenditure for the acquisition of heritable property, out of sums accruing to them from—
- (a) the fishery assessment;
 - (b) the exercise of the power, under subsection (7) above, to borrow; or
 - (c) any other source;
- but they shall not pay to any member of that board any salary or fees for acting in any way as a member of or under that board.