



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

2003 asp 15

## PART 4

### ADMINISTRATION OF FRESHWATER FISHERIES

#### **50 Powers of entry and obstruction of wardens etc.**

- (1) A warden shall have right to enter any land—
  - (a) in the vicinity of any waters in the prescribed area for the purpose of exercising any of the powers conferred by section 49(2) of this Act;
  - (b) for the purpose of affixing or maintaining a copy of any order or notice which that person is required to affix or maintain by any provision of schedule 3 to this Act;
  - (c) in the vicinity of any waters in the prescribed area and remain there during any period for the purpose of preventing a breach of a protection order or of detecting any person contravening a protection order; and no warden remaining on such land for such a purpose shall be deemed to be a trespasser on that land.
- (2) Any person duly authorised in writing by the Scottish Ministers under schedule 3 to this Act shall have a right to enter land for the purpose of affixing or maintaining a copy of any notice or order which that person is required to affix or maintain by any provision of that schedule.
- (3) Any person who wilfully obstructs or refuses to allow—
  - (a) a warden to exercise any of the powers conferred by section 49(2) of this Act or subsection (1) above; or
  - (b) any person referred to in subsection (2) above to exercise the powers conferred by that subsection,shall be guilty of an offence, and liable on summary conviction to a fine not exceeding level 3 on the standard scale or to imprisonment for a term not exceeding 3 months.
- (4) The production of the instrument of appointment of a warden purporting to be signed by or on behalf of the Scottish Ministers or of the authorisation by the Scottish

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*Status: This is the original version (as it was originally enacted).*

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Ministers of any person referred to in subsection (2) above shall be sufficient warrant for the exercise of any power which has been conferred on that warden or such a person.

(5) In this section “land” does not include any building.