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## SCHEDULES

### SCHEDULE 8

#### MINOR AND CONSEQUENTIAL AMENDMENTS, ETC.

##### *Salmon and Freshwater Fisheries Act 1923*

- 1 In section 1(2) of the Salmon and Freshwater Fisheries Act 1923 (prohibition of fishing with lights, spears, etc.) for the words " fishery board, or where there is no fishery board, of the Minister " there shall be substituted the words " water authority for the area in which the act was done ".
- 2 In section 5 of that Act (saving for acts done for artificial propagation or scientific purposes) for the words from "fishery board", in the first place where those words occur, to the end of the section there shall be substituted the words " water authority for the area ".
- 3 In section 9(1) of that Act (prohibition of use of explosives, etc.) for paragraph (b) of the proviso (as substituted by section 1 of the Salmon and Freshwater Fisheries Act 1965) and the words following that paragraph there shall be substituted the following paragraph:—

“(b) with the permission in writing of the water authority for the area;”.

but as respects the use of any noxious substance such permission shall not be given by a water authority otherwise than with the approval of the Minister.
- 4 In section 11(2) of that Act (prohibition of placing or using fixed engines for taking or obstructing salmon or migratory trout) for the words "fishery board, or, where there is no fishery board, by the Minister" there shall be substituted the words " water authority for the area ".
- 5 In section 14(3) of that Act (rules for fishing mill dams) for the words from "and", in the second place where it occurs, to "district", in the second place where it occurs, there shall be substituted the words " and the water authority for the area ".
- 6 In subsections (1) and (3) of section 18 of that Act (supply of water to dams and fish passes) for the words from " fishery board ", in the first place where they occur in each subsection, to "the Minister" there shall be substituted the words " water authority for the area ".
- 7 In section 19 of that Act (penalty for making obstructions without fish passes)—
  - (a) in subsection (1), for the words "fishery board, or, where there is no fishery board, by the Minister" there shall be substituted the words " water authority for the area ";
  - (b) in subsection (3), for the words from the beginning of the subsection to "Minister" there shall be substituted the words " The water authority ".
- 8 In section 22(5) of that Act (penalty for injuring or obstructing fish pass or free gap) for the words " fishery board (if any)" there shall be substituted the words " water authority in whose area the dam is or was situated ".

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- 9 In section 23(1) of that Act for the words "fishery board (if any)" there shall be substituted the words " water authority for the area ".
- 10 In the provisos to sections 26(2) and 31(2) of that Act (close season) for the words " fishery board (if any)", in each place where they occur, there shall be substituted the words " water authority in whose area the act was done ".
- 11 In section 36(3) of that Act (prohibition on using eel baskets, etc., at certain times) for the words from "fishery board", in the first place where those words occur, to the end of the subsection there shall be substituted the words " water authority for the area with the consent of the Minister ".
- 12 In section 39(1) of that Act (applications for orders) for the words from " fishery " to " Act", in the fourth place where that word occurs, there shall be substituted the words " water authority ".
- 13 In section 54(1) of that Act (general powers) for the words from the beginning to "board", in the second place where that word occurs, there shall be substituted the words " A water authority shall have ".
- 14 In section 59(1) of that Act (byelaws) for the words from the beginning to "Minister" there shall be substituted the words " A water authority ".
- 15 In section 68 of that Act (power to enter lands)—
- (a) for the words from the beginning to " board ", in the second place where it occurs, there shall be substituted the words " Any water bailiff or other officer of a water authority may, under a special order in writing from the authority, ";
  - (b) after the words " this Act" there shall be inserted the words " or the Salmon and Freshwater Fisheries Act 1972 ".
- 16 In section 69 of that Act (order to enter suspected places)—
- (a) for the words from " any ", in the first place where it occurs, to "Act" there shall be substituted the words " a water bailiff or any other officer of a water authority it appears to any justice of the peace that the officer has good reason to suspect that any offence against this Act or the Salmon and Freshwater Fisheries Act 1972 ";
  - (b) for the words "such member or bailiff" there shall be substituted the words " that officer ".
- 17 In section 70 of that Act (warrant to enter suspected premises)—
- (a) after the word " Act" there shall be inserted the words " or the Salmon and Freshwater Fisheries Act 1972 ";
  - (b) for the words " water bailiff, member of a fishery board " there shall be substituted the words " water bailiff or other officer of a water authority ".
- 18 For section 72 of that Act (powers of officers appointed by Minister) there shall be substituted the following section:—
- “72 The Minister may appoint persons to exercise in a water authority area—
- (a) the powers of a water bailiff under sections 67 and 71 of this Act; and
  - (b) the powers of an officer of a water authority under sections 68, 69 and 70 of this Act;
- and those sections shall accordingly apply to any such person, except that for the reference in section 67 to a special order from the water authority there shall be substituted a reference to an order in writing from the Minister”.

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19 For section 77(1) of that Act (certificates of conviction) there shall be substituted—

“(1) Where any person is convicted of an offence against this Act, the clerk of the court before which that person is convicted shall, within one month of the date of conviction, forward a certificate of the conviction to the water authority for the area in which the offence was committed.”