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SCOTTISH STATUTORY INSTRUMENTS

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**2005 No. 37**

**RIVER**

**SALMON AND FRESHWATER FISHERIES**

**The Conservation of Salmon (River Annan Salmon Fishery District) Regulations 2005**

<i>Made</i>	- - - -	<i>25th January 2005</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>25th January 2005</i>
<i>Coming into force</i>	- -	<i>25th February 2005</i>

The Scottish Ministers, on application to them by the River Annan District Salmon Fishery Board, having had regard to representations made to them by those persons mentioned in section 10A(5) of the Salmon Act 1986<sup>(1)</sup> and having consulted and directed that notice be given in accordance with section 10D(4) of, and Schedule 1 to, that Act, and having considered representations and objections made, in exercise of the powers conferred by section 10A(3)(a) of that Act and of all other powers enabling them in that behalf, hereby make the following Regulations:

**Citation, commencement and cessation**

1.—(1) These Regulations may be cited as the Conservation of Salmon (River Annan Salmon Fishery District) Regulations 2005 and shall come into force on 25th February 2005.

(2) These Regulations shall cease to have effect at midnight on 24th February 2010.

**Prohibition against retention of salmon**

2.—(1) No person shall retain any salmon caught by rod and line.

(2) This regulation applies to the River Annan salmon fishery district between 25th February and 31st May, both dates inclusive, in each year.

(3) In this regulation—

“retain” means not to return a fish at once to the river or other water from which it came with the least possible injury; and

“rod and line” means single rod and line with such bait or lure as is lawful on 25th February 2005.

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(1) 1986 c. 62. Sections 10A and 10D were inserted by the [Salmon Conservation \(Scotland\) Act 2001 \(asp 3\)](#).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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St Andrew's House, Edinburgh  
25th January 2005

*LEWIS MACDONALD*  
Authorised to sign by the Scottish Ministers

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations prohibit, in the River Annan salmon fishery district, the retention of salmon caught by rod and line (article 2). They shall cease to have effect at midnight on 24th February 2010 (article 1(2)).

Provision is made in section 10B of the Salmon Act 1986 (“the 1986 Act”) applying powers of enforcement, entry, search and arrest to water bailiffs, constables and persons appointed by the Scottish Ministers for the purposes of the enforcement of the prohibition imposed by these Regulations.

In terms of section 10C of the 1986 Act any person who acts in contravention of these Regulations shall be guilty of an offence and liable to a fine not exceeding level 4 on the standard scale (£2,500 at the date this instrument comes into force).