



Salmon and Freshwater Fisheries Act 1975

1975 CHAPTER 51

PART II

OBSTRUCTIONS TO PASSAGE OF FISH

18 Provisions supplementary to Part II.

- (1) If any person obstructs a person legally authorised whilst he is doing any act authorised by section 9, 10 or 15 above, he shall be guilty of an offence.
- (2) The Minister shall not give a water authority his consent—
 - (a) to the construction, abolition or alteration of a fish pass or the abolition or alteration of a free gap in pursuance of section 10 above; or
 - (b) to the doing of any work under section 15 above,unless reasonable notice of the authority's application under the relevant section has been served on the owner and occupier of the dam, fish pass or free gap, watercourse, mill race, cut, leat, conduit or other channel, with a plan and specification of the proposed work; and the Minister shall take into consideration any objections by the owner or occupier, before giving his consent.
- (3) If any injury is caused—
 - (a) to any dam by reason of the construction, abolition or alteration of a fish pass or the abolition or alteration of a free gap in pursuance of section 10 above; or
 - (b) by anything done by the water authority under section 15 above,any person sustaining any loss as a result may recover from the water authority compensation for the injury sustained.
- (4) The amount of any compensation under section 10, 15 or 17 above shall be settled in case of dispute by a single arbitrator appointed by the Minister.
- (5) In any case in which a water authority are liable to pay compensation under this Part of this Act in respect of injury or damage caused by the making or maintaining of any work, compensation shall not be recoverable unless proceedings for its recovery are instituted within two years from the completion of the work.

Status:

Point in time view as at 01/12/1991. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Salmon and Freshwater Fisheries Act 1975, Section 18.