



Salmon and Freshwater Fisheries Act 1975

1975 CHAPTER 51

PART IV **E+W**

FISHING LICENCES^[F1] AND AUTHORISATIONS]

25 Licences to fish. **E+W**

[^{F1}(1) The [^{F2}appropriate agency] shall by means of a system of licensing regulate fishing by licensable means of fishing for—

- (a) salmon, trout, eels, lampreys, smelt and freshwater fish; and
- (b) fish of such other description as may be specified for the purposes of this section by order under section 40A below.

(1A) In this Act “ licensable means of fishing ” means any of the following—

- (a) rod and line;
- (b) an historic installation;
- (c) such other means of fishing as the appropriate national authority may by order specify.

(1B) In this Act “ historic installation ” means any of the following—

- (a) a fixed engine certified in pursuance of the Salmon Fishery Act 1865 to be a privileged fixed engine;
- (b) a fixed engine which was in use for taking salmon or migratory trout during the open season of 1861, in pursuance of an ancient right or mode of fishing as lawfully exercised during that open season, by virtue of any grant or charter or immemorial usage;
- (c) a fishing weir or fishing mill dam which was lawfully in use on 6th August 1861 by virtue of a grant or charter or immemorial usage.]

(2) Subject to the following provisions of this section, a licence granted for the purposes of this section (hereafter in this Act referred to as a “fishing licence”) shall entitle the person to whom it was granted and no others to use [^{F3} the means of fishing] specified in the licence to fish for any fish [^{F4}of a description, in an area and for a

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period][^{F4}of such a description, in such area or areas]^{F5} (or in waters of such description or descriptions)] and for such period as is] so specified.

- (3) A fishing licence for the use of [^{F6}any means of fishing] other than a rod and line to fish for salmon or trout shall also authorise the use of [^{F7}that means of fishing] for that purpose by the duly authorised servants or agents of the person to whom it was granted, but [^{F8}not exceeding the number permitted by paragraph 13 of Schedule 2 to this Act][^{F8}subject to the provisions of paragraphs 9 to 13 of Schedule 2 to this Act].
- (4) A fishing licence for the use of a rod and line shall entitle the licensee to use as ancillary to that use a ^{F9}... landing net.
- ^{F10}(5)
- ^{F11}(6)
- (7) Any person or association entitled to an exclusive right of fishing in any inland waters may be granted a general licence to fish in those waters subject to any conditions agreed [^{F12}between the appropriate agency and the licensee], and the licence shall entitle the licensee and, subject to paragraph 9 of Schedule 4 below, any person authorised by him in writing, or in the case of an association, by its secretary so to fish.
- (8) Schedule 2 to this Act shall have effect with respect to fishing licences.
- (9) Any licence in force under any provision of section 61 of the ^{M1}Salmon and Freshwater Fisheries Act 1923 immediately before 29th June 1972 shall be treated as having been granted under the corresponding provision of this section.
- [^{F13}(10) For the purposes of this Part, the [^{F14}appropriate agency] may permit a person to take fish of any description in circumstances where he would for those purposes otherwise require a fishing licence.]
- [^{F13}(11) Permission under subsection (10) above—
- (a) must be in writing;
 - (b) may be given generally or specifically;
 - (c) may be given subject to conditions.]

Textual Amendments

- F1** S. 25(1)-(1B) substituted for s. 25(1) (12.11.2009 for specified purposes, 12.1.2010 for specified purposes, 1.1.2011 in so far as not already in force) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), **ss. 217(1)**, 324(1)(c), 324(1)(d); S.I. 2009/3345, art. 2, Sch. para. 11; S.I. 2010/298, art. 2, Sch. para. 13
- F2** Words in s. 25(1) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\)](#), art. 1(2), **Sch. 2 para. 139(2)** (with Sch. 7)
- F3** Words in s. 25(2) substituted (1.1.2011) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(3), **Sch. 16 para. 9(2)**; S.I. 2010/298, art. 2, Sch. para. 13
- F4** Words “of such a description, in such area or areas and for such period as is” substituted for “of a description, in an area and for a period” (E.W.) by [Water Act 1989 \(c.15, SIF 130\)](#), s. 141, **Sch. 17 para. 7(1)(5)** (with **ss. 58(7)**, 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), 194(9), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58)
- F5** Words in s. 25(2) inserted (1.1.2011) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), **ss. 217(2)**, 324(3); S.I. 2010/298, art. 2, Sch. para. 13
- F6** Words in s. 25(3) substituted (1.1.2011) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(3), **Sch. 16 para. 9(3)(a)**; S.I. 2010/298, art. 2, Sch. para. 13

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- F7** Words in s. 25(3) substituted (1.1.2011) by Marine and Coastal Access Act 2009 (c. 23), s. 324(3), **Sch. 16 para. 9(3)(b)**; S.I. 2010/298, art. 2, Sch. para. 13
- F8** Words beginning “subject to the provisions” substituted for words beginning “not exceeding” (E.W. and as mentioned in s. 43(4) of the amending act (border rivers)) by Salmon Act 1986 (c. 62, SIF 52:2), **ss. 33(1)**, 43(4)
- F9** Words in s. 25(4) repealed (12.1.2010) by Marine and Coastal Access Act 2009 (c. 23), ss. 217(3), 324(3), **Sch. 22 Pt. 5(B)**; S.I. 2009/3345, art. 2, Sch. paras. 11, 27(b)
- F10** S. 25(5) repealed (12.1.2010) by Marine and Coastal Access Act 2009 (c. 23), ss. 217(4), 324(3), **Sch. 22 Pt. 5(B)**; S.I. 2009/3345, art. 2, Sch. paras. 11, 27(b)
- F11** S. 25(6) repealed (12.1.2010) by Marine and Coastal Access Act 2009 (c. 23), ss. 217(4), 324(3), **Sch. 22 Pt. 5(B)**; S.I. 2009/3345, art. 2, Sch. paras. 11, 27(b)
- F12** Words in s. 25(7) substituted (1.4.2013) by The Natural Resources Body for Wales (Functions) Order 2013 (No. 755), art. 1(2), **Sch. 2 para. 139(3)** (with Sch. 7)
- F13** S. 25(10)(11) inserted (1.1.2011) by Marine and Coastal Access Act 2009 (c. 23), **ss. 217(5)**, 324(3); S.I. 2010/298, art. 2, Sch. para. 13
- F14** Words in s. 25(10) substituted (1.4.2013) by The Natural Resources Body for Wales (Functions) Order 2013 (No. 755), art. 1(2), **Sch. 2 para. 139(4)** (with Sch. 7)

Modifications etc. (not altering text)

- C1** S. 25 excluded (15.1.2010) by Eels (England and Wales) Regulations 2009 (S.I. 2009/3344), regs. 1(b), **10** (with reg. 1(d))
- C2** S. 25 excluded (15.1.2010) by Eels (England and Wales) Regulations 2009 (S.I. 2009/3344), regs. 1(b), **11** (with reg. 1(d))

Marginal Citations

- M1** 1923 c. 16.

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