

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Fisheries Act 1981, Part II. (See end of Document for details)

SCHEDULES

SCHEDULE 4

EXEMPTIONS FOR FISH FARMING

PART II

OFFENCES TO WHICH SECTION 33(5) OF THIS ACT APPLIES

Offences relating to freshwater fish and salmon

- 18 Any offence under section XI of the ^{M1}Solway Act 1804 (possessing, selling or offering or exposing to sale certain fish out of season, and certain fish at any time).

Marginal Citations

M1 1804 c. xlv.

- 19 Any offence under section LXXIV of the ^{M2}Tweed Fisheries Act 1857 of wilfully selling, purchasing or possessing smolt, fry, or young brood or spawn.

Marginal Citations

M2 1857 c. cxlviii.

- 20 Any offence under section X of the ^{M3}Tweed Fisheries Amendment Act 1859 (possession during close season of fish taken or caught in river, and selling or offering for sale or exchange fish caught between 15th September and 14th February).

Marginal Citations

M3 1859 c. lxx.

- 21 Any offence under section 3 of the ^{M4}Salmon Acts Amendment Act 1863 (exporting or entering for export unclean or unseasonable salmon and salmon caught at a time when their sale is prohibited).

Marginal Citations

M4 1863 c. 10.

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- 22 Any offence under section 20 of the ^{M5}Salmon Fisheries (Scotland) Act 1868 of buying, selling, exposing for sale or having in possession unclean or unseasonable salmon.

Marginal Citations

M5 1868 c. 123.

- 23 Any offence under section 21 of that Act (buying, selling, exposing for sale or having in possession salmon taken in close season).

- 24 Any offence under section 1 of the ^{M6}Freshwater Fish (Scotland) Act 1902 of having possession of trout in close season.

Marginal Citations

M6 1902 c. 29.

- 25 Any offence under section 2 of the ^{M7}Trout (Scotland) Act 1933 (purchase, sale, exposing or consigning for sale, export or consigning for export trout under 8*N or between 1st September and 31st March).

Marginal Citations

M7 1933 c. 35.

- 26 An offence under section 2(2)(b) of the ^{M8}Salmon and Freshwater Fisheries Act 1975 (buying, selling, exposure for sale or possession of unclean or immature fish or parts of such fish).

Marginal Citations

M8 1975 c. 51.

- 27 Any offence under section 22(1) of that Act (buying, selling, exposure for sale or possession for sale of fish at prohibited times of year).

- 28 Any offence under subsection (3) of section 23 of that Act of entering for export or exporting fish contrary to subsection (1) of that section (unclean fish and fish caught at a time when their sale is prohibited).

Offences relating to sea fishing

- 29 ^{F1}

Textual Amendments

F1 Sch. 4 Pt. II para. 29 repealed by *Inshore Fishing (Scotland) Act 1984 (c. 26, SIF 52:1), s. 10(2), Sch. 2* and *Statute Law (Repeals) Act 1986 (c.12), s. 1(1), Sch. 1 Pt. XI*

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- 30 Any offence under section 16 of the ^{M9}Sea Fisheries (Shellfish) Act 1967 (sale, exposure for sale, buying for sale or consignment for the purpose of sale of oysters at prohibited times of year).

Marginal Citations

M9 1967 c. 83

- 31 Any offence under section 17(1) of that Act of possessing, selling or offering for sale, buying for sale or consigning for the purpose of sale an edible crab in a condition prohibited by that subsection.
- 32 Any offence under section 17(3) of that Act of selling, exposing or offering for sale, or possessing for the purpose of sale a lobster in a condition prohibited by that subsection.
- 33 Any offence under section 1(2) of the ^{M10}Sea Fisheries (Conservation) Act 1967 (selling, exposing or offering for sale, or possessing for the purpose of sale fish smaller than the prescribed size).

Marginal Citations

M10 1967 c. 84.

- 34 Any offence under section 2 of that Act (possession for use in the course of a business of fish prohibited from being sold under section 1(2) of that Act).
- [^{F2}34A Any offence under section 3 of the Inshore Fishing (Scotland) Act 1984 (fishing with mobile gear near fixed salmon nets or contravention of order restricting fishing for sea fish).]

Textual Amendments

F2 Sch. 4 Pt. II para. 34A added (S.) by [Inshore Fishing \(Scotland\) Act 1984 \(c. 26, SIF 52:1\)](#), s. 10(2), [Sch. 1](#)

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