

*Status: Point in time view as at 12/01/2010.*

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## SCHEDULES

### SCHEDULE 4

#### EXEMPTIONS FOR FISH FARMING

#### [<sup>F1</sup>PART II

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

##### Textual Amendments

- F1** Sch. 4 para. 6(aa) inserted (12.1.2010) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(3), [Sch. 16 para. 18\(3\)](#); S.I. 2009/3345, art. 2, Sch. para. 15(i)

#### *Offences relating to freshwater fish and salmon*

<sup>F2</sup>18 .....

##### Textual Amendments

- F2** Sch. 4 paras. 18-25 repealed (S. except in relation to the River Tweed or the Upper Esk) (1.4.2005) by [Salmon and Freshwater Fisheries \(Consolidation\) \(Scotland\) Act 2003 \(asp 15\)](#), ss. 70(2), 71(2), [Sch. 4 Pt. 2](#) (with s. 71(3)(4)(6)); S.S.I. 2005/174, art. 2; and repealed (in relation to the Tweed district) (15.11.2006) by [Scotland Act 1998 \(River Tweed\) Order 2006 \(S.I. 2006/2913\)](#), art. 1(2)(3), [Sch. 4 Pt. 2](#)

<sup>F2</sup>19 .....

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<sup>F2</sup>20 .....

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F<sup>2</sup>22 .....

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F<sup>2</sup>23 .....

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26 An offence under section 2(2)(b) of the <sup>M1</sup>Salmon and Freshwater Fisheries Act 1975 (buying, selling, exposure for sale or possession of unclean or immature fish or parts of such fish).

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**Marginal Citations**

**M1** 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).

<sup>F3</sup>28 .....

**Textual Amendments**

**F3** Sch. 4 para. 28 repealed (12.1.2010) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(3), **Sch. 22 Pt. 5(B)**; S.I. 2009/3345, art. 2, Sch. para. 27(b)

*Offences relating to sea fishing*

<sup>F4</sup>29 .....

**Textual Amendments**

**F4** 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 II para. 29 repealed by [Inshore Fishing \(Scotland\) Act 1984 \(c. 26, SIF 52:1\)](#), s. 10(2), **Sch. 2** and [Statute Law \(Repeals\) Act 1986 \(c.12\)](#), s. 1(1), **Sch. 1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**

30 Any offence under section 16 of the <sup>M2</sup>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**

**M2** 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 [<sup>F5</sup>the <sup>M3</sup>Sea Fisheries (Conservation) Act 1967][<sup>F5</sup>the Sea Fish (Conservation) Act 1967] (selling, exposing or offering for sale, or possessing for the purpose of sale fish [<sup>F6</sup>smaller than the prescribed size][<sup>F6</sup>which do not meet prescribed size requirements]).

**Textual Amendments**

**F5** Words in Sch. 4 para. 33 substituted (E.W.) (12.1.2010) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(3), **Sch. 15 para. 5(3)(a)**; S.I. 2009/3345, art. 2, Sch. para. 8

**F6** Words in Sch. 4 para. 33 substituted (E.W.) (12.1.2010) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(3), **Sch. 15 para. 5(3)(b)**; S.I. 2009/3345, art. 2, Sch. para. 8

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**Marginal Citations**

**M3** 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).

[  
F734A 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**

**F7** 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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