



# Salmon Act 1986

## 1986 CHAPTER 62

### PART II

#### OTHER PROVISIONS APPLYING TO SCOTLAND

#### 26 Poaching in the Esk

- (1) Section 21 of the Salmon and Freshwater Fisheries (Protection) (Scotland) Act 1951, (non-application of that Act to the River Esk in Scotland) shall be renumbered as subsection (1) of that section and—
  - (a) at the beginning of that subsection there shall be inserted the words " Subject to subsection (2) below, " ; and
  - (b) after that subsection there shall be added the following subsection—

“(2) Section 1 of this Act and sections 3 and 18 to 20 so far as relating to an offence under that section shall apply to so much of the River Esk, including its banks and tributary streams, as is situated in Scotland.”.
- (2) In section 39 of the Salmon and Freshwater Fisheries Act 1975 (application of that Act to certain Border waters including the River Esk) there shall be inserted after subsection (1) the following subsection—

“(1A) In the application of this Act, under subsection (11(b) above, to the River Esk in Scotland, references to this Act in sections 31 to 33 and section 36 shall be construed as including references to sections 1, 3 and 18 to 20 of the Salmon and Freshwater Fisheries (Protection) (Scotland) Act 1951 as applied to that River by section 21 of that Act.”.
- (3) In section 43(3) of the said Act of 1975 (Scottish extent) after the words " 39(1)" there shall be inserted the word " ,(1A) ".
- (4) Section 9 of the Solway Act 1804 shall, so far as relating to salmon, cease to have effect in relation to so much of the River Esk, including its banks and tributary streams, as is situated in Scotland.