
STATUTORY INSTRUMENTS

1992 No. 1974

**The Salmon (Definition of Methods of Net Fishing
and Construction of Nets) (Scotland) Regulations 1992**

PART II

Regulations made under sections 3 and 10 of the Salmon Act 1986

Interpretation

4. In this part of these Regulations—

“the Commission Regulation” means Commission Regulation (EEC) No 2108/84(1) laying down detailed rules for determining the mesh size of fishing nets;

“hanging ratio” means the ratio between the length of a portion of rope from which netting is hung and the length of the stretched netting hung from that portion of rope; and for the purpose of this definition “stretched” means fully extended parallel to the rope;

“monofilament netting” means any netting containing any mesh the sides of which consist of a single filament of synthetic material; and

“square mesh netting” means netting mounted so that of the two sets of parallel lines formed by the mesh bars one set is parallel to, and the other at right-angles to, the long axis of the net.

Application of this Part

5. Regulations 4 to 9 of these Regulations shall apply to any net used in fishing for or taking salmon except a landing net used—

- (a) as an auxiliary to fishing for or taking salmon by rod and line;
- (b) to remove salmon from a bag net, fly net or other stake net.

Mesh size of net

6.—(1) Any net used in fishing for or taking salmon shall have a mesh size of not less than 90mm as measured in accordance with regulation 7.

(2) The setting of two or more nets in any way with the practical effect of reducing the mesh size of the nets used to less than 90mm is hereby prohibited.

Measurement of mesh size

7.—(1) For the purposes of these Regulations the mesh size shall be measured in accordance with the provisions of the Commission Regulation.

(2) In the case of square mesh netting the method set out in article 2(1) and 4 of the Commission Regulation shall not be used but instead the net shall be stretched in the direction of each diagonal

of the mesh and the measurement shall be taken of each stretched diagonal, and the size of the mesh shall be taken to be the average of those two measurements, each such measurement being the width of the gauge at the point where the gauge is stopped when using the gauge in accordance with article 2(2) and (3) of the Commission Regulation.

Material of net

8. No monofilament netting shall be used in the construction of any net used in fishing for or taking salmon.

Dimensions and hanging ratio for leader of bag net, fly net or stake net

9.—(1) The leader of any bag net, fly net or other stake net shall be so mounted that the hanging ratio is at least 66%.

(2) The length of the leader of any bag net, fly net or other stake net shall not exceed 300m.

Amendment to the Tweed Fisheries Amendment Act 1859

10.—(1) Section 12 of the Tweed Fisheries Amendment Act 1859 shall be amended as follows:—

- (a) in the provision and regulation beginning “In every such Stake Net...” for the words “Three Feet” there shall be substituted “90cm”; and
- (b) after the provision and regulation beginning “The netting of the leader...” there shall be inserted the following provisions and regulations:—

“The nets used in the formation and construction of stake nets and bag nets shall not com prise monofilament netting that is to say any netting containing any mesh, the sides of which consists of a single filament of synthetic material:

The leader of any bag net or stake net shall not exceed 300m in length.”.

(2) Section 13 of the said Act of 1859 shall be amended as follows:—

- (a) for the words from the beginning to “Seven Inches round” there shall be substituted “It shall not be lawful to shoot, draw or use in the river any net of which the meshes shall be less than 90mm”; and
- (b) after “Rod and Line” there shall be inserted—

“which mesh size shall be measured in accordance with Commission Regulation (EEC) No 2108/84 (which lays down detailed rules for determining the mesh size of fishing nets) except that in the case of square mesh netting (that is to say netting mounted so that of the 2 sets of parallel lines formed by the mesh bars one set is parallel to and the other at right-angles to the long axis of the net) the method set out in article 2(1) and (4) of the said Commission Regulation shall not be used but instead the net shall be stretched in the direction of each diagonal of the mesh and the measurement shall be taken of each stretched diagonal and the size of the mesh shall be taken to be the average of those 2 measurements, each such measurement being the width of the gauge at the point where the gauge is stopped when using the gauge in accordance with article 2(2) and (3) of the said Commission Regulation;”.

Salmon Fisheries (Scotland) Act 1862

11. The Regulations made under section 6(6) of the Salmon Fisheries (Scotland) Act 1862(2) set out as a Byelaw in Schedule E to the Salmon Fisheries (Scotland) Act 1868(3) are hereby revoked.

(2) 1862 c. 97.

(3) 1868 c. 123.

