
STATUTORY INSTRUMENTS

2006 No. 2913

The Scotland Act 1998 (River Tweed) Order 2006

PART 2

METHODS OF FISHING AND OFFENCES RELATED TO FISHING

Close times for salmon

Removal of boats and nets during annual close time

38.—(1) The proprietor or occupier of any salmon fishery shall within 36 hours after the commencement of the annual close time—

- (a) remove and carry from such fishery, and from the landing places and grounds adjacent thereto, all boats, oars, nets, engines and other tackle used or employed by such occupier in taking salmon; and
- (b) effectually secure the same so as to prevent their being used in fishing until the end of the close time,

with the exception of such boats and oars as may be used in angling.

(2) Any proprietor or occupier who fails to comply with the duty imposed by paragraph (1) shall be guilty of an offence, and liable on summary conviction to a fine not exceeding level 4 on the standard scale.

(3) A person who commits an offence under this article may be convicted on the evidence of one witness.

(4) Nothing in this article applies to—

- (a) any ferry—boat or prevents the continued use of any boat by any owner of land adjoining the river or the owner's family, if the boat has the owner's name painted on it, and is secured, when not in use for lawful purposes, by lock and key;
- (b) the pins fixed in the ground to assist in the support of the stakes or poles of fly nets or other stake nets; or
- (c) the fastenings fixed in rocks for the support of bag nets.