

2015 No. 11

CONSTITUTIONAL LAW

DEVOLUTION, SCOTLAND

RIVER, SCOTLAND

RIVER, ENGLAND AND WALES

The Tweed Regulation Amendment Order 2015

Made - - - - *19th January 2015*

Laid before the Scottish Parliament *20th January 2015*

Coming into force - - *31st January 2015*

The Scottish Ministers make the following Order in exercise of the powers conferred by articles 36 and 54 of the Scotland Act 1998 (River Tweed) Order 2006(a) and all other power enabling them to do so.

In accordance with paragraphs 8, 9 and 12 of Schedule 2 to that Order they have consulted such persons as they considered appropriate, directed that notice be given of the general effect of this Order and considered objections and representations made.

Citation and commencement

1. This Order may be cited as the Tweed Regulation Amendment Order 2015 and comes into force on 31st January 2015.

Amendment to the Tweed Regulation Order 2007

2. In article 3 (annual close time order) of the Tweed Regulation Order 2007(b)—

- (a) in paragraph (1) for “14th February” substitute “31st March”;
 - (b) in paragraph (2) for “1st until 14th February” substitute “1st February until 31st March”;
- and

(a) S.I. 2006/2913.

(b) S.S.I. 2007/19.

(c) after paragraph (2) insert—

“(3) No person may retain any salmon caught by rod and line during the period from 1st February until 31st March, both dates inclusive.

(4) In paragraph (3) “retain” means failing to return a fish at once to the river or other water from which it came and with the least possible injury.”.

St Andrew’s House,
Edinburgh
19th January 2015

RICHARD LOCHHEAD
A member of the Scottish Government

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Tweed Regulation Order 2007 (“the 2007 Order”). It makes amendments to the annual close time (article 2(a)) and adjusts the periods within the annual close time when it is permitted to fish for and take salmon by rod and line in the Tweed District (article 2(b)). It also prohibits the retention of salmon caught by rod and line during the period from 1st February to 31st March with the effect that any salmon caught by such means will require to be immediately released (article 2(c)).

By virtue of article 37 of the Scotland Act 1998 (River Tweed) Order 2006 (“the 2006 Order”) fishing for, or taking, salmon during the annual close time is an offence and any person found liable is subject, on summary conviction, to a fine not exceeding level 4 on the standard scale. Failure to comply with the prohibition in new article 3(3) of the 2007 Order is also an offence by virtue of article 54(7) of the 2006 Order. Any person found guilty of such an offence is liable, on summary conviction, to a fine not exceeding level 4 on the standard scale.

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