

Act No. 47 of 15 May 1992 relating to salmonids and fresh-water fish etc.

Chapter I. Objective, scope and definitions

Section 1. Objective of the Act

The objective of the Act is to ensure that natural stocks of anadromous salmonids, fresh-water fish and their habitats, as well as other fresh-water organisms, are managed in such a way as to maintain natural diversity and productivity. Within this framework, the Act shall provide a basis for the improvement of stocks with a view to raising yields for the benefit of holders of fishing rights and sports fishermen.

Section 2. Scope of the Act

The Act applies to anadromous salmonids and fresh-water fish on the Norwegian mainland. The Act also applies to anadromous salmonids in Norwegian internal waters, Norwegian territorial waters and the Norwegian Economic Zone off the Norwegian mainland. The first paragraph, litra b and c, and the second and third paragraphs of section 1 of the Act of 3 June 1983 relating to sea-water fisheries apply correspondingly.

The Act applies to fishing for marine species to the extent that this is clear from the provisions.

The King may determine that the Act shall apply to the land territory, internal waters and territorial waters of Svalbard.

This Act applies subject to any restrictions deriving from international law or agreements with foreign states. If so required by agreements with foreign states or international conventions, the King may issue regulations notwithstanding the provisions set out in this Act or issued pursuant thereto.

Section 3. The authority to extend the substantive scope of the Act

The King may by means of regulations determine that the Act shall also apply to fresh-water organisms (plants and animals) other than anadromous salmonids and fresh-water fish.

Section 4. The principle of general protection

Anadromous salmonids are protected unless otherwise determined in provisions set out in or issued pursuant to this Act. The same applies to other fish in watercourses or parts of watercourses containing anadromous salmonids, cf. section 34, second paragraph.

Section 5. Definitions

For the purposes of this Act, the following definitions apply:

a. "anadromous salmonids": salmonid fish which migrate between the sea and fresh water and which are dependent on fresh water for reproduction, as well as eggs and fry of such fish.

Escaped or released farmed salmonids which may migrate between the sea and fresh water are considered to be anadromous salmonids when they are living in a free state in the sea or a watercourse, subject to the restrictions set out in section 9 of Act No. 68 of 14 June 1985 relating to farming of fish, shellfish, etc.

b. "fresh-water fish": all fish other than anadromous salmonids found in watercourses, as well as eggs and fry of such fish, including eels.

Any provisions of this Act that apply to fresh-water fish also apply to crayfish where appropriate.

c. "watercourses": lakes, pools, rivers, tributaries, streams and canals.

d. "free fishing": fishing which according to common law or other special legal authority is not considered to form part of the landowner's fishing rights.

Chapter II. The fisheries administration

Section 6. The fisheries administration

The fisheries administration pursuant to this Act consists of:

- a. The Ministry *
- b. The Directorate for Nature Management
- c. The county governors
- d. The municipalities.

The King may issue further regulations regarding the establishment of special bodies for the management of anadromous salmonids.

The Ministry will issue further regulations regarding the activities and procedures of the fisheries administration.

Chapter III. Protection and improvement of fish stocks and biotopes

Section 7. Regulation of watercourse development and other activities

Due consideration for fisheries interests and fish habitats shall be incorporated into general planning activities in municipalities and counties pursuant to the Planning and Building Act.

In areas that are of particular importance for fish resources, the King may prohibit construction works, building and other activities or use of the water resources if this is necessary to preserve or improve fish habitats. Such decisions will be implemented according to the administrative procedures set out in section 18 of Act No. 63 of 19 June 1970 relating to Nature Conservation. The Ministry may in advance lay down a temporary prohibition until the matter is settled.

The Ministry may issue provisions requiring the approval of physical measures such as weirs and fishing pools.

The Ministry may require that measures, construction work or other activities started in contravention of the provisions in this section be stopped and that the watercourse be restored to its original state. In the event of failure to comply with the order within the time limit stipulated, the Ministry may arrange for the work to be done at the expense of the party concerned. The costs involved may be recovered by distraint.

The second and third paragraphs above do not apply to cases dealt with pursuant to the Act relating to Water Resources or the Act relating to Regulation of Watercourses.

Section 8. Prohibition of import

It is prohibited to import live anadromous salmonids, fresh-water fish, eggs or fry of such fish, or animal species eaten by such fish without permission from the Ministry.

The Ministry may lay down regulations and make individual decisions concerning such import.

Section 9. Stocking measures

It is prohibited to release anadromous salmonids, fresh-water fish and live eggs or fry of such species in watercourses, fjords or the sea, or to release other organisms in watercourses, without permission from the Ministry.

Permission may be granted by means of regulations for particular species and areas or by individual decision on application.

Section 10. Stock enhancement

It is prohibited to initiate stock enhancement measures for anadromous salmonids or fresh-water fish without permission from the Ministry.

Permission for stock enhancement measures may be granted by means of regulations for specific types of activities or areas or by individual decision on application.

The Ministry may issue regulations relating to the establishment and operation of facilities for the enhancement of stocks of anadromous salmonids and fresh-water fish, with the exception of facilities for commercial sea-ranching.

Section 11. Special regulations during a fishing season

Even if fishing is permitted in accordance with provisions set out in or issued pursuant to this Act, the Ministry may, in order to ensure the rational exploitation of a stock or to safeguard a stock, issue regulations concerning fishing intensity and the total permitted catch from a watercourse, or stipulate other appropriate measures for the duration of the fishing season.

The Ministry may with immediate effect extend or stop fishing operations if water flow or other special conditions so require.

Section 12. Measures for dealing with acute crises

If anadromous salmonids or fresh-water fish are threatened by

acute pollution or other acute environmental disturbance, the Ministry may initiate any measures considered necessary to counteract, limit or prevent damage, including stopping fishing operations, catching fish to produce broodstock, etc.

In connection with the implementation of measures pursuant to this section, it may be decided that the use of or damage to the property of a third party is permissible in return for compensation, provided that the effect achieved is substantially greater than the damage or inconvenience caused. Regardless of fault, the costs incurred by the public authorities, including damages paid, may be claimed from the party responsible for the pollution or environmental disturbance.

This section does not apply to fish disease or to other matters relating to fish that are governed by other legislation.

Section 13. Exemptions for measures intended to protect or enhance fish stocks

The Ministry may, without regard for individual landowners or holders of fishing rights, or for provisions set out in or issued pursuant to this Act, grant permission to catch broodstock or juvenile fish or to carry out scientific investigations, practical trials, or stock enhancement measures. Landowners and those entitled to fish shall be notified before such catches or activities start.

Section 14. Screens

The Ministry may order the provision of screens at water intakes and outlets and determine how these shall be constructed and adapted to allow the passage of fish and to prevent fish from entering the installation or being injured.

If an order pursuant to the first paragraph is not complied with, the Ministry may have the necessary work done at the expense and risk of the party responsible. The costs involved may be recovered by distraint.

Section 15. Fish ladders, fish flumes, etc.

It is prohibited to catch fish in fish ladders, fish flumes or similar devices, to increase or reduce water flow or to prevent or

attempt to prevent fish from entering or passing through such devices. This prohibition also applies to a stretch of the watercourse from 50 m above to 50 m below fish ladders, fish flumes and similar devices. The Ministry may stipulate a different protection zone where necessary. The above limits shall be clearly marked. The costs involved will be met by the public treasury. The Ministry will issue further regulations concerning such marking. The maintenance and removal of such devices are governed by the provisions of sections 115 and 116 of the Act of 15 March 1940 relating to Water Resources.

Chapter IV. Provisions concerning fishing rights

Section 16. The right of the landowner to fish for anadromous salmonids

Subject to any restrictions deriving from provisions set out in or issued pursuant to legislation, custom, immemorial usage or other legal authority, the following provisions apply:

- a. In a watercourse, the landowner has the exclusive right to fish for anadromous salmonids.
- b. In the sea, the landowner has the exclusive right to fish for anadromous salmonids using fixed gear within the boundaries of his property.
- c. In the sea, the owner of the closest adjacent property has the exclusive right to fish for anadromous salmonids using bag nets, stationary lift nets, bend nets, stake nets or similar gear. His exclusive rights also include the right to set guide nets, mooring equipment for fishing gear etc. These rights apply to the extent considered reasonable, taking into account local circumstances such as the topography of the sea floor and the distance from the landowner's property to the fishing site in question, or the customary exercising of fishing rights.

The exclusive rights of the owner of the closest adjacent property also apply to islands, islets and skerries that do not lie below sea level at normal high tide.

At the mouth of a river where there is a run of anadromous salmonids, the owner of the closest adjacent property has the exclusive right to fish for such species using a seine net to a distance of 250 m from the river mouth.

In a fjord or sound, such exclusive rights will in no case apply further out than onequarter of the width of the fjord or sound at normal low tide in midsummer, measured as far as possible at right-angles to the axis of the fjord or sound at any point.

Section 17. The right of the landowner to fish for fresh-water fish

Subject to any restrictions deriving from provisions set out in or issued pursuant to legislation, custom, immemorial usage or other legal authority, the landowner has the exclusive right to fish for fresh-water fish in watercourses as has been practised since time immemorial within the boundaries of his property.

Section 18. Fishing by children

In a watercourse where the holder of fishing rights issues fishing licences, persons under the age of 16 are entitled to a fishing licence free of charge permitting them to catch fresh-water fish using a rod and handline between 1 January and 20 August, both dates inclusive.

In other watercourses, persons under the age of 16 are entitled to catch fresh-water fish using a rod and handline without the permission of the holder of fishing rights in the same period as specified in the first paragraph.

The provisions of the first and second paragraphs above do not apply to watercourses or parts of watercourses containing anadromous salmonids. The said provisions are also subordinate to regulations issued pursuant to section 34.

In cases where fishing pursuant to this section will be injurious to stock enhancement measures, or where fishing by children will seriously inconvenience holders of fishing rights, the Ministry may regulate the way fishing is carried out. The Ministry may lay down guidelines for this.

The provisions of this section do not apply to crayfish.

Section 19. Separation of fishing rights

Fishing rights pertaining to real property may not be separated from the right of ownership for longer than 10 years at a time, except in cases where fishing rights accompany the rights of user relating to the property.

The provision in the first paragraph above does not preclude

an agreement between several landowners which stipulates that all or part of the fishery shall be run jointly for more than 10 years. Moreover, the provisions do not apply to land consolidation cases.

When government property in Finnmark county is sold, the fishing rights may be withheld for the benefit of the public.

With the approval of the Ministry, an agreement may be made to let out fishing rights for the benefit of the public for a period exceeding 10 years.

If rights of user relating to real property are transferred, the user will be entitled to fishing rights pertaining to the property unless otherwise agreed.

If small parcels of land, such as plots with or without buildings, gardens, etc. are separated with appurtenant rights of ownership extending into the sea or a watercourse, it may be agreed that no fishing rights accompany them. If the parcel of land is not accorded rights of ownership extending into the sea or a watercourse, no fishing rights will appertain unless otherwise agreed.

Section 20. "Free fishing"

If fishing in a watercourse is "free", see section 5, litra d, the Ministry will issue provisions for the management of the fishery.

Section 21. Fishing on local common land

The provisions of chapter 8 of Act No. 59 of 19 June 1991 relating to local common land apply to fishing on local common land.

Section 22. Fishing on government property

On government property not regulated by Act No. 31 of 6 June 1975, any person who is permanently resident in Norway and has been resident for the past year is permitted to fish with a rod and handline, provided that he buys a fishing licence. Fishing using fixed gear in the sea is only permitted as indicated.

Fishing by nomadic Sami is governed by section 14 of Act No. 14 of 9 June 1978 relating to reindeer husbandry.

The Ministry may lay down further regulations concerning fishing on government property other than state common land, including regulations giving priority to persons permanently resident in the municipality, stipulating lower licence fees for residents, and concerning fishing by persons not resident in Norway.

Fishing in watercourses on government property in Finnmark is "free" for all persons permanently resident in the county. The Ministry may lay down separate regulations concerning fishing on government property in Finnmark.

The first and fourth paragraphs above do not apply to fishing in those parts of the Alta, Tana and Neiden rivers which hold a salmon stock, nor in watercourses where fishing with a rod and handline is leased out.

Section 23. Fishing on municipal property

The municipalities shall utilize fishing rights for anadromous salmonids and other fresh-water fish on their property in accordance with the objective of the Act, and provide the best possible opportunities for fishing for the public, for instance by selling fishing licences. The income from such sales shall be used for stock enhancement measures and for administration of the fishery. The municipalities may entrust the administration of the fishery to an organization whose object, or one of whose objects, is the promotion of fishing.

Section 24. Special rights in Finnmark

This Act entails no amendments in the special regulations that apply to the fishing rights of the local population in Finnmark pursuant to the Royal Decree of 27 May 1775 relating to land consolidation in Finnmark etc. and to the Act of 23 June 1888 relating to fishing rights in the Tana watercourse in Finnmark county.

Chapter V. Organization and management of watercourses. Management plans. Order to sell fishing licences.

Section 25. Organization and management of watercourses. Management plans.

In order to ensure satisfactory, rational management of fish stocks, the fisheries administration shall endeavour to establish joint management regimes.

If so required for the exploitation of fish resources, the holders of fishing rights have a duty to cooperate in joint management of fish stocks. The holders of fishing rights will organize such work themselves, if necessary with assistance from the fisheries administration. If no agreement is reached, a majority of the holders of fishing rights may with binding effect decide that the fish resources shall be jointly managed. The majority is calculated on the basis of each person's share of the fishery. The Ministry will issue further provisions concerning the notification and implementation of such decisions. If necessary, the Ministry may order holders of fishing rights to cooperate in joint management of fish stocks.

Where appropriate, a management plan shall be drawn up for a watercourse or fishing ground. The plan should include a survey of fish stocks in the area in question and proposals for stock enhancement and exploitation. It should also include proposals for the proportions and sizes of fishing rights in the watercourse, the organization of fisheries interests, the letting of fishing rights or sale of fishing licences, the permitted catch of fish, rules for the use of various types of fishing gear, minimum sizes, close seasons and financial aspects. The management plan will be drawn up by the holders of fishing rights, if necessary with assistance from the fisheries administration. The provisions concerning majority decisions in the second paragraph apply accordingly. If necessary, the Ministry may draw up a management plan.

The expenses and income deriving from measures pursuant

to the above provisions shall be apportioned according to the shares of individual holders in the fishing rights. The Ministry may issue further provisions regarding such apportionment. In connection with the implementation of the management plan, a system of use may be required pursuant to the Land Consolidation Act. Such a system determines, inter alia, how income and expenses are to be apportioned. The Ministry may require a system of use to be drawn up pursuant to section 2, litra c, of the Land Consolidation Act if none of the parties requires this or if the result of a settlement on amicable terms is not satisfactory.

Section 26. Watercourses where public funds are granted for stock enhancement measures

If the public authorities or the fishing fund provide funding for stock enhancement measures, the conditions for such funding may include a requirement that the fishery or a proportion of the fishery shall be managed for the benefit of the public. The Ministry may draw up guidelines concerning conditions for grants towards stock enhancement measures.

Section 27. Order to sell fishing licences

The fisheries administration shall, by means of voluntary arrangements, provide the public with the best possible opportunities for fishing. In watercourses where the public do not have reasonable access to the fishery, or where the holders of fishing rights do not make use of fish production, the Ministry may, if other conditions make this reasonable, order the provision of better access to fishing by the letting of fishing rights or sale of fishing licences. In such cases, the use made of the fishery by holders of fishing rights shall be taken into account. The order shall be given for a limited period of time and may apply for up to 10 years at a time. The price of participation in the fishery shall be set at the level that is usual in similar fisheries. The order may be implemented by means of a coercive fine.

The question whether, according to general legal principles, the holders of fishing rights have a claim to compensation for losses resulting from decisions pursuant to this section, will be decided by judicial assessment unless otherwise agreed. An application for an assessment must be made within one year after the decision is announced. The Ministry may extend the time limit. The provisions of sections 153-158 of the Courts of Justice Act apply to the extent appropriate. The Act of 23 October 1959 relating to the expropriation of real property does not apply.

The King may issue regulations prohibiting the subletting of fishing rights.

Section 28. Orders regarding stock enhancement measures

The fisheries administration shall ensure that appropriate measures for the protection and enhancement of fish stocks are organized and implemented satisfactorily for each watercourse.

If a fish stock is not managed satisfactorily, and it is not possible to achieve a settlement on amicable terms, the Ministry may order the holders of fishing rights to carry out measures to protect or enhance fish stocks according to a specific management plan.

In the event of failure to comply with an order, the Ministry may entrust the management of the watercourse to the local fishery management body for a period of up to 10 years. Its return to the holders of fishing rights is free of charge.

The question whether, according to general legal principles, the holders of fishing rights have a claim to compensation for financial losses resulting from decisions pursuant to this section, will be decided by judicial assessment unless otherwise agreed. An application for an assessment must be made within one year after the decision is announced. The Ministry may extend the time limit. The provisions of sections 153-158 of the Courts of Justice Act apply to the extent appropriate.

The Act of 23 October 1959 relating to the expropriation of real property does not apply to orders or decisions made pursuant to this section.

Chapter VI. Fishing fund. Fishing fee. Financing

Section 29. Fishing fund

To finance stock enhancement measures, a fishing fund shall be established. The fishing fund will comprise the revenues mentioned in sections 30 and 47 of this Act.

The fund will be administered by the Ministry within the framework the King determines for its administration and the use of its assets.

Section 30. Fishing fee

Any person who has reached the age of 16 and who wishes to fish for anadromous salmonids or other fresh-water fish shall pay a fee to the fishing fund.

Norwegian and Swedish nomadic Sami are exempt from the requirement to pay the fee for fishing to which they are entitled pursuant to the reindeer husbandry legislation.

In order for a person to be permitted to fish, a fee must be paid to the fishing fund, but such payment does not entitle the person to fish in any particular area.

The Ministry will determine the size of the fee, and the period for which payment applies. The Ministry may issue further regulations concerning payment and control of such payment.

Chapter VII. Administrative and judicial decisions

Section 31. Disputes concerning boundaries, etc.

A landowner who holds fishing rights or the user of fishing rights in a lake or watercourse, the local fishery management body, the county governor, the chief of police or the Directorate of Nature Management may apply for the Ministry to determine:

- a. the position of the midstream line of a river or stream, cf. section 35, second paragraph,
- b. whether a stretch of river is to be regarded as a waterfall, c. the width of a watercourse at mean summer water level or the width of a fjord or sound at normal low tide in midsummer,
- d. the boundary between a river or stream and a lake or pool or the boundary between a river or stream and the sea,
- e. whether a watercourse or parts of a watercourse shall be considered to contain anadromous salmonids.

If necessary, the Ministry may make decisions on the above-mentioned matters without an application from one of the parties listed in the first paragraph.

Decisions made by the Ministry pursuant to the first paragraph may not be appealed pursuant to Chapter VI of the Public Administration Act of 10 February 1967. The parties may, within three months of the Ministry's decision, request that the matter be decided by judicial assessment.

A new decision by the Ministry may be requested if it can be shown that conditions in the watercourse or the adjoining stretch of sea have changed substantially or if it is at least 10 years since the matter was last decided. The provisions of the third paragraph apply accordingly.

Section 32. Dispute between neighbouring properties regarding fishing

If fishing gear designed to catch anadromous salmonids is placed on a property in such a way that it impedes or prevents fishing using such gear from the neighbouring property, either of the parties may request that the Land Consolidation Court determine the extent of the rights of each property, and how fishing shall be carried out so that the properties are able to make maximum use of their rights.

Chapter VIII. Fishing, open seasons, methods, use of gear, etc.

Section 33. Opening of fishing for anadromous salmonids, further provisions on the use of fishing gear, open seasons, etc.

In accordance with the objective of the Act, the King may permit fishing for anadromous salmonids. Such permission may be given for a specified period of time and apply to particular areas, types of fishing gear, fishing methods, species or catch volumes.

The Ministry may issue supplementary provisions. Different provisions may be laid down for each area and watercourse.

Section 34. Regulations for catches of fresh-water fish

In order to ensure the satisfactory management of fresh-water fish in watercourses, the Ministry may issue fishing regulations which apply to one or several municipalities or parts of these, including regulations on the closure of the fishery for up to five years, on definitions of fishing gear and on the closure of watercourses as necessary for eel fishing.

In watercourses containing anadromous salmonids, the provisions laid down with regard to anadromous salmonids also apply to fresh-water fish. The Ministry may lay down separate regulations for fresh-water fish if this will provide for more rational exploitation of fresh-water fish and will not cause significant damage to the stock of anadromous salmonids.

Section 35. Free channel, midstream line

It is prohibited to close watercourses completely to the free passage of fish. In a river, arm of a river or stream there shall be a free channel corresponding to at least one-eighth of the breadth of the watercourse on each side of the midstream line, measured at mean summer water level. In cases where fishing gear is set out from each bank at intervals of less than 100 m along the watercourse, the free channel shall instead correspond to at least one-sixth of the width.

The midstream line is in the middle of the deepest water if this position can be demonstrated. In other cases, the midstream line is in the middle of the watercourse or where its position has been determined pursuant to section 31, litra a. As far as possible, the position shall be determined so that roughly equal amounts of fish will pass on each side of it at the time when the quantity of fish in the locality is at a maximum.

The Ministry may prescribe a wider or narrower free channel.

Section 36. Fishing in the free channel, obstruction

It is prohibited to place fishing gear in such a way that the gear either alone or together with guide nets, stones or other natural barriers to the free passage of fish reaches into the free channel. Fishing using a rod and handline, otter, drift net, seine that is hauled in immediately after setting or a dip net that is lifted immediately after it is lowered into the water is excepted from this provision.

It is prohibited to drop stones or other objects that may hinder the free passage of fish into the free channel. It is also prohibited to make the bed of the river upstream or downstream of the entrance to fishing gear deeper than the free channel. If the free channel has been filled up or the watercourse deepened in contravention of this provision, it is prohibited to fish at the site in question until the free channel or watercourse has been restored to the same state as before the unlawful action took place.

The Ministry may order the restoration of a free channel that has been altered in contravention of the provisions of the second paragraph. The provisions of section 7, fourth paragraph, apply correspondingly.

If the river bed has been filled in or deepened through no-one's fault, the holders of fishing rights cannot object to measures initiated by the Norwegian Water Resources and Energy Administration (NVE) at the request of the Ministry to clear the free channel or fill up the deepened channel according to a plan drawn up by the NVE. In such cases, the costs are covered by the state.

Section 37. Prohibited measures and fishing and killing methods

Measures of any kind with no other purpose than to frighten fish or prevent their free passage are prohibited.

Both in the sea and in watercourses it is prohibited to use the following to catch, kill or injure fish:

1. substances with a toxic, paralysing or suffocating effect
2. explosives
3. firearms, except to catch pike.
4. electric current
5. artificial changes of water flow
6. fish spears or similar equipment with a point or hook which is not intended to be swallowed by the fish. It is nevertheless permitted to use such equipment to assist in landing fish that have been caught using other, legal equipment
7. artificial light, except to catch eels and crayfish

The Ministry may prohibit other fishing and killing methods.

The Ministry may in individual cases grant dispensation from the provisions of the second and third paragraphs.

Section 38. Special provisions relating to licences

The King may decide that a licence shall be required for specified fishing methods for anadromous salmonids. The King may by regulations lay down further provisions relating to the granting of licences and conditions that may apply to individual licences.

Section 39. Fishing and traffic near fixed fishing gear

It is prohibited to fish or anchor lock seines less than 200 m from the entrance of fixed gear set to catch anadromous salmonids, or otherwise at a distance of less than 50 m.

The prohibition also applies to fishing for other species than anadromous salmonids.

Nevertheless, this prohibition does not preclude fishing for eels, seining for herring, sprat, capelin, mackerel, cod or saithe, or fishing on the fisherman's own property.

Nor does the prohibition preclude fishing with a rod and handline at a distance of more than 50 m from fixed gear.

The Ministry may issue regulations concerning traffic near fixed gear set to catch anadromous salmonids.

The Ministry may issue regulations prescribing minimum distances between gear set to catch anadromous salmonids.

Section 40. Regulation of all fishing

The Ministry may prohibit or issue rules relating to all fishing, including fishing for marine species, at the mouths of watercourses, in salt-water currents, in sounds and between rivers and lakes containing anadromous salmonids. The area regulated shall not exceed two km from the river mouth unless special reasons make this necessary. The area regulated shall be clearly marked at the expense of the public treasury.

Section 41. Lowering of fishing gear

To prevent catches of anadromous salmonids which are prohibited pursuant to this Act or regulations issued pursuant thereto, the King may lay down regulations relating to the lowering of fishing gear intended to catch species other than anadromous salmonids if such gear is also suitable for catching anadromous salmonids.

Chapter IX. Control and inspection.

Registration. Duty to report.

Section 42. Control and inspection.

The Ministry shall ensure compliance with the provisions laid down in this Act or pursuant thereto and ensure that the necessary inspection routines are established.

In the course of their duties, members of the Ministry's inspection service shall be given unimpeded access to boats or vessels and areas where there are fishing activities. During such activities, boats and vessels may be stopped for investigation. The person responsible for fishing activities shall give the Ministry any necessary assistance and information. The inspection service may if necessary request assistance from the police in carrying out its duties.

The Ministry may issue regulations relating to inspection pursuant to the first paragraph above, and relating to instructions for inspectors.

Outside state common land, the fisheries administration may appoint inspectors. The inspectors should be given police authority pursuant to section 15 of Act No. 3 of 13 March 1936 relating to the Police.

Section 43. Registration

Any person who fishes for anadromous salmonids in a lake or watercourse using other gear than a rod, handline, trolling line or otter has a duty to register his fishing gear before starting to fish. If fishing in the area is leased out, both the owner and the lessee are responsible for ensuring that fishing gear is registered.

The Ministry will issue further regulations concerning the registration and marking of fishing gear. The Ministry may extend the duty to register fishing gear to include fishing for other fresh-water species.

Section 44. Duty to report catch data

Any person who in the course of a year has caught anadromous salmonids shall provide a written catch report for use in official statistics.

Any person who rents fishing rights or buys a fishing licence for a watercourse must send a catch report to the owner of the fishing rights. The owner of the fishing rights has a duty to provide a catch report within a specified time limit.

Registration of fishing gear pursuant to section 43 may be refused if no catch report has been provided.

The Ministry will issue further provisions concerning catch reports, time limits and the address to which reports are to be sent.

The Ministry may decide that this paragraph shall also apply to fresh-water fish.

Section 45. Catch reports from traders

Any person who sells, processes or uses anadromous salmonids or fresh-water fish for commercial purposes is required to report the weight and value of each fish species separately, as well as the name and address of the seller, for use in official statistics.

The Ministry will issue further provisions concerning catch reports and the address to which reports are to be sent.

Chapter X. Liability for damages

Section 46. Absolute liability

Any person who causes damage to fishing gear or devices which are lawfully set to catch fish or to enhance the fish stock is obliged regardless of fault to pay compensation for the damage, including any catch lost and losses resulting from the interruption in fishing.

The obligation to pay compensation pursuant to the first paragraph may be reduced or dropped if the person who caused the damage can establish that he was not at fault.

Chapter XI. Confiscation. Prohibition of sale. Penal measures

Section 47. Return to the water and confiscation

Anadromous salmonids taken with gear which is unlawful for catches of such fish, or outside the lawful fishing season for such species, shall immediately be returned to the water.

Anadromous salmonids which are caught unlawfully and landed, or the value of such fish, shall accrue to the fishing fund. The Ministry shall as far as possible ensure that proper use is made of the catch or its value.

The value of unlawfully caught fish may be recovered by distraint.

The Ministry may issue further provisions relating to return of fish to the water and confiscation, including provisions relating to unlawfully caught fresh-water fish.

Section 48. Prohibition of sale

It is prohibited to accept or sell fish which have been caught in contravention of provisions set out in this Act or issued pursuant thereto.

Section 49. Penal measures

Any person who wilfully or negligently contravenes or is accessory to contravention of any provisions set out in this Act or issued pursuant thereto, or maintained by the Act or conditions laid down pursuant to the Act, is liable to a fine or imprisonment for up to one year unless the matter is subject to a more severe penal provision. Under particularly aggravating circumstances, imprisonment for up to two years may be imposed.

Any person who claims to fish for salt-water or fresh-water fish and who should have understood that, given the type of fishing gear and its effect and the proportions of anadromous salmonids and salt- or fresh-water fish at the fishing site in

question, there was a reasonable likelihood of catching anadromous salmonids, is considered to have acted negligently.

Contravention is to be regarded as a misdemeanour.

An attempt is subject to the same penalty as a completed offence.

Chapter XII. Entry into force

Section 50. Entry into force

1. This Act will enter into force on the date prescribed by the King. It may be determined that the various provisions of the Act shall enter into force on different dates. From the same date, the Act of 6 March 1964 relating to salmon and fresh-water fisheries is repealed.
2. Provisions issued pursuant to the Act of 6 March 1964 relating to salmon and fresh-water fisheries and older Acts still apply to the extent that they are authorized by this Act or provisions issued pursuant thereto.
3. With the entry into force of this Act, the following amendments are made to other Acts:

(list available in Norwegian)