



Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003

2003 asp 15

PART 4

ADMINISTRATION OF FRESHWATER FISHERIES

49 Appointment of wardens to secure compliance with protection order

- (1) For the purpose of securing compliance with a protection order, the Scottish Ministers may appoint as wardens such persons as they think fit from among persons nominated to them by or on behalf of an owner of land to which a right of fishing for freshwater fish pertains or by or on behalf of an occupier of such a right in any inland waters in the prescribed area.
- (2) A warden appointed under subsection (1) above or a constable may—
 - (a) make enquiry as to the legal right or written permission of any person to fish for or take freshwater fish in any waters in the prescribed area where there is reasonable cause to suspect that that person has no such right or permit and may require that person to produce written evidence of such right or permission within 14 days;
 - (b) if there is reasonable cause to suspect that a contravention of a prohibition contained in a protection order has taken place, within the prescribed area seize any instrument or article used or calculated to be of use in such contravention.
- (3) In this section and section 50 of, and schedule 3 to, this Act “prescribed area” means the area prescribed in a protection order made under section 48 of this Act.