



Tweed Fisheries Amendment Act 1859

1859 CHAPTER lxx 22 and 23 Vict

XIII Regulating Size of Meshes of Nets.

[^{F1}It shall not be lawful to shoot, draw or use in the river any net of which the meshes shall be less than 90mm] (except Nets which shall be used solely for the taking of Herrings or Shrimps, and Nets which shall be used solely for the Purpose of landing Fish taken with the Rod and Line); [^{F2}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;] and every Person who shoots, draws, or uses in the River, or has in his Possession within Five Miles of the River, any Net adapted for taking or killing Fish with Meshes of smaller Dimensions than those above specified (except as aforesaid), or shoots, draws, or uses any double Net, shall for every such Offence be liable to a Penalty not exceeding [^{F3F4}£25][^{F4}level 1 on the standard scale], and an additional Penalty of [^{F5F6}50p][^{F6}level 1 on the standard scale] for each Salmon taken by means of such illegal Net or double Net, and every such illegal Net and every Salmon so taken may be seized and forfeited.

Textual Amendments

- F1** Words in s. XIII substituted (1.1.1993) by S.I. 1992/1974, reg. 10(2)(a)
- F2** Words in s. XIII inserted (1.1.1993) by S.I. 1992/1974, reg. 10(2)(b)
- F3** Words substituted by virtue of (S.) Criminal Procedure (Scotland) Act 1975 (c. 21), s. 289C(4)(5)(8) and (E.W.) Criminal Law Act 1977 (c. 45), s. 31.(5)(6)(9)
- F4** Words “level 1 on the standard scale” substituted (E.W.S.) for words “£25” by virtue of (E.W.) Criminal Justice Act 1982 (c. 48, SIF 39:1), s. 46 and (S.) Criminal Procedure (Scotland) Act 1975 (c. 21, SIF 39:1), s. 289G

Changes to legislation: There are currently no known outstanding effects for the
Tweed Fisheries Amendment Act 1859, Section XIII. (See end of Document for details)

- F5** Words substituted by virtue of [Decimal Currency Act 1969 \(c. 19\), s. 10\(1\)](#)
- F6** Words “level 1 on the standard scale” substituted (E.W.S.) for words “50p” by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\), ss. 38, 46](#) and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\), ss. 289F, 289G](#)

Modifications etc. (not altering text)

- C1** [S. XIII](#) amended by [Freshwater and Salmon Fisheries \(Scotland\) Act 1976 \(c. 22\), s. 7, Sch. 3 Pt. I para. 3](#)
- C2** [S. XIII](#): power to amend conferred by [Salmon Act 1986 \(c. 62, SIF 52:2\), ss. 3\(2\)\(d\), 10\(6\)\(b\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Tweed Fisheries Amendment Act 1859, Section XIII.