

## SCHEDULES

### SCHEDULE 4

#### OFFENCES

#### PART I

##### PROSECUTION AND PUNISHMENT

- 1 (1) Column 2 of the Table below gives a description of the offences against the provisions of this Act specified in column 1 of the Table, and in relation to any such offence—
- (a) column 3 shows whether the offence is punishable summarily (that is to say, on summary conviction) or on indictment or either in one way or the other ; and
  - (b) column 4 shows the maximum punishment by way of fine or imprisonment which may be imposed on a person convicted of the offence in the way specified in column 3 (that is to say, summarily or on indictment), any reference in column 4 to a period of years or months being construed as a reference to a term of imprisonment for that period.
- (2) A person guilty of an offence against any provision of this Act not specified in the Table shall be liable on summary conviction to a fine not exceeding £50 or, in the case of a second or subsequent conviction, £100.

TABLE

Provision of Act creating the offence	Description of offence	Mode of prosecution	Punishment
(1)	(2)	(3)	(4)
Section 1	Fishing with certain instruments for salmon, trout or freshwater fish and possessing certain instruments for fishing for such fish.	(a) If not acting with another, summarily.  (b) If acting with another— (i) summarily  (ii) on indictment	£50; or in the case of a second or subsequent conviction £100.  £100; or in the case of a second or subsequent conviction £200.  Two years or a fine or both.

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*Status: This is the original version (as it was originally enacted).*

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Provision of Act creating the offence	Description of offence	Mode of prosecution	Punishment
(1)	(2)	(3)	(4)
Section 4	Discharging poisonous or injurious matter into waters containing fish or spawn.	(a) Summarily  (b) On indictment	£400 and £40 for each day on which the offence continues after a conviction thereof.  Two years or a fine or both.
Section 5(1).	Using explosives, poisons, noxious substances or electrical devices to take or destroy fish.	(a) Summarily  (b) On indictment.	£200; or in the case of a second or subsequent conviction £400.  Two years or a fine or both.
Section 5(3)	Destroying or damaging dams etc., to take or destroy fish.	(a) Summarily  (b) On indictment	£200; or in the case of a second or subsequent conviction £400.  Two years or a fine or both.
Section 19(2)	Fishing for salmon during the annual close season or weekly close time.	Summarily	£100; or in the case of a second or subsequent conviction £200.
Section 19(4)	Fishing for trout during the annual close season or weekly close time.	Summarily	£100; or in the case of a second or subsequent conviction £200.
Section 19(6)	Fishing for freshwater fish during the annual close season for freshwater fish and fishing for eels by means of a rod and line during that season.	Summarily	£100; or in the case of a second or subsequent conviction £200.
Section 19(7)	Fishing for rainbow trout during the annual close season for rainbow trout and fishing for eels by means of a rod and	Summarily	£100; or in the case of a second or subsequent conviction £200.

Provision of Act creating the offence	Description of offence	Mode of prosecution	Punishment
(1)	(2)	(3)	(4)
Section 21	line during that season. Prohibition on use of certain devices at certain times.	Summarily	£100; or in the case of a second or subsequent conviction £200.
Section 27	Fishing for fish otherwise than under the authority of a licence and possessing an unlicensed instrument with intent to use it for fishing.	(a) If not acting with another, summarily.  (b) If acting with another— (i) summarily  (ii) on indictment	£50; or in the case of a second or subsequent conviction £100.  £100; or in the case of a second or subsequent conviction £200.  Two years or a fine or both.

- (3) A person shall be treated as acting together with another for the purposes of the above Table if both are engaged in committing an offence against section 1 or 27 above, other than one committed by means of a rod and line or without any instrument, or one is aiding, abetting, counselling or procuring the commission of such an offence by the other.