



# Salmon and Freshwater Fisheries Act 1975

## 1975 CHAPTER 51

### PART VI

#### MISCELLANEOUS AND SUPPLEMENTARY

#### 42 Repeals etc.

- (1) The enactments specified in Schedule 5 to this Act are hereby repealed to the extent specified in the third column of that Schedule.
- (2) In section 18(1) of the <sup>M1</sup>Sea Fish (Conservation Act 1967 (enforcement of orders in relation to salmon and migratory trout) for paragraph (a) there shall be substituted the following paragraph:—
  - “(a) section 31 (1)(d) of the Salmon and Freshwater Fisheries Act 1975 (which confers power of seizure) shall apply as if the reference in it to that Act included a reference to this Act, and sections 36(1) and (2) of that Act, and paragraph 8 of Schedule 4 (all of which contain ancillary provisions), shall be construed accordingly as including references to that Act as applied by this subsection;”
- (3) In so far as any instrument made or other thing whatsoever done under any enactment repealed by this Act could have been made or done under a corresponding enactment in this Act, it shall not be invalidated by the repeal of that enactment but shall have effect as if made or done under that corresponding enactment; and for the purposes of this provision anything which under section 93(2) of the <sup>M2</sup>Salmon and Freshwater Fisheries Act 1923 had effect as if done under any enactment in that Act shall, so far as may be necessary for the continuity of the law, be treated as done under the corresponding enactment in this Act.
- (4) Any enactment or other document referring to an enactment repealed by this Act or by the <sup>M3</sup>Salmon and Freshwater Fisheries Act 1923 shall, so far as may be necessary for preserving its effect, be construed as referring, or as including a reference, to the corresponding enactment in this Act.

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*Changes to legislation: There are currently no known outstanding effects for the Salmon and Freshwater Fisheries Act 1975, Section 42. (See end of Document for details)*

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- (5) Nothing in this Act shall affect the admissibility in evidence of any instrument made under the <sup>M4</sup>Salmon Fishery Act 1865.
- (6) Section 254(2)(c) of the <sup>M5</sup>Local Government Act 1972 (power of Secretary of State to amend, etc., enactments by order) shall apply to this Act as if it had been passed before 1st April 1974.
- [<sup>F1</sup>(7) The <sup>M6</sup>Water Act 1973 shall have effect as if the functions conferred on water authorities by section 28(1) and (2) above were conferred by it.]
- (8) Nothing in this Act shall affect the legal right of any conservators, directors, commissioners, undertakers or other persons to dredge, scour, cleanse or improve any navigable river, canal or other inland navigation.
- (9) Nothing in this Act shall be taken as prejudicing the operation of section 38 of the <sup>M7</sup>Interpretation Act 1889 (which relates to the effect of repeals).

#### Textual Amendments

- F1** S. 42(7) repealed (E.W.) by [Water Act 1989 \(c. 15, SIF 130\)](#), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), 194(9), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58)

#### Modifications etc. (not altering text)

- C1** The text of s. 42(1)(2), Sch. 5 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

#### Marginal Citations

- M1** 1967 c. 84.  
**M2** 1923 c. 16.  
**M3** 1923 c. 16.  
**M4** 1865 c. 121.  
**M5** 1972 c. 70.  
**M6** 1973 c. 37.  
**M7** 1889 c. 63.

**Changes to legislation:**

There are currently no known outstanding effects for the Salmon and Freshwater Fisheries Act 1975, Section 42.