CHAPTER cxxxix.

An Act to confirm an Order under the Salmon and Freshwater Fisheries Act 1907 relating to the River Sevérn and other waters. [18th August 1911.]

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WHEREAS the Board of Agriculture and Fisheries have made the Provisional Order set forth in the schedule hereto under the provisions of the Salmon and Freshwater Fisheries Act 1907: 7 Edw. 7. c. 15.

And whereas it is requisite that the said Order should be confirmed by Parliament:

Be it therefore enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

1. The Order as amended and set out in the schedule hereto shall be and the same is hereby confirmed and all the provisions thereof shall have full validity and force. Order in schedule confirmed.

2. This Act may be cited as the Severn Fisheries Provisional Order (1910) Confirmation Act 1911. Short title.

[*Price* 1*s.*]

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SCHEDULE.

SEVERN FISHERIES PROVISIONAL ORDER 1911.

THE Board of Agriculture and Fisheries (herein-after referred to as "the Board") by virtue and in exercise of the powers vested in them under the Salmon and Freshwater Fisheries Act 1907 with a view to the improvement and development of the salmon and freshwater fisheries in the area defined by this Order do make the following Provisional Order for the regulation of such fisheries in that area:—

DEFINITION OF FISHERY DISTRICT AND CONSTITUTION OF BOARD OF CONSERVATORS.

Definition of area affected by Order.

1.—(1) This Order applies to the area described in the First Schedule hereto and more particularly delineated in a map sealed by the Board of Agriculture and Fisheries in relation to this Order and to all salmon fisheries and freshwater fisheries in such area but subject to the provisions of this Order relating to exemptions and to the alteration of the boundary of the area.

(2) A copy of the said map certified under the Documentary Evidence Acts 1868 to 1895 shall be kept by the Board of Conservators hereby constituted at the office of the clerk of that Board and be open at all reasonable times to inspection free of charge by any person desiring inspection for any bonâ fide purpose.

(3) The area so defined is in this Order referred to as "the Fishery District."

Constitution and incorporation of Board of Conservators.

2.—(1) For the purposes of this Order a Board of Conservators shall be constituted in manner herein-after appearing as a body corporate under the name of "The Board of Conservators of the Severn Fishery District" having perpetual succession and a common seal with power to make contracts and to sue and be sued in that name and such Board is herein-after referred to as "the Fishery Board."

(2) The Fishery Board shall consist of the following members:—

(A) Sixteen members appointed by each of the councils of the counties of Gloucester Worcester and Salop twelve members by the council of the county of Montgomery four members by the council of the county of Hereford three members by the council of the county of Stafford two members by each of the councils of the counties of Denbigh and Radnor one member by the council of the county of Warwick and six members by each of the

councils of the county boroughs of Gloucester and Worcester Such members shall remain in office until resignation death or determination of their appointment by the council appointing them:

(B) Members representative of public fisheries within the Fishery District to be elected under and in accordance with the provisions of sections 29 to 33 (both inclusive) of the Salmon Fishery Act 1873 (with all necessary modifications) except that after the year nineteen hundred and eleven the elections shall be triennial and the number of members to be elected shall be determined according to the average amount of licence duty paid in the year of election and the two preceding years:

(C) Six members representative of the interests of persons fishing within the Fishery District with rod and line for fresh-water fish to be appointed by the Board of Agriculture and Fisheries of whom one shall be specially appointed to represent the interests of persons fishing with rod and line in the portion of the River Avon within the Fishery District Such members shall be appointed triennially and except in the case of an appointment to fill a vacancy caused by death or resignation shall come into office on the appointed day in each year:

(D) Ex-officio members qualified under sections 26 to 28 (both inclusive) of the Salmon Fishery Act 1873;

Where a person entitled to act as an ex-officio member is an infant or a lunatic the guardian or committee of the estate as the case may be shall be entitled to act in the place of such person;

An ex-officio member may nominate by power of attorney an agent to act for him as a member and an agent so nominated shall be entitled so to act until the power is duly determined A copy of every such nomination and notice of the determination of a nomination shall be sent as soon as may be by the owner making or determining the nomination to the clerk of the Fishery Board and an agent shall not be entitled to act until a copy of his nomination has been received by the clerk;

Where persons entitled to act as ex-officio members are so entitled as joint tenants or tenants in common of a fishery or fisheries they shall act only by an agent nominated by them in manner herein-before provided who may be one of the persons by whom the nomination is made.

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Powers of Fishery Board as to expenditure.

3. Subject to the provisions of this Order the Fishery Board may expend any moneys in their hands on any matter they may think conducive to the maintenance improvement or development of the fisheries within the Fishery District Provided that the Fishery Board shall as far as practicable appropriate to the protection and improvement of the fisheries for freshwater fish any moneys coming to their hands in respect of such fisheries after payment thereout of a fair proportion of the general expenses of administration of the Fishery Board.

Audit.

4. The accounts of the Fishery Board shall be balanced in each year to the thirty-first day of December and shall forthwith be audited by some person (other than a member of the Fishery Board) appointed by the Board of Agriculture and Fisheries whose remuneration shall be fixed by that Board and paid by the Fishery Board A copy of the audited accounts with the report (if any) of the auditor thereon shall as soon as possible be sent by the Fishery Board to the Board of Agriculture and Fisheries and to the council of each county and borough named in section 2 (2) of this Order.

RETURNS BY PERSONS TAKING FISH IN THE DISTRICT.

Power for Board to require fishery returns.

5. The Board of Agriculture and Fisheries may as regards any specified kind of fish require returns to be made and sent to them by every person taking such fish within the Fishery District in waters frequented by salmon within one month after the receipt by such person of a form of return sent to him by the Board by registered post and if any person to whom such a form is so sent wilfully or negligently fail to make and send to the Board a full and true return in the form so provided he shall be liable on summary conviction to a penalty not exceeding five pounds unless he proves to the satisfaction of the court that he did not receive the form of return so sent If any person in making a return shall require that the particulars comprised in his return shall not be disclosed the Board shall not disclose them except for the purposes of a prosecution under this provision and except that in compiling any report or summary of statistics the Board may include such particulars so arranged that no person will be able to identify any particulars so published as particulars relating to the person making the return or his business.

LICENCES FOR FISHING FOR FRESHWATER FISH.

Licences required for rods and lines used for freshwater fish.

6.—(1) On and after the first day of January nineteen hundred and twelve licences shall be granted to all persons using a rod and line for fishing for freshwater fish within the Fishery District and any scale of licence duties in force on that date shall then cease to operate

so far as it relates to persons using a rod and line for fishing for freshwater fish within the Fishery District and any person fishing within the Fishery District on or after the said date with a rod and line for freshwater fish without a proper licence shall be liable on summary conviction to a penalty not less than double the amount to be paid for the requisite licence and not exceeding five pounds Provided that this provision shall not apply to any person under the age of fourteen years.

(2) A licence under this section shall be available only within the Fishery District and by the person to whom it is granted.

(3) The provisions of subsections (4) to (7) of section 34 of the Salmon Fishery Act 1865 which relate to licences to fish for salmon granted under that Act shall with the necessary adaptations apply to licences to fish for freshwater fish granted under this section.

(4) The provisions as to variation of licence duties contained in the Salmon and Freshwater Fisheries Acts 1861 to 1892 shall extend to licence duties under this section and subject to any variation the scale of licence duties under this section shall be—

(A) two shillings and sixpence for each single rod and line if the licence is available for use within the whole Fishery District;

(B) two shillings for each single rod and line if the licence is available for use only in such part of the Fishery District as lies within the watershed of the River Severn above Lincombe Weir or within the watershed of the River Teme; and

(C) sixpence for each single rod and line if the licence is available for use only in such part of the Fishery District as does not lie within the watershed of the River Severn above Lincombe Weir or within the watershed of the River Teme.

Power to require licences for other instruments used for freshwater fish.

7.—(1) The Fishery Board shall have power to issue licences to all persons fishing for freshwater fish (otherwise than with a rod and line) within the Fishery District and in the event of the power being exercised the provisions of sections 33 to 37 of the Salmon Fishery Act 1865 and sections 21 22 and 25 of the Salmon Fishery Act 1873 (relative to licences under those Acts) shall apply in relation to licences under this provision with the substitution therein of the words "freshwater fish" for the word "salmon" and of "waters in the Fishery District" for "river or part of a river" and subject to the terms of this Order.

(2) The power conferred by this section may be exercised in respect of all freshwater fish or of specified kinds of freshwater fish

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and in the latter case the specified kinds of fish shall be stated in any scale of licence duties fixed under this section and this section shall apply only to those kinds of fish.

Provisions affecting licences for fishing for freshwater fish.

8.—(1) A licence to fish for salmon within the Fishery District shall also have effect as a licence to fish for freshwater fish.

(2) Every scale of licence duties for fishing for freshwater fish or variation of such scale shall except as herein otherwise expressly provided take effect on the first day of January after the date of its approval by the Board of Agriculture and Fisheries.

(3) The Fishery Board shall not enforce any scale of licence duties for fishing for freshwater fish (otherwise than with a rod and line) unless they have previously given notice of their intention in this behalf by advertisement in one or more local newspapers not less than once in each week for four consecutive weeks before the commencement of the year in which the scale is to take effect and the production of a copy of a newspaper containing any such advertisement as aforesaid shall be conclusive evidence of due notice having been given in accordance with this provision and such advertisement shall be in substitution for the advertisement required by section 25 of the Salmon Fishery Act 1873.

(4) Any scale of duties in force on the appointed day in the Fishery District or any part thereof with respect to nets for trout or char shall continue in force and have effect as if it had been made by the Fishery Board and duly advertised.

MODIFICATIONS IN RELATION TO FISHERIES IN THE FISHERY DISTRICT OF CERTAIN PROVISIONS OF THE SALMON AND FRESHWATER FISHERIES ACTS.

Modification of Salmon Fishery Act 1865 s. 27.

9. The powers conferred by the Salmon and Freshwater Fisheries Acts 1861 to 1892 on boards of conservators of purchasing by agreement fishing weirs fishing mill dams or fixed engines shall in relation to the Fishery Board extend to the purchase of any fishery fishing weir fishing mill dam or fixed engine for the purpose of enabling the Fishery Board to work the same by themselves or their lessees where such purchase and working will in the opinion of the Fishery Board be for the benefit of fisheries within the Fishery District and the Fishery Board may by agreement hire for such purpose any fishery fishing weir fishing mill dam or fixed engine.

Modification of s. 34 (4) of Salmon Fishery Act 1865.

10. There shall be paid for a general licence such sum as shall be agreed by the Fishery Board and the person entitled to the licence and be approved by the Board of Agriculture and Fisheries or as shall on the application of either party be determined by such last mentioned Board having regard to the extent and productiveness of the

fishery and to any conditions attached to the licence with respect to the nature of the instruments or devices to be used for catching fish or otherwise which shall be agreed upon by the said parties or in default of agreement be imposed by that Board.

Duration of licences.

11. A scale of licence duties fixed by the Fishery Board may provide for licences available only for part of a year but no licence shall be available after the expiration of the year in which it is issued.

Modification of s. 21 (2) of Salmon Fishery Act 1873.

12. Notwithstanding the provisions of section 21 (2) of the Salmon Fishery Act 1873 the Fishery Board may with the approval of the Board of Agriculture and Fisheries issue licences available for use both in public fisheries and in fisheries owned or leased by the Fishery Board.

Modification of s. 21 (4) of Salmon Fishery Act 1873.

13. The Fishery Board may with the approval of the Board of Agriculture and Fisheries issue for any specified kind of net or other movable instrument or device licences exempt from the provisions as to endorsements contained in section 21 (4) of the Salmon Fishery Act 1873.

Additional powers of making byelaws.

14.—(1) The Fishery Board may make byelaws to be made confirmed and published in the same manner as byelaws authorised by section 39 of the Salmon Fishery Act 1873 for any of the following purposes:—

(i) To prohibit or regulate fishing within such distance above or below any natural or artificial obstruction to the passage of salmon as may be prescribed by the byelaw but so that the byelaw shall not affect fishing with rod and line above or below an obstruction in which or in connexion with which there is maintained in an efficient state a fish pass approved under the Salmon and Freshwater Fisheries Acts 1861 to 1892;

(ii) To prohibit the carrying in a boat or vessel while being used in fishing for salmon of any net which is not licensed and has not attached thereto the mark label or number (if any) prescribed by a byelaw made by the Fishery Board;

(iii) To determine the length size and description of nets and the manner of using the same (not being fixed engines) for taking salmon Provided that no byelaw made under this authority shall limit the length of a draft net to less than two hundred yards;

(iv) To vary the commencement and termination of the annual close season for putts and putchers but so that the close season shall not exceed in length the period prescribed by

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the Salmon Fishery Law Amendment Act 1879 and the total number of days shall not be diminished;

(v) To prohibit the use with rod and line of any lure bait or mode of fishing specified in the byelaw either wholly or under such restrictions as may be prescribed by the byelaw;

(vi) To prohibit or regulate the use of a gaff or other instrument as auxiliary to angling with rod and line for salmon;

(vii) To exempt any waters within the Fishery District from the operation of section 15 of the Salmon Fishery Act 1873 and to regulate the use of baskets nets traps and devices for catching eels lamperns or lampreys;

(viii) To exempt any specified kind of non-migratory trout (other than salmo fario) from the provisions of the Salmon and Freshwater Fisheries Acts 1861 to 1892 which regulate the period during which it shall be illegal to take or kill trout and to prohibit fishing for catching or killing or attempting to catch or kill such exempted kind of trout between the dates specified in the byelaw;

(ix) To prohibit fishing for catching or killing or attempting to catch or kill any specified kind of freshwater fish between the dates specified in the byelaw;

(x) To prohibit taking of any specified kind of fish of a less size than that specified in the byelaw;

(xi) To vary the close season for elvers as fixed by the Elver Fishing Act 1876;

(xii) To impose a penalty not exceeding five pounds for each offence against a byelaw;

and Part VII. and section 62 of the Salmon Fishery Act 1873 shall subject to the terms of this Order apply to any byelaw made under this provision.

(2) No byelaw under the Salmon and Freshwater Fisheries Acts 1861 to 1892 or this Order shall be made at any meeting of the Fishery Board unless notice of intention to propose the same shall have been given at a previous meeting of such Board and unless a similar notice shall have been given in the notice convening the meeting at which the byelaw is intended to be proposed which last-mentioned notice shall be issued one fortnight at least before the date of such meeting No byelaw shall become operative unless two-thirds of the members present shall vote in favour of it If at any meeting a byelaw is proposed and not passed by the requisite majority neither the same byelaw nor any similar byelaw or any byelaw to the like effect shall be proposed until after the expiration of one year from the date of the meeting at which the byelaw was proposed.

15. The Fishery Board may with the approval of the Board of Agriculture and Fisheries define for the purposes of subsection (12) of section 39 of the Salmon Fishery Act 1873 the boundary between inland and tidal waters.

Definition of boundary between inland and tidal waters.

16.—(1) The Fishery Board may by written permit authorise the use of any instrument specified in the permit for the purpose of taking fish for stocking or breeding purposes or for scientific purposes or for the destruction of any specified kind of fish and such permit may contain such conditions as the Fishery Board think fit and in such case any provision in the Salmon and Freshwater Fisheries Acts 1861 to 1892 or this Order or any byelaws made by the Fishery Board penalising the use of such instrument or its use without a licence shall not apply to the use of the instrument by the person to whom the permit is granted for the purposes and subject to the conditions specified in the permit.

Special permits for taking fish for stocking &c.

(2) A permit granted to a person under this section shall not be construed as authorising him to fish in any waters in which he is not otherwise entitled to fish.

(3) Any person to whom the Fishery Board shall refuse to grant a permit may appeal against such refusal to the Board of Agriculture and Fisheries whose decision shall be final and if the Board so direct the Fishery Board shall grant a permit in accordance with their direction.

17. The provisions of the Salmon and Freshwater Fisheries Acts 1861 to 1892 relating to powers of water bailiffs shall in the case of a water bailiff appointed by the Fishery Board extend to the removal of diseased fish from any waters in the Fishery District and to the disposal of the same as the Fishery Board direct.

Removal of diseased fish.

18. The Fishery Board shall on the application of (*a*) the owner of a fishery or (*b*) a local authority or water board being the owner of any reservoir or (*c*) the owner of any canal (including any artificial channel used for navigation purposes) appoint a water bailiff nominated by the applicant for such purpose for the protection of such fishery reservoir or canal who shall be paid by the applicant for such appointment But unless otherwise directed by the instrument appointing him the powers of any such water bailiff shall not extend beyond the fishery reservoir or canal of the applicant for his appointment Provided that any appointment made by the Fishery Board under this section may at any time be revoked by them for any cause which they may deem sufficient but without prejudice to the right to require the Fishery Board to appoint another person.

Appointment of water bailiffs for private waters.

19.—(1) Nothing in the Salmon and Freshwater Fisheries Acts 1861 to 1892 or this Order or any byelaw made by the Fishery Board penalising the use of any instrument or its use without a licence or

Exemption of waterworks canals &c. from certain provisions.

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prohibiting or restricting the catching or killing or attempting to catch or kill any kind of fish shall apply to the removal of fish from any reservoir or other waters in the Fishery District forming part of the water undertaking of a local authority or water board or of a canal by the direction of the local authority or water board or of the owner of the canal for the purposes of their undertaking.

(2) An officer of the Fishery Board shall not under the powers conferred by the said Acts or this Order have any power to interfere with any machinery appliances or works which form part of a water undertaking or canal.

Modification of Salmon Fishery Act 1861 s. 26.

20. The Board of Agriculture and Fisheries may by written permit available for a period specified in the permit exempt any sluices from the provisions of section 26 of the Salmon Fishery Act 1861 on such conditions (if any) as may be specified in the permit.

Modification of Salmon Fishery Act 1861 s. 25 and Salmon Fishery Act 1873 s. 46.

21. In the case of any dam weir or other obstruction to the passage of salmon to which by the provisions of the Salmon and Freshwater Fisheries Acts 1861 to 1892 a fish pass is required to be attached or made as part of the structure thereof the Board of Agriculture and Fisheries may by written permit exempt such dam weir or obstruction from the operation of such provisions so long as there is maintained in an efficient state a fish pass not attached to or forming part of the structure of the dam weir or obstruction but of such form and dimensions and in such position as in the opinion of the Board are efficient to facilitate the passage of salmon past such dam weir or obstruction and are approved accordingly under the seal of the Board.

Modification of Salmon Fishery Act 1861 s. 23.

22. The power of erecting a fish pass attached to a dam conferred by section 23 of the Salmon Fishery Act 1861 as amended by the Salmon Fishery Act 1873 shall extend to the erection and maintenance of a fish pass adjacent to but not attached to the dam.

Confirmation of byelaws.

23. A byelaw made by the Fishery Board may be confirmed by the Board of Agriculture and Fisheries either without modification or with such modification as may be assented to by the Fishery Board and in the latter case notice of the proposed modification shall be given by the Fishery Board by advertisement or otherwise in accordance with the directions (if any) of the Board of Agriculture and Fisheries in that behalf.

Proof of byelaws.

24. A copy of any byelaw made by the Fishery Board purporting to be signed by the clerk of the Fishery Board and certified by him to be a true copy and to have been duly confirmed shall be evidence until the contrary is proved in all legal proceedings of the due making confirmation publication and existence of such byelaw without further or other proof.

25. The minutes of the proceedings of the Fishery Board shall be open to the inspection of any owner or occupier of a fishery in the Fishery District or any person authorised by such owner or occupier to inspect the same on his behalf.

Minutes of proceedings to be open to inspection.

26.—(1) The provisions of the Salmon and Freshwater Fisheries Acts 1861 to 1892 with respect to boards of conservators conservators and fishery districts except as herein expressly provided and so far as they are consistent with the provisions of this Order shall apply to the Fishery Board the members of the Board and the Fishery District as if such Board and District were formed under those Acts and as if the waters lying within the Fishery District were a river and subject to the provisions of this Order the Fishery Board shall as regards the Fishery District have all such powers and duties as may be exercised or discharged by a board of conservators constituted under the said Acts or any of them.

Application of provisions of Salmon and Freshwater Fisheries Acts.

(2) The provisions of the said Acts with respect to the formation alteration combination and dissolution of fishery districts and the sections or parts of sections of the said Acts mentioned in the Second Schedule to this Order shall not apply to the Fishery Board or within the Fishery District.

27. The Act passed in the eighteenth year of the reign of King George the Third and intituled "An Act for the better preservation of Fish and regulating the Fisheries in the Rivers Severn and Verniew" is hereby repealed.

Repeal of Local Act.

28. The Fishery Board and the Wye Fishery Board may with the approval of the Board of Agriculture and Fisheries transfer from the jurisdiction of the Fishery Board to that of the Wye Fishery Board or vice versâ any part of their respective Fishery Districts which forms part of or immediately adjoins the estuary of the Severn or the Bristol Channel upon such terms as to compensation and adjustment as may be agreed by the Fishery Boards and in the event of any such transfer being agreed and approved the alteration of boundary shall be marked on the maps referred to in this Order and in the Wye Fisheries Provisional Order 1908 and the Orders shall apply to the Fishery Districts as so altered Notice of an alteration of boundary shall be given by the Fishery Boards in such manner as the Board of Agriculture and Fisheries direct.

Power for Fishery Board and Wye Fishery Board to alter boundary between their districts.

29. The Fishery Board—

(A) shall on the application of the owner of a fishery in any reservoir lake pond or canal within the Fishery District which has no connexion with any water above or below

Provision for exemption of certain fisheries.

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through which fish can pass from above to below or from below to above; and

(B) may on the application of the owner of a fishery in any other reservoir lake pond or canal within the Fishery District

exempt the fishery from the application of this Order and such exemption shall continue in force if there is no such connexion until such connexion exists or if there is such connexion for the time specified in the exemption. If in any case where such connexion exists the Fishery Board refuse to exempt the fishery the owner thereof may appeal against the refusal to the Board of Agriculture and Fisheries whose decision shall be final and if the Board of Agriculture and Fisheries so direct the Fishery Board shall grant an exemption in accordance with their direction:

Provided that for the purpose of this section no part of the canal belonging to the Shropshire Union Railways and Canal Company within the Fishery District above the level where water enters from rivers or streams shall be deemed to have a connexion with water below from which fish can pass from below to above.

Exemption for Liverpool Corporation Waterworks.

30. Notwithstanding anything contained in this Order the provisions of this Order shall not apply to or in respect of any reservoirs waters lands or works from time to time belonging to the lord mayor aldermen and citizens of the city of Liverpool within the Fishery District and forming part of their water undertaking or to any streams or waters flowing into the same.

Definitions.

31.—(1) In this Order unless the context otherwise requires the following terms have the meaning herein-after respectively assigned to them (that is to say):—

"Freshwater fish" means fish of any kind (exclusive of all migratory fish of the genus salmon) which live permanently or periodically in fresh water;

"Owner" means the person for the time being receiving the rackrent of a fishery whether on his own account or as trustee for any other person or who would so receive the same if the fishery were let at a rackrent;

"Year of election" means the year nineteen hundred and eleven or the third year after the preceding year of election as the context requires;

"Appointed day" means the date appointed by the Board of Agriculture and Fisheries as that on which elected members of the Fishery Board shall come into office;

Other expressions have the same meaning as in the Salmon and Freshwater Fisheries Acts 1861 to 1892.

(2) Any document purporting to be signed by one of several persons entitled as joint tenants or tenants in common of a fishery on behalf of himself and the other persons or to be signed by the clerk of any body corporate being an owner of a fishery on behalf of such body shall unless and until the contrary is proved be treated for the purposes of this Order as signed by all the persons entitled or by the body corporate as the case may be.

Short title.

32. This Order may be cited as the Severn Fisheries Provisional Order 1911.

TRANSITORY PROVISIONS.

Abolition of existing Board of Conservators and other transitory provisions.

33.—(1) The existing Board of Conservators of the Severn Fishery District shall be abolished on the appointed day and all property acquired and all liabilities incurred by that Board shall as from that day by virtue of this Order be transferred to and vested in the Fishery Board and the Fishery Board shall to all intents and purposes represent and be deemed a continuation of the existing Board and the clerk and all other officers of that Board shall become the officers of the Fishery Board and upon the same terms and conditions as heretofore Except as otherwise expressly provided in this Order any byelaw scale of licence duties notice or instrument made fixed given or executed by the existing Board shall upon such abolition take effect in the Fishery District as if it had been made fixed given or executed by the Fishery Board but shall not in any other respect be altered or affected by this Order The time and place of the first meeting of the Fishery Board shall be fixed by the existing Board and for the purposes of the nomination and election of the first elected members of the Fishery Board the existing Board shall in the application of this Order be substituted for the Fishery Board.

(2) The Fishery Board shall come into office on the appointed day and the members of the existing Board shall remain in office until that date.

In witness whereof the Board of Agriculture and Fisheries have hereunto set their Official Seal this twenty-second day of June nineteen hundred and nine.

(L.S.)

WALTER E. ARCHER
Assistant Secretary.

A.D. 1911.

SCHEDULES.

FIRST SCHEDULE.

DESCRIPTION OF FISHERY DISTRICT.

(Subject to exemptions contained in this Order.)

The area included within a line commencing at the seaward extremity of the boundary between the parishes of Woolaston and Aylburton and drawn straight to the western edge of Lydney Sands thence continued along the general line of ordinary low-water on the western edge of Lydney Sheperdine and Beacon Sands successively to the south-westernmost extremity of Beacon Sands thence true south-east until it reaches the line of ordinary low-water on the western edge of Oldbury Sands thence in a south-westerly direction along the general line of ordinary low-water on the western edge of Oldbury and Slimeroad Sands successively until it reaches the south-western extremity of Slimeroad Sands thence straight towards the north-eastern extremity of the Lower Bench until it meets the deep water line of the channel dividing the said Lower Bench from the Upper Bench thence along the deep water line of such channel and of the channel dividing Northwick Oaze and the English Stones from the Dun Sands until it meets the deep water line of the main channel of the estuary of the River Severn or Bristol Channel near the Dumplings thence along such deep water line through the Shoots until it meets a straight line drawn from the site of the Avon Battery to the seaward extremity of the western bank of Collister Pill thence along the natural watershed of all rivers flowing into the eastern side of the said estuary northward of the said site until it reaches Broadway Hill thence along the natural watershed between the tributaries of the River Avon flowing into the said river eastward of Marlcliff Hill and the tributaries flowing into it westward thereof until it reaches the point near Marlcliff Hill where the boundary between the counties of Warwick and Worcester abuts on the left bank of the River Avon thence true north until it reaches the natural watershed of the River Arrow thence along such watershed and along the natural watershed of the River Severn and of all rivers flowing into the estuary of the said river or Bristol Channel northward of the seaward extremity of the boundary between the parishes of Woolaston and Aylburton aforesaid until it reaches such seaward extremity where it began.

SECOND SCHEDULE.

PROVISIONS WHICH BY THIS ORDER ARE DECLARED TO BE INAPPLICABLE TO THE FISHERY BOARD OR WITHIN THE FISHERY DISTRICT.

Act.	Section.	Subject.
Salmon Fishery Act 1865.	Section 15 - - -	Tenure of office by Conservators.
	Section 16 - - -	Notice of appointment of Conservators.
	Section 29 - - -	Audit of accounts.
	Section 34 (8) - - -	Notice on first appointment of Conservators.
	In sections 35 and 36 the words " From and after a time to " be appointed as aforesaid in " a fishery district."	
Salmon Fishery Act 1873.	In section 39 the words in subsection (2) " such weekly " close time in no case to " exceed 48 hours."	Limitation of power to alter weekly close time.
	The whole of subsection (3) -	Byelaws as to nets.
	The last paragraph of the section commencing " Provided also ".	Notice of proposed byelaw.

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