STATUTORY INSTRUMENTS

1977 No. 1586

RIVER, ENGLAND AND WALES

SALMON AND FRESHWATER FISHERIES

The Thames Water Authority (Fisheries) Order 1977

Made - - - - 29*th July* 1977

Coming into Operation 21*st September* 1977

The Minister of Agriculture, Fisheries and Food, in exercise of the powers conferred on him by section 28(3) and (6) of the Salmon and Freshwater Fisheries Act 1975(a) and of all other powers enabling him in that behalf, and on the application of the Thames Water Authority, hereby makes the following Order:—

Citation and commencement

1. This Order which may be cited as the Thames Water Authority (Fisheries) Order 1977 shall, unless subject to special Parliamentary procedure, come into operation on the date of its confirmation by the Minister of Agriculture, Fisheries and Food.

Interpretation

2.—(1) In this Order—

"the Act" means the Salmon and Freshwater Fisheries Act 1975;

"water authority area" means the area as respects which the Thames Water Authority are for the time being to exercise their fisheries functions.

(2) The Interpretation Act 1889(b) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

Modification of Salmon and Freshwater Fisheries Act 1975, *Section* 1 *and Section* 25

3. (*a*) Notwithstanding the provisions of sub-section (4) of section 1 of the Act that section (which relates to the prohibition of certain modes of taking or destroying fish) shall apply within the water authority area to a person using a gaff (consisting of a plain metal hook without a barb) as auxiliary to angling with a rod and line for salmon, trout, freshwater fish and eels or having such a gaff in his possession intending to use it as aforesaid.

(*b*) Notwithstanding sub-section (4) of section 25 of the Act a fishing licence for the use of a rod and line within the water authority area shall not entitle the licencee to use as ancillary to that use a gaff, consisting of a plain metal hook without a barb.

(a) 1975 c. 51. (b) 1889 c. 63.

Modification of Salmon and Freshwater Fisheries Act 1975, *Schedule* 3, *paragraph* 35

4. Paragraph 35 of Schedule 3 to the Act (which empowers a Water Authority to make byelaws authorising fishing with rod and line for eels during the annual close season for freshwater fish) shall be read and have effect in relation to the water authority area as if the words "and for rainbow trout" were inserted after the words "freshwater fish".

IN WITNESS whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 29th July 1977.

(L.S.)

(Sgd) *W. R. Small,*
Assistant Secretary.

CONFIRMED by the Minister of Agriculture, Fisheries and Food.

IN WITNESS whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 21st September 1977.

(L.S.)

(Sgd) *W. R. Small,*
Assistant Secretary.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order modifies sub-section (4) of section 1 and sub-section (4) of section 25 of the Salmon and Freshwater Fisheries Act 1975 so that the use of a gaff consisting of a plain metal hook without a barb as auxiliary to angling with a rod and line for salmon, trout, freshwater fish and eels is prohibited within the area of the Thames Water Authority.

This Order also modifies paragraph 35 of Schedule 3 to the Salmon and Freshwater Fisheries Act 1975 to enable the Thames Water Authority to make byelaws authorising the fishing for eels with rod and line during the annual close season for rainbow trout.

Printed in England by McCorquodale Printers Ltd., and published by Her Majesty's Stationery Office
27/P20767/8 O 39 K 8 9/77

10p net

ISBN 0 11 071586 1

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