



Briefing note to DSFBs on Section 46A (Annual Report) of the Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003 (introduced by s.24 of the Aquaculture and Fisheries (Scotland) Act 2013)

Introduction

Section 24 of the Aquaculture and Fisheries (Scotland) Act 2013, amends the 2003 Act to place a number of new duties on DSFBs relating to openness and accountability. The new section 46A requires that the annual report and statement of accounts (s44(1)(a) of the 2003 Act) must be published and a copy sent to Scottish Ministers and provides more detail about what the report should contain. The Scottish Government has issued guidance in relation to the Good Governance obligations. Specific guidance relating to Annual Reports and Accounts can be found in paragraphs 5-12.

Annual Report

We would recommend that details of the clerk, director (where appropriate), board members and co-optees should be included as a matter of course. Please forward the annual report to FMS for inclusion on the members' page of our website.

The Board must ensure that the report contains in particular:

- **A summary of what the board have done in carrying out their statutory functions during the year to which the report relates**

This might include some or all of the following:

- Annual catches and how these compare with the past (e.g. 5 year average). This might take into account fishing conditions, weather, flows etc.
- Counter data (where applicable)
- Conservation policies in place including current rate of catch and release
- Regulatory measures promoted – either statutory or voluntary – and how these are being monitored
- Surveys of juvenile fish populations via electrofishing or smolt traps (by the Board or in conjunction with the Trust)
- Number of bailiffs trained & employed and a summary of their activities (illegal nets seized, offences reported and outcomes of court cases and any other relevant information.)
- A short summary of the main pressures on the catchment (ideally as identified by the fisheries management plan – where applicable)
- Funding of the Fishery Trust (where applicable)
- Details of habitat improvements carried out (by the Board or in conjunction with the Trust)
- Details of any consented stocking activities, including assessments carried out to determine the success or otherwise of these (by the Board or in conjunction with the Trust)

- **A summary of what the board propose to do in carrying out those functions in the following year**

This might include some or all of the following:

- Dates of meetings to be held
- Any changes to the conservation policy
- Details of work planned in relation to fish surveys
- Details of work planned in relation to habitat improvements
- Priorities for bailiffs
- Stocking strategy (where applicable)
- Funding of the Fishery Trust (where applicable)

FMS Briefing

- **Information about complaints made to the Board during the year, including: the number of complaints; and a statement of the nature of each complaint and how it was disposed of**
Please see the FMS guidance note on complaints

- **A statement as to how the Board have complied during the year with the good governance requirements and propose to comply with those requirements in the following year**
The text below is provided as a sample of what might be used (some of which can only be provided after more than one year). Please note that FMS have issued additional guidance on meetings, complaints and members' interests.

Meetings

The annual meeting of qualified proprietors was held on <date> at <location>. This meeting was publicised by means of <e.g. Board website, local newspapers etc.> and a copy of the notice was sent to the Scottish Government on <date>. <number> members of the public chose to attend. The minutes from this meeting can be viewed at <e.g. website>.

The annual public meeting was held on <date> at <location>. This meeting was publicised by means of <e.g. Board website, local newspapers etc.> and a copy of the notice was sent to the Scottish Government on <date>. <number> members of the public chose to attend. The minutes from this meeting can be viewed at <e.g. website>.

In addition, further meeting of the Board were held on <dates>. These meetings were publicised by means of <e.g. Board website, local newspapers etc.>. An average of <number> members of the public chose to attend each meeting. The minutes from these meeting can be viewed at <e.g. website>.

Annual Report and Accounts

This annual report will be published <e.g. website>. The annual report for <last year> was published <e.g. website, hard copy distribution> and a copy sent to Scottish Government on <date>[only relevant in subsequent years].

The accounts will be published <e.g. website>. The accounts for <last year> were published <e.g. website, hard copy distribution> and a copy sent to Scottish Government on <date>[only relevant in subsequent years].

Complaints

The Board has set up and maintains a complaints procedure which can be viewed at <location – e.g. website>. The procedure was reviewed at <date of meeting> and remains unaltered/was changed to reflect <...>. This change was notified to Scottish Government on <date>. Details on the number of complaints and how they were disposed of are included above.

Members' interests

The register of members' interests can be viewed at <e.g. website>. We have included a standing item at each Board meeting inviting Board members to declare new/amend existing interests and all such instances are recorded in the minutes of these meetings.

A copy of the annual report should be sent to Scottish Ministers using the following address:
dsfbgoodgovernance@scotland.gsi.gov.uk

For further information please contact:

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