

SALMON AND FRESHWATER FISHERIES (CONSOLIDATION) (SCOTLAND) ACT 2003 APPLYING FOR A LICENCE TO FISH IN THE CLOSE SEASON OR USE OTHERWISE ILLEGAL METHODS OF FISHING

Licensing otherwise illegal methods and times of fishing for salmon trout and other freshwater fish.

At present the following rules apply to the licencing of otherwise illegal methods:

- Marine Scotland Science acting on behalf of the Scottish Ministers, District Salmon Fishery Boards and the River Tweed Commission are the Licensing Authorities.
- District Salmon Fishery Boards are able to issue licences for operations taking place within their districts but only in the case of salmon and sea trout within the fishing season (this does not include the period within the annual close time when fishing by rod and line is permitted).
- Written permission issued by The Scottish Ministers is required in every other case; the only exception being within the area covered by the River Tweed Commission which issue licences under legislation specific to the Tweed.
- All fishing operations due to take place during weekly or annual close times must apply for a licence to the Scottish Ministers. Or in the case of the River Tweed area the River Tweed Commission

Licences to use illegal methods will only be issued to persons / groups that can demonstrate, either through attending appropriate training programmes or through experience (refereed attestation), that they are competent in the use and appropriate application of the method(s) applied for.

For fishing in the close season, use of illegal methods and broodstock collection, a risk assessment covering the activities to be undertaken and the locations to be covered must be provided by the applicant.

The risk assessment must:

- Identify, characterize, and assess any threats to fish populations and other native biota through use of the chosen method (or make clear that there are no threats)
- Assess the vulnerability of the populations at risk
- Determine the risk (i.e. the expected likelihood and consequences)
- Identify ways to reduce those risks
- Prioritize and provide a plan of risk reduction measures

Broodstock Collection

Broodstock collection has implications that are further reaching than those presented by the capture of fish in a catchment or river system as part of standard monitoring, survey or fish rescue operation. For this reason the licensing of broodstock collection is assessed as a special case and licenced as a separate activity.

Any application associated with the collection of broodstock as part of a breeding/stocking programme must provide details of that programme to allow assessment of the risks and implications of the programme as a whole.

We expect that broodstock collection of salmon, sea trout and brown trout will be for a stocking programme in the same river and in the case of large rivers, in the same sub-catchment, or forms part of a properly researched reintroduction programme. Where salmon are to be stocked above naturally impassable barriers they are considered to be out-with their native range. Such introductions would require a licence issued by SNH under the Wildlife and Countryside Act.

DSFB's seeking further information on licensing the introduction of a species to a place outwith it's native range please follow this link: <http://www.snh.gov.uk/protecting-scotlands-nature/species-licensing/non-native-species-licensing/> .

Application forms for otherwise illegal fishing methods and times and further guidance on filling in the form can be found at the following web address:

<http://www.scotland.gov.uk/Topics/marine/Licensing/fishintros/methods>.

Forms can also be obtained by telephoning, e-mailing or writing to the following:

Licensing
Freshwater Laboratory
Faskally
Pitlochry
Perthshire
PH16 5LB

Tel - 01224 294400

e-mail – MSSFFLicensing@scotland.gsi.gov.uk

We aim to process applications received less than 10 weeks in advance within 20 working days plus any time it takes for the applicant to provide missing information. In some cases it may take longer, for example if nature conservation status requires external consultation.

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