STATUTORY INSTRUMENTS

2015 No. 203

CONSTITUTIONAL LAW
DEVOLUTION, SCOTLAND
RIVER, SCOTLAND
RIVER, ENGLAND AND WALES

The Scotland Act 1998 (River Tweed) Amendment Order 2015

Made - - - -	*11th February 2015*
Coming into force - -	*12th February 2015*

At the Court at Buckingham Palace, the 11th day of February 2015
Present,
The Queen's Most Excellent Majesty in Council

This Order is made by Her Majesty in Council in exercise of the powers conferred upon Her by sections 111 and 113(2), (3), (4), (5) and (7) of the Scotland Act 1998(**1**).

In accordance with paragraphs 1 and 2 of Schedule 7(**2**) to that Act, a draft of this Order was—

(a) laid before and approved by a resolution of each House of Parliament; and

(b) laid before and approved by a resolution of the Scottish Parliament.

Accordingly, Her Majesty, by and with the advice of Her Privy Council, makes the following Order.

Citation and commencement

1. This Order may be cited as the Scotland Act 1998 (River Tweed) Amendment Order 2015 and shall come into force on the day after the day on which it is made.

(**1**) 1998 c.46. Section 111 was amended by the Marine and Coastal Access Act 2009 (c.23), section 231 and by the Scotland Act 1998 (River Tweed) Order S.I. 2006/2913, Schedule 4. Section 113 was amended by the Scotland Act 2012 (c.11), section 39.

(**2**) There are amendments to Schedule 7 not relevant to this Order.

Amendment of the Scotland Act 1998 (River Tweed) Order 2006

2.—(1) The Scotland Act 1998 (River Tweed) Order 2006(**3**) is amended in accordance with this article.

(2) After article 43 insert—

"**Salmon carcass tagging**

43A.—(1) The Scottish Ministers may, by order, make provision for or in connection with tagging the carcasses of salmon.

(2) An order under paragraph (1) may, in particular, make provision—

(a) about—

(i) the nature and form of tags;

(ii) the information which tags are to contain and the nature and form of that information;

(iii) applications for, and the supply, issue and storage of tags;

(iv) the persons or descriptions of persons who may supply and issue tags, including provision about registration of such persons;

(v) the method of affixing tags to carcasses and the circumstances in which, and the time at or by which, they are to be affixed;

(vi) the circumstances in which, and the time at or by which, tags may be removed;

(vii) the steps to be taken in the event of loss, or damage to, tags;

(b) for or about the keeping of records in connection with fishing for, taking, and tagging of salmon to which the order applies (including the form and content of such records);

(c) for or about the inspection or examination of those records, or the information contained in them, by persons or descriptions of persons mentioned in paragraph (e), by such methods as the order may specify, and the steps to be taken in the event of loss of, or damage to, the records;

(d) for or about the inspection or examination of tags by persons or descriptions of persons mentioned in sub-paragraph (e) including provision about the retention of tags after their removal;

(e) for or about persons, or descriptions of persons, responsible for enforcing and ensuring compliance with the order (including the appointment and functions of such persons);

(f) for or about the seizure, detention and destruction by persons, or descriptions of persons, mentioned in sub-paragraph (e) of salmon—

(i) that have not been tagged; or

(ii) from which a tag has been removed otherwise than,

in accordance with the provisions of the order;

(g) for or about the imposition by the Scottish Ministers of charges for the recovery of any reasonable costs they incur in connection with the supply or issue of tags (including charges in relation to the administration costs associated with the imposition of such charges);

(**3**) S.I. 2006/2913. Schedule 1 was amended by article 27(1) of S.I. 2009/837.