

CARCASS TAGGING – ASSESSMENT OF FIRST(2016) SEASON

The Salmon Carcass Tagging (Scotland) Regulations 2016 - link attached

[:http://www.legislation.gov.uk/ssi/2016/116/contents/made](http://www.legislation.gov.uk/ssi/2016/116/contents/made)

The Tweed Regulation (Salmon Carcass Tagging) Order 2016 – link attached

<http://www.legislation.gov.uk/ssi/2016/117/contents/made>

The above carcass tagging regulations came in to force on the 31st March 2016. The regulations apply to anyone taking a salmon above estuary limits in areas which were designated grade 1 or 2 in the Conservation of Salmon (Scotland) Regulations 2016 and The Tweed Regulation (Salmon Conservation) Order 2016. The retention of Atlantic salmon in coastal waters is prohibited. See following links to the regulations for the 2016 season:

<http://www.legislation.gov.uk/ssi/2016/115/contents/made>

<http://www.legislation.gov.uk/ssi/2016/118/contents/made>

Marine Scotland have carried out an assessment of the first year of the regulations and the following is a short summary of the findings based on the answers in the Q Form which Marine Scotland sent on 20 September 2016 to the fisheries to which tags were issued – 9 in total and to the 2 boards in areas where tags were issued and to the River Tweed Commission. Following reminders, a total of 6 Q forms were returned by fisheries and by 1 board plus the River Tweed Commission.

See Appendix A for list of fisheries and organisations and appendix B for Q Form. Appendix C for the guidance notes issued for the 2016 season.

Assessment

Introduction of the Scheme:

- Broad agreement guidance notes fit for purpose and issued on time but perhaps could have been publicised better and should have been circulated directly to Boards and River Tweed Commission. 1 board and the River Tweed Commission consider it is Marine Scotland's responsibility to notify local restaurants, hotels etc of the tagging requirements.

Carcass tags: section numbers refer to the section in the regulations.

- Section 6. Complete agreement that the name of the fishery should be on the tag as well as the unique number although this seems to be perceived more as a marketing benefit for the named fishery and not necessarily as an aid to compliance with the regulations.
- Section 4(3). No issues with the requirement to tag as soon as salmon is brought to shore or bank except for one fishery where they fish during the night, store fish in the fish house and tag at the end of the night in breach of the regulations.
- Section 5. No issues with the way the tag is put on and secured except for 1 fishery experienced a problem with "a few" tags snapping; 1 who inserts the tag the opposite way round to that specified and one who answered "Not known" to this question. This last is more than likely because the tags were

then issued to tenants by the fishery owner. I board said that nets-men were fishing without having tags in their possession – although they did not catch anything so were not in breach of the regulations – tags were back at the estate office. This board want a separate offence to be created of fishing without being in possession of tags.

- 2 respondents said they had not kept their tags under lock and key despite the instruction in the guidance notes. Although not a breach of the regulations this is a recommendation in the guidance notes and should be a matter of common sense. River Tweed commission say the building should be secure, not just the actual place where the tags are kept.

Record keeping:

- 3 respondents failed to return their unused tags at the end of the season despite the instruction in the guidance notes.
- 2 respondents were unable to comply with the deadline for making their return to the Salmon Assessment Group

Administration:

- No issues reported by fisheries about number of tags issued but 3 respondents failed to return their unused tags at the end of the season despite the instruction in the guidance notes. I board were concerned about a large number of unused tags potentially being available to be used illegally. However Marine Scotland were able to confirm that the figures quoted by the board are inaccurate – nothing like the actual number of tags issued.

The way forward for next season

Marine Scotland will be amending the guidance notes which will be issued to the fisheries along with the carcass tags and to the River Tweed Commission and the District Salmon Fishery Boards in the areas where carcass tags have been issued. Fisheries Management Scotland will also be putting the guidance notes on their web-site The amended guidance notes will also be put on the Scottish Government, Marine Scotland web-site. Amendments as follows:

- Include a paragraph emphasising that the fisheries to whom tags are issued must ensure that they have a system in place which enables the fishery to comply with the regulations if they then issue the tags to someone else in order to net. Anyone netting must have tags in their possession. Strong recommendation that a copy of the guidance notes be issued by the fishery owner to anyone netting within their fishery.
- Include a strong recommendation that the numbers of any tags which are lost or stolen should be notified right away to the relevant board or to the River Tweed Commission. Recommend within 8 hours because any longer and the tags could already have been sold through the market but in any event as soon as possible. The numbers of these tags need to be recorded for the report to Marine Scotland at the end of the season.

- Emphasise the importance of returning the unused tags at the end of the season to enable a complete reconciliation of the tags issued with the records made by the fishery. Marine Scotland will also write to these fisheries indicating that, should they be eligible for tags in the 2017 season they will not be issued with them until the tags from the previous year have been returned.
- Emphasise how important it is to keep the tags under lock and key within a secure building.

Other issues raised but not covered by the regulations

- I board raised the issue of sea trout not being in the regulations – this issue was raised and dealt with when the regulations were going through in 2015 - we currently do not have the evidence to put in place regulations for sea trout.
- I board want a buyer/seller register to be kept for inspection by bailiffs and police.
- RTC want much more information on any boxes of Wild Salmon:
 - Name of fishery caught
 - Date caught
 - Merchant sending
 - Number of salmon in box
 - Tag numbers in box
 - Total weight of box.
- This falls to be dealt with by the Wild Fisheries Reform Team in their considerations about the forthcoming Wild Fisheries Bill. However Marine Scotland will insert in guidance notes as recommendation that the tag numbers be put on the box

Enforcement of the regulations

It is quite clear from the Q Forms that some of the regulations are not being complied with by some users. The guidance notes prepared by Marine Scotland were provided to all the fisheries to which tags were issued and none of the fisheries who returned the Q Form had any problems with them. However, it may be that there has been a certain lack of understanding of what is required under the regulations.

In the second year of the regulations Marine Scotland would expect that everyone should be familiar with both the regulations and what is expected from them under the regulations.

It is important that DSFBs and the River Tweed Commission ensure that water bailiffs are supported in enforcing the regulations. As an aid to enforcement for the 2017 season Marine Scotland will notify the relevant board and the River Tweed Commission of the tag numbers for the fisheries within their district. A list of all the fisheries with the tag numbers will also be put on the Marine Scotland web-site.

Appendix A

List of Fisheries to whom tags were issued.

River Tweed Wild Salmon Co

R & S Fisheries

Scottish Wild Salmon Co

Auchmacoy Estate

Kiltearn Point

Ex adverso Lemlair

Ex adverso Mountgerald

Findon (part) & Tulloch

Berriedale Nets

Appendix B

Questionnaire Form

QUESTIONNAIRE – ASSESSMENT OF FIRST YEAR OF CARCASS TAGGING

Introduction of the scheme – lead up to 1 April 2016

Q Guidance notes – fit for purpose – do they have all the necessary information?

A

Q Guidance notes – were they publicised adequately – is there anyone else they should have been sent to?

A

Q Guidance notes – were they issued in time?

A

Q Guidance notes – circulated to necessary people?

A

Q Guidance notes – on our web site on time?

A

Carcass tags

Q Section 6 of the Regulations requires the name of the fishery and a unique number to be on the tags. Do you think the name of the fishery is necessary?

A

Q Section 4 requires that the tag must be put on no later than when the salmon is brought to the shore or bank. Have you experienced any difficulty doing this?

A

Q Section 5 requires that the tag must be put on the fish through the mouth and out of the gill opening and then secured with a cable tie and lock. Have you experienced any difficulty putting the tag on like this?

A

Q Section 7 prescribes when the tag can be removed. Have you experienced any difficulties with this?

A

Q Did you keep your tags under lock and key?

A

Record keeping

Q Did you experience any difficulty keeping track of and keeping a note of the number of carcasses tagged and the reference numbers?

A

Q Did you have any damaged tags to be recorded in your records as per section 9?

A

Q Did you have any tags lost or stolen as per section 9?

A

Q Were you able to comply with the deadline for sending your return to Marine Scotland Salmon Assessment Group?

A

Administration

Q Did you have enough tags? If no were you issued with additional tags quickly?

A

Q did you return any unused tags to Marine Scotland Salmon Assessment Group?

A

Q How many unused tags did you have? Were you able to account for all your allocation of tags when you made your return?

A

ANY OTHER COMMENTS?

Appendix C

Guidance Notes for the 2016 season

THE SALMON CARCASS TAGGING (SCOTLAND) REGULATIONS 2016 AND THE TWEED REGULATION (SALMON CARCASS TAGGING) ORDER 2016 **GUIDANCE NOTES**

The above regulations come in to force on 31 March and take effect from 1 April. The following links will access both the main Conservation Regulations and the Tweed Regulation:

<http://www.legislation.gov.uk/ssi/2016/115/contents/made>
<http://www.legislation.gov.uk/ssi/2016/117/contents/made>

The following links will access both the main Carcass Tagging Regulations and the Tweed Regulation.

<http://www.legislation.gov.uk/ssi/2016/117/contents/made>
<http://www.legislation.gov.uk/ssi/2016/116/contents/made>

References in these guidance notes are to sections in the carcass tagging regulations.

WHO DO THE REGULATIONS APPLY TO?

- Any salmon taken in inland waters (defined as above estuary limits) must be tagged

WHO PAYS FOR THE TAGS AND ADMINISTRATION OF THE SCHEME?

- Scottish Government.

WHERE DO I GET MY TAGS? (Section 8)

- Marine Scotland will issue the tags.

WHAT WILL BE ON THE TAG? (Section 6)

- The name of the Fishery and a unique number.

WHEN MUST THE TAG BE PUT ON THE CARCASS? (Section 4)

- No later than when the salmon is brought to the shore or bank.

HOW MUST THE TAG BE PUT ON THE FISH? (Section 5)

- Through the mouth and out the gill opening and then secured with the cable tie and lock.

WHEN CAN I REMOVE THE TAG? (Section 7)

- If you are preparing the salmon for cooking or smoking; if you are cutting it up in to portions immediately before it is offered or exposed for sale or if you are preparing it for your own consumption.

WHAT RECORDS MUST I KEEP AND WHERE DO I SEND THEM? (Section 9)

The following must be kept for each week:

- Total number of carcasses which have been tagged including nil return.
- Unique reference numbers of any tags used

- Name of the Salmon fishery within which the salmon was taken
- Unique reference number of any damaged tags which cannot be affixed
- Unique reference number of any lost tags.

It would be helpful if you would keep the records in a spread-sheet. Please remember to keep them for each week. Returns for the season to Marine Scotland.

WHAT IF I AM RUNNING OUT OF TAGS?

- You should be issued with more than enough tags but in the event that you can see that you are running out please contact Marine Scotland at the mailbox below.

WHERE MUST I KEEP THE TAGS?

- They should be kept under lock and key.

WHEN MUST I SEND MY RECORD?

- The record made under Section 9 (1) must be sent to Marine Scotland, Salmon Assessment Group, Freshwater Field Station, Inchbraoch House, South Quay, Ferryden, Montrose DD10 9SL within 2 weeks of the start of the annual close time for the salmon fishery district – for the purpose of this section a week starts on a Monday and ends on a Sunday

WHAT DO I DO WITH ANY UNUSED TAGS AT THE END OF THE SEASON?

- Any unused tags must be returned to Marine Scotland along with your record for the season.

2017 SEASON

- Marine Scotland will review both the suitability of the tags and the administration and operation of the scheme at the end of the 2016 season and if necessary make adjustments for the 2017 season.

WHO DO I CONTACT IF I HAVE PROBLEMS?

- salmonandrecreationalfisheries@gov.scot for general queries
- ms.catchform@gov.scot for queries about the return of the tags/for more tags