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Finlay Carson MSP

Convener

Rural Affairs and Islands Committee

27 February 2025

Dear Finlay,

Thank you again for the opportunity to give evidence on the Conservation of Salmon (Miscellaneous Amendment) (Scotland) Regulations 2024.

As per my and my officials' commitments on the day to provide additional information on particular points, please find this information detailed below.

Additionally, I would like to extend an invite to the Committee members to visit one of our sites to see first-hand the work done in the background that contributes to the annual consideration of the salmon conservation regulations. Officials would be delighted to host the Committee on a visit later in the year. Should this be of interest to members, please contact Marine Directorate officials who will look to arrange a mutually convenient date and location.

- 1. Officials agreed to clarify the annual proportion of returns submitted by beat owners and the procedure and frequency by which Marine Directorate engages with dormant fisheries to gather data (col 5).*

For the most recent catch season (2023) a total of 1,963 forms were returned from 2,149 forms issued (91% return rate). Catch records for the previous 10 years are based on return rates of between 93% and 95%.

Each year fisheries receive either a catch return form or a dormant fisheries form. The dormant fisheries form reminds fisheries to reactivate the fishery and complete a catch return if they have started fishing. It also reminds them to notify Marine Directorate about any change in contact details.

The catch forms and dormant fishery forms are sent to all known fisheries in October each year. Reminder letters are posted in December to fisheries who have not made their return by then, and final notices are sent in early January as necessary.

2. *The Cabinet Secretary agreed to write to the Committee to provide an update on progress in delivering the Scottish wild salmon strategy and implementation plan (col 11).*

In early 2024, we published a Wild Salmon Strategy Implementation Plan [Progress Report](#) covering the first year of the Implementation Plan (2023-2024) which detailed the progress on over 50 actions.

Officials are in the process of gathering information for the drafting of the next progress report, which we aim to publish in the coming months. This will provide detail on the progress made in this preceding year on the actions set out in the Wild Salmon Strategy. I am happy to inform the Committee once this has been published.

3. *The Cabinet Secretary said she would share further information on the previous and ongoing programme of work relating to implementation of the findings from the salmon interactions working group (col 11).*

As the Committee will be aware, I will soon be providing a response to the Committee's Report on its inquiry into salmon farming in Scotland. As part of my response, I will be addressing the Committee's recommendation to publish a timetable for implementing the recommendations set out in the Salmon Interactions Working Group Report and I will therefore defer my response to then.

4. *In his concluding remarks, the Convener requested an explanation of how the Marine Directorate will address some of the issues that were raised by Committee members during proceedings about the sequencing of the instrument's introduction and coming into force date, in order to allow sufficient scope for parliamentary scrutiny of next year's SSI (col 21).*

I have taken note of the concerns raised by the Committee members with regards to the sequencing of the instrument's introduction. I want to stress that attaching a secondary amendment to the annual Conservation of Salmon regulation amendments has not been standard practice, since their introduction in 2016. This approach was taken this year, to timely resolve an oversight of a sunset clause within Conservation of Salmon (River Annan Salmon Fishery District (Scotland) Regulations 2012 which expired in 2017, making catch and release fishing in the early season illegal within the Annan district.

Looking ahead to next year, the Marine Directorate are not intending to attach any secondary amendments to the annual amendment of the 2016 regulations. As evidenced by previous years, a secondary amendment has not been standard practice when renewing these regulations, and we would only do this in exceptional circumstances. I want to reassure Committee members that the Directorate will, where possible, seek to ensure that adding a

secondary amendment to the annual conservation regulations will occur only in exceptional circumstances.

This approach should allow the committee to consider the instrument based on solely the merits of that instrument, except where those exceptional circumstances arise.

There is not much scope beyond a week or two to lay the annual instrument earlier than is already done. The assessments cannot be done prior to the publication of the final catch statistics (circa early May). Requirements around the public consultation, consideration of the instrument and drafting also takes time. We lay these regulations as early as possible, in early December, to give sufficient time for scrutiny, where the coming into force date would usually be April 1st. The reason for the earlier coming into force date with the 2024 regulations was only down to the reintroduction of the Annan early season on 25 February 2025.

I hope you find this information useful.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Mairi Gougeon', positioned below a horizontal line.

MAIRI GOUGEON