



Angling Trust  
Eastwood House  
6 Rainbow Street  
Leominster  
Herefordshire  
HR6 8DQ  
[admin@anglingtrust.net](mailto:admin@anglingtrust.net)  
[www.anglingtrust.net](http://www.anglingtrust.net)  
0844 7700616

Member Information Sheet: AT 018/10/v.1

## **Rod Licence Enforcement: a Change in the Legal Position**

---

**Section 35 (subsection 2) of the Salmon and Freshwater Fisheries Act (1975) allowed holders of a rod licence to require another angler to show his licence and give his name and address. Failure to produce a licence was an offence. This was a very useful tool for angling clubs and fisheries, in particular for fishery and club bailiffs or water-keepers. However, Section 220 (subsection 8) of the Marine and Coastal Access Act (2009) removed this authority, limiting it to Environment Agency enforcement officers and police officers only, by amending the Salmon and Freshwater Fisheries Act to omit Section 35, Subsection 2.**

We have been informed that the reasons for this change are that the old legislation raised issues regarding data protection requirements and the protection of young people, because it allowed any angler to require another to confirm his or her name and address.

This change to the law now means that while – as before – anyone can ask to see a licence, anglers no longer have the authority to *require*, by law, that another angler show his/her licence. It also means that if anglers are suspicious that someone is fishing without a rod licence, if that person refuses to show his licence, this would not be an offence.

Angling Trust suggests that our member clubs and fisheries may wish to consider amending their rules to require all members and day ticket holders to allow their bailiffs or water keepers to ask to see the angler's licence as well as his membership ticket/book. We recommend the following wording or similar:

*“All anglers on fishing club/fishery waters must be in possession of a valid Environment Agency (EA) licence at all times. All relevant EA bye laws will be observed on club waters. Club bailiffs and all other members (on production of their own licence and permit) are authorised to check the EA Licence and proof of identity of any angler on fishing club/fishery waters. Failure to provide either could lead to expulsion from the club/fishery.”*

We also suggest that the following wording or similar should be included in the membership application or at the point of sale of day tickets:

*“By [becoming a member of the society/ club/ association] OR [buying a day ticket] you agree to be bound by the society/ club/association/fishery rules and the bye laws. Rules may be changed by members at an AGM or EGM OR [by the fishery owner]. Society/ club/ association /fishery bye laws are established by the committee, from time to time. Society/ club/ association rules and bye laws are published on notice boards and in the society/ club/*



Angling Trust  
Eastwood House  
6 Rainbow Street  
Leominster  
Herefordshire  
HR6 8DQ  
[admin@anglingtrust.net](mailto:admin@anglingtrust.net)  
[www.anglingtrust.net](http://www.anglingtrust.net)  
0844 7700616

*association handbook. It is your responsibility to ensure that you have read and understood them."*

These additions will allow bailiffs or keepers to check licences along with permits to fish. However, where a water keeper or bailiff confronts an angler who is not a club member or a day-ticket holder, he no longer has the authority to demand that the licence be shown – only to ask to see it.

Overall, it is inadvisable to approach someone who you believe to be fishing without permission or not in possession of a valid rod licence for safety reasons. In such circumstances, it would be important to notify the police (for poaching issues) and the Environment Agency immediately - as well as keeping records of car registration numbers and any other details to help the police or Environment Agency to deal with any offences which have been committed.

The Angling Trust will be exploring with the Environment Agency and Government departments ways of improving the enforcement of rod licences in the most cost-effective way in future and will be pressing for reinstatement of the old authority.

***Angling Trust has produced this factsheet as guidance only. The factsheet does not constitute legal advice and is certainly no substitute for it. Angling Trust shall in no event be liable for any direct, indirect, incidental or consequential loss as a result of use of the information contained herein. This factsheet has been produced for members of Angling Trust only. The reproduction and distribution of this material is strictly prohibited without prior consent.***