

# MAGNET FISHING ON SCOTLAND'S SCHEDULED CANALS AND PROTECTED WATERS - A SHORT GUIDE

Magnet fishing is the retrieval of metallic objects from water using a strong magnet. Although this can be an enjoyable activity and may help to clean up discarded items, it can however have unintended, harmful consequences. This leaflet explains the steps you will need to take before going magnet fishing on any waterway that is protected as a Scheduled Monument.



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## WHAT IS A SCHEDULED MONUMENT?

Scheduled Monuments are sites which are recognised as being of national importance and are legally protected under the Ancient Monuments and Archaeological Areas Act 1979. Most of Scotland's Canal Network is scheduled. Important historic lochs such as Linlithgow, Duddingston and St Margaret's Loch are also protected, together with water bodies surrounding some of Scotland's most important historic sites. You can check if an area is a scheduled monument by using [PASTMAP](#).

## WHAT ARE THE LEGAL RESTRICTIONS AND OBLIGATIONS?

If you are planning to magnet fish on a scheduled monument, you need Scheduled Monument Consent (SMC) because it is an offence to remove objects on a legally protected scheduled area without it. Poorly planned magnet fishing can risk damaging important historic or archaeological sites. You will also need the permission of the landowner. In addition, you may have a legal obligation to report any objects that you find. Magnet fishing can sometimes lead to the recovery of weapons or explosives so you should have a plan in place to deal with this. Finally, you will need to consider unintended impacts on the environment such as disturbing animals and birds and causing pollution, and any waste must be managed responsibly.

## WHAT DO I NEED TO DO?

- If you are planning to magnet fish on a scheduled area, including the Canal Network, get [Scheduled Monument Consent](#) (SMC) from Historic Environment Scotland.
- If you are planning to magnet fish on the Canal Network, seek [permission from Scottish Canals](#). Further information about magnet fishing is available on their website.
- **Report finds to the Treasure Trove Unit.** In Scots common law, any portable antiquities that are of archaeological or historical significance are Crown property. All such objects must be reported by law; failure to report any found portable antiquity is an offence - This does not apply to modern coins, blades or machine parts.
- Ensure that you **look after nature**. Keep your distance and avoid disturbing any animals or birds especially during their breeding and nesting seasons.
- **Avoid polluting** the canal by disturbing toxic materials and do not dump material on the canal towpath, river or loch side.
- Magnet fishing may also result in the illegal spread of non native plants and animals from one waterbody to another. To reduce this biosecurity risk, follow the [Check Clean Dry advice](#) for anglers.
- Ensure that you **manage your waste responsibly**. Magnet fishing findings left on the canal towpaths creates a safety hazard and is classed as fly tipped waste. Fly tipping is an offence and can attract variable monetary penalties up to £40,000. Scottish Canals has a duty to manage fly tipping on its land. Keep our canals clean and beautiful by taking waste home and reporting littering or fly tipping [here](#).
- Report any guns or knives to Police Scotland on 101 as they may be associated with crimes.
- Should you recover any explosives:
  - (i) if possible, place the recovered item(s) down gently in an isolated position, walk away and ensure any person(s) in the vicinity leave the area.
  - (ii) mobile phones **MUST NOT** be used near any recovered munitions!
  - (iii) From a safe distance (at least 15m) contact Police Scotland via 999 requesting assistance and describe what has been recovered.



Treasure Trove



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