
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 443

The Shetland Islands Regulated Fishery (Scotland) Order 2009

Tolls payable for fishing

6.—(1) Any person to whom the Organisation proposes to issue a licence under the provisions of article 5 of this Order shall pay to the Organisation before or upon receipt of the licence a toll in respect of a combined licence (which authorises the dredging, fishing for and taking of any of the prescribed species) of £150 per annum.

(2) The Organisation may from time to time, and with the consent of the Scottish Ministers, vary the toll payable under this article, and introduce separate tolls in respect of each of the prescribed species for which dredging, fishing for or taking is authorised⁽¹⁾.

(1) Section 3(b) of the Sea Fisheries (Shellfish) Act 1967 (“the 1967 Act”) enables the grantee of the fishery (in this case, the Organisation), to levy such toll as is provided for, and subject to any restrictions and exceptions, as are imposed under an order made in terms of section 1(1) of that Act. Section 15(4) of the Sea Fisheries Act 1968 provides that provision in an order under section 1(1) of the 1967 Act which imposes a toll is to be construed as conferring on, in this case the Organisation, power (with the consent of the Scottish Ministers) to vary any such toll so imposed.