



Fisheries Act 1981

1981 CHAPTER 29

PART I

THE SEA FISH INDUSTRY AUTHORITY

Financial provisions

4 Levies

- (1) For the purpose of financing its activities the Authority may impose a levy on persons engaged in the sea fish industry.
- (2) Any levy under this section shall be imposed by regulations made by the Authority and confirmed by an order of the Ministers; and in this section "prescribed" means prescribed by such regulations.
- (3) Regulations under this section may impose a levy either—
 - (a) in respect of the weight of sea fish or sea fish products landed in the United Kingdom or trans-shipped within British fishery limits at a prescribed rate which, in the case of sea fish, shall not exceed 0.8p. per kilogram; or
 - (b) in respect of the value, ascertained in the prescribed manner, of sea fish or sea fish products landed or trans-shipped as aforesaid at a prescribed rate not exceeding 1 per cent, of that value.
- (4) If regulations under this section impose a levy as provided in subsection (3)(a) above the prescribed rate in relation to any sea fish product shall be such that its yield will not in the opinion of the Authority exceed the yield from a levy at the rate of 0.8p. per kilogram on the sea fish required on average (whether alone or together with any other substance or article) to produce a kilogram of that product.
- (5) Different rates may be prescribed for sea fish or sea fish products of different descriptions ; and the Authority may repay the whole or part of the levy in such circumstances as it may determine but not so as to discriminate between different persons in the same circumstances.

Status: This is the original version (as it was originally enacted).

- (6) Any levy imposed under this section shall be payable by such persons engaged in the sea fish industry, in such proportions and at such times as may be prescribed; and the amount payable by any person on account of the levy shall be a debt due from him to the Authority and recoverable accordingly.
- (7) The Ministers may by order increase or further increase the rate per kilogram specified in subsections (3)(a) and (4) above and the percentage specified in subsection (3)(b) above.
- (8) For the purposes of this section—
 - (a) parts of a sea fish shall be treated as sea fish products and not as sea fish;
 - (b) references to the landing of fish include references to the collection for consumption of sea fish which have been bred, reared or cultivated in the course of fish farming whether in the sea or otherwise.
- (9) Any order under subsection (2) above shall be subject to annulment in pursuance of a resolution of either House of Parliament and no order shall be made under subsection (7) above unless a draft of it has been laid before and approved by a resolution of each House of Parliament.
- (10) Schedule 2 to this Act shall have effect with respect to the making of regulations and orders under subsection (2) above.