Sea Fish (Conservation) Act 1992

1992 CHAPTER 60

2 Restrictions on time spent at sea—appeals.

After section 4 of the [M1]Sea Fish (Conservation) Act 1967 there shall be inserted—

"**4AA Restrictions on time spent at sea—appeals.**

(1) For the purposes of performing the functions conferred by this section there shall be a tribunal to be called the Sea Fish Licence Tribunal.

(2) If—

(a) a licence under section 4 of this Act contains a condition restricting the time which a vessel may spend at sea, and

(b) no licence containing such a condition has previously been granted in respect of that vessel,

the person to whom the licence is granted may make an application to the tribunal requesting it to review the time which according to the condition the vessel may spend at sea.

(3) The Ministers shall by regulations make provision as to the manner in which and the time within which applications under subsection (2) above are to be made; and the quorum and procedure of the tribunal on dealing with an application shall be such as may be determined by or in accordance with regulations made by the Ministers.

(4) On an application under subsection (2) above the tribunal, consistently with the principles set out in any order made under section 4(6C) of this Act, may—

(a) dismiss the application, or

(b) determine that the licence should be varied either by increasing or by reducing the time which the vessel may spend at sea.

(5) If a determination that the licence should be varied is made by, or on appeal from, the tribunal, the Minister who granted the licence shall vary the licence so as to give effect to the determination, and shall make a corresponding variation of any other licence in force in respect of the same vessel.

(6) The tribunal shall consist of members appointed by the Ministers, and the number of members shall be such as the Ministers may determine.

(7) The Ministers shall make such provision as they think fit as to—

(a) the remuneration of the members of the tribunal, and the reimbursement of their expenses, and

(b) the staff and accommodation of the tribunal;

and any expenses reasonably incurred by the tribunal shall be defrayed by the Ministers.

(8) As soon as possible after the end of every period of twelve months ending with 31st March during which it exercises functions under subsection (4) above, the tribunal shall send to the Ministers a report on the exercise of those functions; and the Ministers shall lay a copy of the report before each House of Parliament.

(9) Regulations under this section shall be made by statutory instrument, which shall be subject to annulment in pursuance of a resolution of either House of Parliament."

Marginal Citations

M1 1967 c. 84.

Changes to legislation:
There are currently no known outstanding effects for the Sea Fish (Conservation) Act 1992, Section 2.