



Sea Fish Industry Act 1938

CHAPTER 30

SEA FISH INDUSTRY ACT 1938

PART I

ORGANISATION OF WHITE FISH INDUSTRY

The White Fish Commission and the White Fish Industry Joint Council

- 1 Constitution and general functions of White Fish Commission
- 2 White Fish Industry Joint Council

Regulation of the white fish industry under the administration of the Commission

- 3 Registration of persons engaged in the white fish industry
- 4 Power of Commission to regulate marketing of white fish

Marketing schemes

- 5 Submission of marketing schemes to Ministers
- 6 Registration under marketing schemes
- 7 Constitution of boards to administer marketing schemes
- 8 Marketing provisions of producers' marketing schemes
- 9 Licensing provisions of producers' marketing schemes
- 10 Special provisions of distributors' marketing schemes
- 11 Performance of services by boards administering marketing schemes
- 12 Miscellaneous provisions which may be contained in marketing schemes
- 13 Provisions as to the submission, confirmation, amendment and revocation of marketing schemes
- 14 Regulations governing the conduct of polls
- 15 Appointment and functions of consumers' committee and committee of investigation

- 16 Incidental provisions as to consumers' committee and committee of investigation
- 17 Payment of expenses of promoting marketing schemes

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- 18 Co-operative schemes
- 19 Registration under co-operative schemes
- 20 Provisions with respect to submission, confirmation, amendment and revocation of co-operative schemes
- 21 Loans to meet initial expenses of authorised bodies

General and Supplementary Provisions

- 22 Registration fees payable to Commission
- 23 Power of Commission to receive and apply voluntary contributions for general benefit of white fish industry
- 24 General power of Commission to obtain information
- 25 Offences in connection with the making of returns, and in connection with obstruction
- 26 Restrictions on disclosure of information
- 27 Incidental provisions as to regulations and schemes
- 28 Power of Commission to hold inquiries
- 29 Provisions as to inquiries held by Ministers
- 30 Annual reports to be made by Commission
- 31 Form, publication, validity and commencement of orders confirming schemes
- 32 Service of notices, and c
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- 34 Meaning of home producer of white fish
- 35 Provisions as to amending schemes
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- 37 Extension of Part I to Northern Ireland

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AMENDMENTS OF THE SEA-FISHING INDUSTRY ACT, 1933

- 38 Provisions for giving effect to convention as to meshes of nets and size limits for fish
- 39 Provisions as to orders regulating and prohibiting landing of sea-fish
- 40 Abolition of Sea Fish Commission
- 41 Amendment of definition of " sea-fish."
- 42 Citation of Part II

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- 43 Extension of category of protected whales
- 44 Duration of, and fees for, whaling licences
- 45 Further conditions of whaling licences
- 46 Citation of Part III

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PROVISIONS WITH RESPECT TO CREWS OF FISHING-BOATS

- 47 Accounts to be rendered by owners with respect to profits of fishing-boats
- 48 Deductions from proceeds of sale of catch
- 49 Functions of superintendents in relation to engagement and discharge of seamen
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SEA FISHERIES

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- 53 Liability of owners of fishing boats for illegal fishing
- 54 Increase of certain penalties
- 55 Power of Minister to revoke byelaws
- 56 Extension of powers of local fisheries committees
- 57 Variation and revocation of orders constituting local fisheries committees
- 58 Amendments of Part III of 31 and 32 Vict. c. 45
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- 60 Offences by corporations
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SCHEDULES

FIRST SCHEDULE — Incidental Provisions as to the White Fish Commission

Constitution of the Commission

- 1 The Commission shall be a body corporate, with a common...
- 2 The functions of the Commission and of its officers and...
- 3 Every member of the Commission shall hold and vacate office...
- 4 A person shall be disqualified for membership of the Commission,...
- 5 It shall be the duty of the Ministers to satisfy...

Meetings and Proceedings of the Commission

- 6 Unless and until the Commission otherwise determines, three shall be...
- 7 If at any meeting of the Commission the votes are...
- 8 All acts done at any meeting of the Commission shall,...
- 9 Minutes shall be kept of the proceedings of the Commission,...
- 10 Subject to the preceding provisions of this Schedule, the Commission...

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

Incidental Duties and Powers of the Commission

- 11 The Commission shall have an office at which communications and...
- 12 The Commission may enter into such agreements, acquire such property,...

The Common Seal

- 13 The application of the common seal of the Commission to...

Instruments executed or issued by the Commission

- 14 Any contract or instrument which, if entered into or executed...
- 15 Any document purporting to be a document duly executed or...

SECOND — Incidental Provisions as to White Fish Industry Joint Council
SCHEDULE

- 1 Every member of the Joint Council shall hold and vacate...
- 2 Unless and until the Council otherwise determines, the quorum of...
- 3 Subject to any directions which may be given by the...
- 4 The Commission shall appoint a person to act as secretary...

THIRD SCHEDULE — Provisions with respect to the Making, Confirmation and
Publication of Commission's Regulations

- 1 At least two months before making any regulations under Part...
- 2 When submitting any such regulations as aforesaid to the Ministers...
- 3 Before confirming any such regulations as aforesaid submitted to them...
- 4 As soon as may be after confirming any such regulations...

FOURTH SCHEDULE — Provisions corresponding to Certain Provisions of the
Agricultural Marketing Acts, 1931 to 1934

PART I — PROVISIONS WITH RESPECT TO REGISTRATION UNDER
MARKETING SCHEMES, AND FINANCIAL POWER OF BOARDS

- 1 A marketing scheme may provide for securing the removal from...
- 2 For the purpose of determining the financial powers and duties...

PART II — PROVISIONS WITH RESPECT TO INCORPORATION, REGISTRATION
AND WINDING-UP OF BOARDS

- 1 The board constituted to administer a marketing scheme shall be...
- 2 The board administering any such scheme shall notify to the...
- 3 A marketing scheme may provide for the winding-up of the...

PART III — EFFECT OF MARKETING SCHEMES ON CONTRACTS

- 1 Subject as hereinafter provided, a contract of which neither the...
- 2 It shall be the duty of the board administering a...
- 3 On any appeal under the last preceding paragraph the board...
- 4 For the purposes of an appeal under this Part of...
- 5 No person shall be liable to any penalty in respect...
- 6 For the purposes of this Part of this Schedule, the...

PART IV — INCIDENTAL PROVISIONS WITH RESPECT TO REVOCATION OF
MARKETING SCHEMES

- 1 Where a marketing scheme is revoked by a subsequent scheme,...
- 2 The Ministers shall by order revoke a marketing scheme if...
- 3 The board administering a marketing scheme shall not be deemed...
- 4 Where a marketing scheme or any provision of such a...

FIFTH SCHEDULE — Provisions to be substituted for subsections (3) and (6) or section thirteen or this Act in relation to a marketing scheme for regulating the carrying on of two or more designated businesses

Subsection to be substituted for subsection (3) of section thirteen

Subsection to be substituted for subsection (6) of section thirteen