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SCHEDULES

SCHEDULE 1

MINOR AND CONSEQUENTIAL AMENDMENTS

PART I

AMENDMENTS COMING INTO FORCE ON PASSING OF ACT

The Herring Industry Act 1935 (c. 9)

- 1 In section 6(3) (offences by body corporate)—
- (a) for the word "approval" there shall be substituted the word "connivance";
 - (b) for the words "to have been facilitated by" there shall be substituted the words "is attributable to";
 - (c) for the words "officer of the body corporate" there shall be substituted the words "similar officer of the body corporate, or any person who was purporting to act in any such capacity".

2 In section 14 (interpretation) the definition of "boat" shall cease to have effect.

3 In Schedule 2 (provisions of the Agricultural Marketing Act 1931 applied with modifications to a consumers' committee and a committee of investigation appointed for the herring industry)—

- (a) any reference to the products of the herring industry shall be construed as a reference to herring and their products;
- (b) in section 9(6) of the said Act of 1931 as set out in the said Schedule the words "or commodities produced wholly or partly therefrom" and the words "or such commodities as aforesaid" shall cease to have effect;
- (c) at the end of the said section 9, as so set out, there shall be inserted the following subsection—

“(7) In this Schedule 'products' has the same meaning as in Part I of the Sea Fish Industry Act 1951.”

The Herring Industry Act 1938 (c. 42)

4 In section 2(1) (Herring Industry Advisory Council) the words "and assistance" shall cease to have effect.

The Sea Fish Industry Act 1951 (c. 30)

5 In section 15(2)(a) (general levy of the White Fish Authority) for the words from "a sum" to "that year" there shall be substituted the words "such sums as may be authorised by section 4 of the Sea Fisheries Act 1968".

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6 In section 18(6) (offences by body corporate) after the words " similar officer of the body corporate " there shall be inserted the words " or any person who was purporting to act in any such capacity ".

7 In section 19 (interpretation of Part I), in the definition of "processing", as amended by Schedule 3 to the Sea Fish Industry Act 1962, for the words " producing any substance or article from fish " there shall be substituted the words " producing any substance or article wholly or partly from fish ".

The White Fish and Herring Industries Act 1953 (c. 17)

8 In section 1(1) (grants by the White Fish Authority towards new vessels and engines), in the proviso, after the word " vessel" there shall be inserted the words " or in the acquisition or installation of any secondhand ".

9 In section 1(3) (persons qualifying for grants by the White Fish Authority), the words "(of whatever size and in whatever way propelled)" shall cease to have effect.

10 For section 5(1) (white fish subsidy) there shall be substituted the following subsections:—

“(1) With a view to promoting the landing in the United Kingdom of a continuous and plentiful supply of white fish and products of white fish, the appropriate Minister may in accordance with a scheme made by the Ministers with the approval of the Treasury make to the owners or charterers of vessels registered in the United Kingdom, being vessels engaged in catching white fish, or in processing or transporting white fish caught by vessels registered in the United Kingdom or the products of any such white fish, grants of such amounts, and subject to such conditions, as may be determined by or under the scheme.

(1A) The trans-shipment of white fish and their products in a port in the United Kingdom or within the exclusive fishery limits shall be treated for the purposes of subsection (1) above as the landing of white fish and their products respectively in the United Kingdom.”

11 In section 5(2) (provisions which may be included in white fish subsidy schemes) for paragraph (a) there shall be substituted the following paragraph:—

“(a) white fish and their products landed from the vessel in the United Kingdom or trans-shipped from the vessel in a port in the United Kingdom or within the exclusive fishery limits, or”

12 In section 5(3) (time limit for applying for grants in pursuance of white fish subsidy schemes), as set out in section 2 of the White Fish and Herring Industries Act 1957 and as amended by Schedule 2 to the Sea Fish Industry Act 1962, for the words from "the first day" onwards there shall be substituted the words " 1st January 1974 ".

13 In section 5(5) (definitions) after the definition of " the appropriate Minister" there shall be inserted the following definitions—

“ the exclusive fishery limits ' has the same meaning as in the Sea Fisheries Act 1968 ;

' products ' has the same meaning as in Part I of the Sea Fish Industry Act 1951.”

14 In section 6(1) (grants by the Herring Industry Board) after the words " engaged in the herring industry " there shall be inserted the words " in Great Britain ",

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and in the proviso, after the word " vessel" there shall be inserted the words " or in the acquisition or installation of any secondhand ".

- 15 In section 6(4) (persons qualifying for such grants) for the words "boats (as defined by the Herring Industry Act 1935)" there shall be substituted the word " vessels ".

The White Fish and Herring Industries Act 1957 (c. 22)

- 16 For section 3(1) (herring subsidy) there shall be substituted the following subsection:—

“(1) With a view to promoting the landing in the United Kingdom of a continuous and plentiful supply of herring and products of herring, the appropriate Minister may in accordance with a scheme made by the Ministers with the approval of the Treasury make to the owners or charterers of vessels registered in the United Kingdom, being vessels engaged in catching herring, or in processing or transporting herring caught by vessels registered in the United Kingdom or the products of any such herring, grants of such amounts, and subject to such conditions, as may be determined by or under the scheme.

(1A) The trans-shipment of herring and their products in a port in the United Kingdom or within the exclusive fishery limits shall be treated for the purposes of subsection (1) above as the landing of herring and their products respectively in the United Kingdom.”

- 17 In section 3(2) (provisions which may be included in herring subsidy schemes) for paragraph (a) there shall be substituted the following paragraph:—

“(a) herring and their products landed from the vessel in the United Kingdom or trans-shipped from the vessel in a port in the United Kingdom or within the exclusive fishery limits, or”

- 18 In section 3(3) (time limit for applying for grants in pursuance of herring subsidy schemes), as amended by Schedule 2 to the Sea Fish Industry Act 1962, for the words from " the first day " onwards there shall be substituted the words " 1st January 1974 ".

- 19 In section 3(4) (definitions) at the end there shall be inserted the following definitions:—

“the exclusive fishery limits ' has the same meaning as in the Sea Fisheries Act 1968 ;

' products ' has the same meaning as in Part I of the Sea Fish Industry Act 1951”.

Sea Fish Industry Act 1962 (c. 31)

- 20 In section 3(3) (persons qualifying for grants by the White Fish Authority), the words " (of whatever size and in whatever way propelled) " shall cease to have effect.

- 21 In section 3(4) (application of section 6 of the White Fish and Herring Industries Act 1953 to vessels and persons), for the words " boats (as defined by the Herring Industry Act 1935) " there shall be substituted the word " vessels ".

- 22 (1) Section 9 (reimbursement of Isle of Man subsidies) shall be amended in accordance with the following provisions of this paragraph.

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(2) In subsection (1)—

- (a) after the words " in respect of herring" there shall be inserted the words " or herring products ";
- (b) after the words " landed in the Isle of Man ", in the first place where they occur, there shall be inserted the words " or trans-shipped in a port in the Isle of Man or within the exclusive fishery limits of the Isle of Man ";
- (c) at the end there shall be inserted the words " or were to be trans-shipped in a port in the Isle of Man or within the exclusive fishery limits of the Isle of Man by the vessel which caught them or by another vessel ".

(3) In subsection (3) after the word " herring ", wherever it occurs, there shall be inserted the words " or herring products ".

(4) At the end of the section there shall be inserted the following subsection:—

“(5) In this section " exclusive fishery limits of the Isle of Man " means waters within the exclusive fishery limits of the British Islands which are adjacent to the Isle of Man”.