

SCHEDULES

SCHEDULE 2

LICENCES

Duty on licences

- 1 (1) Subject to sub-paragraph (2) below, there shall be payable in respect of a fishing licence a duty fixed in accordance with this Schedule by ^{F1}the appropriate agency].
- (2) ^{F2}The appropriate agency] may ^{F3} in such cases as it considers appropriate] grant an exemption from the duty.

Textual Amendments

- F1** Words in Sch. 2 para. 1(1) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\)](#), art. 1(2), **Sch. 2 para. 150(2)(a)** (with Sch. 7)
- F2** Words in Sch. 2 para. 1(2) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\)](#), art. 1(2), **Sch. 2 para. 150(2)(b)** (with Sch. 7)
- F3** Words in Sch. 2 para. 1(2) substituted (12.1.2010) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(3), **Sch. 16 para. 16(2)**; S.I. 2009/3345, art. 2, Sch. para. 15(g)

- 2 Different duties may be fixed under paragraph 1 above for ^{F4}different descriptions of licence] and different classes of licence holder.

Textual Amendments

- F4** Words in Sch. 2 para. 2 substituted (12.1.2010) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(3), **Sch. 16 para. 16(3)**; S.I. 2009/3345, art. 2, Sch. para. 15(g)

- 3 ^{F5}The appropriate agency] shall at least one month before fixing or altering a duty for the use of ^{F6}any licensable means of fishing] in any part of ^{F7}its] area, except a duty payable in respect of a temporary licence, publish in one or more newspapers circulating in that part of ^{F7}its] area notice of ^{F7}its] intention to do so ^{F8}and such a notice shall set out the amount of any duty as proposed to be fixed or altered.]

Textual Amendments

- F5** Words in Sch. 2 para. 3 substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\)](#), art. 1(2), **Sch. 2 para. 150(3)(a)** (with Sch. 7)
- F6** Words in Sch. 2 para. 3 substituted (1.1.2011) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(3), **Sch. 16 para. 16(4)**; S.I. 2010/298, art. 2, Sch. para. 13
- F7** Word in Sch. 2 para. 3 substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\)](#), art. 1(2), **Sch. 2 para. 150(3)(b)** (with Sch. 7)

Changes to legislation: There are currently no known outstanding effects for the Salmon and Freshwater Fisheries Act 1975, Cross Heading: Duty on licences. (See end of Document for details)

- F8** Words inserted (E.W.) by Water Act 1989 (c. 15, SIF 130), s. 141, **Sch. 17 para. 7(1)(13)(a)** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), 194(9), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58)

- 4 If during the month immediately following the publication of a notice under paragraph 3 above a written objection to the proposed duty is made to [^{F9} the appropriate national authority] by any interested [^{F10} person, the appropriate agency shall] not fix or alter the duty without the approval of [^{F11} that authority].

Textual Amendments

- F9** Words in Sch. 2 para. 4 substituted (12.1.2010) by Marine and Coastal Access Act 2009 (c. 23), s. 324(3), **Sch. 16 para. 16(5)(a)**; S.I. 2009/3345, art. 2, Sch. para. 15(g)
- F10** Words in Sch. 2 para. 4 substituted (1.4.2013) by The Natural Resources Body for Wales (Functions) Order 2013 (No. 755), art. 1(2), **Sch. 2 para. 150(4)** (with Sch. 7)
- F11** Words in Sch. 2 para. 4 substituted (12.1.2010) by Marine and Coastal Access Act 2009 (c. 23), s. 324(3), **Sch. 16 para. 16(5)(b)**; S.I. 2009/3345, art. 2, Sch. para. 15(g)

- 5 [^{F12} The appropriate national authority], with or without a local inquiry, may refuse to approve any duty [^{F13} submitted by the appropriate agency for][^{F14} that authority's] approval under paragraph 4 above or may approve the duty with or without modifications; [^{F15} and the appropriate agency, if so directed] by [^{F16} that authority], shall cause notice of any proposed modification to be given in accordance with the direction.

Textual Amendments

- F12** Words in Sch. 2 para. 5 substituted (12.1.2010) by Marine and Coastal Access Act 2009 (c. 23), s. 324(3), **Sch. 16 para. 16(6)(a)**; S.I. 2009/3345, art. 2, Sch. para. 15(g)
- F13** Words in Sch. 2 para. 5 substituted (1.4.2013) by The Natural Resources Body for Wales (Functions) Order 2013 (No. 755), art. 1(2), **Sch. 2 para. 150(5)(a)** (with Sch. 7)
- F14** Words in Sch. 2 para. 5 substituted (12.1.2010) by Marine and Coastal Access Act 2009 (c. 23), s. 324(3), **Sch. 16 para. 16(6)(b)**; S.I. 2009/3345, art. 2, Sch. para. 15(g)
- F15** Words in Sch. 2 para. 5 substituted (1.4.2013) by The Natural Resources Body for Wales (Functions) Order 2013 (No. 755), art. 1(2), **Sch. 2 para. 150(5)(b)** (with Sch. 7)
- F16** Words in Sch. 2 para. 5 substituted (12.1.2010) by Marine and Coastal Access Act 2009 (c. 23), s. 324(3), **Sch. 16 para. 16(6)(c)**; S.I. 2009/3345, art. 2, Sch. para. 15(g)

- [^{X16} No duty fixed under the foregoing provisions of this Schedule shall take effect until the beginning of the year following that in which it is fixed or, in the case of a duty required to be approved by the Minister, in which it is approved by him.]

Editorial Information

- X1** Sch. 2 para. 6 beginning “Where the fixing” substituted for para. 6 beginning “No duty” (E.W.) by Water Act 1989 (c. 15, SIF 130), s. 141, **Sch. 17 para. 7(1)(13)(b)** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), 194(9), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58)

- [^{F176} Where the fixing or alteration of any duty takes effect under this Schedule at any time, no alteration or, as the case may be, further alteration of that duty shall so take effect within the period of twelve months beginning with that time.]

Changes to legislation: There are currently no known outstanding effects for the Salmon and Freshwater Fisheries Act 1975, Cross Heading: Duty on licences. (See end of Document for details)

Textual Amendments

F17 Sch. 2 para. 6 beginning “Where the fixing” substituted for para. 6 beginning “No duty” (E.W.) by [Water Act 1989 \(c. 15, SIF 130\)](#), s. 141, **Sch. 17 para. 7(1)(13)(b)** (with ss. 58(7), 101(1), 141(6), 160(1)(2) (4), 163, 189(4)–(10), 190, 193(1), 194(9), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58)

7 [^{F18}The appropriate agency] may grant a temporary licence, that is to say, a licence authorising the use of [^{F19}any licensable means of fishing] for fishing in circumstances specified in the licence during a period not exceeding 14 days, and may charge in respect of that licence a duty less than the duty fixed for the use of [^{F20}that means] under the foregoing provisions of this Schedule.

Textual Amendments

F18 Words in Sch. 2 para. 7 substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\)](#), art. 1(2), **Sch. 2 para. 150(6)** (with Sch. 7)

F19 Words in Sch. 2 para. 7 substituted (1.1.2011) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(3), **Sch. 16 para. 16(7)(a)**; S.I. 2010/298, art. 2, Sch. para. 13

F20 Words in Sch. 2 para. 7 substituted (1.1.2011) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(3), **Sch. 16 para. 16(7)(b)**; S.I. 2010/298, art. 2, Sch. para. 13

8 There shall be payable in respect of a general licence such sum as may be [^{F21}agreed by the appropriate agency and] the licensee.

Textual Amendments

F21 Words in Sch. 2 para. 8 substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\)](#), art. 1(2), **Sch. 2 para. 150(7)** (with Sch. 7)

Changes to legislation:

There are currently no known outstanding effects for the Salmon and Freshwater Fisheries Act 1975, Cross Heading: Duty on licences.