



# Fisheries Act 2020

## 2020 CHAPTER 22

### *Discard prevention charging schemes*

#### **28 Discard prevention charging schemes**

- (1) The Secretary of State may by regulations establish a scheme (“a charging scheme”) under which chargeable persons are required to pay a charge in respect of unauthorised catches of sea fish.

For the meaning of “chargeable person” and “unauthorised catch of sea fish”, see section 29.

- (2) A charging scheme must include provision about—
- how a charge is to be calculated, and
  - when payments of a charge are due.
- (3) A charging scheme may provide for a charge to be calculated (to any extent) by reference to a matter specified in the scheme, for example—
- the quantity of fish caught;
  - the description of fish caught;
  - the value of fish caught;
  - the method by which fish are caught;
  - the area in which fish are caught.
- (4) A charging scheme—
- may only require a chargeable person to pay a charge in respect of an unauthorised catch of sea fish caught while the person is registered under the scheme, and
  - may not require a chargeable person to register under the scheme.
- (5) A charging scheme may provide that—
- only a chargeable person in relation to whom prescribed conditions are met is eligible to be registered under the scheme, or

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**Changes to legislation:** There are currently no known outstanding effects for the Fisheries Act 2020, Section 28. (See end of Document for details)

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- (b) a chargeable person in relation to whom prescribed conditions are met is ineligible to be registered under the scheme.

In this subsection “prescribed” means prescribed by or in accordance with the scheme.

- (6) A charging scheme may make further provision about registration or de-registration under the scheme, including provision about the effect of a person's de-registration.
- (7) Regulations under this section are subject to the affirmative resolution procedure.

**Changes to legislation:**

There are currently no known outstanding effects for the Fisheries Act 2020, Section 28.