



Sea Fisheries Act 1968

1968 CHAPTER 77

Levy on the white fish and herring industries

4 Provisions with respect to levy which may be imposed on the white fish and herring industries

- (1) The general levy which may be imposed by the White Fish Authority under section 15(2) of the Sea Fish Industry Act 1951 (power to impose on persons engaged in the white fish industry a general levy not exceeding one penny for every stone of white fish landed in Great Britain) may be imposed—
 - (a) in respect of white fish landed in Great Britain, at a prescribed rate not exceeding 2d. for each stone of white fish so landed ; and
 - (b) in respect of white fish products so landed, at a prescribed rate in respect of each stone of the products.
- (2) The rate prescribed in relation to any white fish product for the purposes of subsection (1)(b) above shall not exceed an amount which in the opinion of the Authority would be yielded by a levy of 2d. on each stone of white fish required on average (whether alone or together with any other substance or article) to produce a stone of that product.
- (3) In subsections (1) and (2) above " prescribed" means prescribed by regulations made by the Authority under Part I of the Sea Fish Industry Act 1951 ; and the Authority may prescribe different rates of general levy for fish of different descriptions and products of different descriptions.
- (4) The Ministers may by order provide that for references to 2d. in subsections (1) and (2) above there shall be substituted references to such larger sum as may be specified in the order.
- (5) No order shall be made under subsection (4) above unless a draft thereof has been laid before, and been approved by, both Houses of Parliament.
- (6) For the purposes of section 15(2) and (3) of the Sea Fish Industry Act 1951 parts of white fish shall, notwithstanding anything in the definition of white fish in section 19

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of that Act (interpretation of Part I of that Act), be treated as products of white fish and not as white fish.

- (7) In the said section 15(2) and (3) references to persons engaged in the white fish industry shall be construed as including references to persons carrying on in Great Britain the business of buying the products of white fish by wholesale or of importing white fish or their products.
- (8) In section 3(1) of the Herring Industry Act 1935 (which, as applied by section 7(5) of the White Fish and Herring Industries Act 1948, empowers the herring industry scheme to contain provisions for levies on persons engaged in the herring industry and on purchasers of herring wholesale) for the words " purchasers of herring wholesale " there shall be substituted the words " purchasers of herring or herring products wholesale and importers of herring or herring products ".

In the said paragraph (1) as amended by this subsection " products " has the same meaning as in Part I of the Sea Fish Industry Act 1951.

- (9) The Ministers may direct that a substance or article which is capable of being produced wholly or partly from either white fish or herring or both shall be treated for the purposes of this section, section 15(2) and (3) of the Sea Fish Industry Act 1951 and section 7 of the White Fish and Herring Industries Act 1948 and any instrument made under or by virtue of any of those provisions as being wholly or partly produced from one of those descriptions of fish, and may also give directions with respect to the collection of sums payable by way of levy or contribution in respect of that substance or article in pursuance of any such instrument and the application of sums so paid in any manner specified in the directions, whether or not the application of those sums in that manner is authorised by the relevant provision or instrument.
- (10) In this section " the Ministers " has the same meaning as in Part I of the Sea Fish Industry Act 1951.