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SCHEDULES

SCHEDULE 5

HERRING INDUSTRY SCHEMES

PART I

PARTICULAR PURPOSES FOR WHICH A HERRING INDUSTRY SCHEME MAY CONFER POWERS ON THE BOARD

- 1 The promotion of sales and market development and the promotion and carrying out of schemes of research and experiment.
- 2 The making of loans for the provision, reconditioning and equipment of vessels.
- 3 The making of loans to any society or organisation formed for the purpose of acquiring nets and gear, fuel for vessels or other requisites for herring fishing, or requisites for the curing, kippering or processing of herring, and of selling or hiring any such requisites to the members of the society or organisation.
- 4 The making of loans in connection with export.
- 5 The purchase and disposal of redundant vessels.
- 6 The purchase of vessels and equipment for the purpose of being chartered or hired to persons desiring to engage in the herring industry, including in particular persons who have previously been engaged in that industry and persons who have served whole-time in the armed forces of the Crown or the mercantile marine.
- 7 The sale of any such vessels and equipment or shares therein to persons to whom they have previously been chartered or hired.
- 8 The disposal of any vessels and equipment or shares therein no longer required for the purpose of being chartered, hired or sold as aforesaid.
- 9 The giving of assistance for the revival of winter fisheries.
- 10 The limitation of the number, and control of the operations, of vessels, curers, salesmen, kipperers, processers, exporters and persons dealing wholesale in fresh herring at ports, by means of a licensing system having effect subject to any provisions which may be made by the scheme as respects any of those matters for exemption, compensation (including any such compensation as may be decided upon by the Board for regular members of the crews of efficient and redundant vessels) arbitration and appeal.
- 11 The regulation, by means of rules, of the manner and conditions in and subject to which sales may be conducted, of the charges by way of commission to be made by salesmen and exporters, of standards of curing, kippering and processing and of methods of packing and transport.
- 12 The prohibition, in accordance with rules and subject to any exemption for which provision may be made by the rules, of the sale, or the consignment, offer or

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exposure for sale, or the export, of herring of any description or quality defined in the rules, unless such designation, mark or other means for indicating that the herring are of the said description or quality as may be prescribed by the rules is used in relation to the herring, in such manner as may be so prescribed, and the prohibition, except in relation to herring of such description or quality as may be so defined, of the use, in any manner or circumstances specified in the rules, of such designation, mark or other means as may be so prescribed for indicating that such herring are of that description or quality.

The rules shall be of no effect if and so far as they are inconsistent with any regulations made with regard to fishery produce under section 1 (power to prescribe grade designations) or 2 (power to prescribe grade designation marks) of the Agricultural Produce (Grading and Marking) Act 1928.

13 The regulation, by means of prohibitions or restrictions having effect for a limited period either generally or in particular cases, of fishing, curing, kippering and other processes, dealing wholesale in fresh herring at ports, sales and shipments, and the fixing of prices, with a view to meeting temporary or seasonal conditions detrimental to the industry.

14 The prohibition or restriction of the export of herring which do not comply with such standards of quality as may be prescribed by rules.

15 The purchase and sale as agents and, in special cases, as principals, of herring or herring products including—

- (a) in connection with the regulation of sales with a view to meeting temporary or seasonal conditions detrimental to the industry, the imposition on holders of stocks of cured herring of a duty to place them at the disposal of the Board with a view to the sale for export thereof by the Board as agents, and
- (b) in connection with sales for export of cured herring by the Board as principals, the compulsory purchase by the Board of cured herring and the imposition on persons having supplies of fresh herring of a duty to sell them to curers for the purpose of the purchase by the Board,

and the fixing of prices in connection with the matters referred to in sub-paragraphs (a) and (b) above.

In this paragraph "cured herring" means herring which have been pickled in salt or brine or in both and which have not been subjected to any process of smoking.

16 The making of arrangements for the refrigeration and processing, whether by persons engaged in the industry or by the Board, of such proportion of herring catches as the Board consider expedient with a view to providing supplies of herring of good quality throughout the year and meeting temporary and seasonal conditions detrimental to the industry.

17 The regulation, by means of rules, of the conditions subject to which herring may be refrigerated and the standard of quality of the herring before and after refrigeration.

18 The disposal of surplus herring by conversion into oil and other products.

19 The undertaking of arrangements for shipment for export.

20 The levying of contributions from persons engaged in the industry and from purchasers of herring or herring products wholesale and importers of herring or herring products. In this paragraph "products" has the same meaning as in Part I of this Act.

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- 21 The charging of fees in respect of licences.
- 22 The levying of contributions, in respect of any port or area, out of the proceeds of first sales of fresh herring, and the making of payments to herring fishermen in that port or area in order to obviate so far as possible undue differences in their earnings. A scheme conferring power to levy any such contributions or make any such payments—
- (a) shall provide that those powers shall not be exercisable in respect of any port or area unless it appears to the Board that there exists among herring fishermen in that port or area a prevailing opinion in favour of the exercise of those powers; and
 - (b) shall secure so far as practicable that the contributions levied in respect of any port or area are sufficient to meet payments due to herring fishermen in that port or area under the scheme and, if at any time the contributions are insufficient to meet those payments, the scheme shall require the Board to make such adjustments in the rate of contributions or payments as may be necessary to make good the deficiency.
- In this paragraph " first sales of fresh herring" means the first completed sales wholesale after the herring have been caught.
- 23 The entry on vessels and premises and the inspection thereof and of things found thereon.
- 24 The imposition on persons engaged in the industry of obligations to keep records and accounts and to furnish information.
- 25 The delegation of functions to committees and to other persons.