
WELSH STATUTORY INSTRUMENTS

2005 No. 3297

The Fishery Products (Official Controls Charges) (Wales) Regulations 2005

PART III

OFFICIAL CONTROLS CHARGES FOR DIRECT LANDINGS FROM THIRD COUNTRY VESSELS

Charge in respect of official checks on third country direct landings

21.—(1) When any relevant fishery products are sold for the first time in Wales (referred to in this Part as a “chargeable transaction”), the vendor must include in the price which the purchaser is required to pay for them an amount equal to the charge referred to in this Part as the “third country direct landings charge”.

(2) Subject to regulation 22, the amount of the third country direct landings charge is—

- (a) in respect of the expenditure incurred in exercising the official controls required under Chapter II of Annex III to Regulation 854/2004, 1 Euro per tonne of relevant fishery products for the first 50 tonnes and 0.5 Euro per tonne for each additional tonne of such products, except that where the actual costs attributable to the exercise of the official controls in relation to an unloaded consignment of specified pelagic fish do not exceed 50 Euros, the third country direct landings charge in respect of that consignment will not exceed that amount; and
- (b) in respect of the expenditure incurred in exercising official controls on vessels and on conditions of landing, 1 Euro per tonne.

(3) The vendor must pay the third country direct landings charge to the relevant food authority.

Reduction of the third country direct landings charge

22. The relevant food authority to which a charge is payable under regulation 21(3) must reduce by 55% the part of the third country direct landings charge which is calculated in accordance with regulation 21(2)(a) where any of the official controls required under Chapter II of Annex III to Regulation 854/2004 are facilitated on the basis that—

- (a) the fish are graded for freshness and/or size in accordance with relevant national or Community rules; or
- (b) the first sale transactions are grouped together.

Collection and remittance arrangements

23.—(1) A vendor who has entered into a chargeable transaction must within 7 days of the end of the account period during which the chargeable transaction took place make a return in respect of it to the relevant food authority to which the third country direct landings charge is payable or, if there has been more than one such transaction, information in respect of the aggregate of the transactions.

- (2) The vendor must include in that return the following information—
- (a) the account period to which the return relates;
 - (b) the places of landing and first sale of the fishery products to which it relates;
 - (c) for landings of fishery products other than specified pelagic fish—
 - (i) the name of each vessel and the number of consignments landed from it,
 - (ii) the aggregate weight of consignments landed by each vessel which do not exceed 50 tonnes and the first 50 tonnes of consignments the weight of which exceeds that amount, and
 - (iii) the aggregate weight of consignments less the weight calculated under paragraph (ii);
 - (d) for landings of specified pelagic fish—
 - (i) the name of each vessel and the number of consignments landed from it, and
 - (ii) the aggregate weight of consignments landed by each vessel which do not exceed 50 tonnes and the first 50 tonnes of consignments the weight of which exceeds that amount;
 - (e) the amount of any reduction under regulation 22 which has been made in respect of—
 - (i) consignments of fish consisting only of fish other than specified pelagic fish, and
 - (ii) consignments of specified pelagic fish only,specifying under which of paragraph (a) or (b) of that regulation that reduction has been made; and
 - (f) the amount of the third country direct landings charge.
- (3) The vendor must, in addition to the information required under paragraph (2), include in the return information on—
- (a) the total weight of all fishery products landed, including specified pelagic fish; and
 - (b) the amount of the charge in respect of those products.