STATUTORY INSTRUMENTS

# 1999 No. 837

# SEA FISHERIES

## The Sea Fish Industry Authority (Levy) (Amendment) Regulations 1998 Confirmatory Order 1999

| | |
|---|---|
| *Made - - - -* | *16th March 1999* |
| *Laid before Parliament* | *18th March 1999* |
| *Coming into force* | *9th April 1999* |

Whereas the Sea Fish Industry Authority (hereinafter referred to as "the Authority") has made the Sea Fish Industry Authority (Levy) (Amendment) Regulations 1998 (hereinafter referred to as "the Regulations")**(a)**;

And whereas the Authority has transmitted to the Minister of Agriculture, Fisheries and Food and the Secretaries of State respectively concerned with the sea fish industry in Scotland, Wales and Northern Ireland (hereinafter referred to as "the Ministers") the objections to the Regulations which have been duly made to the Authority and have not been withdrawn and the Ministers have considered such objections;

And whereas the Ministers, after consultation with the Authority, have considered it desirable to modify the rates of levy set out in the Schedule to the Regulations, and have modified the Regulations accordingly;

Now, therefore, the Ministers, in exercise of the powers conferred on them by section 4(2) and (10) of the Fisheries Act 1981**(b)**, and of all other powers enabling them in that behalf, hereby make the following Order:

### Title and commencement

**1.** This Order may be cited as the Sea Fish Industry Authority (Levy) (Amendment) Regulations 1998 Confirmatory Order 1999 and shall come into force on 9th April 1999.

### Confirmation

**2.** The Regulations, having been modified by the Ministers, are hereby confirmed and are set out in the Schedule to this Order.

*Elliot Morley*
Parliamentary Secretary,
Ministry of Agriculture, Fisheries and Food

15th March 1999

**(a)** The Regulations were made under section 4 of the Fisheries Act 1981 (c. 29); see Schedule 2, paragraph 3, for the Ministers' power to modify such regulations before making a confirmatory order.

**(b)** 1981 c. 29; the maximum levy rates specified in section 4(3)(a) and (4) were increased by S.I. 1990/1641; section 14(1) contains a definition of "the Ministers".

*Calum MacDonald*
16th March 1999 Parliamentary Under Secretary of State, Scottish Office

Signed by authority of the Secretary of State for Wales

*Jon Owen Jones*
16th March 1999 Parliamentary Under Secretary of State, Welsh Office

*Marjorie Mowlam*
16th March 1999 Secretary of State for Northern Ireland

## SCHEDULE

Article 2

### THE SEA FISH INDUSTRY AUTHORITY (LEVY) (AMENDMENT) REGULATIONS 1998

Whereas it appears to the Sea Fish Industry Authority (hereinafter referred to as "the Authority") that it is desirable to increase the existing rate of levy for the purpose of financing their activities;

Now therefore, the Authority in exercise of the powers conferred on them by section 4 of the Fisheries Act 1981, hereby make the following Regulations:

**Citation and Commencement**

**1.** These Regulations may be cited as the Sea Fish Industry Authority (Levy) (Amendment) Regulations 1998 and shall come into force on the day on which the Confirmatory Order by Ministers comes into force.

**Interpretation**

**2.** In these Regulations "principal Regulations" means the Sea Fish Industry Authority (Levy) Regulations 1995 Confirmatory Order 1996**(a)**.

**Amendment of the principal Regulations**

**3.** For the Schedule to the principal Regulations there shall be substituted the following Schedule:

"SCHEDULE

| *Column 1* | *Column 2* *Rate per kilogram* *New Rate* | *Old Rate** |
|---|---|---|
| **Sea Fish** | | |
| Sea fish other than cockles or mussels or whelks or pelagic fish sold on a firsthand sale or pelagic fish trans-shipped within British fishery limits or sea fish sold for fishmeal production | 0.9030p | *(0.8400p)* |
| Cockles or mussels sold on a firsthand sale | 0.2580p | *(0.2400p)* |
| Whelks sold on a firsthand sale | 0.4515p | *(0.4200p)* |
| Pelagic fish sold on a firsthand sale or trans-shipped within British fishery limits | 0.2580p | *(0.2400p)* |
| Sea fish sold for fishmeal production | 0.0350p | *(0.0350p)* |
| **Sea Fish Products** | | |
| Fresh, frozen or chilled sea fish | | |
| Gutted | 0.9030p | *(0.8400p)* |
| Headless and gutted | 1.2040p | *(1.1200p)* |
| Fillets, skin on | 1.8060p | *(1.6800p)* |
| Fillets, skinless | 2.2575p | *(2.1000p)* |
| Fresh, frozen or chilled pelagic fish | | |
| Gutted | 0.2580p | *(0.2400p)* |
| Headless and gutted | 0.3440p | *(0.3200p)* |
| Fillets, skin on | 0.5160p | *(0.4800p)* |
| Fillets, skinless | 0.6450p | *(0.6000p)* |
| Cockles or mussels or whelks without shell | 0.9030p | *(0.8400p)* |

**(a)** S.I. 1996/160.

| *Column 1* | *Column 2*<br>*Rate per kilogram*<br>*New Rate* | <br><br>*Old Rate** |
|---|---|---|
| Smoked Sea Fish | | |
| Headless and gutted | 1.5050p | *(1.4000p)* |
| Fillets, skin on | 2.2575p | *(2.1000p)* |
| Fillets, skinless | 2.4080p | *(2.2400p)* |
| Smoked Pelagic Fish | | |
| Headless and gutted | 0.4300p | *(0.4000p)* |
| Fillets, skin on | 0.6450p | *(0.6000p)* |
| Fillets, skinless | 0.6880p | *(0.6400p)* |
| Salted and Cured Sea Fish | | |
| Wet | 0.7525p | *(0.7000p)* |
| Dried | 1.1288p | *(1.0500p)* |
| Sea fish products sold for fishmeal | 0.0350p | *(0.0350p)* |
| Sea fishmeal | 0.1750p | *(0.1750p)* |
| Any sea fish product not referred to above | 1.8060p | *(1.6800p)* |
| Any pelagic fish product not referred to above | 0.5160p | *(0.4800p)* |

* The figures in italics are rates of levy under these Regulations before the coming into force of the Sea Fish Industry Authority (Levy) (Amendment) Regulations 1998."

The Common Seal of the
SEA FISH INDUSTRY AUTHORITY
was affixed the Sixteenth
day of December Nineteen Hundred and Ninety Eight
before the parties hereto subscribing–

L.S.

*E. Davey*, Member

*Duncan Robertson*, Secretary

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order confirms, after modification, Regulations made by the Sea Fish Industry Authority which amend the Sea Fish Industry Authority (Levy) Regulations 1995. The amending Regulations change the rates of the levy imposed by that Authority in respect of sea fish and sea fish products for the purpose of financing its activities. The old rates of levy are shown in italics in the revised Schedule to the new Regulations.

As made by the Authority, the amending Regulations provided for new rates of levy that would have increased the existing rates by 10%. Before making this Order, the Ministers used their powers in paragraph 3 of Schedule 2 to the Fisheries Act 1981 to modify the amending Regulations so as to provide for new rates of levy that, in general, increase the existing rates by 7.5% and, in three cases, make no change.

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