EXPLANATORY NOTE

(This Note is not part of the Order but is intended to indicate its general purport.)

This order designates 17th April, 1957, as the appointed day for the purpose of those provisions of the White Fish and Herring Industries Act, 1957, which relate to conversion grants. No grant may be made towards the conversion of the engine boilers of a fishing vessel from coal-firing to oil-firing, or towards the acquisition by a non-working owner of an engine which does not involve the consumption of coal in replacement of a coal-consuming engine unless the White Fish Authority or the Herring Industry Board, as appropriate, are satisfied that the contract for the conversion of the engine boilers or the supply of the engine was made after the appointed day.

1957 No. 1175

The White Fish and Herring Industries (Conversion Grants) Scheme, 1957

Made - - - -	*27th May*, 1957
Coming into Operation	*6th July*, 1957

The Minister of Agriculture, Fisheries and Food and the Secretary of State for Scotland, with the approval of the Treasury, in exercise of the powers conferred upon them by sections 1 and 6 of the White Fish and Herring Industries Act, 1953(a) as amended by section 1 of the White Fish and Herring Industries Act, 1957(b), and of all other powers enabling them in that behalf, after consultation with the White Fish Authority and the Herring Industry Board, hereby made the following Scheme:—

Citation, Extent and Commencement

1. This Scheme, which may be cited as the White Fish and Herring Industries (Conversion Grants) Scheme, 1957, shall apply to Great Britain and shall come into operation three days after it has been approved by both Houses of Parliament.

2.—(1) In this scheme, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

"the Acts" means the White Fish and Herring Industries Act, 1953, and the White Fish and Herring Industries Act, 1957;

"the administering authority" means, in relation to grants to persons engaged or proposing to become engaged in the white fish industry, the White Fish Authority and, in relation to grants to persons engaged or proposing to become engaged in the herring industry, the Herring Industry Board;

"the control period" has the meaning assigned to it by sub-paragraph (2) of paragraph 12 of this scheme;

(a) 1 & 2 Eliz. 2. c. 17. (b) 5 & 6 Eliz. 2. c. 22.

"inshore, near and middle waters" means waters within the following limits, namely: 63 degrees north latitude, 17 degrees west longitude and 43 degrees north latitude;

"length", in relation to a vessel, means its length as calculated for the purposes of registration under the Merchant Shipping Act, 1894(a);

"white fish" means fish of any kind found in the sea except herring, salmon and migratory trout.

(2) The Interpretation Act, 1889(b), shall apply to the interpretation of this scheme as it applies to the interpretation of an Act of Parliament.

Applications for Grants

3.—(1) Subject to the provisions of this scheme, a person engaged or proposing to become engaged in the white fish industry in Great Britain by carrying on the business of operating one or more vessels registered in Great Britain (of whatever size and in whatever way propelled) for the catching or landing of white fish may apply to the administering authority for a grant in respect of expenditure incurred as mentioned in sub-paragraph (3) of this paragraph.

(2) Subject to the provisions of this scheme, a person engaged or proposing to become engaged in the herring industry by carrying on the business of operating one or more boats (as defined by the Herring Industry Act, 1935(c)) registered in Great Britain for the catching or landing of herring may apply to the administering authority for a grant in respect of expenditure incurred as mentioned in sub-paragraph (3) of this paragraph.

(3) The expenditure referred to in sub-paragraphs (1) and (2) of this paragraph shall be incurred:—

(*a*) in the acquisition of a new engine for a fishing vessel not exceeding 140 feet in length (including the installation of the engine in the vessel) in any case where the operation of the engine does not involve the consumption of coal and the engine in installed in place of one whose operation did involve the consumption of coal;

(*b*) in the conversion, from coal-firing to oil-firing, of the engine-boilers of a fishing vessel not exceeding 140 feet in length;

provided that the applicant satisfies the administering authority that the contract for the supply of the engine or the contract for the execution of the work of conversion was made after 17th April, 1957.

(4) Reference in sub-paragraph (3) (*a*) of this paragraph to expenditure incurred in the acquisition of a new engine for a vessel shall, where the engine is installed in place of one which furnished motive power to other machinery of the vessel but is itself not designed to furnish motive power to that other machinery, be construed as including a reference to expenditure incurred in carrying out such work for the provision of motive power to that other machinery as is necessitated by the change of engine.

(5) Applications for grants as aforesaid shall be made in writing in such form as the administering authority may from time to time require, and shall be delivered to the administering authority at such address as they may at any time or in any particular case direct, not later than the 30th day of November, 1960, or such later date (not being later than the 31st day of January, 1961) as the administering authority may, in special circumstances, allow.

(a) 57 & 58 Vict. c. 60. (b) 52 & 53 Vict. c. 63. (c) 25 & 26 Geo. 5. c. 9.

4. Applications for grants as aforesaid may be made only by British subjects resident in Great Britain or corporations incorporated by or under the law of Great Britain.

5. Applicants for grants as aforesaid shall be required to satisfy the administering authority with regard to the prospect of their being able to operate a fishing vessel successfully.

6. The administering authority may require applicants to make a full statement of their financial position, including their assets, debts and obligations and to make available for inspection by the administering authority, or their duly authorised agents, such books of account and other records and documents as the administering authority may reasonably require.

7. Where expenditure is shared by two or more persons, applications may be made in respect of either the full expenditure or part of the expenditure incurred in the acquisition of an engine or in the conversion of engine-boilers and may be made by individual applicants or by two or more applicants jointly.

Amount of Grants

8.—(1) The amounts which may be paid by the administering authority by way of grant in respect of expenditure incurred in the acquisition of any one new engine shall not exceed £10,000; and the amounts which may be paid by the administering authority by way of grant in respect of expenditure incurred in the conversion, from coal-firing to oil-firing, of the engine boilers of any one fishing vessel shall not exceed £7,500.

(2) Subject as aforesaid, the amount of any grant which may be made in pursuance of this scheme shall be at the rate of one-quarter of the expenditure incurred.

Conditions for Payment of Grants

9.—(1) Applications shall be entertained only in respect of engines built or to be built or work of conversion executed or to be executed in the United Kingdom.

(2) The plans and specifications of the engine or the work of conversion, the tender for expenditure incurred or to be incurred and the form of contract entered into or to be entered into by the applicant with the builder, seller or contractor shall be subject to the approval of the administering authority.

(3) Engines shall be built or work of conversion executed to the satisfaction of the administering authority, in accordance with the approved plans and specifications, and the vessels in which the engines are or are to be installed or in which the work of conversion is to be executed shall conform to any standards laid down by the Minister of Transport and Civil Aviation under the Merchant Shipping Acts, 1894 to 1954, and shall make such provision for the accommodation of officers and crew as the administering authority may require, which shall be such as in the opinion of the administering authority conforms as far as is reasonably practicable to the best modern practice appropriate to the class of vessel concerned, for sleeping and messing accommodation, sanitary accommodation, medical or first-aid facilities, store rooms, catering facilities and other accommodation.

(4) Any person authorised in writing by the administering authority shall have the right to inspect an engine or work of conversion in respect of which a grant has been or is to be made under this scheme at any time during the installation of the engine or the execution of the work of conversion, on

completion of such installation or work and after such completion at all reasonable times within the control period.

10. No payment of or on account of a grant shall be made until the sum to be found by the applicant has been paid towards the cost of the engine or work of conversion, as the case may be. Thereafter payment of or on account of the grant may be made by the administering authority direct to the applicant, or on the applicant's behalf to the builder, seller or contractor in one sum or by such instalments and at such times as may be required in conformity with the contract, on the receipt of certificates or such further or other evidence that payment is due as may be required by the administering authority.

11.—(1) In the payment of grants in pursuance of this scheme, the administering authority shall have regard to the needs and interests of the white fish industry or that section thereof to which the applicant belongs and to the needs and interests of the herring industry or that section thereof to which the applicant belongs as the case may be; but subject as aforesaid, and subject to the provisions of the Acts and of this scheme, the administering authority may at their entire discretion approve or reject (in whole or in part) any application for a grant under this scheme.

(2) Without prejudice to the discretion of the administering authority under sub-paragraph (1) of this paragraph, if any person makes a false statement or furnishes false information in respect of any of the matters required to be disclosed in connection with an application for payment of a grant under this scheme or if any of the conditions relating to the payment of grants under this scheme are not complied with by an applicant, any payment of or on account of a grant to that applicant may at any time be refused.

12.—(1) Any person whose application for a grant under this scheme is approved by the administering authority may be required to give such undertakings as the administering authority may consider appropriate to the case, and in particular (but without prejudice to the generality of the foregoing) shall be required in any case—

(*a*) to prosecute white fish catching or herring catching, as the case requires, diligently and vigorously to the satisfaction of the administering authority within the inshore, near and middle waters, and not to use the vessel in which the engine in respect of which the grant is payable has been installed or in which the work of conversion in respect of which the grant is payable has been executed (hereinafter in this paragraph referred to as "the said vessel") for fishing outside the said waters at any time during the control period, except on not more than two voyages between the 1st day of March and the 31st day of August (both days inclusive) in any year; provided nevertheless that

(i) the administering authority may from time to time vary the number of voyages permitted during the said period in any year outside the inshore, near and middle waters in respect of all such vessels as aforesaid, so long as any such variation does not permit any vessel to fish outside the said waters on more than three voyages during the said period in any year; and

(ii) there shall be no limit to the number of voyages permitted in respect of any such vessel as aforesaid outside the said waters for the purpose of fishing with long lines only, if and so long as the vessel when fishing outside the said waters is not equipped with trawl winches or gallows or any fishing equipment or gear other than that required for fishing with long lines;

(*b*) to insure the said vessel and keep it insured at a valuation agreed with the administering authority against all marine risks and war risks during the control period;

(*c*) to make available for inspection by the administering authority at all reasonable times during the control period any books, records or other documents necessary to enable the administering authority to satisfy themselves that any conditions of the grant have been complied with;

(*d*) if there occurs within the control period a breach of any undertaking or condition or the total loss of the said vessel arising out of an insured risk, to repay to the administering authority—

(i) the whole of the grant, in the event of any such breach or loss as aforesaid occurring not later than three years from the date of payment by the administering authority of the grant or of the final instalment on account of the grant, as the case may be; or

(ii) in the event of any such breach or loss as aforesaid occurring more than three years from the last-mentioned date but within the control period, a proportion of the grant to be calculated by multiplying the total amount of the grant by the fraction which represents the relationship which the unexpired part of the control period bears to the full control period;

(*e*) if there occurs within the control period a mortgage, transfer of registration, charter, sale or disposal of the said vessel, or of the engine in respect of which grant is payable, to repay to the administering authority the whole of the grant or such portion (if any) thereof as the administering authority may determine; provided that repayment shall not be required in excess of the amount which would have been repayable at the same date had the provisions of sub-paragraph (*d*) of this paragraph been applicable to the case.

(2) For the purposes of sub-paragraph (4) of paragraph 9 and sub-paragraph (1) of this paragraph "the control period" means a period of ten years commencing with the date of payment by the administering authority of the grant or of the final instalment on account of the grant, as the case may be.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed this 27th day of May, nineteen hundred and fifty-seven.

(L.S.)

D. Heathcoat Amory,
Minister of Agriculture, Fisheries and Food.

Given under the Seal of the Secretary of State for Scotland this 27th day of May, nineteen hundred and fifty-seven.

(L.S.)

John S. Maclay,
Secretary of State for Scotland.

Approved,

Edward Wakefield,
Anthony Barber,
Two of the Lords Commissioners of Her Majesty's Treasury.

EXPLANATORY NOTE

(This Note is not part of the Scheme, but is intended to indicate its general purport.)

The White Fish and Herring Industries Act, 1953, as amended by the White Fish and Herring Industries Act, 1957, provides that a Scheme may be made for the payment by the White Fish Authority or the Herring Industry Board, as appropriate, of grants to persons engaged or proposing to become engaged in the white fish or herring industries in respect of expenditure incurred in the conversion from coal-firing to oil-firing of the boilers of fishing vessels and the replacement of coal-consuming engines on fishing vessels by engines which do not consume coal.

In order to qualify for grant the fishing vessel concerned must not exceed 140 feet in registered length, and the contract for the supply of the engine or the execution of the work of conversion must have been made after 17th April, 1957, and the application approved before 31st March, 1961.

This Scheme, made by the Minister of Agriculture, Fisheries and Food, and the Secretary of State for Scotland, with the approval of the Treasury, relates to Great Britain. It provides for the payment of a grant of 25 per cent. of the cost of conversion, subject to a maximum grant of £7,500 for the conversion of the engine-boilers of a vessel from coal to oil-firing, and of £10,000 for the replacement of a coal-burning engine by one which does not burn coal. The Scheme provides that applications for grant shall be made not later than 30th November, 1960, or such later date up to 31st January, 1961, as the White Fish Authority or the Herring Industry Board may allow. It also contains provisions about the manner in which applications may be made and the conditions under which the grants will be paid.

As required by Section 5 of the White Fish and Herring Industries Act, 1957, this Scheme was approved by a resolution of the House of Lords on 27th June, 1957, and a resolution of the House of Commons on 3rd July, 1957.

HERRING INDUSTRY

1957 No. 1422

The Herring Subsidy (United Kingdom) No. 2 Scheme, 1957

Made - - - -	*12th July*, 1957
Coming into Operation	*1st September*, 1957

The Secretary of State for Scotland and the Minister of Agriculture, Fisheries and Food, in exercise of the power conferred upon them by section 3 of the White Fish and Herring Industries Act, 1957(a), and of all other powers enabling them in that behalf, with the approval of the Treasury, hereby make the following Scheme:

Citation, Extent, Commencement and Interpretation

1.—(1) This scheme, which may be cited as the Herring Subsidy (United Kingdom) No. 2 Scheme, 1957, shall apply to the United Kingdom, and shall come into operation on 1st September, 1957.

(a) 5 & 6 Eliz. 2. c. 22.