
STATUTORY INSTRUMENTS

1989 No. 1190

The Fisheries Act 1981 (Amendment) Regulations 1989

Amendment of the Fisheries Act 1981

2.—(1) The Fisheries Act 1981(1) shall be amended in accordance with the following provisions of this Regulation.

(2) In section 2 (duties of the Sea Fish Industry Authority) at the beginning of subsection (1) there shall be inserted the words “Subject to subsection (2A) below” and after subsection (2) there shall be inserted the following subsection—

“(2A) If any levy imposed under section 4 below has effect in relation to sea fish or sea fish products from the sea fish industries of member States other than the United Kingdom, the Authority shall so exercise its powers under this Part of this Act as to secure that benefits are conferred on those industries commensurate with any burden directly or indirectly borne by them in consequence of the levy”;

and, in subsection (3) for the words “subsection (1) above” there shall be substituted the words “subsections (1) and (2A) above”.

(3) In section 3(5) (which provides that the Authority shall not provide services for persons concerned with sea fish industries of other countries unless the full cost is recovered by fees) for the words from “unless” to “and” there shall be substituted the words

“unless—

(a) in the case of a country which is not a member State, the full cost of the services is recovered by fees; and

(b)”.

(4) In section 14(2) (definition of “sea fish industry”) for the words “section 3(5)” there shall be substituted the words “sections 2(2A) and 3(5)”.