

THE CONCH (EXPORT LEVY) ACT

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SCHEDULE.

THE CONCH (EXPORT LEVY) ACT

Act
6 of 2009.

[1st May, 2009.]

PART I. *Preliminary*

1. This Act may be cited as the Conch (Export Levy) Act.

Short title.

2. In this Act, unless the context otherwise requires—

Interpreta-
tion.

“Board” means the Board established under section 10(1) and charged with the responsibility of administering the Fisheries Management and Development Fund;

“Commissioner” means the Commissioner of Taxpayer Audit and Assessment;

“conch” means all species of the family Strombidae and Genus Strombus;

“conch season” means any period outside of a period declared by the Minister under the *Fishing Industry Act* to be a close season for conch fishing, during which fishing, offering for sale, trading, exporting, importing or possession of conch is allowed;

“export health certificate” means an export health certificate issued pursuant to the *Aquaculture, Inland and Marine Products and By-Products (Inspection, Licensing and Export) Act*;

“export licence” means an export licence issued pursuant to the *Aquaculture, Inland and Marine Products and By-Products (Inspection, Licensing and Export) Act*;

“Fund” means the Fisheries Management and Development Fund established by section 9;

CONCH (EXPORT LEVY)

“levy” means the levy imposed under section 3 of this Act;
and

“Veterinary Services Division” means the Veterinary Services Division of the Ministry with responsibility for agriculture.

PART II. Conch Levy

Levy on conch
export.

3.—(1) Notwithstanding anything in any other law or enactment or in any agreement to the contrary, a person who proposes to export or who exports conch (hereinafter called an “exporter”) shall pay to the Veterinary Services Division a levy—

(a) of seventy-five cents in the currency of the United States of America, or the equivalent in Jamaican currency, per pound of conch exported during the 2009 conch season;

(b) until any further provision is made under paragraph (c)(i), of one dollar in the currency of the United States of America, or the equivalent in Jamaican currency, per pound of conch exported during the 2010 conch season;
and

(c) for—

(i) the 2010 conch season, at any further rate as may be prescribed;

(ii) any subsequent conch season, at a rate to be prescribed,

from time to time by the Minister, by order, subject to affirmative resolution of the House of Representatives.

(2) An exporter shall pay the levy on each occasion that he applies for an export health certificate and export licence for a consignment of conch.

Rebate.

4. Subject to section 14(2), an exporter who exports less conch than the amount approved for any consignment pursuant