

B.C. Reg. 302/91  
O.C. 1340/91 Deposited October 25, 1991

Farming and Fishing Industries Development Act

**BRITISH COLUMBIA SALMON MARKETING  
COUNCIL REGULATION**

[includes amendments up to B.C. Reg. 124/2000]

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Interpretation

1 In this regulation:

"council" means the British Columbia Salmon Marketing Council established by the minister under the Farming and Fishing Industries Development Act;

"first receiver" means a person who

(a) is the first purchaser of the salmon from the producer, or

(b) receives salmon from, or on behalf of, a producer for packing, grading, storing, shipping, selling, distributing or processing;

"levy" means a levy established under the Farming and Fishing Industries Development Act by the council in accordance with section 2;

"producer" means a person who commercially harvests salmon;

"salmon" means commercially harvested salmon of any species including

- (a) CHINOOK *Oncorhynchus tshawytscha*,
- (b) COHO *Oncorhynchus kisutch*,
- (c) CHUM *Oncorhynchus keta*,
- (d) PINK *Oncorhynchus gobuscha*, and
- (e) SOCKEYE *Oncorhynchus nerka*.

[am. B.C. Regs. 160/92, s. 1; 226/94, s. 1; 124/2000, s. (a).]

Application of this regulation

1.1 This regulation does not apply to a person engaged in aquaculture as defined in section 1 of the Fisheries Act.

[en. B.C. Reg. 124/2000, s. (b).]

Levy

2 Where the council establishes a levy equivalent to 1/2 of 1% of the price paid by first receivers to producers for salmon delivered by or on behalf of producers to first receivers, that levy is a levy for the purposes of this regulation.

[am. B.C. Reg. 160/92, s. 2.]

#### Payment of the levy

3 (1) The council may appoint first receivers to collect and remit the levy.

(2) Each producer must pay the levy to a first receiver at the time of delivery of salmon to that first receiver.

(3) Each first receiver appointed under subsection (1) must collect and remit the levy to the council within 15 days of the date of the end of the month in which the levy is collected.

(4) The council may charge a first receiver interest on levies that have not been remitted by the first receiver within the period specified in subsection (3).

(5) The rate of interest may be determined by the council from time to time.

[en. B.C. Reg. 226/94, s. 2; am. B.C. Reg. 341/95, s. (a).]

#### Records

4 (1) The first receiver must retain all records respecting the collection of the levy for 2 years from the date of the collection.

(2) Records for the purposes of subsection (1) must include the name and address of each producer who paid the levy.

(3) The first receiver must make records under this section available to the council on request by the council.

[am. B.C. Reg. 341/95, s. (b).]

[Provisions of the Farming and Fishing Industries Development Act, R.S.B.C. 1996, c. 134, relevant to the enactment of this regulation: sections 4 and 10]

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