

MINISTRY OF ECONOMIC AFFAIRS

S.I. No. 10 of 1986

FISHERIES RESOURCES (JURISDICTION AND
CONSERVATION) ACT, 1977
(No. 13 of 1977)

FISHERIES RESOURCES (JURISDICTION AND
CONSERVATION) REGULATIONS, 1986

In exercise of the powers conferred upon the Minister by section 18 of the Fisheries Resources (Jurisdiction and Conservation) Act, 1977, the following Regulations are made —

1. These Regulations may be cited as the Fisheries Resources (Jurisdiction and Conservation) Regulations, 1986 and shall come into force on such date as the Minister may appoint by notice published in the *Gazette*.

2. —(1) In these Regulations —

“aquaculture” means the cultivation of freshwater and marine organisms by exploiting their natural environment;
“explosives” has the meaning assigned to it by section 2 of The Explosives Act, 1968;

“firearm” has the meaning assigned to it by section 2 of The Firearms Act, 1969;

“fishery product” means any product intended for human consumption which consists wholly or mainly of fishery resource;

“Hawaiian sling” means a device made of wood, or other suitable material, designed for the discharge of a missile under water by the force of a sling of rubber;

“prohibited apparatus” means —

(a) a device, other than a schnorkel, designed to enable a person to breathe whilst under water;

(b) a device, other than a Hawaiian sling, designed to discharge a missile under water;

“schnorkel” means a tube enabling a person whose face is beneath the surface of the water to breathe air directly from the atmosphere and not assisted by a compressor;

“spearfishing apparatus” means any of the following articles used in the activity commonly known as “spearfishing”:

(a) a spear;

(b) an Hawaiian sling;

(c) a schnorkel;

Citation
and
commence-
ment.

Inter-
pretation.

- (d) an underwater mask;
- (e) underwater goggles;
- (f) swim fins.

"Take" means catch, capture or remove from the water;
 "trap" includes any device designed or used for the trapping of fishery resource.

(2) In these Regulations the reference to "commercial purposes" in relation to the exportation of any fishery resource or fishery product is a reference to any act or transaction or the doing of anything for the purpose of effecting a sale or of deriving a financial reward through the exportation of that resource or product.

PART I

GENERAL

3. Except (in such limited quantity) as may be specified in a written permission of the Minister for scientific, research or sanitation purposes, as the case may be, no person shall use or have in his possession with intent to use, for fishing within the exclusive fishery zone

Possession and use of poison prohibited.

- (a) dogwood or other poisonous wood or bark;
- (b) quicklime;
- (c) household bleach; or
- (d) any other noxious or poisonous substance.

4. (1) Subject to paragraph (2), no person shall use a firearm to fish within the exclusive fishery zone.

Use of firearms prohibited.

(2) *Paragraph (1) does not apply to a person who uses*

- (a) a firearm for scientific or research purposes with the written permission of the Minister;
- (b) a firearm (commonly known as a bang stick) for self defence against sharks and other marine predators.

5. No person shall, except for scientific or research purposes and with the written permission of the Minister, have in his possession on a fishing vessel or use for fishing within the exclusive fishery zone any explosives.

Possession or use of explosives prohibited.

6. No person shall use any spearfishing apparatus to fish

- (a) within one mile of the coast at low water mark of New Providence; or
- (b) within one mile of the southern coast at low water mark of Freeport, Grand Bahama; or
- (c) within two hundred yards of the coast at low water mark of any other Family Island.

Spearfishing apparatus in certain areas prohibited.

Nets.

7.—(1) No person shall use a net to fish within the exclusive fishery zone unless the net —

- (a) is a gill net, drag net, cast net or seine net; and
- (b) has a mesh the gauge of which is two inches minimum.

(2) Subparagraph (b) of paragraph (1) shall not apply to —

- (a) nets used for the harvesting of cultured resources, or
- (b) hand nets used for capturing small species of fishery resource; or
- (c) nets used for catching goggle-eyes or members of the herring and silver-side families,

and shall not have effect before the expiration of two years from the coming into operation of these Regulations.

Traps.

8. No person shall use a wire mesh trap to fish within the exclusive fishery zone unless the wire mesh has the following minimum size —

- (a) in the case of a hexagonal wire mesh, 1½ inches (greatest length of mesh);
- (b) in the case of welded or woven rectangular wire mesh, 1 inch by 2 inches,

and one of the panels of the trap is made of a material that would deteriorate after use in water for a continuous period of not more than six weeks.

9. No person shall organize or engage in a spearfishing tournament or competition within the exclusive fishery zone.

10. No person shall use, or have in his possession with intent to use, for fishing within the exclusive fishery zone any prohibited apparatus.

11. No person shall —

- (a) within two hundred yards of the coast at low water mark of New Providence or any Family Island fish for or take any fishery resource other than edible fish, edible conch or crawfish as food for himself and family in The Bahamas;
- (b) save as provided in paragraph (a), fish for or take by means of a net in the harbour or at the entrance to the harbour of any place in The Bahamas any resource other than the species known as goggle-eyes or passing jacks.

Coral.

12.—(1) No person shall uproot, destroy, or without the written permission of the Minister, take or sell any hard or soft coral.

(2) Nothing in paragraph 1 shall apply to the sale of coral by any person who holds a licence for a shop under the provision of the Shop Licenses Act.

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Sea oats.

13. No person shall cut, harvest or remove from any beach or shore or from any area immediately adjacent thereto any sea oats except with the written permission of the Minister.

Spear-fishing tournament etc. prohibited. Prohibited apparatus

Fishery resource within two hundred yards of the coast of any island.

14. No person shall construct any artificial reef within the exclusive fishery zone except with the written permission of the Minister.

15.—(1) No person shall sell in New Providence fishery resource unless he is the holder of a permit granted by the Minister authorising him to sell fishery resource, or the latter is the result of fishing done by that person.

(2) No person shall sell fishery resource in New Providence other than at such places as the Minister may prescribe or by notice appoint:

Provided that the foregoing provisions of this paragraph shall not apply to the holder of a permit from the Commissioner of Police permitting him to peddle and hawk articles along a public road and of a permit mentioned in paragraph (1).

(3) An application for a permit mentioned in paragraph (1) shall be made to the Minister in Form I in the First Schedule.

(4) The Minister may, upon payment of the respective fee specified in the Second Schedule, grant to the applicant a permit in Form 2 in the First Schedule, subject to such terms and conditions as the Minister thinks fit.

(5) Paragraphs (1) and (2) shall not apply to any person who for the purpose of such sale occupies any premises licenced as a shop under the provisions of the Shop Licenses Act.

PART II
CRAWFISH

16. There shall be an annual closed season for crawfish extending from 1st April to 31st July (inclusive).

17. No person shall during the closed season fish for or have in his possession any live or fresh crawfish without first having obtained the written permission of the Minister or unless he has bought the crawfish from the holder of such a permit.

18. No person shall take, have in his possession or sell any crawfish which measures less than three and three-eights inches from the base of the horns to the end of the jacket or which, if the tail is severed, has a tail measurement of less than six inches, not including any protruding muscle.

19. The person in charge of a vessel engaged in fishing for crawfish shall ensure that the vessel carries a measuring gauge of a type capable of determining the size for the purposes of regulation 18 of any crawfish taken.

20.—(1) No person shall take, capture, destroy or kill crawfish by means of traps (hereinafter referred to as "crawfish trapping") other than those specified in paragraph (2).

Artificial reef.

Sale of fishery resource.

Closed season for crawfish.

To fish for live or fresh crawfish prohibited during closed season.

Minimum size of crawfish.

Vessel to have measuring gauge.

Permit for crawfish trapping.

(2) Traps used for crawfish trapping shall be as described below:

- (a) wooden slat traps not more than 3 feet in length, 2 feet in width and 2 feet in height with slats placed not less than 1 inch apart; or
- (b) traps of other such materials as approved by the Minister,

and in the case of traps other than wooden traps containing a panel made of a material that would after use in water for a continuous period of not more than six weeks deteriorate.

(3) Traps described in paragraph (2) (a) may be reinforced with mesh as mentioned in regulation 8 save that one panel of the trap shall retain the ability to deteriorate as referred to in paragraph (2).

(4) No vessel shall be used in crawfish trapping unless the operator has obtained a permit from the Minister authorising the vessel to be so used.

Form 3
First
Schedule.

(5) An application for a permit mentioned in paragraph (4) shall be made to the Minister in Form 3 in the First Schedule.

Form 4
First Schedule.

(6) The Minister may, upon payment of the respective fee specified in the Third Schedule, grant a permit to the applicant in Form 4 in the First Schedule which permit shall be subject to such terms and conditions as the Minister thinks fit.

Permit
to be
kept
readily
available.

21.—(1) The permit granted under regulation 20 or a certified copy thereof shall be kept at all times readily available on the vessel from which crawfish trapping is conducted.

(2) The number of the permit granted under regulation 20 shall be painted or affixed in legible figures on every trap and on every buoy used in connection with that trap which belongs to the vessel to which the permit relates.

(3) A buoy bearing the number of the permit shall be attached to each trap except that where traps are tied together in a trot line, a buoy is not needed to be attached to each trap so long as a flag buoy, bearing the number of the permit on the flag, is attached to each end of the trot line or in the case of trot lines exceeding twenty traps, a buoy is attached at intervals of twenty traps.

(4) Every buoy shall, except when it is intentionally submerged by a timed float release device, be of sufficient strength and buoyancy to remain continuously afloat and shall be of such colour and brilliance as to be easily seen.

Traps
during
closed
season
prohi-
bited.

22.—(1) Subject to paragraph (2) no person shall, during the closed season —

- (a) have in his possession on board a vessel a trap or other device designed for crawfish trapping; or
- (b) set any trap or other device on or below the surface of the sea for the purpose of crawfish trapping.

(2) Paragraph (1) does not apply to the holder of a numbered permit granted under regulation 20 in respect of a vessel and who during the last two weeks of the closed season, soaks his traps which are tied in bunches in the vessel's home port.

23.—(1) A person who holds a licence under regulation 76 and the owner or operator of every hotel, restaurant, supermarket or grocery store who buys or sells crawfish shall upon any request made of him by the Minister submit to the Minister a statement as to the quantity in weight of crawfish frozen or otherwise in his possession at the date of the statement.

Statement of quantity of crawfish during closed season.

(2) Every person mentioned in paragraph (1) shall, when requested by a fisheries inspector, allow the inspector to carry out any inspection of business premises occupied by such person for the purpose of enabling the inspector to ascertain the quantity of any crawfish in the possession of that person.

24. No person shall —

Egg bearing crawfish

- (a) take, have in his possession or sell any egg-bearing crawfish;
- (b) clip or otherwise remove the eggs from an egg-bearing crawfish;
- (c) have in his possession or sell any crawfish from which eggs have been clipped or otherwise removed.

25. All crawfish gathered within the exclusive fishery zone shall be liable to inspection by a fisheries inspector.

Crawfish for sale to be inspected.

26. No person shall for commercial purposes export etc. crawfish unless —

Licence to export crawfish, etc.

- (a) it is submitted at the time of exportation to a fisheries inspector; and
- (b) the export duty specified in the Second Schedule is paid.

Second Schedule.

PART III

CONCH

27.—(1) No person shall take, have in his possession or sell any conch the shell of which does not possess a well formed flaring lip.

Possession of undeveloped conch prohibited.

(2) No person shall sell any conch shell which does not possess a well formed flaring lip.

28.—(1) No person shall for commercial purposes export any conch, by-product of conch or any whole conch shell unless —

Export of conch, by-product or shell.

- (a) he holds a licence in that behalf granted by the Minister under regulation 66.
- (b) the conch or by-product of conch is submitted for inspection to a fisheries inspector at the time of exportation; and
- (c) the export duty specified in the Second Schedule is paid.

(2) Nothing in paragraph (1) shall apply to any conch in a quantity not exceeding ten pounds in weight and carried in the personal baggage of a person leaving The Bahamas.

PART IV

TURTLE

Closed season for stone crab.

29. There shall be an annual closed season for all turtle species extending from 1st April to 31st July (inclusive).

Taking etc of fresh or live turtle during closed season prohibited.

30. No person shall during the closed season, take or have in his possession any live or fresh turtle without the written permission of the Minister or unless he has bought the turtle from the holder of such a permit.

Taking etc. of stone crab prohibited.

31. No person shall capture any turtle on any beach.

Turtle eggs.

32. No person shall take, have in his possession, buy or sell any turtle eggs.

33.—(1) No person shall take or have in his possession, or capture any —

(a) hawksbill turtle;

(b) green turtle under the size of twentyfour (24) inches;
or

(c) loggerhead turtle under the size of thirty inches,

and any such measurement to be made by measuring from the front edge of the neck scales proceeding along the middle of the back to the end of the tail pieces.

(2) Any turtle taken shall be landed whole and be made available for inspection by a fisheries inspector at and upon his request.

PART V

SCALE FISH

Buying, selling etc. of bone fish prohibited.

34. No person shall —

(a) buy or sell bone fish (*Albula vulpes*);

(b) fish for bone fish (*Albula vulpes*) within the exclusive fishery zone by means of nets.

Minimum size of grouper.

35. No person shall take, buy or sell any fish commonly known as grouper or rockfish that weighs less than three pounds.

Export of scalefish.

36. No person shall for commercial purposes export scalefish, unless the scalefish is presented to a fisheries officer for inspection at the time of exportation.

PART VI
STONE CRAB

37. There shall be an annual closed season for stone crab extending from 1st June to 15th October (inclusive)

38. No person shall, during the closed season, take, have in his possession, buy or sell fresh stone crab.

39. No person shall take, have in his possession, buy or sell any stone crab the claw of which measures less than four inches in length.

Minimum size.

40. No person shall take, buy or sell any female stone crab.

Taking etc. of female stone crab prohibited.

PART VII
MARINE MAMMALS

41.—(1) Subject to paragraph (2) no person shall, within the exclusive fishery zone, fish for, molest or otherwise interfere with any marine mammal.

To fish for marine mammal prohibited.

(2) Paragraph (1) does not apply to a person who has the prior written permission of the Minister to capture marine mammals for scientific, educational or exhibitional purposes.

PART VIII
SPONGE

42.—(1) No person shall take, have in his possession, buy or sell any of the following sponges that have less than the following minimum measurements when removed from the sea —

Minimum size of sponges.

- (a) wool sponge — 5½ inches;
- (b) grass sponge — 5½ inches;
- (c) hard head sponge — 1 inch;
- (d) reef sponge — 1 inch.

(2) The person in charge of a vessel engaged in sponging shall ensure that the vessel is equipped with a set of measuring rings of the diameters specified in paragraph (1).

43. No person shall for commercial purposes export sponge unless —

Export of sponge.

- (a) the sponge is clipped and graded and also packaged and labelled in accordance with these Regulations;
- (b) it is presented to a fisheries inspector at the time of exportation; and
- (c) the export duty specified in the Second Schedule is paid.

Second Schedule.

PART IX

AQUACULTURE

Permit to culture fishery resource.

44.—(1) No person shall engage in aquaculture unless he has a permit granted by the Minister.

Form 5 First Schedule.

(2) An application for a permit shall be made to the Minister in Form 5 in the First Schedule.

Form 6 First Schedule.

(3) The permit granted by the Minister for which there shall be paid the fee prescribed in the Third Schedule shall be in Form 6 in the First Schedule and shall be subject to such terms and conditions as the Minister sees fit.

Third Schedule.

Inspection by fisheries inspector.

45.—(1) A fisheries inspector may at any reasonable time of the day enter any place where freshwater and marine organisms are cultured and carry out such inspection of the operations being carried out therein in relation to aquaculture.

(2) The owner or person in charge of a place entered by a fisheries inspector pursuant to paragraph (1) and every person found therein shall give the fisheries inspector all reasonable assistance as is possible and furnish him with such information, as he may reasonably require.

(3) Any person who —

- (a) fails to comply with paragraph (2);
- (b) obstructs an inspector in the carrying out of his duties under these Regulations; or
- (c) knowingly makes any false or misleading statements either orally or in writing to any inspector engaged in carrying out his duties under these Regulations,

is guilty of an offence.

PART X

SPORTSFISHING

Minister's permission for sports-fishing.

46.—(1) No person shall, without the prior written approval of the Minister, organise or hold a sportsfishing event or tournament.

(2) In this part sportsfishing means foreign fishing within the exclusive fishery zone for sporting purposes or purposes other than commercial.

Vessels engaged in sports-fishing.

47.—(1) The owner or operator of a vessel shall not permit the vessel to be engaged in sportsfishing unless the owner or operator of the vessel —

- (a) holds a permit granted by the Minister under this Regulation authorising the vessel to be so engaged; and
- (b) pays for the permit the fee prescribed in the Third Schedule.

Third Schedule.

(2) Paragraph (i) shall not apply to Bahamian owned and licensed charter vessels or a boat which is normally towed by or carried on a vessel to which that paragraph applies.

(3) An application for a permit under paragraph (1) shall be made to the Minister in Form 7 in the First Schedule and be submitted —

- (a) in the case of a vessel entering The Bahamas for the purpose of sportsfishing, to the customs officer at the Port of Entry at which the vessel first called;
- (b) in any other case to the office of the Director of Fisheries.

(4) The permit granted under paragraph (3) shall be in Form 8 in the First Schedule.

Form 8. First Schedule.

48. (1) In sportsfishing the following rules apply

Sports-fishing rules.

- (a) a person shall fish by the traditional method of angling with a hook or lure attached to a line held in the hand or attached to a pole, rod or reel;
- (b) a person unless otherwise authorised by the respective permit shall not use a spear, a fish trap, or a net other than a landing net;
- (c) each vessel shall use not more than 6 rods or reels unless the operator is in possession of a permit authorising the use of more rods or reels;
- (d) any migratory fishery resource that is caught shall not in total consist of more than six Kingfish Dolphin or Wahoo per person and any resource not intended to be used shall not be injured unnecessarily but be returned to the sea alive;
- (e) no vessel shall have on board any turtle or more than 20 pounds of other demersal fishery resources per person at any time and excluding not more than ten conch or six crawfish per person.

(2) The limitation specified in (1) (d) and (e) shall also apply to a Bahamian vessel engaged in fishing for purposes other than commercial by persons who are not Bahamians.

PART XI

PROCESSING AND PRESERVING FISHERY RESOURCE AND FISHERY PRODUCT

49.—(1) No person shall use any premises to process or to preserve any fishery resource or fishery product for commercial purposes unless the premises are licensed as a factory in pursuance of these Regulations.

Premises and factory to be inspected and approved.

Part A. Fourth
Schedule.

(2) Any person who wishes any premises to be used as a factory to process or to preserve fishery resource or fishery product shall apply for a licence by submitting an application to the Minister containing the particulars specified in Part A of the Fourth Schedule.

Part B. Fourth
Schedule. Third
Schedule.

(3) A licence granted by the Minister under this Regulation shall be in the form set out in Part B of the Fourth Schedule and the applicant shall pay therefor the appropriate fee specified in the Third Schedule.

Conditions for
grant of licence.

50. Without prejudice to regulation 51 no licence shall be granted unless the Minister is satisfied that —

(a) the premises and their location with regard to neighbouring premises and the factory's proposed facilities and equipment of the factory are in keeping with the sanitation standards for factories issued by the Ministry; and

(b) the applicant is fit to be the holder of such a licence.

Refusal to renew
licence and revocation
of licence.

51.—(1) The Minister may refuse to renew the licence of a factory, if in his opinion, the factory is managed in a manner that hinders compliance with the provisions of this Part.

(2) A licence may be revoked by the Minister —

(a) if the licensee has been convicted of an offence against the provisions of this Part, or wilfully neglects or refuses to comply with any of the provisions of this Part, or obstructs, impedes or hinders a fisheries inspector carrying out any functions under this Part; or

(b) if in the opinion of the Minister the premises of the factory are insanitary or the factory itself is insanitary or the factory is managed and conducted in a manner contrary to this Part or in such manner that the revocation of the licence is required in the public interest.

Representations
before refusal to
grant or renew a
licence or before
revocation of a
licence.

52.—(1) Before the Minister refuses to grant or renew a licence or revokes a licence, he shall give notice to the applicant for the licence or the licensee, as the case may be, of the grounds on which he proposes to refuse the grant or renewal of the licence or to revoke the licence.

(2) The Minister shall afford the applicant or the licensee, as the case may be, an opportunity of satisfying the Minister why the licence should be granted or renewed or should not be revoked, and may give to the applicant or the licensee an opportunity to remedy any default within such period as may be specified by the Minister.

Inspection of
fishery resource.

53.—(1) A fisheries inspector for the purpose of ensuring that these Regulations are complied with may at a reasonable time enter any premises wherein fishery resource is being processed and the licensee or every person found on the premises shall afford the inspector all reasonable assistance and furnish him with such information as the inspector may reasonably require for the purpose of ensuring that there is no breach of these Regulations.

(2) A fisheries inspector on entering any premises pursuant to paragraph (1) shall, if so required, produce evidence of his authority to the person in charge thereof.

(3) Any person who —

- (a) fails to comply with paragraph (1); or
- (b) knowingly makes any false or misleading statement either orally or in writing to a fisheries inspector engaged in carrying out his duties under these Regulations,

is guilty of an offence and is liable on summary conviction to a fine of one thousand dollars or to imprisonment for a term of six months or to both.

54. The licensee of every factory shall —

- (a) keep accurate records of the quantities of fishery resource or fishery product, purchased, produced, sold or exported, as the case may be, and of the names and addresses of the persons from whom the fishery resource was purchased and to whom the fishery resource or fishery product was sold by wholesale or exported;
- (b) retain those records for a period of twelve months from the date of transaction or the date of production to which the record relates;
- (c) permit a fisheries inspector to inspect or to take samples of any fishery resource or fishery product in the factory;
- (d) permit a fisheries inspector to make and take such copies of those records as the inspector considers necessary for the purpose of ensuring that these Regulations are being complied with by the licensee.

Records.

PART XII

QUALITY CONTROL OF PROCESSED OR PRESERVED FISHERY RESOURCE AND FISHERY PRODUCT

55. A person exporting for commercial purposes any fishery product processed in The Bahamas shall when requested by a fisheries inspector make available the product for inspection by that inspector.

Requirement for
inspection of
fishery product

56.—(1) A fisheries inspector having examined any fishery product submitted to him and finding the same to be consistent with and the standards applicable thereto under any law the inspector shall issue a certificate to the effect that the product has been inspected.

Issue of certificate
of inspection.

(2) Where there is no compliance as mentioned in paragraph (1) but the fishery product is found fit for human consumption, the fisheries inspector may —

- (a) in the case where it is possible for the processor to effect such compliance, direct him to do so and to submit the fishery product for re-inspection; or
- (b) affix an inspection stamp on the fishery resource or fishery product with the words "does not meet standard".

(3) If a fisheries inspector suspects the fishery product to be diseased, unsound or unwholesome and unfit for human consumption, he shall seize the same for examination by a health officer in accordance with the provisions of any law prescribing standards for the marketing of such products.

Unauthorised person not to interfere with seized fishery product.

57. No person other than a health officer shall remove, cut or in any way interfere with any fishery resource or fishery product or part thereof which has been seized by a fisheries inspector unless or until the same has been approved by a health officer

Seized fishery resource or fishery product found unfit for human consumption.

58. Where fishery product, seized by the fisheries inspector, is in the opinion of a health officer diseased or unsound or unwholesome and unfit for human consumption the owner thereof shall be duly notified to that effect.

Wrapping to be non-toxic and container not to be defective.

59. Where any fishery product processed in The Bahamas is contained —

- (a) in a package for sale or that is being exported for commercial purposes the wrapping used in the packaging shall be non-toxic;
- (b) in a container for sale or that is being exported for commercial purposes the container shall be properly sealed and shall not be defective.

Labelling, advertising, etc. fishery resource or fishery product.

60. No person —

- (a) shall label or advertise any fishery resource or fishery product intended for sale or for export for commercial purposes that is false, misleading or deceptive or is likely to create an erroneous impression regarding its purity, quality, composition or quantity; or
- (b) other than a fisheries inspector or health officer in the execution of his duties as such shall use the words "Processed under Government Supervision" or other words that convey a similar meaning on any label affixed to or forming part of a package or container containing fishery resource or fishery product.

Standard not prescribed.

61. Where standards for the processing in The Bahamas of fishery resource or fishery product has not been prescribed under any law, any person who processes the fishery resource or the fishery product in a manner other than that in which it is advertised as being processed or who sells or exports such fishery resource or the fishery product is guilty of an offence and liable on summary conviction to a fine of one thousand dollars or to imprisonment for a term of six months or to both.

PART XIII

PERMITS AND LICENCES

62.—(1) An application for a permit under section 7(c) of the Act to conduct foreign fishing for scientific or research purposes shall be made to the Minister in Form 9 in the First Schedule.

Permit for scientific or research purposes.

Form 9. First Schedule.

(2) Where the Minister decides to grant the permits shall be in Form 10 in the First Schedule and the fee to be paid therefor is that specified in the Third Schedule.

Form 10. First Schedule.

63.—(1) An application for a licence under section 9 of the Act to engage in foreign fishing shall be made to the Minister in Form 11 in the First Schedule.

Licence for foreign fishing.

(2) Where the Minister decides to grant a licence it shall be in Form 12 in the First Schedule and the fee to be paid therefor is that specified in the Third Schedule.

Form 12. First Schedule.

64.—(1) An application for a permit under section 10A of the Act to engage in fishing for commercial purposes shall be made to the Minister in Form 13 in the First Schedule.

Third Schedule.

(2) Where the Minister decides to grant a permit it shall be in Form 14 in the First Schedule and the fee to be paid therefor is that specified in the Third Schedule.

Form 13. First Schedule.

Form 14. First Schedule.

65. It shall be deemed a condition of a licence or permit granted under the foregoing Regulations of this Part that the letters and numbers of that licence or permit shall be painted conspicuously and legibly in characters no less than 6 inches in height on the sides and deck of the vessel being used for the purpose authorised by the licence or permit and the owner or person in charge of such vessel shall ensure the compliance with that condition.

Display of particulars of permit.

66.—(1) An application for a licence required by section 20 of the Act or these Regulations to export or import any fishery resource shall be made to the Minister in Form 15 in the First Schedule.

Licence to export or import fishery resource.

Form 15. First Schedule.

(2) The licence granted by the Minister shall be in Form 16 in the First Schedule and the fee to be paid therefor is that specified in the Third Schedule.

Form 16. First Schedule. Third Schedule.

67.—(1) A licence or permit issued under these Regulations shall, unless otherwise provided by the Act or any other regulation or on such licence or permit, expire on 31st December of the year following the year of issue.

Duration and implied conditions of licence or permit.

(2) It shall be deemed a condition of a licence or permit that such is issued subject —

- (a) to the provision of these Regulations as are in force from time to time and without prejudice to any other terms and conditions as are endorsed on the licence or permit at the time of issue; and
- (b) to revocation for any breach of these Regulations or any term or condition subject to which the licence or permit has been issued.

PART XIV

PENALTIES

Penalties.

68.—(1) Any person who resists or obstructs a fisheries inspector in the exercise of his functions under, or fails to comply with any request made by the fisheries inspector for the purpose of securing compliance with, these Regulations is guilty of an offence and is liable on summary conviction to a fine of one thousand dollars or to imprisonment for a term of six months or to both.

(2) Any person who contravenes these Regulations is guilty of an offence and except as is otherwise provided by the Act or any other regulation is liable on summary conviction to a fine of three thousand dollars or to imprisonment for a term of one year or to both.

(3) Where a person is found guilty of an offence against any of the provisions in Parts II to VIII (inclusive) or Part X the court shall in addition to any other penalty order the confiscation of any trap, net, seine or other device used in the commission, or that is the subject matter, of the offence and the trap, net, seine or other device so confiscated shall be forfeited to the Crown.

PART XV

GENERAL

Presumption of participation in offence.

69. For the purposes of proceedings for an offence of being in possession of any prohibited fishery resource or of any prohibited apparatus or for using any prohibited apparatus, substance or other thing in breach of any of the provisions of these Regulations it shall be presumed until the contrary is shown that —

- (a) the captain or other person in charge of the vessel wherein the fishery resource, or apparatus, substance or other thing is proven to have been found and every member of the crew of the vessel at the time were each in possession of the prohibited fishery resource, apparatus, substance or other thing as the case may be;
- (b) the captain or other person in charge of the vessel on or from which the prohibited apparatus, substance or other thing is proven to have been used and every member of the crew at the time were each using the prohibited apparatus, substance or other thing, as the case may be;

- (c) fish found in any vessel on which prohibited apparatus, substance or other thing is proven to have been found has been captured or taken by means of that apparatus, substance or other thing;
- (d) the possession of any prohibited apparatus, substance or other thing proven to have been found on a vessel within the exclusive fishery zone was for the purpose of being used for fishing.

70.—(1) Without prejudice to the foregoing Regulations, no person shall for commercial purposes export any fishery product or fishery resource, sea-shell or coral unless —

General prohibition of exportation.

- (a) he holds a licence from the Minister on behalf of the product or resource he wishes to export;
- (b) the product or resource is presented to a fisheries inspector at the time of exportation, and
- (c) the export duty on such product or resource as may be specified in the Second Schedule is paid.

Second Schedule.

(2) Subject to paragraph (1) no person shall take out of The Bahamas migratory fishery resource which consists in total of more than six Kingfish, Dolphin and Wahoo or ten pounds of conch or crawfish or more than twenty pounds of other demersal fishery resource.

71. A person desirous of exporting any live or preserved fishery resource specimens from The Bahamas for scientific, research, or educational purposes, as the case may be shall make an application for that purpose to the Minister in accordance with regulation 66.

Exportation of fishery resource for scientific etc. purposes.

72. The prohibitions pertaining to the possession or taking by a person of fishery resource as are imposed by the foregoing Regulations by reason of the application thereto of a close season or the prescription of a minimum size limit or the sex or egg-bearing characteristics of the resource shall not apply in so far as the possession or taking by that person is in accordance with a permit or licence held by him under these Regulations for the purpose of Aquaculture, scientific, educational or research purposes.

Exemptions for scientific educational purposes.

73. A person desirous of using during the period 1st August to 31st March a prohibited apparatus that is commonly known as an air compressor at a depth of not less than thirty feet nor more than sixty feet may make application to the Minister in Form 3 in the First Schedule for a permit authorising such use and upon the issue thereof the prescribed fee shall be payable.

Compressors.

FIRST SCHEDULE

FORM 1 (regulation 15(3))

FISHERIES RESOURCES (JURISDICTION AND
CONSERVATION) ACT, 1977
(No. 13 of 1977)

FISHERIES RESOURCES (JURISDICTION AND
CONSERVATION) REGULATIONS, 1986

APPLICATION FOR PERMIT TO SELL
FISHERY RESOURCE

1. Name of Applicant
2. Address
3. Type of Fishery Resource to be sold.
.....
.....
4. How and where Fishery Resource is to be sold.
.....
.....

.....
Signature of Applicant

.....
Date

FISHERIES RESOURCES (JURISDICTION AND CONSERVATION) ACT, 1977

(No. 13 of 1977)

FISHERIES RESOURCES (JURISDICTION AND CONSERVATION) REGULATIONS, 1986

PERMIT TO SELL FISHERY RESOURCE

No.....

This permit is granted to

to sell fishery resource namely

.....

.....

.....

at

from..... to..... 19.....

This permit:—

- (a) shall not be transferred or assigned;
- (b) does not authorise the sale of any fishery resource in any other than that specified;
- (c) does not authorise the sale of fishery resource in any place other than that specified.

(Insert any other conditions which may be imposed)

.....

.....

.....

.....

.....

This permit expires on

Dated this day of 198

MINISTER OF ECONOMIC AFFAIRS,
AGRICULTURE AND FISHERIES

FISHERIES RESOURCES (JURISDICTION AND CONSERVATION) ACT, 1977

(No. 13 of 1977)

FISHERIES RESOURCES (JURISDICTION AND CONSERVATION) REGULATIONS, 1986

APPLICATION FOR PERMIT TO TRAP CRAWFISH/USE COMPRESSORS

- 1. Name of Applicant
- 2. Nationality
- 3. Address
- 4. Telephone number
- 5. Indicate whether this application is (a) a renewal of a previous permit ()
(b) a new permit ()
- 6. If it is for a renewal of a previous permit, state the original permit number
- 7. Name of vessel
- 8. Registration number of vessel
- 9. Length overall ft.
- 10. Home Port
- 11. (a) Name of Captain
- (b) Nationality
- (c) Address
- 12. Number of traps/compressors requested
- 13. Proposed working areas
- 14. The number of traps/compressors actually used last season

I declare that any permit issued as a result of this application will be used only in accordance with the Fisheries Resources (Jurisdiction and Conservation) Act, 1977 and the Regulations made thereunder.

Signature of Applicant..... Date.....

NOTE: In case of new permits please submit proof of ownership of vessel and for compressor a certificate of competency relating to its use.

FOR OFFICIAL USE ONLY: DO NOT WRITE IN THIS SPACE

New () Renewal ()

Traps/Compressors used previous season
Traps/Compressors now applied for
Technical Officer's Recommendation
Minister's Decision
Traps/Compressors authorised for current season
Permit Number Assigned..... Date.....
Permit becomes effective.....
Permit expires

FORM 4 (regulation 20(6))

FISHERIES RESOURCES (JURISDICTION AND CONSERVATION) ACT, 1977

(No. 13 of 1977)

FISHERIES RESOURCES (JURISDICTION AND CONSERVATION) REGULATIONS, 1986

PERMIT TO TRAP CRAWFISH/USE COMPRESSORS

No.

This Permit is granted to
to trap crawfish/use compressors from to
19.... in the area of

This Permit:—

- (a) shall not be transferred or assigned;
- (b) only authorises the use of

(type description & number of traps/
compressors)

(Insert any other conditions that may be imposed)

This Permit expires on.....

Dated this day of 19

MINISTER OF ECONOMIC AFFAIRS,
AGRICULTURE AND FISHERIES

FISHERIES RESOURCES (JURISDICTION AND CONSERVATION) ACT, 1977

(No. 13 of 1977)

FISHERIES RESOURCES (JURISDICTION AND CONSERVATION) REGULATIONS, 1986

APPLICATION FOR A PERMIT TO CULTURE FISHERY RESOURCE

1. Name of Applicant
2. Address
3. Type of fishery resource to be cultured
4. Method of culture
5. Purpose for which fishery resource is to be cultured
6. Location where fishery resource is to be cultured
7. Attach detailed proposal specifying the extent of work to be done regarding the culture of the fishery resource.

.....
Signature of Applicant

.....
Date

FISHERIES RESOURCES (JURISDICTION AND CONSERVATION) ACT, 1977

(No. 13 of 1977)

FISHERIES RESOURCES (JURISDICTION AND CONSERVATION) REGULATIONS, 1986

PERMIT TO CULTURE FISHERY RESOURCE

No.

This Permit is granted to
to culture fishery resource namely
at
from to 19....

This permit:—

- (a) shall not be transferred or assigned;
- (b) does not authorise the culture or any fishery resource other than that specified in it;
- (c) does not authorise the culture of fishery resource in any place other than that specified in it.

(Insert any other conditions that may be imposed)

This Permit expires on

MINISTER OF ECONOMIC AFFAIRS,
AGRICULTURE AND FISHERIES

FISHERIES RESOURCES (JURISDICTION AND CONSERVATION) ACT. 1977

(No. 13 of 1977)

FISHERIES RESOURCES (JURISDICTION AND CONSERVATION) REGULATIONS, 1986

APPLICATION FOR A PERMIT TO ENGAGE IN FOREIGN FISHING FOR SPORTING PURPOSES

1. Name of Applicant
2. Address
3. Name of Vessel
4. Description of vessel
5. Registration Number of Vessel
6. Port of Registration
7. Number of Persons on board Vessel
8. Type and description of fishing gear to be used in sportsfishing
-
-
9. Duration of stay in The Bahamas

.....
Signature of Applicant

.....
Date

FISHERIES RESOURCES (JURISDICTION AND CONSERVATION) ACT, 1977

(No. 13 of 1977)

FISHERIES RESOURCES (JURISDICTION AND CONSERVATION) REGULATIONS, 1986

PERMIT TO ENGAGE IN FOREIGN FISHING CONDUCTED FOR SPORTING PURPOSES

No.

This Permit is granted to authorising him to engage in foreign fishing conducted for sporting purposes by means of (name & description of vessel) registration number.

This Permit:—

- (a) shall not be transferred or assigned;
(b) authorises only the vessel named and described in it to engage in foreign fishing conducted for sporting purposes;
(c) authorises maximum use of six reels;
(d) authorises a maximum catch of fishery resource as stipulated in the Regulations.

(Insert any other conditions of privileges that may be imposed)

This Permit expires on

Dated this day of 19

MINISTER OF ECONOMIC AFFAIRS, AGRICULTURE AND FISHERIES

FISHERIES RESOURCES (JURISDICTION AND CONSERVATION) ACT, 1977

(No. 13 of 1977)

FISHERIES RESOURCES (JURISDICTION AND CONSERVATION) REGULATIONS, 1986

APPLICATION FOR A PERMIT TO ENGAGE IN FOREIGN FISHING CONDUCTED FOR SCIENTIFIC OR RESEARCH PURPOSES

- 1. Name of Applicant
- 2. Address.....
- 3. Name of Vessel.....
- 4. Registration Number.....
- 5. Port of Registration.....
- 6. Name and Address of Owner of Vessel.....
- 7. Name of organisation on behalf of which scientific or research project conducted.....
- 8. Description of scientific or research project.....
- 9. Type of resource to be fished for.....
- 10. Quantity of fishery resource contemplated to be caught...
- 11. Intended area of The Bahamas where fishing is to be conducted.....

.....
Signature

.....
Date

FISHERIES RESOURCES (JURISDICTION AND CONSERVATION) ACT, 1977

(No. 13 of 1977)

FISHERIES RESOURCES (JURISDICTION AND CONSERVATION) REGULATIONS, 1986

PERMIT TO ENGAGE IN FOREIGN FISHING CONDUCTED FOR SCIENTIFIC OR RESEARCH PURPOSES

No.....

This Permit is granted to authorising to engage in for fishing conducted for scientific or research purposes on behalf of (name of organisation)

by name of (name and description of vessel)

registration number within the are of

This Permit:—

- (a) shall not be transferred or assigned;
(b) authorises only the vessel named and described in it to engage in foreign fishing conducted for scientific research purposes;
(c) is granted on the understanding —
(i) that the results of the scientific research project are communicated to the Government;
(ii) that observers from The Bahamas shall be allowed to participate in the project.

..... (Insert any other conditions as may be imposed)

This permit expires on

Dated this day of 19.....

MINISTER OF ECONOMIC AFFAIRS, AGRICULTURE AND FISHERIES

FISHERIES RESOURCES (JURISDICTION AND CONSERVATION) ACT, 1977

(No. 13 of 1977)

FISHERIES RESOURCES (JURISDICTION AND CONSERVATION) REGULATIONS, 1986

APPLICATION BY FOREIGN STATE FOR A LICENCE IN RESPECT OF FISHING VESSEL UNDER SECTION 9 OF THE ACT

Foreign state.....

Name of owner(s) of Vessel.....

Address.....

Nationality.....

Name of Vessel.....

Registration number of Vessel.....

Date of registration of Vessel.....

Port of registry.....

Tonnage of Vessel.....

Capacity of Vessel.....

Hull material: wood () aluminium () steel ()
 fibreglass () other ()

Method of Propulsion: sail ()

inboard engine () horsepower.....
 make.....

outboard engine () horsepower.....
 make.....

Processing equipment on board Vessel.....

Type and quantity of fishing gear on board Vessel.....

.....

(a) ()

(b) ()

(c) ()

(d) ()

Description of each fishery resource for which vessel intends to fish.....

.....

Quantities of fish or tonnage of catch contemplated for vessel during time licence is in force
.....
Area of the exclusive fishery zone fishing will be conducted
.....
.....
Season or period during which fishing will be conducted.
.....
.....
.....

Signed.....

on behalf of
.....

Date.....

FORM 12 (regulation 63(2))

FISHERIES RESOURCES (JURISDICTION AND CONSERVATION) ACT, 1977

(No. 13 of 1977)

FISHERIES RESOURCES (JURISDICTION AND CONSERVATION) REGULATIONS, 1986

LICENCE TO FOREIGN STATE IN RESPECT OF FISHING VESSEL UNDER SECTION 9 OF THE ACT

No.....

This Licence is granted to.....
(foreign state)

in respect of
(name and description of fishing vessel)

registration number.....

FISHERIES RESOURCES (JURISDICTION AND CONSERVATION) ACT, 1977

(No. 13 of 1977)

FISHERIES RESOURCES (JURISDICTION AND CONSERVATION) REGULATIONS, 1986

APPLICATION FOR A PERMIT TO USE A BAHAMIAN FISHING VESSEL TO FISH FOR COMMERCIAL PURPOSES

- 1. Name of Applicant
- 2. Address of Applicant
- 3. Name of Vessel
- 4. Description of Vessel
- 5. Port of registration of Vessel
- 6. Registration number of Vessel
- 7. Name and address of owner of Vessel (if different from Applicant)
- 8. Number of persons to be carried on board Vessel
- 9. Nationality of owner of Vessel
- 10. Type and description of fishing gear to be used for fishing

Note: Documents evidencing ownership of vessel should be submitted with this application.

.....
Signature of Applicant

.....
Date

FISHERIES RESOURCES (JURISDICTION AND CONSERVATION) ACT, 1977

(No. 13 of 1977)

FISHERIES RESOURCES (JURISDICTION AND CONSERVATION) REGULATIONS, 1986

PERMIT TO ENGAGE IN FISHING CONDUCTED FOR COMMERCIAL PURPOSES BY BAHAMIAN FISHING VESSEL

No.

This Permit is granted to...
authorising him to fish for commercial purposes by means of...
(name and description of vessel)

registration number.

This Permit:—

- (a) shall not be transferred or assigned;
(b) authorises only the vessel named and described thereon to fish for commercial purposes;
(c) (Insert any other conditions that may be imposed).

Dated this day of 19

MINISTER OF ECONOMIC AFFAIRS, AGRICULTURE AND FISHERIES

FISHERIES RESOURCES (JURISDICTION AND CONSERVATION) ACT, 1977

(No. 13 of 1977)

FISHERIES RESOURCES (JURISDICTION AND CONSERVATION) REGULATIONS, 1986

APPLICATION FOR A LICENCE TO EXPORT/IMPORT FISHERY RESOURCE OR PRODUCT

1. Name of Applicant
2. Address
3. Type of fishery resource to be exported/imported
4. Location of factory where fishery resource is to be processed or preserved (if applicable)
5. Description of factory:—
 - (a) size of premises
 - (b) water supply
 - (c) freezer size
 - (d) major equipment
6. Where scalefish is exported/imported please specify:
whole cleaned fish () fillets ()
other () fresh () frozen ()
7. Where crawfish is exported/imported specify:
whole () tails () other ()
fresh () frozen ()
8. Brand name (if any) under which fishery resource exported/imported
9. Method by which fishery resource is to be exported/imported
 - (a) air freight () (c) air charter ()
 - (b) private aircraft () (d) sea freight ()

10. Port of entry from which/to which fishery resource is to be exported/imported

.....
Signature of Applicant

.....
Date

FORM 16 (regulation 66(2))

FISHERIES RESOURCES (JURISDICTION AND CONSERVATION) ACT, 1977

(No. 13 of 1977)

FISHERIES RESOURCES (JURISDICTION AND CONSERVATION) REGULATIONS, 1986

LICENCE TO EXPORT/IMPORT FISHERY RESOURCE

No.....

Licence granted to
of.....
fishery resource specified below:

This Licence:—

- (a) shall not be transferred or assigned;
- (b) authorises only the export/import of fishery resource specified below
- (c) authorises only the export/import of fishery resource from/to.....
.....
(port of entry)

- (d) The Licensee must submit at the end of each month a statement showing the quantities of fishery resource of fishery product purchased, produced sold, imported or exported as the case may be, during that month.

This Licence expires on

Dated the day of , 19

**MINISTER OF ECONOMIC AFFAIRS,
AGRICULTURE AND FISHERIES**

THIRD SCHEDULE

FEES FOR PERMITS AND LICENCES

(a)	Permit to trap crawfish	\$ 10.00
(b)	Permit to sell fishery resource	5.00
(c)	Permit to culture fishery resource	
	— experimental	50.00
	— commercial	500.00
(d)	Permit to engage in sportsfishing:	
	(i) for Vessels entering The Bahamas —	
	on which will be used not more than six reels	10.00
	per trip or	50.00
	annually	
	on which will be used more than six reels	7,000.00
	per annum	
	(ii) other vessels	.10¢ per ft.
		per annum
(e)	Permit to conduct foreign fishing for scientific or research purposes	50.00
(f)	Licence to export fishery resource	50.00
(g)	Licence to export fishery product	300.00
(h)	Licence to import fishery resource or fishery product annual fee	300.00
(i)	Permit for commercial fishing vessel	10.00
(j)	Licence to process and preserve fishery resource and fishery product for commercial purposes	300.00
(k)	Permit to use compressor	10.00

FOURTH SCHEDULE

(regulation 49(2))

PART A

FISHERIES RESOURCES (JURISDICTION AND CONSERVATION) ACT, 1977

(No. 13 of 1977)

FISHERIES RESOURCES (JURISDICTION AND CONSERVATION) REGULATIONS, 1986

APPLICATION FOR LICENCE TO PROCESS OR PRESERVE FISHERY RESOURCE OR FISHERY PRODUCT

1. Name of Applicant
2. Address.....
3. Type of fishery resource or fishery product to be processed
4. Location of factory
5. Description of factory
 - (a) Size of premises.....
 - (b) Chill room capacity.....
 - (c) Freezer capacity
 - (d) List of major processing equipment.....
 - (e) Type and quantity of water available for processing and wash down.....

NOTE: A plan of the factory on a scale of not less than one eighth of an inch to the foot should be submitted showing the intended use of each part, room or division.

.....
Signature of Applicant

.....
Date

FOURTH SCHEDULE CONTINUED

(regulation 49(3))

PART B

FISHERIES RESOURCES (JURISDICTION AND
CONSERVATION) ACT, 1977

(No. 13 of 1977)

FISHERIES RESOURCES (JURISDICTION AND
CONSERVATION) REGULATIONS, 1986

LICENCE TO OPERATE A FACTORY TO PROCESS OR
PRESERVE FISHERY RESOURCE OR
FISHERY PRODUCT

No.

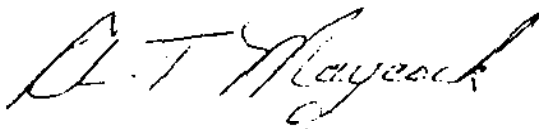
This licence is granted to
to operate a factory for processing or preserving fishery resource
or fishery product.

This Licence expires on 31st December, 19

Dated this day of 19

MINISTER OF ECONOMIC AFFAIRS,
AGRICULTURE AND FISHERIES

Made this 30th day of January, 1986



MINISTER OF ECONOMIC AFFAIRS,
AGRICULTURE AND FISHERIES