



**MARINE RESOURCES (AITUTAKI AND MANUAE BONEFISH FISHERY)
REGULATIONS 2010**

Sir F. Goodwin, KBE

Queen's Representative

ORDER IN EXECUTIVE COUNCIL

At Avarua, Rarotonga, this 27th day of **October**, 2010

Present:

**HIS EXCELLENCY THE QUEEN'S REPRESENTATIVE
IN EXECUTIVE COUNCIL**

PURSUANT to Section 6 of the Marine Resources Act 2005, the Queen's Representative, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

ANALYSIS

- | | |
|--|---------------------|
| 1. Title and commencement | 3. Management Plans |
| 2. Designation of Aitutaki and Manuae Bonefish Fishery | Schedules |

REGULATIONS

Regulations to provide for the designation of the Aitutaki and Manuae Bonefish Fishery and the related Management Plan

1. Title and commencement - (1) These regulations may be cited as the Marine Resources (Aitutaki and Manuae Bonefish Fishery) Regulations 2010.
(2) These regulations shall come into force on the day that they are assented to by the Queen's Representative.

2. Designation of Aitutaki and Manuae Bonefish Fishery - The Aitutaki and Manuae Bonefish Fishery is hereby declared to be a Designated Fishery in terms of section 6 of the Act.

Price \$8.50

3. Management Plans - The Aitutaki and Manuae Bonefish Fishery Management Plan as approved by the Secretary in accordance with section 6 of the Marine Resources Act 2005 as attached in the Schedule hereto shall apply to the Aitutaki and Manuae Bonefish Fishery.

Grover L. Harmon
Clerk of the Executive Council

These Regulations are administered by the Ministry of Marine Resources

BY AUTHORITY
Cook Islands Government - 2010

SCHEDULE

AITUTAKI AND MANUAE BONEFISH FISHERY MANAGEMENT PLAN 2010

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Part 1 Preliminary Information**1. Title**

The title of this plan is the Aitutaki and Manuae Bonefish Fishery Management Plan, there after referred to as "Fishery Plan"

2. Application

- (1) The Fishery Plan has been prepared in accordance with section 6 of the Marine Resources Act, 2005. The Bonefish Fishery in Aitutaki and Manuae is hereby declared to be a Designated Fishery in terms of section 6.
- (2) All activities carried out under this Fishery Plan shall be subject to the applicable provisions of all Acts and Regulations of Cook Islands.
- (3) The Fishery Plan applies to all fishing for bonefish (Family: Albulidae) in Aitutaki and Manuae lagoons and the surrounding reefs.
- (4) The Fishery Plan shall enter into force by Order in Executive Council and the management measures described in the Fishery Plan shall have the full force and effect of regulations promulgated under the Act in accordance with sections 6 and 92 of the Marine Resources Act 2005.

3. Purpose

The purpose of the Fishery Plan is to provide ecologically sustainable development and establish an effective, beneficial and enforceable management structure for the Aitutaki and Manuae bonefish fishery.

4. Definitions

The terms in this Fishery Plan shall have the meanings ascribed to them in the Marine Resources Act 2005 unless the context provides otherwise or as otherwise set out in this section.

“Act”	means the Marine Resources Act 2005;
“bonefish”	means the fish species known scientifically as <i>Albula glossodonta</i> (locally known as ‘kiokio’ or other species of the same family, Albulidae);
“Bonefish Guide”	means the business of taking licensed bonefish fishers and showing them where and how to catch bonefish and with the person who actually practices this business being called the Bonefish Guide;
“Cook Islander”	means a person belonging to the part of the Polynesian race indigenous to the Cook Islands and who is ordinarily resident in the Cook Islands, and includes any permanent resident as defined in the Entry Residence and Departure Act 1971-72 who is ordinarily resident in the Cook Islands;
“Council”	means the Aitutaki Island Council, established under the Outer Island Local Government Act 1987;
“Committee”	means the Aitutaki and Manuae Bonefish Management Committee established under this Fishery Plan;
“License”	means any license issued under this Fishery Plan;
“Fishing”	means engaging in any activity which can reasonably be expected to result in the locating, catching, taking or harvesting of bonefish;
“Fishing gear”	means any equipment, implement, or other thing that can be used in the act of fishing, including any fishing net, rope, line, float, trap, hook, winch, vessel, or aircraft;
“Fishery Plan”	means this plan prepared for the conservation, management and development of fisheries implemented pursuant to Section 6 of the Marine Resources Act 2005;

“Mayor”	means the mayor of Aitutaki Island Council;
“Ministry”	means the Ministry of Marine Resources, established under the Ministry of Marine Resources Act 1984;
“Nursery area”	is an area juvenile fish grow out and prescribed in Schedule 6 of the plan;
“Permit”	means Fishing Permit which authorises a non-resident of the Cook Islands to fish at Aitutaki and Manuae lagoon and surrounding reefs;
“Secretary”	means the Secretary of the Ministry of Marine Resources
“Sell”	means any method of exchange for money or, including cash, anything which has value or which can be exchanged for cash and barter;
“Spawning area”	is an area fish spawn prescribed in Schedule 6 of this plan.

5. Target species and Area of application:

- a) For the purposes of this Fishery Plan, the bonefish fishery, is defined to encompass all fishing activities involved in the catching of bonefish species (Family: Albulidae) locally known as the *kiokio*, from the lagoon and surrounding reefs of Aitutaki and Manuae.
- b) Two species of bonefish have been reported to occur in the Pacific. The more common of the two species is *Albula glossodonta* and the less common species is *Albula forsteri*. Both species have been reported to exist in Aitutaki and Manuae. The bonefish sport fishery and status of the fishery at Aitutaki is summaries in Annex 1.

Part 2 Strategies

6 Fisheries Management

The primary management objectives of this fishery plan are:

- a) To establish a participatory management system and framework for the control and governance of all bonefish fishing and related activities within the lagoons and surrounding reefs of Aitutaki and Manuae.
- b) To establish an ecologically sustainable bonefish fishery in Aitutaki and Manuae based on practices that will ensure the protection, conservation and effective management of the bonefish resources.
- c) To improve the economic well being of the Aitutaki community through the development of a sustainable bonefish sports fishery and maximizing equitable distribution of benefits.
- d) To maintain the traditional values and practices of the Aitutaki community in harmony with a bonefish sports fishery.
- e) To allow for the collection of information to assist decision making to refine and improve the management of the Aitutaki and Manuae bonefish fishery.

7 Principal Ways to Achieve the Objectives

The measures applied to achieve the objectives of the Fishery Plan include the following:

- a) Establish the Aitutaki and Manuae Bonefish Management Committee.
- b) Establish licensing/permit arrangements to limit effort and to encourage fishing operations to be conducive to the sustainable use of the Aitutaki and Manuae bonefish resources.

- c) To impose restrictions on particular fishing techniques or methods as required.
- d) Closure of specified areas within the lagoon to fishing for example bonefish spawning aggregation areas and in marine protected areas.
- e) To impose restrictions on the amount of fishing activity in specified fishing areas as required to allow bonefish population to recover from the pressure of fishing.
- f) Establish an effective monitoring and enforcement system to ensure compliance with the licensing arrangements.
- g) Establish an ongoing program of catch data collection and of scientific information to support management of the bonefish resource.
- h) Establish an Aitutaki Bonefish Community Development Fund to disburse benefits for the people of Aitutaki.

Part 3 Ecosystem Considerations

8 Reef passages and sand flats

Reef passages and sand flats are important habitats for bonefish.

- a) Mining, dredging or other human activities that may cause a change to the natural status of the sand flats and reef passages of Aitutaki and Manuae will require environment impact assessment.
- b) Where modifications of reef passages are deemed necessary, an environmental impact assessment will be called for pursuant to the Environment Act 2003.

9 Community awareness

The Fishery plan recognizes the need to avoid and help manage social conflicts among users of the lagoon and the following measures shall be taken:

- a) The allocation of areas of the lagoon for specific consideration will be carried out in consultation with other users of these areas.
- b) Public awareness and education program that will:
 - i. Ensure that the community is aware of current developments concerning the bonefish fishery.
 - ii. Provide the community with information on the potential effects on fishing for bonefish for domestic consumption and also on the bonefish sport fishery, including environmental and social effects. This may include an 'awareness package' for communities or individuals with an interest in the bonefish fishery.
 - iii. Provide the community with feedback such as status of the stock; number of bonefish anglers; and the economic benefits derived from the fishery.

Part 4 Authorities

10 Authority to Manage the Bonefish Fishery:

- (1) Pursuant to section 6 of the Marine Resources Act 2005, the Queen's Representative has the power to declare a designated fishery and has done so by Order in Executive Council thereby declaring the bonefish fishery to encompass all fishing activities involved in the catching of bonefish from the lagoons and surrounding reefs of Aitutaki and Manuae, having made such order, having regard to scientific, social, economic, environmental and other relevant considerations, it

is determined that such fishery, is important to the national interest and requires management measures for ensuring sustainable use of the fishery resources.

- (2) There shall be established an Aitutaki and Manuae Bonefish Management Committee under this Plan.

11 Aitutaki and Manuae Bonefish Management Committee and its function

- (1) There shall be established an Aitutaki and Manuae Bonefish Management Committee that shall comprise the following members:
- The Mayor for the Aitutaki Island Council or his/her delegate;
 - The Island Secretary for the Aitutaki Island Administration;
 - A representative from the Cook Islands Police;
 - A representative from the Ministry of Marine Resources; and
 - Three representatives from amongst the licensed Bonefish Guides who provide their nominated members to the Secretary.
 - A representative of the Aronga Mana of Aitutaki.
- (2) The Secretary shall appoint a Chairman and Deputy Chairman from amongst the members of the Committee.
- (3) A quorum consists of six members.
- (4) The Committee should meet at least once every three (3) months and when the need arises to consider license applications.
- (5) The term of office for the members of the Aitutaki and Manuae Bonefish Management Committee is one year.
- (6) The responsibilities of the Committee include the following:
- (a) Provide a forum for discussion of issues and strategies and review of the Aitutaki and Manuae Bonefish Fishery Plan.
 - (b) Assess Bonefish Guide licences applications and provide recommendations to the Council.
 - (c) Implementation and administration of this Fishery Plan.
 - (d) Prepare annual budgets for the administration of this Fishery Plan. The annual budget will be submitted to the Council for consideration.

12 Role of Aitutaki Island Council

- (1) The role of the Council in the management of the bonefish resources of Aitutaki and Manuae will be to:
- (a) Provide the local administrative support to the Aitutaki and Manuae Bonefish Management Committee through a representative who will be an active member of the Committee.
 - (b) Provide assistance in the implementation and enforcement of this Fishery Plan where possible through their existing resources.
 - (c) Co-ordinate the usage of other users of the areas specified in this Fishery Plan.
 - (d) Grant or decline applications for bonefish guide license and bonefish fishing permits pursuant to recommendations of the Committee.
 - (e) Recommend new regulations, fees and penalties of this Fishery Plan.
 - (f) Receive fees collected by Guide licences and Fishing Permits which shall form part of the Aitutaki Bonefish Community Development Fund.
 - (g) Review and approve annual budgets submitted by the Aitutaki and Manuae Bonefish Management Committee and disbursement of the Aitutaki bonefish Community Development Fund.

13 Role of Ministry of Marine Resources

- (1) Ministry of Marine Resources role in the management of the bonefish resources of Aitutaki and Manuae will be to:
 - (a) Plan, conduct, monitor and review scientific efforts to support the sustainable development and management of the Aitutaki and Manuae bonefish resource.
 - (b) Establish an ongoing program for monitoring, surveillance and compliance of measures stipulated under the Fishery Plan and the Marine Resources Act 2005.
 - (c) Provide the link for agencies of Government of the Cook Islands to the Council and the Bonefish Management Committee.
 - (d) Provide technical information and advice that will include annual reports on the status of the bonefish resource to the Council and the Aitutaki and Manuae Bonefish Management Committee.
 - (e) Review and recommend new regulations, fees and penalties for the Fishery Plan.

14 Consultative Process

- (1) Pursuant to section 7(3) of the Act and the need to consult with interested parties the Aitutaki and Manuae Bonefish Management Committee shall conduct public consultations with interested parties that may include, but not limited to village Councillors, Aitutaki Game Fishing Club, and lagoon tour operators.
- (2) Following the public consultations conducted by the management committee the recommendations received shall be further considered by the Council before referring such recommendation to the Secretary for consideration as part of the review of this Fishery Plan.

Part 5 Management Measures

15 Restrictions on the number of Bonefish Guides and Anglers:

- (1) The maximum number of Bonefish Guide operations in Aitutaki shall be capped at a figure to be determined by the Aitutaki and Manuae Bonefish Management Committee (the number of guides is recommended at five).
- (2) The maximum number of anglers per Bonefish guide per trip shall be capped at a ratio to be determined by the Aitutaki and Manuae Bonefish Management Committee (that ratio is recommended at two anglers per guide).
- (3) Bonefish Guides and anglers shall comply with the Code of Conduct as contained in Schedule 8.
- (4) These restrictions will be reviewed or amended if deemed necessary by Aitutaki and Manuae Bonefish Management Committee.
- (5) Any person who contravenes subsection 15 (2) commits an offence and shall be liable upon conviction to a fine not exceeding \$1000.00

16 Bonefish Guide License

- (1) Any person who intends to operate a business as a Bonefish Guide shall submit an application for a Bonefish Guide license to the Bonefish Management Committee and the Committee will review the application in accordance with its Application Assessment Guidelines, as contained in Schedule 2, and make a recommendation to the Council.

- (2) Priority will be given to applicants of Aitutaki descent, of 18 years of age, or older, or married to, or in a stable defacto relationship with a person of Aitutaki descent, and living in Aitutaki.
- (3) The Council will decide to grant or decline the application. Applications for a Bonefish Guide License shall be made in the form set out in Schedule 1, Bonefish Guide License Application Form.
- (4) Applicants will be informed of the status of their application, no later than 21 days after the date when the application was officially received.
- (5) The bonefish guide license is valid for a period of 12 months. Special management or operating conditions may be attached to a licence in the form set out in Schedule 3, Bonefish Guide License.
- (6) Bonefish Fishing Guide License will be issued by the Mayor of the Aitutaki Island Council and are not transferable.
- (7) Those applicants who are denied a license have the right to appeal to the Council through the appeal process described in Part 6 of this Fishery Plan.
- (8) There shall be an annual fee of NZ\$300.00 payable to the Council by the License Holder before receipt of his/her License.
- (9) Any person who contravenes subsection (1), (5) or (6) commits an offence and shall be liable upon conviction to a fine not exceeding \$1000.00 and or forfeiture of fishing gear used in the commission of the offence.

17 Bonefish Fishing Permit

- (1) All non-Cook Islanders who wish to fish in Aitutaki and Manuae lagoons and its surrounding reefs, shall be required to obtain a Visitor's Lagoon Fishing Permit as prescribed in Schedule 4, Fishing Permit.
- (2) A Visitor's Lagoon Fishing Permit can be issued for variable time frames of 1 week, 2 weeks or 1 month duration.
- (3) Aitutaki and Manuae Visitor's Lagoon Fishing Permits will be issued by the Mayor of the Aitutaki Island Council and such permits are not transferable. The Mayor may, in writing, delegate the administration of this responsibility.
- (4) Fees shall be payable as prescribed in Schedule 5, Fees.
- (5) Any Non-Cook Islander who wishes to fish in Aitutaki for research, conservation or other purposes beneficial to the bonefish fishery may be exempt from obtaining a fishing permit if such exemption is granted in writing by the Mayor or Secretary.
- (6) Any person who contravenes subsection (1), (2) or (3) commits an offence and shall be liable upon conviction to a fine not exceeding \$1000.00

18 Prohibition or Restrictions of Fishing in Certain Areas and during Certain Periods:

- (1) The bonefish management plan shall identify spawning or nursery areas in Schedule 6, Designated Areas for Use, where restrictions on fishing effort and type of fishing gear may be prohibited from time to time.
- (2) The Aitutaki and Manuae Visitor's Lagoon Fishing Permit issued under Schedule 4, Fishing Permit may include restrictions on fishing effort in designated fishing areas, as deemed necessary by the Aitutaki and Manuae Bonefish Management Committee to allow recovery of fish stocks.
- (3) Any person who contravenes subsection (1) or (2) commits an offence and shall be liable upon conviction to a fine not exceeding \$1,000.00 and or forfeiture of fishing gear used in the commission of the offence.

19 Fishing Gear and Method Restrictions:

- (1) All gillnets to be used in Aitutaki and Manuae are to comply with the gillnet restrictions under the Aitutaki Fisheries Protection by-laws 1990.
- (2) The use of gillnets to catch bonefish in bonefish spawning areas or nursery areas as set out in Schedule 6, Designated Areas for Use, is prohibited.
- (3) Any person who contravenes subsection (1) or (2) commits an offence and shall be liable upon conviction to a fine not exceeding \$1,000.00 and or forfeiture of fishing gear used in the commission of the offence.

20 Prohibition of Sale or Export of Bonefish:

- (1) The sale of bonefish that has been caught by whatever means is prohibited.
- (2) Notwithstanding (1) above, any person who wishes to export bonefish for non-monetary gain or barter may be permitted to export not more than 10 fish per household per month.
- (3) Any person who contravenes this section commits an offence and shall be liable upon conviction to a fine not exceeding \$200.00 and or forfeiture of fishing gear used in the commission of the offence.

21 Reporting Requirements:

- (1) A fishing trip log recording information and data relating to the fishing trip is to be maintained and submitted by all license and permit holders according to the conditions of their license or permits
- (2) The fishing trip log book is outlined in Schedule 7, Bonefish Anglers Fishing Log.
- (3) Any person who contravenes subsection (1) commits an offence and shall be liable upon conviction to a fine not exceeding \$100.00

Part 6 General**22 Training Requirements:**

- (1) Any person who wishes to enter into the bonefish guide business would be required to hold a Cook Islands Red Cross First Aid Certificate, a Cook Islands Boat Master's Certificate and a Cook Islands Tourism Accreditation Certificate.
- (2) The Aitutaki and Manuae Bonefish Management Committee may introduce new requirements if necessary and will inform affected parties of the new requirements. The Committee will give adequate time for these new requirements to be met.

23 Obligations of the License and Permit Holders

- (1) The license and permit holders are to comply with all conditions on their license and permit.
- (2) It is the obligation of the license and permit holders to ensure that the fishing logs are filled in correctly and are submitted to the Ministry of Marine Resources on a timely basis as required by conditions stipulated in the license or permit
- (3) The license and permit holder will allow and assist any authorized enforcement officer to carry out his/her duties safely as such including boarding their fishing boat to carry out inspection of the boat and fishing gears, inspect the fishing log forms, take photographs and collect fish specimen if necessary.

24 Authorised officers

The Minister may, on the recommendation of the Secretary of Marine Resources, by notice published in the Gazette, appoint any person or category of persons as authorised officers for the purpose of the Marine Resources Act 2005 and this Plan.

25 Fees and Penalties

- (1) The fees for licenses and permits as provided in Schedule 5, Fees, shall be receipted to the Aitutaki Island Council.
- (2) Where breaches or violation to the provisions of this Plan or conditions of License and Permits, the penalties for such breach or violation shall be contained in Annex 2, Guidelines for Penalties.
- (3) Where there is a breach or violation to the provisions of this Plan or conditions of License and Permits and no penalty has been prescribed that person shall be liable upon conviction to a fine not exceeding \$250.

26 Appeals

- (1) In the case where a license or permit application is declined, the applicant may submit an appeal in writing to the Council. Any such appeal must state clearly the reason for the appeal and must be submitted no later than 21 days after the notice of decline is received.
- (2) Upon review and consideration of the appeal, the Council will within 21 days write a review report with recommendations for further action to be submitted to the Council for a further final decision to be made.
- (3) The applicant may further refer his/her case to the Secretary of Marine Resources if His/Her application is again declined by the Council, the decision of the Secretary shall be binding and final.

27 Review and Amendments

- (1) The Plan may be amended by order in Executive Council.
- (2) Any amendments shall be submitted through the Ministry of Marine Resources who, after reviewing suggested amendments with the Aitutaki Island Council and agreeing with the amendments would formally submit to Executive Council for endorsement.
- (3) The Plan shall be reviewed every two years, but may be reviewed earlier when determined as necessary by Aitutaki and Manuae Bonefish Management Committee.
- (4) Any amendments will be published in the Gazette and be posted at an appropriate place for view by the general public.

*Annex 1***The Bonefish Sport Fishery**

Bonefish sport fishing is established in many destinations in the tropical regions such as, the Caribbean, the Indian Ocean, Africa, South America and in the United States of America. The Pacific region is able to attract sport anglers from all over the world in pursuit for new fishing sites and challenges.

In countries such as Cuba, Seychelles Islands, Mexico and the Bahamas, tourism has developed around fishing for this species. Tourism brings in foreign currency and creates income opportunities for the communities concerned, including direct employment for local fishing guides. In the Pacific Islands, fly-fishing for bonefish is practiced commercially in New Caledonia and on Christmas Island (Kiribati). On Christmas Island, with about 1,000 visiting fly-fishers a year, this tourist based fishery excluding side benefits to the community is valued at a minimum of USD2.5 million.

Specialist bonefish enthusiasts are today seeking new destinations offering promising opportunities to locate and engage in catching many good-sized specimens. An 'exotic' natural environment, high-quality tourism infrastructure and regular international transport links are essential for the development of a bonefish sports fishery. Aitutaki meets these criteria. There is a unanimous desire on the part of local government, hoteliers and community to develop sport fishing and tourism around the bonefish resource.

Status of the Aitutaki Fishery

There are two known bonefish species in the Pacific, these include the more common and widespread species, *Albula glossodonta* and the less common *A. forsteri*. These two bonefish species tend to occupy similar habitats, occurring in shallow sandy areas of lagoons of a number of Pacific countries, where they feed on shrimps, small bivalve molluscs and small crabs.

Bonefish was an important traditional food source for the Aitutaki community. Historically, fishers caught bonefish with hook and line, and handmade fibre nets. Catches on each trip were less than 100 pieces but with the modern introduction of motorized boats and monofilament gillnets, fishers were able to increase their catches to over 1,000 fish per trip.

Anecdotal reports describe how in 1978 fishermen, using gillnets, surrounded and caught bonefish in a spawning aggregation that formed to the west of Rapota. It is estimated that a total of 3,600 fish weighing 6 tonnes were caught in a single set.

The only existing record of bonefish abundance data was that of Whitford & Guinea in 1993 who reported densities of 88.9 and 30.0 fish/km² at Rapota and Tapuaetai islets, respectively. They believe that once abundant stocks were being reduced significantly through over fishing with gillnets

Annex 2

Guidelines for Penalties

Level of Severity	Paragraph of the Fishery Plan	Activity	Penalty
2	15 (5)	Maximum number of clients per bonefish guide is exceeded	Monetary fine with a maximum of \$1000
4	16(9), 17 (6)	Fishing without a valid license or permit	First Offence: monetary fine with a maximum of \$1,000 Repeat offence: - Forfeit fishing gears
5	16 (9) & 17 (6)	License and Permits are not transferable	First Offence: monetary fine with a maximum of \$1,000 Repeat offence: - Termination of License
4	18 (3)	Prohibited fishing in designated areas and during certain periods	First Offence: monetary fine with a maximum of \$1,000 Repeat offence: - Termination of License - Forfeit fishing gears
4	19 (3)	Fishing gear and method restrictions	First Offence: monetary fine with a maximum of \$1,000 Repeat offence: - Termination of License - Forfeit fishing gears
3	20 (5)	Prohibition of sale and export of bonefish	First Offence: monetary fine with a maximum of \$200 Repeat offence: - Termination of License - Forfeit fishing gears
1	21 (3)	Reporting requirements	First Offence: monetary fine with a maximum of \$100 Repeat offence: - \$50 for each week the log sheet are not submitted - Non submission of log sheet for six months; termination of License

Schedule 1

Bonefish Guide License application Form

AITUTAKI ISLAND COUNCIL

APPLICATION FORM FOR A BONEFISH GUIDE LICENSE

1. Name of Applicant:
2. Date of Birth:..... Address:.....
3. State if you are a Aitutakian: Yes No
4. Please provide the number of years you have continuously lived in Aitutaki:
... ..yrs.
5. State specifically your bonefish fishing or recreational fishing experience and how you propose to carry out your bonefish fishing guide operation:
.....
.....
.....
.....
.....
6. Indicate whether you wish to use a motorized boat to assist you and state your experience in the use of such equipment.
 - a. Use of motorized boat to assist you in your operation: Yes No
 - b. Provide the number of year's boat experience in Aitutaki:yrs
 - c. Do you have a current Cook Islands Boat Masters certificate: Yes No
If you circled Yes, attach a copy of the certificate to this application.
 - d. Please provide information on any previous boating accidents you may have had:
.....
.....
.....
.....
7. Have you completed a Cook Islands Red Cross First Aid Certificate:
Yes No: if Yes, attach to this application a copy of the certificate.
8. Is your Bonefish Guide Business accredited with Cook Islands Tourism Corporation Accreditation Scheme:
Yes No: if Yes, attach to this application a copy of the accreditation certificate.
9. Have you completed training in Hospitality, provided for by the Cook Islands Tourism Cooperation:
Yes No: if Yes, attach to this application a copy of the certificate.
10. Have you had some training in Small Business Management:
Yes No: if Yes, attach to this application a copy of the certificate.
11. Have you received training in Sport/Recreational fishing:
Yes No: if Yes, attach to this application a copy of the certificate.
12. Will you wish to participate in bonefish research:

e.g. tagging program: *Yes No*

13. Please state your previous involvement in lagoon tour activities at Aitutaki:
.....
.....
.....

14. Please state your main reasons for applying for a Bonefish Fishing Guide License:
.....
.....
.....

15. **DECLARATION**

I hereby declare that I have answered all the questions truthfully and to the best of my knowledge, that I will conform to all the conditions imposed upon me under the license conditions and the Aitutaki and Manuae Bonefish Fishery Plan and that I am fully aware of the penalties and fees which will be imposed upon me for the duration of the license or for the conditions under which the license has been issued.

Signature of Applicant:

Date:

Attachments

- Cook Islands Boat Masters Certificate (Required)
- Cook Island Red Cross First Aid Certificate (Required)
- Cook Islands Tourism Accreditation Certificate (Required)
- Tourism Hospitality training Certificate (Optional)
- Sport/Recreational Fishing training Certificate (Optional)
- Small Business Management training Certificate (Optional)

Schedule 2

Bonefish Guide License Applicant Assessment Guidelines

Criterion	Rationale	Value (points)
Has the applicant completed Boat Masters Certificate	Having Boat Masters training should ensure boating accidents are minimised, sea safety issues are understood.	Compulsory Requirement
Has the applicant completed a First Aid Certificate	Receiving first Aid training equips the applicant to administer first Aid Treatment in the event there is an accident.	Compulsory Requirement
Has the applicant business been certified as a member of the Tourism Accreditation Scheme	Tourism accreditation will ensure that the business operation meets the standard required of the tourism industry.	Compulsory Requirement
Is the applicant of Aitutaki descent and of the age 18 years or older or in a stable defacto relationship with a person of Aitutaki descent	The objective is to allow economic opportunities to those from Aitutaki, and who intend to do business on Aitutaki. Providing extended benefits to those living on Aitutaki and its people. Local persons / companies present additional community benefit.	Yes - 5 No - 0
Has the applicant completed Tourism Hospitality Training	Hospitality training help to ensure paying guest are not mistreated, and will help the applicant achieve Cook Islands Tourism Accreditation.	Yes - 5 No - 0
Has the applicant received, recreational fishing training	The training would help the applicant better manage her/his business.	Yes - 2 No - 0
Has the applicant received, small business management training	The training would help the applicant better manage her/his business.	Yes - 2 No - 0
Will the applicant be interested in participating in bonefish research	Participating in research will help reduce the cost of research, and demonstrates that the applicant is willing to fill the gap of knowledge regarding the bonefish fishery.	Yes - 3 No - 0
Has the applicant been charged/prosecuted before?	Where possible, licensing compliant fishers is seen as beneficial to the entire fishery.	Yes - 0 No - 3
Is the fishing history of the applicant comparable to other fishers?	Benefits to the Aitutaki cannot accrue if licence holders do not go fishing.	Yes - 2 No - 0
Is the applicant currently involved in the bonefish sports fishing industry	Opportunities given to those already trying to develop the bonefish sports fishery.	Yes - 5 No - 0
Is the applicant currently involved in fishing for bonefish for subsistence purposes	Opportunities given to those who are intending to shift from subsistence bonefish fishing to sports fishing of bonefish.	Yes - 5 No - 0

Schedule 3

Bonefish Guide License and Conditions

**BONEFISH GUIDE LICENSE**License Number: ABGL 01Date of issue: **SPECIAL CONDITIONS**

Fishing operation: 1) To fish for bonefish in the lagoons and surrounding reefs of Aitutaki and Manuae in a recreational manner, implementing the catch and release principle and adhering to the Aitutaki and Manuae Bonefish Fishery Management Plan.

2) The License Holder shall carry out fishing operations in a careful and proper manner, will take care to minimize mortality of bonefish and refrain from causing harm to marine habitats, animals and plants, avoid littering and disposal of rubbish of any kind into the natural environment.

Permission:

Other special conditions: As attached to this License.

PERIOD OF VALIDITY

Subject to the Outer Islands Local Government Act 1987 and the Aitutaki and Manuae Bonefish Fishery Management Plan 2010 made thereunder, this License is valid from the XXth day of Month XXXX to the XXth day of Month XXXX.

Mayor
Aitutaki Island Council

Date

THIS LICENSE IS NOT TRANSFERABLE

SPECIAL CONDITIONS**BONEFISH GUIDE LICENSE**

FOR *Name of Holder*....., a person of or over the age of 18 years and residing at
Village..... Aitutaki (“the License Holder”).

AND WHEREAS:

The License Holder recognises and accepts that the Island Council of Aitutaki and Manuae has jurisdiction in respect of the lagoon and has the authority to grant a Bonefish Fishing Guide License under the Aitutaki and Manuae Bonefish Fishery Management Plan 2010.

The License Holder recognises and accepts that the Island Council of Aitutaki and Manuae may apply conditions in addition to the general conditions as set out in the Aitutaki and Manuae Bonefish Fishery Plan, and recognises that such conditions are applied in order to ensure the effective management and sustainability of the Bonefish resources that inhabits the lagoons and surrounding reefs of Aitutaki and Manuae.

The License Holder seeks to establish and operate, a sustainable sports fishing business based around the principals of catch and release and therefore has obtained a Bonefish Guide License.

The License Holder

1. The License Holder shall:
 - a) not use a gillnet to catch bonefish.
 - b) respect the customary laws in-effect for Raui areas designated by the Aronga Mana.
 - c) not fish in identified spawning area (Schedule 6, Area 2, Takitaki) three days before and after the new moon.
 - d) to the extent possible, release all caught bonefish alive and in good condition.
 - e) not sell or export bonefish.
 - f) hold valid Cook Islands Red Cross First Aid and Boat Master Certificates.
 - g) hold valid Cook Islands Cooperation Tourism Accreditation Certificate.
 - h) treat other users of the lagoon and surrounding reefs with dignity and respect.
 - i) not interfere with the normal right of passage or boats across the lagoon.
 - j) carry out fishing operations in a careful and proper manner and refrain from causing harm to habitats, animals and plants avoid littering and disposal of pollution of any kind into the natural environment.
2. The License Holder shall not enter into a partnership or a cooperative agreement with any other party, and the Council will not recognize any claim made with regard to this License by a third party.
3. The License Holder shall not hold more than one Bonefish Guide License at any one time. This restriction applies to any manner of holding, whether as a legal holder, a beneficial holder, a part holder or by the use of any nominee.
4. The License Holder shall carry an original copy of his/her license with him/her at all times whilst undertaking fishing operations in the lagoon and surrounding reefs and produce this license for inspection authorized enforcement officers designated under this Plan, immediately, when requested.

5. If the License Holder or any person employed by or working with the License Holder during Bonefish Guide operations shall breach any of the clauses specified under section (2) of this License, the License Holder, upon his/her conviction, shall be liable to a penalty as set out in the Aitutaki and Manuae Bonefish Fishery Plan 2010.
6. The License Holder may be asked to provide information regarding observed fishing practices in designated Raui areas to the Aitutaki and Manuae bonefish Management Committee and the Council.

License validity

7. The License is valid for one (1) year from the date it is signed by the Mayor. Unless it is suspended, terminated, or lapses sooner, the License shall continue until its expiry date.
8. If, at the expiry of this License, the License Holder has complied with all the conditions of this License, the License Holder shall have the right to have his/her License renewed for a further period of one (1) year.
9. The License will terminate, automatically, if the License Holder has left his/her Bonefish Guide Operation idle for a continuous period of six (6) months from the date of issue of the License. Nothing in this clause shall apply if the License Holder is away from Aitutaki to undergo a medical treatment, but if the License Holder dies this License shall terminate.
10. The Council may suspend or terminate the License for such duration as it thinks fit, in cases where:
 - a) The License Holder is convicted of theft, or other crime of dishonesty or criminal damage relating to Bonefish Guide Operations or building, boat, plant, equipment, or materials of any other Bonefish Guide License Holder;
 - b) The License Holder has breached any of the conditions under section (2) of this License which provides for suspension or termination and a penalty as set out in the Aitutaki and Manuae Bonefish Fishery Plan 2010;
 - c) The License Holder has committed any breach of any other condition of this License which the Council, after hearing from the License Holder on the matter, finds it to be serious, deliberate, ongoing or repeated breach.
11. An application for a license renewal shall be submitted 30 days before the expiry date shown on the current License.

Operation of Bonefish Guide

12. The License Holder may bring other persons to assist in his/her Bonefish Guide Operation. Those persons must comply with the conditions of this License at all times. The License Holder shall be responsible for ensuring that each of those persons are aware of and comply with the conditions of this License.
13. If the License Holder or any other person employed by or working with the License Holder breaches this condition, the License Holder shall be liable upon conviction to:
 - a) a penalty as set out in the Aitutaki and Manuae Bonefish Fishery Plan 2010; or
 - b) suspension of this License for such period of time as the Council may determine; or, if the Council thinks fit; or
 - c) termination of this License.
14. During the first week of each month, the License Holder shall provide to the Ministry of Marine Resources or the Island Council, in writing, a completed daily fishing log

Schedule 4
Fishing Permit



VISITOR'S LAGOON FISHING PERMIT

Licence Number: ABP 01

Date of issue dd/mm/yyyy

SPECIAL CONDITIONS

- Fishing operation:**
- 1) To fish for bonefish or other fish species in the lagoons and surrounding reefs of Aitutaki and Manuae in a recreational manner, implementing the catch and release principle and adhering to conditions of the Aitutaki and Manuae Bonefish Fishery Plan.
 - 2) The permit holder shall carry out fishing operations in a careful and proper manner, will take care to minimize mortality of fish and refrain from causing harm to habitats, animals and plants avoid littering and disposal of pollution of any kind into the natural environment
- Restrictions:**
- 1) The sale and export of all fish caught under this license is prohibited.
 - 2) To purposely set-about or deliberately kill bonefish is prohibited.
 - 3) Fishing in designated fishing zones (spawning, nursery and controlled fishing area) is prohibited, unless accompanied by a licensed guide.
- Fee:**
- 1) There shall be a fee set out in schedule 5 of the fishery plan payable to the Island Council by the permit holder before receipt of this permit.

PERIOD OF VALIDITY

Subject to the Aitutaki and Manuae Bonefish Fishery Management Plan 2010 made thereunder, this licence is valid from the 00th day of Month YYYY to the 00th day of Month YYYY.

Mayor
Aitutaki Island Council

Date

THIS PERMIT IS NOT TRANSFERABLE

Schedule 5

Fees

Type	Duration	Fee Amount
Bonefish Guiding License	1 year	\$300.00
Visitors Lagoon Fishing permit	1 week	\$50.00
	2 weeks	\$80.00
	1 month	\$150.00

Schedule 6

Designated Areas for Use

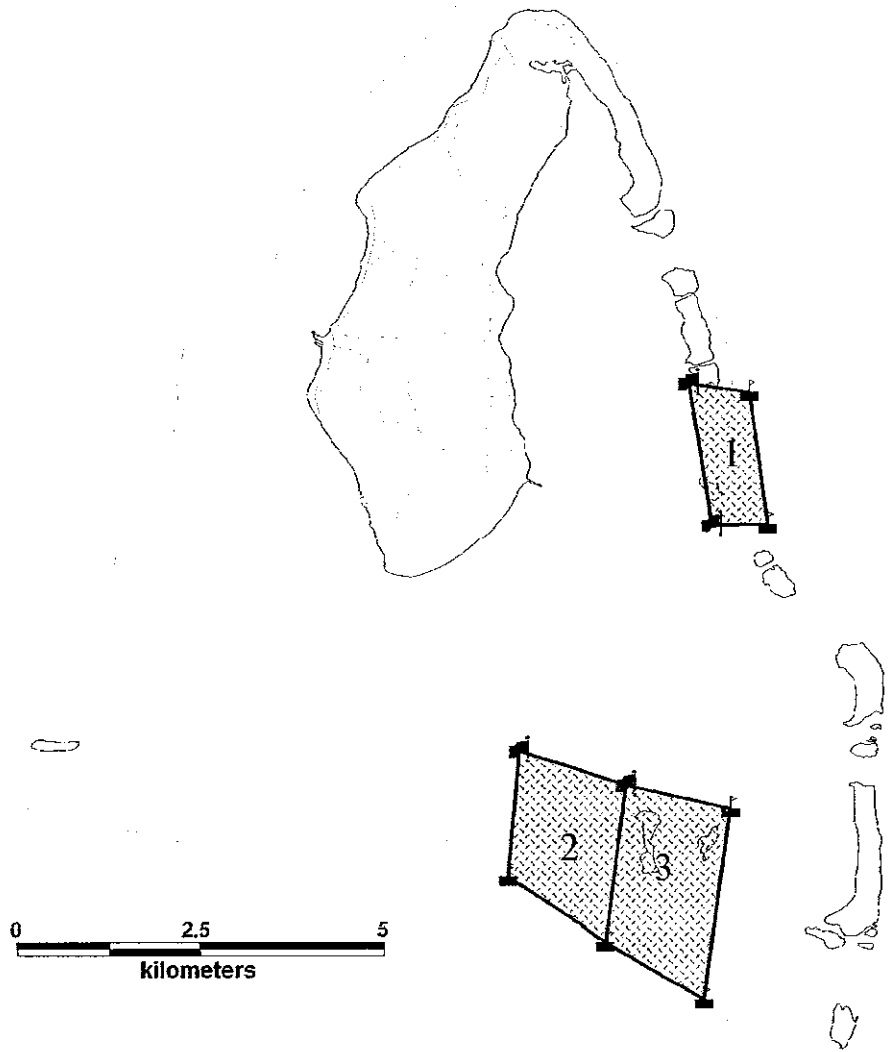
Name of Area	Location	Use
Spawning and nursery areas	(1) Papau nursery area (2) Takitaki spawning area	<ul style="list-style-type: none"> Prohibited to gillnet fishing at all times. Fishing in spawning area is prohibited 3 days before and after new moon. Visitor's Fishing Permit holders must be accompanied by a licensed guide.
Controlled fishing areas	(3) Rapota sand bank	<ul style="list-style-type: none"> Restricted fishing effort and gear from time to time. Visitor's Fishing Permit holders must be accompanied by a licensed guide.

GPS Coordinates

Name of Area	Longitude	Latitude
(1) Papau nursery Total area, 174.7 ha	-159.7555 (-159 45.328) ^f -159.7521 (-159 45.127) ^f -159.7462 (-159 44.772) ^b -159.7435 (-159 44.610) ^b	-18.8691 (-18 52.144) ^f -18.8864 (-18 53.182) ^f -18.8702 (-18 52.212) ^b -18.8867 (-18 53.202) ^b
(2) Takitaki spawning Total area, 252.7 ha	-159.7776 (-159 46.654) ^f -159.7636 (-159 45.818) ^f -159.7789 (-159 46.734) ^b -159.7661 (-159 45.966) ^b	-18.9139 (-18 54.832) ^f -18.9181 (-18 55.087) ^f -18.9273 (-18 55.638) ^b -18.9353 (-18 56.118) ^b
(3) Rapota sand bank Total area, 306.5 ha	-159.7636 (-159 45.818) ^f -159.7500 (-159 45.000) ^b -159.7789 (-159 46.734) ^b -159.7533 (-159 45.198) ^b	-18.9181 (-18 55.087) ^f -18.9210 (-18 55.259) ^b -18.9273 (-18 55.638) ^b -18.9416 (-18 56.496) ^b

^fFlag marker^bBouy marker

Map showing nursery (1), spawning (2) and controlled fishing (3) areas.



Schedule 8

Code of conduct for bonefish anglers

1. Always use barbless hooks.
 2. Tackle should match conditions and the size of the fish so fish can be landed quickly.
 3. Always try and land a bonefish before it gets exhausted and cannot swim.
 4. Always try and shorten the fight time.
 5. If a bonefish have lost the ability to swim after landing, revive it until it can swim upright.
 6. Try and avoid holding or touching the bonefish with bare hands. If you need to handle a fish non-abrasive gloves should be used.
 7. In removing a hook, use haemostats or pliers while keeping the fish in the water and a quick release is encouraged given that time to remove the hook can affect survival of the fish.
 8. Avoid exposing bonefish to air. If you need to hold fish in the air then exposure should not exceed a maximum of 15 seconds.
 9. Avoid touching the gills of the fish.
 10. If you need to weigh the fish, use a weighing cradle and avoid lip-gripping weighing devices.
 11. Be wary of predators when releasing bonefish, the chances of a released bonefish being caught by a predator is high. If predators become attracted to your fishing activity, move to another fishing location.
 12. For your own safety, do not go out alone to fish on the flats in the lagoon without a registered bonefish guide. Note that there are designated sand flat areas where you may fish alone if you wish.
 13. Act green and keep Aitutaki and Manuae lagoon clean! Do not dispose any of your rubbish into the lagoon environment. Always take your rubbish back with you and dispose in an appropriate place.
 14. The taking of any scientific specimen (living or non-living) from the natural environment is prohibited unless a prior Research Permit has been granted by the National Research Committee issued by the Office of the Prime Minister.
 15. Please respect the local culture and traditions.
 16. Any mistreatment by bonefish guides or other local residents should be reported to the Aitutaki Island Council as soon as possible.
 17. It is recommended that four stroke outboard motors be used rather than two stroke outboards.
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