



REPUBLIC OF GHANA

FISHERIES
(PORT STATE MEASURES)
REGULATIONS, 2024
(L.I. 2490)

FISHERIES (PORT STATE MEASURES) REGULATIONS, 2024

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IN exercise of the power conferred on the Minister responsible for Fisheries by subsections (1) and (3) of section 139 of the Fisheries Act, 2002 (Act 625) and on the recommendations of the Fisheries Commission, these Regulations are made this 13th day of June, 2024.

*Preliminary Provisions***Purpose of Regulations**

1. The purpose of these Regulations is to
 - (a) combat Illegal, Unregulated and Unreported fishing;
 - (b) give effect to the implementation of the Port State Measures Agreement to deter, prevent, and eliminate Illegal, Unregulated and Unreported fishing; and
 - (c) provide for the conservation, utilisation, and management of the fisheries resources.

Application of Regulations

2. Except as otherwise specified in these Regulations, these Regulations apply to all fishing and fishing-related vessels including
 - (a) artisanal fishing vessels;
 - (b) semi-industrial vessels;
 - (c) industrial vessels; and
 - (d) foreign fishing vessels.

*Fishery Plans***Fishery plan**

3. (1) A fishery management plan shall be prepared with a specific objective and the duration of the fishery plan specified in accordance with provisions under the Act.

(2) Where there is a change in policy arising out of an International Agreement or Convention, to which Ghana is a signatory, the Commission may modify the fishery management plan prepared under sections 42, 43, 44 and 45 of the Act to conform to the International Agreement or Convention.

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*Importation and Registration of Vessels Engaged in Fishing
and Fishing Related Activities*

Requirements for the importation and registration of a Ghanaian vessel engaged in fishing or fishing related activities

4. (1) In addition to the requirements under the Ghana Shipping Act, 2003 (Act 645) relating to the import and registration of vessels entitled to fly the flag of Ghana, the Director shall not recommend a fishing vessel or vessel engaged in fishing related activities to the Director-General of the Ghana Maritime Authority to be imported or registered unless the additional requirements in regulations 5 and 6 are fulfilled.

(2) The provisions in regulations 5 and 6 do not apply to an artisanal fishing vessel.

Application for the importation of a vessel

5. (1) A person who intends to import a vessel, shall apply, in writing, to the Director.

(2) An application under subregulation (1) shall be accompanied with the following documents:

- (a) where the import is for a newly built fishing vessel, the certificate of the original ship builder;
- (b) a certified copy of the latest licence or authorisation issued by the flag State;
- (c) a bill of sale or hire purchase agreement or other arrangements identifying the current owner as having legal, beneficial or financial interest in, or control of the vessel;
- (d) a bill of sale, hire purchase agreement or other arrangements identifying the prior owner of the vessel for the last three consecutive years;
- (e) any relevant documents to prove that the previous owner or operator has no further legal, beneficial or financial interest in, or control of, the vessel;
- (f) a Company Certificate of Registration;
- (g) a valid Survey Certificate; and
- (h) any other document that the Director may determine.

*FISHERIES (PORT STATE MEASURES) REGULATIONS, 2024***Statutory declaration regarding Illegal, Unreported and Unregulated fishing**

6. Where a vessel has been previously registered on another registry, an application under regulation 5 shall be accompanied with a statutory declaration in accordance with the Statutory Declarations Act, 1971 (Act 389) signed by the operator declaring that

- (a) the vessel has not been deleted from the previous registry of the vessel due to the involvement of the vessel in
 - (i) Illegal, Unreported and Unregulated fishing;
 - (ii) activities in support of Illegal, Unreported and Unregulated fishing; or
 - (iii) activities resulting in the undermining of international conservation and management measures;
- (b) there are no pending penalties or investigations from the flag State of that registry;
- (c) the vessel is not encumbered by any third-party interest pursuant to a legal process in the former flag state, any coastal State or a regional fisheries management organisation;
- (d) the vessel has not been previously identified by any State or a regional fisheries management organisation to have engaged in Illegal, Unreported and Unregulated fishing; and
- (e) the vessel is not currently or has not been previously listed on a list of vessels having engaged in Illegal, Unreported and Unregulated fishing or fishing related activities in support of Illegal, Unreported and Unregulated fishing adopted by a regional fisheries management organisation.

Consideration of application for the importation of a vessel

7. The Director shall, on receipt of an application under regulation 5,

- (a) submit the application to the Minister responsible for Transport, for advice and verification of the safety and seaworthiness of the vessel; and
- (b) recommend the refusal of the application where the vessel is on the list of vessels having engaged in Illegal, Unreported and Unregulated fishing or fishing related activities in

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support of Illegal, Unreported and Unregulated fishing adopted by a regional fisheries management organisation.

Approval of application for the importation of a vessel

8. (1) The Minister shall give approval based on the advice from the Director.

(2) The advice of the Director shall be based on information and documentation provided under subregulation (3), and the conditions specified under regulation 6.

(3) Where the Minister receives an advice on the seaworthiness of the vessel from the Minister responsible for Transport, the Minister may in writing grant an import permit for the importation of the vessel.

Validity of import permit

9. An import permit granted under regulation 8 is valid for twelve months from the date of issue.

Renewal of import permit

10. The Minister may renew the import permit issued under regulation 8 on the

- (a) expiration of the import permit, and
- (b) recommendation of the Commission.

Registration of a vessel engaged in fishing or fishing related activities

11. (1) The Commission shall carry out the registration of a vessel engaged in fishing or fishing related activities as a Ghanaian vessel in a manner consistent with the obligations of the Republic under any international or regional treaty to which the Republic is a party, which is published in the *Gazette* in accordance with the Act, including

- (a) international conservation and management measures relating to effort and capacity limits; and
- (b) the prevention, deterrence, and elimination of Illegal, Unreported and Unregulated fishing.

(2) A person who intends to register a vessel as a Ghanaian vessel engaged in fishing or fishing related activities shall submit an application in writing accompanied with supporting plans, diagrams and drawings to the Director-General of the Ghana Maritime Authority and provide a copy of the application to the Director.

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(3) An application under subregulation (2) shall include the following information:

- (a) the name of the vessel and previous names, if any;
- (b) the port of registry of the vessel;
- (c) a Company Certificate of Registration;
- (d) the previous flags of the vessel, if any;
- (e) the deletion certificate of the vessel, in the case of a previously registered vessel;
- (f) the International Radio Call-Sign of the vessel, and mobile maritime satellite identification number, if any;
- (g) the names, addresses and details of the beneficial owners and operators of the vessel;
- (h) where and when the vessel was built;
- (i) the type of vessel;
- (j) the overall length of the vessel;
- (k) the types of fishing methods and gear used on the fishing vessel;
- (l) the moulded depth of the vessel;
- (m) the beam of the vessel;
- (n) the type and scope of alterations to the vessel since first built, if any;
- (o) a recent photograph of not more than six months of the vessel if foreign built;
- (p) the International Maritime Organisation number of the vessel;
- (q) the gross registered tonnage of the vessel;
- (r) the horse power of the main engine of the vessel;
- (s) the description of the navigation and position fixing equipment of the vessel;
- (t) the specifications of the vessel monitoring system on the vessel;
- (u) a valid Survey Certificate of the vessel;
- (v) a Safety Certificate of the vessel;
- (w) an Oil Pollution Prevention Certificate of the vessel;
- (x) a Safe Manning Certificate of the vessel;

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- (y) the processing equipment on the vessel, if any;
- (z) the specifications of current fish storage holds and stowage areas; and
- (aa) any other information that the Director may require for the purposes of registration and for giving effect to the international obligations of the Republic.

(4) In the case of a vessel which has been previously registered on another registry, the application under subregulation (2) shall be accompanied with a statutory declaration on Illegal, Unreported and Unregulated fishing as specified in regulation 6.

(5) The Director shall, within twenty-one days of receipt of the application, verify the information provided by the applicant under subregulation (3) and may consult with the following:

- (a) any regional fisheries management organisation;
- (b) relevant international organisations;
- (c) other States; and
- (d) any other sources that the Director considers appropriate and relevant.

(6) Where the Director is satisfied that a vessel fulfils the requirements of these Regulations, the Director shall recommend the vessel to the Ghana Maritime Authority for registration as a Ghanaian vessel.

(7) The Director shall not recommend a vessel to the Ghana Maritime Authority for registration as a Ghanaian vessel where

- (a) the information required in subregulation (3) has not been provided; or
- (b) there is an adverse finding in respect of any of the grounds specified under subregulation (1).

International cooperation to combat Illegal, Unreported and Unregulated fishing

12. The Commission shall cooperate with the authorities of other States, regional fisheries management organisations and relevant international organisations as appropriate, in the investigation and the prosecution of alleged Illegal, Unreported and Unregulated fishing activities of a foreign vessel and a vessel flying the flag of Ghana.

*FISHERIES (PORT STATE MEASURES) REGULATIONS, 2024**Record of Fishing Vessels***Record of Fishing Vessels**

13. (1) The Director shall keep and maintain a record of vessels engaged in fishing or fishing related activities licensed or authorised to operate within or outside the fishery waters of the Republic.

(2) The record under subregulation (1) shall be known as the Record of Fishing Vessels and shall contain the following information:

- (a) the name of the fishing vessel and previous names, if any;
- (b) the registration numbers and port of registry of the fishing vessel;
- (c) the previous flags of the fishing vessel, if any;
- (d) the International Radio Call-Sign of the fishing vessel;
- (e) the International Maritime Organisation number of the fishing vessel where applicable;
- (f) the names, addresses and details of the beneficial owners of the fishing vessel if different from the legal owners;
- (g) the operators of the fishing vessel;
- (h) the date and place that the fishing vessel was built;
- (i) the type of fishing vessel;
- (j) the overall length of the fishing vessel;
- (k) the types of fishing method and gear used by the fishing vessel;
- (l) the moulded depth of the fishing vessel;
- (m) the beam of the fishing vessel;
- (n) the type and scope of alterations to the fishing vessel since first built, if any;
- (o) the gross tonnage of the fishing vessel;
- (p) the horse power of the main engine of the fishing vessel;
- (q) the navigation and position fixing equipment of the fishing vessel;
- (r) specifications of the equipment of the vessel monitoring system;
- (s) processing equipment on the fishing vessel, if any;
- (t) the specifications of current fish storage holds and stowage areas; and

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- (u) any other information that the Commission may require for the purpose of giving effect to international conservation and management measures.

(3) Where a Ghanaian vessel is authorised to operate outside the fishery waters of the Republic pursuant to regulation 30, the Director shall require the following additional information:

- (a) in the case of fishing in the fishery waters under the jurisdiction of another State, the name, postal address, telephone number, fax number and electronic mail address of the issuing authority;
- (b) the intended area of operation; and
- (c) the species targeted by the fishing vessel.

Disclosure of information on vessels operating outside the fishery waters

14. For purposes of compliance with regional or international obligations of the Republic, the Director may, on request in writing by a foreign government, international organisation or regional organisation, provide information on vessels operating outside the fishery waters of the Republic including

- (a) alterations in relation to a vessel;
- (b) withdrawal of authorisation given to a vessel to fish or engage in fishing related activities; or
- (c) a vessel that is not entitled to fly the flag of Ghana.

Licensing of Vessels

Application of regulations 16 to 26

15. Unless otherwise specified, regulations 16 to 26 apply to

- (a) a Ghanaian industrial or semi-industrial fishing vessel; or
- (b) a Ghanaian vessel engaged in fishing related activities, and
- (c) a foreign vessel engaged in fishing or fishing related activities.

Application for a fishing licence for industrial fishing vessel

16. (1) A person who intends to operate an industrial fishing vessel shall apply to the Director for a fishing licence for industrial fishing vessels.

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(2) An application under subregulation (1) shall be in writing accompanied with the following documents:

- (a) certificates of insurance of crew;
- (b) certificates of insurance for machinery and hull;
- (c) a Safety Radio Certificate;
- (d) the certificate of Ghanaian registration;
- (e) an International Oil Pollution Prevention Certificate;
- (f) a Conditional Survey Report;
- (g) a tax clearance certificate;
- (h) contracts of crew approved by the Ghana Maritime Authority;
- (i) evidence of registration with the Social Security and National Insurance Trust for Ghanaian crew;
- (j) a complete crew list;
- (k) a report from the Monitoring, Control and Surveillance Division;
- (l) a gear inspection report, where applicable;
- (m) a sanitary inspection report;
- (n) a certificate of fumigation or disinfestation, as relevant;
- (o) a hire purchase agreement or bill of sale;
- (p) the current shareholding certificate;
- (q) a medical chest certificate;
- (r) a maritime labour certificate;
- (s) a safety construction certificate;
- (t) a loadline certificate;
- (u) catch records, where applicable;
- (v) fish exports for the previous quarter, where applicable;
- (w) a safety equipment certificate;
- (x) the amount of foreign exchange earned and evidence of the repatriation of the foreign exchange, where applicable;
- (y) evidence of Personal Remittance Quota for Expatriates, where applicable; and
- (z) any other information that the Director may require.

(3) The Director shall not recommend the issuance of a fishing licence for a vessel to the Minister unless pre-licensing inspections are carried out for the purpose of verifying

- (a) the specifications, gear and equipment of the vessel;

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- (b) the documents of the vessel;
- (c) the markings of the vessel; and
- (d) the crew list and nationality of persons on board.

Application for a fishing licence for semi-industrial fishing vessels

17. (1) A person who intends to operate a semi-industrial fishing vessel shall apply to the Director for a fishing licence for a semi-industrial fishing vessel.

(2) An application under subregulation (1) shall be in writing and accompanied with

- (a) the following documents:
 - (i) certificates of insurance of crew;
 - (ii) certificates of insurance for machinery and hull;
 - (iii) a conditional survey report of vessel and the machinery of the vessel;
 - (iv) a tax clearance certificate, where applicable;
 - (v) evidence of registration with the Social Security and National Insurance Trust for the crew, where applicable;
 - (vi) a complete crew list;
 - (vii) a report from the Monitoring, Control and Surveillance Division;
 - (viii) a gear inspection report;
 - (ix) a sanitary inspection report;
 - (x) proof of ownership;
 - (xi) first aid kit for the crew;
 - (xii) safety equipment; and
 - (xiii) any other information that the Director may require;and
- (b) the prescribed fees.

Application for a fishing licence for a foreign fishing vessel

18. (1) A person who intends to operate a foreign fishing vessel shall apply to the Director for a fishing licence for a foreign fishing vessel.

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(2) An application under subregulation (1) shall be in writing and accompanied with

(a) the following documents:

- (i) certificates of insurance of crew;
 - (ii) a certified copy of the Flag State Registration certificate;
 - (iii) certificates of insurance for machinery and hull;
 - (iv) a safety radio certificate;
 - (v) an international oil pollution prevention certificate;
 - (vi) a survey certificate of vessel and the machinery of the vessel;
 - (vii) the tax clearance certificate of the agent;
 - (viii) the crew list;
 - (ix) a certified copy of the latest authorisations issued by the flag or coastal State;
 - (x) any relevant documents showing the legal, beneficial or financial interest in, or control of, the vessel;
 - (xi) catch records, where applicable;
 - (xii) a safety equipment certificate; and
 - (xiii) any other information that the Director may require;
- and

(b) the prescribed fees.

(3) The Director shall not recommend the issuance of a fishing licence to a vessel to the Minister unless pre-licensing inspections are carried out for the purpose of verifying

- (a) the specifications, gear and equipment of the vessel;
- (b) the documents of the vessels;
- (c) the markings of the vessel;
- (d) the crew list and nationality of persons on board the vessel;
- (e) the Flag State Registration certificate;
- (f) the Flag State survey certificate; and
- (g) the authorisation to fish granted by the Flag State.

(4) Where an operator of the foreign fishing vessel is unable to present the vessel for a pre-licensing inspection, the Director may request the Flag State of the vessel to undertake the pre-licensing inspection for the purpose of verifying information specified in subregulation (3).

*FISHERIES (PORT STATE MEASURES) REGULATIONS, 2024***Application for a licence to engage in fishing related activities**

19. (1) A person shall not use a vessel to engage in fishing related activities without a licence.

(2) A person who intends to engage in fishing related activities under the Act shall apply to the Director for a licence.

(3) An application under subregulation (2) shall

(a) be in writing; and

(b) be accompanied with

(i) the documents listed under regulations 16, 17 or 18, as applicable; and

(ii) the prescribed fees.

Verification of application

20. (1) The Director shall verify the information provided by the applicant under regulation 16, 17 or 18 within fifteen days after receipt of the information, and may consult with the following:

(a) any regional fisheries management organisation;

(b) any relevant international organisation;

(c) the Flag State and any other relevant State;

(d) non-governmental organisations with an interest in fisheries matters; or

(e) any other sources the Commission considers appropriate and relevant.

(2) Where the Director is satisfied that the information provided has been verified, the Director shall

(a) enter the details of the vessel in the Record of Fishing Vessels; and

(b) issue the licence.

Terms and conditions of licence

21. (1) The Director shall attach terms and conditions to a licence including, where applicable,

(a) the fisheries in which the vessel is licensed to operate;

(b) the fishing areas in which the vessel may operate;

(c) the fishing period at which the vessel may operate;

(d) the fishing operations, methods and fishing gear that the vessel may use;

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- (e) the maximum weight of fish catch that the vessel may take over the period of the licence, for each specified fish species or in aggregate;
 - (f) the deployment of fish aggregating devices;
 - (g) measures to be taken to avoid catching non-targeted species;
 - (h) the requirement to have an electronic monitoring system on board;
 - (i) the requirement to have an approved vessel monitoring system on board;
 - (j) the requirements for reporting the catch of target, non-target species and discards including the quantity and product form;
 - (k) the requirement to have an observer on board the vessel; and
 - (l) any other condition the Director considers relevant.
- (2) The Director may attach terms and conditions to a licence as considered necessary or expedient for the purpose of giving effect to
- (a) international conservation and management measures adopted by regional fisheries management organisations to which the Republic is a member; or
 - (b) treaties or arrangements to which the Republic is a party.
- (3) A person who contravenes the terms and conditions of a licence commits an offence and is liable on summary conviction to a fine of not less than one million United States Dollars and not more than two million United States Dollars.

Refusal, suspension, modification and cancellation of licence

22. In addition to the conditions specified under subsection (2) of section 76 of the Act, the Director shall recommend the refusal, suspension, modification or cancellation of a licence, where

- (a) the Director has reason to believe that the vessel
 - (i) has engaged in Illegal, Unreported and Unregulated fishing; or
 - (ii) is on a list of vessels having engaged in Illegal, Unreported and Unregulated fishing or fishing related activities in support of Illegal, Unreported

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- and Unregulated fishing adopted by a regional fisheries management organisation;
- (b) it has been established that the vessel has been involved in
 - (i) Illegal, Unreported and Unregulated fishing; or
 - (ii) a violation of an international conservation and management measure, unless all outstanding sanctions imposed under Ghanaian law or any other law in respect of the violation have been complied with; or
 - (c) a vessel was previously licensed by another State and that State has
 - (i) suspended the licence of the vessel because the vessel undermined the effectiveness of international conservation and management measures and the suspension has not expired; or
 - (ii) within the last three years preceding the application for a licence under these Regulations, withdrawn the licence because the vessel undermined the effectiveness of international conservation and management measures.

Application for renewal of licence

23. (1) A person who wishes to renew a licence issued under paragraph (b) of subregulation (2) of regulation 20 shall submit an application for renewal in writing to the Director.

(2) An application under subregulation (1) shall be accompanied with

- (a) the documents specified in subregulation (2) of regulation 16, subregulation (2) of regulation 17 or subregulation (2) of regulation 18, as applicable; and
- (b) the prescribed fees.

Obligation to carry licence and authorisation on board

24. (1) The operator or master of a vessel shall carry on board original copies of all licences and authorisations issued for the purpose of fishing or fishing related activities.

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(2) A person who contravenes subregulation (1) commits an offence and is liable on summary conviction to a fine of not less than one million United States Dollars and not more than two million United States Dollars.

Falsification of information

25. A person who provides false or misleading information to secure the licensing of a vessel commits an offence and is liable on summary conviction to a fine of not less than one million United States Dollars and not more than two million United States Dollars.

English language as a medium of communication

26. (1) The master or the second officer of an industrial vessel shall be persons who can read, write and speak the English language.

(2) A person who operates a vessel in the fishery waters of the Republic shall keep on-board official translations in the English language of all relevant documents where the originals of the documents are in a language other than English.

*Authorisation to Operate Outside the Fishery Waters***Application for authorisation to operate outside the fishery waters**

27. (1) An operator of a Ghanaian vessel who intends to use the vessel for fishing or fishing related activities outside the fishery waters of the Republic shall apply to the Director for authorisation.

(2) An application for authorisation under subregulation (1) shall be in writing and accompanied with

- (a) evidence of a licence to operate in the fishery waters under the jurisdiction of another State;
- (b) an expression of intent to operate on the high seas; and
- (c) the information specified in subregulations (2) and (3) of regulation 13.

(3) The Director shall, within thirty days of receipt of the application under subregulation (1), give notice to the applicant of the decision of the Director.

Verification of information

28. (1) The Director shall verify the information provided in regulation 27 within fourteen days after receipt of the information.

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(2) Where the Director is satisfied that a vessel has provided the information specified in regulation 27, the Director shall update the details of the vessel in the Record of Fishing Vessels.

Refusal to grant application for authorisation to operate outside the fishery waters

29. In addition to the conditions specified under subsection (2) of section 76 of the Act, the Director shall not grant an application for an authorisation to operate outside the fishery waters of the Republic, where

- (a) the Director has reason to believe that the vessel
 - (i) has engaged in Illegal, Unreported and Unregulated fishing; or
 - (ii) is on a list of vessels having engaged in Illegal, Unreported and Unregulated fishing or fishing related activities in support of Illegal, Unreported and Unregulated fishing adopted by a regional fisheries management organisation;
- (b) it has been established that the vessel has been involved in
 - (i) Illegal, Unreported and Unregulated fishing in the fishery waters of another State; or
 - (ii) a violation of an international conservation and management measure, unless all outstanding sanctions imposed under Ghanaian law or any other law in respect of the violation has been complied with;
- (c) the Director determines that the responsibilities of the Republic cannot be exercised effectively under applicable international conservation and management measures in respect of the fishing vessel; or
- (d) a vessel was previously authorised to be used for fishing by another State and that State has
 - (i) suspended the authorisation to operate outside the fishery waters because the vessel undermined the effectiveness of international conservation and management measures and the suspension has not expired; or

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- (ii) within the last three years preceding the application for an authorisation to operate outside the fishery waters under these Regulations, withdrawn the authorisation because the vessel undermined the effectiveness of international conservation and management measures.

Conditions for the grant of authorisation to operate outside the fishery waters

30. (1) An operator of a vessel who is granted authorisation to operate outside the fishery waters under these Regulations shall

- (a) not use the vessel to engage in an activity which undermines the effectiveness of international conservation and management measures;
- (b) comply with the laws of another State in respect of any fishing or other licences issued by that State; and
- (c) comply with the provisions of
 - (i) regulation 36 on the obligation to provide fish catch data and catch information; and
 - (ii) regulations 61 to 65 on vessel monitoring system and electronic monitoring system.

(2) Without limiting subregulation (1), the Director may attach additional conditions to the authorisation to operate outside the fishery waters as are necessary to implement the international fisheries obligations of the Republic including

- (a) the area in which fishing is authorised;
- (b) the period, time or particular voyage during which fishing is authorised;
- (c) the fisheries in which the vessel is authorised to operate;
- (d) the methods of fishing to be undertaken and types of gear to be used;
- (e) the marking of gear;
- (f) a requirement that the fishing vessel carry observers onboard during fishing operations on the high seas;
- (g) a requirement that access be permitted to foreign observers;

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- (h) a requirement that vessel monitoring equipment be carried, and the requirements governing the operation of the vessel monitoring equipment;
- (i) the measures to be taken to avoid catching non-targeted species;
- (j) the requirements for recording and timely reporting of the position of the fishing vessel, catch of target and non-target species, fishing effort and other relevant fisheries data;
- (k) the requirements for reporting the catch of target, non-target species and discards including the quantity and product form;
- (l) the requirements for transshipment;
- (m) the stowage of gear;
- (n) applicable international conservation and management measures; and
- (o) any other condition the Director considers relevant.

Variation of conditions of authorisation to operate outside the fishery waters

31. (1) The Director may vary a condition attached to an authorisation to operate outside the fishery waters where the Director is satisfied that it is necessary to ensure compliance with the international obligations of the Republic.

(2) Where the Director varies a condition attached to an authorisation to operate outside the fishery waters,

- (a) the Director shall, within five days, give notice of the variation to the holder of the authorisation; and
- (b) the holder of the authorisation shall comply with the conditions within thirty days after notification of the variation.

(3) Where it is necessary to implement international conservation and management measures in relation to the living marine resources in the fishery waters of the country and on the high seas as a matter of urgency, the Director may require the holder of the authorisation to operate outside the fishery waters to comply with the new conditions within a period specified by the Director.

*FISHERIES (PORT STATE MEASURES) REGULATIONS, 2024***Non-transferability of authorisation to operate outside the fishery waters**

32. (1) An authorisation to operate granted under these Regulations is not transferable.

(2) A person who contravenes subregulation (1) commits an offence and is liable on summary conviction to a fine of not less than one million United States Dollars and not more than two million United States Dollars.

Validity of authorisation to operate outside the fishery waters

33. An authorisation to operate outside the fishery waters

- (a) is valid for a period of one year from the date of issue, and
- (b) may be renewed subject to the conditions determined by the Director.

Cancellation of authorisation to operate outside the fishery waters

34. The Director may cancel an authorisation to fish outside the fishery waters where the Director has reason to believe that

- (a) it is necessary or expedient to do so for the conservation or management of living marine resources; or
- (b) the vessel has been engaged in Illegal, Unreported and Unregulated fishing.

Operating outside the fishery waters without an authorisation

35. A person who uses a vessel to engage in fishing or fishing related activities outside the fishery waters of the Republic without a valid authorisation to operate outside the fishery waters issued by the Director commits an offence and is liable on summary conviction to a fine of not less than one million United States Dollars and not more than two million United States Dollars.

*Fish Catch Data***Obligation to provide fish catch data and catch information**

36. (1) An operator of a Ghanaian fishing vessel fishing within or outside the fishery waters of the Republic, or of a foreign fishing vessel fishing within the fishery waters of the Republic shall provide to the Director, within fifteen days from the end of each fishing trip,

- (a) fish catch data as set out in Form One of the First Schedule;
- and

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(b) any other information in relation to the fishing and related activities of the fishing vessel, that the Director may require.

(2) An operator of a Ghanaian fishing vessel who contravenes subregulation (1) commits an offence and is liable on summary conviction to a fine of not less than one million United States Dollars and not more than two million United States Dollars.

*Transshipment***Authorisation for transshipment at port**

37. (1) An operator of a foreign vessel engaged in fishing or fishing related activities which intends to undertake transshipment operations in a designated port in Ghana or a Ghanaian vessel engaged in fishing or fishing related activities which intends to undertake transshipment operations in a designated port in Ghana or in a designated port of another State, shall comply with the following requirements:

- (a) provide a seventy-two hours' advance request for authorisation in writing to the Director of the intent to undertake a specific transshipment, indicating the date, time and location of the planned transshipment event;
- (b) in the case of a donor vessel, the operator shall report
 - (i) the quantities of fish onboard prior to the transshipment event, including regulated species, and any bycatch; and
 - (ii) the quantities of fish to be transhipped, including regulated species, and any bycatch, by species and product form and catch area;
- (c) in the case of a receiving vessel, the operator shall report the quantities of fish onboard prior to the transshipment event, including regulated species, and any bycatch; and
- (d) receive authorisation from the Director to proceed with the requested transshipment event, in accordance with regulation 38.

(2) In addition to the requirements specified in subregulation (1), where a Ghanaian vessel engaged in fishing or fishing related activity intends to undertake transshipment operations in a designated port in

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Ghana or in a designated port of another State, the Director shall not issue an authorisation where the vessel requesting authorisation

- (a) is not included in the vessel authorisation records of
 - (i) the relevant regional fisheries management organisation; or
 - (ii) the Global Record of Fishing Vessel, Refrigerated Transport Vessels and Supply Vessels; and
- (b) does not have an International Maritime Organisation number, while being eligible to receive one.

Compliance with conservation and management measures and monitoring, control and surveillance measures

38. Where the requesting vessel under regulation 37 is a Ghanaian donor vessel, the Director shall, before authorising the transshipment event, verify the compliance of the vessel with

- (a) relevant conservation and management measures, and
- (b) monitoring, control and surveillance measures, including
 - (i) vessel monitoring system reporting, and
 - (ii) other applicable monitoring and observer coverage requirements.

Refusal of authorisation to tranship

39. The Director shall refuse the request for transshipment, where

- (a) the vessel requesting authorisation will act both as donor and receiving vessel for a given trip beginning with a port exit and ending with the next port of entry;
 - (b) any of the vessels involved appear on a list of vessels having engaged in Illegal, Unreported and Unregulated fishing or fishing related activities in support of Illegal, Unreported and Unregulated fishing adopted by a regional fisheries management organisation;
 - (c) there is reason to believe that the vessel has engaged in Illegal, Unreported and Unregulated fishing or fishing related activities in support of Illegal, Unreported and Unregulated fishing;
-

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- (d) the vessel requesting authorisation does not have an approved vessel monitoring system and other electronic monitoring systems onboard as required;
- (e) the vessel requesting authorisation has an approved vessel monitoring system onboard which was not fully functional at all times or, has not transmitted vessel monitoring system information hourly from port exit to port entry; or
- (f) the vessel requesting authorisation has a required electronic monitoring system onboard, as applicable, which was not fully functional at all times.

Compliance with transshipment authorisation

40. (1) An operator of a vessel authorised to tranship in a port in Ghana shall on receipt of the authorisation to proceed with the requested transshipment, comply with the procedures specified in these Regulations, or as may be required by the Director, including placement of an authorised officer and an observer on board before and during transshipment, to

- (a) obtain and verify data, including data on the quantity and species transhipped; and
- (b) determine when transshipment has been completed.

(2) An operator of a Ghanaian fishing or support vessel which intends to engage in transshipment in waters under the jurisdiction of another State or regional fisheries management organisation area shall comply with any requirements of that relevant State, including obtaining authorisation.

Documentation and stowage plan

41. (1) An operator of a Ghanaian support vessel, which receives fish from more than one donor vessel shall store the fish and related documentation from each donor vessel separately, according to a stowage plan allowing to distinguish from which donor vessel each part of the fish comes from.

(2) The stowage plan and other documents showing the location and the quantities of species received from each donor vessel shall be maintained up to date.

(3) The documentation under subregulation (2) shall be retained on board until the vessel has been unloaded completely and provided to the Director and relevant port and coastal State authorities when required.

*FISHERIES (PORT STATE MEASURES) REGULATIONS, 2024***Monitoring**

42. Every transshipment in a Ghanaian port shall occur under the supervision of an authorised officer under procedures as required by the Director.

Transshipment at port, post-event reporting

43. (1) The operator of a donor or receiving vessel involved in transshipment shall log the event in accordance with the transshipment declaration as set out in Form Two of the First Schedule.

(2) The transshipment declaration under subregulation (1) shall be submitted to the Director within twenty-four hours after being made.

Transshipment declaration on board

44. (1) An operator of a vessel shall maintain onboard record that includes each transshipment declaration as set out in Form Two of the First Schedule.

(2) A copy of the transshipment declaration as set out in Form Two of the First Schedule shall accompany the transhipped fish on the receiving vessel.

Transshipment subject to port State measures

45. Transshipment operations in a port in Ghana shall be subject to port State measures

(a) specified in regulations 70 to 85; and

(b) any other requirements determined by the Director, as relevant.

Transshipment in the case of force majeure or distress

46. (1) Nothing in the Act or these Regulations prevents a donor and receiving vessel from transshipping in a case of *force majeure* or distress.

(2) The Director may grant a vessel that falls within the scope of these Regulations an authorisation to tranship, at sea or in port, in a case of *force majeure* or distress, provided that the vessel complies with reporting and monitoring requirements specified in regulations 41 to 45.

(3) The vessel shall, share within a reasonable timeframe,

(a) the transshipment declaration as set out in Form Two of the First Schedule, and

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(b) a report detailing the circumstances giving rise to *force majeure* or distress,
to relevant States and regional fisheries management organisations.

Offences for contravention of transshipment provisions

47. An operator of a vessel who contravenes regulation 37, 40, 41, 43 or 44 commits an offence and is liable on summary conviction to a fine of not less than one million United States Dollars and not more than two million United States Dollars.

*Compliance Measures***Dumping of fish**

48. (1) A vessel under the authority of a licence or an authorisation issued for commercial fishing shall not dump from the vessel, fish that has been caught which is suitable for human consumption.

(2) A person fishing under the authority of a licence or an authorisation issued for personal use or for seafood shall not dump fish that has been caught which is suitable for human consumption.

(3) A person or a vessel that contravenes subregulation (1) or (2) commits an offence and is liable on summary conviction to a fine of not less than two hundred penalty units and not more than five hundred penalty units or to a term of imprisonment of not less than one year and not more than three years or to both.

Vessel sighting report

49. (1) A vessel or person shall report immediately by any means available, to the appropriate authority, the sighting of a vessel that appears to be engaged in illegal activities in the fishery waters of the Republic.

(2) Where the information given in the vessel sighting report leads to the arrest, prosecution and conviction of a person involved in the illegal fishing, the informant shall be rewarded with an amount of not more than five per cent of the fine imposed.

Observers

50. (1) An observer appointed under section 100 of the Act shall have the following qualifications:

(a) a minimum of a senior high school certificate;

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- (b) training or academic background in fisheries or marine science, where applicable;
- (c) basic safety and security training;
- (d) medical certification stating physical and mental fitness for work as an observer;
- (e) basic computer skills; and
- (f) a minimum of three years' experience in the fisheries sector and specifically in the collection of catch and effort data, taking samples of fish for scientific purposes and compliance, where applicable.

(2) In the continuous training of observers, the guidelines set out in the Second Schedule shall be taken into account.

Identification of an observer

51. (1) The Commission shall provide an observer with a form of identification specifying the name and designation of the observer.

(2) An observer shall show the identification of the observer on request to the master of the vessel or any member of the crew.

Powers of an authorised officer

52. (1) For purposes of ensuring compliance with the Act and the Regulations, an authorised officer may board a vessel found within the fishery waters for inspection.

(2) In addition to the powers under section 96 of the Act, an authorised officer may

- (a) order the vessel to stop or manoeuvre as directed for the purpose of identification or boarding;
- (b) require the master to facilitate the boarding of the vessel by all appropriate and safe means;
- (c) inspect the monitoring or tracking device, communication equipment, fish locating or monitoring equipment of a vessel and any other equipment on board the vessel; and
- (d) conduct a search, an examination or an enquiry which the authorised officer considers necessary to determine whether any provision of the Act or these Regulations have been contravened.

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- (3) An authorised officer shall, for every inspection conducted,
(a) fill the inspection form as set out in Form Three of the First Schedule; and
(b) comply with inspection procedures as set out in the Third Schedule.

(4) Where a vessel is arrested, the authorised officer in the arrested vessel shall comply with the reporting procedures and fill out the report of arrest as set out in the Fourth Schedule.

Inducement or bribery attempt of an authorised officer

53. An operator who

- (a) induces,
(b) bribes, or
(c) attempts to induce or bribe,

an authorised officer in the exercise of the functions commits an offence and is liable on summary conviction to a fine of not less than one million United States Dollars and not more than two million United States Dollars.

Breach of duties by authorised officers, observers, employees or agents

54. (1) An authorised officer, or other person, observer, employee or agent acting on behalf of or carrying out functions under the Act or these Regulations who lawfully does, partly does, or omits to do any act in pursuance or intended pursuance of any functions, powers or duties conferred by or under this Act shall not be subject to any legal action, or civil or criminal liability with respect to the act, whether on the grounds of mistake of law or fact, or any other grounds, unless the act, or omission to act, was done in bad faith without reasonable cause.

(2) Where an authorised officer or other person, employee or agent acting on behalf of or carrying out functions under the Act or these Regulations breaches the duty to act in conformity with the provisions of the Act or these Regulations in bad faith without reasonable cause, the authorised officer or person commits an offence and is liable on summary conviction to a fine of not less than two hundred penalty units and not more than five hundred penalty units or to imprisonment of a term not less than one year and not more than three years or to both.

*FISHERIES (PORT STATE MEASURES) REGULATIONS, 2024***Training of authorised officers**

55. In the continuous training of authorised officers, the guidelines set out in the Fifth Schedule shall be taken into account.

Duties of the master and crew towards authorised officers

56. (1) The master and crew of a vessel shall provide a boarding ladder to enable an authorised officer to embark and disembark safely at sea and in port.

(2) The boarding ladder shall be

- (a) kept clean and in good order; and
- (b) positioned and secured

- (i) to keep the boarding ladder clear of any possible discharges from the vessel;
- (ii) to keep the boarding ladder clear of the finer lines and as far as practicable in the mid length of the vessel;
- (iii) in such a manner that each step rests firmly against the side of the vessel; and
- (iv) in such a manner that the length is according to the freeboard of the vessel.

(3) The steps of the boarding ladder shall

- (a) be made of hardwood or other material of equivalent property, made in one piece, free of knots and the four lowest steps may be made of rubber of sufficient strength and stiffness, or of other suitable material of equivalent characteristics;
- (b) have an efficient non-slip surface;
- (c) be not less than four hundred and eighty millimetres long, one hundred and fifteen millimetres wide and twenty-three millimetres in thickness, excluding any non-slip device or grooving;
- (d) be equally spaced and not less than three hundred millimetres or more than three hundred and eighty millimetres apart; and
- (e) be secured in a manner such that the boarding ladder remains in a horizontal position.

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- (4) A boarding ladder shall
 - (a) not be repaired, unless in an emergency situation at sea;
 - (b) not have more than two replacement steps which are secured in position by a method different from that used in the original construction of the ladder; and
 - (c) have the replacement step secured to the side ropes of the boarding ladder by means of grooves in the side of the step and the grooves shall be in the longer sides of the steps.
- (5) A boarding ladder repaired under subregulation (4) shall be replaced as soon as reasonably practicable.
- (6) The side ropes of the ladder shall consist of two uncovered manila or equivalent ropes of not less than sixty millimetres in circumference on each side.
- (7) Each rope shall be left uncovered by any other material and be continuous with no joints below the top step and the two main ropes, properly secured to the vessel and not less than sixty-five millimetres in circumference, as well as a safety line kept at hand ready for use if required.
- (8) Battens made of hardwood, or other material of equivalent properties, in one piece, free of knots and between one point eight metres and two metres long, shall be provided at intervals that will prevent the boarding ladder from twisting.
- (9) The lowest batten shall be on the fifth step from the bottom of the ladder and the interval between any batten and the next shall not exceed nine steps.
- (10) The operator of a vessel shall ensure that a means is provided to enable the boarding ladder to be used on either side of the vessel.
- (11) The authorised officer in charge may indicate which side the boarding ladder should be positioned.
- (12) Where constructional features such as rubbing bands prevents the implementation of any of these provisions in this regulation on a vessel, the operators shall make special arrangements to ensure that authorised officers are able to embark and disembark safely.

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(13) A person who contravenes a provision of this regulation commits an offence and is liable on summary conviction to a fine of not less than two million United States Dollars and not more than four million United States Dollars.

Duty to provide safe passage for an authorised officer

57. (1) The master and crew shall provide a safe and convenient passage for an authorised officer embarking on or disembarking from the vessel between the head of the boarding ladder or of any accommodation ladder or any other appliance provided and the boarding vessel.

(2) Where the passage is by means of a gateway in the rails or bulwark, adequate handholds shall be provided.

(3) Where the passage is by means of a bulwark ladder,

(a) the ladder shall be securely attached to the bulwark rail or platform and two handhold stanchions shall be fitted at the point of boarding or leaving the vessel with a distance of not less than zero point seventy metres or more than zero point eighty metres between the ladder and the vessel; and

(b) each stanchion shall

(i) be rigidly secured to the structure of the vessel at its base or near its base at a higher point;

(ii) not be less than forty millimetres in diameter; and

(iii) extend not less than one point two metres above the top of the bulwark.

(4) A person who contravenes subregulations (1), (2) or (3) commits an offence and is liable on summary conviction to a fine of not more than one million United States Dollars.

Duty to provide light at night on vessel

58. (1) The master and crew shall provide light at night to brighten the overside boarding ladder at the position where the authorised officer boards the vessel.

(2) A lifebuoy equipped with a self-igniting light shall be kept at hand ready for deployment.

(3) A heaving line shall be kept at hand, ready for use if required.

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(4) A person who contravenes subregulation (1), (2) or (3) commits an offence and is liable on summary conviction to a fine of not more than one million United States Dollars.

*Monitoring Mechanisms***Fisheries Monitoring Centres**

59. The Commission shall establish Fisheries Monitoring Centres at designated locations to monitor, search or rescue fishing vessels in distress regardless of the waters or the port the fishing vessels operate in.

Application of regulations 61 to 69

60. (1) Regulations 61 to 69 apply to

- (a) a Ghanaian industrial vessel or a Ghanaian vessel engaged in fishing related activities that is registered under the Ghana Shipping Act, 2003 (Act 645) and may be licensed or authorised to operate under the Act, whether or not the vessel intends to operate within or beyond the fishery waters of the Republic; and
- (b) a foreign fishing vessel or foreign vessel engaged in fishing related activities which intends to operate within the fishery waters of the Republic pursuant to a licence or authorisation issued under the Act and these Regulations.

(2) Regulations 61 to 69 do not apply to a Ghanaian semi-industrial vessel engaged in fishing or fishing related activities.

(3) The operator of a Ghanaian semi-industrial vessel engaged in fishing or fishing related activities shall

- (a) install, maintain and operate a monitoring system as relevant and approved by the Director at all times during the period of validity of the licence, and
- (b) transmit relevant data to the Fisheries Monitoring Centre as may be required.

Requirement to install and operate a vessel monitoring system

61. (1) The operator of a vessel specified in subregulation (1) of regulation 60 shall

- (a) install, maintain and operate a vessel monitoring system and other required electronic monitoring system, as relevant,

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- approved by the Director at all times during the period of validity of the licence or authorisation; and
- (b) transmit relevant data hourly or in real time to the Fisheries Monitoring Centre as may be required.
- (2) The operator of a vessel shall operate the vessel monitoring system and other electronic monitoring system according to
- (a) the specifications and operating instructions of the manufacturer; and
- (b) any other requirements that the Director may determine.
- (3) The operator of a vessel shall ensure that
- (a) a person does not tamper or interfere with the vessel monitoring system and other electronic monitoring system and that the vessel monitoring system and other electronic monitoring system are not altered, damaged, disabled or otherwise interfered with;
- (b) the vessel monitoring system and other electronic monitoring system are not moved from the required or agreed installed position or removed without the prior written permission of the Director;
- (c) the vessel monitoring system and other electronic monitoring system are switched on and are operational at all times whether the vessel operates within or beyond the fishery waters of the Republic during the period of validity of the licence, authorisation or registration in the case of a Ghanaian vessel; and
- (d) on notification by the Commission that the vessel monitoring system and other electronic monitoring system of the vessel have failed to transmit, directives issued by the Director are complied with until a time that the vessel monitoring system and other electronic monitoring system of the vessel functions properly.

Failure to report

62. (1) Where the vessel monitoring system fails to transmit data, the operator of the vessel shall, on notification by the Director, ensure that reports containing

- (a) the name of the vessel,

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- (b) the call sign of the vessel,
- (c) the position of the vessel expressed in latitude and longitude to minutes of arc, and
- (d) the date and time for the report,

are communicated to the Director in accordance with any instructions or directives provided by the Director.

(2) A report made under subregulation (1) shall

- (a) be at intervals of every hour or at shorter periods specified by the Director; and
- (b) commence from the time of notification of the failure of the vessel monitoring system.

(3) Where it is not possible to repair the vessel monitoring system within twenty-four hours, the operator of the vessel shall immediately

- (a) stow the fishing gear, if it is a fishing vessel, and
- (b) take the vessel directly to a port as directed by Director.

(4) The operator of the vessel shall ensure that the vessel remains in port until the vessel monitoring system is operational and reporting automatically.

(5) Where the vessel monitoring system fails to transmit data while the vessel is in port, the operator of the vessel shall ensure that the vessel monitoring system is operational and reporting automatically prior to the departure of the vessel from that port.

Failure of other electronic monitoring system

63. (1) Where a vessel is equipped with a required electronic monitoring system and the electronic monitoring system fails to transmit data or malfunctions, the operator of the vessel shall, on notification by the Director, communicate information to the Director in accordance with any instructions or directives provided.

(2) Where it is not possible to repair the electronic monitoring system within twenty-four hours, the operator of the vessel shall comply with the directives from the Director including

- (a) stowing the fishing gear, if it is a fishing vessel; and
- (b) returning directly to port.

(3) The operator of the vessel shall ensure that the vessel remains in port until the electronic monitoring system is operational and reporting automatically.

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(4) Where the electronic monitoring system fails to function properly while the vessel is in port, the operator of the vessel shall ensure that the electronic monitoring system is operational and reporting automatically before the departure of the vessel from that port.

Ownership of vessel monitoring system information

64. (1) The ownership of information generated by a vessel monitoring system or electronic monitoring system shall vest in the Commission and be treated as confidential.

(2) A person shall not disclose information generated by a vessel monitoring system or electronic monitoring system to a person who is not authorised to receive the information.

(3) Despite subregulation (2), the Minister or the Director may authorise the release of information generated by a vessel monitoring system or electronic monitoring system if the release of the information is necessary

- (a) to discharge the international obligations of the Republic;
- (b) to maintain law and order;
- (c) to combat Illegal, Unreported and Unregulated fishing;
- (d) for the purpose of safety of life at sea; or
- (e) as required by law.

(4) A person who releases information generated by a vessel monitoring system or electronic monitoring system contrary to subregulation (2) commits an offence and is liable on summary conviction to a term of imprisonment of not less than two years and not more than five years.

Offences in respect of monitoring systems, devices and related duties

65. An operator of a vessel who contravenes regulation 61, 62 or 63 commits an offence and is liable on summary conviction to a fine of not less than one million United States Dollars and not more than two million United States Dollars.

Guidelines

66. The Minister, on the recommendations of the Director, may issue guidelines and procedures for the collection and storage of information generated by a vessel monitoring system or an electronic monitoring system and the release of the data and information.

*FISHERIES (PORT STATE MEASURES) REGULATIONS, 2024***Fishing logbook or electronic fishing logbook**

67. (1) The master of a vessel engaged in fishing or fishing related activities operating within the fishery waters or the master of a Ghanaian vessel engaged in fishing or fishing related activities operating outside the fishery waters shall keep on board the vessel, a fishing logbook or electronic logbook and on a daily basis keep record of the information specified in the Sixth Schedule.

(2) The master of the fishing vessel is responsible for the accuracy of the data recorded under subregulation (1).

Routine inspections at sea and in port

68. (1) An operator of a vessel licensed or authorised pursuant to the Act or these Regulations shall subject the vessel to inspections on the request of authorised officers, whether at sea or at port and whether as part of routine inspections or for a specific purpose.

(2) An operator of a vessel who contravenes subregulation (1) commits an offence and is liable on summary conviction to a fine of not less than one million United States Dollars and not more than two million United States Dollars.

Notification for entry in the fishery waters of the Republic

69. (1) The operator of a foreign vessel engaged in fishing or fishing related activities, not licensed or authorised to fish in the fishery waters of the Republic, and who intends to enter the fishery waters of the Republic shall

- (a) notify the Director of the intention to enter the fishery waters of the Republic forty-eight hours before the entry;
- (b) provide information on the movement of the vessel and catch on board upon entry and at intervals as requested by the Director; and
- (c) for a fishing vessel, stow the fishing gear during the presence of the vessel in the fishery waters of the Republic.

(2) Where an operator of a fishing vessel mentioned in subregulation (1) enters the fishery waters of the Republic without notification to the Director, it shall be presumed that the fish on board was caught unlawfully or that the vessel was engaged in unlawful fishing or related activity in the fishery waters of the Republic.

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(3) An operator who fails to prove otherwise than in subregulation (2) commits an offence and is liable on summary conviction to a fine of not less than one million United States Dollars and not more than two million United States Dollars.

*Port State Measures***Application of regulations 71 to 85**

70. Unless otherwise specified, regulations 71 to 85 apply to

- (a) foreign fishing vessels or foreign vessels engaged in fishing related activities; and
- (b) Ghanaian industrial or semi-industrial fishing vessels or Ghanaian vessels engaged in fishing related activities.

Designation of ports

71. (1) The Minister shall designate and publish by notice in the *Gazette*, the ports to which vessels engaged in fishing and fishing related activities may request entry.

(2) The Minister shall submit the list of ports designated pursuant to subregulation (1) to

- (a) the Food and Agriculture Organisation of the United Nations; and
- (b) any regional fisheries management organisation pursuant to applicable conservation and management measures.

Prerequisites for port entry or use of port for foreign vessels

72. The operator of a foreign fishing vessel or vessel engaged in fishing activities shall not enter or use a port in the country unless

- (a) the port has been designated and publicised in accordance with subregulation (1) of regulation 71;
- (b) the operator has requested entry into port and provided the information specified in accordance with the Seventh Schedule to the Director at least seventy-two hours before entry into port;
- (c) the Director has authorised entry of the vessel into port and communicated written authorisation to the operator of the vessel and any lawful representative of the vessel in the country; and

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- (d) on arrival at port, the master of the vessel or the representative of the vessel has presented the authorisation for entry into port to an authorised officer.

Refusal of entry into port

73. (1) The Director shall refuse entry into port to a foreign vessel where there is sufficient proof that the vessel seeking entry

- (a) has engaged in Illegal, Unreported and Unregulated fishing or fishing related activities in support of Illegal, Unreported and Unregulated fishing; or
- (b) is on a list of vessels having engaged in Illegal, Unreported and Unregulated fishing or fishing related activities in support of Illegal, Unreported and Unregulated fishing adopted by a regional fisheries management organisation.

(2) Despite subregulation (1), the Director may allow a vessel under subregulation (1) to enter a port exclusively for the purpose of

- (a) inspecting the vessel; and
- (b) taking other appropriate actions in conformity with international law which are at least as effective as denial of port entry in preventing, deterring and eliminating Illegal, Unreported and Unregulated fishing and fishing related activities in support of Illegal, Unreported and Unregulated fishing.

(3) The Director shall, within fourteen days, communicate a decision taken pursuant to subregulation (1) or (2) to the vessel or the representative of the vessel.

(4) Where entry into port is refused pursuant to subregulation (1), the Director shall give notice of the decision to

- (a) the flag State of the vessel; and
- (b) as appropriate, to each relevant coastal State, regional fisheries management organisation and other international organisation.

Force majeure or distress

74. (1) These Regulations do not affect the entry of a vessel to port in accordance with the laws of Ghana for reasons of *force majeure* or distress.

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(2) The Director may grant a vessel that falls within the scope of subregulation (1) entry into port for reasons of *force majeure* or distress, where

- (a) the vessel may enter port under the claim of *force majeure* or distress for the period of time necessary to remedy the claim; and
- (b) the vessel is permitted entry exclusively for the purpose of rendering assistance to persons or vessels in danger or distress.

Prerequisites for port entry or use of port for Ghanaian vessels

75. (1) The operator of a Ghanaian vessel engaged in fishing or fishing related activities shall give notice of the intention of the vessel to enter port and provide the information required to the Director at least forty-eight hours before entry into port in accordance with the Seventh Schedule.

(2) The Director shall, on the receipt of a notice under subregulation (1),

- (a) issue a notice to enter port to the vessel and indicate whether the vessel is to submit to inspection, and
- (b) within fourteen days, communicate the authorisation to the master of the vessel and the lawful representative of the vessel in the country.

Denial of use of port

76. (1) The Director shall deny a foreign fishing vessel the use of port for landing, transshipping, packaging and processing of fish and for other port services, including refuelling and resupplying, maintenance and drydocking where the vessel has been granted authorisation to enter a port pursuant to paragraph (b) of regulation 72, if

- (a) the authorisation to enter port has been issued pursuant to subregulation (2) of regulation 73;
- (b) the vessel does not have a valid and applicable authorisation to engage in fishing or fishing related activities as required by
 - (i) the flag State of the vessel; or
 - (ii) a relevant coastal State;

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- (c) there is clear evidence that the fish on board was taken in contravention of the laws of a coastal State in whose waters the fish was caught;
 - (d) the flag State does not confirm within forty-eight hours, on the request of the Director, that the fish on board was taken in accordance with applicable requirements of a relevant regional fisheries management organisation; or
 - (e) there are reasonable grounds to believe that the vessel has engaged in Illegal, Unreported and Unregulated fishing or fishing related activities in support of the fishing, unless the vessel can establish that
 - (i) the vessel was acting in a manner consistent with relevant conservation and management measures; and
 - (ii) in the case of supply of fuel, gear, and other services at sea, that the vessel was not, at the time of supply, a vessel that had engaged in Illegal, Unreported and Unregulated fishing or on a list of vessels having engaged in Illegal, Unreported and Unregulated fishing or fishing related activities in support of such fishing adopted by a regional fisheries management organisation.
- (2) Despite subregulation (1), the Director may allow a vessel the use of port services
- (a) where the services are essential to the safety and health of the crew or the safety of the vessel, provided these needs are duly proven; or
 - (b) for the scrapping of the vessel, as appropriate.
- (3) Where the use of port is denied in accordance with subregulation (1), the Director shall give notice of the decision to
- (a) the flag State of the vessel; and
 - (b) each relevant coastal State, regional fisheries management organisation and other international organisation, as appropriate.

*FISHERIES (PORT STATE MEASURES) REGULATIONS, 2024***Withdrawal of denial of use of port**

77. Where the use of port has been denied in accordance with regulation 76, the Director, shall

- (a) withdraw the denial in respect of a vessel only if there is sufficient proof that the grounds on which use of port was denied
 - (i) were inadequate or erroneous; or
 - (ii) no longer apply; and
- (b) promptly give notice of the withdrawal to each person that was notified under subregulation (3) of regulation 76.

Inspections of vessels in port

78. (1) An authorised officer shall carry out inspections at port in conformity with the procedures determined, including the procedures set out in the Third Schedule.

(2) For purposes of subregulation (1), the authorised officer shall

- (a) inspect landing and transshipment operations at ports in accordance with
 - (i) the National Inspection Plan; and
 - (ii) the relevant Standard Operating Procedures; and
- (b) give priority of inspection to
 - (i) a vessel that has been refused entry into port or denied use of port under other jurisdictions;
 - (ii) requests from other States or regional fisheries management organisation to inspect a certain vessel, particularly where the request is supported by evidence of Illegal, Unreported and Unregulated fishing or fishing related activities in support of Illegal, Unreported and Unregulated fishing;
 - (iii) a vessel for which there are grounds for suspecting that the vessel has engaged in Illegal, Unreported and Unregulated fishing or fishing related activities in support of Illegal, Unreported and Unregulated fishing; and
 - (iv) a vessel that has been used in the commission of an offence under any law of Ghana, including offences

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relating to fisheries, the environment, wildlife, customs, immigration, trafficking, smuggling, health and trade.

Conduct of inspection

79. (1) In carrying out port inspection of a fishing vessel, an authorised officer shall examine all relevant areas of the vessel, the fish on board, fishing gear, any equipment and any document or record on board that is relevant to verifying compliance with relevant conservation and management measures, relevant national laws and follow the procedures specified under these Regulations or required by the Director, and

- (a) present to the master of the vessel an identification document before the inspection;
- (b) in case of a foreign fishing vessel and if appropriate arrangements are agreed between the Republic and the flag State of the vessel, invite that flag State to participate in the inspection;
- (c) in case of a foreign fishing vessel, not interfere with the ability of the master, to communicate with the authorities of the flag State; and
- (d) make all reasonable effort to
 - (i) avoid unduly delaying the vessel to minimise interference and inconvenience to the normal operations of the vessel;
 - (ii) facilitate communication with the master or senior crew member of the vessel; and
 - (iii) ensure that inspections are conducted in a fair, transparent and non-discriminatory manner.

(2) The authorised officer shall

- (a) complete a written report of the inspection as set out in Form Three of the First Schedule; and
- (b) submit the report to the Director.

Duties of the master and the crew during inspection

80. (1) During inspections, the master of the vessel shall, in relation to the inspection of the vessel, give an authorised officer all the necessary

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assistance and information, and present relevant material and documents as may be required, or certified copies of the material and documents.

(2) An operator of a vessel who contravenes subregulation (1) commits an offence and is liable on summary conviction to a fine of not less than one million United States Dollars and not more than two million United States Dollars.

Transmission of inspection results

81. The Commission shall, without undue delay after receiving the inspection report under subregulation (2) of regulation 79, transmit the inspection results including a copy of the report to

- (a) the operator of the vessel inspected or the local representative of the vessel inspected;
- (b) the flag State of the vessel inspected;
- (c) the State for which there is evidence through inspection that the vessel has engaged in Illegal, Unreported and Unregulated fishing or fishing related to activities within waters under their national jurisdiction;
- (d) the State of which the master of the vessel is a national;
- (e) other relevant States and Parties to a relevant international or regional agreement concerning port State measures;
- (f) relevant regional fisheries management organisation;
- (g) other relevant international organisations; and
- (h) the flag State of a vessel that transhipped fish to the vessel inspected, as appropriate.

Denial of use of port after inspection

82. (1) Where, following an inspection, there are reasonable grounds to believe that a foreign vessel has engaged in Illegal, Unreported and Unregulated fishing or fishing related activities in support of Illegal, Unreported and Unregulated fishing, the Director shall

- (a) promptly give notice of the findings to
 - (i) the flag State, and
 - (ii) as appropriate, the relevant coastal States, the regional fisheries management organisations and

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other international organisations, and the State of which the master of the vessel is a national; and

- (b) deny the vessel the use of the ports of the Republic for landing, transshipping, packaging and processing of fish and for other port services, including refuelling and resupplying, maintenance and drydocking, if these actions have not already been taken in respect of the vessel.

(2) Despite paragraph (b) of subregulation (1), the Director shall not deny a vessel the use of port services, where the ports services are essential to the safety and health of the crew or the safety of the vessel, provided these needs are duly proven.

Prohibition to assist in the use of port in absence of authorisation or after denial

83. (1) Where a foreign vessel engaged in fishing or fishing related activities

- (a) has entered port without authorisation, in contravention of the requirements under regulation 72 or pursuant to regulation 73; or
- (b) has been permitted to enter port exclusively for the purpose of
 - (i) inspection pursuant to subregulation (2) of regulation 73;
 - (ii) rendering assistance to persons or vessels in danger or distress pursuant to paragraph (b) of subregulation (3) of regulation 74; or
- (c) has been denied the use of port pending or following an inspection, pursuant to regulations 76 or 82,

an authorised officer shall not allow, assist or cause, directly or indirectly, the use of port by the vessel otherwise than as permitted under these Regulations.

(2) Despite subregulation (1), the port may be used by the vessel where the Director permits in writing services to be used exclusively for the safety or health of the crew or the safety of the vessel in accordance with these Regulations and the port is used exclusively for such purposes.

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(3) An authorised officer who contravenes subregulation (1) commits an offence and is liable on summary conviction to

- (a) a forfeiture of salary of not less than six months;
- (b) a suspension of duty for not less than six months; and
- (c) any other penalty that the Director considers appropriate to impose in accordance with the human resource policy of the Commission.

Entry into port or use of port without authorisation

84. The operator of a foreign vessel engaged in fishing or fishing related activities which

- (a) has entered a port without authorisation, in contravention of the requirements under regulation 72 or pursuant to regulation 73;
- (b) has called to a port that is not designated in accordance with regulation 72;
- (c) has entered a port for rendering assistance to persons or vessels in danger or distress pursuant to paragraph (b) of subregulation (2) of regulation 74 under false claim or pretences; or
- (d) has engaged in the use of port, while being denied the use of port pursuant to regulation 76 or 82,

commits an offence and is liable on summary conviction to a fine of not less than one million United States Dollars and not more than two million United States Dollars.

Requirements in relation to Ghanaian vessels in port of other States

85. (1) The operator of a Ghanaian vessel shall

- (a) cooperate fully with inspections carried out in the ports of other States in accordance with the laws and procedures of the other State; and
- (b) not land, tranship, package and process fish, and use other port services, in a port State identified by a relevant regional fisheries management organisation as not acting in accordance with, or in a manner consistent with, applicable international or regional instruments relating to port State measures.

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(2) Where there are clear grounds to believe that a Ghanaian vessel has engaged in Illegal, Unreported and Unregulated fishing or fishing related activities or is in support of Illegal, Unreported and Unregulated fishing and is seeking entry to or is in the port of another State, the Director shall, as appropriate, request the State to inspect the vessel or take other measures consistent with applicable international or regional instruments, including those relating to port State measures.

*Port State Measures Appeals Committee***Establishment of the Port State Measures Appeals Committee**

86. There is established by these Regulations, the Port State Measures Appeals Committee.

Members of the Committee

87. (1) The Port State Measures Appeals Committee consists of
- (a) one representative of the Office of the Attorney-General and Ministry of Justice not below the rank of a Chief State Attorney nominated by the Attorney-General who is the chairperson;
 - (b) one representative of the Ghana Ports and Harbours Authority not below the rank of a Fishing Harbour Manager nominated by the Director-General of the Ghana Ports and Harbours Authority; and
 - (c) one representative of the fishing industry who is not an interested party in the subject matter of the appeal and with relevant knowledge and expertise nominated by the President of the National Fisheries Association of Ghana.
- (2) The Minister shall appoint the members of the Committee.

Functions of the Committee

88. The Committee shall hear and determine matters related to the decision of the Director on

- (a) the refusal of entry into port;
- (b) the denial of the use of port; and
- (c) a fisheries port State action following an inspection under the Act or these Regulations.

*FISHERIES (PORT STATE MEASURES) REGULATIONS, 2024***Tenure of office of members of the Committee**

89. (1) A member of the Committee shall hold office for a period of four years and is eligible for reappointment.

(2) A member may resign from office in writing addressed to the Minister.

(3) A member of the Committee, who is absent from three consecutive meetings of the Committee without sufficient cause ceases to be a member of the Committee.

(4) The Minister may, for a stated reason, by letter addressed to a member revoke the appointment of that member.

(5) Where a member of the Committee is, for a sufficient reason, unable to act as a member, the Minister shall determine whether the inability of the member to act would result in the declaration of a vacancy.

(6) Where there is a vacancy

(a) under subregulation (2), (3) or (4) or subregulation (2) of regulation 91,

(b) as a result of a declaration under subregulation (5), or

(c) by reason of the death of a member,

the Minister shall appoint another person to fill the vacancy in accordance with these Regulations.

(7) A person appointed as a member of the Committee by virtue of subregulation (6) shall hold office for the unexpired term.

Meetings of the Committee

90. (1) The Committee shall meet as and when necessary for the conduct of business at a time and place determined by the chairperson.

(2) The chairperson shall, at the request in writing of not less than one-third of the membership of the Committee, convene an extraordinary meeting of the Committee at a time and place determined by the chairperson.

(3) The quorum for a meeting of the Committee is two members.

(4) The chairperson shall preside at meetings of the Committee and in the absence of the chairperson, a member of the Committee elected by the members present from among the number shall preside.

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(5) Matters before the Committee shall be decided by a majority of the members present and voting and in the event of an equality of votes, the person presiding shall have a casting vote.

(6) The Committee may co-opt a person to attend a meeting of the Committee but that person shall not vote on a matter for decision at the meeting.

(7) The proceedings of the Committee shall not be invalidated by reason of a vacancy among the members or a defect in the appointment or qualification of a member.

(8) Subject to this regulation, the Committee may determine the procedure for the meetings of the Committee.

Disclosure of interest

91. (1) A member of the Committee who has an interest in a matter for consideration

(a) shall disclose in writing the nature of that interest and the disclosure shall form part of the record of the consideration of the matter; and

(b) is disqualified from being present at or participating in the deliberations of the Committee in respect of that matter.

(2) Where a member contravenes subregulation (1), the chairperson shall notify the Minister who shall in writing revoke the appointment of that member.

Allowances

92. Members of the Committee shall be paid allowances determined by the Minister in consultation with the Minister responsible for Finance.

*Appeals Procedure***Submission of appeal**

93. A person who is aggrieved by a decision of the Director

(a) to refuse entry into port,

(b) to deny the use of port, or

(c) on a fisheries port State action following an inspection under the Act or these Regulations,

may, within fourteen days of receipt of the notice of that decision, appeal first to the Committee for redress.

*FISHERIES (PORT STATE MEASURES) REGULATIONS, 2024***Consideration of appeal**

94. (1) The Committee shall, on receipt of an appeal under regulation 93 within twenty-one days determine the appeal.

(2) The Committee shall in the consideration of an appeal be guided by fairness and the rules of natural justice.

Decision of the Committee

95. The Committee may, after consideration of an appeal,

- (a) confirm,
- (b) reverse, or
- (c) vary

the decision appealed against.

Appeal to court

96. A person dissatisfied with the decision of the Committee may seek redress at the High Court.

*Miscellaneous Provisions***Access to data**

97. Data received under these Regulations shall

- (a) be treated in a confidential manner; and
- (b) on specific request be given to an international body of which Ghana is a member.

Importation of fish and fish products

98. (1) A person who imports fish into the Republic shall

- (a) have an accompanying health certificate signed by a competent authority of the exporting country;
- (b) specify the origin of fish on the certificate; and
- (c) provide any other information required by the Director.

(2) A person specified under subregulation (1) shall ensure that the fish

- (a) is delivered in its imported condition; and
- (b) is in conformity with the fish and fish products specified in the permit to facilitate inspection by an authorised officer from the competent authority.

*FISHERIES (PORT STATE MEASURES) REGULATIONS, 2024***Interpretation**

99. In these Regulations, unless the context otherwise requires,

"Committee" means the Port State Measures Appeals Committee established under regulation 86;

"donor vessel" means a vessel engaged in a transshipment operation, that transfers any quantity of fish onboard to another vessel;

"electronic monitoring system" means a monitoring system including activity sensors and cameras positioned on vessels and other relevant satellite monitoring systems to remotely record fishing activity and catches;

"flag State" means the State whose flag a vessel flies;

"Ghana Maritime Authority" means the Ghana Maritime Authority established under section 1 of the Ghana Maritime Authority Act, 2002 (Act 630);

"landing" means all transfers of any quantity of fish onboard from a vessel, other than transshipment, including transfers of fish to a port facility, transfers of fish from one vessel to another through a port facility or other means of transportation, and transfers of fish from a vessel to a container, truck, train, aircraft, or another means of transportation;

"National Inspection Plan" means a document prepared by the Commission that guides how fisheries inspection are to be carried out;

"operator" means the owner, charterer or master of a vessel;

"port State" means a State with a port where foreign vessels call; and

"receiving vessel" means any vessel engaged in a transshipment operation, that receives any quantity of fish from another vessel.

Revocation and savings

100. (1) The following are revoked:

(a) regulations 1, 2, 23, 24, 26, 32 to 51 and 78 of the Fisheries Regulations, 2010 (L. I. 1968); and

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(b) the Fisheries (Amendment) Regulations, 2015 (L. I. 2217).

(2) Despite the revocation of the provisions specified in paragraph (a) of subregulation (1) and L.I. 2217, an order or notice issued, a proceeding being conducted under or any other lawful act made or done under provisions specified in paragraph (a) of subregulation (1) and L.I. 2217 and in force immediately before the coming into force of these Regulations shall be considered to have been issued or done under these Regulations and shall continue to have effect until reviewed, cancelled or terminated.

(3) These Regulations shall not affect L.I. 1968 and L.I. 2217 in the operation of offences committed, penalties imposed or proceedings commenced before the coming into force of these Regulations.

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SCHEDULE

FIRST SCHEDULE

FORM ONE

*(Regulation 36(1)(a))*INFORMATION TO BE INCLUDED IN POST LANDING
CATCH DATA REPORTING

1. Vessel name	
2. Flag State	
3. Vessel type (ISSCFV)	
4. IMO number required, if eligible	
5. External ID, if available	
6. Registration ID if different to 5	
7. International radio call sign, if available	
8. VMS tracking	
9. MMSI number, if available	
10. Vessel Contact information	
<i>Master or vessel's representative</i>	
<i>Phone number</i>	
<i>Email</i>	
11. Vessel master name & nationality	
12. Vessel owner/company information	
<i>Name</i>	
<i>Address</i>	
<i>Contact information</i> <i>(Email and phone number)</i>	
13. Port State	

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14. Port of landing	
15. Date and time of landing	
16. *Landed fish	
<i>Catch area(s)</i>	
<i>Species (FAO/ASFIS Codes)</i>	
<i>Product form (presentation and</i>	
<i>Preservation type)</i>	
<i>Quantity (weight)</i>	
<i>Next destination if applicable/available</i>	
<i>Next mode of transport and transport</i>	
<i>ID, if applicable / available</i>	
17. * Fish retained onboard (not landed)	
<i>Catch area(s)</i>	
<i>Species (FAO/ASFIS Codes)</i>	
<i>Product form (presentation and</i>	
<i>Preservation type)</i>	
<i>Quantity (weight)</i>	
18. Competent port authority	
19. Date of inspection if any	
20. Signature	
<i>Signature vessel master</i>	
<i>Master's Stamp and full name</i>	

* External ID is the fisheries number

* Registration ID is the Flag Registration Number

FORM TWO

(Regulations 43(1), 44 and 46(3)(a))

TRANSSHIPMENT DECLARATION

Fishing vessel
Radio call signal
Flag
Flag state authorization number
National register number
ICCAT register number, if available
External Identification

	Day	Month	Hour	Year	() () () ()	Agent name	Master's name of LSTLV	Master's name of Carrier
Departure	()	()	()	()	from			
Return	()	()	()	()	to	Signature:	Signature:	Signature:
Transshipment	()	()	()	()				
Transshipment	()	()	()	()				

Indicate the weight in Kilograms or the unit used (e.g. box, basket) and the landed weight in kilograms of this unit: Kilograms

LOCATION OF TRANSHIPMENT:

Species	Port Sea	Type of Product	Type of product	Type of product	Type of product
		Whole (M/T)	Gutted (M/T)	Head off (M/T)	Filletted (M/T)
TOTAL					

If transshipment effected at sea (ICCAT) Observer Signature: _____

DESCRIPTION	TONNAGE/ M/T
Yellowfin Tuna	
Skippyack Tuna	
Bigeye Tuna	
Others	
Total	

For and on behalf of Fisheries Scientific Observers.

Name: _____

Signature:

Date: _____

Stamp:

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FORM THREE

(Regulations 53(3)(a) and 79(2)(a))

REPORT OF THE RESULT OF INSPECTION

1. Inspection report time		2. Port State	
3. Inspecting authority			
4. Name of principal inspector		ID	
5. Port of inspection			
6. Commencement of inspection	YYYY	MM	DD HH
7. Completion of inspection	YYYY	MM	DD HH
8. Advance notification received	Yes		No
9. Purpose(s)	LAN	TRX	PRO OTH (specify)
10. Port and State and date of last port call		YYYY	MM DD
11. Vessel name			
12. Flag state			
13. Type of vessel			
14. International Radio Call Sign			
15. Certificate of registry ID			
16. IMO ship ID, if available			
17. External ID, if available			
18. Port of registry			
19. Vessel owner(s)			
20. Vessel beneficial owner(s), if known and different from vessel owner			
21. Vessel operator(s), if different from vessel owner			

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22. Vessel master name and nationality						
23. Fishing master name and nationality						
24. Vessel agent						
25. VMS	No	Yes: National	Yes: RFMOs	Type:		
26. Status in RFMO areas where fishing or fishing related activities have been undertaken, including any IUU vessel listing						
Vessel Identifier	RFMO	Flag State status	Vessel on authorized vessel list	Vessel on IUU vessel list		
27. Relevant fishing authorization(s)						
Identifier	Issued by	Validity	Fishing area(s)	Species Gear		
28. Relevant transshipment authorization(s)						
Identifier		Issued by		Validity		
Identifier		Issued by		Validity		
29. Transshipment information concerning donor vessels						
Name	Flag State	ID no.	Species	Product form	Catch area(s)	Quantity
30. Evaluation of offboard catch (quantity)						
Species	Product form	Catch area(s)	Quantity declared	Quantity offloaded	Difference between quantity declared and quantity determined, if any	

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31. Catch retained onboard (quantity)					
Species	Product form	Catch area(s)	Quantity declared	Quantity retained	Difference between quantity declared and quantity determined, if any
32. Examination of logbook(s) and other documentation				Yes	No
33. Compliance with applicable catch documentation scheme(s)				Yes	No
34. Compliance with applicable trade information scheme(s)				Yes	No
35. Type of gear used					
36. Gear examined in accordance with paragraph (e) of Annex B				Yes	No
37. Findings by inspector(s)					
38. Apparent infringement(s) noted including references to relevant legal Instrument(s)					
39. Comments by the master					
40. Action taken					
41. Master's Signature					
42. Inspector's Signature					

*FISHERIES (PORT STATE MEASURES) REGULATIONS, 2024***THIRD SCHEDULE***(Regulations 52(3)(b) and 78(1))***INSPECTION PROCEDURES**

An Authorised Officer shall:

- a) verify, to the extent possible, that the vessel identification documentation onboard and information relating to the owner of the vessel is true, complete and correct, including through appropriate contacts with the flag State or international records of vessels if necessary;
- b) verify that the vessel's flag and markings (e.g. name, external registration number, International Maritime Organisation (IMO) ship identification number, international radio call sign and other markings, main dimensions) are consistent with information contained in the documentation;
- c) verify, to the extent possible, that the authorisations for fishing and fishing related activities are true, complete, correct and consistent with the information provided in accordance Form Ten;
- d) review all other relevant documentation and records held onboard, including, to the extent possible, those in electronic format and vessel monitoring system data from the flag State or relevant regional fisheries management organisations. Relevant documentation may include logbooks, catch, transshipment and trade documents, crew lists, stowage plans and drawings, descriptions of fish holds, and documents required pursuant to the Convention on International Trade in Endangered Species of Wild Fauna and Flora;
- e) examine, to the extent possible, all relevant fishing gear onboard, including any gear stowed out of sight as well as related devices,

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and to the extent possible, verify that they are in conformity with the conditions of the authorisations. The fishing gear shall, to the extent possible, also be checked to ensure that features such as the mesh and twine size, devices and attachments, dimensions and configuration of nets, pots, dredges, hook sizes and numbers are in conformity with applicable regulations and that the markings correspond to those authorised for the vessel;

- f) determine, to the extent possible, whether the fish on board was harvested in accordance with the applicable authorisations;
- g) examine the fish, including by sampling, to determine its quantity and composition. In doing so, inspectors may open containers where the fish has been pre-packed and move the catch or containers to ascertain the integrity of fish holds. Such examination may include inspections of product type and determination of nominal weight;
- h) evaluate whether there is clear evidence for believing that a vessel has engaged in Illegal, Unreported, Unregulated fishing or fishing related activities in support of such fishing;
- i) provide the master of the vessel with the report containing the result of the inspection, including possible measures that could be taken, to be signed by the inspector and the master. The master's signature on the report shall serve only as acknowledgment of the receipt of a copy of the report. The master shall be given the opportunity to add any comments or objection to the report, and, as appropriate, to contact the relevant authorities of the flag State in particular where the master has serious difficulties in understanding the content of the report. A copy of the report shall be provided to the master; and
- j) arrange, where necessary and possible, for translation of relevant documentation.

*FISHERIES (PORT STATE MEASURES) REGULATIONS, 2024***FOURTH SCHEDULE***(Regulation 52(4))***REPORT OF ARREST OF FISHING VESSEL****PART A. STATEMENT BY ARRESTING OFFICER**

Particulars of fishing vessel

Name of fishing craft (if any)

Registered number of fishing vessel

Other characteristic of vessel

Name of person in charge of fishing vessel

Location of fishing vessel

Tonnage of catch

Type of fish

Nature of offence and charge

.....

.....

.....

.....

.....

.....

Document(s) seized

.....

.....
Signature of arresting officer

Date:

*FISHERIES (PORT STATE MEASURES) REGULATIONS, 2024***PART B. STATEMENT OF OFFENDER**

Name and address of person in charge of fishing vessel

Registered Number of fishing vessel

Place of registration of fishing vessel.....

Location of fishing vessel

Tonnage of catch

Type of fish

Fishing Licence Number

Statement of Defence

Any Relevant Document(s)

.....
*Signature of person in
charge of fishing vessel*

Date:

*FISHERIES (PORT STATE MEASURES) REGULATIONS, 2024***FIFTH SCHEDULE***(regulation 55)***GUIDELINES FOR THE TRAINING OF AUTHORISED OFFICERS**

Elements of a training programme for authorised officer who are conducting inspecting at sea and port inspections should include at least the following areas:

1. Ethics.
2. Health, safety and security issues, labour, trafficking, smuggling, terrorism and marine pollution.
3. Legal and policy framework - including international relevant legal instruments to which Ghana is a Party; international organisations to which Ghana is a member or cooperating non-member; Fisheries Act, 2002 (Act 625) and its subsidiary legislation; the National Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, and other relevant policy documents.
4. Identification, collection, evaluation and preservation of evidence.
5. General inspection procedures including report writing and interview techniques.
6. Analysis of information, such as logbooks, electronic documentation and vessel history (name, ownership and flag State), required for the validation of information given by the master of the vessel.
7. Vessel boarding and inspection, including hold inspections and calculation of vessel hold volumes.
8. Verification and validation of information related to landings, transshipments, in transit movement, import, export, re-export, processing and packaging, fish remaining onboard, including utilizing conversion factors for the various species and products.

FISHERIES (PORT STATE MEASURES) REGULATIONS, 2024

9. Identification of fish species, and the measurement of length and other biological parameters.
10. Identification of vessels and gear, and techniques for the inspection and measurement of gear.
11. Equipment and operation of vessel monitoring system and other electronic monitoring systems.
12. Actions to be taken following an inspection.

*FISHERIES (PORT STATE MEASURES) REGULATIONS, 2024***SIXTH SCHEDULE***(Regulations 67(1))***INFORMATION TO BE RECORDED DAILY IN FISHING
LOGBOOKS OR ELECTRONIC FISHING LOGBOOKS**

The fishing logbook or electronic fishing logbook shall contain, as a requirement, the following information regardless of the fishing method:

General Information

1. Name and nationality of the vessel
2. Port of Registry
3. Gross Registered Tonnes
4. Vessel Survey Certificate Number and Registration Certificate Number
5. Record of Ghanaian Fishing Vessel Number
6. Fishing License number and Name of Issuing Authority
7. International Radio Call Sign (IRCS)
8. Vessel Monitoring System (VMS) Number/ID
9. International Maritime Organisation (IMO) Number (if available)
10. Name of Port of Departure
11. Date of Departure
12. Logbook Page in Sequenced Numbers or Numbering System

Fishing Activity

13. Fishing Area
 14. Type of Gear and Number (length of net, size or trawl, number of hooks on longline) deployed
-

FISHERIES (PORT STATE MEASURES) REGULATIONS, 2024

15. Date of setting the gear
16. Latitude and longitude of the beginning of the set and the geographical area. <http://www.fao.org/fishery/area/search/en>
17. Species caught and /or the Food and Agriculture Organisation alpha-3 code of all aquatic animals retained on board and the weight in Kilograms of each species retained on board for specific setting of the gear
18. Total catch which includes:
 - a. Total weight of the accumulated catch
 - b. The total amount of by-catch
 - c. Breakdown of the weight of aquatic animals and marine life forms discarded into the sea

Certification

19. A certification from the Master that the catch is correct in terms of
 - a. Weight and species;
 - b. The gear used;
 - c. The license and vessel documentation are valid and up to date;
 - d. The fishing operation was undertaken according to the access agreement and fishing licenses and the vessel is duly authorised to fish in the areas specified in the logbook.

FISHERIES (PORT STATE MEASURES) REGULATIONS, 2024

SEVENTH SCHEDULE

Regulations 72(b) and 75(1))

INFORMATION TO BE PROVIDED IN ADVANCE BY
VESSELS REQUESTING PORT ENTRY

1. Intended port of call							
2. Port State							
3. Estimated date and time of arrival							
4. Purpose(s)							
5. Port and date of last port call							
6. Name of the vessel							
7. Flag State							
8. Type of vessel							
9. International Radio Call Sign							
10. Vessel contact information							
11. Vessel owner(s)							
12. Certificate of registry ID							
13. IMO ship ID, if available							
14. External ID, if available							
15. RFMO ID, if applicable							
16. VMS	No	Yes:	Yes:	Type:			
		National	RFMO(s)				
17. Vessel dimensions		Length		Beam		Draft	
18. Vessel master name and nationality							
19. Relevant fishing authorization(s)							
Identifier	Issued by	Validity	Fishing area(s)	Species	Gear		
20. Relevant transshipment authorization(s)							
Identifier		Issued by		Validity			
Identifier		Issued by		Validity			

FISHERIES (PORT STATE MEASURES) REGULATIONS, 2024

21. Transshipment information concerning donor vessels								
Date	Location	Name	Flag State	ID number	Species form	Product area	Catch	Quantity
22. Total catch onboard					23. Catch to be offloaded			
Species	Product form	Catch area	Quantity		Quantity			

FISHERIES (PORT STATE MEASURES) REGULATIONS, 2024

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HON. MAVIS HAWA KOOMSON
Minister responsible for Fisheries

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