

FISHERIES (AQUATIC WILD LIFE CONTROL)

REGULATIONS

made under section 33

Citation. **1.** These Regulations may be cited as the Fisheries (Aquatic Wild Life Control) Regulations.

Interpretation. **2.** In these Regulations—
Cap. 144 “food inspector” means a person entitled under section 18 of the
1953 Ed. Sale of Food and Drugs Ordinance to procure samples of food;
 “prescribed aquatic wild life” means any form of life inhabiting the
 waters of Guyana and prescribed in the Schedule;
 “waters of Guyana” includes any river, creek, reservoir, trench, lake
 or pond in Guyana.

Issuing of **3.** (1) It shall be lawful for a fishery officer to issue a licence to
licences. any person to capture, collect, remove or slaughter any form of
 prescribed aquatic wild life found in any waters of Guyana in such
 numbers and subject to such conditions as shall be set out in the
 licence.

(2) There shall be charged a fee of ten dollars in respect of each licence issued in accordance with these Regulations:

Provided that no fee shall be charged for the issue of a licence to capture, collect or remove any prescribed aquatic wild life which is at the time of the issue of such licence the subject matter of private ownership.

(3) A fishery officer shall be entitled in any case to refuse any application for the issue of a licence required by this regulation, subject to a right of review of the fishery officer's decision by the Chief Agricultural Officer, whose decision shall be final.

(4) No person shall in any manner capture, collect, remove or slaughter any prescribed aquatic wild life whatsoever except in accordance with a licence issued under these Regulations.

Accidental **4.** Any person, not being a person licensed in accordance with
killing or these Regulations, who accidentally captures or kills any prescribed
capture to be aquatic wild life shall immediately make a report to the Fisheries
reported. Division of the Ministry responsible for agriculture or to the nearest
 police station.

5. (1) Every prescribed aquatic wild life which dies or is killed shall be examined by a food inspector and an officer of either the Fisheries Division or the Veterinary Division of the Ministry responsible for agriculture before any portion of the flesh thereof is disposed of or used for human consumption. Examination of carcasses.

(2) A food inspector who examines the carcass of any prescribed aquatic wild life shall, where he so finds, issue a certificate that the flesh thereof is fit for human consumption; otherwise the food inspector shall order that the carcass be destroyed.

(3) No person shall expose for sale, sell or otherwise dispose of the flesh of any prescribed aquatic wild life intended for human consumption unless such flesh has been examined and certified in accordance with paragraphs (1) and (2).

(4) Any person found in possession of the carcass of any flesh of any prescribed aquatic wild life which has not been examined and certified in accordance with paragraphs (1) and (2) shall be guilty of an offence.

6. Subject to regulation 3, nothing in these Regulations shall prevent any person from acquiring and exercising rights of ownership over any prescribed aquatic wild life. Private ownership.

7. Any person who injures, molests or does any act of cruelty to any prescribed aquatic wild life whatsoever shall be guilty of an offence. Offence.

8. Any person found in possession of any prescribed aquatic wild life or the carcass of prescribed aquatic wild life in respect of which there has not been either— Penalty for possession of carcass, skin, hide, hair etc.

(a) a licence issued for its capture, collection, removal or slaughter in accordance with these Regulations; or

(b) a report made in accordance with these Regulations that it has been accidentally captured or killed,

shall be guilty of an offence and the carcass, skin, hide, hair or any portion thereof shall be forfeited.

9. In any prosecution for an offence under these Regulations the onus of proving that any prescribed aquatic wild life— Onus of proof.

(a) has been captured or killed accidentally;

(b) has been captured, removed, collected or slaughtered under a licence issued in accordance with these Regulations;

(c) or the carcass thereof is the subject matter of private ownership;

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(d) or the carcass or flesh thereof has been examined by a food inspector and certified as fit for human consumption, shall rest upon the person charged with the offence.

Penalties.

10. Any person who commits a breach of these Regulations shall be liable on summary conviction to a fine of two hundred and fifty dollars or to imprisonment for six months and to forfeiture of any licence issued to him under these Regulations.

Addition to
or deletion
from Schedule.

11. The Chief Agricultural Officer may by notice published in the *Gazette* add to or delete from the Schedule any aquatic wild life as may be necessary from time to time.

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SCHEDULE

Manatees
Arapaima
Caymans
Water Dogs
Turtles
