

LEGAL NOTICE NO. 57

THE FISHERIES MANAGEMENT AND DEVELOPMENT ACT

(Cap. 378)

THE FISHERIES MANAGEMENT AND DEVELOPMENT
(RECREATIONAL FISHERIES) REGULATIONS, 2024

ARRANGEMENT OF REGULATIONS

Regulation

PART I – PRELIMINARY

- 1 – Citation.
- 2 – Interpretation.
- 3 – Application.

PART II- REGISTRATION AND LICENSING

- 4 – Application for a recreational fishing licence.
- 5 – Conditions for recreational fishing.
- 6 – Validity of recreational fishing licence.
- 7 – Recreational fishing vessels registration.
- 8 – Transfer of recreational fishing.
- 9 – Recreational fishing vessel.
- 10 – Register of recreational fishing vessel licences.
- 11 – Registration of sport fishing club.
- 12 – Reporting requirements.

PART III-CONSERVATION AND MANAGEMENT MEASURES

- 13 – Prohibitions.
- 14 – Register of recreational fishing catch data.
- 15 – Fishing gear.
- 16 – Area restrictions.
- 17 – Species restrictions.
- 18 – Transition.

SCHEDULES

THE FISHERIES MANAGEMENT AND DEVELOPMENT ACT

(Cap. 378)

IN EXERCISE of the powers conferred by section 208(2)(m) of the Fisheries Management and Development Act, 2016, the Cabinet Secretary for Mining, Blue Economy and Maritime Affairs makes the following Regulations—

THE FISHERIES MANAGEMENT AND DEVELOPMENT
(RECREATIONAL FISHERIES) REGULATIONS, 2024

PART I – PRELIMINARY

1. These Regulations may be cited as the Fisheries Management and Development (Recreational Fisheries) Regulations, 2024. Citation.

2. In these Regulations, unless the context otherwise requires— Interpretation.

“Act” means the Fisheries Management and Development Act; Cap. 378.

“angling” means the taking of fish by hook-and-line by manually operating a rod, reel and line or one or more separate lines to which a number of hooks are attached per line;

“artificial fly” means a single hook dressed with conventional natural or artificial fly tying materials only, to which no additional fly, spoon, spinning head or other similar device or any edible matter is attached and may be incorporated only in the dressing in the form of metal wire or ribbing, or foil or beads;

“fishing camp” means an established area or a building designated by county government purposes of fisheries;

“recreational fishing” has the meaning assigned to it under section 2 of the Act;

“sport fishing” means recreational fishing; and

“sport fishing club” means an institution that offers, on a commercial basis, for let or hire a vessel or fishing gear and includes a private members’ club or fishing association.

3. These Regulations shall apply to recreational fishing and recreational fishing related activities in Kenya fishery waters. Application.

PART II- REGISTRATION AND LICENSING

4. (1) Subject to section 106(1) of the Act, any person who wishes to engage in recreational fishing in Kenya fishery waters shall apply for a recreational fishing licence to the respective County Government in which recreational fishing is intended to take place in Form RFR/A1 as set out in the First Schedule. Application for a recreational fishing licence.

(2) Upon receipt of the application under sub-regulation (1), and upon payment of the prescribed fees set out in the Second Schedule, the County Executive Committee Member shall issue a recreational

licence in Form RFR/A2 set out in the First Schedule within fourteen days.

(3) Any person who engages in recreational fishing without a licence commits an offence and shall be liable, on conviction, to a fine not exceeding twenty thousand shillings or to a term of imprisonment not exceeding one year, or to both.

5. (1) A person undertaking recreational fishing shall—

Conditions for recreational fishing.

- (a) where necessary, be a member of a sport fishing club or a fishing camp;
- (b) use a hook and line or trolling line;
- (c) not engage in buying or selling fish caught in the course of recreational fishing;
- (d) practise catch-and-release fishing to the extent possible, except where the fish are injured or killed during recreational fishing operations;
- (e) not land more than three pieces, per permit, per fishing day, in case where the fish is injured or killed during recreational fishing;
- (f) pay a fee of 7% of landed value to the respective county government; and
- (g) use artificial fly as bait.

(2) Any person who contravenes this regulation shall, on conviction, be liable to the fine prescribed under section 106(2) of the Act.

6. (1) A recreational fishing licence shall be valid for the area specified in the licence and issued under the following categories—

Validity of recreational fishing licence.

- (a) an annual licence which shall be valid up to the 31st December of the year in which it is issued;
- (b) a monthly licence which shall be valid for a period of thirty consecutive days from the date of issue;
- (c) a weekly licence which shall be valid for seven consecutive days from the date of issue; or
- (d) a daily licence which is valid for the day specified in the licence.

7. (1) A person shall not use a recreational fishing vessel for fishing in Kenya fishery waters without a registration certificate.

Recreational fishing vessels registration.

(2) Prior to making an application for registration of a recreational fishing vessel, the owner of a recreational fishing vessel shall ensure that the vessel—

- (a) has been evaluated by the beach management unit to which the owner of the recreational fishing vessel is a member in

accordance with the rules of the beach management unit;
and

(b) has been inspected by a fisheries officer.

(3) An application for registration of a recreational fishing vessel shall be made to the County Executive Committee Member in Form RFR/CR4 set out in the First Schedule and the applicant shall provide the following information—

- (a) the number of recreational fishing vessels operated by that person;
- (b) the technical characteristics of the recreational fishing vessel, including length and engine power;
- (c) the location of the vessel;
- (d) the area of operation; and
- (e) any other relevant information that the County Executive Committee Member may consider necessary.

(4) The application in sub regulation (3) shall be accompanied by a certificate of sea worthiness of the vessel from the Kenya Maritime Authority;

(5) Within seven days of receipt of an application under sub-regulation (3), the County Executive Committee Member shall consider the application and notify the applicant of his decision.

(6) Where the application is approved, the County Executive Committee Member shall issue a recreational fishing vessel certificate to the applicant in Form RFR/CR5 upon payment of the fee specified in the Second Schedule.

(7) Where the application is not approved, the County Executive Committee Member shall indicate the reasons for refusal in the notice under sub regulation (5).

(8) Upon issuance of the registration certificate under this regulation, the County Executive Committee Member shall—

- (a) allot an identification mark to the vessel in respect of which a recreational fishing vessel certificate is issued; and
- (b) cause an entry of the allotted identification mark to be made in the register of recreational fishing vessels.

(9) Any person who contravenes sub-regulation (1) commits an offence and shall be liable, on conviction, to a fine not exceeding one hundred thousand shillings or to imprisonment for a term not exceeding one year, or to both.

8. (1) Where there is a transfer in ownership of a registered recreational fishing vessel, the transferor and the transferee shall jointly submit to the County Executive Committee Member, an application seeking the transfer of the recreational fishing vessel certificate in the Form RFR/CR6 set out in the First Schedule.

Transfer of recreational fishing vessel registration certificate.

(2) Where an application for transfer under sub regulation (1) is approved, the County Executive Committee Member shall—

- (a) cancel the name of the owner of the fishing vessel from the register; and
- (b) enter in the register the change of particulars.

9. (1) Pursuant to section 84 of the Act, a person shall not use any vessel for recreational fishing without a valid recreational fishing vessel licence in relation to that vessel.

Recreational fishing vessel licence.

(2) An application for a recreational fishing vessel licence shall be made to County Executive Committee Member in the Form RFR/CR7 set out in the First Schedule.

(3) Within seven days of receipt of the application under sub-regulation (2), the County Executive Committee Member shall consider the application and notify the applicant of his decision.

(4) Where the application is approved, the County Executive Committee Member shall issue a recreational fishing vessel licence to the applicant in Form RFR/CR8 upon payment of the fee specified in the Second Schedule.

(7) Where the application is not approved, the County Executive Committee Member shall indicate the reasons for refusal in the notice under sub regulation (3).

(4) Any person who uses a vessel for recreational fishing without a licence commits an offence and shall be liable on conviction to a fine not exceeding one hundred thousand shillings or to a term of imprisonment not exceeding one year or to both.

10. The County Executive Committee Member shall maintain a register of all licences issued for recreational fishing vessel in that County.

Register all recreational fishing vessel licences.

11. (1) A holder of a recreational fishing licence may become a member of a sport fishing club or a fishing camp.

Registration of sport fishing club.

(2) An application for registration of a sports fishing club shall be made to the County Executive Committee Member by a holder of a recreational fishing licence in Form RFR/A3 set out in the First Schedule and accompanied by the fee specified in the Second Schedule.

(3) Within seven days of receipt of the application under sub-regulation (2), the County Executive Committee Member shall consider the application and notify the applicant of his decision.

(4) Where the application under sub-regulation (2) is approved, the County Executive Committee shall issue a certificate of registration of sport fishing club in Form RFR/CR3 set out in the First Schedule.

12. Pursuant to section 75 of the Act, a sport fishing club registered under regulation 3 shall maintain a log of their activities and

Reporting requirements.

shall submit a quarterly catch report to the Director-General in the Form RFR/RF/1 set out in the First Schedule.

PART III-CONSERVATION AND MANAGEMENT MEASURES

13. (1) A holder of a recreational fishing licence shall— Prohibitions.

- (a) not engage in buying or selling fish caught in the course of recreational fishing;
- (b) practise catch-and-release fishing to the extent possible, except where the fish is injured or killed during recreational fishing operations;
- (c) not engage in fishing for, or be in possession of, any prohibited fish species;
- (d) not engage in fishing for, or be in possession of any fish smaller than, or of a mass less than the size limits listed in a management plan.

(2) Any person who contravenes the provisions of this regulation shall, on conviction, be liable to a fine not exceeding five hundred thousand shillings or to a term of imprisonment not exceeding one year or both.

14. (1) Without prejudice to section 75 of the Act, the Director-General shall cause to be kept a register of recreational fishing catch data in a County. Register of recreational fishing catch data.

(2) The holder of a recreational fishing licence shall submit a catch data report in the Form RFR/RF/1 set out in the First Schedule.

(3) Any person who contravenes sub-regulation (2) commits an offence and shall be liable to the penalty set out under section 75(4) of the Act.

15. (1) A person engaging in recreational fishing shall only use following methods— Fishing gear restrictions.

- (a) angling;
 - (i) hook and line;
 - (ii) trolling line; or
 - (iii) rod and reel; or
- (b) fly fishing.

(2) Any person who contravenes sub-regulation (1) commits an offence and shall be liable, on conviction, to a fine not exceeding one hundred thousand shillings or imprisonment for a term not exceeding one year, or to both.

16. (1) A person shall not engage in recreational fishing in an area that is declared as a protected area or prohibited as per the management plan of that area. Area restrictions.

(2) Any person who contravenes this regulation commits an offence and shall be liable, on conviction to a fine not exceeding

twenty thousand shillings or to a term of imprisonment not exceeding three months or both.

17. (1) A person shall not engage in recreational fishing of a species that has been declared a protected species. Species restrictions.

(2) Any person who contravenes this regulation commits an offence and shall be liable, on conviction, to a fine not exceeding twenty thousand shillings or to a term of imprisonment not exceeding three months, or to both.

18. The licences, certificates and permits issued under the Fisheries (General) Regulations, 1991 shall be deemed to be issued under these Regulations subject to the conditions attached. Transition. L.N. No. 34 of 1991.

FIRST SCHEDULE

FORM RFR/A1

r. 4(1)

Application No.....



Passport photo

REPUBLIC OF KENYA

Date.....

COUNTY GOVERNMENT OF

APPLICATION FOR A RECREATIONAL FISHING LICENCE

1. Name of applicant:
2. ID Number / Passport:..... (Please attach copy)
3. Postal address:
4. Residential address:
5. Telephone number:
6. Email:.....
7. Recreational fish landing station Ward
Sub-County
8. Fishing gears.....
9. Fishing permit periodDate of expiry:.....

Declaration:

I do hereby declare that the particulars and information made herein above is correct, complete and truly stated. I understand clearly that discovery of any false information provided by me will render this application invalid.

Signed Date

FORM RFR/A2

(r.4(2))

RECREATIONAL FISHING LICENCE

No.....



Date.....

REPUBLIC OF KENYA



COUNTY GOVERNMENT OF

This Recreational / Sport fishing licence is hereby issued to:

Name of applicant:

ID / Passport Number

Nationality

Fishing gears to be used

Recreational fish species targeted.....

Name of sport fishing club or fishing camp (where applicable)

Physical address in Kenya:

Class of licence: Yearly. / Monthly. /. Fortnightly. /. Weekly. /. Daily).....

Conditions:

A recreational fisher shall—

- (i) Where necessary, be a member of a sport fishing club or a fishing camp.
- (ii) use a hook and line or trolling line.
- (iii) not engage in buying or selling fish caught in the course of recreational fishing.
- (iv) practise catch-and-release fishing to the extent possible, except where the fish is injured or killed during recreational fishing operations.
- (v) not land more than three pieces, per permit, per fishing day, in case where the fish is injured or killed during recreational fishing.

(vi) pay a fee of 7% of landed value to the respective county government.

(vii) use artificial fly as bait.

Fees paid

Date of issue.....Date of expiry

Sign:.....

County Executive Committee Member

Official Stamp

NOTE:

- (a) A yearly Recreational Fishing Licence expires on the 31st December.
- (b) A monthly Recreational Fishing Licence is valid for 30 consecutive days from the date of issue.
- (c) A fortnightly Recreational Fishing Licence is valid for 14 consecutive days from the date of issue.
- (d) A weekly Recreational Fishing Licence is valid for seven (7) consecutive days, from the date of issue.

Form RFR/CR4

(r. 7(3))

APPLICATION FOR A RECREATIONAL FISHING VESSEL CERTIFICATE

Type of Vessel

Name of Vessel

Name of Owner/ Operator

Address of owner/Operator

Name of Captain/ Master (where applicable)

Proposed type of fishing gear (s)

has been registered in the local fishing vessels Register at (office and address of licensing officer)

For the purpose of fishing in accordance with the Fisheries Management and Development Act and the vessel has been allotted the following identification number for the purpose of complying with the provisions of the Fisheries Management and Development (Recreational Fisheries) Regulations, 2024

No..... (Insert Application No.)

Length (Overall) Beam (greatest width)

Depth (greatest depth) Tonnage (if known)

Port/ County of Registration

Proposed fish landing station/ landing port

Other identifiers (IRCS/ MMSI/ IMO No. etc.)

Method of propulsion (State whether paddle/ sail/inboard or outboard/Horse Power)

Fees paid in words..... Date of issue

Sign.....

County Executive Committee Member

Official Stamp

FORM RFR/CR5

(r. 7(6))

THIS RECREATIONAL FISHING VESSEL CERTIFICATE

Date.....

REPUBLIC OF KENYA



COUNTY GOVERNMENT OF

This recreational fishing vessel certificate issue to:

Name of applicant:

ID / Passport Number

Nationality

Fishing gears to be used

Recreational fish species targetted.....

Name of sport fishing club (where applicable)

Physical address in Kenya:

Conditions

A recreational fisher shall —

1. Use a hook and line or trolling line.
2. Not engage in buying or selling fish caught in the course of recreational fishing.
3. Practice catch-and-release fishing to the extent possible, except where the fish is injured or killed during recreational fishing operations.
4. Not land more than three pieces, per permit, during one day of recreational fishing.

Fees paid

Date of issue.....Date of expiry

Sign:.....

County Executive Committee Member

Official

FORM RFR/CR6

(r. 8(1))

APPLICATION FOR TRANSFER OF RECREATIONAL FISHING VESSEL
REGISTRATION CERTIFICATE

I/Weof address
..... hereby authorize the transfer of ownership of
certificate of registration of local fishing vessel/private mark No.
..... to of address
.....

Reasons for transfer

Signed

Witness

Date

FOR OFFICIAL USE ONLY

Comment/Decision of Licensing Officer

Note—This application must be submitted together with appropriate application for
certificate or registration duly completed by a person or institution to whom the transfer is
to be made.

FORM RFR/CR7

(r. 9(2))

Application No.....

Date



REPUBLIC OF KENYA

COUNTY GOVERNMENT OF

APPLICATION FOR A RECREATIONAL FISHING VESSEL LICENCE

New Applicant Yes/No..... Renewal Yes/No.....

Details of Applicant (Natural person):

1. Name of the vessel owner:
2. ID Number /Passport/:
3. Postal address:
4. Residential address:
5. Telephone number:
6. Email:.....
7. WardSub County:.....

In case of a company

- (a) Name of company
- (b) Certificate of incorporation number (Please attach copy)

Shareholders:

<i>Name</i>	<i>Citizenship</i>	<i>Passport or ID/No.</i>	<i>No. of Shares Held</i>

Particulars of the vessel to be used

1. Name of vessel:
2. Fishing vessel registration number:
3. Date of construction
4. Country of construction:
- (b) Length Overall (m)
- (c) Gross Registered Tonnage (G.R.T.)
- (d) Type of hull
- (e) Vessel Hold capacity
- (f) Number of wet fish holds:.....Total capacity (M³).....
- (g) Number of freezer holds:.....Total capacity (M³).....
- (h) Landing station:.....

Vessel master / skipper

1. Name:.....
2. Nationality
3. Postal address:
4. Business or residential address:.....
5. Telephone number:
6. Email.....

Crew

(a) Fishery species that the applicant wishes to harvest;.....

(b) Fishing areas targeted by the applicant

I/We hereby attach a detailed document demonstrating fulfillment of conditions as prescribed in Regulation 15 of MFAR.

Declaration:

I/We the undersigned, being directors of the applicant company, do hereby declare that the particulars and information provided above is correct, complete and truly stated. We understand clearly that any false information provided by us will render this application invalid.

Signed (Director)..... Date

Signed (Director) Date

FORM RFR/CR8

(r. 9(4))

RECREATIONAL FISHING VESSEL LICENCE NO.....

Date.....

REPUBLIC OF KENYA



COUNTY GOVERNMENT OF

This recreational / Sport fishing vessel licence is hereby issued to:

Name of applicant:

ID / Passport Number

Nationality

Type of Vessel

Fishing gears to be used

Recreational fish species targetted.....

Name of sport fishing club (where applicable)

Physical address in Kenya:

Class of Permit: Yearly. / Monthly. /. Fortnightly. /. Weekly. /. Daily

Conditions.

A recreational fisher shall —

- 5. Use a hook and line or trolling line;
- 6. Not engage in buying or selling fish caught in the course of recreational fishing;
- 7. Practice catch-and-release fishing to the extent possible, except where the fish is injured or killed during recreational fishing operations; and
- 8. Not land more than three pieces, per permit, during one day of recreational fishing.

Fees paid

Date of issue.....Date of expiry

Sign:.....

County Executive Committee Member

Official Stamp

NOTE:

- (a) A yearly Recreational Fishing Licence expires on the 31st December.....
- (b) A monthly Recreational Fishing Permit is valid for 30 consecutive days from the date of issue.
- (c) A fortnightly Recreational Fishing Permit is valid for 14 consecutive days from the date of issue.
- (d) A weekly Recreational Fishing Permit is valid for seven (7) consecutive days, from the date of issue.



FORM RFR/A3:

(r.11(2))

REGISTRATION OF A SPORT FISHING CLUB

Application No.

1. I/We hereby apply for (specify the licence, certificate of registration or permit for which the application is made). (Refer to notes below this form)

2. (a) Name of applicant.....

(b) Nationality.....

ID/No./Passport No.

(c) (i) Mailing address

(ii) Telephone/Fax No.

(iii) Email

(d) Business Location: Name of Building/Place

L.R. No. Street/Road

Town County Sub-County

3. (a) Other than the business for which this application is made, are you involved in any other fisheries related activities?

YES/NO

.....

(b) If answer to (a) above is yes, please specify nature or type of business(es)/activities

.....

(c) Please list any gainful occupations other than the ones mentioned in (a) and (b) above you are engaged in

.....

4. Details of vessel:

(a) (i) Name of vessel

(ii) Type of vessel (Hori/Ngalawa/Ssese/Canoe/Mtaruma/Jahazi/Others).

(iii) Type of hull Overall Length (m) G.R.T. N.R.T.....

(iv) Date of Construction Port of

Reg. Reg. No.

County of Reg.

(v) Prime mover: Paddle/Sail/Outboard/Inboard Engine.

(vi) Engine type (fuel)

Make

HP

Date installed

Engine Serial No.

(vii) Intended fishing area

(viii) Proposed fishing methods

.....

*Delete whichever is inapplicable.

(b) (i) Will the fishing vessel be exclusively used by you or will it be shared by the other licenced fishers

.....

Will/Will not be shared.

(ii) If fishing vessel will be shared with other licenced fishers, please state the number of those fishers

.....

(c) Details of crew:

(i) Total Number of Crew

(ii) Name of Master of Vessel

(iii) Nationality of Master of Vessel

(iv) ID or Passport No. of Master of Vessel

(v) Number of Crew who are not Kenyan Citizens

5. Details to be supplied by corporate body applicants

(a) (i) Name of company

.....

(ii) Number of certificate of incorporation or registration of business

..... (Please attach copy)

(b) State:

(i) Nominal Share of the Company

(ii) Issued Shares

<i>Name/Nationality</i>	<i>Citizenship</i>	<i>Passport ID/No.</i>	<i>No. of Shares Held</i>

(c) Details of directors

<i>Name</i>	<i>Nationality/Citizenship</i>	<i>Passport ID/No.</i>
Chairman		
Vice-Chairman		
Secretary		
Asst. Secretary		
Treasurer		

6. I/We declare that the particulars and information as supplied by me/us herein are true, accurate and correct in every respect. I/We understand clearly that discovery of any false information provided by me/us will render this application invalid.

Signature Date

NAME (of Signatory)

POSITION (in the business)

FORM RFR/CR3

(r.11(4))

CERTIFICATE OF REGISTRATION OF SPORTS FISHING CLUB

1. (a) Name of Club/Association

(b) Address

(c) Registrar's of Societies Registration Certificate No.

2. Location of Club/Association:

District Division/Town

Location Village

has been registered as Sport Fishing Club/Association for the purpose of hiring boats or fishing gear in accordance with the provisions of the Fisheries Act and Regulations made thereunder and contingent to conditions specified hereunder:

.....

Fees paid

Date of issue

Date of expiry: 31st December.....

County Executive Committee Member

SECOND SCHEDULE

FEES

(r. 4(2)), 6(2), 8(5), 10(2))

No.	Item	Marine	Amount of Fees (Kshs.) Inland
	Registration of a sports fishing club		10,000
	Registration of recreational fishing vessel		20,000
	Recreational fishing licence		
	Annual Licence		1500
	Monthly Licence		600
	Weekly licence		400
	Daily licence		50

Made on the 8th February, 2024.

SALIM MVURYA,
*Cabinet Secretary, Ministry of Mining,
Blue Economy and Maritime Affairs.*