

LEGAL NOTICE NO. 50

THE FISHERIES MANAGEMENT AND DEVELOPMENT ACT

(Cap. 378)

IN EXERCISE of the powers conferred by section 39(2) of the Fisheries Management and Development Act, the Director-General of the Kenya Fisheries Service, in consultation with the relevant county governments prescribes the measures set out in the Schedule hereto with respect to the Lobster fishery.

SCHEDULE

THE LOBSTER FISHERY MANAGEMENT PLAN

1. This Management Plan shall be cited as the Lobster Fishery Management Plan, 2025, herein after referred to as “The Management Plan”. Citation.
2. In this Management Plan, unless the context otherwise requires— Interpretation.
 - “Act” means the Fisheries Management and Development Act, Cap. 378; Cap. 378.
 - “beach management unit” has the meaning assigned to it in section 2 of the Act;
 - “breeding area” means an area in Kenya fishery waters which the Director-General has, by notice in the Gazette, designated to be a lobster breeding area and includes the nurseries for fry, spawn, brood and young of the shallow water lobsters thereof;
 - “by-catch” means any non-target species retained or discarded by the fisher as well as mortalities of animals that encounter the gear but are not retained by it;
 - “Cabinet Secretary” means the Cabinet Secretary for the time being responsible for fisheries;
 - “carapace length” means a measurement from the posterior margin of the orbit to the mid-dorsal posterior edge of the carapace of a lobster;
 - “closed season” means a specified period of time closed to lobster fishing as provided for by the Act;
 - “County Executive Committee Member” means the County Executive Committee Member responsible for fisheries in a County;
 - “County Governments” means the County Governments whose areas of jurisdiction are riparian to the Indian Ocean;
 - “crustacean” means all species of aquatic arthropods including shrimps, prawns, lobster and crabs, including their eggs, larvae and young thereof as defined in the Act;

“Director-General” means the person appointed as such under section 15 of the Act;

“endangered, threatened and protected species” means animals or plants listed in the International Union for Conservation of Nature Red List;

“fishery” means the Lobster Fishery;

“fishing ground” means an area of water where fishing is legally permitted to occur within territorial waters as defined in the Maritime Zones Act;

“harvest strategy” means a framework that specifies the pre-determined management actions including monitoring, assessment and harvest control rules, in a fishery for a defined species, at stock or management unit level, necessary to achieve the agreed ecological, economic and social management objectives; Cap. 371.

“hookah” means surface supplied diving using equipment supplied with breathing gas from the surface which is distinct from scuba diving where the diver’s equipment is completely self-contained with no link to the surface;

“lobster fisher” means an individual who is licensed to take part in lobster fishing;

“lobster” means a crustacean of the species of spiny lobsters belonging to the family Palinuridae including their eggs, larvae and young thereof;

“maximum sustainable yield” means optimum physical yield of fish that can be attained from a fishery without adversely affecting the health and productivity of the stock;

“monitoring, control and surveillance” means the application of fishery management activities geared towards achieving compliance to the set legislations and regulations;

“quota” means a share of the total allowable catch as specified by the Director-General allocated to an operating unit such as a community, a vessel, a company or an individual fisher based on an agreed system of allocation;

“reef” means a calcareous skeleton secreted by polypoid coelenterates of the class Anthozoa or Hydrozoa;

“scuba” means a self-contained underwater breathing apparatus;

“Service” means the Kenya Fisheries Service established under section 7 of the Act;

“stock” means a natural population of a certain species that is self-perpetuating as defined by the Act;

“target” means those species that are sought by the fisher in a particular fishery and are the subject of directed fishing effort in a fishery; and

“total allowable catch” means a scientifically determined catch recommended to be taken from a resource in a specified period, usually a year, as defined in the management plan.

3. The Management Plan shall apply the following principles— Principles.

- (a) be consistent with the Constitution, national, regional and international fisheries management principles and best practices;
- (b) apply a precautionary approach in response to the existing level of uncertainty with respect to the status of target and non-target species;
- (c) apply the ecosystem approach to fisheries and an adaptive approach in adopting measures as necessary based on the best available scientific information; and
- (d) complement measures and programmes instituted for the management of fisheries resources.

4. (1) The objectives of the Management Plan shall be to— Objectives of the Management Plan.

- (a) improve and maintain high levels of productive capacities of the target lobster species for optimal yields over the long term;
- (b) implement an effective research and monitoring plan to update lobster stock status;
- (c) regulate the fishing capacity to levels within the set reference points for the lobster stocks; and
- (d) enhance and maintain lobster spawning stock biomass above twenty-five percent above the virgin biomass;
- (e) minimize impacts of lobster fishing on endangered, threatened and protected species and the associated ecosystems;
- (f) implement management measures that minimize lobster fishing impacts on ecosystems;
- (g) promote the implementation of sustainable lobster fishing technologies to mitigate impacts on endangered, threatened and protected and other vulnerable species;
- (h) strengthen the monitoring, control and surveillance system for the lobster fishery; and
- (i) implement capacity and mechanisms for participatory monitoring and management of the lobster fishery.

5. (1) The geographical area covered by this Management Plan shall be the delineation provided for under the Maritime Zones Act. Geographical area.
Cap. 371.

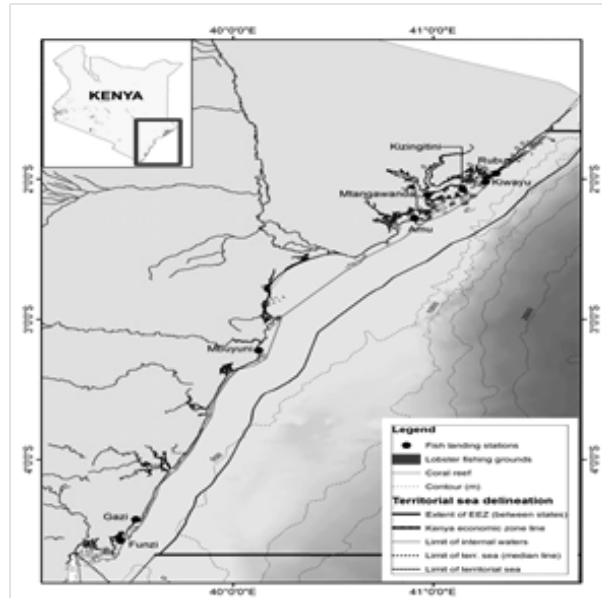


Figure 2. Map showing management limits of this Management Plan

(2) For the purposes of this Management Plan, the reference points for measuring distances from the shoreline shall be as specified under the Maritime Zones Act. Cap. 371.

6. The fishing grounds for lobsters shall be within sandy or muddy and rocky substrates and coral reef areas including reef flats, lagoon and seaward reefs, and reef slopes, outer reefs, in depths of up to about ninety metres, and shall be spread on the coastline from Vanga to Lamu; off Kiunga, Kizingitini, Kipini, Ngomeni, Msambweni and Shimoni areas. Fishing grounds.

7. (1) This Management Plan shall cover all species of lobsters of the family Palinuridae including the principal five shallow water species of spiny lobsters, *Panulirus ornatus* (Mwani), *Panulirus longipes* (Mwilo), *Panulirus penicillatus* (Kijiwe), *Panulirus versicolor* (Kurabu) and *Panulirus homarus* (Springi). Species.

(2) The *P. ornatus* and *P. longipes* referred to in sub-paragraph (1), shall be the most dominant in Kenya’s lobster fishery.

(3) The *P. ornatus* shall be the main target species in the fishery.

8. The fishing gears and methods for the lobster fishery shall be skin diving with scoop nets, gillnets, trammel net and traps. Fishing gears and methods.

9. The Director-General shall apply the following harvest strategies— Harvest strategy.

- (a) enhance and maintain lobster spawning stock biomass above the limit reference point of twenty percent of un-fished virgin biomass with a seventy percent probability;
- (b) improve and maintain stable lobster catches to forty percent of biomass at maximum sustainable yield over the long term; and
- (c) maximize profitability of the lobster fishery over an initial period of ten years from the date of gazettment of this Management Plan.

10. (1) The Director-General shall, in addition to the strategies set out in the Annex, apply the following management measures under this Management Plan—

Management measures.

- (a) prohibit retention and landing of lobsters of less than minimum carapace of seventy mm CL for *Panulirus ornatus*, sixty-five mm CL for *Panulirus versicolor*, *Panulirus homarus* and *Panulirus penicillatus* and sixty mm for *Panulirus longipes*;
- (b) prohibit capture of berried females;
- (c) control fishing effort and introduce total allowable catch;
- (d) implement guidelines for proper administration of the annual quota system for the shallow water lobster fishery based on scientific research recommendations;
- (e) regulate fishing effort for lobster fishing;
- (f) introduce closed-season or closed-areas to protect the lobster breeding area or ova, young or juvenile lobsters or habitat based on scientific research recommendations;
- (g) promote education, capacity building and awareness for sustainable lobster fisheries;
- (h) prohibit use of the following methods for the fishing of shallow water lobsters species—
 - (i) use of scuba diving gear including hookah;
 - (ii) spear guns; and
 - (iii) monofilament nets,
- (i) regulate the use of gillnets as fishing gears in the lobster fishery;
- (j) cause to be kept an up to date the register of lobsters fishers and dealers in the supply chain;
- (k) designate specific landing stations for the purpose of landing lobsters, statistical data recording and hygiene and quality maintenance;
- (l) require the timely provision of catch data;
- (m) implement a traceability system for lobster catches along the supply chain; and

(n) institute a comprehensive monitoring, control and surveillance strategy to implement this Management Plan.

(2) The National and county governments, in collaboration with relevant stakeholders, shall explore opportunities for implementing alternative livelihood activities for the lobster fishers.

(3) The National and county government shall ensure compliance to the management measures.

11. The Director-General shall, in consultation with the County Executive Committee Member, and in collaboration with the Kenya Marine and Fisheries Research Institute and other relevant institutions, operationalize the monitoring and research plan and mobilize funds to address the requirements for this Management Plan including—

Monitoring and research plan.

- (a) stock assessment;
- (b) spatial and temporal dynamics of the catch and effort, species and size composition and distribution;
- (c) monitoring of population parameters including growth, maturity and breeding patterns, mortality, recruitment, genetic structure among others;
- (d) impacts on by-catch species including endangered, threatened and protected species, and the use of octopus in lobster fishing;
- (e) implementation of sustainable lobster fishing technologies;
- (f) modeling on dynamics and ecosystem impacts of the fishery;
- (g) lobster value chain analysis and cost-benefit analysis; and
- (h) socio-economic dynamics including gender and marketing aspects.

12. The Director-General and the County Executive Committee Member shall apply the following monitoring and evaluation measures—

Monitoring and evaluation.

- (a) implement a monitoring and evaluation system to document catch of target and by-catch species, including endangered, threatened and protected species, fishing effort, fishing patterns, trade dynamics, revenue and marketing, and compliance among others;
- (b) oversee the monitoring and evaluation activities as outlined in the implementation framework within the Management Plan;
- (c) in collaboration with the beach management units, dealers and other stakeholders, disseminate monitoring and evaluation information for feedback purposes;
- (d) facilitate research programmes to monitor and address specific issues in the lobster fishery;
- (e) monitor the performance of the harvest strategy, as biological and economic indicators; and

- (f) establish a system for external review and audit of the implementation of the Management Plan.

13. The Director-General shall ensure that mechanisms are in place to provide adequate finances for the implementation, monitoring and evaluation of the Management Plan.

Institutional and financing arrangements.

14. (1) The Director-General and the County Executive Committee Members shall be responsible for the overall implementation of this Management Plan and shall constitute the Implementation Committees within twenty-one days from the commencement of the Management Plan and provide its operational guidelines.

Implementation and structure.

(2) The Director-General shall, in consultation with the County Executive Committee Members, appoint a Chairperson to the implementation committee within fourteen days after its constitution.

(3) The Committee shall hold office for a term of three years and shall not be eligible for re-appointment.

(4) Each County Executive Committee Member shall constitute the Implementation Sub-committees comprising of relevant lobster fishery stakeholders.

(5) Each County Executive Committee Member shall appoint a county implementation sub-committee Chairperson within fourteen days of its constitution.

(6) Membership to the sub-committees shall reflect membership of the Implementation Committee but this may vary based on each County's stakeholder base.

(7) The Director-General shall constitute a Technical Committee consisting of membership from Kenya Marine and Fisheries Research Institute, Kenya Wildlife Service, universities, the Service, County Fisheries Directorates and non-State actors to engage in marine fisheries research to provide overall scientific advice on the effectiveness of the Management Plan and make recommendations thereof.

15. (1) The implementation committee shall comprise of the lobster fishery stakeholders with a membership of at least fifteen representatives from the following institutions and where necessary co-opt other relevant stakeholders—

Implementation committee.

- (a) two representatives from the Service;
- (b) three representatives from the County Governments;
- (c) a representative from the Kenya Marine and Fisheries Research Institute;
- (d) five representatives of the beach management units;
- (e) a representative from the universities;
- (f) two representatives from the industry; and

(g) a representative from the non-governmental organizations.

(2) The Implementation Committee shall implement the Management Plan in collaboration with Sub-committees at the County level.

(3) The Director-General shall, in consultation with the County Executive Committee Members, appoint a Chairperson to the implementation committee within fourteen days after its constitution.

(4) The Director-General shall, in collaboration with the County Executive Committee Members, provide guidelines for the Implementation Committee.

16. (1) The Implementation Committee shall—

(a) co-ordinate and guide the implementation and review of this Management Plan; and

(b) implement the Communication strategy.

(2) The Implementation Committee shall meet within three months from the date of its constitution, and submit a work plan and budget to the County Executive Committee Member and the Director-General.

(3) The Implementation Committee shall identify information gaps, coordinate focused scientific research and provide policy recommendations based on the findings, to the Director-General and the County Executive Committee Members.

(4) The County Implementation Sub-Committees shall submit quarterly progress reports to the Implementation Committee for consideration after which the recommendations shall be forwarded to the County Executive Committee Member and the Director-General.

(5) The report referred to in sub-paragraph (5), shall comprise of—

(a) research progress and data collection;

(b) updates on lobster fisheries information and facilitation of stakeholder forums including, awareness creation, education and monitoring and evaluation;

(c) updates on cost benefit issues from time to time as as guided by the Director General; and

(d) any other issues of lobster fishery in particular.

17. (1) In line with the Constitution and Vision 2030, the Director-General and County Executive Committee Member shall, in collaboration with relevant stakeholders, identify and promote opportunities to implement a sustainable lobster fishery operated by artisanal fishers using small vessels and low impact fishing gears.

(2) The County Executive Committee Member shall, in consultation with the Director-General, encourage and empower the vulnerable, marginalised, women and youth to invest in artisanal

Role of
Implementation
Committee.

Special
considerations.

lobster fishery through public-private partnerships and use of low-cost technologies along the lobster fishery value chains in order to ensure equitable distribution of benefits accruing from the fishery.

18. (1) The Director-General shall ensure that the implementation of this Management Plan is in compliance with relevant provisions under the Food and Agriculture Organisation Code of Conduct for Responsible Fisheries, 1995, the International Conservation, Management and Development Measures, the Environment Management and Co-ordination Act, the Kenya Maritime Zones Act, the Wildlife Management and Conservation Act, the Merchant Shipping Act and any other relevant laws.

Linkages.

Cap. 387.
Cap. 371.
Cap. 376.
Cap. 389.

(2) The Director-General and the County Executive Committee Member shall ensure that the implementation of this Management Plan is consistent with the Fisheries Policy, Vision 2030, the Sustainable Development Goals and any other relevant policy.

19. The Director-General and the County Executive Committee Members may cause the Management Plan to be reviewed as may become necessary from time to time but not later than five years from the date of commencement.

Reviews and amendments.

20. (1) The Director-General shall, in consultation with the County Executive Committee Member and the relevant stakeholders, implement this Management Plan in accordance with section 39 (3) (k) of the Act.

Implementation strategy.

(2) The Implementation of this Management Plan shall comprise details on activities, responsibilities, time lines, objectively measurable and verifiable indicators, expected outcomes and the cost implications among other details.

21. (1) The Director-General shall, in consultation with the County Executive Committee Member and relevant stakeholders, communicate the strategy and feedback with stakeholders on the Management Plan

Communication and feedback

(2) Any person who contravenes paragraph 11 (1), (2), (4), (5), (6) and (7) of this Management Plan commits an offence and shall, on conviction, be liable to the penalty set out in section 39 (9) and (10) of the Act.

ANNEX

Lobster Fishery Harvest strategy

Objective	Indicators	Reference Point	Decision Control rules and Management Measures
Enhance and maintain lobster spawning stock biomass above the limit reference point of 20% of unfished (start of year) biomass levels	Biomass estimates	Current Spawning Stock Biomass (SSB_{CURR}) and Spawning potential Ratio (SPR) Size at capture and size at 50% maturity (L_{50})	If the current $SSB_{-per.R}/SSB_o$ is below 20% then institute the management measures a) Increase the minimum size limit for each species based on size at 50% maturity, maximum length (L_{max}) and fishing effort b) Introduce area and or seasonal closures
	Population size structure – size at capture (Carapace length distribution, maturity)	Current Fishing mortality (F_{CURR}).	2. If the current size at 50% maturity is below the size at baseline then institute a management response, and; 3. If F_{curr} is higher than F_{MSY} institute a management response a) Increase minimum carapace length (MCL) b) Reduce effort by limiting lobster fishing licenses c) Introduce a closed season (season of highest reproductive activity)
Improve and maintain stable lobster catches within set optimum levels over the long term	Catch per Unit Effort (kg/fisher/day)	Mean current CPUE (2.1 ± 0.5 kg/fisher/day) Number of registered lobster fishers (based on current register)	1. If average CPUE drops by 20% from 5-year baseline, institute management response, and; 2. If total annual catch drops by 20% from 5-year baseline, institute management response
	Total annual catch	Current total annual catch (90 MT)	(a) introduce TAC (b) regulate effort by controlling the number lobster fishing licenses (c) introduce a closed season (season of highest reproductive activity)

To maximize profitability of the lobster fishery	Lobster price per kg	Current lobster mean price per kilo (KES 800)	<p>1. If annual earnings drop by 20% from 5-year baseline, institute management response, and;</p> <p>2. If F_{curr} is significantly below F_{MSY} institute a management response</p> <p>(a) enhance lobster value chain</p> <p>(b) increase the number of licensed fishers</p>
	Annual lobster fishery earnings (Current = KES 118 Million)	<p>Current number of registered lobster fishers</p> <p>Current number of lobster dealers</p>	

Made 30th day of January, 2025.

DANIEL MUNGAI,
Director-General,
Kenya Fisheries Service.