

/Free translation/

F I S H E R I E S A C T

POLISH SEA FISHERIES ZONE

17 DECEMBER, 1977

/published in the Law Gazette of the Polish People's Republic
dated 22nd December 1977, No. 37, item 163/

In order to enhance protection of the living resources in waters adjacent to the coast of the Polish People's Republic as well as to ensure their rational exploitation we state as follows:

Art. 1. Polish sea fishery zone is established in the sea waters area.

Art. 2.1. Polish sea fishery zone is situated outside the territorial sea of the Polish People's Republic.

2. Lateral boundaries of Polish sea fishery zone are:

1/ in the Gulf of Gdańsk and in the Baltic Sea the line starting from a point at $54^{\circ} 27' 28''$ N lat. and $19^{\circ} 38' 36''$ E long. through a point at $54^{\circ} 36' 15''$ N lat. and $19^{\circ} 24' 22''$ E long. $54^{\circ} 40' 12''$ N lat. and $19^{\circ} 18' 54''$ E long.; $54^{\circ} 48' 54''$ N lat. and $19^{\circ} 20' 42''$ E long.; $55^{\circ} 20' 48''$ N lat. and $19^{\circ} 03' 48''$ E long.; $55^{\circ} 51' 00''$ N lat. and $18^{\circ} 56' 12''$ E long. up to the point where coordinates are determined by international agreements.

2/ in the Gulf of Pomerania and in the Baltic Sea the line starting from a point at $53^{\circ} 55' 45''$ N lat. and $14^{\circ} 13' 41''$ E long. through a point at $54^{\circ} 01' 42''$ N lat. and $14^{\circ} 15' 16''$ E long.; $54^{\circ} 07' 37''$ N lat. and $14^{\circ} 16' 51''$ E long.; $54^{\circ} 28' 19''$ N lat. and $14^{\circ} 35' 51''$ E long. up to the point where coordinates are determined by international agreements.

3. Outer boundary of the Polish sea fishery zone is the line joining the two extreme points of the lateral boundaries of this zone. The exact course of the outer boundary of the Polish sea fishery zone is determined by international agreements.

4. Where international agreements which are referred to in paragraphs 2 and 3 do not exist, the Council of Ministers may determine the boundaries of the Polish sea fishery zone by means of an order.

Art. 3.1. Only Polish fishing vessels are entitled to catch fish and exploit other living resources within the Polish sea fishery zone.

2. Foreign fishing vessels may fish in the Polish sea fishery zone if such a possibility is provided by an international agreement between Poland and the state whose flag the foreign vessel is flying.

Art. 4. Regulations respecting fishing conditions in the Polish sea fishery zone by foreign fishing vessels are determined by the Minister of Foreign Trade and Shipping by issuing an order to that effect.

Art. 5. Total allowable catch for each species in the Polish sea fishery zone is determined each year by the Minister of Foreign Trade and Shipping.

Art. 6. Supervision of the compliance with the fishing regulations which arise from the Fisheries Act and the regulations subsequent to this Act is executed by the Coast Guard units independently of the competence of the maritime offices.

Art. 7. The Coast Guard units, if suspecting any violation of the provisions of this Fisheries Act or regulations subsequent to this Act, may inspect a foreign fishing vessel in the Polish sea fishery zone. They may also arrest her and force to call at an indicated port. Inspecting, arresting and forcing a foreign vessel to call at an indicated port are executed according to the measures provided by the regulations on the protection of the state borders.

Art. 8.1. The master of the foreign fishing vessel operating in the Polish sea fishery zone and thus infringing the regulations of this Act or regulations subsequent to this Act is subject to imprisonment up to 2 years or a penalty 25,000 - 1,000,000 zloties or both these punishments together.

2. If sentenced for the transgression which is referred to in paragraph 1 the Court may adjudge confiscation of the vessel, fishing gear and the catch, even if these were not the offender's property.

Art. 9. Following changes are introduced to the Sea Fisheries Act from 21st May, 1963 /Law Gazette No 22, item 115, and Law Gazette from 1970, No 3, item 14/:

1/ Art. 40 reads as follows:

"Art. 40.1. The master of the foreign fishing vessel operating in Polish internal or territorial sea waters thus infringing the provisions of this Act or regulations subsequent to this Act is subject to imprisonment up to 2 years or a penalty 25,000 - 1,000,000 zloties or both these punishments together.

2. If sentenced for the transgression which is referred to in paragraph 1 the Court may adjudge confiscation of the vessel, fishing gear and the catch, even if these were not the offender's property."

2/ in Art. 44

a/ indication "paragraph 1" is deleted in paragraph 1, and the reference "in Art. 40 and in Art. Art. 41 - 43" is replaced by reference to the Art. 41 - 43 / "in Art. 41 - 43" /

b/ paragraph 2 is deleted.

3/ Art. 45 reads as follows:

"Art. 45. Courts at the sea maritime offices are proper to adjudge cases which are referred to in Art. Art. 41, 42, 43 para. 1".

Art. 10. The Act on Polish Sea Fishery Zone from 12 February, 1970 has expired.

Art. 11. This Fishereies Act entry into force 1 January, 1978.-