

S. I. 21 of 1987

LICENCES ACT, 1986

(Act 3 of 1986)

Licences (Fisheries) Regulations, 1987

In exercise of the powers conferred by sections 16(2) and 21 of the Licences Act, 1986, the President being the Minister responsible for Finance, hereby makes the following Regulations —

- | | |
|--|------------------------------|
| 1. These Regulations may be cited as the Licences (Fisheries) Regulations, 1987. | Citation |
| 2. In these Regulations — | Interpretation |
| “authorised officer” means an authorized officer designated for the purposes of the Fisheries Act, 1986; | Act 5 of 1986 |
| “SFA” means the Seychelles Fishing Authority established by the Seychelles Fishing Authority (Establishment) Act, 1984; | Act 10 of 1984 |
| “Seychelles waters” means the exclusive economic zone, territorial waters, internal waters and all waters subject to the fisheries jurisdiction of Seychelles. | |
| 3. (1) An application for a licence required for the purpose of section 7 of the Fisheries Act, 1986 (hereafter referred to as a “foreign fishing vessel licence”) shall be in the Form provided by the Authority. | Application
Act 5 of 1986 |
| (2) An application for a licence required for the purpose of section 9 of the Fisheries Act, 1986, (hereafter referred to as a “local fishing vessel licence”) shall be in the Form provided by the Authority. | Act 5 of 1986 |
| (3) An application for a licence when required under section 11 of the Fisheries Act, 1986, (hereafter referred to as a “fishing licence”) shall be in the Form provided by the Authority. | Act 5 of 1986 |

- S.I. 35 of 1987 (4) An application for a licence required for the purposes of regulation 10 of the Fisheries Regulations, 1986, (hereafter referred to as a "fishing net licence") shall be in the Form provided by the Authority.
- Public bodies to be consulted
Act 5 of 1986 4. Before granting the licence for any of the purposes set out in regulation 3, the Authority shall consult —
(a) the SFA to ensure compliance with the Fisheries Act, 1986; and
(b) the Ministry responsible for Fisheries.
- Condition of foreign fishing vessel licence
Act 5 of 1985 5. A foreign fishing vessel licence and a local fishing vessel licence shall be subject to the conditions prescribed under the Fisheries Act, 1986.
- Terms and conditions of a fishing licence 6. A fishing licence to fish for any species of fish shall specify the species for which it is valid and the manner of disposal of the fish.
- Terms of a fishing net licence 7. A fishing net licence shall specify the size of the net and the location and manner of the use of the net.
- Processing fee to accompany application 8. (1) An application made under regulation 3 shall, subject to subregulation (2), be accompanied by the fees set out in Schedule 1.
(2) A person who is the holder of a licence and who applies, after the expiration of the licence, for the same type of licence shall, unless the Authority is satisfied that he had, during the period between the expiration of his previous licence and his application, ceased to carry on the activity for which he was previously licensed, be liable in addition to the licence fee and any other penalty under the Act, to a surcharge equal to 10% of the licence fee for each month or part thereof which has elapsed from the date of expiration of the previous licence and the date of the lodging of his application.
(3) Where the application is refused the Authority shall refund the licence fee and the surcharge to the applicant.

9. (1) Unless earlier revoked by the Authority — Validity of licence
- (a) a foreign fishing vessel licence and a local fishing vessel licence shall be valid for the period specified in the licence which shall not exceed 12 months;
 - (b) a fishing licence shall be valid for the period specified in the licence which shall not exceed 12 months;
 - (c) a fishing net licence shall be valid for a period of 12 months from the date of its grant.

(2) A licence shall not be transferred except with the written permission of the SFA.

10. (1) A foreign fishing vessel licence shall be in the Form 1 in Schedule 2. Form of licence

(2) A local fishing vessel licence shall be in the Form 2 in Schedule 2.

(3) A fishing licence shall be in the Form 3 in Schedule 2.

(4) A fishing net licence shall be in the Form 4 in Schedule 2.

SCHEDULE 1

Reg. 8(1)

FEES

- (a) Processing an application —
 - (i) for a foreign fishing vessel licence R. 250
 - (ii) for a local fishing vessel licence R. 25
- (b) Licence fee for foreign fishing vessel shall be the fees established by the applicable agreement under section 6 of the Fisheries Act, 1986, or specified in the licence or if no such fees are established or specified the following fees —
 - (i) tuna long lining —
 - A. for one month R. 60 per gross registered tonne;
 - B. for 4 months or more R. 180 per gross registered tonne;
 - C. for 8 months or more R. 300 per gross registered tonne;

- (ii) others for one year R. 1,000 per gross registered tonne.
- | | |
|--|--------|
| (c) Local fishing vessel licence | R. 100 |
| (d) Fishing licence under Regulation 6 | R. 100 |
| (e) Fishing net licence | R. 100 |

SCHEDULE 2

Reg. 10(1)

FORM 1

FOREIGN FISHING VESSEL LICENCE

Issued to

Address

Name and address of agent of owner and charterer of vessel if different from

above

Name and address of agent or other legal representative in Seychelles

.....

Name and address of master of vessel

.....

Name of vessel..... length

Type of vessel Registered net tonnage

Engine horse power GRT.....

Port and country of registry

Radio call sign/Signal letter Frequency

.....

The vessel, details of which appear above, is hereby authorised to do so much of the following as may be indicated on this licence:

.....
 Authorisation to fish within marine areas under the jurisdiction of Seychelles

Description of fishing operations authorised:

Areas to be fished:

Species of fish to be taken:

Requirement concerning disposal of by-catch

Reporting requirements:

Authorised landing place:

Special conditions:

Period of validity from until

Fees.....

Date of issue

.....
Licensing Authority

This licence is granted subject to the following conditions —

1. The holder shall comply with and ensure that the vessel is used in conformity with the provisions of the Fisheries Act, 1986 and Fisheries Regulations, 1987.
2. The following conditions.

Act 5 of 1986
S.I. 35 of 1987

FORM 2

Reg. 10(2)

LOCAL FISHING VESSEL LICENCE

Issued to

Address

Name and address of owner and charterer of vessel if different from above

.....
Name and address of master of vessel

.....

Name of vessel length

Type of vessel Registered net tonnage

Engine type and horse power GRT

Port and country of registry

Registration number

Radio call sign/Signal letter Frequency

The vessel, details of which appear above, is hereby authorized to do such of the following as may be indicated in this licence

Authorization to fish

Description of fishing operations authorized:

Areas to be fished:

Species of fish to be taken:

Authorized landing places:

Special conditions:

Period of validity from until

Fees

Date of issue

.....
Licensing Authority

This licence is granted subject to the following conditions:

1. The holder shall comply with and ensure that the vessel is used in

conformity with the provisions of the Fisheries Act, 1986, and Fisheries Regulations, 1987. Act 5 of 1986 S.I. 35 of 1986

2. The following Conditions.

FORM 3

Reg. 10(3)

FISHING LICENCE

- Issued to —
- Address —
- Area of fishing —
- Species and quality of fish to be taken —
- Manner of operation —
- Conditions —

This licence is valid for the period commencing

until

.....
Licensing Authority

Date

FORM 4

Reg. 10(4)

FISHING NET LICENCE

Issued to

Address

.....
Type of net

Length Depth

Mesh size

Manner of operation

Areas to be fished

Species of fish to be taken

Fish to be landed at

This licence is valid for the period commencing

until

Date of issue

.....
Licensing Authority

MADE this 31st day of March, 1987.

F. A. RENE,
PRESIDENT.