

FISHERIES ACT
(No. 13 of 1972)

THE FISHERIES (AMENDMENT) REGULATIONS 1993

IN exercise of the powers conferred by section 20 of the Fisheries Act, 1972, I, VICTOR NGELE, Minister of Natural Resources, do hereby make the following Regulations -

1. These Regulations may be cited as the Fisheries (Amendment) Regulations 1993.
2. Regulation 9 of the Fisheries Regulation, 1972* (hereinafter referred to as the "principal Regulations") is hereby deleted and the following new regulation substituted therefor -

"Protecting of crayfish. 9. Any person who catches and retains, or sells or exposes for sale, or buys or exports -
(1) any crayfish of the genus *Panulirus* whose carapace length is less than 8 centimeters when measured along the mid-line from immediately behind the rostral horn to the rear edge of the carapace;

(2) any female crayfish which is carrying eggs externally or from which the eggs have been removed, shall be guilty of an offence and liable to a fine of one hundred dollars or to imprisonment for three months, or to both such fine and such imprisonment."

3. The principal Regulations are hereby amended by inserting immediately after regulation 9 the following new regulations as regulations 9A and 9B -

"Protection of trochus. 9A. Any person who catches and retains, or sells or exposes for sale or buys any trochus shell under 8 centimeters and over 12 centimeters in diameter as measured across the base shall be guilty of an offence and liable to a fine of one hundred dollars or to imprisonment for three months, or to both such fine and such imprisonment.

Disposal of fish offal. 9B. Any person who disposes of any fish offal or waste from a fish processing establishment in the sea, within one nautical mile off land shall be guilty of an offence and liable to a fine of one hundred dollars or to imprisonment for three months or to such fine and imprisonment."

4. Regulation 10 of the principal Regulations is hereby deleted and the following new regulations substituted instead as regulations 10, 10A and 10B respectively -

"Sale of crocodile and crocodile skin. 10. (1) Any person who exports any crocodile or crocodile skin or any part or the product thereof, shall be guilty of an offence and liable to a fine of one hundred dollars or to imprisonment for three months, or to both such fine and imprisonment:

Provided that this regulation shall not apply in relation to any crocodile, or the skin or part thereof of any crocodile reared in a farm licensed under any regulation made under section 20(k) of the Fisheries Act and whose belly-width is less than 45 centimeters and greater than 18 centimeters."

(2) In this regulation -

“belly-width” means the distance across the skin of the abdomen of a crocodile between the innermost edges of the rows of lateral scutes in either side of the abdomen measured between the pair of scutes *third from the head*.

Turtles, 10A.(1) Any person who sells or exposes for sale
turtle or buys or exports any turtle or part of any turtle
nest or the product thereof, shall be guilty of an offence
and and on conviction liable to a fine of one hundred
eggs. dollars or to imprisonment for three months, or to
both such fine and such imprisonment.

(2) Any person who takes nesting turtles or eggs or destroys turtle nests or eggs during breeding seasons which are from June to August and November to January shall be guilty of an offence and on conviction liable to a fine of one hundred dollars or three months imprisonment or to both such fine and imprisonment.

Fish 10B.(1) No farming or ranching of fish shall be
farming established without the approval and issuance of a
and licence by the Principal Fisheries Officer.

ranching. (2) Any licence granted under this section shall be subject to such conditions as may from time to time be prescribed or may be endorsed on the licence.

(3) Any person who operates any farming or ranching of fish without a valid licence granted under this section or in contravention of the conditions of such licence shall be guilty of an offence and on conviction liable to a fine of two hundred dollars or to imprisonment for six months, or to both such fine and such imprisonment.

(4) In this regulation “farming or ranching of fish” has the meaning assigned thereto in the Fisheries Act 1972.”

5. Regulation 11A of the principal Regulations is hereby deleted and the following new regulations substituted instead as regulations 11A, 11B and 11C respectively -

- “Protection of coconut crab, pearl oyster, corals and coral sand.
- 11A.(1) Any person who has in his possession, or sells or exposes for sale or buys -
- (a) any coconut crab of the species *Birgus latro* which is less than 9 centimetres in length when measured along the carapace from immediately behind the rostral horn to the rear edge of the carapace in the midline; or
- (b) any coconut crab which is carrying eggs or from which the eggs have been removed,

shall be guilty of an offence and on conviction liable to a fine of five hundred dollars or to imprisonment for three months, or to both such fine and imprisonment.

(2) No person shall export or have in his possession for export coconut crabs except with the permission of the Principal Licensing Officer: provided that such export is for scientific purposes which will enhance a better understanding of this Ordinance.

11B. Any person who exports any oyster shell of the genus *Pinctada* shall be guilty of an offence and on conviction liable to a fine of one hundred dollars or to imprisonment for three months, or to both such fine and imprisonment, so however, that such restriction on export shall not apply to oyster shell that are obtained from a farm as specified in section 20(k) of the Act.

11C.(1) The Minister in consultation with reef owners, may by notice published in the gazette, declare any area of Solomon Islands waters to be a designated area for the purposes of this regulation.

(2) Subject to paragraph (4) of this regulation any person who, except under a written permit granted by the Chief Fisheries Officer, takes or collects dead or live coral or coral sand from any designated area declared under paragraph (1), shall be guilty of an offence and on conviction liable to a fine of one hundred dollars or to imprisonment for three months, or to both such fine and imprisonment.

(3) Any person who uses machines for the extraction of coral gravels and coral sand shall be guilty of an offence and shall on conviction be liable to a fine of one hundred dollars or three months imprisonment or to both such fine and imprisonment.

(4) Paragraph (2) shall not apply to the -

- (a) taking or collecting of live coral for the sole purpose of producing by traditional methods lime for consumption with betel nut; or
- (c) clearing of a passageway through any reef area, provided that such clearing has been duly authorised by the appropriate government authorities."

6. The principal Regulations are amended by deleting "Form 3" that appears in the First Schedule and substituting therefor the following new form as "Form 3" -

"Form 3

No.

SOLOMON ISLANDS
THE FISHERIES REGULATIONS 1972

APPLICATION FOR FISH PROCESSING ESTABLISHMENT LICENCE

I,

(insert full name in block capitals)

hereby apply on behalf of

(Company name)

for a licence to operate the fish processing establishment described below for the period

commencing and

ending on the day of 19---.

Address of applicant:

.....

.....

Principal shareholders:

Name and address

Nationality

P e r c e n t o f
shareholding

1)

2)

3)

4)

Total investment:

Source of funding:

Location of establishment: -----

Description of establishment: -----

Type of processing: -----

Specify type of fish to be processed: -----

If a vessel, specify approved areas of operation: -----

I have submitted plans of the establishment for approval*/plans are submitted "herewith for approval" showing the location in relation to each other in the establishment of buildings, equipment, water supply, drainage and sanitation facilities.+

Other information (if required by licensing officer):

I declare that the foregoing particulars are true and complete.

Date: ----- 19--- -----

signature of applicant

* Delete as appropriate

+ Adapt as necessary

* Renewal of this licence is conditional on data provision to Fisheries Division."

7. The principal Regulations is hereby amended by deleting the Second Schedule* therein and substituting therefor the following new Second Schedule -

"SECOND SCHEDULE	(reg.3)
FISH EXPORT PERMIT	
For each fish export permit issued	\$50.00
ANNUAL LICENCE FEES	
Foreign Fishing Vessel	\$4,000.00
Fish processing establishment -	
for shore-based processing including canning or smoking or cold storage of tuna and tuna products	\$10,000.00
any other shore-based establishment and marine vessels with freezing capability	\$500.00
Duplicate licence (all classes)	\$100.00
Port Entry	\$100.00."

8. The principal Regulation is hereby amended by deleting form 5 that appears in the First Schedule and substituting therefor a new form "Form 5" -

"Form 5

SOLOMON ISLANDS

THE FISHERIES REGULATIONS 1972

FISH EXPORT PERMIT NO.

Shipper (name & address)		Licence No.	Consignee (name & address)	
Date		Voyage/Flight		Port of discharge
Common name	Scientific name	Quantity (kg)	Export value (SIS)	
<p>I certify that the above described product(s) was/were inspected by me and found to be legal and suitable for Export</p> <p style="text-align: right;">This document is valid only with inspecting Official's ORIGINAL signature and stamp.</p> <div style="text-align: right; border: 1px solid black; width: 100px; height: 60px; margin: 0 auto;"></div> <p>Names: Signature: Date:</p> <p>Designation:</p> <p>This permit is equivalent in authority to, and issued in lieu of, any permits required to be issued pursuant to CITES to which Solomon Islands is not a party. <u>Valid for one shipment only.</u></p>				

Dated at Honiara this third day of February, 1993.

VICTOR NGELE
Minister of Natural Resources

*L.N. 76/72