

## THE FISHERIES REGULATIONS 1972

[Legal Notice No.76 of 1972]

*Am. LN 112/77, LN 68/81, LN 69/81*

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## THE FISHERIES REGULATIONS 1972

IN exercise of the powers conferred by section 20 of the Fisheries Act 1972, and after consultation with the Governing Council, the High Commissioner hereby makes the following Regulations:-

- |              |                                                                                                                                                                                                                                                                                                                                                 |
|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Citation     | 1. These Regulations may be cited as the Fisheries Regulations 1972.                                                                                                                                                                                                                                                                            |
| Forms        | 2. Every application, licence or other document required to be prescribed under the Act shall be in conformity with the appropriate form set out in the First Schedule.                                                                                                                                                                         |
| Licence fees | 3. (1) Fees for licences issued under the Act shall be payable at the appropriate rate specified in the Second Schedule.<br>(2) Where a licence is issued for a period of less than one year the fee payable therefor shall be that part of the annual fee in the proportion that the period for which the licence is issued bears to one year. |

Duplicate licences      4. A licensing officer may, where satisfied that any licence issued under the Act has been lost or destroyed, issue a duplicate licence on payment of the fee specified in relation thereto in the Second Schedule.

5. *[Deleted LN 69/81]*

Additional conditions for licensed foreign fishing vessels      [ 6. It shall be a condition of every licence granted under section 6 of the Act in respect of any foreign fishing vessel that -  
(a) that vessel shall not be used for fishing operations in any waters within five hundred yards of low water mark or within one nautical mile of any village:

Provided that the Principal Licensing Officer may if he thinks fit waive this condition by endorsing the licence to that effect; and

(b) no fish taken within the fishery limits shall be transhipped, loaded or unloaded except within the fishery limits.]

*Note: Regulation 6 is repealed by implication by LN 68/81*

7. *[Deleted LN 69/81]*

8. *[Deleted LN 68/81]*

Crayfish and trochus shells      9. Any person who -  
(a) catches and retains, or sells or exposes for sale, or buys or exports -

*Am. 112/77*      (i) any crayfish of the genus Panulirus measuring under 25 centimetres from the tip of the beak (rostrum) to the end of the shell of the centre flap of the tail when the crayfish is spread as far as possible flat; or  
(ii) any trochus shell under two and a half inches in diameter as measured across the base; or

*Am. 112/77*      (b) disposes of any offal in the sea, within one nautical mile of land, 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.

Export of crocodile skins and turtle shell      10. (1) Any person who sells or exposes for sale -  
(a) any crocodile or crocodile skin the belly-width of which is less than 50 centimetres or

*Am. 112/77*      (b) any turtle or part of any turtle of less than 75 centimetres in carapace length,

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 of any crocodile, or any turtle or part of any turtle reared in a farm licensed under any Regulations made under section 20(e) of the Act.

(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.

Seining in  
Honiara harbour 11. Any person who fishes by means of a seine in the waters of Honiara harbour as defined by Proclamation under the Light Dues and Harbours Act shall be guilty of an offence and liable to a fine of twenty dollars.

Exemption 12. Any fish processing establishment used exclusively for the production of dried fish in any form, for sale within the Solomon Islands, is hereby exempted from the provisions of section 9 of the Act (relating to licensing), and the Principal Licensing Officer may if he thinks fit grant a like exemption to any fish processing establishment producing dried fish for export.

Standards of  
construction,  
equipment and  
sanitation  
*Am. 112/77* 13. Every fish processing establishment shall comply with the following standards as to construction, equipment and sanitation -

(a) where frozen fish are to be stored in cold storage -

- (i) there shall exist facilities for maintaining a constant temperature of at least 0°F or such other temperature lower than 0°F as the Principal Fisheries Officer may require in any particular case; and
- (ii) there shall be adequate instruments for measuring temperatures in each cold storage chamber;

*Am. 112/77* (aa) where fish are to be processed by freezing -

- (i) there shall exist facilities for freezing fish to at least -30°C within a period of twelve hours; and
- (ii) there shall be adequate instruments for measuring temperatures in each freezing unit;

(b) where fish are to be processed by freezing or canning, there shall be an adequate supply of potable water under pressure; and

(c) in all cases -

- (i) floors and walls shall be constructed of non-slip, durable, impervious and washable materials, suitably graded to allow easy and efficient cleaning and draining, to the satisfaction of the Principal Licensing Officer;
- (ii) drains shall be of adequate size and fitted with suitable removable

gratings;

- (iii) adequate washing and toilet facilities shall be provided for workers and maintained in a hygienic manner;
- (iv) all utensils, tables, benches, containers, racks and trays, shall be of non-corrosive material, and kept clean and in good repair;
- (v) all processing equipment and processing premises shall be thoroughly and regularly cleaned with potable water;
- (vi) the premises shall be kept free of animals, birds, pests, insects and vermin;
- (vii) all refuse and offal shall be collected into covered containers and shall be disposed of at least once daily; and the containers shall be washed before re-use;
- (viii) no refuse or offal shall be disposed of into the sea in such a way as to cause pollution or to attract sharks to any area near to a populated area or where local fishing operations are habitually carried out;
- (ix) the use of tobacco or any other smoking mixture or substance, or any chewing substance, shall be prohibited in any room where exposed fish or fish products are being handled;
- (x) all workers handling exposed fish or fish products shall wash their hands with soap and rinse them with potable water before commencing work and after using toilet facilities, and towels shall not be used to dry hands;
- (xi) first aid facilities shall be provided for workers and any cut or abrasion on any exposed part of the body shall at all times be covered with a waterproof dressing;
- (xii) all filleters, skimmers, scalers and handlers of fish shall wear clean white outer garments and a washable head covering;
- (xiii) all workers employed in the processing room or otherwise handling exposed fish or fish products shall undergo a medical examination at least once every year; and
- (xiv) no person suffering from an infectious or communicable disease such as tuberculosis, cholera, typhoid fever, vesicular disease, persistent dermal diseases or sores, or any other disease likely to contaminate fish or fish products, shall be allowed to work in the establishment.

14. No alterations or modifications shall be made to any licensed fish processing establishment unless plans of the proposed alterations or modifications have first been submitted to a licensing officer and his prior written approval obtained.

- Conditions of fish processing establishment licence
15. A licence to operate a fish processing establishment shall be conditional upon -
- (a) the establishment being maintained and operated in a clean and sanitary manner in accordance with the provisions of regulation 13 and the Public Health Act 1970;
  - (b) all products of the establishment shall before sale be clearly labelled as to the nature of the product and the identity of the processor and, in the case of frozen and canned fish, shall also bear a symbol indicating the date of processing;
  - (c) accurate records shall be maintained relating to the operations carried out in the establishment, including records of the quantity, type and quality of fish received, processed and sold, and all such records shall be open to inspection by any authorised officer;
  - (d) such returns shall be made to the Principal Fisheries Officer concerning the operations of the establishment as the Principal Fisheries Officer may from time to time require;
  - (e) where the establishment is a vessel, such vessel shall be anchored and shall remain anchored at such point within Solomon Islands waters as the Principal Licensing Officer shall determine, and, save in the case of emergency, shall not be moved from its point of anchorage except with the express permission of the Principal Licensing Officer.
- Exemption from certain requirements
16. The Principal Licensing Officer may, with the approval of the Director of Medical Services, exempt, subject to such conditions as he thinks fit to impose, any fish processing establishment from compliance with any requirements of these Regulations as to construction, equipment, sanitary or quality standards for such period of time as he may think fit, if he is satisfied that the requirement is unreasonable or unnecessary having regard to all the circumstances of the case.
- Protection of certain turtles
17. Any person who, except under a written permit granted by the Principal Fisheries Officer -
- (a) fishes for any turtle of the species known as the leathery backed turtle or luth (Dermochelys coriacea); or
  - (b) takes, destroys, possesses, sells, or exposes for sale, buys or exports any eggs of any leathery-backed turtle or luth,
- shall be guilty of an offence and liable to a fine of one hundred dollars to imprisonment for three months, or to both such fine and such imprisonment.
- Handling and marketing of fish in Regulated Area  
Am. 112/77
18. (1) The Principal Fisheries Officer may, after consultation with the Public Health Inspector and the Local Authority for the area concerned, by notice published in the Gazette, declare any area to be a Regulated Area for the purpose of controlling the handling and marketing of fish.
- (2) Any fish caught within the Solomon Islands or the fishery limits, which is

intended for sale within any Regulated Area as abovesaid as fresh or frozen fish, shall be dealt with in accordance with the following provisions -

- (a) all fish other than fish known locally as buma and cutcut shall be gilled and gutted as soon as practicable after being caught and thoroughly washed in clean fresh or salt water;
- (b) all fish shall be packed in ice as soon as practicable after being caught, and shall be kept adequately iced;
- (c) no fish shall be processed by freezing other than in facilities capable of freezing fish to at least  $-30^{\circ}\text{C}$  within a period of no more than twelve hours;
- (d) all frozen fish shall be stored in freezers at a maximum temperature of  $-20^{\circ}\text{C}$  or where fish are stored for more than two months at a maximum temperature of  $-30^{\circ}\text{C}$ ; and
- (e) all freezers used for the storage of fish shall be maintained in a clean and sanitary condition.

(3) Any person who sells or exposes any fish for sale within the Solomon Islands or the fishery limits, which has not been dealt with in accordance with this regulation, shall be guilty of an offence and liable to a fine of two hundred dollars.

### FIRST SCHEDULE

(regulation 2)

#### FORMS

[Omitted]

### SECOND SCHEDULE

(regulation 3)

*Am. LN 69/81*

#### ANNUAL LICENCE FEES

Fish processing establishment -

used exclusively for the processing of beche de mer or the drying of squid or octopus	...	...	...	\$ 1.00
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any other establishment	...	...	...	\$50.00
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Duplicate licence (all classes)	...	...	...	\$ 0.50
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