

GOVERNMENT NOTICE No. 189 published on 6/6/97

THE FISHERIES ACT, 1970
(No. 6 OF 1970)

REGULATIONS

Made under section 7

THE FISHERIES (AMENDMENTS) REGULATIONS, 1997

1.—(1) These Regulations may be cited as the Fisheries (Amendments) Regulations, 1997, and shall be read as one with the Fisheries Regulations, 1989 hereinafter referred to as the “Principal Regulations”.

Citation
and effective
date

(2) These Regulations shall be deemed to have come into operation on the First day of March, 1997.

2. The Principal Regulations are amended in paragraph 2 by inserting the following interpretations in their respective alphabetical order:—

G.N. 317
of 15/9/89

Fisheries (Amendments)

G.N. No. 189 (contd.)

“approval number” means an identification mark consisting of letter(s) followed by the three or more figures allocated to a fish processing establishment, by the Director of fisheries or any other competent authority;

“aquaculture products” means all fishery aquatic products born and raised in controlled conditions until placed on the market as food stuff or for any other utilization. However, sea water or freshwater fish and aquatic flora of commercial size caught in their natural environment and kept alive to be sold at a later date are not considered to be aquaculture products if they are merely kept alive without any attempt being made to increase their growth performance;

“beach seine” means a fishing net designed to hang vertically in the water, the ends being drawn together to the beach while the foot rope drags through the fishing ground;

“fish processing establishment” means any premise or vessel where fishery products are prepared, processed, chilled, frozen, packed or stored, except that auction and wholesale market in which only display and sale by wholesale takes place are not deemed to be a fish processing establishment.

3. The Principal Regulations are amended in paragraph 11 by adding the following new sub-paragraph—

“(8) The inspection report of a fishing vessel or a fish processing establishment shall be submitted in writing in form 1(b) and 1(c) respectively as prescribed in the First Schedule”.

4. The Principal Regulations are amended in sub-paragraph (7) of paragraph 13 by deleting clause (c) and substituting for it the following:

“(c) No person shall export or cause another person to export fishery products unless he has complied with the grading and pricing scheme as issued by the Director of Fisheries.

5. The Principal Regulations are amended in paragraph 16 by adding the following new sub-paragraph—

“(g) the layout and construction of fish processing establishment;”

“(h) the allocation of an approval number to a fish processing establishment that conforms to layout and hygienic standards set by the Director of Fisheries.”

7. The Principal Regulations are amended in paragraph 28 by adding the following new sub-paragraphs immediately after sub-paragraph (2)—

“(3) No person shall, as from the First day of March, 1997 possess or use or cause another person to use or possess beach seine in any lake, dam, river, estuary or reservoir”.

Fisheries (Amendments)

G.N. No. 189 (contd.)

“(4) Where the court convicts any person of an offence committed against paragraph 28 of these Regulations the court may order that the vessel, fish and fishing gear be forfeited to the government:

Provided that, the provisions of sub-paragraphs (2), (3) and (4) shall not apply to a Research Institution to whom a special license has been granted by the Director of Fisheries”.

8. The Principal Regulations are amended in paragraph 30—

- (a) by renumbering paragraph 30 as sub-paragraph (1);
- (b) by adding the following new sub-paragraph—

“(2) No foreign fishing vessel shall enter the territorial waters with the intention of seeking or fishing license either by way of change of ownership or change of vessel flag without prior consent in writing by the Director of Fisheries”.

9. The Principal Regulations are amended in paragraph 43 by—

- (a) deleting the word “ten” which appears in clause (a) and substituting for it the words “three hundred”.
- (b) deleting the word “twenty” which appears in clause (b) and substituting for it the words “five hundred”.

10. The Principal Regulations are further amended in sub-paragraph (1) of paragraph 44 by deleting the words “ten and “fifteen” wherever they appear in clauses (a) and (b) and substituting for them the words “three hundred” and “fifteen” respectively.

SECOND SCHEDULE

11. The Second Schedule to the Principal Regulations is amended as follows:

COLUMN ONE	COLUMN TWO
<i>Region/District</i>	<i>Merk</i>
MARA	R
Musoma Urban	MM
Musoma Rural	MB

FOURTH SCHEDULE

12. The Fourth Schedule to the Fisheries Principal Regulations is amended by adding the following to the list of fishing methods exempted from taking a licence.

“Fishing or harvesting of fish or aquatic flora from a fish pond or a commercial farm”.

PART II

13. The Fisheries (Inland Water) Regulations, 1981 are amended by deleting figures “1973 and substituting thereof the figures “1989”.

G.N. No.
5 of 1982

Fisheries (Amendments)

G.N. No. 189 (contd.)

FOURTH SCHEDULE—(contd.)

PART III

G.N. No. 81 of 1981 14. The Fisheries (Authorised Officers Identification) Regulations 1983 are amended in the 13th line to the Schedule by deleting the word "employeé" and substituting thereof the word "appointed".

PART IV

G.N. No. 370 of 1994 15. The Fisheries (Prohibition of Use of specified Vessels or Tools) Regulations are amended as follows:—

- (a) by deleting the figures "1980" and substituting thereof the figures "1970".
- (b) in the Second Schedule:—
Main engine horse power at continuous rating (as stipulated in the manufacturers certificate) above 500. The Director of Fisheries shall establish a system of phasing out all fishing trawlers whose characteristics in terms of length, gross registered tonnage and horse power do not conform with those specified.
- (c) Fishnet or seine net locally known as "Juya la Kojani" whose foot rope drags through the fishing ground while the ends are being drawn together.

FORM I(b)

THE UNITED REPUBLIC OF TANZANIA
(THE FISHERIES PRINCIPAL REGULATIONS, 1989)
(Regulation 11 (7))
INSPECTION REPORT OF A FISHING VESSEL

- 1. Name of Fishing vessel
- 2. Owner
- 3. Name of Captain/skipper
- 4. Engine and machinery
- 5. Fire Safety equipment
- 6. Telecommunication equipment on board
- 7. Navigation equipment

Fisheries (Amendments)

G.N. No. 189 (contd.)

FOURTH SCHEDULE—(contd.)

8. Life saving appliances
- liferings
 - lifejackets
 - raft
9. Accommodation
- No of bunks for crew
 - Mess for crew
10. Toilets
- Number and location
 - State of toilets
11. Fishing gear on board, type and description
-
-
-
-
-
12. Cold storage facilities
- freezer capacity
 - freezing temperature
 - storage temperature
13. Food and drinking water
- storage facilities
 - are they available?
 - condition (state their condition)
14. Others:—
- first aid kit
 - cartons
 - inner
 - outer
 - seaworthiness
15. Valid Certificate of seaworthy
Valid ship surveyors certificate) } to be attached.
- | | | |
|--|--|--|
| Name and signature of
inspection officers | | Name and signature
of Captain/skipper |
| | | |

Fisheries (Amendments)

G.N. No. 189 (contd.)

FOURTH SCHEDULE—(contd.)

AFORM 5(b)

THE UNITED REPUBLIC OF TANZANIA

THE FISHERIES PRINCIPAL REGULATIONS, 1989

APPLICATION FOR PRAWN FISHING LICENCE

PART A

1. Name of owner/Charterer/Sub-charterer/Operator:
.....
.....
2. Nationality:
3. Business Address:
-
(Tel.) (Fax).....
4. Office location:
5. Name of Company:
6. Share holders: (1)
- (2)
- (3)
7. Bankers:

PART B

(To be completed for each vessel)

1. Period of validity
2. Name of vessel
3. Year of construction
4. Original flag state (country)
5. Currently flying the flag of
6. Year of acquisition
7. Port of registry Reg. No.....
8. Fishing method
9. Gross Registered tonnage
10. Radio call signal
11. Overall length (meters)
12. bow (meters)
13. depth (meters)

Fisheries (Amendments)

G.N. No. 189 (cont.)

FOURTH SCHEDULE—(cont.)

- 14. Construction material for the hull
- 15. Engine power
- 16. Speed (knots)
- 17. Cabin capacity
- 18. Fuel tank capacity
- 19. Fish hold capacity
- 20. Freezing capacity (tonnes/24 hrs)
- 21. Freezing system used
- 22. Colour of hull
- 23. Colour of superstructure
- 24. Communication equipment on board
- (a) transmission frequency
- (b) receiving frequency

Declaration

I certify that to the best of my knowledge the above particulars are true.

.....
Name

.....
Signature of Applicant

.....
Date

N.B. Initial application to be accompanied by two (recent) side view colour photographs of the vessel.

FORM 1(c)

THE UNITED REPUBLIC OF TANZANIA

THE FISHERIES PRINCIPAL REGULATIONS, 1989
(Regulation 11(7))

INSPECTION REPORT OF A FISH
PROCESSING ESTABLISHMENT

PART A

COMPANY PARTICULARS

- 1. Name and address of company/owner

Fisheries (Amendments)

G.N. No. 189 (contd.)

FOURTH SCHEDULE—(contd.)

2. Share holders/Directors:

.....
.....
.....
.....

3. Bankers

4. Office location

Tel/Fax

PART B

ESTABLISHMENT DETAILS

1. Location

2. Area (m²)

3. Year built:

4. Walls:

4.1 Construction material

4.2 Finishing:

4.3 Colour:

5. Floor:

5.1 Construction material:

5.2 Slope (direction)

5.3 Is the floor graved or ribbed

If so what is the direction of the grooves

5.4 Junctions between floor and walls (how are they)

FOURTH SCHEDULE—(contd.)

- 6. Drains:
 - 6.1 Construction material
 -
 - 6.2 Are they of adequate size
 -

- 7. Withdraws:
 - 7.1 Distance from floor
 - 7.2 Condition of sill and frames

- 8. Doors:
 - 8.1 Material.....
 - 8.2 Are they self closing

- 9. Ceiling:
 - 9.1 Material:
 - 9.2 Condition:
 - 9.3 Colour:

- 10. Ventilation and lighting:
 - 10.1 Condition of ventilation openings
 -
 - 10.2 Minimum illumination:
 -

- 11. Processing line layout:
 - 11.1 How is the processing line i.e. from reception of raw fish to cold storage
 -
 - 11.2 Cleaning procedures/table:
 -
 - 11.3 Position of toilets and (comment on condition)
 -
 - 11.4 Number of employees per toilet
 -

Fisheries (Amendments)

G.N. No. 189 (contd.)

FOURTH SCHEDULE—(contd.)

- 11.5 Washhand basins:
 - How are they operated
 -

- 12. Supply of hot and cold water:
 - 12.1 Source:
 - 12.2 Quality:
 - 12.3 Is chlorination system available?

- 13. Ice production:
 - 13.1 Condition of water used:
 - 13.2 Any other chemical added:

- 14. Staff amenities:
 - 14.1 Lunch rooms availability
 - 14.2 Changing rooms for both sexes (are they available?)
 -
 - 14.3 Lockers for each employee (are they available?)
 -
 - 14.4 Shower rooms:
 - 14.5 Availability of aprons, gloves, boots, hairnets and other accessories)

- 15. Refuse/offals storage facilities:
 - 15.1 Location
 - 15.2 Are they protected against rodents, birds and insects?
 -

- 16. Equipment, utensils, working surface:
 - 16.1. Material:
 - 16.2 Number of equipment:
 - 16.3 Condition:

- 17. Do they own a laboratory?

- 18. How is the waste water disposal system?
-

Sales Tax (Remission) (Muungano wa Jumuiya za Wafanyakazi Tanzania)

G.N. No. 189 (contd.)

FOURTH SCHEDULE—(contd.)

19. Is the management aware of the Hazard analysis Critical Points System (HACCP)?

.....

Names and Designation of Inspectors:

1.

2.

Date:.....

**Dar es Salaam,
5th April, 1997**

**ZAKIA H. MEGHJI,
Minister for Natural Resources
and Tourism**
