



REPUBLIC OF ALBANIA
MINISTRY OF AGRICULTURE AND FOOD
FISHERY DIRECTORATE

REGULATION

No _____ *Date* _____ 2000

ABOUT BIVALVE MOLLUSK FISHING

Based on article no. 102, paragraph 4 of the Constitution of Republic of Albania, the law no. 7908 date 05/04/1995 "About Fishing and Acquaculture", the Regulation no. 1, date 26/03/1997 and after the proposal of Fishery Directorate, the Minister of Agriculture and Food approved the following Regulation:

ARTICLE NO. 1 - SCOPE OF ACTIVITY AND OBJECTIVE

1. The rules of this regulation are applied in bivalve mollusk fishing with different tools from trawling nets to manual nets.
2. The Fishery Directorate in the Ministry of Agriculture and Food will be in charge in regulating the fishing activities in every district according to paragraph 1 of article 1, in order to match the intensity of this activity with the quantity of existing resources.
3. The objective is the development of fishing and productivity of bivalve mollusk by protecting the biological ecosystem where these activities take place.

ARTICLE NO. 2 - MINIMAL DIMENSIONS - TOLERANCE - CONTROL

1. The minimal dimensions of bivalve mollusk refer to the maximal length and maximal diameter of their shell.
2. Fishing and trading bivalve mollusk of each type with dimensions less than the following is prohibited:

a) bicaku	Solen spp.	8.0 cm
b) fasolari	Challista chione	6.0 cm
c) freskorja(kapesanta)	Pecten jacobeus	10.0 cm
d) midhja	Mytilus galloprovincialis	5.0 cm
e) ostrea	Ostrea spp.	6.0 cm
f) tartufi i detit	Venus verrucosa	2.7 cm
g) telini	Donax trunculus	2.2 cm
h) vongola	Venus gallina	2.3 cm

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| i) vongola filipine | Tapes philipinarum | 3.0 cm |
| j) vongola verace | Ruditapes decussatus | 3.6 cm |

3. There will be a tolerance of not more than 10% of the calculation at paragraph 2 of this article that allows bivalve mollusk of production to have dimensions less than those foreseen above.

ARTICLE NO. 3 - STATISTICAL DECLARATION

1. The owner of fishing license must declare to the respective Inspectoriate Office within the 15th of each month all the data of the previous month according to the forms A and B attached to this regulation.
2. The submission of this data can also be done through the cooperatives or association where he adheres.
3. The owner of fishing license must keep and record each day the forms A and B.
4. For daily record of data on bivalve mollusk fishing a specific book must be used (form C) with each page sealed by the respective Inspectoriate Office in the District Directorate of Agriculture and Food. This book must be presented each time they are requested from the Fishery Inspectoriate Offices.
5. If the data in this book is lacking or wrong recorded, or the forms A and B are not submitted, penalties will be applied or the license will be abolished in case of permanent occurrence of those events.

ARTICLE 4 - DURATION AND TIME LIMITATIONS OF FISHING ACTIVITIES

1. The Fishery Directorate after taking into consideration the positive opinion of the Local Consulting Commission for Fishery and Acquaculture has defined the fishing time for bivalve mollusks.
2. It is not permitted to fish bivalve mollusks during all the year on Saturdays, Sundays and official holidays.

ARTICLE 5 - TECHNICAL CHARACTERISTICS OF BOATS

1. The typical boat with drawing tools for mollusks must have the following features and limitations:
 - a) Maximal length between the perpendicular lines must be 10 meters
 - b) Maximal power 100 Hp for floating parts.
 - c) Maximal gross weight 10 t
 - d) Lack of mantle in propeller

2. It is prohibited to gather (fish) bivalve mollusk with navigation equipment of turbosofiante type.

ARTICLE 6 - LIMITATIONS IN FISHERY ACTIVITIES

1. It is prohibited to fish bivalve mollusks during the following period:
 - a) Venus gallina, kardium, challista chione, during June 15th to July 15th and in specific cases in other months also (May, July, August and September) if ordered by Fishery Directorate in consultation with the Local Consulting Commission and Research Institute of Fishery.
 - b) Kanoliket, in Adriatic sea from April 1st to September 30th
 - c) Donax trunculus, from April 1st to April 30th
 - d) Venus verrucosa, from June 1st to July 31st
2. It is prohibited to fish litophaga litophaga in any period, zone or with any navigation equipment or tools.
3. During the periods mentioned at paragraph 1 of this article, other fishing licensed activities are allowed, if the equipment and tools of bivalve mollusk fishing are not being used.

ARTICLE 7 - QUANTITATIVE LIMITATIONS

1. The daily maximal quantity for the boats mentioned at Article 5, is defined as follow:
 - a) total of venus gallina and kardium 600 kg
 - b) challista chione 500 kg
 - c) donax trunculus 100 kg
 - d) total of koce pelose, muscoli and kanestrelji 300 kg
 - e) ostrea spp. 100 kg
2. Each professional licensed fishermen of bivalve mollusks in sea and lagoons must not exceed the following daily caught quantities:

a) bicaku	Solen spp.	5 kg
b) fazolari	Challista chione	50 kg
c) freskorja(kapesanta)	Pecten jacobaeus	20 kg
d) midhja	Mytilus galloprovincialis	50 kg
e) ostrea	Ostrea spp.	30 kg
f) tartufi i detit	Venus verrucosa	10 kg
g) telini	Donax trunculus	20 kg
h) vongola	Venus gallina	10 kg
i) vongola filipine	Ruditapes semidecussatus	10 kg
j) vongola verace	Ruditapes decussatus	5 kg

3. The maximal daily quantities will be written on each license and will be defined based on the resources of each zone.
4. The species produced by aquaculture plants are excluded from paragraph 2 of this article.

ARTICLE 8 - CONTROL

1. The maximal quantities of bivalve mollusks must be controlled, thus they must be disburdened within the timetable in a certain point of the port that is to be defined by the Fishery Directorate after taking into consideration the opinion of the Local Consulting Commission.
2. For the other subjects, the gathering points of bivalve mollusks will be defined by separate directive by the Ministry of Agriculture and Food.
3. The Book of bivalve mollusks fishing mentioned at article 3, is to be sealed from the Directorate of Agriculture and Food in the districts where the disburdening is going to take place.

ARTICLE 9 - LICENSING

The terms of licensing and the fishery zones are defined in the formal act of licensing according the forms defined in the Regulation no. 1 date 26/03/1997 accompanying the execution of Law 7908 date 05/04/1995 "About Fishery and Acquaculture".

ARTICLE 10 - CONTROL

1. According to article 5 all the fishing boats must be under control of the Marine Authority in the place of boat registration.
2. The Certification of Control must be part of boat documentation.
3. If the control has not been done or it was refused to be done, the license will be suspended up to the moment when the control will take place.

ARTICLE 11 - RESPONSABILITY

The Fishery Inspectoriate will be responsible to execute this Regulation and to make it known to the interested parties.

ARTICLE 12 - VIOLATION

Violations of the articles of this Regulation will be fined with penalties varying from 10 thousand to 500 thousand leks, up to license abolition and in case of penal act according to the respective laws.

ARTICLE 13 - LAST DISPOSITIONS

As this regulation enters in force, the following from the Regulation no. 1, date 26/03/1997 do not have a legal force any more:

Article 45, paragraph 1 litophaga litophaga article 48, paragraph 1.d, article 49, paragraph 1 and 2, article 53, paragraph 4, article 61, paragraph f.

This Regulation enters in force immediately.

**MINISTER
LUFTER XHUVELI**