

REPUBLIC OF ALBANIA
MINISTRY OF AGRICULTURE AND FOOD
GENERAL DIRECTORATE OF FISHERY

Regulations

No 1 date 26.03.1997

In

In implementation of the law No 7908, date 5.4.1995 “For fishing and aquaculture”, the
Minister of Agriculture and food issues these regulations.

Chapter I

GENERAL PROVISIONS

Article 1

Definitions:

1. in the meaning of these regulations:
 - a) “inland waters” includes coastal lagoons, natural lakes, lakes of hydropower stations, reservoirs of irrigation, rivers and other waters of the Republic of Albania different from marine water;
 - b) trawl (demersal) fishing implies the fishing of water organisms of the bottom with whatever type of attractive trawls (trate koce);
 - c) pelagic fishing implies the fishing of all the kinds of fish that live in the water level between the bottom and the surface of water, be they big or small (sardines, acuga, ton, etc);
 - d) fishing with purse seining means the fishing of sardines, acuga, and other types of small pelagic fish with whatever kind of surrounding net with or without using light resources;

- e) fixed means fishing or stationary fishing means fishing with all kinds of means, nets; plastic, wooden or woven fishing rods, etc) which may be fixed or sailing, used to catch water organisms as for example dajlane, prita, bilance stavnike, etc;
- f) the initials used in the statistic forms presented in the appendices 11 to 20 mean:
- DS (daily statistics of sea fishing)
 - IS (daily fishing statistics in inland waters)
 - SM (daily statistics of bivalves cockles)
 - AS (annual statistics of fishery and aquaculture)
- g) fishing means include all those tools designed to catch water organisms;
- h) “Director” and “Directorate” refer respectively to the general director and General Directorate of Fishery at the Ministry of Agriculture and Food;
- i) “Law” implies the Law No 7908, date 5.4.1995 “For fishery and aquaculture”.
2. In the meaning of the law and these regulations:
- a. Industrial fishing implies the forms of professional fishing of the trawling, pelagic and purse seinings.
- b. Artisan fishing means forms of professional fishing with fixed or selective means as hooks (fixed nets), mrezhat, njicat, etc carried out in marine or inland waters with or without using sailing units.

Chapter II

CONSULTATIVE ORGANS

ARTICLE II

The Central Consultative Commission for fishery and aquaculture

The central consultative commission for fishery and aquaculture consists of:

- a. Minister (chairman)
- b. Director (Vice chairman)
- c. Directors of other directorates of the Ministry (5 persons, members)
- d. Representatives of other interested ministries (5 persons)
- e. The director of the Research Fishery Institute
- f. The chief of the section of fishing resources and the chief of the inspectorate in the directorate (2 persons)
- g. Specialists in the field of fishing and aquaculture (3 persons)
- h. Representatives of professional associations which have an activity of professional fishing, aquaculture or of the industry of processing and marketing of the fish products (4 persons).

ARTICLE 3

Local consultative commissions for fishery and aquaculture

At the councils of the districts Shkoder, Kukes, Lezhe, Kurbin, Durres, Kavaje, Lushnje, Fier, Pogradec, Korce, Vlore and Sarande are created local consultative organs for fishery and aquaculture which consists of:

- a. the director of the directorate of agriculture and fishery (chairman)
- b. a representative of the municipality of the city and a representative of the city council
- c. The secretary of every commune which has in its territory an important fishery and aquaculture activity.
- d. Specialists of fishing or aquaculture, who are nominated from the chairman of the commission (two or three persons)
- e. Representatives of organizations and organisms of the producers of professional fishing, aquaculture or the industry of processing and marketing of fish products (two to three persons)

- f. A representative of the inspectorate of fishery in the respective district.

Article 4

The commission for scientific and technological coordination

The commission for scientific and technological coordination consists of:

- a. the director (chairman)
- b. the chief of the section of fish resources in the directorate (secretary)
- c. the director of the directorate of science in the ministry;
- d. the director of the institute of fishery research
- e. two specialists of the directorate
- f. two specialists of the institute of fishery research
- g. three specialists from the institutions of private or public companies in the field of fishing, aquaculture and of other activities related to fishery (mainly from the industry of fish processing)
- h. Two representatives of the organizations or unions of producers of the fishing section.

ARTICLE 5

Internal regulations

- 1. The central consultative commission for fishery and aquaculture functions on the basis of the internal regulations approved by the Minister.
- 2. The central consultative commission for fishery and aquaculture compiles the internal regulations for local commissions, which are also approved by the minister.

ARTICLE 6

The payment of the members of the commissions

Members of the central and local consultative commissions, of the commission of the coordination of scientific and technological research, of the board of licenses and of the commission which analyses the administrative breaks of rules are given an annual award on the bases of the respective sublegal acts.

ARTICLE 7

Partaking in meetings

The meetings of every commission are valid with the participation of more than half of the members.

ARTICLE 8

Meetings of the commissions

1. Meetings of the commissions are held as follows:
 - a. The consultative commission every six months
 - b. The commission of the coordination of the scientific and technological research every three months.
 - c. The commission for the analysis of the administrative violations of laws, every month
 - d. The board of licenses of fishing and aquaculture and for activities related to fishing, every month
2. For special cases as dictated by the job necessities, the chairman of every commission may call his commission in a meeting out of the normal order. This may be called a special meeting.

ARTICLE 9

Members that do not have the right to vote

The chairman of every above mentioned commission can invite in the meetings of the commission functionaries of the administration or special experts related to the problems being analyzed, but they do not have the right to vote.

CHAPTER III

Programming norms

ARTICLE 10

The content of the administrative plan for fishery and aquaculture

1. The plan of fishery and aquaculture consists of two parts.
2. The first part of the plan of the administration of fishery and aquaculture consists of a section on fishery and a section on aquaculture.
3. The section on fishery aims to determine a suitable level of the exploitation of fishing resources. For this reason the plan deals with :
 - a. the actual condition of the fishing resources on the bases of the available knowledge;
 - b. the objectives which are to be followed to ensure their rational exploitation and the methods to be used to achieve these objectives, related to types, forms and different fishing areas, kinds of fish or groups of kinds of fish and other water organisms;
 - c. on the bases of the above mentioned data, the kind of fishing to be practiced is shown for fishing forms and areas, kinds and groups of kinds of fish and other water organisms, specifying the proper limitations as well as the limitations on the

- number of licenses to be issued; the criteria on the bases of which the limitations on issuing licenses will be carried out;
- d. Plans to be approved after the first, the conditions and the applications of the next plan.
4. The section on aquaculture deals with:
 - a. the actual conditions of the section of aquaculture;
 - b. the objectives to be set for the development of aquaculture in marine and inland waters, including the repopulation of special water ecosystems as well as the methods to be used for the achievement of these objectives;
 - c. The criteria for issuing the licenses of aquaculture.
 - d. Plans to be approved after the first, the conditions and the implementation of the next plan.
 5. The second part of the plan of the administration consists of the structures on land which are related to the exercising of fishing and aquaculture, as ports, factories and plants of processing, conservation and transformation of fish products, the markets of the wholesale of fish, the structures of service for the fishing means and tools, etc.

ARTICLE 11

The plan for the development of fishery and aquaculture

1. The plan for the development of fishery and aquaculture is adapted (revised) periodically and is improved on the basis of the plan of the administration of fishery and aquaculture.
2. The plan for the development of fishery and aquaculture is prepared from the directorate in co-operation with other directorates of the ministry which are thought to be economic necessities, taking the approval of the consultative commission and approved from the Council of ministers.
3. The plan for the development of fishery and aquaculture makes the distribution of funds to be taken from the budget or other financial resources for the investments and

expenses on the public sector; for the scientific and technological research applied in fishing and aquaculture, for the co-operation, supervising activities, loans on fishery and for other eventual intentions.

4. The plan also determines the necessary funds for the functioning of the organisms determined by the Law.

Chapter IV

Scientific research

Article 12

The authorisation for research

1. The authorisation for research (according to the article 10 of the law) is prepared from the directorate and is issued with the signature of the minister.
2. The authorisation can be issued to research entities known on the bases of these regulations and other research institutions of the country and abroad which satisfy the criteria of a research entity according to article 15 of these regulations.
3. The duration of a research authorisation is determined in the document issued for this purpose.

ARTICLE 13

Research activities without an authorisation

The authorisation to carry out research activity is not necessary:

- a. In the case of gathering of data or in applied research carried out during the exercising of an activity and in accordance with the license of professional

fishing with the respective licensed sailing means which serve for fishing from the sailing means itself.

- b. For the research carried out by an economy of aquaculture or industry of fish processing within the licensed units and for technological aspects in general.

ARTICLE 14

The acknowledgement of the research entity

1. The acknowledgement of the research entity is done with the decision of the minister on the basis of the documentation prepared from the directorate and the commission for coordination of research and technological research, according to the inquiries presented by the private subjects.
2. The acknowledgement of the research entity is done for an indefinite time. It can be cancelled in cases when the provisions of the articles 15 and 16 of these regulations are not respected, as well as in cases when there are violations of law and other sublegal acts.
3. The institute of research of fishery in Durrës is a national research entity for fishery and aquaculture.

ARTICLE 15

The requirements for the acknowledgement of the research entities

To win the right of an entity known for research in fishery and aquaculture the following are necessary:

- a. the decision of the court for the juridical personality;
- b. the entity must possess personnel with higher education, experts in the discipline of fishery and aquaculture;

- c. The entity must possess the financial means and the equipment for the development of the respective research activity.
- d. The entity must be distinguished for its academic level and its capacity in the field of research and in processing scientific information of fishery and aquaculture.
- e. The commission for coordination of scientific and technological research must have given a favourable opinion about this acknowledgement.

ARTICLE 16

The obligations of the acknowledged research entity

1. Every acknowledged entity is obliged to present to the directorate:
 - a. The name and address of the registered entity;
 - b. The object of the activity of the entity according to the registration at the court as a juridical person be it a private or state one.
 - c. The names of the authorised experts of the entity as its president, members of the board, etc.
 - d. The research or projects it has implemented as an entity or in co-operation;
 - e. The inquiry to be acknowledged as an entity specifying the kind of research it aims to carry out.
 - f. Every acknowledged research entity is obliged to issue an authorisation to the person that works for that entity.
2. During research and during its completion every acknowledged entity is obliged to present the respective report to the directorate and give whenever asked data regarding the research activity being carried out.

CHAPTER IV

THE REGISTRATION OF PROFESSIONAL FISHERMEN AND OF THE SAILING MEANS

ARTICLE 17

Register keeping and register format

1. The register of professional fishermen is kept at the directorate at the section of fish resources. The offices of the fishery inspectorate keep the respective register for the areas they cover.
2. The register of professional fishermen consists of two parts:
 - a. For the fishermen engaged in sea fishing with fishing boats with a deck;
 - b. For the fishermen engaged in fishing with sailing means without a deck, in marine or inland waters, with or without sailing means.
3. In the register should be written the violations of law and of the sublegal fishing acts and the eventual penalties for every registered person

ARTICLE 18

Inquiries for registration

1. The inquiry for registration in the register of the professional fishermen is made from the person himself and is submitted at the directorate if complete and accompanied by two photos and other necessary documentation required by that directorate.
2. The directorate checks the completion of the inquiry in accordance with the conditions determined by the law and regulations of fishery and then approves the registration.

ARTICLE 19

Registration

1. In the first registration done after the law and these regulations are passed, all the fishermen working in fishing for a period of more than a year and who do not do any other job even in the cases when they do not satisfy other criteria for registration, have the right to be registered.
2. For other fishermen, who ask to work as professionals, the registration is a necessity and is done on the basis of the criteria determined in the articles 18 and 20 of these regulations.

ARTICLE 20

The document of registration

1. The registration gives to the professional fisherman the right to be equipped with the registration document.
2. The registration document is necessary for every person who works in the fishing sector. Every person carries this document and shows it to the fishing inspector if asked by them.
3. The registration document is issued only with the signature of the director.

ARTICLE 22

The duration of the registration

The registration in the register of the professional fishermen has an indefinite duration.

ARTICLE 23

The deregistration from the register of professional fishermen.

1. The director decides for the deregistration from the register of professional fishermen:
 - a. in the case when the registered person dies;
 - b. in the cases when the conditions according to the article 20 of these regulations are broken or not respected;
 - c. in the case of interruption of the fishing activity for a period of more than three years;
 - d. If required by the registered person in cases when he interrupts the fishing activity (because of an illness, physical injury, etc.;
 - e. On the bases of a request of a fishing inspector in the cases when breaks of the law are noticed
2. In cases of deregistration, the registered person is obliged to submit the registration document in the directorate.

ARTICLE 24

Professional qualifications

1. The ministry can specify the requirements and the criteria for the professional qualifications related to the fishing, aquaculture activity, or other related activities to fishing.

2. The professional qualification of the registered person is written down on the register of professional fishermen.
3. The directorate keeps a special register on the bases of the professional qualification of the registered persons.
4. The ministry determines the institutions, which have the right to issue the certificates of the professional qualifications of the fishing workers.

ARTICLE 25

The registration of the fishing sailing means

1. The registration of the fishing sailing means is done at the directorate as well as in the offices of the inspectorates in the districts and is divided into two separate parts:
 - a. For sea fishing sailing means with a deck;
 - b. For fishing sailing means at the seaside and in inland waters, with or without an engine, but without a deck
2. For the registration of the sailing means the data for the identification of the sailing means, the technical data of the fishing means and equipment (according to the appendices No 2 mod.ARK1) are written down.

ARTICLE 26

Registration

1. The registration in the register of the fishing sailing means is done after the issuing of the corresponding fishing license. The means, which are not equipped with the fishing license, are not registered in this register.

2. Every fishing sailing means is given a register number that doesn't change in the case of renovation of the fishing license.

CHAPTER VI

LICENSES

ARTICLE 27

Types of licenses

The license in the fishing activity and that of aquaculture is issued as follows:

1. The license is given for every separate sailing means if sea fishing is exercised with sailing means with a deck (motorbikes or fishing boats);
2. In marine and inland fishing, exercised with sailing means without a deck (sanalle, lundra, etc with or without an engine), the licenses may be given for one or several sailing means, but specifying in the license their number.
3. In fishing, which is exercised in fixed or stationary means as well as in the gathering of cockles at marine or inland waters, the license is given for every separate means.
4. In the activity of aquaculture the license is given for every producing unit (fish farm for the production of fish, crustacean cockles or of their fingerlings), built on land or installed in the inland or marine waters.
5. The license is given to every separate enterprise where fish is treated for the market (fresh fish, frozen and cleaned) as well as in those of the depurifications of the cockles.

ARTICLE 28

The request for a professional fishing license

1. The subject or the owner who asks to be provided with a license for professional fishing submits his request for a license at the directorate, according to the model KP1 (appendix 1 of these regulations);
2. The request for a license is submitted accompanied by the following documents:
 - a. the decision of the registration at the court;
 - b. the certificate of the registration of the sailing means at the Headquarters of the Port;
 - c. a certificate of sailing from the Sea register;
 - d. The form with the data for the archive of the licenses at the directorate of fishery (according to the model ARK1 presented in appendix 2 of these regulations).
3. For artisan fishing at marine or inland waters, the approval from the commune, in the areas where the activity will be carried out must also be submitted .
4. The respective specialists at the directorate check the documentation for licenses and present them in the meeting of the Board of licenses after they are approved from the director.

ARTICLE 29

The submission of the request for a license

1. The request and the documents for the license are submitted at the directorate at least one month before the consecutive meeting of the board.
2. The request and the documents for the renovation of the license are submitted at the directorate at least 15 days before the consecutive meeting of the board.
3. Every modification of the data presented, together with the documents for a license must be declared from the person who submits it at least a week before it is submitted to the board.

ARTICLE 30

The request for aquaculture license

1. The subject or the owner who asks to be provided with a license for aquaculture submits in the directorate the request for a license, according to the model KA2 (appendix 3 of these regulations)
2. The request for a license is submitted accompanied with the following documents:
 - a. The decision for registration from the court.
 - b. The documents for the ownership of land or of the fish farm.
 - c. The general plan of the fish farm built on the land surface or which is requested to be installed on the water surface (sea, lakes, lagoons, etc.)
 - d. The technological cards on the activity of aquaculture to be exercised.
3. The respective specialists of the directorate take and check the documents for licenses and submit them in the meeting of the board of licenses after they are approved by the Director.

ARTICLE 31

The board of licenses

1. The board of licenses consists of a minimum of five members of the directorate headed by the director. The members of the board are approved by a special decision of the minister.
2. The board analyses the requests, which are submitted and presented, and proposes to the minister the issuing of the licenses to the sailing means or subjects approved by this board.
3. The proposal is written in the form of a protocol, which is presented to the minister after the members of the board have approved it.

4. For the licenses of aquaculture in the sea, one representative of each of the following is a member of the board of licenses: the committee for the defense and protection of the environment, the Headquarters of the port and tourism.

ARTICLE 32

The renovation of the licenses

1. The renovation of the license is done after the previous one expires.
2. To renovate the license the following documents must be presented to the directorate:
 - a. the request for the renovation of the license;
 - b. The statistical data requested by the ministry, and confirmed from the office of the respective inspectorate.
3. Reservoirs of irrigation also need documents for the restocking with fingerlings from the holder of the license. The respective fishery inspector of the area confirms these documents.
4. After the directorate checks if the subject or the sailing means has fulfilled all the obligations it presents the document to the board so that the license can be renovated.

ARTICLE 33

The availability of the licenses and the duplicates

1. The fishing license issued according to the law, comprises the basic document for the exercising of professional fishing and is kept at every moment at the board of the ship.
2. If the license is lost or becomes illegible, the directorate issues a duplicate signed by the director.

ARTICLE 34

The interruption of the license

1. The interruption of the validity of the license is a competency of the fishing inspectors, the chief of the fishing inspectorate at the ministry as well as of the director.
2. The decision for the interruption is given in a written form to the holder of the license and a copy is kept at the directorate. The holder of the license in this case is obliged to submit to the directorate or to the office of the inspectorate in the respective district the document of the license until the decision of the Commission of the Analyses of the Administrative violations of law and their complementary provisions.
3. The interruption of the validity of the license is done for all the cases of the violations of law included in the article 39 of the law and of the breaks of the dispositions of the article 38 of the same law, or in other cases foreseen in the sublegal acts of the implementation of the law.
4. The interruption of the validity of the license is also done in cases when its holder does not want to continue the fishing or the aquaculture activity permitted by the license. In these cases the holder is obliged to submit the license in the office of the respective inspectorate.

ARTICLE 35

The transfer of the license

1. Whoever becomes the owner or the legal representative of a fishing sailing means, aquaculture plant or the subject for whom the license has been issued and who wants to continue the exercising of the activity according to the license, is obliged to present at the directorate the request for the transfer of the license. The request is made 15

days from the changing of the ownership. The directorate issues a duplicate license signed by the director, without changing the number of the previous license.

2. Whoever is the owner of a sailing means with a deck, provided with a license of professional fishing, can request from the directorate the transfer of the license to another sailing means with similar technical characteristics, if the previous means is out of order for fishing, but proving this with the proper documentation. The directorate issues a duplicate license signed by the director, without changing the number of the previous license.

ARTICLE 36

Cancelling the license

1. The license is cancelled if a sailing means or an aquaculture plant is not used to carry out the activity for which the license was issued, for a period of more than three months. The fishing inspector checks and presents the proper protocol to the directorate.
2. The holder of the license is obliged to submit the license to the directorate, within 15 days from the expiration of the above mentioned time as mentioned in point 1 (article 36)
3. The directorate cancels the fishing license with an approval from the director and deposits it in the archives of licenses

ARTICLE 37

Obligations for fishing boats with a professional fishing license.

1. The captain of a sailing means that has a license of professional fishing is obliged to fulfil the following obligations:
 - a. to apply the legal and sublegal acts for fishing;

- b. to obey to every order given from the fishing inspectors, as may be to allow them to inspect or to take the motorboat at a port;
 - c. to keep the book of the boat according to the given instructions or according to the legislation in power, to register regularly and legibly the data required and present them whenever needed to the fishing inspectors; in the case of licenses issued for some sailing means, this obligation should be fulfilled from the titular of the license;
 - d. Allow the entrance and the stay in the board of the boat, the observes and scientific and technical workers be they domestic or international who are authorised from the director, as well as to enable them carry out their mission.
2. The captain of every foreign sailing means, provided with a license of professional fishing, is obliged to fulfil the following obligations:
- a. keep the flag of their own country during the time they sail in the territorial waters of the Republic of Albania;
 - b. announce immediately the directorate every time they enter and depart from the territorial waters of the republic of Albania and at the same time to respect the norms of communication with the Headquarters of the ports of the Republic of Albania as well as all other sailing rules in the waters of the Republic of Albania;
 - c. To respect the dispositions of article 37, point 1 of these regulations well as Albanian sailing means.

ARTICLE 38

Identification signs of the sailing means

Every sailing means of professional fishing must have its identification signs, according to the normative of FAO, in program 10 on “ specifications for identification signs of the fishing boats”. The ministry publishes these signs in a separate act.

ARTICLE 39

Modules of licenses

1. The license for professional fishing, for aquaculture or activities related to fishing is issued according to the following models:
 - a. LP1- for the sea fishing sailing means with a deck (appendix 4)
 - b. LP2- for the fishing sailing means at the seaside and in the inland waters, without a deck (appendix 5);
 - c. LP3- for the fixed or stationary fishing means at marine or inland waters (appendix 6);
 - d. LA4- for aquaculture in the fish farm built on the surface of land (appendix 7);
 - e. LA5- for aquaculture floating cage units on water surfaces, at marine or inland waters (appendix 8);
2. The holder of the license is given the original document of the ministry; a copy of that is kept in the archive of licenses of the directorate a copy is kept in the protocol of the ministry.

CHAPTER VII

PROHIBITIONS IN FISHING

ARTICLE 40

Areas protected from fishing

1. It is prohibited, every form of fishing in the areas protected determined by the sublegal acts issued by the minister.

2. The exercising of fishing is prohibited in an area with a radius of 2 km from the end of the Buna river and 1 km from the end of all other rivers of the country.

ARTICLE 41

Trawl and pelagic fishing

1. Fishing with attractive tart is prohibited (trawl and pelagic) in the seaside within a basic line less than a depth of 30 m of water.
2. It is prohibited to fish with attractive tart (trawl or pelagic) in the Bay of Vlora (limited on the north from the basic line of the Bay of Karaburun up to Treport).

ARTICLE 42

Sea communication channels for the lagoons

1. Fishing in the sea communication channels for the lagoons as well as in the seaside area included within the arch with a radius of 2 km and which has as a centre the place where the channel pours into the sea.
2. During the period when v-shaped nets are closed (when their function is to catch fish), the fishing of a third party within the boundaries of the v-shaped net (shamaduri from the part of the v-shaped net) determined in every case from the directorate or experts authorised from it is prohibited.
3. The above mentioned prohibition is not valid in the cases when the dike of the v-shaped net is jeopardised because of the hydrometereological conditions.

ARTICLE 43

V-shaped traps “Lavoriero”

1. V-shaped traps are opened not to function for fishing in these periods of the year:

- a. The v-shaped trap of Shkodra 15 march to 31 august
- b. “ “ Viluni 15 march to 30 September
- c. “ “ Merxhanit 10 march to 31 July
- d. “ “ Ceka 10 march to 31 July
- e. “ “ Patogut 15 march to 30 September
- f. “ “ Karavasta 5 march to 5 may
- g. “ “ Narta 10 February to 10 April
- h. “ “ Orikum 15 march to 15 June
- i. “ “ Butrint 1 April to 30 June

2. In the period when the v-shaped traps of the coastal lagoons are open (according to the point 1 of this article), every form of fishing in the lagoons except arepave and parancave for eels is forbidden.

3. It is forbidden to put fishing poles (or plastic, metallic tubes, etc) in the dajlans with a distance less than 12 mm from each other.

4. It is forbidden to use nets (metallic, plastic, etc) with a diameter less (the circumscribed circle in the holes) less than:

- a. 30 mm for the dajnal of Shkodra;
- b. 28 mm for the other dajlans;

ARTICLE 44

The authorisation for the restocking of natural waters

The restocking of natural waters with water organisms is done with the authorisation of the ministry. In the case of introduction (acclimatization) of other species in the waters of the Republic of Albania, before the authorisation of the ministry is issued, the opinion of the commission for the coordination and scientific and

technological coordination is taken. In the authorisation are determined the areas where the new species will be introduced.

ARTICLE 45

Prohibited fishing

1. It is forbidden to fish in every period, area and with whatever means and tools the following kinds:
 - Koran of the river – *Salmo river letnica*
 - Sturgeons – *Acipenser atirio*, *Acipenser nacarili*, etc.
 - Njila – *Chondrostoma* spp.
 - Sharks – *Cetorhinus maximus*, *Carharodon carcharias*.
 - Lopa e detit – *Mobula mobular*.
 - Gureshpuesi (bivalve mussels) – *Lithophaga lithophaga*.

2. It is forbidden to fish in every period, area and with whatever means or tools the sea mammals (dolphins, whales, seals, etc).

ARTICLE 46

The prohibition to fish some kinds in certain periods and areas

It is forbidden to fish the following types in the respective periods and areas:

1. Bleak (cironka) – *Alburnus albicus alborella*

From 20 April to 15 July in the Ohrid lake

From 15 may to 30 June in the Prespa Lake

From 1 April to 31 July in the other areas;

2. Common carp – *Cyprinus carpio*

From 20 May to 15 June in the Ohrid and Prespa Lake

From 15 April to 15 May in the other areas

3. Koran – *Salmo letnica*

From 15 December to 15 February in the Ohrid lake

4. Belushla – *Salmothymus ohridanus*

From 1 November to 31 January in the Ohrid lake.

5. wild trout – *Salmo trutta*

From 1 November to 1 April in all the areas

ARTICLE 47

Measuring the dimensions of the water organisms

1. The length of the fish is measured from the top of the head (with closed mouth) to the extremity of the longest lobe of the feather of the tale (caudal) when this does not consist of two lobes.
2. The length of the crustaceans is measured from the beginning of the eye to the posterior extremity of the body, including the tale.
3. The dimensions of the bivalve mussels refer to the maximal length or to the maximal diameter of their shell.

ARTICLE 48

The minimal dimensions of the water organisms

1. It is forbidden to fish and to sell water organisms with dimensions less than the following for every separate kind:

a. Fish

- Merluc	Merluccius merluccius	20 cm
- Merluci tripendesh	Microsistius spp., Trisopterus spp., Gaidropsarus spp.,	20 cm
- Seabass	Dicentrarchus labrax	25 cm
- Mullet	Mugil spp., Liza spp., Chelon spp.	20 cm
- Seabream	Sparus aurata	20 cm
- Pagria	Pagrus pagrus	20 cm
- Saragojte	Diplodus spp.	15 cm
- Spalcat	Pagellus spp.,	12 cm
- Dentalet	Dentex spp.	25 cm
- Vopa	Boops boops	10 cm
- Salpa	Sarpa salpa	12 cm
- Barbunet	Mullus spp.	11 cm
- Kerrat	Epinephelus spp., Polyprion spp.	45 cm
- Korbet	Sciaena spp., Umbrina spp.	25 cm
- Stavridat	Trachurus spp.	12 cm
- Gofat	Seriola spp	30 cm
- Ame	Lichia amia	30 cm
- Skumret	Scomber spp.	20 cm
- Pallamidi	sarda sarda	30 cm
- Sardines	Sardina pilchardus	10 cm
- Acuga	Engraulis encrasicolus	10 cm

- Sardinela	<i>Sardinella aurita</i>	12 cm
- Shproti (papalina)	<i>Sprattus sprattus</i>	10 cm
- Kublat	<i>Alosa fallax</i>	20 cm
- Maridhat	<i>Spicara spp</i>	8 cm
- Ton	<i>Thunnus thynnus</i>	70 cm
- Alalunga ton	<i>Thunnus alalunga</i>	40 cm
- Tonili	<i>Euthynnus alletteratus</i>	30 cm
- Peshku shpate	<i>Xiphias gladius</i>	100 cm
- Peshku pellumb	<i>Mustelus spp.</i>	30 cm
- Sharks	<i>Squalus spp., Scyliorhinus spp.,</i>	
-	<i>Prionace spp.</i>	40 cm
- rajat	<i>Raja spp.</i>	30 cm
- skathinat	<i>Squatina spp.</i>	40 cm
- electric fish	<i>Torpedo spp.</i>	30 cm
- ngjale deti	<i>Conger conger</i>	30 cm
- peshqit kitare	<i>Rhinobatos spp.</i>	30 cm
- gjuhezat	<i>Solea spp.</i>	20 cm
- shojza	<i>Platichthys flesus</i>	15 cm
- shkotrat	<i>Bothus spp., Arnoglossus spp.</i>	30 cm
- rombet	<i>Scophthalmus spp.,</i>	
-	<i>Psetta spp., Lepidorhombus spp.</i>	30 cm
- jatagani	<i>Lepidopus caudatus</i>	40 cm
- shtiza	<i>Sphyraena spp</i>	25 cm
- peshku kovac	<i>Zeus faber</i>	15 cm
- peshk gjel	<i>Trigla spp., Aspitriglia spp.</i>	15 cm
- Lopa e detit	<i>Lophius piscarorius</i>	30 cm
- Aterinat	<i>Atherina spp</i>	8 cm
- Ngjala	<i>Anguilla anguilla</i>	25 cm
- Trofta ylberi	<i>Onchorhynchus mykias</i>	25 cm
- Trofta e eger	<i>Salmo trutta</i>	20 cm
- Koran	<i>Salmo letnica</i>	25 cm

- Belushka	<i>salmothymus ohridanus</i>	15 cm
- Sharroku(perka)	<i>Perca fluviatilis</i>	15 cm
- Lucioperka	<i>Stizostedion lucioperca</i>	30 cm
- Gjuca(cironka)	<i>Alburnus spp.</i>	10 cm
- Njila (skobuzi)	<i>Chondrostoma spp.</i>	15 cm
- Skortet	<i>rutilus spp.</i>	12 cm
- Mustaket	<i>Barbus spp.</i>	25 cm
- Mrenat	<i>Cobitis spp.</i>	25 cm
- Mlyshet	<i>Leuciscius spp.</i>	15 cm
- Bordullaket	<i>Gobius spp.</i>	15 cm
- Karaset	<i>carassius spp.</i>	15 cm
- Carp	<i>Cyprinus carpio</i>	30 cm
- Ballgjeret	<i>Hypopthalmichthys spp.,</i>	
-	<i>Aristichthys spp.</i>	30 cm
- amuri	<i>Ctenopharyngodon idella</i>	30 cm
- pellembeza	<i>Megalobrama amblycephala</i>	20 cm

b. Crustacean

- karkaleci I detit	<i>Panaeus kerathurus</i>	7 cm
- karkaleci violete	<i>Aristeus antennatus</i>	7 cm
- karkaleci I kuq	<i>aristaemorpha foliacea</i>	6 cm
- karkaleci I bardhe	<i>parapenaeus norvegicus</i>	10 cm
- skampi	<i>Nephrops norvegicus</i>	30 cm
- homaret (asticet)	<i>Homarus spp.</i>	30 cm

b. Cephalopod mussels

- Kallamaret	<i>Loligo spp.</i>	25 cm
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- Totanet	Ilex spp	30 cm
- Sepia	Sepia officinalis	20 cm
- Octopus	Octopus vulgaris	0.5 kg

c. bivalve mussels

-Mussels	Mytilus galloprovincialis	5.0 cm
- vongola	Venus gallina	2.3 cm
- tartufi I detit telini	venus verrucosa	2.7 cm
	Donax trunculus	2.2 cm
vongola verace	Ruditapes decussatus	3.6 cm
vongola filipine	Ruditapes semidecussatus	3.0 cm
ostrea	Ostrea spp.	6.0 cm
bicaku	Solen soo.	8.0 cm
freskorja	pecten jacobeus	10.0 cm

2. Fishes of small dimensions caught by purse seine nets, as sardines, acuga, papalina and bleak (cironka) it is allowed that out of the total quantity up to 20 % be less than the respective minimal dimensions (point 1 of this article) but not less than 7 cm in length.

ARTICLE 49

The maximum daily quantities for bivalve cockles

1. For every professional fisherman provided with a license for the gathering of bivalve cockles in the sea and at marine lagoons, it is forbidden to exceed the following daily quantities:

- Vongola	Venus gallina	10 kg
- Vongola verace	Ruditapes decussatus	5 kg
- Vongola filipine	Ruditapes semidecussatus	10 kg

- Mussels	Mytilus galloprovincialis	40 kg
- Telini	Donax trunculus	20 kg
- Freskorja (kapesanta)	Pecten jacobeus	20 kg
- Ostrea	Ostrea spp	30 kg
- Tartufi i detit	Venus verrucosa	10 kg
- Gureshpuesi	Lithophaga lithophaga	2 kg
- Bicaku	Solen spp.	5 kg

2. The kinds produced from aquaculture works are excluded from point 1.

ARTICLE 50

Annual fishing minimums for marine fishing

1. Every titular of a license of marine professional fishing is obliged to make use of the sailing means provided with this license (for trawl fishing, pelagic fishing and fishing with surroundings), in a way that he can guarantee within a period of an year the minimal quantities of fish products as follows:

- Boats over	500 Hp	500 kV
- “	300-500 Hp	400 kV
- “	200-300 Hp	300 kV
- “	under 200 Hp	250 kV

2. The board of licenses may change the form of fishing and renovate the license. for the sailing means that do not catch the minimal annual quantities (according to point 1),
3. The cases when the sailing means have had a defect, interruption or cancellation of the license and when these are properly documented in the directorate are excluded from this obligation. The directorate based on the submitted documents makes calculations to decrease the quantity.

ARTICLE 51

The prohibition to change the habitat

Prohibitions for the change of the quality of water and the change of the direction of their flow include (according to the article 24, point 1,d of the law) the following:

- a. to build new channels at marine lagoons, without the approval of the responsible organs;
- b. to change the flow of the channels that communicate between the sea and the lagoon;
- c. to make fresh waters enter into lagoons, without the approval of the responsible organs;
- d. to change the stream of the rivers or other running waters;
- e. To cut water vegetation without the approval of the responsible organs.

ARTICLE 52

Prohibitions for some kinds of fishing sailing means

1. It is forbidden to provide a license for trawl fishing to the sailing means with an engine of over 600 Hp and less than 150 Hp. The licenses issued before these regulations are passed continue to be valid.
2. Sailing means of the kind of a motor boat or dinghy are forbidden to be used for professional fishing,

ARTICLE 53

Prohibitions for some fishing forms and equipment

1. Trawl fishing is forbidden in all categories of inland waters (koca)
2. It is forbidden to fish with attractive means having the form of gabiesh, dragash, etc. in marine and inland waters.
3. It is forbidden to put fixed equipment that close completely the stream of the rivers or their flow in the sea.
4. It is forbidden to gather (fish) bivalve mussels with sailing means of the turbosofiante type.

ARTICLE 54

Minimal dimensions of the fishing nets

1. Measuring the length of the hole does the measuring of the dimensions of the holes of the nets, so the internal distance between two knots opposite one another equals twice the side of the rectangle of the hole (2a). The measuring is done when the hole is pulled from its longest axes when the net is wet and used.
2. It is forbidden to use nets with holes less than the followings:

a. Trawling gear (in a sack)	40 mm
b. Koshilok for sardines, acuga and small pelagic fish (in a sack)	16 mm
c. Koshilok for sardines, acuga and small pelagic fish (in its other parts)	20 mm
d. Surrounding trate:	
- For bleak in the lake of Shkodra, Fierza, and vau i Dejes	28 mm
- For bleak (cironka) in other areas	20 mm
Mrezha a njica:	
- At the seaside	48 mm
- At coastal lagoons	60 mm
- For Koran of the Ohrid lake	80 mm
- For Belushka of the Ohrid lake	52 mm
- For carp of the Shkodra lake	160 mm
- For the carp of the Ohrid and Prespa lake and in other waters	120 mm

ARTICLE 55

Exceptions for scientific research purposes

In the authorisation for scientific research (according to the article 10 of the law) may be allowed exceptions from the prohibitions foreseen in Chapter VII of these regulations.

CHAPTER VIII

SPORT FISHING

ARTICLE 56

Licenses of sport fishing

1. The licenses of sport fishing with sailing means (according to article 23 of the law) may be given to sport fishing associations or to interested persons who satisfy the above mentioned criteria in point 3 of this article of these regulations.
2. A sport fishing license, issued on the basis of the above mentioned point (1), may authorise the exercising of sport fishing with more than one sailing means. In case when the following are specified in the license:
 - a. The maximal number of the sailing means authorised to exercise this activity.
 - b. The maximal number of fishing days to be exercised by every sailing means during the year.

- c. The maximal number of persons who will board every sailing means during the exercising of sport fishing.
3. Associations or organizations authorised to exercise sport fishing on the basis of the respective license issued by the ministry, are obliged to:
 - a. submit in the directorate the document for every sailing means to be used for sport fishing;
 - b. to be provided with a copy of the legislation on sport fishing for every sailing means they have and which is authorised to exercise this activity;
 - c. present the certificates of their qualifications to the driver of the sailing means with which they will exercise sport fishing;
4. In every case a sport-fishing license determines the area where this activity will be exercised.

ARTICLE 57

Equipment allowed in sport fishing

- Sport fishing is allowed to be exercised only with hooks, parangalle and sea guns.
. Only the use of the mask and the tube for fishing with the gun are allowed.

ARTICLE 58

Prohibitions is sport fishing

1. In sport fishing:

- a. it is not allowed to use more than five hooks (fishing poles) for a fisherman in the sea waters and three hooks (fishing poles) in other waters different from marine waters;
 - b. it is not allowed to use a form of fishing with light resources, except of a hand light or lamp for underwater fishing;
 - c. In the sailing means is not allowed any kind of fishing equipment or net used in professional fishing.
 - d. It is not allowed to fish during the day a quantity of more than three kg fish for every fisherman, except the cases when the weight of a single sample exceeds this limit:
 - e. It is not allowed the fishing of cockles, crustacean and other kinds, which are prohibited from the sublegal acts issued by the ministry.
2. All the prohibitions foreseen for professional fishing also apply to sport fishing.

ARTICLE 59

Models of requests and licenses

1. The request for a license of sport fishing is submitted in the directorate according to the model of appendix 9 of these regulations, completed with all the required data.
2. The license of sport fishing is issued according to the model presented in appendix 10 of these regulations.

CHAPTER IX

Fishing outside the waters of the Republic of Albania

ARTICLE 60

The authorisation

1. The authorisation to fish outside of the waters of the Republic of Albania is issued according to the article 16, point 3 of the Law
 2. A special authorisation to fish outside the waters of the Republic of Albania may be given only to the sailing means which possess the necessary equipment according to the norms in power regarding their technical insurance.
 3. A special authorisation to fish outside the waters of the Republic of Albania can not be given in cases when the sailing means has been previously registered in a foreign country (place) and
If it has been definitively penalised there for breaking of the laws in power of that country, for fishing in international waters. Exclusion can be made only in the case when the owner of the means or the previous titular of the fishing license has no connection or interest with the means itself.
1. The directorate keeps a separate list of the Albanian sailing means which are authorised to fish outside the waters of the Republic of Albania

CHAPTER X

GATHERING THE DATA

ARTICLE 61

The obligation to fill in the forms

1. The titular of the fishing license is obliged to complete the statistical data required by the forms mentioned in point 1 of this article and which have to do with the type of given license. The owner of the boat fills this form every day. The titular of the license is obliged to submit the completed forms at the end of every month at the

office of the fishing inspectorate. The samples of these forms are submitted as follows:

- a. SD1 form: trawl fishing (appendix 11)
 - b. SD2 form: pelagic fishing and purse seine fishing (appendix 12)
 - c. SD3 form: Artisanal fishing with sailing means with a deck (appendix 13)
 - d. SD4 form: artisanal fishing in marine waters with sailing means without a deck, for all the licensed means (appendix 14)
 - e. SB5 form: fishing inland waters (appendix 15)
 - f. SM6 form: Gathering bivalve cockles (appendix 16)
2. The titular of the fishing or aquaculture license is obliged to complete the annual statistical data, mentioned in point 2 of this article and which have to do with the type of the given license.

These annual data are submitted in two copies, one in the office of the respective fishing inspectorate and the other in the directorate. The form are presented as follows:

- a. for trawl, pelagic or artisan fishing or fishing with surroundings with sailing means with a deck according to the model SV1 (appendix 17):
 - b. for artisan fishing in marine waters with sailing means without a deck, inland waters, for the gathering of bivalve cockles according to model SV2 (appendix 18);
 - c. For sea aquaculture and inland waters according to the model SV3 (appendix 19).
3. The form that mentioned in point 1 of this article must be available when asked by the fishing inspectors, from the Institute of fishing research in Durres or from other persons authorised from the ministry for this purpose.
4. The inspectors have the right to check the completion and accuracy of the statistical data of the above mentioned forms.

CHAPTER XI

THE ADMINISTRATION OF COASTAL LAGOONS

ARTICLE 62

The procedures for the completion of the administration agreements

1. The ministry does the completion of the agreements for the administration of the coastal lagoons, according to article 31 of the law, after organising the tender amongst the eventual different competitors based on the procedures foreseen by the laws in power.
2. The ministry publishes all data of the competition as a way to invite the interested people to submit their proposals. In the published data, are specified the eventual terms foreseen in the agreement expected to be reached, as the payment of the rent, special investment to be carried out or the criteria of the administration to be respected.

ARTICLE 63

Proposals

1. The participant in the tender submits his proposal in a written form, specifying all the obligations he agrees to respect as regards the payment of the rent, the investment plan, the administration plan of the mentioned area, as well as everything else submitted in the data of the tender, published by the ministry or considered necessary to improve the agreement according to the article 31 of the law.

2. In the document submitted for the tender the participant gives documented information on his professional experience in the field, according to the respective sublegal acts.

ARTICLE 64

The selection criteria

To make a right judgement and assessment for every proposal done and submitted for the tender, the following will serve as criteria for the selection of the candidates:

- a. the level of the payment of the rent of the lagoon,
- b. The level of the maintenance investment of the lagoon for the their ecological improvement in harmony with the increase of the fish products.
- c. the level and the quality of the administration plan of the lagoon;

ARTICLE 65

The completion of the agreement, licenses

1. The candidate who wins the tender signs the agreement with the ministry according to the article 31 of the law. The minister authorises the person who will sign the agreement as a representative of the ministry.
2. The candidate who wins the competition submits the request for a fishing license for the area that he has won the right to administrate. The right to be equipped with a fishing license according to the law and these regulations is given exclusively to the winner of the tender.

ARTICLE 66

Duration

The agreement can last for a period of one to 10 years and can be renovated. The duration of the administration is specified in the agreement for every specific lagoon.

Article 67

The employment of the fishermen

The physical or juridical person who has won the right of the subject for the administration of the lagoon, has as a duty to prioritise in contractual agreement the employment of professional fishermen of that lagoon or fishermen who live in the administrative unit around the lagoon.

CHAPTER XII

THE ANALYSIS OF THE VIOLATIONS OF LAW

ARTICLE 69

The identification of the fishing inspectors

The fishing inspectors keep with them, at every moment they are on duty, the proper document issued with the signature of the minister. The inspectors show their identity document to every person that they inspect during the time they are on duty.

ARTICLE 69

The protocol

The fishing inspectors complete in a written form a protocol according to the model presented enclosed in appendix 21, whenever they see that there is a break of the law.

ARTICLE 70

The commission for the analyses of the violations of law

The commission for the analyses of the violations of law, according to the article 43 of the law consists of:

- a. the director (chairman)
- b. the chief of the section of the fishing inspectorate at the directorate (vice chairman);
- c. the chief of the section of the fish resources at the directorate
- d. a jurist from the juridical directorate at the ministry
- e. a specialist of the directorate (secretary)
- f. Two fishing inspectors in the districts.

ARTICLE 71

Duration

The Minister nominates the members of the commission of the analysis of the violations of law.

ARTICLE 72

The procedure of the judgement in front of the commission

1. The commission sends a written announcement to the person considered responsible for committing an administrative break of law, on the bases of the protocol submitted by the fishing inspector. The announcement and a copy of the protocol must be send to the mentioned person one week before the meeting of the commission.
2. The announcement has information about the place, date and the time of the meeting of the commission for the analyses of the above mentioned violations of law.
3. The commission can proceed with the judgement at the specified place, date and time.
 - a. if the responsible person can not be found;
 - b. When the person considered responsible for the break of law is not found only when it results that the above mentioned person is announced and when there is no reasonable reason for his absence.
 - c. If the person considered responsible for the break of law has authorised with a legalised procure another person to represent him.
4. The commission calls the fishing inspector who has written the protocol at the same date and time.
5. During the judgement the person considered responsible for the break of law should be listened.
6. The secretary of the commission writes the protocol of the proceedings of the meeting as well as the results of voting decision. All the members of commission sign the protocol.
7. The commission takes a motivated decision. The decision is given in a written form and is signed by the chairman of the commission.
8. The decision is announced to the interested person in a written form.

ARTICLE 73

According to the article 44 of the law a complaint at the trial is done against the decision of the commission

ARTICLE 74

These regulations come into power on March 25 1997

The minister

Haxhi Aliko