

PART I

PRELIMINARY

1. These Regulations may be cited as the Fisheries Regulations. **Short title.**

2. In these Regulations----- **Interpretation.**

“Act” means the Fisheries Act.

“Committee” means the Fisheries Advisory Committee established under regulation 3.

“Minister” means the Minister responsible for Fisheries.

PART II

FISHERIES ADVISORY COMMITTEE

3. (1) There is hereby established a Fisheries Advisory Committee. **Establishment of Fisheries Advisory Committee.**

(2) The Committee shall consist of the following persons:

(a) a Chairman, who shall be appointed by the Minister;

(b) a Deputy Chairman, who shall be appointed by the Minister;

(c) the Chief Fisheries Officer or his representative, who shall be the secretary;

(d) three persons nominated by professional fishermen and appointed by the Minister to represent the views of professional fishermen;

(e) two other persons one of whom shall be a woman to appointed by the Minister.

(3) The quorum for conducting the business of Committee shall be four including the Chairman or in his absence the Deputy Chairman and the Secretary.

(4) The Committee may invite such other persons as it may think fit, to participate in its meetings.

(5) The Committee may determine its own procedures.

Functions.

4. The functions of the Committee are as follows---

(a) to advise the Minister on fisheries management and development;

(b) to consider and advise the Minister on the plan for the management and development of fisheries in Antigua and Barbuda waters and on each review of the plan;

(c) to consider and advise the Minister on the need for any amendment to the Act or to any regulations made under it;

(d) to consider and advise the Minister on any proposals for access agreements, joint venture investment in fisheries, or development projects in the fisheries sector;

(e) to consider and advise the Minister on any initiative for the regional harmonization of fisheries regimes, including any regional licensing scheme for foreign fishing vessels;

(f) to advise the Minister on coordination of the policies and activities of Government Departments and ministries with respect to any of the above matters;

(g) to advise the Minister on conditions to be imposed and the fees to be paid by any person or body applying for a licence under these regulations;

(h) to consider and advise the Minister on such other matters as he may from time to time assign to the Committee.

PART III

FOREIGN FISHING VESSELS

5. Every application for a licence in respect of a foreign fishing vessel shall----- **Application forms.**

(a) be as prescribed in Schedule I; and

(b) be addressed to the Minister.

6. Every licence for a foreign fishing vessel shall be as prescribed in Schedule II. **Prescribed Fishing licence for foreign vessels.**

7. (1) The fee payable for the issue of a licence in respect of a foreign fishing vessel shall be determined by the Minister on the advice of the Committee. **fees.**

(2) No licence for a foreign fishing vessel shall be issued unless the Minister is satisfied that any fees payable in respect of that licence have been paid and that arrangements have been made for the payments of any royalties or other charges payable under section 14 of the Act.

(3) The Minister may determine the currency in which any fee payable under this regulation shall be paid.

8. (1) In this Part, **Regional Register and good standing.**

“Regional Register” means the register of fishing vessels established by the Organization of eastern Caribbean States maintained at Kingstown, St. Vincent in accordance with procedures established by its Member Governments.

“Good Standing” in relation to foreign fishing vessels means the original status granted to vessels when accepted for inclusion on the original register in accordance with the criteria agreed upon by the Member States.

(2) No licence shall be issued in respect of a foreign fishing vessel unless the applicant produces a certificate that the vessel is registered in the Regional Register and the vessel for which the licence is sought has good standing on that register.

**General
conditions for
foreign fishing
vessels.**

9. (1) Every licence for a foreign fishing vessel issued under section 8 of the Act shall be subject to the following general conditions:

(a) no fishing shall be undertaken in Antigua and Barbuda waters except as authorized by the licence;

(b) any change in the information provided in the application form shall be notified to the Chief Fisheries Officer as soon as practicable and, in any case, not later than 7 days from the date of the change;

(c) no fish shall be trans-shipped from or onto the vessel while in Antigua and Barbuda waters except with the written permission of the Chief Fisheries Officer and in accordance with such conditions as he may specify;

(d) the master and each member of the crew of the vessel while in Antigua and Barbuda waters comply with any direction given to him by any authorized officer and, at the request of the officer:

- (i) stop the vessel;
- (ii) permit an authorized officer to board the vessel and co-operate with him in any inspection; and
- (iii) bring the vessel to port.

(e) the master of the vessel shall, while in Antigua and Barbuda waters, take all reasonable measures and precautions to avoid causing damage to any local fishing operations including non-commercial operations.

(2) (a) Every foreign fishing vessel with an overall length of 60 feet (19.36 meters) or more and licensed under section 8 of the Act shall while in Antigua and Barbuda waters----

- (i) fly the flag of its flag state;
- (ii) display clearly the name of the vessel in large letters on the bows and stern of the vessel; and
- (iii) display identification markings in accordance with the specifications set out in Schedule IX of these Regulations.

(b) the master of the vessel shall cause a logbook to be maintained on a daily basis in such form as the Chief

Fisheries Officers may from time to time require for the purpose of recording the fishing operation of the vessel while within Antigua and Barbuda waters;

(c) the logbook maintained under paragraph (b) shall be delivered in its original and unaltered form to the Chief Fisheries Officer or to any other person or organization designated by him----

- (i) on the completion of the voyage to which the logbook relates but not later than seven days after completing the voyage; or
- (ii) at any other time at the request of the Chief Fisheries Officer or of any authorized officer.

(d) the master of the vessel shall cause reports in the form prescribed by the Chief Fisheries Officer to be made to the Chief Fisheries Officer or to such other person or organization as the Chief Fisheries Officer may designate, containing the information on paragraph (e) at the following times----

- (i) immediately upon entry into Antigua and Barbuda waters;
- (iii) on every Wednesday or such other day as the Chief Fisheries Officer may specify while the vessel is in Antigua and Barbuda waters;
- (iv) immediately upon departure from Antigua and Barbuda waters; and
- (iv) on such other times as the Chief Fisheries Officer may specify;

(e) each report made under paragraph (d) shall contain details of----

- (i) the international radio call sign (or the number assigned to the vessel under any local or regional register);
- (ii) the position of the vessel at the time of reporting
- (iii) the total catch by species on board the vessel at the time of reporting;

(iv) such other matters relating to the fishing operations as the Chief Fisheries Officer may from time to time require;

(f) the master or owner of the vessel or his authorized local representative shall notify the Chief Fisheries Officer or such other person or organization as the Chief Fisheries Officer may designate of the estimated time of entry of the vessel into any port in Antigua and Barbuda at least 24 hours prior to such entry.

(g) the master of the vessel shall, while in Antigua and Barbuda waters, allow any fisheries officer or other person designated in writing by the Chief Fisheries Officer to board and remain on board the vessel as an observer and shall---

(i) allow the observer full access to all equipment, including navigation and communication equipment, records and documents and to any fish on board the vessel;

(ii) allow the observer to make such test observation and records and to take and remove such samples as he may reasonably require in connection with the vessel's activities in Antigua and Barbuda waters; and

(iii) provide, without charge, food and accommodation at least equivalent to that provided for officers of the vessel.

(h) the master of the vessel shall proceed to such port or place as the Chief Fisheries Officer may require to allow an observer to board or disembark from the vessel.

(3) Subject to subregulation (1) the master of every foreign fishing vessel with an overall length of less than 60 feet (19.36 meters) and licensed under section 8 of the Act shall while in Antigua and Barbuda waters----

(a) display identification markings in accordance with the specifications set out in Schedule IX to these regulations;

(b) maintain such record of catches and other information in such form as the Chief Fisheries Officer may require.

(4) The master of the vessel shall provide such information on the fishery operation carried out in the fishery waters in such form as at such times as the Chief Fisheries Officer may require.

(5) Any records, logbooks or notifications required to be maintained or made under this regulation shall be maintained or made in English Language or any other language determined by the Minister.

10. No license shall be issued in respect of a foreign fishing vessel unless there is appointed a local representative who is authorized to act on behalf of the master, owner or charterer of that vessel and who is able to accept legal responsibility on behalf of the master, owner or charterer for any action, judicial or otherwise, taken in respect of that vessel. **Local Representative.**

11. (1) The following is the prescribed manner in which fishing gear shall be stowed for the purpose of section 9 of the Act---- **Storage gear.**

(a) the fishing gear shall be stowed in such a manner that it is not readily available for fishing;

(b) the fishing gear shall be stowed wholly on board the vessel;

(c) all nets, trawlboard and weights shall be disconnected from the towing or hauling wires or ropes and all mechanical hauling devices shall be sufficiently disconnected as to be incapable of immediate use;

(d) where possible the fishing gear shall be stowed below deck; and fishing gear carried on or above deck shall be secured to some part of the super-structure or hull of the vessel.

(2) For the purpose of this regulation and of section 9 of the Act, the term fishing gear shall include any net, line, hook, float, pole, rope, trap, boat or helicopter that may be used in the act of fishing.

(3) Where the fishing gear of a foreign fishing vessel which is prohibited by section 8 of the Act from fishing within Antigua and Barbuda waters is not stowed in the manner prescribed in this regulation while within Antigua and Barbuda waters, the master, owner and charterer of that vessel is each guilty of an offence and is liable on summary conviction to a fine of \$5,000 dollars or to imprisonment for six months.

PART V

LOCAL FISHING LICENCES

Prescribed application from and licence for local fishing vessels.

12. Every application for a licence and every licence in respect of a local fishing vessel shall be in the forms prescribed in Schedules III and IV.

Fees.

13. The fee payable for the issue or renewal of a licence in respect of a local fishing vessel is the amount prescribed in Schedule V.

Grounds for refusal of a licence.

14. No licence in respect of a local fishing vessel may be issued or renewed unless:

(a) an application has been made in accordance with regulation 8 and is true and correct in every way;

(b) any information requested by the Minister or the Chief Fisheries Officer and relevant to the proposed fishing operation has been provided in the manner requested;

(c) the fee prescribed in Schedule V has been paid.

General conditions for local fishing vessels.

15. Every licence in respect of a local fishing vessel shall be subject to the following general conditions-----

(a) any change in the information provided in the application form shall be notified to the Chief Fisheries Officer as soon as practicable and in any case not later than 7 days from the date of the change;

(b) the vessel shall display the identification marks assigned to it by the Chief Fisheries Officer in such manner as he may require;

(c) the vessel shall comply with the law relating to safety and with such safety standards as the Chief Fisheries Officer may from time to time determine by Notice published in the *Gazette*;

(d) no fishing shall be undertaken except as authorized by the licence;

(e) no fish may be trans-shipped from or onto the vessel except with the permission of the Chief Fisheries Officer in accordance with such conditions as he may specify;

(f) the master of the vessel shall, if so required by the Chief Fisheries Officer, cause a logbook to be maintained on a daily basis in such form as the Chief Fisheries Officer may from time to time require for the purpose of recording the fishing operations of the vessel;

(g) any logbook maintained under the preceding paragraph shall be transmitted in its original and unaltered form to the Chief Fisheries Officer at such time as he may require;

(h) the master and each member of the crew of the vessel shall comply with any direction given to him by an authorized officer;

(I) the master and each member of the crew of the vessel shall comply with the requirements of the Act and of any regulations or other instruments made under the Act;

(j) if the vessel is fishing in waters, other than Antigua and Barbuda waters, the vessel shall comply with such laws relating to fishing of any country, if any, as may be recognized by the Government of Antigua and Barbuda as having force in those waters.

PART V

FISH PROCESSING ESTABLISHMENT LICNECES

16. Every licence to operate a fish processing establishment and every application for such licence shall be in forms prescribed in Schedules VI and VII.

**Prescribed
application form
and licence for
fish processing
establishment.**

- Issue of licences.** **17.** No licence to operate a fish processing establishment shall be issued unless the Minister is satisfied that the establishment has been constructed in such a manner as to comply with the standards prescribed by law.
- Fees for fish processing establishment.** **18.** The fee payable for the issue or renewal of a licence to operate a fish processing establishment is the amount prescribed in Schedule VIII.
- Licence conditions.** **19.** Every licence to operate a fish processing Establishment shall be subject to the following conditions-----
- (a) the establishment shall be maintained and operated in a clean and sanitary manner;
- (b) accurate records shall be maintained relating to the operations carried out in the establishment, including records of the quantity, species and quality of fish imported, received, processed, sold or exported, and all such records shall be open to inspection by any authorized officer;
- (c) returns concerning the operations of the establishment shall be made of the Chief Fisheries Officer as he may from time to time require.

PART VI

FISHERY CONSERVATION MEASURES

- Lobster.** **20.** (1) For the purposes of this regulation-----
- (a) “undersize” means a carapace length of less than $3\frac{3}{4}$ inches (95 millimetres) measured from immediately behind the rostral horns along the median dorsal line to the maximum concavity of the rear edge of the carapace; or
- (b) less than one and a half pounds (680 grams) in weight; or
- (c) having a tail weighing less than 7 ounces (200 grams);
- “lobster” means spiny lobster (*Panulirus argus*).

(2) No person shall harm, take, have in his possession, sell or purchase---

(a) any lobster carrying eggs; or

(b) any lobster which is undersize; or

(c) any lobster which is moulting.

(3) No person shall capture any lobster other than by hand, loop, pot or trap.

(4) No person shall have in his possession or sell any lobster that has been speared, hooked or otherwise impaled.

(5) No person shall remove the eggs from a lobster, or have in his possession, sell or purchase lobster from which the eggs have been removed.

(6) The Minister may by Notice published in the *Gazette* declare any period as a closed season for lobsters.

(7) No person shall fish for lobster during the period of a closed season for lobsters.

(8) No person shall land from a fishing vessel any lobster that is not whole.

21. (1) The Minister shall by Notice published in the *Gazette* declare the close season for turtle which until otherwise declared shall commence from the 1 st day of March and end on the 31 st day of August of every year.

Turtles.

(2) No person shall:

(a) fish for , take, sell, purchase or have in his possession any turtle or part thereof, during the close season for that species of turtle;

(b) disturb, take, sell purchase or have in his possession any turtle eggs; or

(c) interfere with any turtle nest;

(d) take, sell purchase or have in his possession any undersize turtle;

(e) sell, purchase or have in his possession the shell of any undersize turtle.

(3) For the purposes of this regulation “undersize” means-----

(a) Leather back turtle (*Dermochelys coriacea*) less than 350 pounds (158.75 Kilograms) in weight;

(b) Green turtle (*Chelonia mydas*) less than 180 pounds (81.65 Kilograms) in weight;

(c) Hawks Bill turtle (*Eretmochelys imbricata*) less than 85 pounds (38.5 Kilograms) in weight;

(d) Logger Head turtle (*Caretta caretta*) less than 160 pounds (72.57 Kilograms) in weight.

Conch.

22. (1) No person shall take, sell, purchase or have in his possession any immature conch.

(2) The Minister may by Notice published in the *Gazette* declare any period as a closed season for conch.

(3) No person shall fish for conch during the period of a closed season for conch.

(4) For the purposes of this regulation-----

(a) “immature conch” means a conch the shell of which is smaller than 7 inches (18 centimetres) in length; or

(b) a conch the shell of which does not have a flared lip; or

(c) a conch with a total meat weight of less than 8 ounces (225 grams) after removal of the digestive gland.

Coral.

23. No person shall take or collect coral or other marine fauna from Antigua and Barbuda waters except with the written permission of the Chief Fisheries Officer and in accordance with such conditions as he may specify in such permit.

24. No person shall import, sell or export any Aquarium fish except with the written permission of the Chief Fisheries Officer in accordance with such conditions as he may specify in such permit. **Aquarium fish.**

25. (1) No person shall use a spear gun (Fish gun) for fishing in Antigua and Barbuda waters without first having obtained the written permission from the Chief Fisheries Officer for the use of that type of fishing gear. **Restriction on use of spear gun.**

(2) Notwithstanding paragraph (3), the Chief Fisheries Officer may grant upon an application a permit to use a spear gun for fishing in Antigua and Barbuda waters and may attach to such permit such conditions as he considers necessary.

(3) The use of spear gun for fishing is prohibited in all areas specified as conservation areas.

26. (1) The mesh size of a seine net shall not be less than 1 ½ inches (3.81 centimetres) stretched. **Minimum mesh size for seine nets and mesh wire.**

(2) Minimum size of mesh of wire covering a trap or fish pot shall not be less than 1 ½ inches (3.81 centimetres) in diameter.

27. Part VI of these Regulations shall not apply to fishing operations which are conducted solely for the purpose of fisheries research. **Fisheries research.**

Provided that permission has been granted in respect of such operations by the Chief Fisheries Officer under section 23 of the Act and that the operations are carried out in accordance with the conditions of such provision.

PART VII

MISCELLANEOUS PROVISIONS

28. The Minister may, in pursuance of section 38 of the Act, require any person charged with an offence, other than an offence under section 24 and 30 of the Act to sign a statement in the form set out in Schedule X, admitting to the commission of the offence and expressing his willing- **Compounding of offence.**

ness that the offence be dealt with in accordance with section 38 of the Act.

**Offences and penalties.
penalties.**

29. Any person contravening any of the provision of these Regulations is guilty of an offence and is liable on summary conviction to a fine of \$5,000 or to imprisonment of twelve months.

Dated 7 th day of March, 1990.

SCHEDULE I

(Regulation 5)

APPLICATION FORM FOR A FOREIGN FISHING LICENCE

FISHERIES REGULATIONS

INSTRUCTION--

Underline surnames.
For "address" provide complete mailing address.
If not applicable, writ NA --- leave no blanks.
Specify units of measurements.
Certificate of Registration to be presented for inspection.
Provide names and nationality of members of crew.

ADDRESS TO-

The Minister, Ministry of Agriculture, Fisheries, Lands and Housing, St. John`s, Antigua.

I hereby apply for a fishing licence to fish in Antigua and Barbuda waters.

1. Name of Vessel.....
2. Name of Owner.....
3. Address of Owner.....
4. Name of Charterer.....
5. Address of Charterer.....

6. Country of Registration
7. Registration Number
8. Details of Radio (V.H.F., S.S.B., A.M.)...../Frequency.....
Number of Channels...../Radio Call Sign
9. Details of Navigational Equipment
- (Auto-pilot, Loran, Sat./Nav., Radar)
10. Details of proposed Fishing Operation
11. Operational Base or Bases (port/country)
12. Details of Fishing Gear
13. Details of Electronic Aids of Fishing
14. Name of Vessel Master
15. Home Address of Vessel Master
16. Nationality of Master
17. Number of Members of Crew
18. Type of Fishing Operations
19. Proposed fishing areas
20. Period of licence requested (maximum 12 months)
21. Proposed commencement date of fishing operations
22. If previously licensed under the Act----
state the number of the last licence held
- specify any changes to information previously provided-----
.....
.....
23. Current fishing licences held elsewhere in the region (state the number of
each licence and the name of each licensing country)-----

.....
.....
**Questions 24-34 to be completed only if applying for a Fishing Licence
for the first time**

- 24. Normal total number of crew
- 25. Hull materials
- 26. Year built
- 27. Place of construction
- 28. Gross tonnage
- 29. Overall length
- 30. Main engine power
- 31. Fuel capacity
- 32. Daily freezing capacity for each freezing method
- 33. Storage capacity for each storage method
- 34. Type and quantity of fishing gear to be used

**ATTACH A RECENT SIDE-ON PHOTOGRAPH OF THE VESSEL IF
APPLYING FOR A FISHING LICENCE FOR THE FIRST TIME.**

I understand that I am required to report any changes in the information
contained in this form to the Chief Fisheries Officer within 7 days of the change.

Signature of Applicant: Date:

Specify whether owner, charterer or agent:

Print name of Applicant:

Address of Applicant:

.....

Note: Any licence issued on the basis of this application form is liable to cancellation
if any of the information given in this application form is incorrect.

SCHEDULE II

(Regulation 6)

LICENCE NUMBER: _____

FOREIGN FISHING LICENCE

FISHERIES ACT

The person named as the licence holder below is hereby licensed in accordance with section 8 of the Fisheries Act to use the vessel described below for fishing in Antigua and Barbuda waters at the times and in the areas specified in this licence and in accordance with the conditions set out in this licence and prescribed from time to time in the Fisheries Regulations.

Name of vessel:

Name of licence holder:

Licence period: From / / / To / / /

Radio call sign (regional register no.) or registration no.:

Authorized fishing areas:

Authorized fishing times:

Authorized fishing operations:

Authorized target species/quota (where applicable):

Special Conditions.

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Permitted trans-shipment (where applicable):

Permitted use of fish aggregating devices (where applicable):

.....
Signature of the Minister

Date

SCHEDULE III (Regulation 12)

APPLICATION FORM FOR A LOCAL FISHING VESSEL LICENCE

FISHERIES REGULATIONS

INSTRUCTIONS— Underline Surnames

For “address” provided as much detail as possible.
If not applicable, write NA ---- leave no blanks.
Specify units of measurement if not metric.

ADDRESS TO----- The Chief Fisheries Officer, Ministry of Agriculture, Lands
and Fisheries, St. John’s, Antigua.

I hereby apply for a local fishing vessel licence for the vessel described below:

1. Name of vessel
2. Name and age of owner /years
and address
3. Name and address of charterer
4. Name and address of any other
person having an interest in
the vessel
5. Registration No.
6. International radio call sign (if any)
7. Name and age of master /years
and address
8. Nature of fishing operation to be undertaken (X as appropriate)
(a) Trolling
(b) Trapping

- (c) Longlining
- (d) Scining
- (e) Gillnetting
- (f) Trawling
- (g) Handling
- (h) Any other

- 9. Nature of vessel (attach full description, including hull construction, main engine type and power, where and when built, history of use).
- 10. Number of crew expected
- 11. Fish storage capacity for each storage method
- 12. Operational base
- 13. Fishing area

I declare that the vessel described above is a local fishing vessel within the meaning of the Act.

I understand that I am required to report any changes in the information contained in this form to the Chief Fisheries Officer within 7 days of the change.

Signature of Applicant Date

Specify whether owner or charterer

Print name of Applicant

Note: Any licence issued on the basis of this application form is liable to cancellation if any of the information given in this application form is incorrect.

SCHEDULE IV

(Regulation 12)

LICENCE NUMBER: _____

LOCAL FISHING VESSEL LICENCE

FISHERIES ACT

The person named as the licence holder below is hereby licensed in accordance with section 11 of the Fisheries Act to use the vessel described below for the fishing in accordance with the conditions prescribed in this licence and the Fisheries Regulations.

Name of vessel:

Name of licence holder:

Licence period: From / / / To / / /

Vessel Registration Number:

Radio call sign:

Permitted trans-shipment operations (where applicable):

Permitted use of fish aggregating devices (where applicable):

Special Conditions:

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.....
Signature of the Chief Fisheries Officer

Date

SCHEDULE V (Regulation 13)

FEEES FOR LOCAL FISHING VESSEL LICENCES

<i>Size of vessel (overall length)</i>	<i>Fee payable per annum</i>
Less than 10' (3.23 meters)	\$25.00
10' (3.23 meters) or more up to 30' (9.68 meters)	\$75.00
30' (9.68 meters) or more up to 60' (19.36 meters)	\$350.00
over 60' (19.36 meters)	\$1,000.00

SCHEDULE VI (Regulation 16)

APPLICATION FORM FOR
FISH PROCESSING ESTABLISHMENT LICENCE

FISHERIES REGUALTIONS

INSTRUCTIONS--- Underline surnames.

For "address" provide as much detail as possible.
If not applicable, write NA --- leave no blanks.
Specify units of measurement if not metric.

ADDRESS TO---- The Minister, Ministry of Agriculture, Lands and Fisheries,
St. John's, Antigua.

I hereby apply for a licence to operate a fish processing establishment at the place
and in the manner described below:

1. Name of applicant
2. Address of establishment
3. Name and address of owner of establishment
-
4. Name and address of Lessee (if leased)
5. Kinds of fish to be processed
- and sources of supply

SCHEDULE VIII

(Regulation 16)

LICENCE NUMBER: _____

FISH PROCESSING ESTABLISHMENT LICENCE

FISHERIES ACT

The person named as the licence holder below is hereby licensed in accordance with section 18 of the Fisheries Act to use the premises described below as a fish processing establishment in accordance with the conditions prescribed in this licence and Regulations.

Name of licence holder:

Licence period: From / / To / / /

Addressee of the fish processing establishment:

The species of fish authorized to be processed:

The type of processing authorized to be carried out:

Further conditions:

—

—

.....
Signature of the Minister

Date

SCHEDULE VII

(Regulation 18)

FEES FOR FISH PROCESSING ESTABLISHMENT LICENCE

	Fee payable per annum
For fish establishment of any kind	\$750.00

SCHEDULE IX

(Regulation 9(2)(a)(iii))
and (3)(a)

SPECIFICATIONS FOR THE MARKING OF FOREIGN
FISHING VESSELS

1. CONTENT OF IDENTIFICATION MARKS

(a) Any vessel that has been assigned an International Telecommunication Union Radio Call Sign shall display that Radio Call Sign as its identification mark.

(b) Any vessel that has not been assigned an International Telecommunication Union Radio Call Sign, other than a vessel referred to in paragraph 1. (c) of this Schedule, shall display an identification mark consisting of the characters allocated by the International Telecommunications Union to the flag state of the vessel, followed by a hyphen and the licence or registration number assigned to that vessel by its flag state.

(c) Any vessel that has not been assigned an International Telecommunication Union Radio Call Sign, but is normally carried on board another vessel for use in fishing operations shall display the identification mark assigned to that other vessel.

2. LOCATION OF MARKING

(a) Identification marks shall be prominently displayed----

- (i) on the vessel's port and starboard side or superstructure, high above the waterline, but not on the flare of the bow or on the stern, in such a way as to be clearly visible both from the sea and from the air, and
- (ii) for vessels other than undecked vessels, on a horizontal surface of the vessel, athwartships, with the top of the letters and numbers towards to the bow of the vessel; where an awning or other temporary cover is placed so as to obscure the marking, the awning or other cover shall bear the same identification mark.

(b) Identification marks shall be so placed that they-

- (i) are not obscured at any time by fishing gear whether stowed or in use;
- (ii) are clear of flow from scuppers or overboard discharges and of areas that might be prone to damage or discolouration occurring during or as a result of catching operations, and
- (iii) do not extend below the water line.

3. TECHNICAL SPECIFICATIONS

- (a) Block lettering and numbering shall be used throughout.
- (b) The width of the letters and numbers shall be in proportion to the height as set out in the annex to this schedule.
- (c) The height of the letters and numbers shall be in proportion to the size of the vessel in accordance with the following criteria:
 - (i) for identification marks on the side or superstructure of the vessel:

Length overall of vessel in metres (m)	Minimum height of letters and numbers in metres
25 m and over	1.0 m
At least 20 m but less than 25 m	0.8 m
At least 15 m but less than 20 m	0.6 m
At least 12 m but less than 15 m	0.4 m
At least 5 m but less than 12 m	0.3 m
Under 5 m	0.1 m
 - (ii) For identification marks to be displayed on horizontal surfaces on vessels of 5 metres length overall and over, the height of the letters and numbers shall be not less than 0.3 metres.
 - (d) The length of the hyphen shall be half the height of letters and numbers.
 - (e) The width of the stroke for all letters, numbers and the hyphen shall be one sixth of the height of the letters and numbers.
 - (f) The space between letters and/or numbers, except in the case referred to in paragraph (g), shall not exceed on quarter of the height of the letters and numbers nor be less than one sixth of that height.
 - (g) The space between adjacent letters having sloping sides shall not exceed one eighth of the height of the letters nor be less than one tenth of that height.
 - (h) Identification marks shall be white on black background or black on a white background: the background shall extend to provide a border around the letter and numbers of not less than one sixth of the height of the letters and numbers.

(i) Good quality marine paints shall be used in the marking of vessels in accordance with these specifications: Retroreflective or heat-generating substances may also be used.

(j) The identification marks, and the background shall be maintained in a good condition at all times.

SCHEDULE X

(Regulation 28)

COMPOUNDING OF OFFENCES

UNDER SECTION 38 OF THE FISHERIES ACT

1. Name and address of Person charged
2. Position and Rank of Person charged
3. Name of Licence No. of Vessel
4. Name and address of Owner of Vessel
5. Name and address of Charterer
6. Country of Registration and Registration Number of Vessel
7. Details of Offences
8. I of hereby admit to the commission of the offence, the details of which are stated above. I agree and consent that the offence with which I have been charged be dealt with by the Minister in accordance with section 38 of the Act.

Dated the day of 19

Signature of the person charged

Witness to Signature