

GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH

MINISTRY OF LAW AND LAND REFORMS

(Law and Parliamentary Affairs Division)

NOTIFICATION

Dhaka, the 15th December, 1982

No. 743-Pub.—The following Ordinance made by the Chief Martial Law Administrator of the People's Republic of Bangladesh, on the 8th December, 1982, is hereby published for general information:—

THE PROTECTION AND CONSERVATION OF FISH (AMENDMENT)

ORDINANCE, 1982

Ordinance No. LV of 1982

AN

ORDINANCE

further to amend the Protection and Conservation of Fish Act, 1950

WHEREAS it is expedient further to amend the Protection and Conservation of Fish Act, 1950 (E.B. Act XVIII of 1950), for the purposes hereinafter appearing;

NOW, THEREFORE, in pursuance of the Proclamation of the 24th March, 1982, and in exercise of all powers enabling him in that behalf, the Chief Martial Law Administrator is pleased to make and promulgate the following Ordinance:—

1. **Short title.**—This Ordinance may be called the Protection and Conservation of Fish (Amendment) Ordinance, 1982.

2. **Amendment of long title and preamble, E.B. Act XVIII of 1950.**—In the Protection and Conservation of Fish Act, 1950 (E. B. Act XVIII of 1950), hereinafter referred to as the said Act, in the long title and preamble, for the words "East Pakistan" the word "Bangladesh" shall be *substituted*.

3. **Amendment of section 1, E.B. Act XVIII of 1950.**—In the said Act, in section 1,—

- (a) in sub-section (1), the words "East Bengal" shall be *omitted*;
- (b) in sub-section (2), for the words "East Pakistan" the word "Bangladesh" shall be *substituted*; and
- (c) in sub-section (3), the word "Provincial" shall be *omitted*.

4. **Amendment of section 2, E.B. Act XVIII of 1950.**—In the said Act, in section 2,—

- (a) for clause (1) the following shall be *substituted*, namely:—

"(1) "fish" includes all cartilaginous, bony fishes, prawn, shrimp, amphibians, tortoise, turtles, crustacean animals, molluscs, echinoderms and frogs at all stages in their life history;"
- (b) in clause (2), the word "Provincial", occurring twice, shall be *omitted*; and
- (c) clause (4) shall be *omitted*.

5. **Amendment of section 3, E.B. Act XVIII of 1950.**—In the said Act, in section 3,—

- (a) in sub-section (1), the word "Provincial" shall be *omitted*;
- (b) for sub-section (2) the following shall be *substituted*, namely:—

"(2) the Government may, by notification, apply such rules or any of them to any water or waters;"
- (c) in sub-section (3), in the proviso, the word "Provincial" shall be *omitted*;
- (d) for sub-section (4) the following shall be *substituted*, namely—

"(4) in making any rule under this section, the Government may provide for—

 - (a) the seizure, removal and forfeiture of any fixed engine or any other contrivance erected or used for fishing in contravention of the rules;
 - (b) the forfeiture of any fishes taken by means of any such fixed engine or any other contrivance; and
 - (c) the procedure for disposal of forfeited fishes;"
- (e) in sub-section (5), for the words, commas and figures "section 24 of the Bengal General Clauses Act, 1899," the words, commas and figures "section 23 of the General Clauses Act, 1897," shall be *substituted*.

6. Amendment of section 4, E.B. Act XVIII of 1950.—In the said Act, in section 4,—

- (a) the word "Provincial" shall be *omitted*;
- (b) for the words "offering or exposing or possession" the words and commas "catching, carrying, transporting, offering, exposing or possession" shall be *substituted*; and
- (c) for the words "the Province of East Pakistan" the word "Bangladesh" shall be *substituted*.

7. Amendment of section 5, E.B. Act XVIII of 1950.—In the said Act, in section 5,—

- (a) in sub-section (1), for the words and commas "simple imprisonment for a term which may extend to one month, or with fine which may extend to one hundred rupees," the words and commas "rigorous imprisonment for a term which may extend to six months, or with fine which may extend to five hundred taka," shall be *substituted*; and
- (b) in sub-section (2), for the words and commas "two hundred rupees, or with simple imprisonment which may extend to two months," the words and commas "one thousand taka, or with rigorous imprisonment which may extend to one year," shall be *substituted*.

8. Amendment of section 6, E.B. Act XVIII of 1950.—In the said Act, in section 6, sub-sections (3) and (4), the word "Provincial" shall be *omitted*.

9. Amendment of section 7, E. B. Act XVIII of 1950.—In the said Act, in section 7, in sub-section (2), the word "Provincial" shall be *omitted*.

10. Amendment of section 8, E. B. Act XVIII of 1950.—In the said Act, in section 8, the word "Pakistan" shall be *omitted*.

11. Omission of section 10, E.B. Act XVIII of 1950.—In the said Act, section 10 shall be *omitted*.

DHAKA;
The 8th December, 1982.

H M FRSHAD, ndc, psc
LIEUTENANT GENERAL
Chief Martial Law Administrator.

SHAMSUR RAHMAN
Deputy Secretary.