

STATUTORY INSTRUMENT
No. 68 of 2001

REGULATIONS made by the Minister of Agriculture, Fisheries and Co-operatives in exercise of the powers conferred upon him by section 13 of the Fisheries Act, Chapter 174 of the Laws of Belize, Revised Edition 1980 - 1990, and all other powers thereunto him enabling.

(Gazetted 5th May, 2001)

PART I
PRELIMINARY

Short title.

1. These Regulations may be cited as the

FISHERIES (BACALAR CHICO MARINE RESERVE) REGULATIONS, 2001.

Interpretation.

2. In these Regulations, unless the context otherwise requires:

"fish" includes all the varieties of marine or fresh water animals or plant life;

"Fisheries Administer" means the Fisheries' Administer appointed under section 107 of the Belize Constitution for the purpose of the Fisheries Act and the regulations made thereunder;

"fishing" means fishing for, capturing, taking or killing fish, or attempting to do any of the above by any method;

"Reserve" means the Bacalar Chico Marine Reserve declared under the Fisheries (Bacalar Chico Marine Reserve) Order, 1996;

S.I. 88 of 1996.

"Reserve Manager" means an officer appointed for the purpose of managing the Reserve;

Schedule.

"Schedule" means the Schedule to these Regulations;

"sport fishing" means catch and release;

"recreational fishing" means fishing for enjoyment with the intention to eat the fish caught but not for the purpose of selling;

"subsistence fishing" means fishing conducted by those who reside within the Reserve for the purpose of consuming but not for selling such fish.

PART II
ESTABLISHMENT OF ZONES AND RULES FOR ZONES

Establishment of zones.

3. (1) For the purposes of the regulation and control of the Reserve, there shall be established four zones within the Reserves as follows:

- (a) the General Use Zone;
- (b) the Conservation I Zone;
- (c) the Conservation II Zone;
- (d) the Preservation Zone.

S.I. 89 of 1996.

(2) The description of the Reserve shall be as set out in the Schedule of the Fisheries (Bacalar Chico Marine Reserve) Order, 1996.

Rules for General Use Zone.

4. (1) The General Use Zone shall be restricted for fishing only by fishermen who currently use this zone and such fishermen shall apply for a licence to fish in accordance with these Regulations:

(2) Only residents of the Bacalar Chico who have special licences to fish shall be allowed to fish solely for subsistence purposes, and such fishing shall be determined by the terms and conditions of each resident's licence;

- (3) No person shall be permitted to use long lines, spearguns or gill nets in the Bacalar Chico Marine Reserve.
- (4) No person shall be permitted to use or erect beach traps' other than beach traps that- have been there during 1996.
- (5) No traps shall be constructed with seine, cast nets, gillnets, trammel nets, or tangle nets.
- (6) Nets may only be used to round up the fish within the beach trap.
- (7) Each trap shall be monitored each day by the caretakers and birds, manatees, rays, turtles, crocodiles, nurse sharks and dolphins caught in or by the nets shall be released.
- (8) No beach trap shall be allowed to trap fish beyond its capacity where such fish maim and kill each other. Persons removing fish from traps shall do so at least every three days. Juvenile fish shall be released.
- (9) No person shall, within the General Use Zone, cast or drag any anchor in any manner which may damage

Rules for Conservation I Zone.

5. There shall only be non-extractive recreational activities in the Conservation I Zone.

Rules for Conservation II Zone.

6. In Conservation II Zone:

- (a) sport fishing shall only be carried out under a licence issued in accordance with these Regulations and such fishing shall only be carried out on a catch-and-release basis;
- (b) spear fishing shall not be permitted;
- (c) only trolling is allowed during the months of December to February in each year; and
- (d) catch and release fishing tours may only remove fish for subsistence purposes during the tour.

Special Rules for Conservation I and II Zones.

7. (1) No person shall secure a boat to the seabed of the Conservation I and II Zones except by means of a mooring that is officially designated for this purpose, (save in the case of an emergency where life and property are endangered), or with the prior written permission of the Reserve Manager.
- (2) All divers in the Conservation` I and II Zones shall adhere to the following rules:
- (a) divers shall register with the Reserve Manager prior to entering any of the Conservation Zones;
- (b) charter dives shall first obtain a licence in accordance with these Regulations before operating in any of the Conservation Zones and all dive boats shall fly the "divers down flag" when they have divers in the water;
- (c) only certified scuba divers, or divers undergoing a training course conducted by a recognized instructor shall be allowed to use scuba equipment in the whole of the Reserve;
- (d) dive guides shall be required to explain the rules of the Reserve to a divers within the Reserve;
- (e) all boats which need to operate in any of the zones shall first obtain registration from the Fisheries Administrator in accordance with these Regulations.
- (3) For the purpose of this Regulation, "divers, down flag" means a flag with a white diagonal stripe upon a red or blue background.

Rules for Preservation Zone.

8. (1) Subject to sub-regulation (2) below, no fishing, sport fishing, diving or any other water activity shall be permitted within the Preservation Zone.
- (2) No motorized boats shall be permitted within the Preservation, Zone except in cases of emergency or where written permission has first been obtained from the Fisheries Administrator.

**PART III
COMMERCIAL FISHING RESEARCH, SPORT FISHING LICENCES
AND REGISTRATION OF DIVE BOATS**

Commercial fishing licences.

Form I Schedule.

9. (1) Any person who is desirous of fishing within the reserve shall apply to the Fisheries Administrator for a commercial fishing licence in the form prescribed as Form I of the Schedule.

Form II Schedule.

(2) The Fisheries Administrator may within fourteen (14) days of the receipt of an application under this Regulation grant a fishing licence in the form prescribed as Form II of the Schedule.

Form I Schedule.

(3) Upon the expiry of a fishing licence granted under these Regulations, the licence holder, may apply to the Fisheries Administrator for a renewal of the same in the form prescribed as Form I of the Schedule.

(4) A fee of fifty dollars' (\$50.00) shall be payable upon the receipt of a fishing licence or for the renewal of the same.

Research licences. Form III. Schedule.

10. (1) Any person who is desirous of conducting research shall apply for a licence to do so to the Fisheries Administrator in the form prescribed as Form III in the Schedule.

(2) The Fisheries Administrator may within fourteen (14) days of the receipt of an application under this Regulation issue or grant a licence in writing to conduct research.

(3) The Fisheries Administrator shall set conditions for research licences issued under these Regulations.

(4) (a) A fee of five hundred dollars (\$500.00) shall be payable upon the receipt of a research licence or for the renewal of same.

(b) The Fisheries Administrator may waive or vary at his discretion the fee payable for a research licence.

Sport fishing licences.**Form IV. Schedule.**

11. (1)(a) Any person who is desirous of conducting sport fishing within the Reserve shall apply to the Fisheries Administrator or the Reserve Manager for a sport fishing licence in the form prescribed as Form IV in the Schedule.

Form V. Schedule.

(2) The Fisheries Administrator or the Reserve Manager, as the case may be, may grant a sport fishing licence in the form prescribed as Form V of the Schedule.

(3) The licensee shall not kill any fish caught under a sport fishing licence.

Registration of dive boats.**Form VI.****Schedule.**

12. (1) Any dive boat operator who is desirous of conducting scuba diving and snorkeling within the Reserve shall apply to the Fisheries Administrator for registration in the form prescribed as Form VI of the Schedule.

(2) A fee of thirty dollars (\$30.00) shall be payable upon registration of the boat.

(3) Boat registration under this section shall expire on the 31st December next, after the date of issue.

PART IV GENERAL

Licences not transferable.

13. Licences issued under these Regulations shall not be transferable.

Duration and renewal of licences.

14. Licences issued under these Regulations, unless otherwise stated, shall be valid for a period of one year from the date of issue and may be renewed for a like period upon payment of the fees specified in these Regulations.

Cancellation of licences.

15. The Fisheries Administrator may cancel any licence granted under these Regulations if the licence holder breaches any conditions of the licence or contravenes any provision of these Regulations or the Fisheries Regulations.

Conditions for licences.

16. In issuing a licence under these Regulations, the Fisheries Administrator may attach conditions to such licences, as the case may be, having due regard to the nature of the licence and the need to protect the environment and natural resources. All tour guides will need to have a valid tour guide licence issued by the Belize Tourist Board.

Duty to report accident or damage to property.

17. Any person involved in an accident which occasions personal injury or damage to property or the environment within the Reserve shall report such accident to the person in charge of the Reserve or to

any officer of the Reserve or the Fisheries Administrator or at least within twelve (12) hours of the occurrence of the accident, or as soon as possible thereafter.

Non-liability of Government.

18. The Government shall not be liable for, any personal injury or damage to property occurring within the Reserve.

Application of Fisheries Regulations.

19. Notwithstanding the provisions of these Regulations, the Fisheries Regulations, shall apply within the Reserve.

Opening days of Reserve.

20. The Reserve Office shall be open daily to the public between the hours of 8:00 a.m. to 5:00 p.m.

Admission fees.

21. For all water recreational activities there shall be no fees for the time being.

Prohibition of certain activities within the Reserve.

22. Without prejudice to the activities prohibited by the Fisheries Act and the penalties prescribed therein, no person shall

- (a) remove, damage or have in his possession any flora, fauna or part thereof except under a licence issued by the Fisheries Administrator;
- (b) deposit any material in or on the waters of the Reserve, except in the case where a licence to do so has been issued by the Fisheries Administrator;
- (c) deface or tamper with any sign, buoy or notice which is installed in the Reserve.

Designation of certain areas by Fisheries Administrator.

23. (1) The Fisheries Administrator may designate areas for certain activities.

(2) No person; shall "within the: Reserve engage in water activities outside of the designated areas.

Duties of fishermen.

24. All commercial, recreational, subsistence, and sport fishermen shall render the weight of fish caught within the reserve to the reserve rangers upon request.

Offences and penalties.

25. (1) Any person who contravenes any of the provisions of the Regulations commits an offence and shall be liable on summary conviction to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding six months, or to both such fine and imprisonment.

(2) Any person who damages corals commits an offence and is' liable on summary conviction to a fine not exceeding twenty five thousand dollars and to pay an additional penalty based on assessed value of the damage caused.

Commencement.

26. These Regulations shall come into force on the 26th day of April, 2001.

MADE by the Minister of Agriculture, Fisheries and Co-operatives this 26th day of April, 2001.

(DANIEL SILVA)

Minister of Agriculture, Fisheries and Co-operatives Ministry responsible for Fisheries

SCHEDULE

FORM I

APPLICATION FOR A COMMERCIAL FISHERMAN'S LICENCE OR RENEWAL THEREOF

Part A to be completed in full and accompanied by two full face photographs of the applicant not exceeding one half inches by one inch in size. For first issue, money should not be sent with the form. For first issue, proof of citizenship or valid work permit must be furnished with the application or at the time of actual issue of the licence:

To: The Fisheries Administrator.

PART A

I hereby apply for a first issue/renewal of a fisherman's licence.

Name:.....

Age..... years

(block capitals)

Fishing Experience..... Years

(Full time ...yrs; Part time ...,yrs)

Home; Address:

I am a boat owner..... (yes/no)

Boat-operator..... (yes/no)
Crewman..... (yes/no)

I am/am not a member of a Fishermen's Co-operative Society.

Name of Co-operative (if a member):.....

Membership No.

Previous 'Fisherman's licence No.....

Date Issued

PART B

To be completed in full for the first issue and on renewal only if change in the details given in the first issue application have taken place.

Type of fishing in which engaged and methods used. Please enter a tick against the appropriate method and enter the number of units applicable in the spaces provided.

Lobster Scale Fish Conch Other

Product Method

Traps No. () Seine nets () No:() Diving (

Drums(No. (')

Beach

Traps No. () Set nets () No. ()

Diving No.() Tangle Nets () No. ()

Other

() No. () Gill Nets () No. () No of

Trammel net () No.()-I or 2 wall Units Beach traps () No. ()-shore or open sea based

Fish pots () No.()-any type Drop lines (-)

Long lines () No.()-indicate hooks/10yards.

Other methods (specify) :-.....

Approximate value of gear Place of normal landing of

catch Date of application Signature of

Applicant.....

THIS PART FOR OFFICE USE ONLY: Passport No. :.....:.. {) Received in Office

..... Work Permit

Fee received:.....:..... () Birth °Cert

SCHEDULE FORM II FISHERMAN'S LICENCE

Licence No

This licence is issued to.....

(full name)

of under the

(address)

provisions of the Fisheries Act and Regulations, made thereunder.

This licence is not transferable and takes effect from the date of issue and remains in force (unless canceled) until.....

Fee PaidReceipt No.....

PHOTOGRAPH

(Licensing Officer and Office Stamp) This; licence must be produced on demand to any police officer, customs officer or authorized fisheries officer and should be carried at all times.

Note on Form 11 of Licence: It is intended that when circumstances permit that such licences be laminated or otherwise waterproof; but until such times the licences issued will be in printed or cyclostyled form, similar to the above and will contain the above information in all cases. The licences are to be made up in triplicate: original to licensee, duplicate to the records and the triplicate for reconciliation of accounts.

FORM III
APPLICATION FOR LICENCE TO CONDUCT
RESEARCH OR -SCIENTIFIC INVESTIGATION
WITHIN THE BACALAR CHICO MARINE RESERVE

Date of Application.....
 Name of Applicant including title or designation
 Address: Home Country
 Whilst in Belize
 Telephone.....
 Name of person who is responsible for ensuring compliance with the conditions attached to the licence.....
 Institution with whom connection or on whose behalf the work is to be carried out.....
 Period during which work is to be carried out
 The following documents are to be attached to this application:
 1. A list of the names and titles of persons who will be accompanying the licensee during the course of the work for whom the licensee shall be responsible.
 2. A list of equipment, in triplicate, which the licensee wishes to bring into the country for the scientific purposes and for which a temporary import permit is requested.
 3. A detailed programme, in duplicate, of the purpose of the work or expedition including area of work.
 I wish to conduct research/an investigation in Belize on my own behalf/ as leader of a group of students/on the behalf of the institution named above for the following purposes: (specify)

 details of which are contained in the attached pages. I will wish to collect specimens for study in Belize and will/will not wish to export these specimens for further study at the end of my stay. I will want to collect () specimen of species for study/and export.
 Date:..... Signed.

SCHEDULE
FORM IV
APPLICATION FOR SPORT FISHING LICENCE
TO FISH IN THE BACALAR CHICO MARINE RESERVE

	For Official Use Only
	Registration No.
Last Name: First Name:	
Address:	
Telephone: () Date of Birth: (dd/mm/yy)	

WORK STATUS Full Time []; Owner of Boat [] Part Time []; Crew Member [] Other:; Captain []		BOAT STATUS Name of Boat: Length:width:..... Engine Type:..... HP	
LICENCE TYPE Recreational [] Sports [] Others: Specify	IDENTIFICATION INFORMATION National ID [] Passport [] Drivers licence [] Co-operative ID [] Valid Fisherman's Licence [] Social Security No.		

cut along this line

.....
 RESIDENT FISHERMAN LICENCE

Licence No:
 This licence is issued to.....
 (Full name) of.....(address)*
 under provisions of the Fisheries Act, and the Fisheries (Bacalar Chico Marine Reserve) Regulations, 2001.
 This licence is not transferable and takes effect from the date of issue and remains in force (unless canceled) until (Date)
 Photograph of the Licensee

(affix official stamp to photograph)
 Fee paid: \$ Receipt No.
 Signature of Licensee

 Signature of Licensing officer

 This is an official document of the Government of Belize and must -be produced on demand to any police officer, customs officer, or fisheries officer. It should be carried at all times by the licensee during fishing activity.

SCHEDULE
FORM V
SPORT FISHING LICENCE

Licence No:

This licence is issued to
 (Full name)
 of
 (address)

This licence is valid for a period of one month. From..... until
 Photograph of Licensee with official stamp to photograph

Fees paid:\$ Receipt No.....

This licence is subject to the following conditions:
 1. The holder of this licence shall comply with the Fisheries Act and all Regulations made thereunder.

2. The licensee shall not maim or kill any fish caught under this licence and all sport fishing activity shall only be carried out on a catch and release basis:

3. This licence may at any time be canceled if the licensee is in breach of any of the conditions stipulated above.

DATE _____

Fisheries Administrator _____

NB This is an official document of the Government of Belize and must be produced on demand to any police officer, customs officer, or fisheries officer. It should be carried at all times by the licensee during sport fishing activities.

SCHEDULE
FORM VI
APPLICATION FOR BOAT REGISTRATION FOR
OPERATION IN THE BACALAR CHICO
MARINE RESERVE

- (1) Name of boat owner
- (2) Name of captain
- (3) Name of boat, if any
- (4) Length of boat
- (5) Width of boat
- (6) Engine type and H.P.
- (7) Passenger capacity
- (8) Type of activity: (Tick for activity included)
- (a) Snorkeling ()
- (b) Scuba Diving ()
- (c) Glass-bottom viewing ()
- (d) Sport fishing ()
- Date:.....Signature

Registration Form

Name of boat owner

Name of captain

Name of boat.....

This boat is registered to carry up to passengers and to conduct the following activities in the Bacalar Chico Marine Reserve. i.e.

Conditions of registration

If carrying passengers to dive in Reserve, the captain/guide is responsible for the following:

- (i) To acquaint passengers with the rules of the Reserve.
- (ii) To moor at the buoys provided when in the Conservation and General Use Zones.