

CHAPTER 210

FISHERIES (GLADDEN SPIT AND SILK CAYES MARINE RESERVE) REGULATIONS

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CHAPTER 210

(GLADDEN SPIT AND SILK CAYES MARINE RESERVE) REGULATIONS

(Section 13)

[5th July, 2003.]

PART I

PRELIMINARY

1. These Regulations may be cited as the FISHERIES (GLADDEN SPIT AND SILK CAYES MARINE RESERVE) REGULATIONS

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

“Advisory Committee” means the committee established under regulation 3;

“committee member” means any person appointed under regulation 3 to assist in the management of the Reserve;

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

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

“Fisheries Administrator” means the Fisheries Administrator appointed under section 107 of the Belize Constitution for the purpose of the Fisheries Act and the regulations made thereunder;

“Fisheries Officer” means any technician, conservation officer, assistant fisheries officer or fisheries officer employed by the Reserve;

“recreational fishing” means fishing for the fun with the intention to eat the fish caught but not for the purpose of selling;

“Reserve” means the Gladden Spit Marine Reserve declared under the Fisheries (Gladden Spit and Silk Cayes Marine Reserve) Order;

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

“Schedule” means the schedule to these Regulations;

“sport fishing” means catch and release.

PART II

ESTABLISHMENT OF AN ADVISORY COMMITTEE

3. (1) The Fisheries Administrator shall establish an Advisory Committee for the purpose of assisting in the management of the Reserve.
- (2) The committee members shall be appointed by the post they hold in their organization.
- (3) The committee members shall consist of representatives from the following organizations:
 - (a) Fisheries Department;
 - (b) Forest Department;
 - (c) Coastal Zone Management Authority and Institute;
 - (d) Placencia BTIA;
 - (e) Placencia Village Council;
 - (f) Friends of Nature;
 - (g) Belize Fishermen Cooperative Association;
 - (h) Northern Fishermen Cooperative;
 - (i) Monkey River Fishermen; and
 - (j) Placencia Tour Guide Association.

PART III

ESTABLISHMENT OF ZONES AND RULES FOR ZONES

4. (1) For the purposes of the regulation and control of the Reserve, there shall be established three zones within the Reserve as follows:
 - (a) the General Use Zone;
 - (b) the Conservation Zone 1; and
 - (c) the Conservation Zone 11 (Restoration Area and Spawning Area).
 - (2) The description of the above Zones shall be as set out in the Schedule hereto.
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5. (1) The General Use Zone shall be restricted to those with the appropriate fishing licence for commercial, sport or recreational fishing. Fishermen shall apply for a licence to fish in accordance with these regulations.
 - (2) No person shall be permitted to use long lines, trawlers or gill nets in the Reserve unless authorized by the Fisheries Administrator.
 - (3) No person shall, within the General Use Zone, cast or drag any anchor in any manner that may damage coral reef formation.
 - (4) Fishermen catching lobster shall possess lobster with its carapace, tailed but not as fillet while in the Reserve.
 - (5) Fishermen catching conch shall possess conch whole or market clean but not as fillet or diced while in the Reserve.

6. (1) No person shall engage in commercial fishing, sport fishing or recreational fishing within the Conservation Zone I.
(2) No person shall engage in water-skiing and jet- skiing.
(3) No person shall secure a boat to the seabed of the Conservation 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.

7. (1) Restoration Area and Spawning Area-

(a) No person shall engage in commercial, sports and recreational fishing;

(b) No person shall engage in trawling, setting nets, long-lines and traps; and

(c) No person shall engage in water-skiing and jet skiing.

(2) No person shall secure a boat to the seabed of the Conservation 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.

(3) Spawning area-

(a) no touching, chasing or molesting of whale sharks will be permitted;

(b) divers and snorkelers should remain at least 15 feet away in any direction from any whale shark;

(c) maximum depth for divers of any certification is 80 feet to avoid disturbing fish aggregations;

(d) boats shall remain at least 50 feet away from any whale shark;

(e) dive and snorkel boats should maintain a distance of at least 200 feet away from each other;

(f) all divers and snorkelers should be out of the water by 5:30p.m;

(g) six (6) dive and snorkel tours will be limited to two hours from March 1 to July 31 of any year inclusive;

(h) a maximum of two boats per day per tour operator will be allowed;

(i) all boats will be allowed to carry a maximum of 12 visitors at any one time;

(j) no vessel larger than 48 feet will be allowed within this area; and

(k) the Fisheries Department reserves the right to close the Spawning Area because of inclement weather conditions or for any other reason it deems necessary.

8. (1) Divers shall register with the Reserve Manager prior to entering the Conservation Zones.
- (2) Charter dives shall first obtain a licence in the prescribed form set out as Form VI of the Schedule hereto before operating in the Conservation Zones and all dive boats shall fly the “divers down flag” when they have divers in the water.
- (3) Only certified scuba divers, or divers undergoing a training course conducted by a recognized instructor shall be allowed to use scuba equipment in areas of the Reserve where diving is permitted.
- (4) Dive guides shall be required to explain the rules of the Reserve to all divers within the Reserve.
- (5) All boats which need to operate in this zone shall first obtain registration from the Fisheries Administrator in accordance with these Regulations.
- (6) For the purpose of this Regulation “divers down flag” means a flag with a white diagonal stripe upon a red background.
- (7) All motorboats are to observe the low wake boat way when approaching snorkelers or divers.
- (8) For SCUBA tours a maximum of eight divers per licensed dive master will be permitted.
- (9) For snorkel tours a maximum of eight snorkelers per licensed tour guide will be permitted.

PART IV

COMMERCIAL FISHING, RESEARCH, SPORT FISHING LICENCES AND REGISTRATION OF DIVE BOATS

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 prescribed form set out as Form I of the 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 prescribed form set out as Form II of the Schedule after consultation with the advisory committee.
- (3) Upon the expiry of a fishing licence granted under these Regulations, the license holder may apply to the Fisheries Administrator for a renewal of the same in prescribed form set out as Form I of the Schedule.
- (4) A fee of (\$25.00) shall be payable upon the receipt of a fishing licence or for the renewal of the same.

10. (1) Any person who is desirous of conducting research shall apply to the Fisheries Administrator for a licence to do so in the prescribed form set out as Form III of 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 \$500.00BZ shall be payable upon the receipt of a research licence or for the renewal of same.

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

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

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

(3) A fee of \$100.00BZ shall be payable upon receipt of a sports fishing licence.

(4) The licensee shall not kill any fish caught under a sport fishing license.

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

(2) A fee of \$100.00BZ shall be payable upon registration of the boat.

(3) Boat registration under this section shall expire on the 31st December of any year inclusive.

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

14. Licences issued under these regulations, unless otherwise stated, shall be valid until December 31 of any year and maybe renewed for like period upon payment of the fees specified in these regulations.

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

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.

PART V

GENERAL

17. Any person in an accident which involves 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 as soon as possible or at least within twelve (12) hours of the occurrence of the accident.

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

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

20. The Reserve Office shall be open daily to the public between the hours of 6:00 a.m. to 6:00 p.m.

21. (1) For all water recreational activities, excluding sports and recreational fishing, fees shall be as follows:

(a) Swimmers/Snorkelers \$ 10.00 per person per day in the General Use Area.

(b) Scuba \$30.00 per person per week in the General Use Area.

(c) Scuba \$ 100.00 per person in the Spawning Area.

(d) Snorkel \$50.00 per person in the Spawning Area.

(e) Belizeans will pay \$15.00 per person in the Spawning Area.

(2) No fees shall be payable by Belizeans and foreign children below twelve years of age.

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 license issued by the Fisheries Administrator;

(b) Deposit any material in or on the waters of the Reserve, except in the case where a license 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.

23. (1) The Fisheries Administrator may designate certain areas as special development areas.

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

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

25. Any person employed (technician, conservation officer, Assistant Fisheries Officer or Fisheries Officer) by the Reserve for the purpose of management of the Reserve, shall be a Fisheries Officer to uphold the Reserve Regulations as well as the Fisheries Regulations.

26. (1) Any person who contravenes any of the provisions of and these regulations is guilty of an offence and liable on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for a period not exceeding six months, or to both such fine and imprisonment.

(2) Notwithstanding sub-regulation (1) any person who damages corals shall pay a penalty of five hundred dollars and an additional penalty may be imposed based on the assessed damage but such penalty shall not exceed five hundred dollars.

MADE by the Minister of Agriculture and Fisheries this 30th day of June, 2003.

(SERVULO BAEZA)

Minister of Agriculture and Fisheries

SCHEDULE

FORM I

[Regulation 9 (1),(3)]

**APPLICATION FOR A COMMERCIAL FISHERMAN'S
LICENSE RENEWAL THEREOF**

Part A to be completed in full and accompanied by two full face photographs of the applicant not exceeding one half inch 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 license.

To: The Fisheries Administrator

PART A

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

Name Age.....years

(block capitals)

Fishing Experienceyears (Full timeyrs, 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 Fishermen's Co-operative Society
Name of Co-operative if a member
Membership No. Previous Fisherman's license 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 provide.

Lobster ScaleFish Conch Other
Traps No. Seine nets No. Diving
Product
Drums No. Cast nets No. _____
Beach
Traps No. Set nets No. No.
Method
Driving No. Tangle Nets No.
Other No. Gill Nets No. No. of
Trammel net No. 1 or 2 wall Units
Beach traps No. shore or open sea based
Fish pots No. any type
Drop lines
Long lines No. indicate hooks/100 yards.
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

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FORM II

[Regulation 9(2)]

FISHERMAN'S LICENSE

License No

This license is issued to
(fullname)
ofunder the
(address)

provisions of the Fisheries Act and Regulations made thereunder.
This license is not transferable and takes effect from the date of issue and remains in force unless canceled.

Until

Fee Paid Receipt No.

(Licensing Officer and Office Stamp)

This license must be produced on demand to any Police Officer, Customs Officer or authorized Fisheries Officer and should be carried at all times.

PHOTOGRAPH

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

FORM III

[Regulation 10(I)]

APPLICATION FOR LICENSE TO CONDUCT RESEARCH OR SCIENTIFIC INVESTIGATION WITHIN THE GLADDEN SPIT & SILK CAYE 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 license

.....

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.

FORM IV

[Regulation 11(1)]

**APPLICATION FOR SPORT FISHING LICENSE
TO FISH IN THE GLADDEN SPIT & SILK CAYES MARINE
RESERVE**

For Official use only

Registration No. ____

Last Name: First Name:

Address:

Telephone: () Date of Birth:

(dd/mm/yy)

Marital Status: S/ M/ Other: No. of Children:

WORK STATUS BOAT STATUS

FullTime Owner of Boat Name of Boat:

Part Time Crew Member Length:

With:

Other: Captain EngineType:HP:

LICENSE TYPE IDENTIFICATION INFORMATION

Recreational National ID Passport

Sport Drivers license Cooperative

Other: Valid Fisherman's License

Specify: _____ Other _____

Social Security No. _____

RESIDENT FISHERMAN'S LICENSE

License No:

This license is issued to

(Full name)

of

(address)

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under provision of the Fisheries Act, and the Fisheries (Gladden Spit & Silk Cayes Marine Reserve) Order, 2000.

This license is not transferable and takes effect from the date of issue and remains in force unless canceled.

Until

(Date)

_____ Fee paid \$

Photograph of the Receipt No

Licensee Receipt No.

Signature of Licensee

(affix official stamp to photograph) _____

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.

FORM V

[Regulations 11(2),(4)]

SPORT FISHING LICENSE

LicenseNo:

This license is issued to

.....
(Full name)

Of.....

(address)

This license is valid for a period of one month

From until

Fees paid: \$

Receipt No.

Photograph of Licensee with official stamp to photograph:

This license is subject to the following conditions:

1. The holder of this license shall comply with the Fisheries Act and all Regulations made thereunder.
2. The licensee shall not maim or kill any fish caught under this license and all sport fishing activity shall only be carried out on a catch and release basis.
3. This license 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.

FORM VI

[Regulations 8(2),12(1)]

**APPLICATION FOR BOAT REGISTRATION FOR
OPERATION IN THE GLADDEN SPIT & SILK CAYES
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 Gladden Spit & Silk Cayes Marine Reserve.

ie.

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.

(iii) To fly the 'drivers down' flag during all dives.

(iv) Only certified scuba divers or those undergoing an approved training course will be allowed to use scuba tanks.

If carrying passengers to carry out sport fishing, the captain/guide is responsible for the following:

(i) To submit details to the Reserve Manager when requested, of catch and the area where fishing took place.

(ii) To release fish wherever possible.

To apply the mark/sticker provided in a prominent position on the registered boat.

Date

Fisheries Administrator