

CHAPTER 210

FISHERIES PORT HONDURAS MARINE RESERVE REGULATIONS

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CHAPTER 210
FISHERIES (PORT HONDURAS MARINE RESERVE)
REGULATIONS

(Section 13)

[19th February, 2000.]

1. These Regulations may be cited as the FISHERIES (PORT HONDURAS MARINE RESERVE) REGULATIONS

2. In these Regulations, unless the context otherwise requires,
“fish” includes all the varieties of marine or fresh water animals or plant life;
“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;
“fishing” means fishing for, capturing, taking or killing fish, or attempting to do any of the above by any method;
“Reserve” means the Port Honduras Marine Reserve declared under the Fisheries (Port Honduras Marine Reserve) Order;
“Reserve Manager” means an officer appointed for the purpose of managing the Reserve;
“Fishery Officer” means any technician, conservation officer, assistant fisheries officer or fishery officer employed by the reserve;
“Schedule” means the Schedule to these Regulations;
“Sport fishing” means catch and release;
“recreational fishing” means fishing for fun 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 the fish caught but not for selling such fish.

PART II
ESTABLISHMENT OF ZONES AND RULES FOR ZONES

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

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

and a Special Management Area.

(2) The description of the above Zones shall be as set out in the Schedule of the Fisheries (Port Honduras Marine Reserve) Order.

4. (1) The General Use Zone shall be restricted to those with the appropriate fishing licence for any of the following, namely a commercial, sport, subsistence and recreational fishing licence. Fishermen shall apply for a licence to fish in accordance with these Regulations.

(2) Only residents of Port Honduras who have special licences to fish shall be allowed to fish in this zone 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 or gill nets in the Port Honduras Marine Reserve.
- (4) No person shall be permitted to use or erect beach traps.
- (5) No person shall, within the Port Honduras Marine Reserve, cast or drag any anchor in any manner that may damage coral reef formation.
- (6) Fishermen catching lobster shall preserve such lobster while in the Marine Reserve within its carapace but not as fillet.

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

(2) No person shall engage in water-skiing and jet skiing within this zone.

6. (1) Sport fishing in the Conservation II Zone 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.

(2) No person shall engage in spear fishing with the Conservation II Zone.

(3) No person shall engage in commercial, recreational and subsistence fishing within the Conservation II Zone.

(4) No person shall engage in trawling, setting nets or traps within the Conservation II zone.

(5) No person shall engage in water-skiing and jet skiing within the Conservation II zone.

(6) 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.

(7) 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 the Conservation zones;

(b) charter dives shall first obtain a licence in the form prescribed as Form VI of the Schedule before operating in 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 areas of the Reserve where diving is permitted;

(d) dive guides shall be required to explain the rules of the Reserve to all divers within the Reserve:

(e) all boats which need to operate in these zones shall first obtain registration from the Fisheries Administrator in accordance with these Regulations.

(8) For the purpose of this Regulation “divers down flag” means a flag with a white diagonal stripe upon a red background.

(9) All motor boats are to observe the low-wake-boat-way when approaching snorkellers or divers.

7. (1) Subject to subregulation (2) below, no person shall engage in commercial fishing, sport fishing, diving or any other water activity within the Preservation zone.

(2) No vessel shall be permitted within the Preservation zone except in cases of emergency or where written permission has first been obtained from the Fisheries Administrator.

8. (1) This area is reserved for special projects. Fishing and other activities may or may not be allowed depending on the status of the area in the management plan.

PART III

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 hereto.

(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 hereto.

(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 prescribed form set out as Form I of the Schedule hereto.

(4) A fee of (\$50.00) 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 within the Reserve apply for a licence to do so to the Fisheries Administrator in the prescribed form set out as Form III of the Schedule hereto.

(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 Bz. \$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.

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

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

(3) A fee of Bz \$20.00 per month for Belizeans or Bz. \$50.00

per month for non-Belizeans shall be payable upon receipt of a sport fishing licence.

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

12. (1) Any boat operator who is desirous of conducting sport fishing within the Reserve shall apply to the Fisheries Administrator for registration in the prescribed form set out as Form VI of the Schedule hereto.

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

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

PART IV

GENERAL

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

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 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 licence 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.

17. Any person involved in an accident which involves personal injury or damage to property or to 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 to 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 8:00 a.m. to 4:00 p.m.

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

(a) Swimmers/Snorkelers \$8.00 per person per day;

(b) Scuba \$20.00 per person per week

(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 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.

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, subsistence, and sport be 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 “Fishery Officer” for the purpose of upholding the Reserve regulations as well as the Fisheries Regulations.

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

(2) Notwithstanding subregulation (1) above, any person who damages corals shall pay a fine not exceeding ten thousand dollars, or some other higher penalty based on the assessed damage not exceeding one million dollars.

27. These Regulations shall come into force on the 25th day of January, 2000.

MADE by the Minister of Agriculture, Fisheries and Cooperatives
this 25th day of January, 2000.

(DANIEL SILVA)

*Minister of Agriculture, Fisheries
and Cooperatives
Minister responsible for Fisheries*

SCHEDULE
[Regulation 9(1)]

FORM I
APPLICATION FOR A COMMERCIAL FISHER'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

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PART B

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

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

Lobster Scale Fish Conch Other

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

Product

Drums () No. Cast nets () No. () _____

Beach

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

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

Appendix 2

Other () No. () Gill Nets () No. () No. of Units

Trammel net () No. () -1 or 2 wall

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 ()

[Regulations 9(2)]

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 cancelled.

Until

Fee Paid Receipt No

(Licensing Officer’s signature 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.

PHOTOGRAPH

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

[Regulation 10(1)]

FORM III

APPLICATION FOR A LICENCE TO CONDUCT RESEARCH OR SCIENTIFIC INVESTIGATION WITHIN THE PORT HONDURAS 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 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:

(State purpose)

.....
.....
.....

.....
.....
..... 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:

[Regulation 11(1)]

FORM IV

APPLICATION FOR SPORT FISHING LICENCE TO FISH IN THE PORT HONDURAS 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:

WORK STATUS BOAT STATUS

Full Time []: Owner of Boat [] Name of Boat:

Part Time []: Crew Member [] Length:

Width:

Other: Captain [] Engine Type:HP:

LICENCE TYPE IDENTIFICATION INFORMATION

Recreational [] National ID [] Passport []

Sports [] Drivers Licence [] Co-operative ID []

Others: Valid Fisherman's Licence []

Specify..... Other [.....]

Social Security No.

RESIDENT FISHERMAN'S LICENCE

Licence No:

This licence is issued to

(Full name)

of

(address)

under provision of the Fisheries Act, and the Fisheries (Port Honduras Marine Reserve) Order, 1999.

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

Until

(Date)

..... Fee paid: \$

Photograph of the Licensee Receipt No.

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.

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[Regulation 11(2)]

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 Fees paid: \$

Receipt No.

(affix official stamp to photograph)

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 cancelled if the licensee is in breach of, any of the conditions stipulated above.

DATE:

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

**APPLICATION FOR BOAT REGISTRATION FOR
OPERATION IN THE PORT HONDURAS 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 Port Honduras 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 “divers 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)
