

:

**CAYE CAULKER MARINE RESERVE**  
**REGULATIONS 2008**

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**BELIZE:****STATUTORY INSTRUMENT****No. 127 of 2008**

*REGULATIONS made by the Minister of Agriculture and Fisheries in exercise of the powers conferred upon him by section 13 of the Fisheries Act, Chapter 210 of the Substantive Laws of Belize, Revised Edition 2000-2003; and all other powers thereunto him enabling.*

*(Gazetted 6th December, 2008.)*

**PART I***Preliminary*

1. These Regulations may be cited as the

**Short title.**

**FISHERIES (CAYE CAULKER MARINE RESERVE)  
REGULATIONS, 2008.**

2. In these Regulations, unless the context otherwise requires

**Interpretation.**

“Advisory Committee” means the Committee established under Regulation 3;

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

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

“recreational fishing” means fishing for enjoyment and with the intention of eating the fish caught but not for the purpose of selling the fish caught;

S.I. 35 of  
1998.

“Reserve” means the Caye Caulker Marine Reserve declared under the Fisheries (Caye Caulker Marine Reserve) Order, 1998;

“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 fishing;

“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 an Advisory Committee*

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 shall consist of one representative each from the following organizations

- (a) Fisheries Department;
- (b) Forest Department;
- (c) Coastal Zone Management Authority and Institute;
- (d) Caye Caulker BTIA;
- (e) Caye Caulker Village Council;

- (f) Siwa Ban Foundation;
- (g) Caye Caulker Tour Guide Association;
- (h) FAMRACC;
- (i) Northern Fishermen Association;
- (j) Sarteneja Fisherman.

### **PART III**

#### *Establishment of Zones and Rules for Zones*

4. (1) For the purposes of these Regulations and for the control of the Reserve, there shall be established within the Reserve, the following three zones

Establishment  
of Zones.

- (a) the General Use Zone;
- (b) the Conservation Zone; and
- (c) the Preservation Zone.

(2) The descriptions of the Zones set out above shall be as set out in the Schedule to the Fisheries (Caye Caulker Marine Reserve) Order, 1998.

S.I. 35 of  
1998.

5. (1) The General Use Zone is restricted to fishing by licensed fishermen who currently use this Zone and a fishermen who is desirous of fishing in this Zone shall apply for a license to fish in accordance with these Regulations.

Rules for  
General Use  
Zone.

(2) Residents of Caye Caulker who have special licenses to fish may fish solely for subsistence purposes, and such fishing shall be determined by the terms and conditions of each resident's license.

(3) No person is permitted to use long lines, spear-guns or gill nets in the Reserve unless authorized by the Fisheries Administrator.

(4) Sport Fishing is allowed in the General Use Zone only in accordance with the following

- (a) spear fishing is not permitted;
- (b) catch and release fishing tours can only remove fish for subsistence purposes during the tour.

(5) No person shall, within the General Use Zone, cast or drag any anchor in any manner which may damage or cause damage to coral.

**Rules for  
Conservation  
Zone.**

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

(2) No person shall engage in commercial, sport or subsistence fishing within the Conservation Zone.

(3) No person shall secure a boat to the sea bed of the Conservation Zone 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.

(4) Every diver in the Conservation Zone shall adhere to the following rules

- (a) divers shall register with the Reserve Manager prior to entering the Conservation Zone;
- (b) charter dives shall first obtain a license in accordance with these Regulations, before operating in the Conservation Zone 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, are allowed to use scuba equipment in the Reserve;
- (d) dive guides are required to explain the rules of the Reserve to a diver within the Reserve;
- (e) every boat owner desirous of operating a boat in this Zone, shall first register his boat with the Fisheries Administrator in accordance with these Regulations;
- (f) every operator of a motor boat shall observe the low wake zone boat way when approaching snorkelers or divers;
- (g) for Scuba tours, a maximum of eight divers per licensed dive master is permitted;
- (h) for snorkel tours, a maximum of eight snorkelers per licensed tour guide is permitted;
- (i) no person shall harass or in any way tamper with any fauna within the Conservation Zone.

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

(6) No person shall engage in water-skiing within the Conservation Zone.

Rules for  
Preservation  
Zone.

7. (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 person shall operate a motor boat within the Preservation Zone except in cases of emergency, or where written permission has first been obtained from the Fisheries Administrator.

#### **PART IV**

*Commercial Fishing, Research,  
and Registration of Dive Boats*

Commercial  
Fishing  
Licenses.  
Form I.  
Schedule.

8. (1) A person desirous of fishing within the Reserve shall apply to the Fisheries Administrator, in the form prescribed as Form I in the Schedule, for a commercial fishing license.

Form II.  
Schedule.

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

Form I.  
Schedule.

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

(4) A fee of twenty-five dollars (BZ \$25.00) is payable upon the receipt of a fishing license or for the renewal of that license.

Research  
Licenses.  
Form III.  
Schedule.

9. (1) A person desirous of conducting research within the Reserve shall apply to the Fisheries Administrator, in the form prescribed as Form III in the Schedule, for a license to conduct such research.



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

(3) The Fisheries Administrator may attach conditions to a research license issued under these Regulations.

(4) A fee of five hundred dollars (BZ \$500.00) is payable by an applicant upon the receipt of a research license or for the renewal of that license.

(5) The Fisheries Administrator may waive or vary, at his discretion, the fee payable for a research license.

10. (1) A boat operator desirous of conducting SCUBA diving and snorkeling within the Reserve shall apply to the Fisheries Administrator for registration in the form prescribed as Form IV in the Schedule.

Registration of dive boats. Form IV. Schedule.

(2) A fee of ten dollars (BZ \$10.00) is payable by an applicant upon registration of a boat pursuant to sub-regulation (1) above.

(3) Boat registration pursuant to this Regulation expires on the 31st day of December next, after the date of issue.

## **PART V**

### *General*

11. Every license issued pursuant to these Regulations shall not be transferable.

Licenses not transferable.

12. Every license issued under these Regulations, unless otherwise stated, is valid until December 31<sup>st</sup> of any year and may be renewed for a like period upon payment of the fees prescribed in these Regulations.

Duration and renewal of licenses

13. The Fisheries Administrator may cancel any license

Cancellation of licenses.

granted under these Regulations if the license holder breaches any conditions of the license or contravenes any provision of these Regulations or of the Fisheries Regulations.

Conditions of licenses.

14. In issuing a license under these Regulations, the Fisheries Administrator may attach conditions to such licenses, as the case may be, having due regard to the nature of the license and the need to protect the environment and natural resources.

Duty to report accidents or damage to property.

15. A person in an accident which involves personal injury or damage to property or to the environment within the Reserve shall report, as soon as possible or at least within twelve (12) hours of the occurrence of the accident, such accident to the person in charge of the Reserve or to any officer of the Reserve or to the Fisheries Administrator.

Non-liability of government.

16. The Government is not liable for any personal injury or damage to property occurring within the Reserve.

Application of Fisheries Regulations. Sub. Leg. Vol. IV. CAP. 174 p.7.

17. Notwithstanding the provisions of these Regulations, the Fisheries Regulations, as amended, shall apply within the Reserve.

Opening days of Reserve.

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

Admission fees.

19. (1) The fees payable by foreign visitors for all water recreational activities, excluding sports and recreational fishing, are ten dollars (BZ \$10.00) per person per day or thirty dollars (BZ \$30.00) per person per week.

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

Prohibition of certain acts. CAP. 210.

20. 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;

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

**Fisheries Administrator may designate certain areas.**

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

22. Every commercial, recreational, subsistence, and sport fisherman shall render to the Reserve Rangers upon request, the weight of fish caught within the Reserve.

**Rendering fish catch information to rangers.**

23. Every person employed by the Reserve for the purpose of management of the Reserve, is a Fisheries Officer charged with upholding the Reserve Regulations as well as the Fisheries Regulations.

**Officers to uphold Regulations.**

24. (1) A person who contravenes any of the provisions of these Regulations commits an offence and is liable on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding six months, or to both fine and imprisonment.

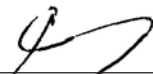
**Offences and penalties.**

(2) A person who damages any coral shall pay an administrative fine not exceeding fifty thousand dollars.

Negative  
Resolution.

25. These Regulations are subject to negative resolution of the National Assembly.

**MADE** by the Minister of Agriculture and Fisheries this 17th day of November, 2008.



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(RENE MONTERO)

*Minister of Agriculture and Fisheries*

**FORM I**

[Reg. 8]

**APPLICATION FOR A COMMERCIAL FISHERMAN'S  
LICENSE OR FOR 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 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 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 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 provided.

<input type="checkbox"/> .( )	<input type="checkbox"/> .( )	<input type="checkbox"/>	
<input type="checkbox"/> .( )	<input type="checkbox"/> .( )		-----
<input type="checkbox"/> .( )	<input type="checkbox"/> .( )		
<input type="checkbox"/> .( )	<input type="checkbox"/> .( )		-----
<input type="checkbox"/> .( )	<input type="checkbox"/> .( )		.
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**THIS PART FOR OFFICE USE ONLY: Passport No..... ( )**  
**Received in Office ..... Work Permit ..... ( )**  
**Fee received ..... ( ) Birth Cert ..... ( )**

**FORM II**  
*[Reg. 8]*  
**FISHERMAN'S LICENCE**

License No .....

This license is issued to

.....  
(fullname)

of ..... under  
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 cancelled.

Until .....

Fee Paid .....Receipts .....

(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

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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**

[Reg. 9]

**APPLICATION FOR LICENCE TO CONDUCT  
RESEARCH OR SCIENTIFIC INVESTIGATION WITHIN  
THE CAYE CAULKER 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 program, in duplicate, of the purpose of the work on 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:

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

..... / .....  
( ) / .....

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

**FORM IV**

[Reg.10]

**APPLICATION FOR BOAT REGISTRATION FOR  
OPERATION IN THE CAYE CAULKER  
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 Caye Caulker 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;

- (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

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