

# **GOVERNMENT OF FIJI GAZETTE SUPPLEMENT**

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**No. 6**

**FRIDAY, 20th FEBRUARY**

**2015**

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[LEGAL NOTICE NO. 40]

FISHERIES ACT  
(CAP. 158)

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## Fisheries (Wakaya Marine Reserve) Regulations 2015

In exercise of the powers conferred upon me by section 9 of the Fisheries Act (Cap. 158), I hereby make these Regulations—

*Short title and commencement*

1. These Regulations may be cited as the Fisheries (Wakaya Marine Reserve) Regulations 2015 and shall come into force on the date of their publication in the *Gazette*.

*Interpretation*

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

“Act” means the Fisheries Act (Cap .158);

“Buffer Zone” means the Buffer Zone declared under regulation 4;

“coastal zone”, for the purposes of these Regulations, means the area within 2 kilometres inland from the high water mark and includes areas from the high water mark up to the Marine Reserve;

“development activity or undertaking” means any activity or undertaking likely to alter the physical nature of the land in any way, and includes the construction of buildings or works, the deposit of wastes or other material from outfalls, vessels or by other means, the removal of sand, coral, shells, natural vegetation or other substances, dredging, filling, land reclamation, mining or drilling for minerals, but does not include fishing;

“indiscriminate fishing gear” means any fishing gear deployed that indiscriminately catches fish or any marine organism, such as gillnets and handlines with steel wire leaders and poison fishing where derris root extracts, chemicals or dynamite are used; and

“Marine Reserve” means the Wakaya Marine Reserve declared under regulation 3.

*Wakaya Marine Reserve*

3.—(1) The area marked in blue on the map set out in the Schedule is hereby declared as a Marine Reserve to be known as the Wakaya Marine Reserve for the purpose of conserving, protecting and maintaining species of fish, sharks, rays, cetaceans, sea turtles and all marine organisms including coral within the area.

(2) Any person operating a vessel within the Marine Reserve shall use only the mooring provided within the Marine Reserve.

(3) A person shall not dispose of or throw rubbish or any other waste material within the Marine Reserve area.

(4) Any development activity or undertaking within the coastal zone of the Marine

Reserve is prohibited except with the approval of the Department of Fisheries.

(5) Any fishing activity or activity consisting of the collection of any species of fish and marine organisms including coral within the Marine Reserve is prohibited.

(6) Any person who contravenes this regulation commits an offence and is liable upon conviction to a fine of not less than \$500 and not exceeding \$10,000 or imprisonment to a term not exceeding 6 months, or both.

(7) The Department of Fisheries may seize any marine organism, fishing equipment, conveyance including vehicles and vessels used for their transport, or other property involved in a breach of sub-regulation (5).

*Buffer Zone*

4.—(1) The area marked in green on the map set out in the Schedule is hereby declared a Buffer Zone for the Marine Reserve.

(2) The use of any form of indiscriminate fishing gear and any fishing equipment to target any species of fish, sharks, rays, cetaceans, sea turtles and any marine organisms within the Buffer Zone is prohibited.

(3) Any person who contravenes sub-regulation (2) commits an offence and is liable upon conviction to a fine of not less than \$500 and not exceeding \$5,000 or imprisonment to a term not exceeding 6 months, or both.

(4) The Department of Fisheries may seize any species of fish or marine organism captured or any fishing equipment involved in a breach of sub-regulation (2).

*Scientific Research*

5. Notwithstanding regulations 3 and 4, the Minister may authorise activities otherwise prohibited under these Regulations for the purpose of scientific research.

*Management guidelines*

6. The Minister may, by notice in the *Gazette*, issue guidelines for the proper management and monitoring of the areas within the Marine Reserve and the Buffer Zone.

Made this 3rd day of February 2015.

O. NAIQAMU  
Minister for Fisheries and Forests

SCHEDULE

