

GRENADA

STATUTORY RULES AND ORDERS NO. 24 OF 1996

THE MINISTER RESPONSIBLE FOR MATTERS RELATING TO FISHING
UNDER SECTION 40 OF THE FISHERIES ACT (CAP. 108) MAKES THE
FOLLOWING REGULATIONS:

(Gazetted 12th July, 1996).

1. **Short title.** These Regulations may be cited as the

FISHERIES (AMENDMENT) REGULATIONS 1996.

and shall be read as one with the Fisheries Regulations hereinafter
referred to as the principal Regulation.

Cap. 108.

2. **Parts VI and VII of principal Regulations replaced.** Parts VI
and VII of the principal Regulations are repealed and replaced by the
following parts:

PART VI

FISHERY CONSERVATION MEASURES

16. **Lobster**

- (1) In this regulation "undersized" means:
- (a) less than 250 millimeter (9.8 inches) in length when laid flat and measured from immediately behind the rostral horns and to the near edge of the telson or a carapace length of less than 95 millimeters (3.7 inches) measured from immediately behind the rostral horns to the maximum concavity of the near edge of the carapace as illustrated in schedule 10 of these regulations; or

- (b) less than 680 grams (1½ pounds) in weight; or
 - (c) having a tail weighing less than 340 grams (12 ounces).
- (2) No person shall harm, take, have in his possession, sell or purchase
 - (a) any lobster carrying eggs; or
 - (b) any lobster which is undersize; or
 - (c) any lobster which is moulting.
- (3) No person shall capture any lobster other than by hand, loop, trap or pot.
- (4) No person shall set within the fishery waters any unlicensed net or seine or any other artifice for the purpose of or with the intention of fishing for, catching or taking any turtle. Such licence may be granted in writing by the Chief Fisheries Officer in Schedule II of these Regulations.
- (5) The Minister may by notice published in the *Gazette* and in any newspaper printed or circulated in the state declare stipulated minimum or maximum size and weight for any harvestable specie of turtle.

18. Conch

- (1) No person shall take, sell, purchase or have in his possession any "immature conch".
- (2) The Minister may by notice published in the *Gazette* and in a newspaper printed or circulated in the State declare any period as a closed season for conch.

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- (3) No person shall fish for conch during the period of the closed season.
- (4) In this Regulation, "immature conch" means
- (a) a conch the shell of which is smaller than 18 centimeters (9 ¼ inches) in length; or
 - (b) a conch the shell of which does not have a flared lip; or
 - (c) a conch with a total meat weight of less than 255 grams (8 ounces) after the removal of the digestive gland.

The Regulation relates to the Queen conch, *Strombus Gigas*.

19. **Sea urchins**

- (1) The Minister may by notice published in the *Gazette* and in a newspaper that is printed or circulated in the State declare any period as a closed season for urchins.
- (2) The Minister may by notice published in the *Gazette* or in a newspaper that is printed or circulated in the State declare any area of the fishery waters as a closed area for urchins.
- (3) No person shall fish for urchins during the period of the closed season or when the average size is less than 90 millimeters (3½ inches) in diameter in a line measured at right angle to the mouth as illustrated in schedule 12 of these regulations.
- (4) No person shall at anytime fish for urchins within a closed area.

20. All commercial enterprises that deal with the sale or consumption of lobster, turtle or urchin shall not later than 14 days after the start of the closed season:

- (a) Declare the quantity by weight of any lobster, turtle or urchin gonads or parts thereof held in storage. This declaration shall be made to the chief fisheries officer in writing.
- (b) All commercial enterprises that deal with the sale or consumption of lobster, turtle or urchin gonads shall allow the inspection of their stored stocks of lobster or turtle, turtle or urchin gonads by authorized officers at any time during the period of the closed season.

21. **Oysters**

- (1) No person shall disturb, damage, take from the fishery waters, have in his possession, purchase or expose for sale any oysters except with the permission of the Chief Fisheries Officer and in accordance with any conditions as he may specify.

22. **Beach seine**

- (1) No person shall use in the fishery waters of Grenada a beach seine that:
 - (a) has mesh sizes that is smaller than regulated by the Minister; or
 - (b) has not been registered and licenced by the Chief Fisheries Officer in the appropriate form set out in Schedule 13 of these regulations.
- (2) The Minister may by notice published in the *Gazette* or in a newspaper that is printed or circulated in the

State declare minimum mesh sizes for any beach seine or part thereof.

- (3) In these Regulations unless otherwise stated "mesh size" means the average measurement taken diagonally of any 10 consecutive meshes, each measurement being taken across the widest opening of the mesh at full stretch.

23. Scuba and Hookah

- (1) A person shall apply in writing to the Chief Fisheries Officer for permission to operate a SCUBA or Hookah diving facility or a Scuba tank filling facility.
- (2) No person shall operate a SCUBA or Hookah diving facility or a SCUBA tank filling facility without a licence as set out in schedule 14 of these regulations.
- (3) No person who is not a registered commercial diver shall use SCUBA or hookah equipment in the fishery waters except through and under the supervision of a licenced SCUBA or hookah operator.
- (4) SCUBA diving means diving with equipment which allow the user to remain submerged for a prolonged period of time without surface air supply.
- (5) Hookah diving means diving with equipment that allow the user to remain submerged for a prolonged period of time with surface air supply.

24. Coral and Coral reefs

- (1) No person shall take or collect coral from the fishery waters except with the written permission of the Chief Fisheries Officer in accordance with such conditions as he may specify.

- (2) The following shall be prohibited activities at the site of a coral reef:
 - (a) the disposal of rubbish or the discharge of any matter;
 - (b) water skiing, except in such parts of the area as may be designated by the Minister as water skiing areas;
 - (c) anchoring of boats except as provided for by these regulations;
 - (d) removal of vegetation.
- (3) Divers are prohibited from handling corals or standing on coral formations.
- (4) No person shall place an anchor on coral or allow any chain or rope to injure any coral.
- (5) It is the duty of a person using an anchor at the site of a coral reef to ensure that it is so placed that it neither rests on corals, nor will it shift in such a way as to damage corals.
- (6) A person who operates or uses watercraft in an area of a coral reef shall use mooring buoys, stations or anchoring areas in connection with such watercraft where such facilities are available or where such areas have been designated.
- (7) No person shall operate watercraft in such a manner as to strike or otherwise cause damage to coral reefs.
- (8) All watercraft from which diving operations are being conducted shall fly in a conspicuous manner the red and white "divers down" flag.

25. **Spear guns**

- (1) No person who is not a citizen of Grenada may use a spear gun in the fishery waters except with the permission of the Chief Fisheries Officer in accordance with such conditions as he may specify.
- (2) Notwithstanding the provisions of sub-regulation (1) no person shall use a spear gun for fishing in the fishery waters while using with such SCUBA or Hookah equipment.

26. **(a) Aquarium fish**

No person shall import, sell or export aquarium fish except with the permission of the Chief Fisheries Officer and in accordance with such conditions he may specify.

27. **(b) Food or Fish-meal — Fish**

This part of these Regulations shall not apply to fishing operations which are conducted solely for the purpose of fishery research provided that permission has been granted in respect to such operations by the Chief Fisheries Officer under Section 24 of the Act and that the operations are carried out in accordance with the conditions of such permission.

28. **Declaration of Stocks**

Any person, group of persons, commercial enterprise which buys, sells or stores lobster, conch or turtle meat, or the roe of the sea urchin in quantities greater than 23 kilograms (50 pounds) shall declare to the Chief Fisheries Officer the quantities of lobster, conch or turtle meat, or the roe of the sea urchin at the commencement of the relevant closed seasons. Such declaration shall be made in writing to reach the Chief Fisheries Officer not later than 14 days after the commencement of the relevant closed season. In the case of

a commercial enterprise the declaration shall be made by the person or persons responsible for the management of such enterprise.

PART VII

MISCELLANEOUS PROVISIONS

29. **Offences and penalties**

Save as otherwise provided in these Regulations any person contravening any of these Regulations shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding 5000 dollars or to imprisonment for a term not exceeding two years or to both.

Made this 26th day of June, 1996.

JOSLYN WHITEMAN
*Minister for Agriculture
Lands, Forestry and Fisheries.*

GRENADA