

THE FISH INDUSTRY ACT, 1968

(No. 24 of 1968)

IN EXERCISE of the powers conferred by section 7 of the Fish Industry Act, 1968, the Minister for Tourism and Wildlife hereby makes the following Regulations:—

THE FISH INDUSTRY (SHELL AND LIVE CORAL
CONSERVATION) REGULATIONS, 1971

1. These Regulations may be cited as the Fish Industry (Shell and Coral Conservation) Regulations, 1971.

2. In these Regulations, except where the context otherwise requires—

“bivalve” means any mollusc of any family of class pelecypoda;

“cowry” means any mollusc of any family of class gastropoda;

“licensing officer” means the Director of Fisheries or any Fisheries Officer authorized in writing by the Director of Fisheries to issue a licence under these Regulations;

“live coral” means a living calcareous skeleton secreted by polypoid coelenterates of the class anthozoa;

“oyster” means any mollusc of any species of genus ostrea;

“shell” means the hard protective covering of a mollusc.

3. (1) No person shall fish for, collect or capture cowries, bivalves, shell of cowries or bivalves, or live coral, without a valid licence issued under these Regulations.

(2) Any person who contravenes the provisions of this regulation shall be guilty of an offence.

4. (1) A licence in the form shown in the First Schedule to these Regulations may, on application and on payment of the fee specified in the Second Schedule to these Regulations, be issued to any person by the licensing officer subject to such conditions as the licensing officer may think fit.

(2) The licensing officer may, in his discretion, refuse to issue a licence.

(3) Any licence holder who contravenes any of the conditions subject to which the licence is issued shall be guilty of an offence.

5. (1) Any person who is convicted of an offence under these Regulations shall be liable—

(a) in the case of a first conviction to a fine not exceeding five thousand shillings or to imprisonment for a term not exceeding six months, or to both such fine and such imprisonment;

(b) in the case of a second or subsequent conviction, to a fine not exceeding ten thousand shillings or to imprisonment for a term not exceeding one year, or to both such fine and such imprisonment.

in addition the court may order the property in respect of which the offence was committed to be forfeited.

6. Where a licence holder is convicted of an offence under regulation 4 of these Regulations the Director of Fisheries may, in his discretion, forthwith cancel the licence.

7. These Regulations shall not apply to oysters.

FIRST SCHEDULE (r. 4 (1))

THE FISH INDUSTRY (SHELL AND LIVE CORAL CONSERVATION) REGULATIONS, 1971

LICENCE TO COLLECT AND CAPTURE SHELL AND LIVE CORAL

..... of
(address) is hereby
licensed to collect and capture cowries, bivalves, shells of cowries or
bivalves, and live coral at

This licence commences on, 19....
and expires on, 19....
Date of issue, 19....

FEE PAID: Sh.
Station

This licence is issued subject to the following conditions:—

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

.....
Licensing Officer

.....
Signature of Licensee

SECOND SCHEDULE (r. 4 (1))

FEE FOR A LICENCE TO COLLECT AND CAPTURE COWRIES,
BIVALVES, SHELLS OF COWRIES OR BIVALVES, AND
LIVE CORAL

	<i>Citizen</i>	<i>Non-citizen</i>
	<i>Sh.</i>	<i>Sh.</i>
For twelve months	100	200

Made this 24th day of November, 1971.

J. L. M. SHAKO,
Minister for Tourism and Wildlife.