

3) FISHERIES REGULATIONS

(a) Revised Fishing Rules and Regulations, 1973.

Under the authority of the Act of Legislature passed and approved January 30, 1973 creating the Department of Agriculture and Commerce, these Revised Rules and Regulations are hereby promulgated for the purpose of regulating and controlling the Fishing Industry of the Republic of Liberia.

TITLE:

These Revised Rules and Regulations may be cited as the Revised Fishing Rules and Regulations of the Republic of Liberia and shall apply to all fishing activities of the Republic - Marine and Fresh water.

DEFINITIONS :

1. "Fish" - All aquatic and semi-aquatic animal life and all remains therefore shall be considered for the purpose of these Revised Rules and Regulations as fish. The term includes but is not limited to scale fish, molluscs, crustaceans, chelonians, sponges and coral.
2. "Commercial Fishing" - Any operation for capturing fish for sale shall be considered for the purpose of these Revised Rules and Regulations as Commercial Fishing.
3. "Fishing Gear" - Any contrivance used to capture fish shall be considered for the purpose of these Revised Rules and Regulations as Fishing Gear.
4. "Fishing Vessels" - Any structure which is made to float upon the water, and which is used for fishing shall be for the purpose of these Revised Rules and Regulations, be considered a fishing vessel.
5. "Fishing Waters" - "Liberian Waters" "Waters" - All bodies of water falling under the sovereignty of the Republic of Liberia. The term includes but is not limited to all surface, tide, inland and territorial waters of the Republic of Liberia.
6. "Foreign Commercial Fishing" - Any operation for capturing fish for sale which is primarily conducted or engaged in by persons natural or corporate, who are not citizens of the Republic of Liberia.
7. "Domestic Commercial Fishing" - Any operation for capturing fish for sale which is conducted or engaged in by persons, natural or corporate who are citizens of the Republic of Liberia.
8. "Territorial Sea" - The Territorial Sea of the Republic of Liberia extends to a distance of 200 (two hundred) nautical miles from the base line of the Republic of Liberia.

REQUIREMENT FOR FISHING:

Any person, company or corporation desiring to fish in the waters of Liberia, Marine and/or fresh water, shall apply to the Bureau of Fisheries, and upon fulfilment of the requirements prescribed by the Bureau of Fisheries, and upon recommendation of the Minister of Agriculture to the Minister of Finance, a licence may be obtained. The license fees shall be fixed by Government from time to time as circumstances may warrant.

All fish and fish resources extracted from the Territorial Sea of Liberia shall be landed within the Republic of Liberia and all vessels registered by the Ministry of Agriculture to fish within the Territorial Sea of Liberia shall be physically based in Liberia.

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QUALIFICATION FOR LIBERIAN FISHING COMPANY:

The Ministry of Agriculture shall not register any fishing vessel to fish within the Territorial Sea of the Republic of Liberia except such vessel shall be owned by a person, partnership, corporation in which there is controlling Liberian interest.

REGISTRATION OF COMMERCIAL FISHING VESSELS AND GEAR (AND PLACE OF REGISTRATION):

All Commercial Fishing Companies shall register all their fishing vessels and gear in the Bureau of Fisheries. All fishing vessels and gear now in use in Liberia shall be registered thirty (30) days after the passage of these Revised Rules and Regulations. Notice will be given as to the time limit for such registration.

PAYMENT OF FISHING LICENSES FEES:

All fishing license fees for fishing vessels and gear shall be paid to the Bureau of Revenues upon presentation of the application signed and approved by the Director, Bureau of Fisheries and the Minister of Agriculture respectively, and an Official Receipt shall be presented to the Bureau of Fisheries for recording. No fishing license shall be considered valid except it is registered in the Bureau of Fisheries.

All fishing vessels duly registered and licensed to fish in the fishing waters of Liberia shall be conspicuously marked on both the port and starboard bows with the official registration number issued by the Bureau of Fisheries of the Ministry of the Agriculture. Such marking shall be carried out under the supervision of an authorized representative of the Bureau of Fisheries.

Any vessel engaging in commercial fishing in the territorial sea of Liberia without official marking shall be deemed to be unlicensed and unregistered, and in violation of these Revised Rules and Regulations and the laws of Liberia.

ANNUAL FISHING LICENSES FEES:

Yearly fishing license fees for fishing vessels fishing in the waters of Liberia are as follows :

- 1. Fishing vessels over 50 ft \$ 225.00
- 2. " " up to and including 50 ft 75.00
- 3. Gill-netters 40/50.00
- 4. Beach seiners 40/35.00
- 5. Sport fishermen 15.00

PROHIBITED:

No fishing company or corporation without controlling Liberian interest shall be granted license for commercial fishing in the waters of Liberia.

No person, company or corporation shall engage in commercial fishing in the waters of Liberia, marine and/or fresh water without valid license.

Any person, company or corporation found fishing in any of the waters of Liberia without a valid license shall be violating these Rules and Regulations. The vessels of such person, company or corporation, shall be seized, the fish on board confiscated, and the owner of such vessel or vessels shall be fined not less than twenty dollars (\$ 20.00) and not more than two hundred dollars (\$ 200.00) and not more than five hundred dollars (\$ 500.00) for every subsequent offense. Any foreign fishing vessel caught fishing in the territorial seas of Liberia without a valid license or permit from government shall be seized, the fish on board confiscated and the owner fined not less than five thousand dollars (\$ 5000.00) and not more than fifty thousand dollars.

No fishing vessel with hired crews shall be granted license to fish in the territorial seas of Liberia which does not carry life-saving gear for all of its crews.

Any type of fishing gear found harmful to the fishery resources of Liberia may be prohibited from further operation.

For the purpose of collecting odd samples and other data for the records of the Bureau of Fisheries, the Bureau of Fisheries may place any of its personnel on any fishing vessel operating in Liberia.

For the purpose of controlling the fishing industry of the Republic, the coast line of Liberia shall be divided into such zones and divisions as may be determined by the Bureau of Fisheries from time to time.

When any type of gear is considered sufficient in any one of these zones, the Bureau of Fisheries may refuse to issue further approval for that type of gear for that area.

The Bureau of Fisheries may set aside any area for special fishing and for any other purpose.

PROHIBITION OF DYNAMITING AND WATER POISONING TO CAPTURE FISH:

To conserve both marine and fresh water life and to maintain a sustained yield of aquatic life both for their economic and recreational values, dynamiting, and water poisoning as a means of capturing fish or any other marine or aquatic life as set forth in these Rules and Regulations, is hereby prohibited in all the waters of Liberia.

No person shall dynamite or use poison at any time in the Waters of Liberia, fresh or marine, as a means of capturing fish except for scientific investigation purpose only, and for such reason a special permit shall be granted by the Minister of Agriculture or an authorized representative.

No person, Firm, Company, Corporation or official of Government shall obtain any dynamite or poison for any private individuals except for industrial or scientific investigation purpose only. All persons legally holding dynamite or (fish) poison in their possession shall keep same under lock and key. Any person carelessly storing dynamite, or poison and thereby permitting same to fall into the hands of dynamite and water poisoning fishermen, shall be guilty of misdemeanor and shall be penalized according to law.

Any canoe or boat used for dynamiting or water poisoning when caught shall be confiscated except where it can be proved that such canoe or boat was stolen. Duly appointed and authorized personnel of the Bureau of Fisheries may, at any time without notice, query any person in possession of fresh fish as to the means of capture or acquisition of such fish, and if said means are found to be or are suspected to be in contravention of these Revised Fishing Rules and Regulations the fish shall be confiscated, and the seller or owner arrested and brought before the Director of the Bureau of Fisheries for further investigation.

PENALTY:

Any person caught dynamiting or poisoning water or otherwise found guilty of contravening the dynamiting regulations shall be fined the sum of fifty dollars (\$ 50.00) or imprisoned for three months or both for the first offense and for every subsequent offence shall be fined one hundred dollars (\$ 100.00) dollars or imprisoned for six months or both.

Any person found guilty of supplying another with dynamite or poison in contravention of these Revised Rules and Regulations shall be fined the sum of one hundred (\$100.00) dollars for the first offence and two hundred (\$200.00) dollars for every subsequent offence.

MONTHLY REQUIREMENT FOR FISHERMEN AND PROCESSORS:

All commercial fishermen are required to submit a quarterly report on a monthly basis of their catch (and landing) to the Bureau of Fisheries on the 28th day of the last month each quarter. All processors shall likewise submit a quarterly report on a monthly basis of fish processed during the quarter.

Such report shall show :

1. The tonnage (quantity by boxes) of fish landed ;
2. The place the fish was caught ;
3. The species of fish caught ;
4. The type of gear used ;
5. The approximate value of the total catch.

If any person, Company or corporation is engaged in processing fish, a quarterly report on monthly basis shall be submitted to the Bureau of Fisheries. Such report shall show :

1. The kind or method of processing ;
2. The kind of fish processed ;
3. The quantity of fish processed ;
4. The value of the fish processed.

Any person, Company or Corporation found evading the above regulations shall be guilty of contravening the Revised Rules and Regulations governing the Liberian Fishing Industry and shall be fined in the sum of five hundred dollars (\$ 500.00).

MESH REGULATION:

For the purpose of maintaining a sustained yield of the fishery, no person shall fish with a trawl - net with a cod end smaller than three and half inches (3½) except trawlers fishing exclusively for shrimp. All trawler-nets except shrimp trawl-net fishing within the Territorial Sea of Liberia must carry a cod-end mesh of three and half inch or larger. All shrimp trawlers may carry trawl-nets with cod-end mesh size of two inches (2") or larger.

No beach seines with cod-end mesh size less than three inches (3") shall be fished in the Territorial Sea of Liberia. The wings of such beach seines may be two and half inch, three inch or four inch, (2½ or 3", or 4") mesh size according to the wish of the owner.

No fishermen shall fish in Liberia Territorial Sea with herring gill nets with meshes less than two inches (2"). All nets with smaller than two inches (2") shall not be permitted to fish in Liberia Territorial Sea.

No person shall buy or sell, or have in his possession, or expose for sale, or manufacture for sale to fishermen any netting (webbing) with mesh measurement less than two inch (2"), stretched mesh. Any person found contravening these Regulations shall be penalized according to law.

No person shall fish in stocked waters with nets (push nets) of less than three inch mesh (3").

For the convenience of fishermen, all mesh measurement shall be "stretched mesh".

The Bureau of Fisheries may close any area found to be breeding grounds for shrimps or any marine fishes for a definite season in order to safeguard the eggs and young of marine life.

All fishermen fishing in Liberian Territorial Sea are required to release all crabs and lobsters caught and found with eggs. Any fishermen found with crabs and/or lobsters with eggs, shall be guilty of violating these Regulations, and shall be fined in the sum of (\$ 5.00) dollars for each crab and/or lobster found in his possession with eggs.

4) INSTITUTIONAL PROVISIONS

5) SUPPLEMENTARY LEGISLATION

Liberian Maritime Regulations, 1972.

The Liberian Maritime Law, 1973.