

FISHERIES (PROTECTED AREA FOR SEA-CUCUMBER) REGULATIONS 2010

PU(A) 291/2010

26 August 2010

IN exercise of the powers conferred by paragraph 61(i) of the **Fisheries Act 1985**[Act 317], the Minister makes the following regulations:

1. Citation

These regulations may be cited as the **Fisheries (Protected Area For Sea-Cucumber) Regulations 2010**.

2. Interpretation

"sea-cucumber" means marine invertebrate animal (without back bone) from the species specified in the First Schedule including their egg, seed or fry.

3. Protected area for sea-cucumber

The area specified in column (1) of the Second Schedule situated in the state specified in column (2) which is located between the coordinate as stated in the column (3) of the same Schedule is established as protected area for sea-cucumber.

4. Prohibition against catching, disturbing, etc. sea-cucumber

(1) No person shall:-

(a) catch, disturb, harass, take, remove, collect, possess, kill or capture any sea-cucumber in the protected area for sea-cucumber;

(b) remove, dredge, destroy any object, whether animate or inanimate in the protected area for sea-cucumber; or

(c) construct any building or other structure on or over any land or waters within the protected areas for sea-cucumber.

(2) Notwithstanding subregulation (1), the Director General may, with or without any condition, grant a permission to any person do any activity referred to in that subregulation.

5. Presumption

For the purpose of these Regulations, if any sea-cucumber found in the possession of any person in the protected area for sea-cucumber, such sea-cucumber shall be presumed, unless the contrary is proven, to be caught in the protected area for sea-cucumber without permission issued under these Regulations.

6. Offence

Any person who contravenes paragraph 4(1)(a), (b) or (c), or any conditions imposed in the permission granted by the Director General under subregulation 4(2) commits an offence and shall on conviction, be liable to a fine not exceeding one thousand ringgit or to imprisonment for a term not exceeding six months.

FIRST SCHEDULE

(regulation 2)

PROTECTED SPECIES OF SEA-CUCUMBER

1. ***Stichopus sp***
Stichopus horrens
Stichopus chloronotus
Stichopus hermanni
Stichopus ocellata
2. ***Holothuria sp***
Holothuria fuscogilva
Holothuria atra
Holothuria ocellata
Holothuria pardalis
Holothuria vastus
3. ***Thelenota anax***
4. ***Actinophyga sp***

SECOND SCHEDULE

(regulation 3)

PROTECTED AREA FOR SEA-CUCUMBER

(1)

(2)

(3)

Location

State

Protected Area

Pulau Singa Besar

Kedah

Maritime waters between Latitude 06°
13.312' North, Longitude 99° 45.068'
East, to Latitude 06° 14.067' North,
Longitude 99° 44.517' East, to Latitude
06° 13.700' North, Longitude 99°
44.318' East