

Pursuant to the Article 55 paragraph 6 and Article 56 paragraph 4 of the Law on Marine Fishery and Agriculture (Official Gazette of Montenegro No. 56/09) the Ministry of Agriculture and Rural Development adopted the following

## **RULEBOOK**

### **ON THE FORM OF THE PERMIT, PROCEDURE OF ISSUING OF PERMIT, METHOD OF PAYMENT OF FEES FOR COMMERCIAL FISHING AND MORE DETAILED CONDITIONS FOR TRANSFER OF PERMITS FOR COMMERCIAL FISHING**

#### **Article 1**

This Rulebook lays down the form of the permit, the procedure for issuing of permit, the method of payment for the fees for commercial fishing as well as more detailed conditions for transfer of permits for commercial fishing from a company, entrepreneur and a specific natural person that, in line with the law, comply with the conditions for engaging in commercial fishing (hereinafter referred to as: the permit holder) to another permit holder.

#### **Article 2**

The permit shall consist of the front and the last page, of the A 5 format (148 x 210mm).

The permit for large scale commercial fishing shall be blue and shall be printed on the Form 1.

The permit for small scale commercial fishing shall be green and shall be printed on the Form 2.

The permit for small scale fishing of certain employees and pensioners shall be yellow and shall be printed on the form 3.

The forms of permits referred to in paragraphs 2, 3 and 4 of this Article are presented in Annexes 1, 2 and 3, which are printed with this Rulebook that they make an integral part of.

#### **Article 3**

The front page of the permit shall include:

- Montenegro's coat of arms;
- name of the public administration body in charge of fishery affairs;
- permit title;
- name / first and last name of the permit holder and address;
- name, or registration symbol of one or more fishing vessels;
- identification code of the fishing vessel and the engine power (kW);
- amount of the fee;
- place for the stamp;
- place and date of issuing;
- first and last name of the person authorised for permit issuing.

The last page of the permit shall include:

- fishing area;

- the purpose, the type, the technical characteristics and the number of fishing tools and gear used for commercial fishing;
- the period of time within which commercial fishing is prohibited;
- specie and quantity of fish that can be caught;
- fishing methods;
- conditions for landing and transshipment;
- the place of the first landing.

#### **Article 4**

During the temporary prohibition of commercial fishing, that is, during the time when no commercial fishing is carried out, the permit holder shall present the permit to the administration body.

In case of loss or a significant damage to the fishing vessel, requiring a repair for the period longer than two months, the permit holder shall present the permit to the administration body in charge of fishery affairs (hereinafter referred to as: the administration body) for keeping, pending the supply of a new one, within the period of 10 days from the day when commercial fishing stopped, or repair of the existing fishing vessel.

The permit holder may take over the permit again after the completion of the repair of the fishing vessel and issuing of a certificate from the administration body on seaworthiness of the fishing vessel concerned.

#### **Article 5**

The administration body shall issue the permit to the permit holder after the payment of the fee prescribed for the commercial fishing is made.

The permit holder shall, when taking the permit, present the payment slip stating the payment of the fee from the paragraph 1 of this Article.

#### **Article 6**

The fee for commercial fishing is paid for the period of validity of the commercial fishing permit.

The fee referred to in paragraph 1 of this Article is paid annually and it is valid for the calendar year in which the permit was issued.

#### **Article 7**

The permit for the commercial fishing may be transferred from the permit holder to another permit holder in case the fishing vessel, tool and gears entered into the commercial fishing permit is lost, sold or given away in the following cases only:

- in case of loss of fishing vessel, tools and gear entered in the permit, the holder of the permit for commercial fishing retains the right of a permit holder for the period of one year from the day of reported loss of the fishing vessel, tools and gear entered in the permit;
- in case the permit holder sells the fishing vessel, tools and gear entered in the permit and then requests deletion of the fishing vessel, tools and gear from the permit, while the legal or natural person that bought the fishing vessel, tools and gear asks for issuing of the permit for commercial fishing using that particular fishing vessel, tools and gear;
- in case that natural person who is the permit holder gives, by a deed of gift, the fishing vessel, tools and gear entered in the permit and then requests deletion from the permit of the commercial fishing with that particular fishing vessel, tools and gear and the recipient of the gift requests issuing of the permit for using that particular fishing vessel, tools and gear.

The transfer of the permit referred to in paragraph 1 of this Article may be made only for the fishing vessel, tools and gear entered in the permit of the permit holder.

#### **Article 8**

The day this Rulebook enters into force the Article 3 of the Rulebook on the amount of the fee for commercial fishing (fishing and fish farming) the permit form and the method of keeping of the register of permits issued (Official Gazette of the Republic of Montenegro No. 10/04 and 09/06) shall be repealed.

#### **Article 9**

This Rulebook shall enter into force on the eighth day from the day of its publishing in the Official Gazette of Montenegro.

Ref No.: 320/10-1101-5725/6  
Podgorica, January 18, 2011

**MINISTER,**  
**Tarzan Milošević**