

Pursuant to Article 47 paragraph 2 and Article 72 paragraph 4 of the Law on Marine Fishery and Mariculture (Official Gazette of Montenegro No. 56/09), the Government of Montenegro, at the sitting held on -----2011, adopted the following

DECISION

ON AMOUNT OF THE INDIVIDUAL FEE FOR COMMERCIAL FISHING AND MARICULTURE

Article 1

Companies, entrepreneurs and other natural persons that, in accordance with the law, comply with the requirements for commercial fishing and mariculture (hereinafter referred to as: the permit holders) shall pay a fee for carrying out commercial fishing and mariculture.

Article 2

The permit holders shall pay a fee for carrying out commercial fishing and mariculture in a single amount, based on the fishing capacity and significance of the commercial fishing on the basis of: power engine 3 EUR per every kW and for:

- vibrating ropes - *tramata (ludara)*..... 3,000.00 EUR;
- lift-net *kalimera*..... 300 EUR;
- hand dredge - *grib*..... 200 EUR;
- bottom trawl..... 200 EUR;
- beach seine..... 180 EUR;
- pelagic trawls..... 100 EUR;
- coastal trawl..... 100 EUR;
- gillnet.....100 EUR;
- encircling nets..... 100 EUR;
- beach seine for sardine..... 80 EUR
- trap for big crustaceans..... 75 EUR;
- trap for shrimps..... 50 EUR;
- trap for fish 50 EUR;
- trident..... 30 EUR;
- floating long line..... 0.50 EUR/per hook;
- bottom long line..... 0.80 EUR /per hook;
- harvesting of bivalve molluscs..... 300 EUR;
- harvesting of other marine organisms..... 2,500.00 EUR.

Article 3

The holders of the permit for mariculture activities shall pay the fee on the basis of the location and the area of the farm, for, as follows:

- Fish farming in the Bay of Boka Kotorska..... 1,00 EUR/m²:
- Bivalve molluscs farming in the Bay of Boka Kotorska.... 0,50 EUR/m²:
- Farming of fish and bivalve molluscs in the open sea..... 0,50 EUR/m²:

Article 4

The day this decision enters into force, the Article 1 of the Rulebook on amount of fees for commercial fishing (catch and farming), permit form and method of keeping the register of permits issued (Official Gazette of the Republic of Montenegro No. 10/04 and 9/06) shall be repealed.

Article 5

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

Ref. No:

Podgorica, 2011

GOVERNMENT OF MONTENEGRO

**Prime Minister,
Igor Lukšić, m.p.**

RATIONALE

Pursuant to Article 47 paragraph 2 and Article 72 paragraph 4 of the Law on Marine Fishery and Mariculture (Official Gazette of Montenegro No. 56/09), the amount of the single fee for carrying out commercial fishing is set on the basis of the fishing capacity and the significance of the commercial fishing.

The fishing capacity is set on the basis of the engine power, gross tonnage and type of the fishing vessel, the size and the number of nets and hooks, the number and the power of lanterns, gear, etc, while significance of the commercial fishing is set on the species and the economic value of the fish and other marine organisms.

According to the Law on Maritime and Interior Navigation Official Gazette of the Socialist Republic of Montenegro No 19/78, 8/79, 19/87, 22/90 and 13/91, fishing vessels are entered into the Register of the regional post master's office, while in line with the Law on Marine Fishery and Mariculture, they are entered into the Register of fishing vessels kept by the competent public authority. All the elements of the fishing capacity are entered into the registers stated.

Furthermore, in a separate document, the Ministry of Agriculture, Forestry and Water Management has established the main construction-technical characteristics, the method of use, time, quantity and purpose of certain fishing tools and gear that may be used in large scale and small scale commercial fishing.

As far as significance of the commercial fishing is concerned, which is set by the species and economic value of fish and other marine organisms, demersal species are, in economic terms, more significant than the pelagic and other species of fish and marine organisms.

Therefore, the conditions for adoption of the Decision proposed have been met, as all the facts of significance for setting the amount of the fee for carrying out commercial fishing and mariculture are known.