

SEA FISHERIES (FISHING) REGULATIONS

[S.I. 19 of 1992.]

under section 14

[17th December, 1992]

[Commencement.]

1. Restriction on fishing in certain areas

No motor fishing boat (except canoes) shall fish within the first five nautical miles of the waters of the Nigeria continental shelf.

2. Trawling in inshore waters

Travellers shall not use a cord-end with stretch mesh size of less than 76 mm (3 inches) when trawling for fish in the inshore waters or less than 44 mm (1 ½ inches) when trawling for shrimps in areas approved for shrimp trawling.

3. Prohibition against use of fish trawler

A motor fishing boat licensed to fish or trawl shall not be operated for catching shrimp.

4. Dumping of edible and marketable sea product

Fishing vessel licensed to fish in Nigeria's territorial waters, or its exclusive economic zone, shall not dump edible and marketable sea product at sea.

5. Landing of certain shrimps

Fish landed by shrimp trawler shall not be less than 75 per cent by weight of the total landings including the head on weight of shrimps landed.

6. Landing of catch at Nigerian port

All fish caught by a motor fishing boat within Nigeria's territorial waters or its exclusive economic zone shall be landed at a Nigerian port and no part of it may be exported or shipped away from Nigeria at sea.

7. Exportation of catch

Any part of the catch intended for export shall be exported in the usual manner and subject to any foreign exchange regulations for the exportation of such commodities from Nigeria.

8. Display of national flag

Every licensed motor fishing boat shall at all times within Nigeria's territorial waters or its exclusive economic zone hoist the national flag of 1.2 m x 2.4 m in dimension.

9. Inscription of name and registration numbers

Every motor fishing boat shall have its name and registration number boldly inscribed on both sides of its bow and stern.

10. Prohibition on trawling or pair trawling, etc.

No motor fishing boat-

- (a) shall trawl or pair trawl within the first five nautical miles of the waters of the Nigeria continental shelf; or
- (b) of less than 20 gross tonnage shall trawl for shrimps within Nigerian inshore

waters;

- (c) licensed for shrimping shall operate in waters shallower than 18 metres.

11. Size of fish of certain species

It shall be an offence to catch, land, retain, sell, expose or offer for sale or be in possession for the purpose of sale of seafish of any description being fish of smaller size than such size as may be prescribed in relation to sea fish of that description.

12. Minimum size

The minimum size in relation to seafish for a lobster shall be 7 cm in length, for a crab 6 cm in length, measured from the tip of the beak to the end of the tlap of the tail when spread as far as possible flat.

13. Mesh opening not to be obstructed

(1) No opening on each mesh in any part of a trawl net shall be obstructed or diminished.

(2) Where a topside chafer is used to reduce wear and tear it shall-

- (a) be made of twine of the same material and size as that of the cod-end of any single knotless, twine material;
- (b) have its mesh three times that of the cod-end;
- (c) be fastened to the forward lateral and rear edges of the cod-end or along the four edges mesh of the chafer which coincides with 3 meshes of the cod-end.

(3) A canvas or netting may be attached to the underside of the cod-end of the trawl net along the front edge and sides.

14. Regulation of the size of fish for sale

(1) The Nigerian Institute for Oceanography and Marine Research may publish before 31st January of every year, the minimum total length of fish catchable during the year, for each of the commercial species taking into consideration-

- (a) the 5 per cent retention length of the legal cod-end mesh;
- (b) the fish demand and supply situation; and
- (c) health of fish resources.

(2) It shall be an offence to catch, or retain for ultimate sale, fish less than the minimum total length published in respect of each species.

(3) The minimum size limits of fish imposed by regulation 12 of these Regulations shall not apply to catches made on behalf of the Federal Government by approved research cruises.

15. Trawling at night

(1) When trawling at night, a vessel shall, when in doubt, switch on a search light mounted on the top of the fore castle in order to pick out or avoid the set net of artisanal fisherman.

(2) The master of a licensed fishing vessel, which has damaged the gear set of another vessel in water or involved in a gear dispute, shall notify the Federal Department of Fisheries which shall arbitrate in the matter.

(3) The decision of the Federal Department of Fisheries on the matter in dispute shall be binding on all parties to the dispute except when a suit is filed in a court by either party within 7 days of the decision.

17. Enforcement

For the purposes of enforcing the provisions of these Regulations, a person duly authorised by the Minister shall have power to-

- (a) signal the master of any vessel to slow down or bring for boarding; or
- (b) board any vessel and inspect its licence to fish; or
- (c) search any part of the vessel and its hold for evidence of infringement of any of the provisions of these Regulations; or

- (d) take photographs or seize on board such vessel anything which would aid him in proof of the commission of an offence under these Regulations; or
- (e) arrest the vessel, its master or chief engineer and order the vessel to proceed to the nearest port where the law enforcement agencies shall report to the Federal Department of Fisheries to effect prosecution.

18. Signal

(1) A signal required to be given under these Regulations shall be given by flag, lamp, loud-speaker, horn or radio.

(2) Upon receipt of a signal, the master of the vessel shall cause to be put in appropriate place, a ladder, manrope or safety line strong enough to facilitate boarding by an enforcement officer or authorised observer.

19. Possession of undersized lobster or crab

No person shall keep on board either dead or alive or offer for sale any lobster or crab less than 7 cm or 6 cm respectively.

20. Release of berried crabs, etc.

Any berried crab or lobster caught by whatever means shall be returned to the waters.

21. Navigation of fishing vessel

No master of a licensed fishing vessel shall navigate such vessel within one half of a nautical mile of set gear approximately so marked as to be visible from a half mile away.

22. Offence

Any person who contravenes the provisions of these Regulations shall be guilty of an offence and liable on conviction to the penalties prescribed under the Act.

23. Interpretation

In these Regulations, unless the context otherwise requires -

"Act" means the Sea Fisheries Act 1992;

"mesh size" means the mean of 25 consecutive top side meshes running parallel to the longitudinal axis of the cod-end measured when wet immediately after use.

24. Revocation

The Sea Fisheries (Fishing) Regulations are hereby revoked.
[L.N. 54 of 1972.]

25. Citation

These Regulations may be cited as the Sea Fisheries (Fishing) Regulations.
