

CONSOLIDATED TO 30 JUNE 2012

LAWS OF SEYCHELLES

CHAPTER 82

FISHERIES ACT

[31st March, 1987]

Act 5 of 1986
Act 3 of 1997
Act 2 of 2001

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1. This Act may be cited as the Fisheries Act.

2. In this Act-

"aquatic organism" means any aquatic plant or animal with the exception of birds, and includes any fish, crustacean, mollusc, coral, echinoderm, holothurian, or aquatic reptile or aquatic mammal and its shell, eggs and other naturally occurring products;

"authorized officer" means any public officer or any employee of SFA designated by the Minister by notice in the Gazette to be an authorized officer for the purposes of this Act;

"continental shelf" means the continental shelf of Seychelle as defined by section 5 of the Maritime Zones Act.

"fishing aggregating device" means any device placed in the water to aggregate fish and includes any natural floating object upon which a device has been placed to facilitate its location;

"fishing" means fishing, for, catching, taking or killing fish or other aquatic organisms by any method and includes searching for fish and placing any fishing aggregating device;

"fishing vessel" means any vessel used for fishing other than a pleasure craft;

"foreign fishing vessel" means any fishing vessel other than a local fishing vessel;

"licensing law" the Licences Act, or any other law for the time being regulating the granting of licences required under this Act;

"local fishing vessel" means any fishing vessel which-

- (a) is wholly owned by one or more citizens of Seychelles or public bodies; or
- (b) is wholly owned by a company, society or other association of persons established under the laws of Seychelles, of which all of the shares are owned by citizens of Seychelles or public bodies; or
- (c) is wholly owned or chartered by a company, society or other association of persons established under the laws of Seychelles, of which at least 51 per cent of the voting shares are held by citizens of Seychelles or public bodies and which the Minister determines should be treated as a local fishing vessel;

"master" means the captain or any other person for the time being in charge of a vessel;

"operator" means, with respect to a vessel, the owner and charterer, if any;

"pleasure craft" means a vessel operated or hired for the primary purpose of sport or recreation;

"related activities" in relation to fishing means-

- (a) transshipping fish to or from any vessel;
- (b) storing or processing fish;
- (c) transporting fish except as part of a general cargo;
- (d) refuelling or supplying fishing vessels or performing other activities in support of fishing operations;
- (e) attempting or preparing to do any of the above;

"Seychelles vessel" means a vessel required to be registered under the Merchant Shipping Act and a local fishing vessel;

"Seychelles waters" means the exclusive economic zone, territorial waters, internal waters and all other waters subject to the fisheries jurisdiction of Seychelles.

"SFA" means the Seychelles Fishing Authority established by the Seychelles Fishing Authority (Establishment) Act.

PART II - MANAGEMENT OF FISHERIES

3. (1) SFA shall prepare and keep under review plans for the management and development of fisheries.

(2) The plans shall indicate the current state of fisheries, the objectives to be achieved and the management, development and licensing measures to be applied, including the amount of fishing, if any, to be allocated to foreign fishing vessels.

(3) In the preparation of each fisheries management and development plan, SFA shall consult with the local fisherman and other persons affected by the plan.

(4) SFA shall when practical consult with fisheries management authorities of other States in the Indian Ocean, in particular with those sharing the same or related stocks, with a view to ensuring the harmonization of their respective fisheries management and development plans.

(5) Each fisheries management development plan or review thereof shall be submitted to the Minister for approval.

4. (1) The Minister may make regulations prescribing measures for the proper management of fisheries including closed seasons and closed areas, specification of gear that may be used (including the mesh size of nets), prohibited fishing methods and gear, the species, sizes and other characteristics of fish and other aquatic organism that it is permitted or forbidden to catch and schemes for the limitation of entry into all or any specified fisheries.

(2) A regulation prescribing management measures may also prohibit the possession, purchase, sale, import or export of any gear or fish or other aquatic organism.

5. (1) SFA shall collect and analyse statistical and other information on fisheries.

(2) Every person engaged in fishing, related activities or aquaculture shall supply such information regarding such activities in such form as the SFA may require.

(3) No person who receives information pursuant to this Act shall use or disclose it except for the purposes of this Act.

(4) The Minister may enter into arrangements or agreements with other States in the Indian Ocean, either directly or through an international organization, providing for the exchange of fisheries information and for the harmonization of systems for its collection.

6. (1) The Minister may enter into agreements with other States, with intergovernmental organisations and with associations representing foreign fishing vessel operators allocating fishing rights to vessels of those States, organizations and associations.

(2) The total fishing rights allocated by agreements made under this section shall not exceed the total resources or amount of fishing permitted to foreign fishing vessels by the applicable fisheries management and development plan.

(3) Any agreement made under this section shall include-

(a) a provision establishing the responsibility of the other State, organization or association to take all necessary measures to ensure compliance by its vessels with the agreement and with the law relating to fishing in Seychelles waters; and

(b) such other provisions as may be prescribed.

7. (1) No foreign fishing vessel may be used for fishing in Seychelles waters or for fishing for sedentary species on the continental shelf except under and in accordance with a licence granted under the licensing law or an authorization under section 17.

(2) Subject to this Act, a licence granted in accordance with subsection (1) in respect of a foreign fishing vessel shall authorise that vessel to be used in Seychelles waters and , in respect of sedentary species, on the continental shelf for such fishing activities as may be specified in the licence.

(3) No licence shall be granted in accordance with subsection (1) unless-

(a) there is in force with the Government of the flag state of the vessel, with an intergovernmental organization to which the flag state has delegated the power to negotiate fishing agreements, or with an association of which the operator is a member, an agreement entered into under section 6 to which the Government of Seychelles is a party; or

(b) the Minister determines that an agreement under section 6 in respect of the vessel is not practical and the applicant provides sufficient financial and other guarantees for the fulfilment of all obligations under this Act.

8. Any foreign fishing vessel that is not licensed in accordance with section 7 or authorized under section 17 shall at all times that it is in Seychelles waters keep its fishing gear stowed in such manner as may be prescribed.

9. (1) No local fishing vessel may, unless it has been exempted under subsection (2), be used for fishing except under and in accordance with a licence granted under the licensing law or an authorization under section 17.

(2) The Minister may make regulations exempting any category of local vessel from the requirements of this section, subject to such conditions as he may prescribe.

(3) No licence shall be granted in accordance with subsection (1) unless-

(a) the vessel is a local fishing vessel as defined;

(b) the issue of the licence is consistent with any licensing programme specified in the applicable fisheries management and development plan;

(c) the applicant is able and willing to comply with the conditions of the licence.

10. (1) The Minister may make regulations prescribing the conditions under which pleasure craft may be used for fishing.

(2) Regulations made under subsection (1) may require a pleasure craft used for fishing to be licensed.

(3) Where a pleasure craft used for fishing is required to be licensed, a licence may be granted under the Licensing law.

11. (1) The Minister may make regulations requiring a licence for-

- (a) any kind of fishing, with or without the use of a vessel;
- (b) the use of a vessel for any related activity.

(2) Where a licence is required for any activity described in subsection (1), a licence may be granted under the licensing law.

(3) A licence required by regulations made under this section shall authorize any person to conduct any kind of fishing or related activity for which the licence is required.

12. (1) Every vessel, net or activity required under this Act to be licensed shall be operated or conducted in accordance with such general operating and management requirements as the Minister may prescribe, and, in the case of a foreign fishing vessel, with requirements made applicable to the vessels by any agreement under section 6, and, in all cases, subject to any conditions which may be prescribed or be endorsed on the licence including conditions relating to-

- (a) the type and method of fishing or related activity authorized;
- (b) the areas within which such fishing or related activity is authorized;
and
- (c) the target species and amount of fish or other aquatic organisms authorized to be taken, including any restriction on by catch.

(2) Where it is expedient for the proper management of fisheries, any special condition attached to any licence may be varied by the person or the authority granting the licence.

(3) Where any special condition attached to any licence is varied, the licensee shall be notified of such variation as soon as practicable.

13. There shall be payable in respect of every licence such fees and other payments as may be prescribed by or under the licensing law or provided for by an agreement under section 6.

14. (1) A licence granted in accordance with this Act shall be valid for such period not exceeding five years as may be prescribed by regulations or specified in the licence.

(2) Where a vessel licensed as a local fishing vessel ceases to be a local fishing vessel, the licence shall automatically terminate.

(3) The term of a foreign fishing vessel licence shall not extend beyond the term of any applicable agreement under section 6.

(4) No licence shall be transferable except with the written permission of the SFA or as may be prescribed by regulations for the limitation of entry into any fishery.

15. (1) Any licence granted in accordance with this Act may be suspended or cancelled in accordance with the licencing law-

- (a) where a vessel or any gear in respect of which the licence was issued has been used, or any activity has been conducted, in contravention of this Act or of any condition of the licence;

- (b) where such action is necessary or expedient for the proper management of fisheries.

(2) In the event of suspension or cancellation of a licence for the reasons set out in subsection (1)(b), the proportion of any fees paid with respect to the unexpired portion of the licence shall be refunded to the licensee.

16. Any person aggrieved by-

- (a) the refusal to grant or renew a licence in accordance with sections 9, 10 or 11; or
- (b) the suspension, cancellation or variation of a condition of any licence;

may appeal against the refusal, suspension, cancellation, or variation, and the provisions of the licensing law shall apply to such appeal.

17. (1) The Minister may in writing authorize any person or vessel to fish for the purpose of scientific research, subject to such conditions as he may prescribe or specify.

(2) An authorization under subsection (1) may exempt any person or vessel from any provision of this Act.

17A. (1) No Seychelles vessel shall be used for fishing outside Seychelles waters except under and in accordance with an authorization under this section.

(2) SFA may, in writing, authorize any Seychelles vessel, other than a vessel which Seychelles is bound by an international agreement not to authorize, to be used for fishing outside Seychelles waters subject to such conditions as it may specify or as may be prescribed and on payment of the prescribed fee.

(3) The conditions of an authorization under this section may be varied at any time.

(4) An authorization under this section may be suspended or cancelled where the vessel in respect of which the authorization was granted has been used in contravention of this Act or any regulation made thereunder or in breach of any conditions of the authorization or at any time that SFA determines that it is unable to exercise its responsibilities effectively in respect of the vessel under international law.

18. (1) The SFA may in writing grant to any person the exclusive right of propagating, raising and taking fish and other aquatic organism, in any area of Seychelles waters.

(2) An application for a grant under this section shall be made in the prescribed form to the SFA.

(3) The SFA shall, at the expense of the applicant, publish in the Gazette notice that an application has been made under this section and that any objection to its being granted must be filed with the SFA within 15 days of the date of publication of the notice.

(4) The SFA shall forward an application under this section, together with any objections thereto, any further submissions by the applicant and its own observations and recommendations, to the Town and Country Planning Authority established by section 3 of the Town and Country Planning Act.

(5) A grant under this section shall not be made without the prior approval of the Town and Country Planning Authority.

(6) A grant under this section shall be valid for such period and subject to such conditions and the payment of such fees as may be specified in the grant.

(7) The Minister may make regulations further providing for the licensing and control of aquaculture in any part of Seychelles or Seychelles waters.

PART III - ENFORCEMENT

19. (1) For the purpose of enforcing this Act, an authorized officer may, without a warrant-

- (a) stop, board and search;
 - (i) In Seychelles waters, any fishing vessel, and
 - (ii) On the high seas, any Seychelles vessel or any fishing vessel flying the flag of a state party to an agreement to which Seychelles is a party and which provides for such stopping, boarding and searching;
- (b) in Seychelles and abroad any vessel boarded under paragraph (a)-
 - (i) Require to be produced, examine and make copies of any licence, logbook or document required under this Act;
 - (ii) Require to be produced and examine any net or other fishing gear and any fish.

(2) The master of any fishing vessel ordered to stop by an authorized officer shall take all necessary measures to facilitate boarding of the vessel.

(2A) The master of any Seychelles vessel ordered to stop by an authorized officer of a State party to an international agreement to which Seychelles is a party and which provides for such stopping and boarding shall take all necessary measures to facilitate boarding of the vessel.

(3) Where an authorized officer has reasonable grounds to believe that an offence against this Act has been committed in Seychelles or Seychelles waters, he may in Seychelles or Seychelles without a warrant, seize and detain any vessel (together with its gear, stores and cargo), fish, fishing gear or other article which he has reason to believe has been used in the commission of the offence or in respect of which the offence has been committed.

(4) Any vessel seized under subsection (3) and the crew thereof shall be taken forthwith to the nearest or most convenient port.

(5) Any vessel or other article seized under subsection (3) shall be delivered into the custody of the magistrates' court and shall be dealt with in accordance with section 23.

20. Where, following the commission in Seychelles waters of an offence against this Act with the use of a vessel, the vessel is pursued beyond the limits of Seychelles waters, the

powers conferred on authorized officers under section 19 shall be exercisable in respect of such vessel beyond the limits of such waters in the circumstances and to the extent recognized by international law.

21. (1) The Public Officers (Protection) Act is hereby extended to all Seychelles waters.

(2) Employees of SFA exercising functions under this Act shall be deemed to be public officers for the purposes of the Public Officers (Protection) Act, and of sections 372 and 373 of the Penal Code.

22. The Minister may enter into arrangements or agreements with other States in the Indian Ocean, either directly or through an international organization, providing for joint or harmonized surveillance and enforcement measures in respect of foreign fishing vessels.

23. (1) The court may order any fish or other perishable articles seized under this Act to be sold.

(2) The court may order the release of any vessel or other article seized under this Act on receipt of a satisfactory bond or other security for its value.

(3) The proceeds of any sale under sub-section (1), and any bond or other security received under sub-section (2) shall be held and dealt with in accordance with this Act as though they were the article which has been sold or released.

(4) If no proceedings in respect of a seized article are instituted within 15 days of its delivery to the court, it shall be released on demand to any person who appears to be entitled thereto.

(5) Where proceedings are instituted in respect of a seized article, the court may retain it pending the outcome of such proceedings and, where proceedings are instituted in any other court, may deliver it into the custody of that court which shall deal with it in accordance with this section.

24. (1) Where any foreign fishing vessel that is not licensed in accordance with section 7 or authorized under section 17 is used for fishing in Seychelles waters or for fishing for sedentary species on the continental shelf, the operator and master shall each be guilty of an offence and liable on conviction to a fine of R.2,500,000.

(2) Where any vessel that is licensed in accordance with section 7 or that is a foreign vessel authorized under section 17 is used in contravention of any condition of the licence or authorization or of any condition of the licence or authorization or of any prescribed standard requirements applicable to that vessel the operator and master shall each be guilty of an offence and liable on conviction to a fine of R.500,000.

(3) Where any local fishing vessel that is required to be licensed in accordance with section 9 is not so licensed and is used for fishing in Seychelles waters, the operator and master shall each be guilty of an offence and liable on conviction to a fine of R.50,000.

(4) Where any vessel that is licensed in accordance with section 9 or that is a local vessel authorized under section 17, is used in contravention of any condition of the licence or authorization, the operator and master shall each be guilty of an offence and liable on conviction to a fine of R.50,000.

(5) Any person who, in Seychelles or Seychelles waters, conducts any fishing or related activity for which a licence is required by regulations made under this Act, otherwise than under the authority of and in accordance with the terms of a valid licence, shall be guilty of an offence and liable on conviction to a fine of R.20,000.

(6) Where any foreign fishing vessel that is not licensed in accordance with section 7 or authorized under section 17 is found in Seychelles waters without its gear stowed in the prescribed manner, the operator and master shall each be guilty of an offence and liable on conviction to a fine of R.250,000.

(7) Any person who uses any poisonous or explosive substance to kill, stun or disable fish in order to render them more easily caught shall be guilty of an offence and liable on conviction to a fine of R.100,000.

(8) Any person who fishes in contravention of any management measure prescribed under section 4 shall be guilty of an offence and liable on conviction to a fine of R.50,000.

(9) Any person who, contrary to section 19(2) or in any other way, prevents or hinders an authorized officer in exercising the powers conferred on him under this Act shall be guilty of an offence and liable on conviction to a fine of R.20,000.

(10) (a) Any person who, in Seychelles waters, kills, chases or takes any marine mammal, alive or dead, shall be guilty of an offence and liable on conviction to a fine of R.50,000;

(b) It shall be a defence to a charge under paragraph (a) that either-

(i) if taken alive, the marine mammal was returned to the sea with the least possible injury; or

(ii) if taken dead or so seriously injured as to render its recovery unlikely, the taking of the marine mammal was reported to the Principal Secretary of the Ministry as soon as practical and body disposed of in accordance with his instructions.

(11) Any person required to supply information under this Act who fails to supply such information or supplies false or misleading information shall be guilty of an offence and liable on conviction to a fine of R.50,000.

(12) Where any Seychelles vessel that is not authorized under section 17A is used for fishing outside Seychelles waters, the operator or master shall each be guilty of an offence and liable on conviction to a fine of R500,000.

(13) Where any Seychelles vessel authorized under section 17A is used for fishing outside Seychelles waters, the operator or master shall each be guilty of an offence and liable on conviction to a fine of R500,000.

25. (1) On convicting any person of an offence against this Act, the court, in addition to any other penalty imposed-

(a) may order any fishing gear used in the commission of the offence, and any article in respect of which the offence has been committed, and in

the case of an offence under section 24(1), any vessel (together with its gear, stores and cargo) used in the commission of the offence, to be forfeited;

- (b) shall order all fish and other aquatic organisms caught in the commission of the offence to be forfeited.

(2) All fish and other aquatic organism found on board any vessel which has been used in the commission of an offence against this Act shall be presumed, unless the contrary is proved, to have been caught in the commission of the offence.

(3) Where an article in the custody of the court is not ordered to be forfeited, it shall be held until all fines imposed for any offence in the commission of which the article was used, or which was committed in respect of the article, have been paid. If within thirty days following the imposition of the fine, any part of such fines remains unpaid, such article may be sold, and the proceeds applied towards payment of the fines.

26. (1) The Minister may, if he is satisfied that an offence has been committed under this Act and if the person admits the commission of the offence and agrees in writing to its being dealt with under this section -

- (a) compound the offence by accepting the sum of money not exceeding the maximum fine specified for the offence;
- (b) order the release of any vessel or other article seized in connection with the offence on payment of a sum of money not exceeding the value of the vessel or other article.

(2) Any sum of the money received under this section shall be dealt with as though it were a fine imposed by the court.

(3) In any proceedings brought against any person for an offence against this Act, it shall be a good defence if the person proves that the offence has been compounded under this section.

PART IV - GENERAL PROVISIONS

27. (1) The Minister may make regulations for the carrying into effect of the purposes and provisions of this Act, including regulations-

- (a) requiring the holder of a licence in accordance with section 7 to appoint a local agent in Seychelles with authority to represent the holder of the license in respect of the vessel;
- (b) requiring the holder of any licence to execute a bond or give other guarantee of his obligations under the licence;
- (c) requiring any licensed vessel to be equipped with specified communications and position-fixing equipment;
- (d) delimiting areas of Seychelles waters in which fishing shall be reserved to local vessels and local fishermen;

- (e) providing for compensation payable to Seychelles citizens or to the Government in the event of any loss or damage caused by a foreign fishing vessel to other vessels or their gear or catch, or to cables or to other Seychelles interests;
- (f) prescribing the manner in which fishing gear is to be stowed and requiring any fishing vessel to stow its gear in the prescribed manner during anytime that it is in an area of Seychelles waters where it is not authorized to fish;
- (g) regulating the use of fish aggregating devices;
- (h) regulating the import and export of live fish and other aquatic organisms;
- (h1) regulating fishing by Seychelles vessels beyond the limits of Seychelles waters.
- (h2) regulation the exercise of powers under this Act outside Seychelles waters.
- (h3) regulating the landing and transshipment of any fish;
- (i) prescribing any other matter which is required or authorized to be prescribed.

(2) Regulations made under this section may provide that their contravention shall constitute an offence and may prescribe fines not exceeding R.20,000 for any offence.

LAWS OF SEYCHELLES

SI. 29 of 1993
SI. 21 of 2000
SI. 21 of 2005

FISHERIES ACT

CHAPTER 82

SUBSIDIARY LEGISLATION

***Fisheries (Designation of Authorised Officers) Notice**

[3rd May 1993]

1. This notice may be cited as the Fisheries (Designation of Authorised Officers) Notice.
2. The Minister of Agriculture and Fisheries hereby designates the following persons to be authorised officers for the purposes of the Act-

Randolph Payet

Gerard Domingue

Jude Talma

Felix Labrosse

Emmanuel Basset

Marlene Isidore

Danny Henriette

Emiliano Isnard

Gerard Ernesta

Khurlson Gonsalves

Pierre Woodcock

Clifford Tousaint

Jeff Lablache

Leon Edward

Davis Naiken

Bharaty Chetty

Mike Laval

Daniel Hoareau
Carmel René
Lieutenant Colonel Donald GERTRUDE
Lieutenant Colonel Joe Ragain
Major Leslie Benoiton
Major Simon Laurencine
Major Fabien Henriette
Major Michael Rosette
Captain Robert ANTAT
Captain Fernand LAPORTE
Captain Clifford Andre
Captain Philip Adeline
Captain Antonio Gomme
Captain Jean Attala
Lieutenant Danny Nourrice
Lieutenant Flavie Lafortune
Second Lieutenant Bradley Vital
Second Lieutenant David Arrisol
Second Lieutenant Ronny Matatiken
Second Lieutenant Allen Chetty
WOI Alex Serret
WOI Lindon Lablache
WOI Estache Moumou
IDC Executive Chairman
IDC Operations Manager
IDC Island Managers
IDC Assistant Island Managers

IDC Vessel Captains

3. The Fisheries (Designation of Authorised Officers) Notice, 2000 is hereby revoked.

Fisheries Regulations

(31st March 1987)

PART 1 - PRELIMINARY

1. These Regulations may be cited as the Fisheries Regulations.
2. In these Regulations-

"licensing law" means the Licences Act or any other law for the time being regulating the grant of licences required under this Act;

"outer island" means an outer island as set out in Schedule 1 to the Constitution;

"shell" means a marine mollusc, its hard outer covering or any part of a marine mollusc or its covering;

"spear gun" means any device or instrument designed to propel any missile under water for the purpose of catching, injuring or killing any aquatic organism;

"unworked" in relation to a shell or turtle shell means one that has not been transformed into a decorative or utilitarian object by an industrial or craft process, and includes a shell or turtle shell that has only been cleaned, polished and varnished;

PART II - FISHING VESSEL

3. A local fishing vessel not exceeding seven metres in overall length of any size but not mechanically propelled, is exempted from the requirement of a licence under section 9 of the Act.

4. An application for a licence in respect of a fishing vessel under section 7 or section 9 of the Act shall be made in accordance with the licensing law and the regulations made thereunder.

5. The following clause shall form part of every fishing agreement under section 6 of the Act except where the agreement expressly provides otherwise-

STANDARD REQUIREMENTS

Every vessel licensed pursuant to this Agreement shall comply with the following requirements:

- (a) No fishing shall be conducted in the zones specified in the First Schedule;
- (b) All catches taken from the Seychelles waters shall be landed or transhipped in Port Victoria except as otherwise authorised by SFA;

SI. 35 of 1987
SI. 36 of 1989
SI. 94 of 1992
SI. 70 of 1994
SI. 5 of 1998
SI. 25 of 1999
SI. 19 of 2001
SI. 19 of 2002
SI. 25 of 2004
SI. 32 of 2005
SI. 45 of 2006
SI. 48 of 2007
SI. 44 of 2009

- (c) All supplies and services required for the operation of the vessel shall be procured in Seychelles except if such supplies or services are not available locally;
- (d) The exact position of the vessel shall, whenever the vessel is in the Seychelles waters, be reported twice weekly to SFA directly by radio or telex.

6. A licence required for the purposes of section 7 of this Act a foreign shall be subject to the following conditions-

- (a) the vessel shall only be used for such fishing and related activities, during such period, and in such places as are specified in the licence;
- (b) all provisions of this Act shall be complied with;
- (c) the licensee shall appoint an agent approved by SFA who shall be authorized to accept legal and financial responsibility and service of any notice summons or other document, on behalf of the licensee in relation to activities of the vessel;
- (d) the vessel shall maintain a logbook in which are recorded the nature, time and position of all fishing operations in the Seychelles waters, and the quantity of catch by species, including fish caught but not landed or retained on board;
- (e) reports of the information required to be recorded under paragraph (d) shall be transmitted by the master of the vessel to SFA-
 - (i) on request of SFA during the term of the licence; and
 - (ii) not later than 30 days after the expiry of the licence;
- (f) the master of the vessel shall cause its position to be reported by radio or other means of communication approved by SFA-
 - (i) upon entering or leaving Seychelles waters;
 - (ii) every three days while in Seychelles waters;
 - (iii) at all other times when requested by SFA to do so;
- (g) the master of the vessel shall, whenever requested by SFA or any other authorized officer, permit boarding and inspection of the vessel, produce for examination licences, logbooks and other documents required to be maintained, and all nets and other fishing gear and fish, and bring the vessel into port;
- (h) the vessel shall at all times while in Seychelles waters-
 - (i) fly the flag of its flag state; and
 - (ii) display so as to be clearly visible both from the sea and from the air, on both sides of the funnel or the superstructure, the licence number in white markings of at least 90 centimetres in height in the case of a vessel whose overall length exceeds 18 metres, or 45 centimetres in height in any other case, on a black background;

- (i) the master of the vessel shall permit observers designated by SFA to go and remain on board the vessel for any or all of the period of validity of the licence and shall -
- (i) provide the observers with suitable food and accommodation of their duties; and
- (ii) arrange for the observers to send and receive messages by way of the communications facilities on board the vessel;
- (j) any records, reports or notifications required to be maintained or made under this regulation shall be maintained or made in Creole, English or French language.

7. A licence required for the purposes of section 9 of the Act shall be subject to the following conditions-

- (a) the conditions stated in regulation 6 other than paragraphs (c), (d), (e), (f), (h) and (i);
- (b) the vessel shall display so as to be clearly visible both from the sea and from the air, on both sides of the funnel or the superstructure, the licence number in white markings of at least 90 centimetres in height in the case of a vessel whose overall length exceeds 18 metres, or 45 centimetres in height in any other case, on a black background;
- (c) all fish caught shall be landed or transhipped in Port Victoria unless otherwise provided by the licence or specifically approved by SFA;
- (d) the vessel shall not, at any time during the period of validity of the licence, be a vessel registered at a foreign port;
- (f) the employment of any non-Seychellois person on the vessel or in respect of any fishing or related activities under the licence shall require the prior written approval of the SFA.

7A. (1) A person may make an application for an authorisation under section 17A of the Act in such form as may be provided by SFA.

(2) Each authorisation shall be valid for a period of one year, or such shorter period as may be specified therein, from the date of the grant of authorisation.

- (3) There shall be paid to the SFA in respect of such authorisation a fee of -
 - (a) R500, for a local fishing vessel;
 - (b) R2,500 for a foreign fishing vessel.

Provided that where the authorization is valid for a period of less than one year, there shall be paid a fee calculated pro rate based on the fee referred to in paragraph (a) or (b) as the case may be.

(4) An authorisation may be renewed on application being made before the expiry of the current authorisation and on payment of the fee specified in subregulation (3).

(5) An authorisation under section 17A of the Act shall be subject to the following conditions -

- (a) the vessel shall only be used for such fishing and related activities, during such period, and in such places as are specified in the authorisation;
- (b) the provisions of the Act and regulations made under the Act shall be complied with;
- (c) there shall be maintained in the vessel a log book in which are recorded the nature, times and position of all fishing operations, and the quantity of catch by species including fish caught but not landed or retained on board;
- (d) reports of the information required to be recorded under paragraph (c) shall be transmitted by the master of the vessel to SFA at any time when SFA may request and whenever the vessel is in a port in Seychelles;
- (e) the master of the vessel shall cause its position to be reported by radio or other means of communication approved by SFA -
 - (i) upon entering or leaving waters under any other national jurisdiction;
 - (ii) every three days while in Seychelles waters or on the high seas;
 - (iii) at all other times when requested by SFA to do so;
- (f) the master of the vessel shall, whenever requested by an authorized officer of a party to an agreement to which Seychelles is a party and which provides for stopping and boarding, stop the vessel and take all necessary measures to facilitate boarding and inspection of the vessel and shall, if required, bring the vessel into port;
- (g) the vessel shall at all times display so as to be clearly visible both from the sea and from the air, on both sides of the funnel or the super-structure the licence number or other number assigned by SFA, in white of at least 90 centimetres in height in the case of a vessel whose overall length exceeds 18 metres or 45 centimetres in any other case, on a black background;
- (h) the authorization shall be carried aboard the vessel whenever it is fishing outside Seychelles waters;
- (i) any record, report or notification required to be maintained or made under these regulations shall be maintained or made in Creole, English or French.

8. An authorization under section 17 of the Act shall be subject to the following conditions-

- (a) no operations may take place until a research plan has been approved by the Minister or other person named by him;
- (b) copies of all data derived from the research and any analysis, report or other result of the research shall be communicated in full to SFA as soon as they are produced, whether or not they are available to any other person.

9. Any foreign fishing vessel that is not licensed in accordance with section 7 or is not authorized under section 17 of the Act shall keep its fishing gear stowed in the following manner:

- (a) in the case of purse seiners:
 - (i) the boom shall be lowered;
all nets and ropes shall be carried wholly inboard and lashed to the deck or superstructure;
all boats belonging to the purse seiner shall be carried wholly inboard;
the helicopter shall be lashed down;
- (b) in the case of long-liners:
all lines shall be stowed below deck;
- (c) in the case of trawlers:
all nets, trawlboards and weights shall be disconnected from their towing or hauling wires, ropes or rigid frames and carried wholly inboard either below deck or secured to the deck or superstructure;
all gear shall be stowed below deck.

PART III - LARGE NETS

10. (1) No person shall fish in the territorial waters with the use of a net or combination of nets exceeding 50 metres in length except pursuant to a valid licence granted under the licensing law or in accordance with section 7 or section 9 of the Act.

(2) A net licensed in accordance with this regulation shall be marked by an authorized officer with a lead seal or other mark bearing the licence number of the net.

- (3) Any person who-
 - (a) removes or alters a mark made under sub-regulation (2); or
 - (b) marks an unlicensed net in such a way as to make it appear to have been marked under sub-regulation (2).

shall be guilty of an offence and liable on conviction to a fine of R.5,000.

11. (1) Subject to sub-regulation (2), no person shall, in any place specified in the Second Schedule.-

(a) collect any shell from; or

(b) disturb any shell or its natural environment on,

a reef, a rock or the bed of a lagoon.

(2) Sub-regulation (1) shall not apply to any shell specified in the Third Schedule.

(3) No person shall in any part of Seychelles collect any triton conch shell (*Charonia tritonis*) known locally as lancive or disturb such a shell or its natural environment.

(4) No person shall purchase, sell, offer or expose for sale or export or attempt to export any triton conch shell (*Charonia tritonis*), locally known as lancive.

(5) No person shall purchase, sell or offer or expose for sale an unworked shell, except a shell specified in the Third Schedule.

(6) No person shall export more than two kilogrammes of shells except pursuant to a permit granted by the SFA.

(7) No person shall possess more than 20 kilogrammes of shells except pursuant to a permit granted by the SFA.

(8) No person shall use any explosive for the purpose of blasting any coral or reef except pursuant to a permit granted by the SFA with the approval of the Commissioner of Police.

(9) The SFA may grant a permit authorizing the holder to export such quantity and description of shells as are stated in the permit.

(10) The SFA may in a permit granted under sub-regulation (7) authorize the holder to possess such quantity and description of shells as are stated in the permit.

(11) The SFA may, if it finds that such action is consistent with the preservation of the marine environment, grant a permit to blast any area of reef or coral that is not within an area designated under section 4 of the National Parks and Nature Conservancy Act.

(12) (a) The SFA may suspend or prohibit the harvesting or exportation of any shell specified in the Third Schedule, where such action is necessary or expedient for collecting and analyzing statistical data and other information on that shell;

(b) The Minister shall, by Order published in the Gazette, specify the type of shell whose harvest or exportation is to be suspended or prohibited under paragraph (a);

(c) An Order made under paragraph (b) shall-

(i) specify the reason for the suspension or prohibition; and

- (ii) state the date on which the order shall come into operation.
 - (d) an Order made under paragraph (b) continues in force until it is cancelled by the Minister by order published in the Gazette.
- 12.** (1) No person shall fish for, catch, kill, disturb or possess a female green turtle.
- (2) No person shall fish for, catch, kill, sell or expose for sale any male green turtle except pursuant to a valid permit granted by SFA.
- (3) Every permit granted under sub-regulation (2) shall, in addition to any other conditions which SFA may deem fit to impose, specify the number of green turtles for which it is valid, and the manner of sale or other disposition of the meat.
- (4) The number of green turtles for which a permit may be granted in any year shall not exceed an aggregate number which shall be determined by the Minister at the beginning of each year.
- (5) A permit under sub-regulation (2) shall, unless sooner suspended for revoked, be valid for such period not exceeding one year as may be specified in the permit.
- 13.** (1) No person shall fish for, catch, kill or disturb a female hawksbill turtle.
- (2) No person shall fish for, catch, kill or disturb a male hawksbill turtle except pursuant to a permit granted by SFA.
- (3) If a hawksbill turtle is unintentionally wounded or caught it shall be returned to the sea except that, if it is dead or so severely injured as to render its recovery unlikely, it shall be delivered forthwith to the Minister or a person authorized by the Minister.
- (4) The holder of a permit under sub-regulation (2) may dispose of hawksbill turtles only in the form of shell sold to artisans in the business of working such shell.
- (5) Every delivery of hawksbill turtle shell to an artisan shall be accompanied by a certificate of the permit holder stating the quantity of shell delivered.
- (6) A permit holder under sub-regulation (2) shall maintain records of all capture and acquisition of hawksbill turtles and of all dispositions of shell.
- (7) No person shall possess unworked hawksbill turtle shell except pursuant to a permit granted under sub-regulation (2), provided that an artisan in the business of working such shell may possess unworked shells for the purpose of such business if accompanied by a certificate issued under sub-regulation (5).

PART IV - FISHERIES MANAGEMENT

14. No person shall use any demersal trawl net for fishing in Seychelles waters.

15. (1) The following shall be protected areas:

- (a) in the waters around Mahe-

the whole of the reef situated on the east coast of Mahe from North East Point and where such reefs extend less than one thousand meters from the high water mark such portion of the sea as is within one thousand meters of the high water mark;

(b) in the waters around Praslin-

the whole of the reefs situated on the south east coast of Praslin from an imaginary line drawn from "Roche Corbijeaux" to the northernmost of North Cousin Island to Anse Marie Louise inclusive, and, where such reefs extend less than one thousand meters from the high water mark, such portion of the sea as is within one thousand metres from the high water mark;

(c) in the waters around La Digue-

the whole of the reef situated on the west coast of La Digue from the northern point of that island to its southernmost point and, where such reefs extend less than one thousand metres from the high water mark such portion of the sea as is within one thousand metres of the high water mark.

(2) No person shall fish in a protected area with any net which is operated by being dragged across the sea bed.

16. No person shall place any net in any reef pass or channel in such a way as to obstruct the passage of fish.

17. No person shall fish with or possess any casier or basket trap unless the meshes of the sides or surroundings parts of the trap (not including the entrance (lagel)) are of such dimensions as to allow a sphere of of 40 millimeters in diameter to pass through such meshes without touching the sides thereof.

18. (1) No person shall use any spear gun for fishing or be in possession of the spear gun in circumstances which raise a reasonable inference that the spear gun has been used or is intended to be used for fishing in Seychelles.

(2) No person shall sell or offer for sale any spear gun.

19. (1) Subject to this regulation, a person shall not-

(a) fish for, catch or kill homard in Seychelles waters, or

(b) sell, purchase or be in possession of homard which has been fished from or caught in Seychelles waters.

(2) A person shall not-

(a) fish for, catch, kill, sell, purchase or be in possession of a homard in the berried state, or

(b) remove the eggs from any homard in the berried state.

(3) The prohibition contained in subsection (1) shall not apply-

- (a) in the case of fishing for, catching, killing, selling or being in possession of homard, to a person who holds a licence to fish for homard issued under the licensing law;
- (b) in the case of selling, purchasing or being in possession of homard by a person other than a person who holds a licence to fish for homard, to a person who has purchased the homard from a person so licensed.

(4) Notwithstanding any other written law, a person who has a homard in his custody or control shall be presumed, until he proves the contrary, that he has obtained, or is in possession of, the homard contrary to this regulation.

(5) A licence to fish for homard shall, in addition to any other condition which may be imposed under or in accordance with the licensing law, be subject to the following conditions -

- (a) the holder of a licence, not being a person living in the outer islands or on the islands of Denis or Bird in relation to the waters and around those islands, shall not fish for, catch or kill homard in Seychelles waters except during the open season.
- (b) the holder of a licence, being a person living in the outer island or on the islands of Denis and Bird may, in the waters in and around those islands, fish for, catch or kill homard in any period of the year for consumption in those island but shall not export homard to any other parts of Seychelles except pursuant to a permit granted by the SFA;
- (c) the holder of the licence shall not at any time fish for, catch or kill homard in a protected area; and
- (d) the holder of the licence shall not fish for, catch or kill a homard which is less than 7.5 cm in length, measured from the eye socket along a line parallel to the centre line of the body shell (carapace) to the rear end of the body shell (carapace) of the homard.

(6) For the purposes of this regulation -

"homard" means any crustacean of the family Palinuridae which is known locally as homard;

"homard in the berried state" means a homard with eggs adherent;

"open season" means the period or periods within any year that is determined as the "open season" by the Minister by Notice published in the Official Gazette.

"protected area" means any place which is designated as a shell reserve in the Second Schedule.

19A. (1) No person shall fish for, catch or process sea cucumbers except under the authority of, and in accordance with the terms of, a licence issued under the licensing law.

(2) A licence referred to in subregulation (1) shall, in addition to any other condition which may be imposed under the licensing law, be subject to the following conditions -

- (a) the licence shall be independent of any other licence required by law;
- (b) the holder of the licence shall not fish in the protected areas as defined by regulation 19(6);
- (c) the holder of the licence shall furnish such information relating to fishing or processing carried on under the licence as the Seychelles Fishing Authority may require.

(3) An application for a licence under this regulation shall be made in the form provided by the Seychelles Fishing Authority.

(4) There shall be paid a licence fee of R300 per annum in respect of each licence issued under this Regulation.

20. (1) No person shall fish for, catch, kill, purchase, sell or possess any female crustacean in the berried state, that is to say with eggs adherent and which belongs to the family scyllaridae, the genus macrobrachium or the genus scylla, known locally as crevice camaron and crab manglier respectively.

(2) No person shall remove the eggs from any berried female crustacean.

21. (1) No person shall fish for, catch, kill, purchase, sell or possess any crustacean which is of less than the minimum dimension prescribed in sub-regulation (2) for that kind of crustacean.

(2) The following dimensions are established for crustaceans -

- (a) from the tip of the nostrum to the end of the tail-
 - (i) family scyllaridae (crevice) 20 cm;
 - (ii) genus macrobrachium (camaron) 9 cm;
- (b) the width of the carapace -
 - (i) genus scylla (crabe manglier) 11cm.

22. Except as otherwise provided by the Act or these Regulations, protected aquatic organism that is caught unintentionally shall be returned to the sea forthwith and with the least possible injury.

23. No person shall remove, damage, disturb or remove any fish or other aquatic organism from, any net, trap, line, fish aggregating device or other fishing gear found in Seychelles waters, except for the purpose of restoring lost gear to its rightful owner.

24. (1) The limits of every aquaculture concession shall be marked with buoys so as to be readily discernable from both the shore and sea.

(2) No person shall fish in an aquaculture concession marked as required by sub-regulation (1) or enter such concession except pursuant to the authorisation of the grantee of the concession.

24A. No person shall land or tranship in Seychelles or Seychelles waters any fish that has been caught contrary to international management measures which Seychelles is bound by international agreement to respect.

25. (1) An application for a permit under these Regulations shall be made to the SFA in writing.

(2) On making an application under sub-regulation (1), the applicant shall furnish to the SFA such particular and information as the SFA may require.

(3) Any permit issued under these Regulations may be subject to such conditions, limitation and restrictions as may be specified in the permit.

25A. (1) No person shall fish or catch, for live trade any wild finfish of the classes Chondrichthyes (Cartilaginous Fishes) and Osteichthyes (Bony Fishes).

(2) No person shall fish or catch for live trade other marine organisms except under and in accordance with the terms of a licence issued under the licensing law.

(3) Marine organisms other than those referred to in subregulation (1) may be exported live in accordance with subregulations (4), (5), (6) and (7).

(4) An application for an export permit under subregulation (3) shall be made to the SFA on an application form provided by the SFA.

(5) An applicant may be required to furnish such additional particulars and information to the SFA as the SFA may specify.

(6) Any licence issued under these regulations may be subject to such conditions, limitations and restrictions as may be specified in the licence. Limitations and restrictions can be in the form of quotas, minimum size or be based on other regulations or management plans in place.

(7) These shall be paid a licence fee of Rs2000.00 per annum in respect of each licence issued under this regulation.

26. A person who contravenes any of these Regulations is guilty of an offence and is liable, where no penalties is provided for the offence, to a fine of R.10,000.

Reg.5

FIRST SCHEDULE

Zones where Fishing by Foreign Vessels is prohibited

Zone 1: Comprising an area around Mahe Island and Seychelles Bank with the boundary running as follows:-

From Point 1 (Latitude 5° 22.0'S and Longitude 57° 23.0'E) to Point 2 (Latitude 3° 40.0'S and Longitude 56° 06.9'E) to Point 3 (Latitude 3° 30.0'S and Longitude 55° 11.0'E) to Point 4 (Latitude 3° 55.0'S and Longitude 54° 23.0'E) to Point 5 (Latitude 4° 44.0'S and

Longitude $56^{\circ} 08.0'E$) to point 6 (Latitude $5^{\circ} 38.0'S$ and Longitude $56^{\circ} 08.0'E$) to point 7 (Latitude $6^{\circ} 34.04'S$ and Longitude $56^{\circ} 02.0'E$) to Point 8 (Latitude $6^{\circ} 34.0'S$ and Longitude $56^{\circ} 23.0'E$) and back to Point 1, the Point of commencement.

Zone 2: Comprising an area around Platte Island with the boundary running as follows-

From Point 1 (Latitude $6^{\circ} 06.3'S$ and Longitude $55^{\circ} 35.6'E$) to Point 2 (Latitude $5^{\circ} 39.0'S$ and Longitude $55^{\circ} 35.6'E$) to Point 3 (Latitude $5^{\circ} 39.0'S$ and Longitude $55^{\circ} 10.0'E$) to Point 4 (Latitude $6^{\circ} 06.3'S$ and Longitude $55^{\circ} 10.0'E$) and back to Point 1, the point of commencement.

Zone 3: Comprising an area around Coetivy Island with the boundary running as follows:-

From Point 1 (Latitude $7^{\circ} 23.0'S$ and Longitude $56^{\circ} 25.0'E$) to Point 2 (Latitude $6^{\circ} 53.0'S$ and Longitude $56^{\circ} 35.0'E$) to Point 3 (Latitude $6^{\circ} 53.0'S$ and Longitude $56^{\circ} 06.0'E$) to Point 4. (Latitude $7^{\circ} 23.0'S$ and Longitude $55^{\circ} 56.0'E$) and back to Point 1, the point of commencement.

Zone 4: Comprising an area around the Fortune Bank with the boundary running as follows:-

From Point 1 (Latitude $7^{\circ} 35.0'S$ and Longitude $57^{\circ} 13.0'E$) to Point 2 (Latitude $7^{\circ} 01.0'S$ and Longitude $56^{\circ} 56.0'E$) to Point 3 (Latitude $7^{\circ} 01.0'S$ and Longitude $56^{\circ} 45.0'E$) to Point 4 (Latitude $7^{\circ} 16.0'S$ and Longitude $56^{\circ} 40.0'E$) to Point 5 (Latitude $7^{\circ} 35.0'S$ and Longitude $56^{\circ} 49.0'E$) and back to Point 1, the point commencement.

Zone 5: Comprising an area around the Amirantes Islands, with the boundary running as follows:-

From Point 1 (Latitude $5^{\circ} 45.0'S$ and Longitude $53^{\circ} 55.0'E$) to Point 2 (Latitude $4^{\circ} 41.0'S$ and Longitude $53^{\circ} 35.6'E$) to Point 3 (Latitude $4^{\circ} 41.0'S$ and Longitude $53^{\circ} 13.0'E$) to Point 4 (Latitude $6^{\circ} 09.0'S$ and Longitude $52^{\circ} 36.0'E$) to

Point 5 (Latitude $6^{\circ} 33.0'S$ and Longitude $53^{\circ} 06.0'E$) and back to Point 1, the point of commencement.

Zone 6: Comprising an area around Alphonse Island with the boundary running as follows:-

From Point 1 (Latitude $7^{\circ} 21.5'S$ and Longitude $52^{\circ} 56.5'E$) to Point 2 (Latitude $6^{\circ} 48.0'S$ and Longitude $52^{\circ} 56.5'E$) to Point 3 (Latitude $6^{\circ} 48.0'S$ and Longitude $52^{\circ} 32.0'E$) to Point 4 (Latitude $7^{\circ} 21.5'S$ and Longitude $52^{\circ} 32.0'E$) and back to Point 1, the point of commencement.

Zone 7: Comprising an area around the islands of Providence, Farquhar and St. Pierre and Wizard Reef with boundary as follows:-

From Point 1 (Latitude $10^{\circ} 20.0'S$ and Longitude $51^{\circ} 29.0'E$) to Point 2 (Latitude $8^{\circ} 39.0'S$ and Longitude $51^{\circ} 12.0'E$) to Point 3 (Latitude $9^{\circ} 04.0'S$ and Longitude $50^{\circ} 28.0'E$) to Point 4 (Latitude $10^{\circ} 30.0'S$ and Longitude $50^{\circ} 46.0'E$) and back to Point 1, the point of commencement.

Zone 8: Comprising an area around Cosmoledo and Astove Islands with the boundary running as follows:-

From Point 1 (Latitude 10° 18.0'S and Longitude 48° 02.0'E) to Point 2 (Latitude 9° 34.0'S and Longitude 47° 49.0'E) to Point 3 (Latitude 9° 23.0'S and Longitude 47° 34.0'E) to Point 4 (Latitude 9° 39.0'S and Longitude 47° 14.0'E) to Point 5 (Latitude 10° 18.0'S and Longitude 47° 36.0'E) and back to Point 1, the point of commencement.

Zone 9: Comprising an area around Aldabra and Assomption Islands, with the boundary running as follows:-

From Point 1 (Latitude 9° 54.0'S and Longitude 46° 44.0'E) to Point 2 (Latitude 9° 10.0'S and Longitude 46° 44.0'E) to Point 3 (Latitude 9° 10.0'S and Longitude 46° 01.0'E) to Point 4 (Latitude 9° 59.0'S and Longitude 46° 01.0'E) and back to Point 1, the point of commencement.

The area of the zones described in this Schedule are shown in red lines on charts ML/ADN/73B deposited in the office of the Director of Surveys.

Reg.11(1)

SECOND SCHEDULE

SHELL RESERVES

A. On the East Coast of Mahe-

1. North East Point and Anse Nord d'Est:

The area lying within 400 metres seaward from the low-water mark between North East Point and the Western end of Carana Beach.

2. South East Island to Pointe au Sel:

The areas lying within 400 metres seaward from the low-water mark between the northeast corner of South East Island and Anse Faure and the area lying between the low-water mark and the edge of the reef between Anse Faure and Pointe au Sel.

B. On the North Coast of La Digue-

La Passe by Pointe Cap Barbi to Cap Bayard River:

The area lying within 400 metres from the low-water mark between the jetty at La Passe and the mouth of Cap Bayard River.

C. On the North Coast of Praslin.

Pointe Zanguilles to Anse Boudin:

The area lying within 400 metres seaward from the low-water mark between the lighthouse at Pointe Zanguilles and a point 270 metres beyond the mouth of Mon Desir River.

Reg.11(2)

THIRD SCHEDULE

SHELLS

Bernique

Bigorneau
Burgot
Chicoret
Hache d'Ames
Huitre (edible)
Huitre (mother of pearl)
Mouque
Octopus
Palourde
Squid
Tec Tec

Fisheries (Shark Finning) Regulations

[20th February 2006]

SI. 7 of 2006

1. These Regulations may be cited as the Fisheries (Shark Finning) Regulations.
2. In these Regulations-

“fishing vessel” means a foreign-owned fishing vessel licensed to fish in Seychelles Waters or a local fishing vessel 24 metres or more in length fishing within or outside Seychelles Waters; and

“shark” means all species of shark (elasmobranchii taxon).
3. No person shall on board a fishing vessel remove fins from sharks except under and in accordance with an authorization issued in respect of that vessel by SFA.
4. No person shall keep on board a fishing vessel or transship or land therefrom shark fins removed contrary to regulation 3.
5. An authorization referred to in regulation 3 shall be issued-
 - (a) only to make use of all parts of shark by a separate processing of fins and of other parts on board a fishing vessel; and
 - (b) only to fishing vessels that satisfy SFA that they have the capacity to use all parts of sharks and justify the need for the separate processing and fins and other parts of sharks.

6. All fishing vessels authorised under regulation 3 are prohibited from discarding at sea the remnant parts of sharks after the removal of fins except for those parts that result from gutting and beheading.

7. The landed weight of shark fins shall not exceed 5 per centum of the landed weight of all other parts of sharks after evisceration or 7 per centum of the landed weight of other parts of sharks after evisceration and beheading.

8. (1) All fishing vessels shall on arrival at Port Victoria declare the quantities of shark fins and shark products on board the vessels.

(2) The master of each fishing vessel shall record all catches of shark in the log book issued by SFA.

9. It shall be the duty of the operator and of the master of every fishing vessel to comply with these Regulations.

10. An operator and master of a fishing vessel convicted of an offence of breach of regulations 3, 4, 6, 7 or 8 shall be liable to a fine of R500,000.
