



GOVERNMENT OF CEYLON

Subsidiary Legislation
under the
Fisheries Ordinance

1956 Revision

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CHAPTER 212

FISHERIES

THE FISHERIES ORDINANCE

SECTION 17

No Rules.

SECTION 20 (2), (3) AND (9)

Notices, Reports, etc., not reproduced.

SECTION 20 (8)

No Regulations.

SECTION 20 (11)

No Regulations.

SECTION 33

THE FISHERIES REGULATIONS, 1941

[8765/18-7-1941.]

1. These regulations may be cited as the Fisheries Regulations, 1941.

2. In these regulations—

“Deputy Director” means the Deputy Director of Fisheries ;

“Ordinance” means the Fisheries Ordinance.

3. (1) An ordinary meeting of the Fisheries Advisory Board shall be held on the third Saturday in January, April, July and October in each year.

(2) The Director may in his discretion summon a special meeting of the board at any time and shall summon such special meeting on receipt of a written requisition in that behalf signed by not less than seven members of the board.

(3) Unless the Director otherwise orders, every meeting of the board shall be held at the office of the Director.

4. The Director shall give to each member of the board at least seven days' written notice of every meeting of the board and shall specify in such notice the time of the meeting and the business to be transacted thereat.

5. At every meeting of the board, seven members, including the chairman, shall form a quorum.

6. In the absence of the Director from any meeting of the board, a member of the board elected by the majority of the members present shall preside at the meeting.

7. The Director shall cause a record of the minutes of all meetings of the board to be made in a book which shall be kept for the purpose.

8. The business of the board may be conducted, so far as is practicable, by the circulation of papers amongst the members of the board.

9. The officer by whom a fishing licence under section 5 of the Ordinance may be granted shall be the Director or the Deputy Director.

10. Every application for a fishing licence shall—
- (a) be made to the Director or the Deputy Director ;
 - (b) be in the form A set out in the First Schedule ;
- and
- (c) be accompanied by a fee of two rupees.

11. The Director or the Deputy Director may, in any of the circumstances or on any of the grounds set out hereunder, refuse to grant a fishing licence to any person who makes application therefor—

- (a) if the applicant is not a British subject ;
- (b) If, in the opinion of the Director or the Deputy Director, the grant of a licence to the applicant will, having regard to the fishing grounds in which the applicant desires to take fish and the places at which he desires to land the fish so taken, the grant of the licence will be detrimental to the interests of other persons who ordinarily take fish in such grounds or land fish at such places ; or
- (c) If, in the opinion of the Director or the Deputy Director, the grant of the licence to the applicant is likely to cause a scarcity of fish in the fishing grounds in which the applicant desires to take fish.

12. Every fishing licence shall be granted by the Director or the Deputy Director and shall be substantially in the form B set out in the First Schedule.

13*. Every fishing licence shall be subject to such of the following conditions as may be inserted in the licence by the Director or the Deputy Director of Fisheries :—

- (a) where a log-book or a fish account book is kept on any boat registered under these regulations, the licensee shall permit the

* The Regulations which were originally numbered as 16, 17, 18, 19, 20, 21, 22 and 23 were re-numbered as 13, 14, 15, 16, 17, 18, 19 and 20 respectively.—Gazette No. 10,560 of August 7, 1953.

Director or a person authorized in writing by the Director, to inspect the log-book or the fish account book ;

- (b) the licensee shall send to the Director, once in every week a statement of the total catch of each of the boats used by him in Ceylon waters and of the localities at which the fish was caught.

14* Every person who is desirous—

- (a) of exporting from Ceylon any live fish, or the eggs, roe, or spawn of any fish, which is of a species for the time being included in the First Schedule to the Ordinance, or
- (b) subject to the provisions of section 13 of the Ordinance, of importing into Ceylon any live fish of any species which is not indigenous to Ceylon, or the eggs, roe or spawn of any such fish shall make application substantially in the form D set out in the First Schedule hereto.

15*. Every export permit under section 12 of the Ordinance and every import permit under section 13 of the Ordinance shall be substantially in the form E set out in the First Schedule.

16*. The following conditions shall be attached to every export permit issued under section 12 and to every import permit issued under section 13 of the Ordinance :—

- (a) The permit shall be surrendered to the Collector of Customs at the time of the exportation or the importation, as the case may be, of the fish, roe or spawn specified therein.
- (b) The permit shall expire on the date specified therein.

17*. A permit under section 12, authorizing the export from Ceylon of any live fish or the eggs, roe or spawn of any fish which is of a species for the

* The Regulations which were originally numbered as 16, 17, 18, 19, 20, 21, 22 and 23 were re-numbered as 13, 14, 15, 16, 17, 18, 19 and 20 respectively.—Gazette No. 10,560 of August 7, 1953.

time being included in the First Schedule to the Ordinance, may be refused by the Director if, in the opinion of the Director, such export is likely—

- (a) to be detrimental to fish in Ceylon waters,
- (b) to diminish unduly the quantity of such fish in Ceylon waters, or
- (c) to cause an increase of pests in Ceylon waters.

17A. Where any live fish or the roe, spawn or egg of any fish, which is of a species for the time being included in the First Schedule to the Ordinance is exported by any person, the Director shall cause the container in which such fish or roe, spawn or egg is exported to be sealed in his presence or in the presence of an officer authorized by him for the purpose, so as to ensure that no fish or the roe, spawn or egg of any fish other than that specified in the permit issued to such person is included in such container.

[10,736/19-11-1954.]

18*. A permit under section 13, authorizing the import into Ceylon of any live fish of any species which is not indigenous to Ceylon or the eggs, roe or spawn of any such fish, may be refused by the Director if, in the opinion of the Director, such import is likely—

- (a) to be detrimental to fish indigenous to Ceylon, or
- (b) to be a pest in Ceylon waters.

19*. For the purposes of section 21 of the Ordinance, every Government Agent and Assistant Government Agent shall be a prescribed officer.

20*. (1) Every appeal under section 6 of the Ordinance against the decision of the Director or the Deputy Director of Fisheries shall be signed by the appellant and shall—

- (a) be made by a written petition in the English, Sinhalese or Tamil language ;

* The Regulations which were originally numbered as 16, 17, 18, 19, 20, 21, 22 and 23 were re-numbered as 13, 14, 15, 16, 17, 18, 19 and 20 respectively.—Gazette No. 10,560 of August 7, 1953.

- (b) contain a concise statement of the grounds upon which the appeal is preferred ;
 - (c) bear uncanceled revenue stamps to the value of five rupees : Provided, however, that no fee shall be payable in the case of any appeal preferred by any public servant in the discharge of his duties.
- (2) Two additional copies of the statement of the grounds upon which the appeal is preferred shall be sent by the appellant with each petition of appeal.

(3) Every petition of appeal referred to in paragraph (1) shall be substantially in the following form :—

STATEMENT OF APPEAL

1. Name or designation of appellant :———.
2. Address of appellant :———.
3. Date of decision of Director/Deputy Director :
———.
4. Date of receipt of decision of Director/Deputy Director :———.
5. The above-named appellant states as follows :
———.

_____,
Signature of Appellant.

Date :———.

FIRST SCHEDULE

FORM A

THE FISHERIES ORDINANCE

Application for a fishing licence

1. Name and permanent address of applicant :———.
2. Address of applicant in Ceylon :———.
3. Race and Nationality :———.
4. Are you employed by anybody, if so give name and address of employer :———.
5. How long have you fished in Ceylon waters ? :———.
6. Do you propose to employ anybody, if so what proportion of Ceylonese labour do you guarantee to employ ? ———.

7. Number and types of boats proposed to be used for the purpose of taking fish—
 catamarans or tepams propelled by paddles or oars : _____,
 outrigger canoes or sailing boats not exceeding 30 feet in length : _____,
 outrigger canoes or sailing boats exceeding 30 feet in length : _____,
 power driven boats propelled by oil or coal fired engines—
 not exceeding 25 feet in length overall : _____,
 exceeding 25 feet but not exceeding 50 feet in length overall : _____,
 exceeding 50 feet in length overall : _____.
8. In what fishing grounds do you desire to take fish ?
 _____.
9. At what places (whether in Ceylon or elsewhere) do you desire to land such fish ? _____.

 Signature of applicant.

FORM B

THE FISHERIES ORDINANCE

_____ of _____ is hereby licensed to take or employ any other person to take any fish for profit in Ceylon waters.

This licence expires on the thirty-first day of December next following the date on which it is granted.

This licence is subject to the following conditions :—

- _____

 Deputy/Director of Fisheries.

_____19____.

FORM D*

THE FISHERIES ORDINANCE

Application for Permit to $\frac{\text{Export}}{\text{Import}}$ Fish

1. Name and address of importer/exporter : _____.
2. Names of fish or names of fish whose eggs, roe or spawn to be imported/exported : _____.
3. Number of each species of fish : _____.
4. Locality from which the fish or eggs, roe or spawn are to be imported/exported : _____.
5. Reasons for importing/exporting : _____.
6. Consignor's/Consignee's name and address : _____.

* Form C has been rescinded.—Gazette No. 10,560 of August 7, 1953.

FORM E

THE FISHERIES ORDINANCE

Permit to Import/Export any live fish, roe or spawn of any fish

Under section 12 (1)/13 (1) of the Fisheries Ordinance _____ (name) _____ of _____ (place) is hereby authorized to export/import the under-mentioned varieties of live fish or eggs, roe or spawn of the under-mentioned varieties in one shipment or in one consignment.

This permit expires on _____, _____,

Date : _____, _____, Director of Fisheries.

SECOND SCHEDULE *

REGULATIONS

[10,560/7-8-1953.]

1. No person shall on and after the first day of January, 1954, use any fishing boat for the purpose of taking fish in Ceylon waters unless—

- (a) that boat has been registered by the Director ; and
- (b) the owner of that boat has also been registered by the Director.

[10,788/23-4-1955.]

2. Every application for the registration of a fishing boat and the owner of that boat shall—

- (a) if in English be substantially in the form A specified in the First Schedule hereto or if in Sinhalese or Tamil be in the corresponding form in that language and made to the Director ; and
- (b) be accompanied by fees calculated at the rates set out in the Second Schedule hereto for the registration of the boat

[10,788/23-4-1955.]

3. No fishing boat shall be registered unless an officer authorized in that behalf by the Director has examined the boat and issued a report to the effect that the boat is fit for use. Such report shall be attached to every application for registration of the boat.

* The Second Schedule has been rescinded.—Gazette No. 10,560 of August 7, 1953.

4. (1) Upon the registration of the fishing boat and the owner of that boat a certificate of registration which is substantially in the form B specified in the First Schedule hereto shall be issued to the owner of the boat.

(2) Every certificate of registration issued under paragraph (1) shall expire on the thirty-first day of December of the year in respect of which it is issued.

(3) The Director shall issue to the owner of a registered fishing boat a certified copy of the certificate of registration issued under paragraph (1), on the application of such owner and on payment by him of a fee of one rupee.

[10,738/23-4-1955.]

5. The Director shall maintain a register of all fishing boats registered under these regulations.

6. (1) The owner of every registered fishing boat other than a boat referred to in paragraph (2) shall cause the registration number and the distinguishing letters allotted to that boat at the time of registration to be clearly engraved or marked on each side of the boat in white figures and letters. Such figures and letters shall—

[10,788/23-4-1955.]

(a) in the case of a boat not exceeding fifteen feet in length, be at least six inches in length and one and a half inches in breadth, and

(b) in the case of a boat exceeding fifteen feet in length, be at least eight inches in length and two inches in breadth.

(2) The owner of every registered catamaram shall cause the registration number and the distinguishing letters allotted to that catamaram at the time of registration to be clearly engraved or marked across the logs of such catamaram in black figures and letters which are at least eight inches in length and two inches in breadth. The figures and letters shall be so engraved or marked that a part of the registration number and of the distinguishing letters shall appear on each of the logs of the catamaram.

(3) Subject to the preceding provisions of this regulation the owner of every registered fishing boat with a sail shall cause the registration number and the distinguishing letters allotted to that boat at the time of registration to be clearly painted on each side

of the sail in black figures and letters on a white background. Such figures and letters shall be at least fifteen inches in length and two inches in breadth.

7. Where the Director is of opinion that the fishing nets and other fishing equipment carried in a registered boat used in any area should be marked, he may by notification published in the Gazette require the registered owner of the boat to affix or cause to be affixed to every fishing net and other fishing equipment carried therein a small brass or aluminium disc with the appropriate registered number and the appropriate distinguishing letters clearly marked thereon.

8. Every person desirous of renewing a certificate of registration issued under regulation 4 shall apply to the Director substantially in the form C specified in the First Schedule hereto.

9. (1) Every application for the renewal of a certificate of registration shall be made at least forty-five days before the date on which the certificate expires and shall be accompanied by the fee set out in the Third Schedule hereto for the registration of the boat.

[10,788/23-4-1955.]

(2) No certificate of registration shall be renewed unless the fishing boat to which the application relates has been examined by an officer authorized by the Director and a report to the effect that the boat is fit for use has been issued by such officer. Such report shall be attached to every application for renewal of registration.

[10,788/23-4-1955.]

10. (1) Upon the renewal of the registration of a fishing boat, a certificate of the renewal of registration which is substantially in the form D specified in the First Schedule hereto shall be issued to the owner of the boat.

(2) Every certificate of renewal of the registration of a fishing boat shall expire on the thirty-first day of December of the year in respect of which it is issued.

[10,788/23-4-1955.]

(3) The Director shall issue to the owner of a registered fishing boat a certified copy of the certificate of the renewal of registration issued under paragraph (1), on the application of such owner and on payment by him of a fee of one rupee.

11. If the registered owner of any registered boat transfers the ownership of such boat to any other person, he shall immediately notify the Director in writing of the transfer of ownership.

12. On any change of possession of a registered boat either upon a voluntary transfer made by the registered owner or consequent on the death of the registered owner, the person into whose possession the boat has passed shall, within one month after such change of possession, make an application to the Director to be registered as the new owner in such one of the forms E and F specified in the First Schedule hereto as may be appropriate to the case.

13. Upon the registration of any person as the new owner of any registered boat, a certificate which is substantially in the form G specified in the First Schedule hereto shall be issued to the owner.

14. The Minister may, by Order published in the Gazette declare that all the provisions or any specified provision, of these regulations shall not apply in relation to any specified class or description of fishing boats.

[10,788/23-4-1955.]

15. The Fisheries Regulations, 1941, published in Gazette No. 8,765 of July 18, 1941, are hereby amended as follows* :—

[10,788/23-4-1955.]

- (1) by the rescission of regulations, 13 14 and 15 ;
- (2) by the renumbering of regulations 16, 17, 18, 19, 20, 21, 22 and 23 as regulations, 13, 14, 15, 16, 17, 18, 19 and 20 ;
- (3) in the First Schedule, by the rescission of form C ; and
- (4) by the rescission of the Second Schedule.

16. In these regulations—

[10,788/23-4-1955.]

“ Director ” means the Director of Fisheries ;

“ registered boat ” means any fishing boat registered under these regulations ; and

“ registered owner ” means any person registered as the owner of a registered boat.

* These amendments have been incorporated in the Fisheries Regulations, 1941, which are reproduced at pages 528-534.

FIRST SCHEDULE

FORM A

(Regulation 2)

APPLICATION FOR THE REGISTRATION OF A FISHING BOAT AND OF THE OWNER OF THE FISHING BOAT

- 1.*Name of owner :_____.
- 2.*Address of owner :_____.
3. Description of the boat :_____.
- (a) Timber used—
Hull :_____.
Planking :_____.
Outrigger :_____.
- (b) Date of building :_____.
- (c) Type—Paru, Vallam, Oru, Catamaram, Teppam, Padavun, Pa-dil, Kulla or any other :_____.
- (d) Length of the boat :_____.
- (e) Purpose for which boat will be used :—
†(i) Personal use of registered owner :_____.
†(ii) Hire :_____.
- (f) How propelled (by sail, oars or mechanically) :_____.
- (g) Displacement and capacity (crew) :_____.
4. Place at which the boat will be kept :_____.
- (a) In the case of a Padu, the name, the licensee, the number and date of the licence :_____.
- (b) In the case of a Waraya or Village, the name of the Waraya or Village :_____.
5. The certificate of registration should be sent to me to the following address :_____.
6. I hereby declare that the boat described above has not been previously registered in Ceylon, and that the above particulars are true and accurate in every respect and that the boat is my property.

_____,
Signature of Witness.

_____,
* Signature of Applicant.

Date : _____.

Date : _____.

FORM B

(REGULATION 4)

CERTIFICATE OF REGISTRATION

1. Name of owner :_____.
2. Address of owner :_____.
3. Description of the boat :_____.
- (a) Timber used—
Hull :_____.
Planking :_____.
Outrigger :_____.
- (b) Date of building :_____.
- (c) Type :_____.

* Where there is more than one owner, the names and addresses of all the owners should be given and this form should be signed by all the applicants.

† Delete whichever is unnecessary.

- (d) Length of the boat : _____.
- (e) Purpose for which boat will be used : _____.
- (f) How propelled (by sail, oars or mechanically) : _____.
- (g) Displacement and capacity (crew) : _____.
4. Place at which boat will be kept : _____.
- (a) Padu—Name : _____ Licence No. _____
Date of Licence : _____.
- (b) Waraya or Village : _____.
5. Registration number : _____.
6. Date of registration : _____.
7. This certificate shall be valid until December 31, 19—
_____.
- Director of Fisheries.
- Date : _____.

FORM C
(Regulation 8)

APPLICATION FOR THE RENEWAL OF A CERTIFICATE OF REGISTRATION

- 1.*Name of owner : _____.
- 2.*Address of owner : _____.
3. Description of the boat : _____.
- (a) Timber used—
Hull : _____.
Planking : _____.
Outrigger : _____.
- (b) Date of building : _____.
- (c) Type : _____.
- (d) Length : _____.
- (e) Purpose for which boat will be used : —
†(i) Hire : _____.
†(ii) Personal use of the registered owner : _____.
- (f) How propelled (by sail, oars or mechanically) : _____.
- (g) Displacement and capacity (crew) : _____.
4. Place at which boat will be kept : _____.
- (a) Padu—Name : _____ Licence No. _____
Date of Licence : _____.
- (b) Waraya or Village : _____.
5. Registration number : _____.
6. Date of registration : _____.
7. Date of last renewal of registration : _____.
- Director of Fisheries.
- Date : _____.

* Where there is more than one owner, the names and addresses of all the owners should be given and this form should be signed by all the applicants.

† Delete whichever is unnecessary.

[10,788/23-4-1955.]

FORM D

(Regulation 10 (1))

CERTIFICATE OF THE RENEWAL OF THE REGISTRATION OF A FISHING BOAT

Name : _____.
Registration No.: _____.
Renewal Fee : _____.
Date of Expiry : _____ 31st December, 19—

_____,
Director of Fisheries.

FORM E

(Regulation 12)

APPLICATION FOR REGISTRATION OF A FISHING BOAT ON TRANSFER

To : The Director of Fisheries,
Colombo.

Consequent on a transfer from¹ _____ I² _____ of³ _____ declare that I am entitled to the possession of fishing boat No. _____ (Type _____) and hereby apply to be registered as the new owner thereof.

- (i) Purpose for which the boat will be used⁴: _____.
- (ii) Place at which the boat will usually be kept : _____.
- (iii) I enclose herewith the certificate of registration issued to the transferor in respect of the boat.
- (iv) Date of coming into possession : _____.

I hereby declare that the particulars given above are true and accurate in every respect.

The certificate of registration should be sent to me to the following address : _____.

Date : _____ Signature of new owner.

¹ Name in Full.

² Name in full in capitals.

³ Address.

⁴ State whether it is intended to be used for hire or for personal use.

FORM F

(Regulation 12)

APPLICATION FOR REGISTRATION OF FISHING BOAT ON THE DEATH OF REGISTERED OWNER

To : The Director of Fisheries,
Colombo.

Consequent on the death on the day of _____, 19— of the registered owner of fishing boat No. _____ I,¹ _____ of _____ as the² _____ of the deceased, hereby apply to be registered as the owner of that boat.

- (i) Purpose for which the boat will be used :———.
 (ii) Address at which the boat will be usually kept :———.

I enclose the certificate of registration relating to that boat.

The certificate of registration should be sent to me to the following address :———.

I hereby declare that I am entitled to the possession of the boat and that the particulars given herein are true and accurate in ever respect.

Date :———, Signature of new owner.

¹ Name in full in capitals.

² Address.

³ State whether heir, executor, administrator, &c.

⁴ State whether it is used for hire or for personal use.

FORM G
 (Regulation 13)

CERTIFICATE OF THE REGISTRATION OF A NEW OWNER OF A REGISTERED FISHING BOAT

1. Name of new owner :———.
2. Address of new owner :———.
3. Name of previous owner :———.
4. Address of previous owner :———.
5. Description of the boat :———.
 - (a) Timber used—
 - Hull :———.
 - Planking :———.
 - Outrigger :———.
 - (b) Date of building :———.
 - (c) Type :———.
 - (d) Purpose for which the boat will be used :———.
 - (i) Hire :———.
 - (ii) Personal use of registered owner :———.
6. Place at which boat will be kept :———.
 - (a) Padu— Name :———, Licence No :———, Date of Licence :———.
 - (b) Waraya or Village :———.
7. Registration number :———.
8. Date of registration :———.
9. Date of last renewal of registration :———.

Date :———, Director of Fisheries.

SECOND SCHEDULE

LEGISLATION FEES

(Regulation 2)

		Rs.	c.
[10,788/23-4-1955.]	For each catamaram, theppam or for any other type of boat which does not exceed 15 feet in length	2	0
[10,788/23-4-1955.]	For each oru or for any other type of boat which exceeds 15 feet but does not exceed 30 feet in length	5	0
	For each oru or other rowing or sailing boat exceeding 30 feet in length	10	0
	For each power-driven boat propelled by petrol, oil or coal fired engines	25	0

THIRD SCHEDULE

(Regulation 9)

		Rs.	c.
[10, 788/23-4-1955.]	1. For each catamaram, theppam or for any other type of boat which does not exceed 15 feet in length	1	0
	2. For each rowing or sailing boat not referred to in item 1	2	0
	3. For each power driven boat propelled by petrol, oil or coal fired engines	5	0
[10,591/25-9-1953.]	For the purposes of section 21 of the Fisheries Ordinance each of the following officers shall be a prescribed officer :—		

Deputy Director of Fisheries
Assistant Director of Fisheries
Chief Inspector of Fisheries
Inspectors of Fisheries
Sub-Inspectors of Fisheries
Preventive Officers of the Fisheries Department
Preventive Sergeants of the Fisheries Department
Preventive Guards of the Fisheries Department.

SECTION 36

Note.—The rules under section 6, the regulations under sections 8 and 10, and the notifications under sections 3 and 12 of the repealed Game Protection Ordinance, No. 1 of 1909, which are kept in force by section 36 of the Fisheries Ordinance, are not reproduced.

Note.—The rest of the Regulations under Section 33 are local in their application and are not reproduced.