

THE FISHERIES ACT, 1970

(No. 6 OF 1970)

REGULATIONS

Made under Section 7

THE FISHERIES (AMENDMENT) REGULATIONS, 2000

Citation

G. N. No.
317 of
1989

1. These Regulations may be cited as the Fisheries (Amendment) Regulations, 2000 and shall be read as one with the Fisheries Principal Regulations, 1989 (in these Regulations referred to as the 'principal regulations')

Amend-
ment of regu-
lation 2

2. Regulation 2 of the principal regulations is amended by adding in the appropriate alphabetical position the following new definitions.

2

"estuary" means a stream, a river inlet rivulet, or water cause way flowing into the sea or major lake;

"fish net or seine net locally known as Juya la Kojani or Kavogo" means a net with mesh sizes below 76 mm (3 inches) which are uniform from wing to code-end and while in use its foot rope drags through the fishing ground while the ends are being drawn together;"

Amend-
ment of
regulation
4

3. Regulation 4 of the principal regulations is amended—

(a) by deleting the marginal notes and substituting for them the following marginal notes:

"Authorized officer"

(b) by deleting sub-regulation (1) and substituting for it the following provisions;

Act No. 6 of 1970 "(1) Every officer in the Fisheries Division of the rank of a Director, Assistant Director, an officer of the rank above the Assistant Fisheries Officer grade IV, Fisheries Officer grade III, Fish Technologist grade IV, Skipper grade IV,

Marine engineer grade IV or any other person appointed in writing by the Director of Fisheries, shall be an authorized officer for the purpose of enforcing the provision of the Fisheries Act, 1970 and regulations made under it.

(2) The Director of Fisheries may appoint in writing such number of persons from among the authorized officers, to be licensing authorities."

(c) by renumbering subregulations (2) and (3) as (3) and (4) respectively

4. Regulation 11 of the principal regulations is amended by adding immediately after subregulation (1) the following provisions:

Amendment of regulation 11

"(2) Any fishing vessel with an overall length of above 11.0 meters or 20 gross registered tonnage, shall be licensed after a written approval of the Director of Fisheries."

(3) No person shall use for fishing or cause another person to use a fishing trawler whose overall length is below 11.0 meters or below 20 gross registered tonnage."

(b) by renumbering subregulations (2) to (7) as (4) to (9) respectively.

5. Regulation 12 of the principal regulations is amended in subregulation (1) by adding a new paragraph (c) as follows:

Amendment of regulation 12

"(c) at least two life rings and one life jacket for each crew".

6. Regulation 17 of the principal regulations is amended in subregulation (1) by adding a new provisions immediately after paragraph (b) as follows:

Amendment of regulation 17

"(c) a trawling licence for prawns or fin fish, unless previously cancelled shall remain in force until the 30th of November, next following the date of issue;

(d) fisherman or a fishing company licensed to deploy a trawler to fish prawns or fin fish shall commence fishing operations at 0600 hours and may engage in fishing until 1800 hours local time after which the trawler shall remain anchored until the next 0600 hours at dawn."

Amend-
ment of
regulation
18

7. Regulation 18 of the principal regulations is amended in subregulation (2)—

(a) by adding immediately after paragraph (d) the following provisions:

"(e) requiring any licensee to submit to the Director of Fisheries or any other licensing authority samples of fishery products for laboratory analysis before marketing;"

(b) by renumbering paragraphs "(e)" and "(f)" as paragraphs "(f)" and "(g)" respectively.

Amend-
ment of
regulation
19

8. Regulation 19 of the principal regulations is amended by adding immediately after sub-regulation (2) the following new provisions:

"(3) A licensing Authority may suspend a license of any person who fails to comply with the provisions of paragraphs (1) and (2) until the required data has been duly submitted.

(4) Where the licensing Authority is a person other than a Director of Fisheries, he shall report the suspension to the Director as soon as practicable and the Director may confirm, vary or reverse the suspension made."

Amend-
ment of
regulation
26

9. Regulation 26 of the principal regulations is amended by deleting the whole of that provisions and substituting for it the following provisions

Prohibi-
tion of use
of poison

26.—(1) No person shall—

(a) use poison to kill or catch fish;

(b) possess fish killed by poison.

(2) Any person who contravenes this regulation commits an offence.

Amend-
ment of
regulation
4

(3) A proof that fish has been killed by poison shall be made before a court of law by an authorized officer after performing a rapid field and laboratory tests approved in writ-

ing, from time to time, by the Chief Government Chemist or any other authorized agency."

10. Regulation 28 of the principal regulations is amended—

Amend-
ment of
regulation
28

- (a) by adding immediately after subregulation (3) the following provision:

"(4) No person shall use a seine net or trawl net in an area which is 500 meters on each side of an estuary and extending seawards to distance of 1000 meters measured from the lowest tidal level equidistant from the main channel and when regressed, to a point on the 500 meter outwards.

- (b) by renumbering sub-regulation (4) as (5) and adding immediately after sub-regulation (5) as renumbered the following provision:

"(6) No person shall manufacture, import or sell a beach seine net at home, beach, shop, factory or at any other place.

(7) Where a fishing vessel or fishing gear or fishery product is abandoned, and the authorized officer believes that any person is liable to be investigated, searched or arrested in connection with a commission of an offence under the Act, or that, that person has absconded to any place within or outside the United Republic, or has concealed himself so that he cannot be searched arrested or otherwise investigated the authorised officer may cause investigation measures to be taken in relation to the area or premises and property previously in possession, occupation or under control of the suspect.

(8) Where upon completion of measures taken pursuant to subregulation (6) it is found that an offence has been committed, the authorized officer shall, by notice published in the *Gazette*, notify the public his intention to apply to a court of law for an order in relation to the property or goods involved in the commission of a crime.

(9) Upon expiry of twenty one days from the date of publication of notice under subregulation (7), the authorised officer may make an application in accordance with subregulation (7).

(10) Upon receipt of an application made pursuant to this regulation, the court shall make such an order as the Court shall deem proper or just."

Amendment of third schedule

11. The Third Schedule to the principal regulation is hereby revoked and replaced by the following new Third Schedule—

"THIRD SCHEDULE

Reg. 6(6), 7(6) and 13

PART: Fishing Vessel registration and transfer fees:

- (a) Fishing vessel registration and transfer fee shall be charged according to the mode of operation, ownership, whether the applicant has invested in approved shore based fish processing establishment or not;
- (b) Transfer fee for any type of fishing vessel shall be charged at the same rate as the registration fee;
- (c) Owners of Tanzania Vessels shall pay fees in equivalent Tanzania Shillings and owners of foreign vessels shall pay licence fees in US\$.

Fees for registration or transfer of various categories of fishing vessels are as follows:

<i>Vessel description</i>	<i>Tanzanian Vessel</i>	<i>Tanzanian Vessel</i>	<i>Foreign Vessel</i>	<i>Foreign Vessel</i>
	<i>(i)</i>	<i>(ii)</i>	<i>(i)</i>	<i>(ii)</i>
1. Trawler below 11.0 m. long or below 20grt	prohibited	prohibited	prohibited	prohibited
2. Trawler between 11.1 or 20grt to 150grt	68.16	100.80	4,000.00	48,000.00
3. Trawler above 150 grt	prohibited	prohibited	prohibited	prohibited
4. Vessel for fishing for fin fish up to 11.0 meters long	1.68	1.68	prohibited	prohibited

"THIRD SCHEDULE—(contd.)

<i>Vessel Description</i>	<i>Tanzania Vessel (i)</i>	<i>Tanzania Vessel (ii)</i>	<i>Foreign Vessel (i)</i>	<i>Foreign Vessel (ii)</i>
5. Vessel for fishing for fin fish 11.1-15.0 meters long	4.80	4.80	600.00	1,200.00
6. Vessel for fishing for fin fish between 15.1 - 20.0 meters long	9.60	12.00	840.00	2,400.00
7. Vessel for fishing for fin fish between 20.1 - 150 grt	33.60	48.00	1,200.00	12,000.00
8. Vessel for fishing for fin fish between 150.1 to 200 grt	48.00	120.00	2,400.00	14,400.00
9. Vessel for fishing for fin fish between 200.1 to 250grt	120.00	180.00	3000.00	16,800.00
10. Vessel for fishing fin fish between 250.1 - 300 grt	180.00	240.00	3600.00	19,200
11. Vessel for fishing for fin fish above 300.1grt	240.00	298.00	4800.00	21,600.00
12. Sport fishing vessel	6.72	6.72	120.00	120.00

Note: (i) individual/company with approved shore based fish processing establishment.

(ii) individual/company without approved shore based fish processing establishment.

Form 4

PART B: Fishing Vessel License:

Fees for fishing vessel license (Form 4) shall be charged according to the gross registered tonnage of the vessel, ownership and of investment in terms of shore based fish processing establishment approved according to the Fisheries policy. An owner of Tanzanian vessel shall pay license fees in equivalent Tanzanian shilings. Owner of a foreign vessel shall pay license fees in United States dollars.

"THIRD SCHEDULE--(contd.)

<i>Vessel Description</i>	<i>Tanzania Vessel (i)</i>	<i>Tanzania Vessel (ii)</i>	<i>Foreign Vessel (i)</i>	<i>Foreign Vessel (ii)</i>
1. Trawler up to 11.0m or below 20grt	prohibited	prohibited	prohibited	prohibited
*2. Vessel for fishing for fin fish up to 11.0m or below 20grt	1.20	1.20	prohibited	prohibited
*3. Vessel for fin fish between 11.1-15.0	2.40	2.40	prohibited	prohibited
*4. Vessel between 15.1 - 20.0 meters	3.00	4.80	prohibited	prohibited
5. Trawler/vessel for fin fish between 20.1 - 50.0grt	2.40	4.80	22.56	54.00
6. Trawler/vessel between 50.1-100.0grt	3.60	6.00	30.00	72.00
7. Trawler/vessel between 100.1-150grt	4.80	9.00	37.56	90.00
8. Vessel for fin fish between 150.1-200.0grt	6.00	10.80	45.00	108.00
9. Vessel for fin fish between 200.1-250grt	7.20	12.60	52.56	126.00
10. Vessel for fin fish between 250.1-300.00grt	8.40	16.20	60.00	144.00
11. Vessel for fin fish above 300.1grt	9.60	18.00	60.36	162.00
*12. Vessel for sport fishing	24.00	24.00	24.00	24.00

*Rate per Vessel

"THIRD SCHEDULE—(contd.)

PART C: Fishing licenses:

Crustacean:

<i>Vessel description</i>	<i>Tanzanian vessel</i>		<i>Foreign vessel</i>	
	<i>(i) rate @ grt</i>	<i>(ii) rate @ grt</i>	<i>(i) rate @ grt</i>	<i>(ii) rate @ grt</i>
1. Trawler up to 11.0m or below 20grt	Prohibited	Prohibited	Prohibited	Prohibited
2. Trawler between 20.1-50	2.40	4.80	22.5	54.00
3. Trawler between 50.1.-100grt	3.6	6.00	30.00	72.00
4. Trawler between 100.1-150grt	4.8	9.00	37.56	90.00
5. Trawler between 150.1-200grt	6.00	10.80	45.00	108.00

Fin Fish

<i>Vessel description</i>	<i>Tanzania</i>	<i>Foreign</i>	<i>Foreign</i>	<i>Foreign</i>
	<i>Vessel</i>	<i>Vessel</i>	<i>Vessel</i>	<i>Vessel</i>
	<i>(i)</i>	<i>(ii)</i>	<i>(i)</i>	<i>(ii)</i>
1. Vessel up to 11.0m or below 20grt	1.80	1.80	Prohibited	Prohibited
2. Vessel between 11.1. - 15.0 meters	6.00	6.00	Prohibited	Prohibited
3. Vessel between 15.1 - 20.0 meter	12.00	12.00	Prohibited	Prohibited
4. Vessel between 20.1 - 50grt	1.20 @ grt	1.20 @ grt	11.28@grt	27.00@grt
5. Vessel between 50.1-100grt	1.80@grt	3.00@grt	15.00@grt	36.00@grt
6. Vessel between 100.1 - 150grt	2.40@grt	4.50@grt	18.78@grt	45.00@grt
7. Vessel between 150.1 - 200grt	3.00@grt	5.40@grt	22.50@grt	54.00@grt

"THIRD SCHEDULE—(contd.)

<i>Vessel Description</i>	<i>Tanzania Vessel</i>		<i>Foreign Vessel</i>	
	<i>(i) rate @ grt</i>	<i>(ii) rate @ grt</i>	<i>(i) rate @ grt</i>	<i>(ii) rate @ grt</i>
8. Vessel between 200.1 - 250grt	3.60@grt	6.30@grt	26.28@grt	63.00@grt
9. Vessel between 250.1-300grt	4.0@grt	8.10@grt	30.00@grt	72.00@grt
10. Vessel between 300.1 - 350grt	4.8@grt	9.00@grt	30.18@grt	81.00@grt
11. Vessel between 350.1-400grt	5.2@grt	9.6@grt	37.70@grt	90.00@grt
12. Vessel above 400grt	6.0@grt	11.7@grt	41.28@grt	99.00@grt

Sport fishing: (fee payable in equivalent (T.shs)

(a)	For seven days	US dollars 6.00
(b)	For fourteen days	US dollars 12.00
(c)	for one year	US dollars 60.00

Fee for collecting, fishing or dealing in fishery products specified below shall be as follows:

<i>Fishery products</i>	<i>Tanzania citizen</i>		<i>Non-citizen</i>	
	<i>(i)</i>	<i>(ii)</i>	<i>(i)</i>	<i>(ii)</i>
1. Aquarium fish	12.60	18.96	504.00	prohibited
2. Sea shells	5.04	7.56	504.00	prohibited
3. Beche de mer	3.12	4.68	504.00	prohibited
4. Sea weeds	3.12	4.68	504.00	prohibited
5. Shark fins/jaws	3.12	4.68	504.00	prohibited
6. Cephalopods	5.04	4.68	504.00	prohibited
7. Prawns/lobsters/ crabs	5.04	7.56	504.00	prohibited
8. Fish maws	3.12	4.68	504.00	prohibited
9. Fish offal	3.12	4.68	504.00	prohibited
10. Fish skins	3.12	4.68	504.00	prohibited
11. Others	3.36	4.56	504.00	prohibited

Note: (i) individual/company with approved shore based fish processing establishment.

(ii) individual/company without approved shore based fish processing establishment.

Fees for export licenses

<i>Product</i>	<i>Citizen</i>		<i>Non citizen</i>	
	<i>(i)</i>	<i>(ii)</i>	<i>(i)</i>	<i>(ii)</i>
1. Aquarium fish	43.80	47.04	504.00	Prohibited
2. Beche de mer	21.48	23.52	504.00	Prohibited
3. Sea shells	37.80	41.64	504.00	Prohibited
4. Prawn/lobsters/ crabs	37.80	41.64	504.00	Prohibited
5. Sea weeds	21.48	23.52	504.00	Prohibited
6. Shark fins/shark jaws	21.48	23.52	504.00	Prohibited
7. Cephalopods	37.80	41.64	504.00	Prohibited
8. Dry fish	37.80	41.64	504.00	Prohibited
9. Fish fillets	37.80	41.64	504.00	Prohibited
10. Head - on & guttled Nile perch	75.60	83.16	504.00	Prohibited
11. Fish maws	21.48	23.52	504.00	Prohibited
12. Fish offals	21.48	23.52	504.00	Prohibited
13. Products not specified above	35.28	38.76	504.00	Prohibited

Export royalty

Export royalty shall be charged according to kilogram weight and grade of the products specified below except for sea shells and aquarium fish which shall be charged according to FOB value

<i>Product</i>	<i>Grade</i>	<i>Frozen at sea</i>	<i>Frozen at shore Based establishment</i>
Prawns headless (tails)	1-15	0.89	0.86
	16-25	0.84	0.81
	26-40	0.72	0.69
	41-60	0.66	0.63
	61-80	0.48	0.45
	81-100	0.36	0.33
	101-150	0.32	0.29
	151-200	0.26	0.23
	above 201	0.19	0.16

"THIRD SCHEDULE—(contd.)

<i>Product</i>	<i>Grade</i>	<i>Frozen at Sea</i>	<i>Frozen at shore based Establishment</i>
Prawns -Head-on	1-10	0.82	0.79
	11-15	0.71	0.69
	16-24	0.67	0.64
	25-36	0.65	0.63
	37-48	0.47	0.45
	49-60	0.33	0.30
	61-90 over	0.27	0.24
		0.24	0.21

<i>Products</i>	<i>Grade/type</i>	<i>Royalty @ kg</i>
Lobsters:		
(i) Live	Live	0.90
(ii) Whole frozen	Whole frozen	0.42
(iii) Tails	1-4cm	0.48
	4-6cm	0.54
	6-8cm	0.57
	8-10cm	0.63
	10-12cm	0.75
	12-14cm	0.84
	above 14cm	0.90
	2. Caridean prawns	
6. calamari/prawn khebab		0.30
7. Crabs	Live	0.60
8. Crabs	Frozen.chilled	0.30
	" "	0.30
	" "	
Cephalopods/gastropods		
	Frozen/chilled	
(i) octopus		0.15
(ii) Squids		0.18
(iii) shell meat		0.06
Beche de mer	10-20 pc/kg	1.20
	21-30 pc/g	1.08
	31 & above	0.90
Shark fins	Below 10cm	0.66

"THIRD SCHEDULE—(contd.)

<i>Products</i>	<i>Grade/Type</i>	<i>Royalty @ Kg.</i>
	10-20cm	1.08
	20-30cm	1.20
	30-40.0cm	1.50
	above 40.1 cm	1.80
Sea weeds	Euchema spp	0.024
	Gracillaria spp	0.030
	Gigartana/others	0.051
Freshwater fishery products		
(i) Fillets	Fresh/chilled/frozen	0.15
(ii) Dry Nile Perch	Dry	0.18
(iii) Fish maws	Dry	0.36
(iv) Fish maws	fresh	0.18
(v) Belly flaps	Fresh/chilled	0.075
(vi) Off cuts	Fresh/chilled	0.075
(vii) Fish meal	Dry	0.012
(viii) Fish frames		0.009
(ix) Dagaa	L. Victoria	0.042
(x) Dagaa	L. Tanganyika	0.072
(xi) Aquarium fish	Fresh water./sea water	6% advalorem
(xii) Sea shells	All types	6% advalorem

Dar es Salaam,
26th May, 2000

ZAKIA H. MEGHJI,
*Minister of Natural Resources and
Tourism*