

Regulation of the Fisheries Department
on
the application for a license for overseas
fisheries b.e. 2532 (1989)

By virtue of the provisions of the Notification of the Ministry of Agriculture and Cooperatives on the Conditions of the Minister of the Ministry of Agriculture and Cooperatives prescribed pursuant to the provisions of the Fisheries Act B.E. 2490 on Overseas Fisheries (No.2) B.E. 2531 in association with the Regulation of the Office of the Prime Minister on Government Services to the Public of Government Agencies B.E. 2532, Article 9, the Department of Fisheries hereby prescribes the regulation specifying the procedures and period of government services of the application for a license for overseas fisheries as follows :

Article 1 This Regulation is called the “Regulation of the Department of Fisheries on the Application for a License for Overseas Fisheries B.E. 2532”

Article 2 This Regulation shall come into force as from August 1, 2532.

Article 3 The Regulation of the Department of Fisheries on the Application for a License for Overseas Fisheries B.E. 2531 shall be repealed.

Article 4 License for overseas fisheries means a license issued by the authority to a licensee for the lawful use of fishing gears outside Thai waters which are located in the waters under the agreement in accordance with traditional practices, treaties or otherwise between Thai Government or individuals and Government or individuals of other countries.

Article 5 An applicant must possess the following qualifications.

- (1) must have Thai nationality and have a domicile in Thailand.
- (2) must be the owner of the fishing vessel which is registered in Thailand.

Article 6 An applicant must attach the following evidence.

- (1) the latest license for such gears (if any)
- (2) copy of the household registry or of identity card
- (3) copy of the Thai vessel registry
- (4) Attorney applying on behalf of the vessel owner must submit the power of attorney.
- (5) In case of a juristic person, a copy of the certificate of incorporation and evidence showing that such juristic person has an objective in engaging in fisheries. For an attorney applying on behalf of a juristic person, the power of attorney must be submitted.
- (6) Contract or agreement for joint fisheries with such other countries.
- (7) In case where the vessel owner is engaged in joint fisheries with a person or juristic person who has been granted a concession for joint fisheries with such other countries, a written affidavit from such person or juristic person who has been granted such concession must be submitted.
- (8) If the applicant wishes to allow any member of the family or employee to have the right to use such gears, statement therefor must be specified in the application.

Article 7 An applicant wishing to apply for a license for the use of fishing gears outside Thai waters shall file an application for a license with the authority at the Fisheries Control Section, Protection and Promotion Division, Department of fisheries, Ministry of Agriculture and Cooperatives, Rajadamneon Nork Road, Bangkok 10200.

Article 8 The authority shall admit such application and promptly complete the procedures as follows :

- (1) Admit the application and register the same.
- (2) Examine the application and documents. If they are not in compliance with this Regulation, such application and document shall be returned for correction and the applicant shall be notified thereof within 1 day.
- (3) If the application and documents are correct, the authority shall prepare a license for overseas fisheries (Form 002) and submit the same to the superior in respective order to be signed by the Director-General or a designated person as the case may be and promptly issue such license to the applicant but not exceeding 5 working days at the latest.
- (4) In case of doubt which requires examination of the fishing vessel and/or fishing gear in association with the application, the authority shall complete such examination of the fishing vessel and gears as from the date agreed for such examination but not exceeding 10 working days. After such examination and it is deemed that a license should be granted then the procedures under (3) shall be followed.

Article 9 Upon signing the license by the Director-General of the Department of Fisheries or a designated person, the authority shall charge the duty fee at the rate specified in the Ministerial Rule.

Article 10 The Director of the Protection and Promotion Division shall take charge of the execution of the Regulation.

Announced this 1st day of August B.E. 2532

signature

(Mr.Prodprasob Surrassawadi)

Director-General of the Department of Fisheries