

**Regulation of the Fisheries Department
on the application and permission for
aquaculture in public fishing grounds
b.e. 2533 (1990).**

Whereas the Ministry of Agriculture and Cooperatives has prescribed the Notification specifying the conditions for permission of persons conducting fisheries or aquaculture in public fishing grounds dated 5 February 2533 pursuant to Section 16 paragraph two of the Fisheries Act B.E. 2490 to be observed both by the people and authorities. In principle, aquaculture in public fishing grounds requires prior announcement by a province permitting such aquaculture before the people are allowed to conduct such aquaculture. However, for aquaculture for academic purposes of the authority or pilot aquaculture of certain people which has not yet been announced by a province as permitted fishing grounds, it is therefore deemed appropriate to require an application to the authority pursuant to the conditions and this Regulation for the purposes of control, promotion, recommendations, collection of statistical data and prevention of probable dispute.

By virtue of the provisions in the Conditions of the Notification of the Ministry of Agriculture and Cooperatives, the Department of Fisheries hereby prescribes the regulation specifying procedures for application and permission for aquaculture in public fishing grounds as follows :

Article 1 This Regulation is called the “Regulation of the Department of Fisheries on the Application and Permission for Aquaculture in Public Fishing Grounds B.E. 2533”

Article 2 This Regulation shall come into force as from 1 August 2533.

Article 3 Permission for aquaculture in public fishing grounds here under shall be granted only to aquaculture conducted in cages or pens.

Article 4 The Department of Fisheries shall permit only aquaculture in public fishing grounds which have not yet been announced by a province as permitted fishing grounds for pilot aquaculture of the authority for academic purposes or pilot aquaculture of certain people which have been permitted by the district or provincial authority.

Article 5 Consideration for permission for aquaculture in public fishing grounds shall be conducted by the district or provincial authority as follows :

- (1) Must not obstruct navigational route of ships and rafts.
- (2) Must not create trouble to the public.
- (3) Be suitable for such aquaculture.
- (4) Must obtain approval from a district or province.

Article 6 The person permitted to conduct aquaculture in public fishing grounds shall comply with the conditions of the Department of Fisheries as follows :

(1) The person so permitted shall conduct aquaculture within the area specified by the district or provincial authority.

(2) The person so permitted shall be prohibited to erect or construct any equipment in the fishing grounds without prior written permission of the Director-General of the Department of Fisheries.

(3) The person so permitted must provide permanent pole and erect demarcation posts to indicate the permitted area for aquaculture and show distinct marks therefore.

(4) No permanent platform or structure shall be allowed to be constructed to guard the aquaculture area.

(5) The person so permitted must facilitate and clarify to the authority who conducts inspection of the aquaculture.

(6) In case of necessity, the government has the right to revoke or refuse permission for aquaculture at any time and the person so permitted shall remove all structures and may not claim any damages or compensation from the authority or the government.

(7) A person applying for permission of aquaculture in public fishing grounds must be a Thai national having Thai nationality and sui juris.

Article 8 A person wishing to apply for a permission for pilot aquaculture in cages or pens in public fishing grounds hereunder shall file an application in the form prepared by the Department of Fisheries at the district or sub-district in which aquaculture is to be conducted with the sheriff or deputy who is the head of such sub-district together with the following documents.

- (1) Project or action plan for pilot aquaculture
- (2) Copy of household register or of identify card

(3) Map or chart indicating the location of the area for which aquaculture is to be applied.

Article 9 The authority shall admit the application and examine the project or action plan and location of the area for which aquaculture is to be applied pursuant to the order of the sheriff or deputy who is the head of the sub-district by considering the criteria in Article 5 and submit to the sheriff or deputy who is the head of the sub-district for approval or order and shall submit the application together with opinions to the province in order that the latter shall examine and submit the same to the Director-General of the Department of Fisheries or a designated person as the case may be for consideration for further permission. In case where the district or sub-district does not approve such aquaculture, the district or sub-district shall return the application and notify the applicant thereof accordingly.

Article 10 In case where the authority conducts inspection of the area or specify the location where the gears or equipment for aquaculture are to be erected, the applicant shall either provide vehicle for transportation of such authority or bear necessary and actual expenses for such authority at the applicant's option.

Article 11 Each permission for pilot aquaculture in public fishing grounds is valid not exceeding 5 years.

Announced this 13th day of June B.E. 2533

Signature

(Mr. Prodprasob Surassawadi)

Director-General of the Department of Fisheries

**APPLICATION FOR PERMISSION FOR AQUACULTURE IN
PUBLIC FISHING ROUNDS**

No/.....

Made at

Date

I,, aged.....years, nationalityhaving a domicile at no.....Moo.....Tambol.....Amphur..... Province hereby file this application with the authority at the district hall of....., Province as follows :

1. I wish to apply for permission forin a public fishing ground at located in Tambol....., Amphur..... Province for a period of years starting from..... B.E..... to..... B.E..... in accordance with the following description and adjacent zones as appearing on back of this application form

Name of public fishing ground	Aquaculture (cages/pens)	Number	Area		
			Width (meters)	Length (meters)	Square meters

2. Upon permission, I undertake to comply with the laws, ministerial rules, notifications relating hereto and conditions set forth in the permit, or regulations.

Signed.....Applicant

CHART ILLUSTRATING ADJACENT ZONES

(West) (North) (East)
(South)

Inspection

.....in the official position ofshall inspect this area
withinB.E.....

(Signature)
(.....)
Official position
...../...../.....

Opinions of Inspector

.....
.....

(Signature)
(.....)
Official position

Opinions of Sheriff

.....
.....

(Signature)
(.....)
Official position

Opinions of the Governor or Designated Person

.....
.....

(Signature)
(.....)
Official position

**PERMIT
for
AQUACULTURE IN PUBLIC FISHING GROUNDS**

No..... Made at.....
Date.....

Permit.....aged.....years, nationality.....
name of the manager or representative of a juristic person..... having domicile or office
located at no..... Moo..... Tambol.....
Amphur.....,..... Province, Telephone.....
to conduct..... for..... cages/pens covering approximately the area
of.....rai in the pubic fishing ground at.....located in
Tambol....., Amphur.....,.....Province in accordance with the chart
attached herewith.

this Permit is valid fromB.E. until.....
B.E.....

(Signature)Grantor
(.....)
Official position