

# **Regulations on the Investment in the Operation of Foreign Flag Fishing Vessels by Taiwan Nationals**

## **Legislative History**

1. Promulgated on January 15, 2010 by the Council of Agriculture, the Executive Yuan under Order No. Nung-yu 0981333843.

## **Article 1**

These Regulations (hereinafter referred to as "the Regulations") are established pursuant to Article 6 of the Ordinance to Govern Investment in the Operation of Foreign Flag Fishing Vessels.

## **Article 2**

International fisheries organizations referred to in the Regulations include the following organizations:

1. International Commission for the Conservation of Atlantic Tunas (ICCAT)
2. Inter-American Tropical Tuna Commission (IATTC)
3. Commission for the Conservation of Southern Bluefin Tuna (CCSBT)
4. Indian Ocean Tuna Commission (IOTC)
5. Western and Central Pacific Fisheries Commission (WCPFC)

## **Article 3**

Where a foreign flag fishing vessel that has been authorized for investment and operation by a Taiwan national, intends to fish for species or in an area which is subject to the measure of authorized fishing vessels list as required by a international fisheries organization, the fishing vessel shall not leave port for operation until the flag State has completed listing of the vessel on the vessel list with that international fisheries management organization.

## **Article 4**

A foreign flag fishing vessel that has been authorized for investment and operation by a Taiwan national shall receive an observer dispatched by its flag State concerned and it shall not refuse, evade, or obstruct the deployment of such an observer. The fishing vessel shall operate in the fishing area, fishing zone, or fishing period, and with the fishing gear and fishing method as authorized by its flag State.

## **Article 5**

Where a foreign flag fishing vessel that has been authorized for investment and operation

by a Taiwan national intends to fish for species or in an area which is subject to reporting of the vessel's positions as required by an international fisheries organization, the vessel shall comply with the requirement of position reporting as established by its flag State.

**Article 6**

A foreign flag fishing vessel that has been authorized for investment and operation by a Taiwan national intends to fish for species regulated by a international fisheries organization, shall only fish for species under which catch limit or fishing quota that its flag State has been allocated by that fisheries organization, and it shall operate under the catch limit or fishing quota allocated to it by its flag State.

**Article 7**

These regulations shall be effective upon promulgation.