

S.I. 2003 No. 20

VIRGIN ISLANDS
FISHERIES REGULATIONS, 2003
ARRANGEMENT OF REGULATIONS

Regulation

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VIRGIN ISLANDS
STATUTORY INSTRUMENT 2003 NO. 20
FISHERIES ACT, 1997
(No. 4 of 1997)

Fisheries Regulations, 2003

[Gazetted 19th June, 2003]

The Minister, in exercise of the powers conferred on him by section 79 of the Fisheries Act, 1997, makes the following Regulations:

PRELIMINARY

1. (1) These Regulations may be cited as the Fisheries Regulations, 2003, and shall come into force on such date as the Minister may, by Notice published in the *Gazette* appoint.

Citation.

(2) In bringing these Regulations into force, the Minister may bring the different provisions of the Regulations into force on different dates.

2. (1) In these Regulations, unless the context otherwise requires,

Interpretation.

“**authorised officer**” means a fisheries officer, customs officer or police officer or
any other person or category of persons designated as an authorised officer under section 12 of the Act.

“**belonger**” means a person who is deemed to belong to the Virgin Islands by section

UKSI 1976 No.
2145

2 of the Constitution;

Act No. 13 of
2001

“certificate of inspection” means a certificate of inspection issued or recognized under the Merchant Shipping Act, 2001.

“owner”, in relation to a vessel, includes a charterer, master of the vessel or any other person in charge of a vessel;

“pleasure fishing” means fishing whereby one or more persons are allowed to keep the fish caught up to the limits set out in regulation 16;

Act No. 12 of
1990

“Ports Authority” means the British Virgin Islands Ports Authority established by section 3 of the British Virgin Islands Ports Authority Act, 1990;

“register” means register under the Act;

Cap. 130.

“resident” means ordinarily resident in the Territory whether or not one holds a certificate of residence under the Immigration and Passport Ordinance;

“sport fishing” means fishing whereby one or more persons hire a vessel, complete with its skipper, for the purposes of fishing.

(2) Unless otherwise stated in these Regulations, words and expressions defined in the Act shall have the same meaning when used in these Regulations.

PART I REGISTRATION AND LICENSING OF LOCAL FISHING VESSELS, AND RELATED MATTERS

(a) Registration of Local Fishing Vessels

Application for,
and grant of,
registration.

3. (1) An application for registration of a local fishing vessel shall be submitted to the Chief Conservation and Fisheries Officer in Form 1 of Schedule 1, together with a certificate of inspection.

Schedule 1.

(2) A certificate of registration of a local fishing vessel shall be in Form 2 of Schedule 3.

Schedule 3.

(3) The fees payable for the application and the certificate of registration,

respectively, shall be such as are set out in Schedule 1.

4. (1) The owner, charterer or master of a local fishing vessel shall carry on board the vessel the certificate of registration relating to that vessel and ensure that it is in safe custody for inspection at any time when so required by an authorised officer. Availability and display of registration details.

(2) The owner, charterer or master of a local fishing vessel shall display on the vessel the registration markings assigned by the Chief Conservation and Fisheries Officer to the vessel and such display shall be made in such manner as the Chief Conservation and Fisheries Officer may require.

5. The Chief Conservation and Fisheries Officer shall establish and maintain a Register of Local Fishing Vessels in which shall be entered Register of local fishing vessels.

who (a) the name of the person in whom the vessel is registered, may be the owner, charterer or master of that vessel;

(b) the mooring, beach, landing site or other place on which the vessel is to be stationed when not in use; and

Fisheries (c) such other particulars as the Chief Conservation and Fisheries Officer may determine.

6. On the sale of, or change of, ownership of a local fishing vessel the vendor and purchaser, or the transferor and transferee, as the case may be, shall complete a certificate of change of ownership, which shall be in Form 3 of Schedule 1. Change of ownership of local fishing vessels.

Schedule 1.

(b) Licensing of Local Fishing Vessels, etc.

7. (1) After a vessel has been registered or at the same time as an application is submitted for registration, an application may be submitted to the Chief Conservation and Fisheries Officer for a local fishing licence, which application shall be in Form 4 of Schedule 1. Application for, and grant of, local fishing licence.

Schedule 1

(2) On receipt of a recommendation from the Chief Conservation and

Fisheries Officer, the Minister may issue a local fishing licence, which shall be in Form 5 of Schedule 1.

(3) The fees payable for a local fishing licence shall be such as are set out in Schedule 3.

Schedule 3

(4) No local fishing licence shall be granted unless the vessel to which it relates qualifies as a local fishing vessel as defined in section 2 of the Act.

Types of fishing licences.

8. (1) There shall be three types of local fishing licences, namely, a commercial fishing licence, a pleasure fishing licence and a sport fishing licence.

(2) A commercial fishing licence shall entitle the licensee to fish for commercial purposes.

(3) A pleasure fishing licence shall entitle the licensee to fish for personal consumption up to a maximum of 30 pounds per boat.

(4) A sport fishing licence shall entitle the licensee to fish for sporting purposes either on a catch-and-release basis or for personal consumption up to a maximum of 30 pounds per boat.

Conditions attached to local fishing licences.

9. Without prejudice to any conditions that may be attached to a licence under section 22 or any other provision of the Act, a licence issued in respect of a local fishing vessel shall be subject to the following conditions:

form
and
reasonably

(a) any change in the information set out in the application for the licence shall be notified to the Chief Conservation Fisheries Officer by the licence holder as soon as is practicable and in any case not later than seven days of the change;

to

(b) the owner of the vessel shall comply with the laws relating to the safety of life at sea;

markings

(c) the owner of the vessel shall display identification assigned to the vessel and in such manner as the Chief Conservation and Fisheries Officer may require;

- (d) the owner of the vessel shall be a person registered as a fisherman in the Register of Local Fishermen, while the master and crew shall be registered in the same register as crew;
- record (e) the master of the vessel shall cause a log book or other to be maintained for the purpose of recording the fishing operations of the vessel and transmit the log book or other record in its original and unaltered form to the Chief Conservation and Fisheries Officer at such time as the latter may require;
- with (f) the master and every member of the crew of the vessel shall comply with any direction given by an authorised officer;
- of (g) the master and every member of the crew shall cooperate any authorised officer in compiling catch data or in taking samples on behalf of the Chief Conservation and Fisheries Officer for statistical or scientific purposes;
- reasonably (h) the master shall provide information as soon as is practicable and, in any case, not later than seven days, on the fishing operations carried out by the vessel outside the fishery waters, which information shall be given in such form and at such times as the Chief Conservation and Fisheries Officer may require;
- other (i) if the vessel is fishing in the fishery waters of a country than the Virgin Islands, the master of that vessel shall comply with such laws of that other country as are recognised by the Government of the Virgin Islands as having force in the waters in which the vessel is fishing; and

(j) subject to regulation 57, at least sixty per cent of the catch shall be landed at the BVI Fishing Complex or any landing site agreed in writing with the BVI Fishing Complex; and

(k) the master and every member of the crew of the vessel shall comply with the requirements of the Act and these and any other Regulations made under the Act, as well as any directive given under the Act or the Regulations.

Registration of
local fishermen

10. (1) The Chief Conservation and Fisheries Officer shall establish and maintain a Register of Local Fishermen in which shall be entered

(a) the names, physical addresses and postal addresses (where available) of all fishermen operating in relation to any local fishing vessel;

which (b) the name and identification markings of the vessel on which the fishermen conduct their fishing operations; and

(c) such other information as the Chief Conservation and Fisheries Officer may require.

(2) As soon as is reasonably practicable after the engagement of a fisherman, but, in any case, within seven days of such engagement, the owner of the local fishing vessel concerned shall in writing inform the Chief Conservation and Fisheries Officer of such engagement, giving such particulars as are or may be required by or under sub-regulation (1).

(3) The Minister shall cause to be issued to every fisherman registered under this regulation an identity card attesting to that fact, which card shall be renewable at such intervals as the Minister may determine, and which shall be produced for inspection whenever it is reasonably required by an authorised officer.

(4) For the purposes of this regulation, "local fisherman" means a fisherman engaged on a local fishing vessel, whether or not that person is a believer, and includes the owner of the vessel.

PART II
REGISTRATION AND LICENSING OF FOREIGN FISHING VESSELS,
AND RELATED MATTERS

- 11.** (1) An application for registration of a foreign fishing vessel shall be submitted to the Chief Conservation and Fisheries Officer in Form 6 of Schedule 1, together with a certificate of inspection. Registration of foreign fishing vessels.
- (2) A certificate of registration of a foreign fishing vessel shall be in Form 7 of Schedule 1. Schedule 1.
- (3) The fees payable for the application and the certificate of registration, respectively, shall be such as are set out in Schedule 3. Schedule 3.
- 12.** (1) The owner, charterer or master of a foreign fishing vessel shall carry on board the vessel the certificate of registration issued under regulation 11 (3) relating to that vessel and ensure that it is in safe custody for inspection at any time when so required by an authorised officer. Availability and display of registration details.
- (2) The owner, charterer or master of a foreign fishing vessel shall display on the vessel the registration markings assigned to the vessel by the Chief Conservation and Fisheries Officer and in such manner as he may require.
- 13.** The Chief Conservation and Fisheries Officer shall establish and maintain a Register of Foreign Fishing Vessels in which shall be entered Register of foreign fishing vessels.
- who
- (a) the name of the person in whom the vessel is registered, may be the owner, charterer or master of that vessel;
- (b) the mooring, beach or other place on which the vessel is to be stationed when not in use; and
- (c) such other particulars as the Chief Conservation and Fisheries Officer may determine.
- 14.** On the sale or change of ownership of a foreign fishing vessel, the vendor and purchaser, or the transferor and transferee, as the case may be, shall complete a certificate of change of ownership, which shall be in Form 8 of Schedule 1. Change of ownership of foreign fishing vessels. Schedule 1.

(b) Licensing of Foreign Fishing Vessels

Application for,
and grant of,
licences.

15. (1) After a vessel has been registered or at the same time as an application is submitted for registration, an application may be submitted to the Chief

Conservation and Fisheries Officer for a foreign fishing licence, which application

Schedule 1.

shall be in Form 9 (a) or 9 (b) of Schedule 1, depending on the overall length of the vessel.

(2) On receipt of a recommendation from the Chief Conservation and Fisheries Officer, the Minister may issue a foreign fishing licence, which shall be in Form 10 (a) or 10 (b), depending on the overall length of the vessel.

Schedule 3.

(3) The fees payable for a foreign fishing licence shall be such as are set out in Schedule 3.

Types of Foreign
fishing licences.

16. (1) Subject to section 28 of the Act and regulation 24, there shall be three types of foreign fishing licences, namely, a commercial fishing licence, a pleasure fishing licence and a sport fishing licence.

(2) A foreign commercial fishing licence shall entitle the licensee to fish for commercial purposes and shall not be issued except in cases where there is an international agreement with the country concerned regarding foreign commercial fishing.

(3) A pleasure fishing licence shall entitle the licensee to fish for personal consumption up to a maximum of 30 pounds per boat.

(4) A sport fishing licence shall entitle the licensee to fish for sporting purposes either on a catch-and-release basis or for personal consumption up to a maximum of 30 pounds per boat.

Conditions
attached to all
foreign fishing
licences.

17. Without prejudice to any conditions that may be attached to a licence under these Regulations, the Act or any other law, a licence issued in respect of a foreign fishing vessel shall be subject to the following conditions:

- form
- (a) any change in the information set out in the application for a licence shall be notified to the Chief Conservation and Fisheries Officer by the licence holder as soon as is reasonably practicable and in any case not later than seven days of the change;
- to
- (b) the owner of the vessel shall comply with the laws relating to the safety of life at sea;
- (c) the owner of the vessel shall display the identification markings assigned to the vessel and in such manner as the Chief Conservation and Fisheries Officer may require;
- (d) the master of the vessel shall cause a log book or other record to be maintained for the purpose of recording the fishing operations of the vessel and transmit the log book or other record in its original and unaltered form to the Chief Conservation and Fisheries Officer at such time as the latter may require;
- (e) the master and every member of the crew of the vessel shall comply with any direction given by an authorised officer;
- (f) the master and every member of the crew shall cooperate with any authorised officer in compiling catch data or in taking samples on behalf of the Chief Conservation and Fisheries Officer for statistical or scientific purposes;
- (g) the master shall provide information as soon as is reasonably practicable and, in any case, not later than seven days, on the fishing operations carried out by the vessel outside the fishery waters which information shall be given in such form and at such times as the Chief Conservation and Fisheries Officer may require;
- (h) no fish shall be trans-shipped from or onto the vessel while in the fishery waters except with the prior written permission of the Minister and in accordance with such conditions as he may specify;
- take
- (i) while in the fishery waters, the master of the vessel shall

all reasonable measures and precautions to avoid damage to any local fishing operations including non-commercial operations;

(j) subject to regulation 57, eighty per cent of the catch shall be landed at the BVI Fishing Complex or any landing site agreed on with the BVI Fishing Complex; and

(k) the master and every member of the crew of the vessel shall comply with the requirements of the Act and these and any other Regulations made under the Act, as well as any directive given under the Act or the regulations.

Conditions governing foreign vessels.

18. Without prejudice to any other provision of these Regulations, the Act or any other law, every foreign fishing licence in respect of a foreign fishing vessel less than 30 feet shall be subject to the following conditions:

- all
- (a) while in the fishery waters, the master of the vessel shall at times
- (i) fly the vessel's State flag;
- (ii) paint the vessel's State flag in a manner that is clearly visible from the sea and air;
- sea
- (iii) display in a manner that is clearly visible from the sea and air the vessel's international radio call sign; and
- sea
- (iv) display in a manner that is clearly visible from the sea and air the number assigned to the vessel in its licence or on any regional register established under section 32 (1) (f) of the Act;
- (b) the master of the vessel shall cause to be prepared at such times as the Chief Conservation and Fisheries Officer may require, a written report setting out information on the operations of the vessel in the fishery waters;

- as
- (c) each report shall be made in such form and for such period the Chief Conservation and Fisheries Officer may require, and shall be delivered to the Chief Conservation and Fisheries Officer within fifteen days of the period to which the report applies;
- (d) the master of the vessel shall maintain a log book on a daily basis, in a form specified by or satisfactory to the Chief Conservation and Fisheries Officer, for the purpose of recording the fishing operations of the vessel while within the fishery waters, including but not limited to maintaining a record of the catches;
- any
- (e) the master of the vessel shall, within forty eight hours of request made by the Chief Conservation and Fisheries Officer, transmit the log book, in its original form, to the Chief Conservation and Fisheries Officer, or to any person or organisation designated by the Chief Conservation and Fisheries Officer, and the master shall further submit any other documents specified in the request and relating to catches made by the vessel in the fishery waters or to the composition of those catches;
- retained
- (f) the log book maintained under paragraph (d) shall be by the master of the vessel for a period of at least twelve months following the end of the voyage to which the log book pertains;
- that
- (g) the Chief Conservation and Fisheries Officer may demand the master of the vessel cause radio reports to be made
- fishery
- (i) immediately upon entry of the vessel into the waters;
- (ii) on such day during the period that the vessel is in the fishery waters as the Chief Conservation and Fisheries

- Officer may specify;
- vessel
- (iii) at least four hours prior to the departure of the vessel from the fishery waters; and
- (iv) at such other times as the Chief Conservation and Fisheries Officer may specify;
- (h) each report made under paragraph (g) shall contain details of
- number
- (i) the vessel's international radio call sign or the assigned to the vessel in its licence or on any regional register established under section 32 (1) (f) of the Act;
- (ii) the position of the vessel at the time of reporting;
- (iii) the total catch, by species, on board the vessel at the time of reporting; and
- the
- (iv) such other matters relating to fishing operations as Chief Conservation and Fisheries Officer may require;
- local
- (i) the master or owner of the vessel or his authorised representative shall notify the Chief Conservation and Fisheries Officer, or such other person or organisation as the Chief Conservation and Fisheries Officer may designate, of the estimated time of entry of the vessel into any port in the Virgin Islands at least twenty four hours before the vessel's entry, except that a shorter period of notice may be allowed if the master of the vessel satisfactorily proves that the vessel was in distress or had a medical emergency;
- (j) the master of the vessel shall, while in the fishery waters, allow an authorised officer to board and remain on board the

- vessel as an observer and shall
- records,
- (i) allow the observer full access to all equipment, documents and to any fish on board the vessel;
 - (ii) allow the observer to make tests, observations and records and to take and remove such samples as he reasonably requires to monitor the vessel's activities in the fishery waters; and
 - (iii) provide without charge, food and accommodation equivalent to that provided for officers of the vessel; and
- as
- (k) the master of the vessel shall proceed to such port or place the Chief Conservation and Fisheries Officer may reasonably require to allow an observer to board or disembark from the vessel.

19. (1) The Chief Conservation and Fisheries Officer shall establish and maintain a Register of Foreign Fishermen in which shall be entered

Registration of foreign fishermen.

- (a) the names, physical addresses and postal addresses (where available) of all fishermen operating in relation to any foreign fishing vessel;
- (b) the name and identification markings of the vessel on which the fishermen conduct their fishing operations; and
- (c) such other information as the Chief Conservation and Fisheries Officer may require.

(2) As soon as reasonably practicable after the engagement of a fisherman, but, in any case, within seven days of such engagement, the owner of the foreign fishing vessel concerned shall in writing inform the Chief Conservation and Fisheries Officer of such engagement, giving such particulars as are or may be required by or under sub-regulations (1).

(3) The Minister shall issue to every fisherman registered under this

regulation an identity card attesting to that fact, which card shall be renewable at such intervals as the Minister may determine, and which shall be produced for inspection whenever it is reasonably required by an authorised officer.

(4) For the purpose of this regulation, "foreign fisherman" means a fisherman engaged on a foreign fishing vessel, whether or not that person is a belonger, and includes the owner of the vessel.

PART III INTERNATIONAL FISHING AGREEMENTS AND ARRANGEMENTS

International fishing agreements and arrangements.

20. No foreign fishing licence shall be issued unless there is in existence an agreement or arrangement with the country in which the vessel concerned is registered providing for the issuance of that category of licence.

PART IV CONSERVATION MEASURES

Lobsters.

21. (1) No person shall harm, give, receive from anyone, have in his possession, export for sale, sell or purchase a lobster that is undersized, carrying eggs or moulting.

(2) No person shall

(a) remove eggs from a lobster, or have in his possession, or sell or purchase a lobster from which the eggs have been removed;

(b) spear, hook or impale a lobster;

(c) sell a lobster that has been speared, hooked or otherwise impaled; or

(d) fish for, remove from the fishery waters, give, have in his possession, expose for sale, sell or purchase any lobster during the closed season for lobsters specified in regulation 26 or as otherwise stated by the Minister by notice in the Gazette and in a newspaper circulating in the Territory.

(3) In this regulation,

(a) Alobster@ means the whole or any part of a lobster;

- (b) Undersized, in relation to a lobster, means
- (i) less than 3.5 inches in carapace length measured from the back of the shell; and
 - (ii) if the tail has been removed, a tail weight of less than 12 ounces.

- 22.** (1) No person shall Turtles.
- (a) disturb, remove from the fishery waters, expose for sale, sell, purchase or have in his possession any turtle's eggs;
 - (b) interfere with any turtle nest or a turtle that is nesting;
 - (c) remove from the fishery waters, expose for sale, sell, purchase or have in his possession any undersized turtle or catch a leather back turtle (*Dermochelys coriacea*) or loggerhead turtle (*Caretta caretta*) on which there is a moratorium;
 - (d) set within 100 metres of the shores of the Virgin Islands any net, seine or other article for the purpose or with the intention of fishing for, catching or taking, a turtle; and
 - (e) fish for, remove from, the fishery waters, or at any time have in his possession, expose for sale, sell or purchase any turtle from 1st April to 30th November in every year or as otherwise stated by the Minister by notice published in the *Gazette* and in a newspaper circulating in the Territory.
- (2) In this regulation,
- (a) "turtle" means the whole or any part of a turtle;
 - (b) "undersized" means a carapace (shell) length less than
 - (i) 24 inches for green turtle (*Chelonia mydas*);
 - (ii) 15 inches for Hawksbill (*Eretmochelys imbricata*).
- 23.** (1) No person shall Conch.

- (a) take from the fishery waters, sell, purchase or have in his possession any immature conch;
- (b) take from the fishery waters, expose for sale, purchase or have in his possession any conch during the closed season for conch as specified in regulation 26 or as otherwise stated by the Minister by notice published in the *Gazette* and in a newspaper circulating in the Territory;

(2) In this regulation,

- (a) Aconch@ means the whole or any part of any conch;
- (b) Aimmature conch@ means a conch with
 - (i) a shell which is smaller than 7 inches in length;
 - (ii) a shell which does not have a flared lip; or
 - (iii) meat weight of less than 8 ounces.

(3) All conch shall be landed in the shell.

Whelk.

- 24.** (1) No person shall
- (a) take from the fishery waters, sell, purchase or at anytime have in his possession, any immature whelk; or
 - (b) take from the fishery waters, expose for sale, purchase or have in his possession a whelk during the closed season for whelk as specified in regulation 26 or as stated by the Minister by notice published in the *Gazette* and in a newspaper circulating in the Territory.
- (2) In this regulation,
- (a) “whelk” means the whole or any part of a whelk;
 - (b) “immature whelk” means a whelk with a shell which is smaller than 2 7/16 inches.

Red hind.

- 25.** No person shall take from the fishery waters, expose for sale, purchase or at anytime have in his possession any red hind (*Epinephelus guttatus*) during the closed season for red hind specified in Regulation 26 and during such other

period as the Minister may determine by notice published in the *Gazette* and in a newspaper circulating in the Territory.

26. The closed seasons are as follows:

Closed seasons.

NAME OF FISH	DATES FOR CLOSED SEASON
Conch (<i>Strombus gigas</i>)	June 1 to September 30
Whelk (<i>Cittarium pica</i>)	June 1 to September 30
Margate fish (<i>Haemulon album</i>)	January 1 to March 31
Nassau Grouper (<i>Epinephelus straiatus</i>)	March 1 to May 31
GreenTurtle (<i>Chelonia mydas</i>)	April 1 to November 30
Hawksbill turtle (<i>Eretmochelys imbricata</i>)	April 1 to November 30
Red hind (<i>Epinephelus guttatus</i>)	January 1 to March 31
Lobster (<i>Panulirus argus</i>)	March 1 to June 30

27. (1) There shall be moratoriums on the leatherback turtle (*Dermochelys coriacea*), jew fish (*Epinephelus itajara*) and Loggerhead turtle (*Caretta caretta*) for such period as the Minister may determine by notice published in the *Gazette* and in a newspaper circulating in the Territory.

Moratoriums.

(2) Notwithstanding the closed season for conch and whelk specified in regulation 26, the Minister may, by Notice published in the *Gazette* and in a newspaper circulating in the Territory, impose a moratorium on fishing for conch and whelk for such period as he may determine.

28. (1) No person shall take, collect, have in his possession or damage any coral, sponge or marine algae from or in the fishery waters except with the written permission of the Chief Conservation and Fisheries Officer and in

Corals, sponges and marine algae.

accordance with any such conditions as the Chief Conservation and Fisheries Officer may specify.

(2) Shells and coral which are on the Convention on Trade in Endangered Species (CITES) list shall not be sold to persons who are leaving the Territory.

Bays and
harbours.

29. No person shall take, kill, damage or fish for any marine mammal or any species of marine mammal in the fishery waters.

Traps.

30. (1) No person shall

(a) use a cast net with a mesh size of less than 3/16 inch;

(b) use a beach seine with a mesh size of less than 1 2 inches except when no more than 1/3 of the entire length of seine is of mesh size less than 1 2 inches;

(c) use a bottom gill net with a mesh size of less than 2 inches;

(d) use a flying fish gill net with a mesh size of less than 3/4 inch;

(e) use a trawl net or trammel net for fishing purposes without the written permission of the Chief Conservation and Fisheries Officer and in accordance with any conditions as the Chief Conservation and Fisheries Officer may specify;

(f) allow a fishing net to remain in place in the sea for longer than eight consecutive hours without the written permission of the Chief Conservation and Fisheries Officer and in accordance with any conditions as the Chief Conservation and Fisheries Officer may specify; or

(g) use any fish trap or pot with a mesh size of less than 2 inches when measured across the narrow part;

(h) use any fish trap or fish pot which does not have a biodegradable panel;

(i) use a fish trap to catch currimole fish;

(j) use a seine net to catch currimole fish.

(2) In this regulation, unless otherwise stated, Amesh size@ means the

average of the measurements taken diagonally of any ten consecutive meshes, each measurement being taken across the widest opening of the mesh at full stretch.

- 31.** Any potential development which may have an impact on the fisheries waters such as dredging, coastal reclamation and similar activity shall require the prior consent of the Minister. Fish habitat.
- 32.** (1) No person, company, or their employees or agents shall put or cause to be put any poison, noxious substance or other pollutant into the fresh, estuarine or fishery waters of the Virgin Islands. Pollution.
- (2) Costs incurred by the Department of Conservation and Fisheries for remedial action in respect of any pollution referred to in sub-regulation (1) may, in addition to any fine imposed for an offence pursuant to regulation 64, be recovered from the person or company concerned by instituting civil proceedings in the Magistrate's Court.
- PART V**
MARINE SCIENTIFIC RESEARCH
- 33.** (1) An application for a marine scientific research permit shall be made to the Chief Conservation and Fisheries Officer in Form 11 of Schedule 1 and shall be accompanied by the research proposal referred to in section 42 of the Act. Application for, and grant of, marine scientific research in permit.
- (2) Where the Chief Conservation and Fisheries Officer is satisfied that the requirements of section 42 of the Act have been satisfied, he shall forward the proposal to the Minister who may grant a permit.
- (3) A marine scientific research permit shall be in Form 12 of Schedule 1. Schedule 1.
- (4) The fees payable for the application and the grant of a marine scientific research permit, respectively, shall be such as are set out in Schedule 3. Schedule 3.
- 34.** As a condition for the grant of a marine scientific research permit, the Minister shall require that the applicant sign an undertaking in Form 13 of Schedule 1 but the undertaking shall not prejudice the right of the Minister to impose other conditions under the Act. Undertaking. Schedule 1.
- 35.** The Minister may refuse to grant a permit under this Part, or withdraw the permit after it has been granted, or impose additional conditions, including restrictions on the use or publication of research results and conclusions, if he considers that the marine scientific research to which the permit relates Criteria for granting marine scientific research permit.

- exploitation
- Islands
- (a) is not of direct significance for the exploration and of natural resources, whether living or non-living;
 - (b) involves drilling into the continental shelf of the Virgin or the use of any prohibited method of fishing;
 - (c) contains, in its proposal, information which is inaccurate, inadequate or incomplete; or
 - (d) is being carried out in a manner that is inconsistent with the purposes of the Act and these Regulations.

Exemptions relating to research.

36. On the grant of a marine scientific research permit or after the grant of the permit, the Minister may exempt the holder of the permit from complying with any condition attached to the permit.

PART VI AQUACULTURE

Application for, and grant of, aquaculture licences.

37. (1) An application for an aquaculture licence shall be made to the Chief Conservation and Fisheries Officer in Form 14 of Schedule 1.

Schedule 1.

(2) Where the Chief Conservation and Fisheries Officer is satisfied that the requirements prescribed in Part VII of the Act have been met, he shall make a recommendation to the Minister who may, subject to section 48 of the Act, issue the licence.

(3) An aquaculture licence shall be in Form 15 of Schedule 1.

Schedule 3.

(4) The fees payable for the application and the licence, respectively, shall be such as are set out in Schedule 3.

Additional requirements.

38. (1) An application made under section 47 of the Act shall be accompanied by

(a) a plan indicating the proposed location of the establishment;

(b) an operation plan;

(c) an environmental impact assessment;

- (d) where possible, not less than two references pertaining to previous operations in aquaculture.

(2) The criteria listed in Schedule 2 shall be used in the assessment of aquaculture projects before a licence is issued. Schedule 2

39. The aquaculture operations shall be governed as follows:

Aquaculture operations.

- (a) all diseased fish must be disposed of in a manner that will not jeopardize the marine ecosystem;
- (b) all live tanks or holding areas must be maintained and cleaned as often as required by the Chief Conservation and Fisheries Officer;
- (c) the establishment may be inspected by an authorised officer;
- (d) products from the establishment shall be sold to the BVI Fishing Complex or any other market authorised by the Chief Conservation and Fisheries Officer;
- (e) any hazardous materials used during the operation must be properly disposed of as prescribed under the terms of the licence.

40. Without prejudice to any provision of the Act under which conditions may be imposed on an aquaculture licence, all aquaculture licences shall be subject

Conditions attached to aquaculture licences.

- (a) to the criteria set out in Schedule 2;
- (b) to the condition that an authorised officer shall oversee the project;
- (c) to such other conditions as may be imposed by the Minister under these Regulations.

PART VII PROHIBITED FISHING METHODS

Interfering with,
or disturbing
fishing.

- 41.** (1) No person shall
- (a) remove, haul, take away, empty or cast adrift any fishing net, fish pot or trap, gear, tackle or other fishing equipment belonging to some other person without the consent of that other person;
 - (b) place any object in the water, or promote or undertake any activities so as to obstruct a fishing operation of a fisherman unless authorised in writing by the Chief Conservation and Fisheries Officer;
 - (c) destroy, damage, displace or alter the position of any fishing net, fish pot or trap, gear, tackle, other fishing equipment or any buoy, float or other marker connected to it;
 - (d) remove fish from the fishing net, fish pot or trap, tackle or other fishing equipment belonging to another person without that other person's consent;
 - (e) insert any material into the meshes of any fishing net, fish pot or trap to reduce the size of the meshes; or
 - (f) set or place any fish pot or trap without an identifying mark issued or approved by the Chief Conservation and Fisheries Officer;
 - (g) use fish traps on a string.

(2) Any fish in a fishing net, fish pot or trap shall be deemed to be the private property of the owner of such fishing net, fish pot or trap.

(3) The acts prohibited in sub-regulation (1) shall be deemed to constitute a condition under which a licence under these Regulations is issued.

Fishing fences.

42. No person shall set up a fishing fence in such a way as to obstruct regular traffic or regular migrations of fish.

Sport fishing.

43. The rules relating to methods for sport fishing shall be such as are set out in regulation 54.

**PART VIII
FISH PROCESSING ESTABLISHMENTS**

44. (1) An application for a licence to establish a fish processing establishment shall be made to the Chief Conservation and Fisheries Officer in Form 16 of Schedule 1. Application for, and grant of, fish processing licences.

Schedule 1.

(2) The Chief Conservation and Fisheries Officer shall make a recommendation to the Minister.

(3) A licence to establish a fish processing establishment shall be in Form 17 of Schedule 1.

(4) The fees payable for the application and the licence, respectively, shall be such as are set out in Schedule 3.

Schedule 3.

45. (1) Finely divided ice shall be well dispersed among the fish when filling containers to be transported. Handling, transportation and storage of fish.

(2) Fish shall at all times be thoroughly chilled or frozen before being packed for shipment and fish which cannot be processed immediately on arrival at the fish processing establishment must be well iced in clean containers and stored in specially designated areas within the plant, where they will be protected from heat and weather conditions, and will not be contaminated by dust, insects or vermin.

(3) Where possible, the iced fish shall be stored in a chilled room, the temperature of which is just above that of melting ice.

46. (1) Fresh fish shall be handled, processed and distributed with care and minimum delay. Operating practices and production requirements.

(2) Adequate facilities shall be available at the processing plant to maintain fish in a chilled condition.

(3) No fish shall be offered for sale or used for further processing which has undergone deterioration or any process of decomposition or which has been contaminated with foreign matter to an extent which has made it unfit for human consumption.

47. (1) Packaging materials shall be sufficiently strong and durable to withstand stresses during processing, handling, storage and distribution. Packaging, etc., of fish.

(2) Packaging material shall be clean and stored in a hygienic manner and packaging shall be carried out under conditions that prevent contamination of the product.

Hygiene in fish processing.

48. (1) All persons working in a fish processing plant shall maintain a high degree of personal cleanliness while on duty, must wear adequate clothing, and take all necessary precautions to prevent the contamination of the fish or their products or ingredients with any foreign substance.

(2) No person who is known to be suffering from, or who is a carrier of, any communicable disease or has an infected wound or open lesion shall be engaged in the preparation, handling or transporting of fish or fish products.

(3) Effective measures shall be taken to protect against the entrance into the premises (and the harbourage on the premises) of insects, birds, dogs, cats and other animals from areas where fish is received, handled, processed or stored.

(4) Each fish processing establishment shall designate a single individual whose duties are preferably divorced from production to be held responsible for the cleanliness of the establishment.

Conditions attached to fish processing establishment licences.

49. (1) A licence to operate a fish processing establishment shall be subject to such conditions as the Minister may specify at the time of issue or after issue of the licence.

(2) Without prejudice to sub-regulation (1), every licence to establish a fish processing establishment shall be subject to the following conditions:

- (a) the fish processing establishment shall be maintained and operated in a clean and sanitary manner;
- (b) the fish processing establishment shall establish and maintain an effective system for quality control;
- (c) the fish processing establishment shall conform to quality standards for specific fish and fishery products and codes of practice that may be introduced;
- (d) accurate records relating to the operations of the fish processing establishment shall be maintained and shall include information in respect of the quantity, quality and type of any species of fish imported, received, processed, sold or exported;
- (e) the records maintained under paragraph (d) shall be open to

inspection by an authorised officer;

(f) the records concerning the operation of the fish processing establishment shall be submitted to the Chief Conservation and Fisheries Officer as he may from time to time require;

(g) the licensee shall permit an authorised officer to enter at all reasonable times upon any land, premises or vessel used in connection with the taking, storage, processing or exporting of marine products under the licence for the purpose of inspecting the said land, premises, vessel or any equipment, marine products, documents or records thereon; and

(h) the licensee shall comply with all reasonable directions given by an authorised officer in relation to the storage, processing or exporting of any marine product.

PART IX FISHING PRIORITY AREAS AND MARINE PROTECTED AREAS

Fishing priority areas.

50. (1) No person shall build, construct or erect, or cause to be built, constructed or erected any building or structure on, over or under any waters in any fishing priority area declared as such by the Minister by Order in the *Gazette*.

(2) No person shall use any fishing priority area for the anchorage of any yacht or vessel except in the event of a storm or hurricane or such other act of God as would render the yacht or vessel unseaworthy.

(3) Where a person uses a fishing priority area in the circumstances mentioned in sub-regulation (2), he shall immediately notify the Chief Conservation and Fisheries Officer of such use, and the Chief Conservation and Fisheries Officer may extend the time of use on such terms and conditions as he thinks fit.

(4) No person shall snorkel, dive or perform any similar recreational activity in a fishing priority area except with the prior written permission of the Chief Conservation and Fisheries Officer and in accordance with such conditions as he may specify.

(5) Without prejudice to sub-regulation (1), the following areas identified in the maps in Schedule 4 are hereby declared to be fishing priority areas:

Schedule 4.

- (a) the Great Harbour, Peter Island;
- (b) the Bight, Norman Island;
- (c) Benures Bay, Norman Island;
- (d) Frenchman=s Cay;
- (e) West Guana Island;
- (f) Great Camanoe.

Marine protected areas.

51. (1) No person shall carry out any development activity, whether terrestrial or otherwise, which may or is likely to adversely impact on a marine protected area declared as such by the Minister by Order in the *Gazette*.

(2) No person shall use any marine protected area for the anchorage of any yacht or vessel except in the event of a storm or hurricane or such other act of God as would render the yacht or vessel unseaworthy.

(3) Where a person uses a marine protected area in the circumstances mentioned in sub-regulation (2), he shall immediately notify the Chief Conservation and Fisheries Officer of such use, and the Chief Conservation and Fisheries Officer may extend the time of use on such terms and conditions as he thinks fit.

(4) No person shall dive or perform any similar recreational activity (save snorkelling) in a marine protected area except with the prior written permission of the Chief Conservation and Fisheries Officer and in accordance with such conditions as he may specify.

(5) Without prejudice to sub-regulation (1), the following areas identified

Schedule 5. in the maps in Schedule 5 are hereby declared to be fisheries protected areas:

- (a) Horseshoe Reef;
- (b) Hans Creek, Beef Island;
- (c) Beef Island Channel;
- (d) South Sound, Virgin Gorda;

- (e) Taylor Bay, Virgin Gorda;
- (f) The Sound, Salt Island;
- (g) The Sound (which includes Wedgeo Bay) Ginger Island;
- (h) Dead Chest;
- (i) Big Reef, Peter Island;
- (j) Green Cay, Jost Van Dyke;
- (k) Money Bay, Norman Island;
- (l) Santa Monica Rock, South West, off Norman Island;
- (m) North Bay, Guana Island; and
- (n) Frenchman's Cay.

PART X SPORT FISHING

- 52.** (1) An application to hold a sport fishing event shall be submitted to the Chief Conservation and Fisheries Officer in Form 18 (a) of Schedule 1 and an application to compete in a sport fishing event shall be in Form 18 (b) of Schedule 1. Application for, and grant of, sport fishing licences.
- Schedule 1.
- (2) On receipt of a recommendation from the Chief Conservation and Fisheries Officer, the Minister may issue a licence to hold a sport fishing event, which licence shall be in Form 19(a) of Schedule 1 or a licence to compete in a sport fishing event in Form 19 (b) of Schedule 1.
- (3) The fees payable for the application and the licence, respectively, shall be such as are set out in Schedule 3. Schedule 3
- (4) In this section A sport fishing event@ means a fishing competition involving three or more fishing vessels for which an entry fee is paid or prizes given, or both.
- 53.** Regulation 52 shall as far as practicable apply to sport fishing outside of an event in the same way as it applies to participation in a sport fishing event. Ordinary sport fishing.

Sport fishing
rules.

54. The following rules shall apply to sport fishing:

- (a) a person shall fish by the traditional method of angling with a hook or lure attached to a line held in the hand or attached to a pole or reel;
- (b) a person, unless otherwise authorised by the relevant licence,
shall not use a spear, fish trap or a net other than a cast net
or
landing net;
- (c) the owner or operator of the vessel shall not use more than
six
rods or reels unless he is in possession of a licence authorising the use of more rods or reels;
- (d) all fishing above 30 pounds per boat shall be on a catch-
and-
release basis;
- (e) no vessel shall have on board any turtle;
- (f) no owner or operator of the vessel shall catch any snappers or other bottom-dwelling fish;
- (g) the master of the fishing vessel shall keep a log book of the fishing activity of the vessel, and the log book shall be deposited with the Chief Conservation and Fisheries Officer;
- (h) there shall be no hooking of lobsters;
- (i) catch and release fishing for bill fish such as blue marlin (*Makaira nigricans*), white marlin (*Tetrapturus albidus*), sailfish (*Istiophorus americanus*), swordfish (*Xiphias gladius*);
- (j) subject to these Regulations, sports fishing events shall observe International Game Fishing Association rules failure to do which the Minister may revoke or in future refuse to grant a licence to hold a sport fishing event.

55. (1) An application for a recreational fishing licence shall be submitted to the Chief Conservation and Fisheries Officer in Form 20 (a) of Schedule 1.

Application for, and grant of, recreational fishing licences.

Schedule 1.

(2) On receipt of a recommendation from the Chief Conservation and Fisheries Officer, the Minister may issue a recreational fishing licence, which shall be in Form 20(b) of Schedule 1.

(3) The Minister may issue a temporary recreational fishing licence and for this purpose the forms prescribed under this section shall be used with necessary modification.

(4) The fees payable for the application and the licence, respectively, shall be such as are set out in Schedule 3.

Schedule 3.

TEST FISHING

56. (1) An application for a test fishing licence under section 73 of the Act shall be made to the Minister in Form 21 of the Schedule 1 and a licence shall be in Form 22 of Schedule 1.

Application for, and grant of, test fishing licences.

Schedule 1.

(2) No application or licence fee shall be payable in respect of a test fishing licence.

PART XII GENERAL PROVISIONS

57. Where it appears to the Chief Conservation and Fisheries Officer that the conditions stipulated in regulations 9 (j) and 17 (j) regarding the percentage landing of catch at the BVI Fishing Complex or other landing site should no longer apply for reason of inability of the BVI Fishing Complex to purchase or store such catch, he may by notification in the *Gazette* and in a newspaper circulating in the Territory and for such period as he may determine reduce the percentage of catch to be landed at the BVI Fishing Complex or other landing site.

Landing, marketing and distribution of fish.

58. (1) No person shall import or export fish into or from the Virgin Islands except with the written permission of the Minister and in accordance with the conditions he may specify.

Importation and exportation of fish in general.

(2) Before exercising his powers under sub-regulation (1), the Minister shall consult the Manager of the BVI Fishing Complex or the Chief Conservation and Fisheries Officer, or both.

Importation and exportation of aquarium fish, etc.

59. (1) No person shall import, sell or export any fish for keeping in an aquarium without the written permission of the Chief Conservation and Fisheries Officer and in accordance with any such conditions as the Chief Conservation and Fisheries Officer may specify.

(2) No person shall take any fish for keeping in any aquarium without the written permission of the Chief Conservation and Fisheries Officer.

Variation of conditions of licences.

60. The Minister may vary the conditions of a licence by

- (a) letter, telex, cablegram or fax sent to the licence holder, the flag state or the association representing him;
- (b) such other means as the Minister may determine.

Stowage of gear on foreign fishing vessels.

61. (1) The fishing gear, of a foreign fishing vessel that has not been licensed or permitted to fish, shall, when in the fishery waters,

(a) be stowed below deck but where this is not reasonably practicable shall otherwise be stowed in such manner as not to be readily available for fishing;

- (b) when carried above deck, be secured to some part of the superstructure or hull of the vessel;
- (c) be stowed wholly on board the vessel; and
- (d) not be baited or be attached to or contain any lure that may render it readily deployable for fishing.

(2) All nets, trawl boards and weights shall be disconnected from the towing or hauling wires or ropes and all mechanical hauling devices shall be sufficiently disconnected as to be incapable of immediate use.

- 62.** Any person who gives information that leads to the conviction of the owner, charterer or master of any foreign fishing vessel, or of any member of the crew, shall be paid such reward not exceeding five hundred dollars as the Minister may approve. Informing on foreign fishing vessels.
- 63.** All records, reports, log books, notifications and other documents or other papers relating to a foreign fishing vessel shall be in the English language. Language of records.
- 64.** (1) A person who contravenes a provision of these Regulations or any directive given thereunder commits an offence and is liable on summary conviction to a fine not exceeding one thousand dollars. General offences and penalty.
- (2) Any net, instrument or thing which any authorised officer has reasonable grounds for believing is being or has been used for or in connection with the commission of any offence against this Act shall be seized by such officer, and a magistrate may, upon the conviction of any person for an offence against this Act in connection with which such net, instrument or thing so seized was used, order such net, instrument or thing to be forfeited to the Crown.
- 65.** (1) A certificate of inspection issued by the Director of Marine Services shall be conclusive as to the safety of any vessel with respect to which an application is made under these Regulations. Certificates issued by Director of Marine Services.
- (2) In considering an application for a fishing vessel, the Minister shall consider only matters relevant to fishing.
- 66.** Any material non-statement, mis-statement or concealment of a material fact in any form submitted pursuant to the Act or these Regulations shall render the licence or permit granted liable to cancellation. Incorrect information.
- 67.** All applications submitted under the Act or these Regulations shall be accompanied by a passport-size photograph of the applicant. Passports photos.
- 68.** All forms prescribed by these regulations shall bear the heading set out in Form 1 of Schedule 1. Headings of forms.
Schedule 1.
- 69.** The Fisheries Rules, 1982 are hereby revoked. Repeal of S.I. 31 of 1982.

SCHEDULE 1

FORMS

LIST OF FORMS

REGISTRATION AND LICENSING OF LOCAL FISHING VESSELS

Forms

(a) Registration of Local Fishing Vessels

1. Application for Registration of Local Fishing Vessel.
2. Certificate of Registration of Local Fishing Vessel.
3. Certification of Change of Ownership of Local Fishing Vessel.

(b) Licensing of Local Fishing Vessels

4. Application for Local Fishing Licence.
5. Local Fishing Licence.

REGISTRATION AND LICENSING OF FOREIGN FISHING VESSELS

(a) Registration of Foreign Fishing Vessels

6. Application for Foreign Fishing Licence.
7. Certificate of Registration of Foreign Fishing Vessel.
8. Certificate of Change of Ownership of Foreign Fishing Vessel.

(b) Licensing of Foreign Fishing Vessels

- 9(a) Application for Foreign Fishing Vessel (for vessel with overall length of 25 feet or less).
- 9(b) Application for Foreign Fishing Licence (for vessel with overall length of more than 25 feet).
- 10(a) Foreign Fishing Licence (for vessel with overall length of 25 feet or less).
- 10(b) Foreign Fishing Licence (for vessel with overall length of more than 25 feet).

MARINE SCIENTIFIC RESEARCH

- 11. Application for Marine Scientific Research Permit.
- 12. Marine Scientific Research Permit.
- 13. Undertaking for Marine Scientific Research Permit.

AQUACULTURE

- 14. Application for aquaculture licence.
- 15. Aquaculture Licence.

FISH PROCESSING ESTABLISHMENTS

- 16. Application for Licence for Fish Processing Establishment.
- 17. Licence for Fish Processing Establishment.

SPORT FISHING

- 18(a) Application to hold Sport Fishing Event.
- 18(b) Application to compete in Sport Fishing Event / to Engage in Ordinary Sport Fishing.
- 19(a) Licence to hold Sport Fishing Event.
- 19(b) Licence to compete in Sport Fishing Event / to Engage in Ordinary Sport Fishing.

PLEASURE FISHING

- 20(a) Application for Pleasure Fishing Licence.

20(b) Licence for Pleasure Fishing

TEST FISHING

- 21.** Application for Test Fishing Licence.
- 22.** Test Fishing Licence.

PRESCRIBED FORMS

VIRGIN ISLANDS

MINISTRY OF NATURAL RESOURCES & LABOUR

CONSERVATION & FISHERIES DEPARTMENT

FORM 1

[Regulations 3(1)]

**APPLICATION FOR REGISTRATION OF A LOCAL
FISHING VESSEL**

INSTRUCTIONS: Underline Surnames. For “address” provide complete mailing address and physical address, if

different. If a detail is not applicable, write NA. Leave no blanks.

TO: CHIEF CONSERVATION AND FISHERIES OFFICER,

P.O. Box 3323, Road Town, Tortola, British Virgin Islands

I hereby apply for the registration of the local fishing vessel for the following:

1. Name of vessel

.....

2. Name and date of birth of owner (for a company, date of incorporation)

.....

3. Postal and address of owner (for a company, registered office), phone and fax numbers, and e-mail address

.....

.....

.....

4. Residential status

.....

5. Name and address of any other person (s) having interest in the vessel

.....

6. Name and date of birth of captain

.....

7. Number of crew

.....

8. Vessel make and model

.....

9. Hull type: a) wood b) fiberglass c) steel d) other

.....

10. Vessel colour: inside..... outside

11. Boat length width

12. Boat beam/draught.....

13. Type of gear operated on vessel: (circle appropriate gears)

a) Trolling b) Flying fish net c) Beach seine d) Fish pots

e) Turtle nets f) Long line g) Gill net h) Handline

i) Snorkel equipment j) Electrical/mechanical reels k) Other

.....

14. Mechanical aids: (circle appropriate aids)

a) winches b) anchor windlass c) other

15. Navigational and safety equipment

.....

.....

.....

- 16. Communication aids and electrical aids
.....
.....
- 17. Fuel type: a) gasoline b) diesel c) other
- 18. Engine type: a) out-board b) in-board c) Horsepower
.....
- 19. Number of engines.....
- 20. Engine make and model
- 21. Estimated value of vessel
- 22. Method and capacity of catch storage
- 23. Catch landing site (s) used by vessel
- 24. Place of mooring
- 25. Proposed fishing area
-

I declare that the vessel described above is a local fishing vessel within the meaning of the Fisheries Act 1997. I understand that I am required to report any changes in the information contained in this form to the Chief Conservation and Fisheries Officer within seven (7) days of the change.

APPLICANT’S SIGNATURE

NAME AND DESIGNATION.....

DATE

FORM 2

[Regulation 3 (2)]

CERTIFICATE OF REGISTRATION OF A LOCAL FISHING VESSEL

The **ATTENTION** of owners of the BVI fishing boats are directed to the following requirements:

- Every BVI fishing boat is required to have a certificate of registration.
- On change of ownership of any boat, the new owner must make an application for registration of the vessel, and the previous owner must deliver up the old certificate of registration to the Chief Conservation and Fisheries Officer for cancellation.
- Owners are responsible for having the letters and numbers detailed to their vessel conspicuously painted on the top and sides part of the vessel.

Name of vessel

Class Letters Number

Place of mooring/Landing site

Motor

Description of boat:

.....

Mode of fishing

Length (bow and transom)

Principal dimension: Beam

Approximate draught

Number of crew

Owner Phone #

Address

.....

This is to certify that the fishing boat

has been registered.

Signed

Minister

Date

[Regulation 6]

CHANGE OF OWNERSHIP OF A LOCAL FISHING VESSEL

INSTRUCTIONS: Underline Surnames. For “address” provide complete mailing address and physical address, if different. If a detail is not applicable, write NA. Leave no blanks.

TO: CHIEF CONSERVATION AND FISHERIES OFFICER,

P.O. Box 3323, Road Town, Tortola, British Virgin Islands

I (We)..... of (address, or name and registered office of company)

Hereby request to change the ownership of my (one) fishing vessel,

Registration #

To of
(new owner (s)) (address, or name and registered office of company)

Registration # on this day
(date)

.....
Signature of vendor or transferor

.....
Signature of purchaser or transferee

.....
Chief Conservation and Fisheries Officer

FORM 4

[Regulation 7 (1)]

APPLICATION FOR LOCAL FISHING LICENCE

INSTRUCTIONS – Underline Surnames. For “address” provide complete mailing address and physical address, if different. If a detail is not applicable, write NA. Leave no blanks.

TO: CHIEF CONSERVATION AND FISHERIES OFFICER,
P.O. Box 3323, Road Town, Tortola, British Virgin Islands

1. Category of licence applying for

- Commercial
- Sport
- Pleasure

2. Name of vessel

3. Name of owner

4. Postal and physical address of owner (for a company, registered office) phone and fax numbers, and e-mail address

.....
.....

5. Vessel registration number

6. Radio call sign

7. Type of fishermen, state number

- Part time
- Full time

8. Mooring site

9. Landing site

10. Number of crew 11. Vessel's hull material

12. Main engine power 13. Overall length

14. Type of fishing operation
.....

15. Type and quantity of fishing gear/tackle to be used:

Fish pots Seine nets of feet in length

Trolling reels Gill nets of feet in length

Pole rods Mechanical winch Long-line reels of feet in length

Other gear/tackle

16. Fish storage and/or freezing capacity for each storage and/or freezing method

.....

17. Proposed fishing areas

18. Proposed commencement date of fishing operation

19. If previously licensed under the Act, state the number of the last licence held

.....

Specify any changes to information previously provided

.....

20. Current fishing license held elsewhere in the region (state the number of each license and the name of each licensing country

.....

21. Estimated value of fishing vessel \$..... Gear/tackle \$

SAFETY – AT – SEA EQUIPMENT (indicate in box number present)

Radio Cellular phone Anchor Compass

Flashlight Flares Food ration Glass mirror
reflector

Life vests Life boat First aid kit Tenderer
(raft/dinghy)

I (We), hereby apply for a fishing license. I (We) understand that the information provided is true and correct. Any incorrect information constitutes cause to cancel the application and that I (we) am (are) required to

report any changes in the information contained in this form to the Chief Conservation and Fisheries Officer within 7 days of the change.

I (We) further understand that the licence is subject to any and all attached general and special conditions.

Signature of applicant Date:

Specify if owner, charterer or agent:

Print name of applicant

Address of applicant

FORM 5

[Regulation 7(2)]

LOCAL FISHING LICENCE

LICENCE NUMBER

LOCAL FISHING LICENCE

The person named as the licence holder below is hereby licensed in accordance with the Fisheries Act, 1997, to use the vessel described below for fishing in the fishery waters at the times and in the areas specified in this licence and in accordance with the conditions set out in this license and prescribed from the time to time in the Fisheries Regulations and other legislation.

Type of licence: Commercial Sport Pleasure

Name of Vessel

Name of license holder

License period from: / / to / /

Radio call sign (regional register No.) or registration No.

SPECIAL CONDITIONS

Authorized fishing areas

Authorized fishing times

Authorized fishing operations

Authorized target species/quota (where available)

OTHER SPECIAL CONDITIONS

Permitted trans – shipment (where available)

Permitted use of fish aggregating devices (where applicable)

Dated this day of,

.....
Minister

FORM 6

[Regulation 11 (1)]

**APPLICATION FOR REGISTRATION OF A
FOREIGN FISHING VESSEL**

INSTRUCTIONS: Underline Surnames. For “address” provide complete mailing address and physical address, if different. If a detail is not applicable, write NA. Leave no blanks.

**TO: CHIEF CONSERVATION AND FISHERIES
OFFICER**

P.O. Box 3323, Road Town, Tortola, British Virgin Islands

1. Category of registration applying for

- Commercial Sport Pleasure

- 2. Name of vessel
- 3. Name of owner
- 4. Date of birth of owner (if a company, date of incorporation)
- 5. Nationality of owner (if a company, country of incorporation)
- 6. Postal and physical local address of owner
- 7. Postal and physical overseas address of owner (if a company, registered office)
- 8. Name of charterer
- 9. Date of birth of charterer (if company, date of incorporation).....
- 10. Address of charterer (or if company, registered office of company).....
- 11. Name of master
- 12. Date of birth of master
- 13. Address of master
- 14. Country in which vessel is registered
- Registration number in country of registration
- 15. Radio call sign
- 16. Type of fishermen

Full time

Part time

- 18. Operational base and country
- 19. Local mooring site
- 20. Local fish landing site
- 21. Number of crew 22. Vessel's hull material
.....
- 23. Colour of vessel 24. Main engine power.....
- 25. Overall length
- 26. Type of fishing operation
- 27. Type and quantity of fishing gear/tackle:
 Fish pots Seine nets of feet in length Pole rods
 Gill nets of feet in length Mechanical winch
 Trolling rods Long-line reels of feet in length
 Other gear/tackle
- 28. Fish storage and/or freezing capacity for each storage and/or freezing method
.....
- 29. Proposed fishing areas
- 30. Period of licence required (maximum 12 months)
- 31. Proposed commencement date of fishing operation
- 32. If previously licensed under the Act; state the number of the last license held
.....
- Specify any changes to information previously provided
-
- 33. Current fishing licenses held elsewhere in the Caribbean region (state the
 number of each licence and the name of each licensing country)
-

34. Estimated value of fishing vessel \$ Gear/tackle \$

35. SAFETY AT SEA EQUIPMENT (indicate in box number present)

- | | | | | | | | |
|--------------------------|--------------------------|----------------|--------------------------|---------------|--------------------------|--------------|--------------------------|
| Radio | <input type="checkbox"/> | Cellular phone | <input type="checkbox"/> | Anchor | <input type="checkbox"/> | Compass | <input type="checkbox"/> |
| Flashlight reflector | <input type="checkbox"/> | Flares | <input type="checkbox"/> | Food ration | <input type="checkbox"/> | Glass mirror | <input type="checkbox"/> |
| Life vests (Raft/dinghy) | <input type="checkbox"/> | Life boat | <input type="checkbox"/> | First aid kit | <input type="checkbox"/> | Tenderer | <input type="checkbox"/> |

I (We), hereby apply for a fishing licence. The information provided is true and correct. I (We) understand that any incorrect information is cause to cancel the application and that I (We) am (are) required to report any changes in the information contained in this form to the Chief Conservation and Fisheries Officer within 7 days of the change.

I (We) further understand that the licence is subject to any and all attached general and special conditions.

Signature of applicant Date:

Specify if owner, charterer or agent:

Address of applicant

NOTE: Any licence issued on the basis of this application form is liable to cancellation if any of the information given in the form is incorrect.

FORM 7

[Regulation 11 (3)]

CERTIFICATION OF REGISTRATION OF A FOREIGN FISHING VESSEL

The **ATTENTION** of owners of the Foreign Fishing vessel are directed to the following requirements:

- Every Fishing vessel fishing in B.V.I. waters is required to have a certificate of registration.
- On change of ownership of any boat, the new owner must make an application for registration of the vessel, and the previous owner must deliver up the old certificate of registration to the Conservation and Fisheries Officer for cancellation.
- Owners are responsible for having the letters and numbers detailed to their vessel conspicuously painted on the top and sides the vessel.

Name of vessel

Class Letters Number

Place of mooring

Motor

Description of boat:
.....

Mode of fishing

..... Length (bow and transom)
.....

FORM 8

[Regulation 14]

CHANGE OF OWNERSHIP OF A FOREIGN FISHING VESSEL

To: Chief Conservation and Fisheries Officer

P.O. Box 3323, Road Town, Tortola, British Virgin Islands

I (We) of (address, or name and registered office of company)

Hereby request to change the ownership of my (our) fishing vessel,

Registration #.....

To of
(new owner(s)) (address or name registered office of company)

Registration # on this day
(date)

.....
Signature of vendor or transferor
purchaser or transferee

.....
Signature of

.....
Chief Conservation and Fisheries Officer

FORM 9 (a)

[Regulation 15 (1)]**APPLICATION FOR A FOREIGN FISHING LICENCE**

(FOR A VESSEL WITH AN OVERALL LENGTH OF 25 FEET OR LESS)

INSTRUCTIONS – Underline Surnames. For “address” provide complete mailing address and physical address, if different. If a detail is not applicable, write NA. Leave no blanks.

TO: CHIEF CONSERVATION AND FISHERIES OFFICER,
P.O. Box 3323, Road Town, Tortola, British Virgin Islands

1. Category of licence applying for
 - Commercial
 - Sport
 - Pleasure
2. Name of Vessel
3. Name of owner
4. Postal and physical address of owner
5. Vessel registration number
.....
6. Name of charterer
7. Country of registration
8. Country of registration number
.....
9. Details of radio (if any) Frequency
- Number of channels Radio call sign
10. Operational base (s) (port/country)
11. Name of vessel master

12. Address of vessel owner

13. Type of fishing operation

14. Proposed fishing areas

15. Proposed commencement date of fishing operation

.....

16. If previously licensed under the Act state the number of the last licence held. Specify any changes to information previously provided.....

.....

Safety equipment on vessel

.....

17. If previously licensed under the Act, state the number of the last licence held

18. If the vessel is not a locally based foreign fishing vessel, indicate the name of the person in the Virgin Islands to be appointed as the local representative to act as agent of the owner or charterer of the foreign fishing vessel

.....

QUESTION 19 – 24 TO BE COMPLETED ONLY IF APPLYING FOR A

FISHING LICENCE FOR THE FIRST TIME.

18. Number of crew

19. Overall length

20. Engine power

- 21. Vessel's hull material
- 22. Type of fishing operation
- 23. Type and quantity of fishing gear/tackle to be used
 - Fish pots Seine nets of feet in length
 - Trolling reels Gill nets of feet in length
 - Pole rods Mechanical winch Long-line reels of
..... feet in length Other gear/tackle

I understand that I am required to report any change in the information contained in this form to the Chief Conservation and Fisheries Officer within seven days of the change.

Signature of applicant Date

Specify if owner, charterer or agent

Print name of applicant

Address of applicant

FORM 9 (b)

[Regulation 15 (1)]

**APPLICATION FOR A FOREIGN FISHING VESSEL
LICENCE**

(FOR A VESSEL WITH AN OVERALL LENGTH OF MORE THAN 25
FEET)

INSTRUCTIONS – Underline Surnames. For “address” provide complete mailing address. If a detail is not applicable, write NA. Leave no blanks.

TO: CHIEF CONSERVATION AND FISHERIES OFFICER

P.O. Box 3323, Road Town, Tortola, British Virgin Islands

I hereby apply for a fishing license to fish in the fishery waters of the British Virgin Islands.

Category of licence applying for

- Commercial Sport Pleasure

1. Name of vessel
2. Name of owner
3. Postal and physical address of owner
4. Name of charterer
5. Country of registration
6. Registration number

7. Details of radio (if any) Frequency
- Number of channels Radio call sign
8. Operational base (s) (port/country)
9. Name of vessel master
10. Type of fishing operation
11. Proposed fishing areas
.....
12. Period of licence requested (maximum 12 months)
.....
13. Proposed commencement date of fishing operation
.....

.....
If previously licensed under the Act, specify any changes to information
previously provided

.....
15. If previously licensed under the Act, state the number of the last licence
held.....

16. Current fishing license held elsewhere in the Caribbean region (state the
number of each license and the name of each licensing country)

.....
17. Address of vessel's master
.....

18. SAFETY AT SEA EQUIPMENT (indicate in box number present)

- | | | | |
|---------------------------------------------------|-----------------------------------------|----------------------------------------|---------------------------------------|
| Radio <input type="checkbox"/> | Cellular phone <input type="checkbox"/> | Anchor <input type="checkbox"/> | Compass <input type="checkbox"/> |
| Flashlight reflector <input type="checkbox"/> | Flares <input type="checkbox"/> | Food ration <input type="checkbox"/> | Glass mirror <input type="checkbox"/> |
| Life vests (Raft/dinghy) <input type="checkbox"/> | Life boat <input type="checkbox"/> | First aid kit <input type="checkbox"/> | Tenderer <input type="checkbox"/> |

QUESTION 18 – 29 TO BE COMPLETED ONLY IF APPLYING FOR A

FISHING LICENSE FOR THE FIRST TIME.

19. Number of crew

20. Hull material

- 21. Year built
- 22. Place of construction
- 23. Gross tonnage
- 24. Overall length
- 25. Main engine power
- 26. Fuel capacity
- 27. Daily freezing capacity for each storage method.....
- 28. Storage capacity for each storage method
- 29. Type of fishing operation
- 30. Type and quality of fishing gear/tackle to be used:
Fish pots Seine nets of feet in length
Trolling reels Gill nets of feet in length
Pole rods Mechanical winch Long-line reels of
..... feet in length Other gear/tackle

I understand that I am required to report any change in the information contained in this form to the Chief Conservation and Fisheries Officer within seven days of the change.

Signature of application Date

Specify whether owner, charterer or agent

Print name of applicant

Address of applicant

FORM 10 (a)

[Regulation 15 (2)]

LICENSE NUMBER

FOREIGN FISHING LICENSE

(for vessel with overall length of 25 feet or less)

The person named as the license holder below is hereby licensed in accordance with the Fisheries Act, 1997, to use the vessel described below for fishing in the fishery waters at the times and in the areas specified in this license and in accordance with the conditions set out in this licence and prescribed from time to time in the Fisheries Regulations and other legislation.

Type of licence:

- Commercial Sport Pleasure

Name of Vessel

Name of license holder

License period form: / / to / /

Radio call sign (regional register No.) or registration No.

SPECIAL CONDITIONS

Authorized fishing areas
Authorized fishing times
Authorized fishing operations
Authorized target species/quota (where available)

OTHER SPECIAL CONDITIONS

Permitted transshipment (where available)
Permitted use of fish aggregating devices (where applicable)

Dated this day of,

.....
Minister

FORM 10 (b)

[Regulation 15 (2)]

FOREIGN FISHING LICENSE

(FOR VESSEL WITH OVERALL LENGTH OF MORE THAN 25 FEET)

LICENCE NUMBER

FOREIGN FISHING LICENSE

The person named as the license holder below is hereby licensed in accordance with the Fisheries Act, 1997, to use the vessel described below for fishing in the fishery waters at the times and in the areas specified in this licence and in accordance with the conditions set out in this license and prescribed from the time to time in the Fisheries Regulations, and other legislation.

Type of licence:

- Commercial
- Sport
- Pleasure

Name of Vessel

Name of license holder

License period from: / / to / /

Radio call sign (regional register No.) or registration No.

SPECIAL CONDITIONS

Authorized fishing areas

Authorized fishing times

Authorized fishing operations

Authorized target species/quota (where available)

OTHER SPECIAL CONDITIONS

Permitted trans – shipment (where available)

Permitted use of fish aggregating devices (where applicable)

Dated this day of,

.....
Minister

FORM 11

[Regulation 33(1)]

**APPLICATION FOR A MARINE SCIENTIFIC
RESEARCH PERMIT**

INSTRUCTIONS – Underline Surnames. For “address” provide complete mailing address. If a detail is not applicable, write NA. Leave no blanks.

TO: CHIEF CONSERVATION AND FISHERIES OFFICER

P.O. Box 3323, Road Town, Tortola, British Virgin Islands

Title of research project
.....

Brief description of research project
.....
...

Name and postal and physical address of organization conducting research (if company, registered office), phone and fax number, and e-mail address.....
.....

Names and qualifications of persons expected to be involved in research
.....
.....

Expected duration of research project
.....

Objectives of research
.....
.....

Summary of the expected benefits of the research project to the British Virgin Islands
.....
.....
.....

Additional information.....
.....
..
.....

Supporting documentation: full project proposals, including background to project, project objectives and methodology); proposed counterpart involvement of the BVI Government in terms of number of people, qualifications and experience.

Signature of Applicant

Name and Designation

Date

* The matter required in the form may be regarded as merely elements of what the research proposal should conspicuously contain.

FORM 12

[Regulation 33 (3)]

MARINE SCIENTIFIC RESEARCH PERMIT

Permit Number

Permission is granted to

To conduct Marine Scientific Research Project entitled

.....

within the BVI, during the period of to

This permit is subject to the following conditions:

- Local involvement and training as follows:
- Research conducted within what has been set out in proposal, that is,
- Permission to be obtained from the Minister before any changes to research methods can be made.
- BVI Government should be mentioned when research results are used
- Progress reports should be submitted as agreed with the Chief Conservation and Fisheries Officer, that is,
- Data and research material are joint property of the BVI Government and the organisation conducting the research.
- Prior Permission is to obtained from the Minister before research findings can be disseminated in any medium. Government reserves the right to censure or prohibit the dissemination of sensitive, critical and confederated information, which could be a threat to national welfare and security.

Dated this day of,

.....
Minister

FORM 13

[Regulation 34]

**UNDERTAKING FOR A MARINE SCIENTIFIC
RESEARCH PERMIT**

I, of

(Address) being (state here if head
of the group or state position in the company which will carry out the research) of

.....(state name of institution or

company and its principal or registered office) hereby undertake

THAT the marine scientific research shall:

- (a) be conducted exclusively for peaceful purposes;
- (b) be conducted with appropriate scientific methods and means:
- (c) not interfere with other legitimate uses of the fishery waters, and the rights of licence and other permit holders under the Act shall be respected; and
- (d) be conducted in such manner as not to interfere with the conservation and management of the fishery waters and the living resource therein, and the marine environment generally.

AND THAT I shall abide by whatever conditions may have been or may be imposed on the licence.

Dated this day of,

Signature

Name

Witness

Signature

Name

Occupation

Address

* To be filled and signed by the head of the research team or an office of the company concerned.

FORM 14

[Regulation 37 (1)]

APPLICATION FOR AN AQUACULTURE LICENCE

INSTRUCTIONS – Underline Surnames. For “address” provide complete mailing address. If a detail is not applicable, write NA. Leave no blanks.

TO: CHIEF CONSERVATION AND FISHERIES OFFICER

P.O. Box 3323, Road Town, Tortola, British Virgin Islands

I, hereby apply for a licence to operate an

aquaculture operation at the place and in the manner described below.

Name of applicant

Postal and physical address of applicant (if company, registered office), phone and fax numbers, and e-mail address.....
.....

Location of aquaculture operations

Brief description of proposed aquaculture operation: *

- (a) Site description (location, topography, source of water, water quality)
- (b) Culture methods (species to be cultured, origin of species, pond type)
- (c) Harvesting (methods, quality control, market and marketing)
- (d) Management of the operation (type of feed, origin of feed)
- (e) Hatchery (discharge of effluent, environmental protection)
- (f) Management staff (qualifications, experience)
- (g) Financial appraisal of operation

A detailed proposal encompassing the above should accompany this application.

Signature of Applicant

Name and designation

Date

* These divisions and any other subdivisions as the applicant may consider necessary must clearly appear in the document submitted.

FORM 15

[Regulation 37 (3)]

AQUACULTURE LICENCE

License Number

The person named as the licence holder is hereby licensed in accordance with the Fisheries Act, 1997 to conduct aquaculture operations in accordance with the conditions set out in this licence.

Name of license holder

License period

Location of a aquaculture operations

.....

Type of aquaculture operation authorised to be carried out

.....

.....

Species of fish authorised to be cultured

Further conditions

.....

.....

.....
.....
.....

Dated this day of,

Minister

FORM 16

[Regulation 44 (1)]

**APPLICATION FOR A FISH PROCESSING
ESTABLISHMENT LICENCE**

INSTRUCTIONS - Underline surnames. For “address” provide complete address and physical address, if different. If a detail is not applicable, write NA. Leave no blanks.

TO: CHIEF CONSERVATION AND FISHERIES OFFICER

P.O. Box 3323, Road Town, Tortola, British Virgin Islands

I hereby apply for a licence to operate a fish processing establishment at the place and in the manner describes below:

Name of applicant

Postal and physical address of establishment

Name and postal address of owner of premises.....

.....

Name and address of lessor (if leased)
.....

.....

Kinds of fish to be processed.....

Sources of supply

Nature of processing operation (attach full particulars)

Principal place/country for selling.....

.....

.....
Signature of applicant

.....
Name and designation

.....
Date

FORM 17

[Regulation 44 (3)]

LICENSE NUMBER:

FISH PROCESSING ESTABLISHMENT LICENCE

The person named as the licence holder is hereby licensed in accordance with the Fisheries Act, 1997 to use the premises described below as a fish processing establishment in accordance with the conditions set out in this license.

Name of license holder

License period: From / / to / /

Address of the fish processing establishment

.....
The species of fish authorised to be processed

.....
The type of processing authorised to be carried out
.....

.....
FURTHER CONDITIONS.....

.....
.....

Dated this day of,

.....
Minister

FORM 18 (a)

[Regulation 52 (1)]

APPLICATION TO HOLD A SPORT FISHING EVENT

INSTRUCTIONS - Underline surnames. For “address” provide complete address and physical address, if different. If a detail is not applicable, write NA. Leave no blanks.

TO: CHIEF CONSERVATION AND FISHERIES OFFICER

P.O. Box 3323, Road Town, Tortola, British Virgin Islands

I, whose postal and physical address is (for a company, registered address), phone and fax numbers,

and e-mail address

.....
.....
.....
.....

hereby apply for a license to hold a sports fishing event.

The event is proposed to start on and will

continue until

The event is expected to take place in the following area(s).....

.....
.....
.....
.....

.....(number) vessels are expected to participate in the sports fishing event.

The sports fishing event will be referred to as the.....
(name of the sports fishing event)

Signature of Applicant

Name and designation of applicant

Date

FORM 18 (b)

[Regulation 52 (1)]

**APPLICATION TO COMPETE IN A SPORT FISHING
EVENT / TO ENGAGE IN ORDINARY SPORT
FISHING**

INSTRUCTIONS - Underline surnames. For “address” provide complete address and physical address, if different. If a detail is not applicable, write NA. Leave no blanks.

TO: CHIEF CONSERVATION AND FISHERIES OFFICER

P.O. Box 3323, Road Town, Tortola, British Virgin Islands

Name of Applicant

Postal and physical address

Name of vessel

Description of vessel

Registration number of vessel

Port of registration

Type and description of gear to be used in sports fishing

.....

Name of fishing tournament

Sponsor of fishing tournament

Period for which fishing licence is required

Signature of applicant

Name and designation of applicant

Date

FORM 19 (a)

[Regulation 52 (2)]

LICENCE TO HOLD A SPORT FISHING EVENT

License Number

The person named as the licence holder below is hereby licensed in accordance with the Fisheries Act, 1997 to hold a sports fishing event in accordance with the conditions set out in the licence.

Name of licence holder

Licence period

Name of sports fishing event

Authorised fishing area

Further conditions

.....

.....

Dated this day of,
.....

Minister

FORM 19 (b)

[Regulation 52 (2)]

**LICENCE TO COMPETE IN A SPORT FISHING
EVENT / TO ENGAGE IN ORDINARY SPORT
FISHING**

License number

This license is granted to
authorising him to engage in sports fishing tournament entitled
and organised by

The license is valid for the period to

Name and description of vessel
.....

Registration number

This licence:

- (a) shall not be transferred or assigned;
- (b) authorises only the vessel named and described in this licence to engage in fishing conducted for sporting purposes;
- (c) authorises use of up to reels;
- (d) authorises a maximum catch of fishery resource as may be stipulated in the regulations or as may be specified by the Chief Conservation and Fisheries Officer.

Additional Conditions:

.....
.....
.....
.....

Dated thisday of,

Minister.....

FORM 20 (a)

[Regulation 55 (1)]

APPLICATION FOR PLEASURE FISHING LICENCE

INSTRUCTIONS - Underline surnames. For “address” provide complete address and physical address, if different. If a detail is not applicable, write NA. Leave no blanks.

TO: CHIEF CONSERVATION AND FISHERIES OFFICER

P.O. Box 3323, Road Town, Tortola, British Virgin Islands

Name of Applicant

Type of passport (ordinary, diplomatic, etc)

Number of passport

Nationality

Postal and physical address, phone and fax numbers, and e-mail address

.....

Name of vessel

Description of vessel

Registration number of vessel

Port of registration

Date of entry into Territory

Date expected to leave

Type and description of gear to be used in fishing

.....

Period for which fishing licence is required

Signature of applicant

Name and designation of applicant

Date

FORM 20 (b)

[Regulation 55 (2)]

LICENCE FOR PLEASURE FISHING

License Number

The person named as the licence holder below is hereby licensed in accordance with the Fisheries Act, 1997 to fish for recreation in accordance with the conditions set out in the licence.

Name of licence holder.....

Licence period

Authorised fishing area

Conditions of Licence: In addition to generally complying with the Fisheries Act, 1997, the Fisheries Regulations and all other relevant laws, you are expected to comply with the following rules:

- (a) not more than thirty pounds by weight of fish shall be caught by any one boat;
- (b) there shall be no hooking of lobsters, taking of turtles, conch or whelks
- (c) catch-and-release fishing for bill fish such as blue marlin (*Makaira nigricans*), white marlin (*Tetrapturus albidus*), sailfish (*Istiophorus americanus*), swordfish (*Xiphias gladius*);

Dated this day of,
.....

Minister

FORM 21

[Regulation 56 (1)]

APPLICATION FOR A TEST FISHING LICENCE

Name of Applicant

Postal and physical address (if company, registered office), phone and fax numbers, and e-mail

address

Telephone Number Fax number

Purpose of test fishing exercise

.....

Expected duration of exercise

Description of fishing methods

.....

.....

.....

Type and quantity of fishing gear to be used

.....

.....

Proposed fishing area

Signature of Applicant

Name and Designation of Applicant

.....

Date

FORM 22

[Regulation 56 (1)]

TEST FISHING LICENCE

Licence Number

..... is hereby authorised to conduct a test fishing exercise during the period of to

GENERAL CONDITIONS

The test fishing exercise shall:

- (a) be conducted exclusively for peaceful purposes;
- (b) be conducted with appropriate scientific methods and means:
- (c) not interfere with other legitimate uses of the fishery water, and the rights of licence and other permit holders under this Act shall be respected; and
- (d) be conducted in such manner as not to interfere with the conservation and management of the fishery waters and the living resource therein, and the marine environment generally.

SPECIAL CONDITIONS

Authorised fishing conditions

Authorised fishing methods

Authorised target species

ADDITIONAL CONDITIONS

.....

.....

The licence shall abide by whatever conditions may have been or may be imposed on the licence.

Dated this day of,

Minister

SCHEDULE 2

[Regulation 38 (2)]

ASSESSMENT CRITERIA FOR AQUACULTURE PROJECTS

- 1. SITE**
 - a)* Source of water
 - b)* Water quality
 - c)* Topography
 - d)* Soil texture and composition
 - e)* Other potentials of available land

- 2. CULTURE METHODS**
 - a)* Species to be cultured
 - b)* Origin – if foreign, biology of species
 - c)* Seed availability
 - d)* Pond type
 - e)* Dimensions
 - f)* Other technologies

- 3. MANAGEMENT**
 - a)* Feed and type

b) Origin - if foreign, biology of species

4. HARVESTING

a) Methods of harvesting

b) Quality assurance

c) Market and marketing

5. HATCHERY

a) Treatment facilities for hatchery

b) Effluent discharge

c) Discharge treatment

d) Environmental protection

e) Any other relevant information

6. MANAGEMENT STAFF AND THEIR CURRICULUM VITAE

7. FINANCIAL APPRAISAL

SCHEDULE 3

FEES

**[Regulations 3 (3), 7 (3),
11 (4), 15 (3), 37 (4),
41 (4),48 (4), 53 (3),**

and 56 (4)]

Unless otherwise stated, or the context otherwise requires, all fees apply to all categories of persons and vessels, and are annual.

I. CERTIFICATES OF REGISTRATION: ALL CATEGORIES OF LICENCE

Class A:	Subclass (1) 8ft – 16ft	\$20.00
	Subclass (2) over 16ft – 25ft	\$25.00
Class B	Subclass (1) over 25ft– 45ft	\$60.00
	Subclass (2) over 45ft	\$110.00

II. COMMERCIAL FISHING LICENCE

		CLASS A		CLASS B	
		(1)	(2)	(1)	(2)
(a)	Local: Fishing Licence				
	(i) Application	\$10.00	\$10.00	\$10.00	\$10.00
	(ii) Licence	\$20.00	\$25.00	\$60.00	\$110.00
(b)	Foreign: Fishing Licence: Locally Based Foreign Fishing Vessel				
	(i) Application	\$10.00	\$10.00	\$10.00	\$ 10.00
	(ii) Licence	\$30.00	\$ 35.00	\$70.00	\$120.00
(c)	Foreign: Fishing Licence: Not Locally Based				

(i)	Application	\$10.00	\$10.00	\$10.00	\$10.00
(ii)	Licence	\$500.00	\$1,000.00	\$2,000.00	\$2,500.00

III PLEASURE FISHING LICENCE

		CLASS A		CLASS B	
		(1)	(2)	(1)	(2)
<i>(a)</i>	Local Fishing Licence				
	(i) Application	\$10.00	\$10.00	\$10.00	\$10.00
	(ii) Licence	\$45.00	\$50.00	\$85.00	\$135.00
<i>(b)</i>	Foreign Fishing Licence: Locally Based Foreign Fishing Vessel				
	(i) Application	\$10.00	\$10.00	\$10.00	\$10.00
	(ii) Licence	\$65.00	\$70.00	\$105.00	\$155.00
<i>(c)</i>	Foreign Fishing Licence: Not Locally Based				
	(i) Application	\$10.00	\$10.00	\$10.00	\$10.00
	(ii) Licence	\$100.00	\$150.00	\$200.00	\$300.00

IV. SPORT FISHING LICENCES: ORDINARY SPORT FISHING

CLASS A	CLASS B
----------------	----------------

		(1)	(2)	(1)	(2)
(a)	Local Fishing Vessel				
	(i) Application	\$10.00	\$10.00	\$10.00	\$10.00
	(ii) Licence	\$100.00	\$150.00	\$200.00	\$250.00
(b)	Locally-Based Foreign Fishing Vessel				
	(i) Application	\$10.00	\$10.00	\$10.00	\$10.00
	(ii) Licence	\$500.00	\$560.00	\$575.00	\$610.00
(c)	Foreign Fishing Vessel				
	(i) Application	\$10.00	\$10.00	\$10.00	\$10.00
	(ii) Licence	\$500.00	\$1,000.00	\$2,000.00	\$2,500.00

**V. SPORT FISHING LICENCES: TOURNAMENT ONLY LICENCE
(NOT AN ANNUAL FEE)**

**TOURNAMENT
ONLY LICENCE**

(a)	Local Sport Fishing Licence				
	(i) Application			\$10.00	

	(ii)	Licence	\$50.00
(b)	Foreign Sport Fishing Licence: Locally Based Foreign Fishing Vessel		
	(i)	Application	\$10.00
	(ii)	Licence	\$75.00
(c)	Foreign Sport Fishing Licence: Not Locally Based		
	(i)	Application	\$10.00
	(ii)	Licence	\$100.00

VI. SPORT FISHING LICENCES: EVENT ORGANISERS

			ANNUAL LICENCE
(a)	Local Sports Fishing Event Licence		
	(i)	Application	\$10.00
	(ii)	Licence	\$300.00

<i>(b)</i>	Foreign Sport Fishing Event Licence	
	(i) Application	\$10.00
	(ii) Licence	\$500.00

VII. FISH PROCESSING ESTABLISHMENTS

<i>(a)</i>	Local: (Belongers)	
	(i) Application	\$100.00
	(ii) Licence	\$500.00
<i>(b)</i>	Foreign: (Non-belongers)	

(i)	Application	\$100.00
(ii)	Licence	\$750.00

VIII. AQUACULTURE FISHING LICENCE

(a) Local: (Belongers)

(i)	Application	\$100.00
(i)	Licence	\$500.00

(b) Foreign: (Non-belongers)

(i)	Application	\$100.00
(ii)	Licence	\$1,000.00

IX. MARINE SCIENTIFIC RESEARCH PERMIT (ALL CATEGORIES)*(a)* Local: (Belongers)

(i)	Application	\$100.00
(ii)	Licence	\$500.00

(b) Foreign: (Non-belongers)

(i)	Application	\$100.00
(ii)	Licence	\$1,000.00

NB: Local educational institutions may be exempted from these fees at the discretion of the Minister.

Made by the Minister this 6th day of June, 2003.

REEIAL GEORGE,
Minister of Natural Resources and Labour