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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

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PART I : SECTION (I) — GENERAL

Government Notifications

L.D.B. 1/2012.

THE FISHERIES AND AQUATIC RESOURCES ACT, No. 2 OF 1996

REGULATIONS made by the Minister of Fisheries and Aquatic Resources Development under Section 61 (1) (t) of the Fisheries and Aquatic Resources Act, No. 2 of 1996 read with Sections 14A, 14B, 14C, 14D, 14E, 14F, 14G, 14H, 14I, 14J, 14K, 14L, 14M, 14N of that Act.

DR. RAJITHA SENARATNA,
Minister of Fisheries and Aquatic
Resources Development.

Colombo,
27th August 2014.

Regulations

1. These regulations may be cited as High Seas Fishing Operations Regulations No. 1 of 2014.
2. No person shall engage in any fishing operation specified in the Schedule I hereto in the High Seas except under the authority of a valid licence granted by the Director-General.
3. (1) Every application for a licence for fishing operations in the High Seas referred to in regulation 2 shall be substantially in the form specified in Schedule II hereto and be submitted to the Director-General accompanied with the relevant licence fee specified in the Schedule III hereto.
(2) Every licence granted under regulation 2 shall be substantially, in the form specified in the Schedule IV hereto and shall be valid for a period of one calendar year from the date of grant of such licence unless suspended or cancelled earlier.
(3) The holder of a licence granted under regulation 2 may apply to the Director-General for renewal of such licence, not later than thirty days before the expiry of the licence accompanied with the relevant licence fee specified in the Schedule III hereto.



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4. The holder of a licence granted for fishing operations in the High Seas shall comply with the following conditions imposed by the Director-General for fishing operations in the High Seas under the conservation and management measures adopted in keeping with the United Nations Convention on the Law of the Sea of December 10, 1982, Indian Ocean Tuna Commission and Fish Stocks Agreement 1995 and United Nations Food and Agriculture Organization (FAO) Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing 2009 :-

- (i) The Skipper/Master shall keep the operation licence for high seas fishing together with the registration certificate of the boat and the skipper licence or a certified copy thereof on board at all times and shall produce such licence, the registration certificate of the boat and the skipper licence upon the request of an authorized officer ;
- (ii) Fishing shall not be permitted in any part of the High Seas except under the authority of a licence issued under these regulations ;
- (iii) The boat shall fly the flag of Sri Lanka and clearly display on both sides of the deck, the name of the country (flag state) and the registration number of the Boat. Markings shall be displayed in accordance with the Fishing Boat Registration Regulations 1980 and in terms of Food and Agriculture Organization standard specifications for marking and identification of any fishing boat ;
- (iv) The Skipper/Master shall report to the Harbour Manager immediately before departure from fishing port and immediately upon entry into such port ;
- (v) The Skipper/Master of any boat shall not use or cause to be used any fishing boat in respect of which operation licence granted under these regulations for fishing operations in the territorial waters of another coastal state unless authorized to do so in accordance with the laws of that state ;
- (vi) The boat shall not catch, land, transport, tranship, receive or keep in the possession of any prohibited species such as Marine Mammals, Turtles, Thresher Shark species or Seas Birds and Tag species ;
- (vii) The skipper/Master shall keep in possession and maintain an updated log book at all times ;
- (viii) The Skipper/Master shall certify that the information contained in the logbook maintained under paragraph (vii) to be accurate, complete and correct and shall submit original of the relevant log book sheet to an Officer nominated by the Director-General or any other authorized officer on reaching the fishery harbour;
- (ix) The maximum length of such gill nets shall be less than two point five kilometers where the fishing operations in the High Seas are carried out by using Gill nets ;
- (x) No Skipper/Master shall engage in fishing operation within one nautical mile radius from data buoys installed in high seas and shall not damage such data buoys ;
- (xi) No Skipper/Master shall engage in fishing operations in the area defined by co-ordinates 0° - 10° North, 40° - 60° East in the Indian ocean and any in other protected areas using long lines during the month of February and using Purse Seine during the month of September ;

- (xii) (a) Any person utilizing a Purse Seine net shall be required to keep on board and unload all bigeye tuna, Skipjack tuna, and yellow fin tuna caught in the sea except such fish unfit for human consumption ;
- (b) When the Skipper/Master finds that there is insufficient space in the fish hold he shall take one of the following steps :-
- (i) he shall take steps to release the tuna (bigeye tuna, skipjack tuna and yellowfin tuna) alive as soon as possible ; and
- (ii) he shall not fish after the discard of tuna (bigeye tuna, skipjack tuna and yellow fin tuna) until the boat reaches the port.
- (c) No Skipper/Master shall intentionally set purse seine around cetaceans and whale shark.

5. Any person granted with a licence under regulation 2 shall not be permitted to unload or tranship fish in any port of any other country.

6. In these regulations unless the context otherwise requires -

“Director-General” means the Director General of Fisheries and Aquatic Resources appointed under Section 2 of Fisheries and Aquatic Resources Act, No. 2 of 1996 ;

“Holder of Licence” includes an agent or any employee of the license holder or owner of the boat.

Regulation 2

SCHEDULE I

PRESCRIBED FISHING OPERATIONS FOR HIGH SEAS

1. Purse Seine fishing operations.
2. Long Line fishing operations.
3. Gillnet cum Longline fishing operations.
4. Gillnet fishing operations.
5. Pole and line fishing operations.
6. Handline fishing operations.
7. Trolling fishing operations.

Any other fishing gear to be introduced with the development of fisheries in agreement with the international/regional convention/resolution ratified/complied by Sri Lanka.

Regulation 3(1)

SCHEDULE II

DEPARTMENT OF FISHERIES AND AQUATIC RESOURCES, MALIGAWATTA, COLOMBO 10, SRI LANKA

APPLICATION FOR A LICENCE FOR HIGH SEAS FISHING OPERATIONS

1. Details of the Owner

- (a) Full Name of owner : _____ ;
- (b) National Identity Card Number of owner : _____ ;
- (c) Permanent address of the owner : _____ ;

(d) Mailing Address : _____ ;

(e) Telephone No. : _____ ;

(f) E-mail : _____ ;

2. Details of the Skipper/Master

(a) The name, address, telephone numbers and National Identity Card number of the Skipper/Master : _____ ;

(b) Number and date of license of the skipper : _____ ;

3. Details of the boat

(a) Registration number of the Boat ;

Date of the first Registration : _____ ; Date of Renewal : _____ ;

(b) Name of the Boat (If any) : _____ ;

(c) International Radio Communication Sign : _____ ;

(d) Port of Registry : _____ ;

(e) The Boat's previous flags (If any) : _____ ;

(f) Country of origin, Year of built : _____ ;

(g) Type of Boat : _____ ;

(h) Hull Material : _____ ;

(i) Gross Tonnage : _____ ;

(j) Length Overall : _____ ;

(k) Type of the Engine : _____ ;

(l) Engine Number : _____ ;

(m) The power of the main engine/engines of the boat : _____ ;

4. Details of fishing Gear/Methods

(a) Gill nets (it should be less than 2.5 k.m. in length)

<i>Total length</i>	<i>Depth</i>	<i>Mesh Size/Ply</i>	<i>Target Species</i>

(b) Long line :

<i>Total Number of Hooks</i>	<i>Number of Units</i>	<i>Target Species</i>

(c) Pure Seine

<i>Length of the Net</i>	<i>Depth of the Net</i>	<i>Free Swimming/FAD (Anchored/Drifting)</i>	<i>Target Species</i>

(d) Other type of Gear used

I, hereby confirm that the information provided in the above declaration is true and correct to the best of my knowledge.

In the event of issuing a licence to me for high seas fishing, I, undertake to comply with the conditions specified therein in accordance with High Seas Fishing Operation Regulations No. 1 of 2014 under the Fisheries and Aquatic Resources Act, No. 2 of 1996 as amended by Act, No. 35 of 2013 and comply with conservation and management measures adopted in keeping with the United Nations Law of the Sea Convention 1982, United Nations Fish Stock Agreement 1995, and Indian Ocean Tuna Commission, United Nations Agreement Food and Agriculture Organization (FAO) Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing 2009.

.....
 Signature of the Applicant

.....
 Date

For Office Use Only

(a) Observations/recommendations of the Fisheries Inspector (FI)

Amount paid : Rs. Date of payment : Receipt No. :

(b) Issue of licence for high seas fishing is recommended/not recommended;

..... Signature Name of the fisheries Inspector Division of the fisheries Inspector Date
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(b) Order of the Director General/Asst. Director/Licensing Officer

I approve/do not approve the issue of a license for high seas fishing.

(i) High seas fishing to be conducted using Boat Name :

Registration No. :

2. Approved Licence Fishing Gear

<i>Type of gear</i>	<i>Lengh and Depth of nets/mesh sizes</i>	<i>Number of Hooks</i>

3. Target specices :

4. Conditions for fishing operations :

5. If Application for License is not approved, reasons are :

.....
Signature of Director/General/Asst. Director.

Date :

Name :

Designation :

District :

Regulation 3(1), (3)

SCHEDULE III

Fee for Fishing Operation License in the High Seas

- | | |
|--|--|
| 1. Boats more than twenty four (24) metres in length | - Rupees Five Hundred Thousand (Rs. 500,000) |
| 2. Boats between fifteen (15) to twenty four (24) meters in length | - Rupees Fifty Thousand (Rs. 50,000) |
| 3. Boats between ten decimal three (10.3) to fifteen (15) metres-
in length | - Rupees Fifteen Thousand (Rs. 15,000) |

Regulation 3(2)

SCHEDULE IV

DEPARTMENT OF FISHERIES AND AQUATIC RESOURCES COLOMBO, SRI LANKA.

T.P./Fax No.: + 94112449170
email : depfish@fisheries.gov.lk

FISHING OPERATIONS LICENSE FOR HIGH SEAS FISHING

Licence for engaging in fishing operations in high seas is hereby granted to Mr./Ms/
..... of
from..... to in terms of the provisions of High Seas Fishing
Operation Regulations No. 1 of 2014 under the Fisheries and Aquatic Resources Act, No. 2 of 1996 as amended by Act, No 35

of 2013 and comply with conservation and management measures United Nations Law of the Sea Convention 1982, United Nations Fish Stock Agreement 1995 and Indian Ocean Tuna Commission, under United Nations Food and Agriculture organization (FAO) Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing 2009. (please see overleaf for conditions of the license)

1. Registration number of the boat for which the License is issued :

2. Length of the fishing boat :

3. Authorized Fishing Operations under the Licence :

<i>Authorized fishing gear</i>	<i>Length of fishing nets & Mesh size (Maximum length should be 2.5 k.m.)</i>	<i>No. of hooks, Length of the floating line & Length of the branch lines</i>	<i>Authorized species of fish</i>	<i>Area of fishing in high seas</i>
				In the high seas of the Indian ocean out side the Exclusive Economic Zone of another coastal state

4. Home port landing :

5. Fishing duration :

Catching, keeping in possession, transporting and transhipping of Marine mammals, Turtles, Thresher Sharks, species of Sea birds are totally prohibited. No fishing operation should be conducted within the radius one km of the data buoys installed in high seas.

.....
 Director General/Licensing Officer

Date :

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