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PART I : SECTION (I) — GENERAL

Government Notifications

L.D.B. 4/1996.

FISHERIES AND AQUATIC RESOURCES ACT, No. 2 OF 1996

REGULATIONS made by the Minister of Fisheries and Aquatic Resources Development under section 61, read with paragraph (c) of Section 8 of the Fisheries and Aquatic Resources Act, No. 2 of 1996.

DR. RAJITHA SENARATNE,

Minister of Fisheries and Aquatic Resources Development.

Colombo,
21st November, 2011.

Regulations

1. These regulations may be cited as Inland Fishing Operations Regulations, 2011.
2. These regulations shall apply to every licensee who engages in inland fishing operation in the areas referred to in the First Schedule.
3. Notwithstanding anything to the contrary contained in the Inland Fisheries Management Regulations of 1996, a licensee shall not engage in any fishing operations in the areas referred to in the First Schedule unless specific written approval is obtained.
4. A person shall not use any fishing gear other than gill nets within the areas referred to in the First Schedule. The maximum number of gill nets and boats (Oru) that could be used, shall be determined by the respective Fisheries Society of the area referred to in that Schedule with the concurrence of the Director General or a licensing officer specially authorized in writing in that behalf by the Director General.

5. A person shall use a gill net which has a mesh size more than four inches (101.6 mm) and maximum length shall be less than one thousand five hundred (1,500) meshes.

6. Gill nets shall be used in the specified areas only during the hours 3.00 p. m. to 7.00 p. m. for net laying and harvesting from 5.00 a. m. to 09.00 a. m. of the following day. A person shall engage in catching fish in the reservoir in the licence only once a day.

7. Any person, who wished to obtain a licence under regulation 2 may make a written application substantially in Form A of the Second Schedule hereto to the Director-General or a licensing officer specially authorized in writing in that behalf by the Director-General to receive such application together with the specific licensing fee for using a set of gill nets.

8. The Director -General or the licensing officer may, on receipt of an application for a licence, after inquiry either grant to the applicant a licence in Form B in the Second Schedule hereto or, for reasons to be recorded by him, refuse to grant a licence and refund the licence fee.

9. Every licence issued under these regulations shall be valid for a calendar year.

10. Every licence may be renewed by the Director General or the licensing officer, as the case may be, for a further period of one year on payment of a renewal fee for using a set of gill nets.

11. The Fisheries Society of the area referred to in Regulations 4 with the concurrence of the Director General shall identify and designate a fish landing site or sites to carry out activities relating to inland fishing. These activities shall include leaving to engage in fishing activities, landing of fish caught, selling the fish and anchoring of boats.

12. No person shall catch, sell, transport or be in possession of fish belonging to the -

- (1) Tilapia species with individual weight of not less than 250 grams ;
- (2) Rohu (*Labeo rohita*), Catla (*Catla catla*), Mirigal (*Cirrhinus mrigal*), Bighead carp (*Aristichthys mobilis*), Silver carp (*Hypophthalmichthys molitrix*), Grass carp (*Ctenopharyngodon idella*), species with individual weight of not less than 1,500 grams.

within the half kilo meter distance from any reservoir referred to in Schedule I.

13. In these regulations :

“Director-General” means the Director General of Fisheries and Aquatic Resources appointed under Section 2 of the Fisheries and Aquatic Resources Act, No. 2 of 1996 as amended by Act, No. 4 of 2000 ;

“gill net” means a net set at any depth, surface, mid water or at the bottom layers of water ;

“licensee” means a person to whom a valid licence is issued to engage in any prescribed inland fishing operation.

“set of gill nets” means a unit consisting of not more than six gill nets ;

“Secretary” means the Secretary of the Ministry of the Minister appointed under Article 44 of the Constitution to be in charge of the subject of Fisheries and Aquatic Resources Development.

FIRST SCHEDULE

Regulation 2

INLAND FISHING OPERATION AREAS

1. Hakwatuna oya Reservoir
2. Magalla Reservoir
3. Thabbowa Reservoir
4. Mahavillachchiya Reservoir
5. Padaviya Reservoir
6. Wahalkada Reservoir
7. Pimburettawa Reservoir
8. Girthale Reservoir
9. Kandalama Reservoir
10. Devahoova Reservoir
11. Kotmale Reservoir
12. Chandrikawewa Reservoir
13. Weerawilawewa Reservoir
14. Rathkinda Reservoir
15. Kanthale and Vendrasan Reservoir
16. Senanayake Samudra Reservoir
17. Sorabora Reservoir
18. Muthukandiya Reservoir

SECOND SCHEDULE

Regulation 7

FORM A

APPLICATION FOR ISSUE/RENEWAL OF INLAND FISHERIES MANAGEMENT LICENCE (TO BE SUBMITTED IN TRIPPLICATE)

This application form is in respect of the operation of a fishing unit in inland waters, where the fishing unit includes a boat, this form is to be completed by the owner of the boat. Where the fishing unit does not include a boat, this form is to be completed by the owner of the fishing gear.

1. Identity of applicant :
 - (a) Full Name :—
 - (b) Permanent address :—
 - (c) Mailing address :—
 - (d) National Identity Card No. :—
 - (e) Fisheries Identity Card No. :—
2. Particulars of inland waters where fishing is to be carried out :
 - (a) Name of the reservoir :—
 - (b) District(s) where fishing will occur :—
3. Particulars of the gill nets to be used :

(a) Mesh size of the nets :—	(type 1) :—	(type 2) :—	(type 3) :—
(b) Number of nets :—	(type 1) :—	(type 2) :—	(type 3) :—
(c) Average Length of nets :—	(type 1) :—	(type 2) :—	(type 3) :—
(d) Average Depth of nets :—	(type 1) :—	(type 2) :—	(type 3) :—

4. Description of the boat to be used in the fishing operation :
 - (a) Type :—
 - (b) Length :—
 - (c) Registration No. :—
5. The number of persons who will be employed by the applicant to be engaged in fishing operations (including the skipper) :
6. Particulars of the landing site (s) :
 - (a) Name of the landing site (s) :—
 - (b) What other information is necessary :—
7. If this is an application for the renewal of a licence, then give the following details :
 - (a) Previous fishing Licence No. :—
 - (b) Date of issue :—
 - (c) Date of expiry :—
 - (d) Name of issuing officer :—
 - (e) Designation of issuing officer :—
 - (f) District of issuing officer :—

I certify that the foregoing is a true statement of fact to the best of my knowledge. If the licence is granted to me, I undertake to abide by the fisheries regulations and the conditions of the licence.

.....
Signature of the Applicant.

Date:.....

For office use only

Comments by the Aquaculture Extension Officer

.....
Signature of the Officer.

Name :—

Designation :—

Area :—

Date :—

Recommendation of the Assistant Director of the District/District Aquaculture Extension Officer/Regional Aquaculture Extension Officer/District Aquaculture Extension Officer.

I recommend that applicant be granted/not granted a licence to engage in the fishing operations as described, subject to the following conditions.

If licence not recommended reasons are :—

.....
Signature of the Officer.

Name :—

Designation :—

District :—

Date :—

4A

4. Description of the boat to be used in the fishing operation :
 - (a) Type :—
 - (b) Length :—
 - (c) Registration No. :—
5. The number of persons who will be employed by the applicant to be engaged in fishing operations (including the skipper) :
6. Particulars of the landing site (s) :
 - (a) Name of the landing site (s) :—
 - (b) What other information is necessary :—
7. If this is an application for the renewal of a licence, then give the following details :
 - (a) Previous fishing Licence No. :—
 - (b) Date of issue :—
 - (c) Date of expiry :—
 - (d) Name of issuing officer :—
 - (e) Designation of issuing officer :—
 - (f) District of issuing officer :—

I certify that the foregoing is a true statement of fact to the best of my knowledge. If the licence is granted to me, I undertake to abide by the fisheries regulations and the conditions of the licence.

.....
Signature of the Applicant.

Date:.....

For office use only

Comments by the Aquaculture Extension Officer

.....
Signature of the Officer.

Name :—

Designation :—

Area :—

Date :—

Recommendation of the Assistant Director of the District/District Aquaculture Extension Officer/Regional Aquaculture Extension Officer/District Aquaculture Extension Officer.

I recommend that applicant.....
of.....be granted/not granted a licence to engage in the
fishing operations as described, subject to the following conditions.

If licence not recommended reasons are :—

.....
Signature of the Officer.

Name :—

Designation :—

District :—

Date :—

FORM B

LICENCE ISSUED UNDER INLAND FISHERIES MANAGEMENT REGULATIONS

..... is hereby authorized under the Inland Fishing Operations Regulations 2011, to use, operate or cause to be used or operated the under-mentioned fishing gear and boats for the purpose of taking fish from situated at in the district of subject to the conditions set out in the licence.

(a) Particulars of fishing gear

Type of gear	No. of Units	Mesh sizes (if applicable)
.....

(b) Particulars of the boat : (indicate as oru, wallama, theppama etc.)

Type of boat	Length of boat	Registered No.
.....

.....
Signature of Director General of Fisheries and
Aquatic Resources/Licensing Officer.

Date:—

CONDITIONS

- (1) The licence, unless earlier cancelled or refused, will be valid for one calendar year.
- (2) The licensee shall produce or cause to be produced the licence for inspection whenever called upon to do so by any state officer authorized by the Director.
- (3) The licensee or any person in the service or employment of the licensee, under the authority of this licence, shall not -
 - (a) use or cause to be used any fishing gear or any type of boat other than the fishing gear or type of boat specified herein ;
 - (b) interfere with or damage any irrigation work or installation in the Inland Waters specified in this licence ;
 - (c) interfere with or damage, any pen, net cage or any other aquaculture holding facility installed in the inland waters specified in this licence ;

- (d) erect or cause to be erected any wadiya or other structure, for any purpose connected with any matter in respect of which this licence has been issued or otherwise than as directed by the executive engineer of the area or his representative;
 - (e) take or cause to be taken for any purpose connected with any matter in respect of which this licence has been issued, any vehicle over any irrigation work, bund or road in contravention of any order made by the executive engineer of the area ;
 - (f) drain into or deposit in or cause to be drained into or deposited in any area specified in this licence, any fish waste, refuse or any kind of fish whatsoever ; *and*
 - (g) pollute or cause the pollution of the area specified in this licence or its immediate environs.
- (4) When requested by the Director-General, the licensee shall transmit to the Director General the true and complete particulars of all activities carried on by him under the authority of this licence.