

PART I : SECTION (I) - GENERAL

Government Notifications

L. D. - B. 4/96.

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 Section 32 of the Fisheries and Aquatic Resources Act, No. 2 of 1996.

INDIKA GUNAWARDENA,

Minister of Fisheries and Aquatic Resources Development.

Colombo,

14th March, 1997.

Regulations

1. These regulations may be cited as the Fisheries Committee Regulations, 1997.
2. One or more Fisheries Committees may be established in a fisheries management area declared by the Minister under the Fisheries and Aquatic Resources Act.
3. A Fisheries Committee (hereinafter referred to as "Committee") may be formed by at least 10% of the number of registered fishermen in the area.
4. The following fishermen may become members of a Committee :
 - (a) registered fishermen of the area ;
 - (b) migrant fishermen engaged in fishing operations in the area.
5. A Committee may be registered by the Director on application made by such Committee. Such Committee shall furnish the following documents to the Director when applying for registration.
 - (a) application for registration ;
 - (b) the Constitution of the Committee (in duplicate) ;
 - (c) Certified copies of the Minutes of the General Meetings at which the Executive Board was elected and the Constitution was adopted and a Certificate of the Secretary stating that the Executive Board was appointed in accordance with the Constitution ;
 - (d) A report showing Committee's performance and the financial status of the Committee up to the time of application for registration.
6. If the Director is satisfied that it is in the interest of the fishing industry to register such Committee he may register such Committee. In granting registration, the Director shall—
 - (a) register the name of the Committee with the number and date of registration in the Register of Fisheries Committees ; and
 - (b) issue Certificate of Registration to the Committee.
7. Any fisherman on the register of fishermen of any area may apply to the Secretary of any one Committee of that area for membership of such Committee and he may be granted such membership in accordance with the rules of such Committee.
8. Any member of a Committee may resign from the Committee by giving one calendar month's notice in writing to the Secretary and paying any dues to the Committee.
9. Any member of a Committee who ceases to possess the qualifications referred to in regulation 3 shall cease to be a member of such Committee.
10. Each registered Committee shall maintain a list of its members.
11. Each Committee shall keep in its office, copies of the Fisheries and Aquatic Resources Act and regulations made thereunder, the Constitution of the Committee register of members and the statement of accounts so that any member may examine the same.
12. A registered Committee shall have the power for the purpose of achieving its objects, to acquire by purchase or otherwise any movable or immovable property, or to sell, mortgage, exchange or dispose of any movable or immovable property provided however that no immovable property shall be so dealt with, without the prior written approval of the Director.
13. A Committee may prepare programmes and implement them according to the Fisheries Management Plan of each area for the management of the fisheries and aquatic resources and the conservation and development of such resources.

14. Every Committee shall corporate with other bodies, official and otherwise in respect of fishing operations, gear, methods, areas of fishing and the fishing periods declared under the law.

15. A Committee may collect subscriptions from the members and charge any fees for services rendered by the Committee.

16. A Committee may, with the prior approval of the Director, borrow such sums of money as may be required for the purpose of achieving its objects.

17. A Committee shall obtain prior approval of the Director for purchases of assets to the value of or exceeding Rs. 25,000.

18. Any Committee may invest any of its monies not required for immediate use in a State Bank, or with the prior approval of the Director, in some other Bank.

19. After the annual audit at the end of a financial year of any registered Committee, the surplus funds may be utilised as follows :-

(a) a sum not less than 25% of such surplus may be deposited in a Reserve Fund ;

(b) the balance may be utilised for the payment of bonuses to the employees of the Committee or such other purposes of the Committee, as may be approved by the Committee.

20. The supreme administrative body of any Committee shall be the general meeting of the members of such Committee.

21. Each Committee shall, in addition to the general meetings held by it, hold an annual general meeting each year. The notice conveying such meeting should state that it is as "annual general meeting". An annual general meeting shall be held on a day not earlier than twelve months and not later than fifteen months after the holding of the previous annual general meeting.

22. At the annual general meeting, the following business shall be conducted :-

(a) Election of the Chairman, Secretary, Treasurer and members of the Executive Board ;

(b) Adoption of the Annual Plan and Budget ;

(c) Consideration of the annual audit report and Review of Activities during the previous year.

23. If a Committee fails to hold the annual general meeting, the Director may direct the Committee to summon such meeting.

24. (1) A Committee, may hold ordinary general meetings from time to time.

(2) The Director or any officer authorised by him may attend any meeting of the Committee or the Board.

(3) A Committee or Board shall decide every issue before it by the majority of votes of the members present at the meeting of such Committee or Board.

(4) In the event of an equality of votes on any issue, the Chairman or other member presiding shall have a casting vote in addition to his own vote.

25. The Executive Board of each Committee shall be in charge of the management of the affairs of such Committee. It may consist of some or all office-bearers and/or members specially elected to the Executive Board.

26. A member of the Executive Board may be paid such allowance as may be determined by the Committee with the prior approval of the Director.

27. Any office-bearer or member of the Executive Board of a Committee shall be eligible to be re-elected at a subsequent annual general meeting of the Committee.

28. The Executive Board may -

(a) prepare and implement a Resources Management and Development Plan in its area ;

(b) prepare and implement welfare programmes for the upliftment of the standard of living of the fishing community in its area ;

(c) monitor the grant and recovery of loans to fishermen ;

(d) utilise the assets of the Committee for the attainment of the objects of the Committee ;

(e) assist the Department of Fisheries and Aquatic Resources and its officers in its area.

29. Subject to the provisions of the Fisheries and Aquatic Resources Act, No. 2 of 1996 and regulations made thereunder, each Committee shall have a Constitution providing for the Name of the Committee, its objectives, source and control of funds, admission of members, termination of membership, the Executive Board and the conduct of the officers of the Committee and the amendment of the Constitution.

30. (1) The Board of each Committee shall cause proper books of accounts to be kept of the income and expenditure, assets and liabilities and all other transactions of the Committee.

(2) Books of Accounts and other Records of the Committee shall be kept in the Committee office or at any other place the Executive Board thinks suitable. These books and records shall be made available to the Director or any other person authorised in writing by the Director for purposes of audit.

31. The Director or a person authorised by him to audit the accounts of a Committee may summon an officer of an existing or previous Committee employee, agent or member or any other person having information relating to the activities and transactions of the Committee to provide the information or to produce any book or document or money or other asset of a Committee in his possession.

L. D. - B. 4/96.

FISHERIES AND AQUATIC RESOURCES ACT, No. 2 OF 1996

REGULATIONS made by the Minister of Fisheries and Aquatic Resources Development under Section 61 of the Fisheries and Aquatic Resources Act, No. 2 of 1996.

INDIKA GUNAWARDENA,
Minister of Fisheries and Aquatic Resources Development.

Colombo,
14th March, 1997.

Regulations

1. These regulations may be cited as Fisheries (Information) Regulations, 1997.
2. Every fisherman, boat owner and member of the crew of every boat who are engaged in fishing operations shall furnish to any officer, authorized by the Director of Fisheries and Aquatic Resources in writing in that behalf (hereinafter referred to as "the relevant officer"), all statistical information on fish and aquatic resources landed at any place or carried on board a fishing craft in the Sri Lanka Waters.
3. Any relevant officer shall have the right to enter any place where aquaculture is carried on and the persons engaged in aquaculture, the owner or any other person in charge of such place, furnish to the relevant officer, all such information on the reservoirs, ponds or sites where aquacultural activities are carried on, as may be required by such officer.
4. A relevant officer shall have the right to obtain information on the prices of fish and aquatic products from persons or institutions having such information and such person and institutions are required to furnish such information to such relevant officers.
5. Exporters of fish are bound to furnish all statistical information to relevant officer in respect of such exports.
6. Importers of fish are bound to furnish all statistical information to relevant officer in respect of such imports.
7. Persons who are engaged in fish processing are bound to furnish all statistical information regarding the fish or fish products they process to relevant officer.
8. Persons who are engaged in the production of ice for preservation and icing of fish shall furnish all such information on their products as may be required by relevant officers.
9. Persons who are engaged in the production of fishing boats shall furnish all such information on their products as may be required by relevant officer.
10. Persons who are engaged in the production of fishing nets, fishing gear and equipment for fishing shall furnish all such information on their products as may be required by relevant officer.

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L.D. - B. 4/96

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 Section 33 of the Fisheries and Aquatic Resources Act, No. 2 of 1996.

INDIKA GUNAWARDENA,
Minister of Fisheries and Aquatic Resources Development.

Colombo,
14th March, 1997.

Regulations

1. These regulations may be cited as Fisheries (Register) Regulations, 1997.
2. (1) Every fisherman residing in, and every migrant fisherman carrying on fishing operations in a fisheries management area, shall furnish particulars in Form "A" in the Schedule hereto to the Fisheries Inspector or the District Fisheries Extension Officer of the area for the purpose of preparing the register of fishermen.
(2) The particulars so furnished shall be conveyed to the Director.

3. The Director shall prepare a register of fishermen (hereinafter referred to as "the register") in Form "B" in the Schedule hereto.
4. The register shall be in Triplicate and in such number of volumes as may be required. The register pertaining to each fisheries management area shall be kept in the custody of the District Fisheries Extension Officer and the Fisheries Inspector of that area.
5. The first register of any fisheries management area shall be prepared and certified by the Director. The Director shall transmit one copy of the register to the District Fisheries Extension Officer, one copy to the Fisheries Inspector and another copy to the Secretary of the Fisheries Committee of such area.
6. Any fisherman whose name appears on the register may, on application, together with a fee of Rs. 10 to the Fisheries Committee, be provided with a certified copy of the entry on the register relating to him in Form "C" of the Schedule hereto. The certified copy shall bear a stamp to the value of Rs. 10 and the Secretary of the Fisheries Committee shall cancel the same.
7. (1) Every Fisheries Committee shall publish in such manner and within such period as may be specified by the Director, a notice stating that-
 - (a) the register in respect of that area is open for inspection;
 - (b) any person may within a period of one month from the date of the notice inform the Fisheries Committee -
 - (i) that his name has not been included in the register; or
 - (ii) that the particulars stated in the register are incorrect
 and request to the Secretary of the Fisheries Committee to have the register revised.
 - (c) any person who objects to the inclusion of the name of another person in the register may in writing addressed to the Secretary of the Fisheries Committee, within a period of one month from the date of the notice and request that name be removed from the register.
- (2) (a) Any request under sub-paragraph (b) of paragraph (1) of this regulation shall be in Form "D" of the Schedule hereto and shall accompany a fee of Rs. 10.
- (b) Any request under sub-paragraph (c) of paragraph (1) of this regulation shall be in Form "E" of the Schedule hereto and shall accompany a fee of Rs. 15.
- (c) On receipt of a request under sub-paragraph (c) of paragraph (1) of this regulation, the Fisheries Committee shall-
 - (a) assign a serial number of the request; and
 - (b) enter the relevant particulars in a record to be kept in Form "F" of the Schedule hereto.
8. The Fisheries Committee shall by written notice summon any person who requests a review of the register and any other party interested for an inquiry at such time, date and venue as may be specified in such notice. The Fisheries Committee may after the inquiry, revise the register as requested or refuse to do so and shall notify its decision to each party.
9. (1) Any person may within 30 days of being notified of the decision of the Fisheries Committee submit an appeal against such decision to the Director.
- (2) Every appeal shall be in writing and state the reasons for the appeal and shall be accompanied by a fee of Rs. 25.
- (3) The Director shall notify parties the date and place of the hearing of the appeal. His decision on the appeal shall be final.
- (4) Where the Director in deciding an appeal order that a specific revision of the register be made, it shall be the duty of the Fisheries Committee to give effect to that order.

In these regulations-

"Director" means the Director of Fisheries and Aquatic Resources appointed under the Fisheries and Aquatic Resources Act, No. 2 of 1996;

"District Fisheries Extension Officer" means a District Fisheries Extension Officer appointed under the Fisheries and Aquatic Resources Act, No. 2 of 1996;

"Fisheries Inspector" means a Fisheries Inspector appointed under the Fisheries and Aquatic Resources Act, No. 2 of 1996;

"Fisherman" means a person who engages in catching, taking, killing, collecting or culturing fish by any method.

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பகுதி I : தொகுதி (I) — இலங்கைச் சனநாயக சோசலிசக் குடியரசு வர்த்தமானப் பத்திரிகை — அதிவிசேஷமானது — 1997.04.25
PART I : SEC. (I) - GAZETTE EXTRAORDINARY OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA - 1997.04.25

SCHEDULE

Regulation 2.

Form "A"

Serial No.:—

FISHERIES AND AQUATIC RESOURCES ACT, No. 2 OF 1996 PARTICULARS FOR THE COMPILATION OF THE REGISTER OF FISHERMEN

1. Fisherman's name :—
2. Date of birth and age :—
3. Permanent Address :—
4. Grama Niladhari Division :—
5. National Identity Card No.:—
6. The name of the Fisheries Committee in whose area of authority fishing operations are conducted by the fishermen or the fisherman resides :—
7. The method of taking fish :—
8. Whether engaged in fishing operations independently or as an employee under another person :—
9. Date :—

Signature of Fisherman.

Observations of the Fisheries Inspector of the Fisheries Committee area :—

Signature of the Fisheries Inspector.

Date :—

District Fisheries Extension Officer.

_____, District.

Date :—

Form "B"

Regulation 3.

Volume :—

REGISTER OF FISHERMEN

1. Name of the Fisheries Committee :—
2. District Fisheries Extension Officer's Division :—
3. Divisional Secretary's Division :—
4. Fisheries Inspector's Division :—
5. Village/Grama Niladhari's Division :—
6. Fisheries Management Area :—
7. Name of the Fisheries Inspector :—

Serial No.	Fisherman's Name and Address	Registration No. and Date	Gear Method	Occupation	Remarks

Director's Signature and Seal.

Form "C"

Regulation 6

CERTIFIED COPY OF EXTRACT FROM THE REGISTER OF FISHERMEN

1. Name of the Fisheries Committee : _____
2. District of Fisheries Extension Officer's Division : _____
3. Divisional Secretary's Division : _____
4. Fisheries Inspector's Division : _____
5. Grama Niladhari's Division : _____
6. Fisheries Management Area : _____
7. Name of Fisheries Inspector: _____

Serial No.	Name of the Fisherman	Date of Regn.	Gear Method	State	Sing. of F/Insp.	Any other Remarks

I certify that the foregoing is a true copy of an entry in the Register of Fishermen.

Chairman / Secretary of the Committee.

Official Seal.

Date : _____

Regulation 7.

Form "D"

APPLICATION FOR REVISION OF THE REGISTER OF FISHERMEN

Secretary,
 Fisheries Committee,

1. I, of hereby declare that, in the Register of Fishermen pertaining to Fisheries Committee area -

- (a) my name has not been included ; and / or
 - (b) the particulars mentioned against my name are incorrect.
2. Present entry (No. of the leaf and the No. of the entry should be indicated as appearing in the register) : _____
 3. Form of entry requested : _____
 4. Reasons for revision : _____
 5. Documents in support of request : _____
 6. Parties affected :

Name	Address
1.
2.
3.

I have deposited the sum of Rs. 10 at the Fisheries Committee office. Official receipt No. dated is attached.

Date : _____
 Address : _____

Signature of person requesting revision or his thumb impression.

Form "E"

Regulation 7.

OBJECTIONS TO THE INCLUSION OF CERTAIN NAMES IN REGISTER OF FISHERMEN

Secretary,

..... Fisheries Committee,

I of hereby
 declare that, my name appears in the Register of Fishermen page No. of Volume No. pertaining
 to the year of the Fisheries Committee.

2. I do hereby object to the inclusion of the names of in page
 of that register.

3. The entry appearing in the Register of Fishermen mentioned above to, which I am objecting is as follows (Insert as appearing
 in the Register).

4. The text of the revision that I request is as follows :

5. Reasons for my objection are as follows :

6. The interested parties that should be summoned are :

Name	Address
1.
2.
3.

I am attaching hereto a Receipt No. for the application fee of Rs. 15 paid by me to the Fisheries Committee.

Signature or thumb impression of party objecting.

Date :

Form "F"

Regulation 7.

LIST OF REQUESTS AND OBJECTIONS

1. Name of the Fisheries Committee :
2. District of Fisheries Extension Officer's Division :
3. Divisional Secretary's Division :
4. Fisheries Inspector's Division :
5. Register of Fishermen for the year ended 19.....
6. Period of request from 19..... and period of objection from 19.....

Serial No. of Request or Objections in the order of receipt	Name of person making request	Brief account of the objection	Date of Fish Comm. Inquiry and its decision	Date of notifying decision to applicant	Intls. of Secy. of Fisheries Committee