



**Department of Fisheries and Aquatic Resources
Colombo, Sri Lanka**

**COLLECTION OF
HIGH SEAS FISHING LEGISLATIONS
IN SRI LANKA**

June 2015
(Updated on October 2015)

Towards Responsible Fishing



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Regulations related to High Seas Fisheries
Management of Sri Lanka
made under the Fisheries act



Probation of catching Treasure Shark Regulations

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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 1768/36 - 2012 ජූලි මස 27 වැනි සිකුරාදා - 2012.07.27
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PART I : SECTION (I) — GENERAL

Government Notifications

L.D.B. 1/2012.

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 29 of Fisheries and Aquatic Resources Act, No. 2 of 1996.

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

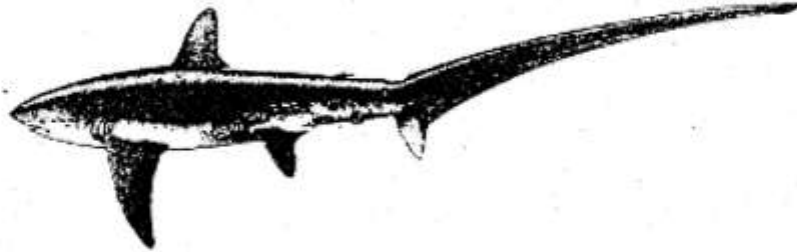
Colombo,
25th July 2012.

Regulations

1. These regulations may be cited as the Prohibition of Catching Thresher Shark Regulations 2012.
2. These regulations shall apply to any fishing boats operated in Sri Lanka waters, or high seas and anchored in a Sri Lankan Port.
3. No person shall catch Thresher Shark species of the family *Alopiidae* (hereinafter referred to as the "Thresher Shark") when engaged in any fishing operation, recreational or sport fishing.
4. No owner or skipper of a fishing boat shall retain onboard, transship, land, store, sell or offer for sale any part or whole carcass of Thresher Shark.
5. It shall be the duty of the owner or skipper of a fishing boat—
 - (a) to release Thresher Shark caught incidentally to the sea without any harm to the extent practicable; and
 - (b) to record of all the incidental catch and alive release of Thresher Shark in the log book maintained for the purpose.
6. No person shall retain onboard, transship, land, store, sell or offer for sale any of Thresher Shark.
7. The species of the family *Alopiidae* shall include *Alopius vulpinus* (Thresher Shark), *Alopius superciliosus* (Bigeye thresher shark) and *Alopius pelagicus* (Pelagic thresher shark) as may be depicted in the Schedule hereto.

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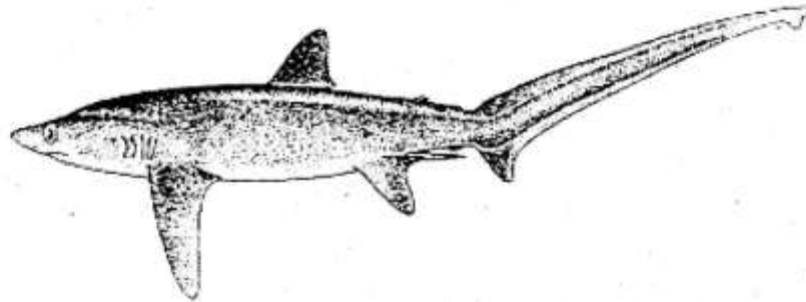
SCHEDULE



Alopius vulpinus

Thresher shark

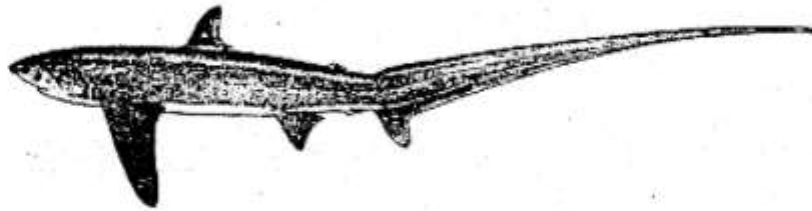
Kasa Mora



Alopius superciliosus

Bigeye Thresher shark

Kasa Mora



Alopius pelagicus

Pelagic Thresher shark

Kasa Mora



Fish Catch Data collection Regulations

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EXTRAORDINARY

අංක 1878/11 - 2014 සැප්තැම්බර් මස 01 වැනි සඳුදා - 2014.09.01
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PART I : SECTION (I) — GENERAL
Government Notifications

L.D.B. - 1/ 2012.

FISHERIES AND AQUATIC RESOURCES ACT, No. 2 OF 1996

REGULATIONS made by the Minister of Fisheries and Aquatic Resources Development, under paragraph (1), (m) and (s) of sub-section (1) of Section 61 of the Fisheries and Aquatic Resources Act, No. 2 of 1996.

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

Colombo,
27th August 2014.

Regulations

1. These Regulations may be cited as the Fish Catch Data Collection Regulations, 2014.
2. Every person who uses mechanized fishing boat registered under the Registration of Fishing Boats Regulations, 1980 published in the *Gazette Extraordinary* No. 109 of October 3, 1980, for fishing in Sri Lanka waters or high seas, shall carry onboard a log book issued by the Department of Fisheries and Aquatic Resources during each fishing trip.
3. (1) Every person who engages in fishing, in terms of these regulations shall maintain a record of the catch in the log book, relating to each fishing trip.
(2) The log book shall be produced for inspection to any authorized officer, if so required by such officer.



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3 - PG 2157

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4. (1) Every person who engages in fishing in terms of these regulations shall submit the log book to the authorized officer.

(2) The authorized officer shall check and certify such log book at the end of every three months.

5. Every Owner, Captain, Skipper or Operator of the fishing boat who supplies fish for export shall be required to submit to the Competent Authority, a certificate substantially in the form "A" or "B", as the case may be, specified in Schedule I hereto, containing a detail of each catch made by him.

6. (1) Every importer who imports fish for re- export shall furnish a duly signed catch certificate and connected documents and a certificate to the effect that the fish products are in compliance with food hygiene conditions, issued from the relevant authority of the country of export of such fish product imported for re-export.

(2) A process statement relating to such products shall be obtained from the authority of the country of export of the fish product, substantially in the Form specified in Schedule II to these regulations.

7. (1) Every exporter who exports fish products shall be required to obtain validated catch certificate, connected documents and a health certificate from the competent authority.

(2) The fish product so exported shall fulfill the requirement of the Fish Products (Export) Regulations, 1998, published in *Gazette Extraordinary* No. 1045/ 1 of September 14, 1998.

8. The Fish Catch Data Collection Regulation 2012, published in the *Gazette Extraordinary* No. 1755/ 32 of April 25, 2012 is hereby rescinded, without prejudice to anything previously done thereunder.

9. In these regulations, unless the context otherwise required -

"authorized officer" means any officer authorized under sub- section (1) of Section 46 of the Fisheries and Aquatic Resources Act, No. 2 of 1996, by the Director - General of Fisheries and Aquatic Resources ;

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

"Health Certificate" means an official document that attest the standard of quality and safety of the fish products intended for export for human consumption during its primary production, handling, processing, packaging and identification of such products;

"Large boat" means a boat-

- (a) with overall length of more than 12 meters with toward gear ;
- (b) A superstructure ; or
- (c) of more than 20 gross tonnage ;

"Small boat" means a boat-

- (a) with overall length of less than 12 meters without toward gear ;
- (b) without a superstructure ; or
- (c) of less than 20 gross tonnage.

SCHEDULE - I

FORM "A"

CATCH CERTIFICATE FOR LARGE BOATS							
Document Number		Validating Authority					
1. Name		Address				Tel. Fax.	
2. Fishing Boat Name		Flag- Home Port and Registration Number		Call Sign		IMO/ Lloyd's Number (if issued)	
Fishing Licence No.- Valid to		Inmarsat No. Telefax No. Telephone No. E-mail address (if issued)					
3. Description of Product		Type of processing authorized in board:			4. Reference of applicable Conservation and management measures		
Species	Product Code	Catch area (s) and dates	Estimated live weight (Kg)	Estimated weight to be issued (Kg)	Verified Weight Landed (Kg) where appropriate		
5. Name of master of fishing boat - Signature - Seal :							
6. Declaration of Transshipment at Sea Name of Master of Fishing Boat		Signature and date		Transshipment Date/ Area/ Position		Estimated weight (Kg)	
Master of Receiving Boat		Signature		Boat Name		Call Sign IMO/ Lloyds Number (if issued)	
7. Transshipment authorization within a port area :							
Name	Authority	Signature	Address	Tel.	Port of Landing	Date of Landing	Seal (Stamp)
8. Name and address of exporter		Signature		Date		Seal	
9. Flag State Authority Validation :							
Name / Title		Signature		Date		Seal (Stamp)	

SCHEDULE - I (Contd.)

FORM "A"

10. Transport details : See Appendix				
11. Importer Declaration :				
Name and addresses of Importer	Signature	Date	Seal	Product CN Code
Documents under Articles 14 (1) (2) of Regulation (EC)	References			
12. Import control : Authority	Place	Importation authorized*	Importation suspended*	Verification requested date
customs declaration (if issued)	Number	Date	Place	

(*) Tick as appropriate

FORM "B"

CATCH CERTIFICATE FOR SMALL BOATS					
Document Number		Validating Authority (Name, Address, Tel., Fax)			
1. Description of Product		2. Reference of applicable conservation and management measures			
Species		Product code	Verified weight Landed (kg)		
3. List of Boats that have provided catches and the quantities by each boat (Name, Registration Number, etc. annexed):					
4. Exporter details/ names and address	Telephone Number	Fax number	Signature	Date	Seal (Stamp)
5. Flag State Authority Validation :					
Name/ Title	Signature	Date	Seal (Stamp)		
6. Transport details : (See Appendix)					
7. Importer Declaration :					
Name and addresses of Importer	Signature	Date	Seal (Stamp)	Product CN Code	
8. Import control : Authority	Place	Importation * Authorized	Importation * Suspended	Verification Requested - date	
Customs declaration (if issued)		Number	Date	Place	

(*) Tick as appropriate

SCHEDULE - II

PROCESS STATEMENT TO PREVENT, DETER AND ELIMINATE ILLEGAL UNREPORTED AND UNREGULATED FISHING

I, confirm that the processed products :..... (product description and Combined Nomenclature code) have been obtained from catches imported under the following catch certificate (s) :

<i>Catch Certificate Number</i>	<i>Boat name (s) and flag (s)</i>	<i>Validation date (s)</i>	<i>Catch description</i>	<i>Total landed weight (kg)</i>	<i>Catch processed (kg)</i>	<i>Processed fishery Product (kg)</i>

Name and address of the processing establishment :

Name and address of the exporter (if different from the processing establishment) :

Approval number of the processing establishment :

Health certificate number and date :

Responding person of the Processing establishment :	Signature	Date :	Place :
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Endorsement by the competent authority :

Official	Signature and seal :	Date :	Place :
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High Seas Fishing Operation Regulations

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EXTRAORDINARY

අංක 1878/12 - 2014 සැප්තැම්බර් මස 01 වැනි සඳුදා - 2014.09.01

No. 1878/12 - MONDAY, SEPTEMBER 01, 2014

(Published by Authority)

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 :

Total Number of Hooks	Number of Units	Target Species

(c) Pure Seine

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

(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

(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

Type of gear	Length and Depth of nets/mesh sizes	Number of Hooks

3. Target species :

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 transshipping 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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Amendment number -01
High Seas Fisheries operation Regulation

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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 1892/41 - 2014 දෙසැම්බර් මස 12 වැනි සිකුරාදා - 2014.12.12

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PART I : SECTION (I) — GENERAL

Government Notifications

L. D. B. 1/2012(II).

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

REGULATIONS made by the acting Minister of Fisheries and Aquatic Resources Development under Section 61(1)(i) of the Fisheries and Aquatic Resources Act, No. 2 of 1996 read with Section 14A, 14B, 14C, 14D, 14E, 14F, 14G, 14H, 14I, 14J, 14K, 14L, 14M, 14N of the said Act and Article 50 of the Constitution of Democratic Socialist Republic of Sri Lanka.

SARATH KUMARA GUNARATHNE,
*Acting Minister of Fisheries and Aquatic
Resources Development.*

Colombo,
11th December 2014.

Regulations

The High Seas Fishing Operations Regulations No. 1 of 2014 published in *Gazette Extraordinary* No. 1878/12 dated September 01, 2014 are hereby amended by the repeal of item 3 of Schedule III thereof and the substitution therefor of the following item.

"3. Boats between Ten Decimal Three (10.3) to Fifteen (15) meters in length - Rupees Five Thousand (Rs. 5000)."

12-963



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Fishing Gear Marking Regulations

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අති විශේෂ

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අංක 1904/10 - 2015 මාර්තු මස 03 වැනි අඟහරුවාදා - 2015.03.03
No. 1904/10 - TUESDAY, MARCH 03 2015

(Published by Authority)

PART I : SECTION (I) — GENERAL

Government Notifications

L. D. B 1/2012 (II).

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

REGULATIONS made by the Minister of Home Affairs and Fisheries under Section 61(1)(h) of the Fisheries and Aquatic Resources Act, No.2 of 1996.

JOSEPH MICHAEL PERERA,
Minister of Home Affairs and Fisheries.

Colombo,
28th February, 2015.

Regulations

1. These regulations may be cited as the Fishing Gear Marking Regulations No. 1 of 2015.
2. Every owner or operator of a fishing boat shall mark all fishing gear including all types of gill nets, surrounding nets, fish aggregating devices, fish traps, Ja kotu and all types of long lines carried on such boat as specified in the schedule I hereto.
3. (a) The fishing gear shall be marked by using a tag or flag and shall be displayed prominently and such marking shall be permanent.

(b) Every flag, utilized for marking shall not be less than Twenty Five centimeters in height and Thirty Five centimeters in width; when two flags are required for marking, the distance between them shall not be less than ten centimeters and every flag shall be made of waterproof material in fluorescent colours;



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4. Every tag used for marking shall be durable with required water proofing and be able to stay attached to the fishing gear in all sea conditions.

5. The markings on the fishing gear shall be in white colour on a black background or in black colour on a white background in an easily readable or identifiable manner by separate letters in one of the official languages depending on the use of the language in the location and in English Language.

6. The markings shall be designed and placed in such a manner in order to prevent interference with the operation and performance of the fishing gear.

7. Any boat call sign name of the boat, harbour in which the boat is registered, registration number of the boat issued by the Department of Fisheries, the name of the owner and the operator of the boat shall be marked in the flag or tag attached to the fishing gear.

8. The code mentioned for the relevant fishing gear in the Schedule II hereto shall be marked in the flag or tag.

9. (1) The fishing gear shall be marked as follows :

- (i) Every tag used for marking shall be four inches in height and six inches in width and all the details specified in regulation 7 shall be printed or embossed on both sides of it;
- (ii) every tag or flag shall be printed using florescent colour in black colour on white background or in white colour on black background.

(2) Subject to regulation 5 every tag or flag shall be painted using florescent colour and shall be firmly fixed to fishing gear.

10. The owner or Master of any fishing boat shall inform the Director General of the Fisheries Department with immediate effect of every abandonment or loss of fishing gear.

11. Every effort shall be made by the crew, owner or operator to retrieve lost or abandoned gear, particularly if the gear -

- (a) presents a hazard to the navigation of surface and sub-surface boats
- (b) fouls reefs;
- (c) fouls spawning beds;
- (d) becomes an impediment to fishing; or
- (e) continues to ghost fish

12. In these regulations unless the context otherwise requires -

“fouls reef” means the damages caused to coral reefs by broken or abandoned fishing gear at sea;

“fouls spawning beds” means the damage caused to fish breeding grounds by broken or abandoned fishing gear at sea;

“ghost fishing” means continuous fish catch by broken or abandoned fishing gear at sea.

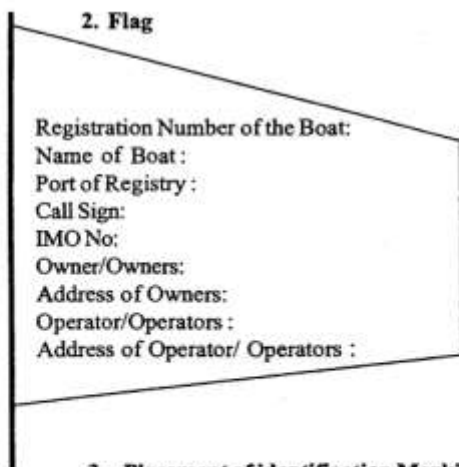
SCHEDULE I

I - Examples of Marking of Fishing Gear

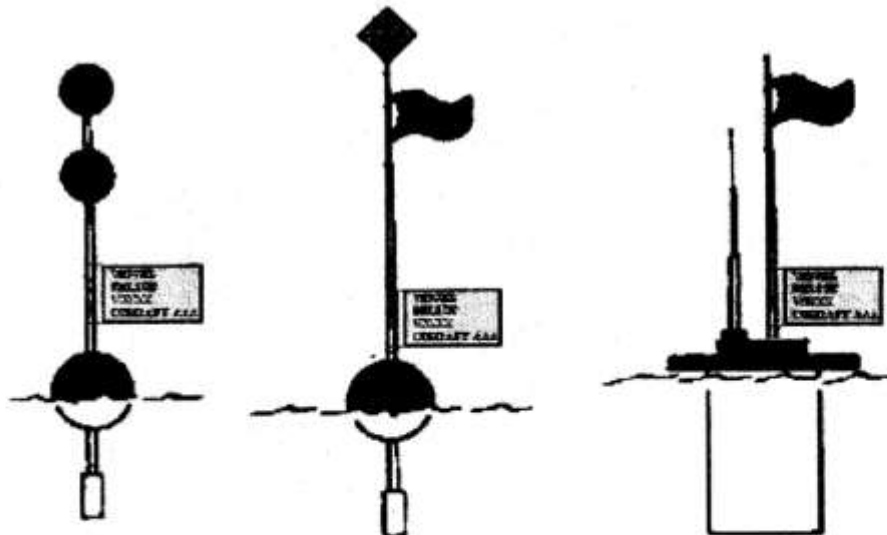
1. Tags

Registration Number of the Boat:
Name of Boat :
Port of Registry :
Call Sign:
IMO No:
Owner/Owners:
Address of Owners:
Operator/Operators :
Address of Operator/ Operators :

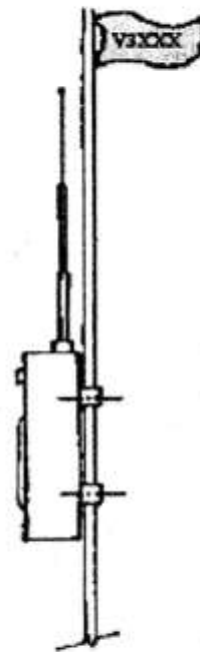
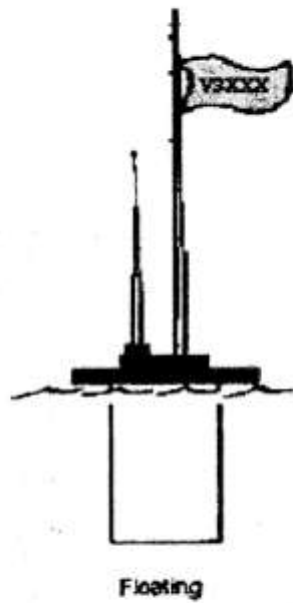
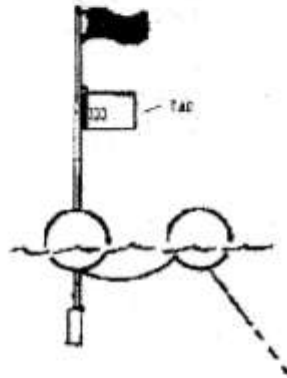
2. Flag

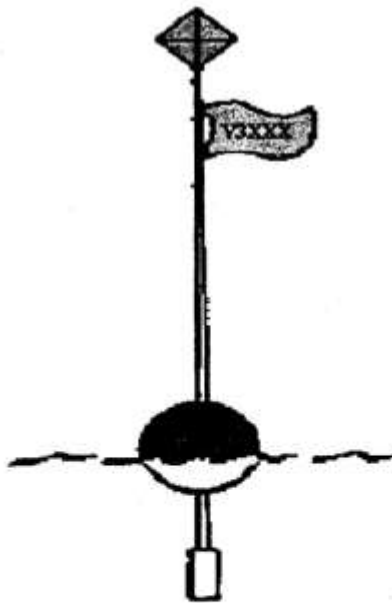
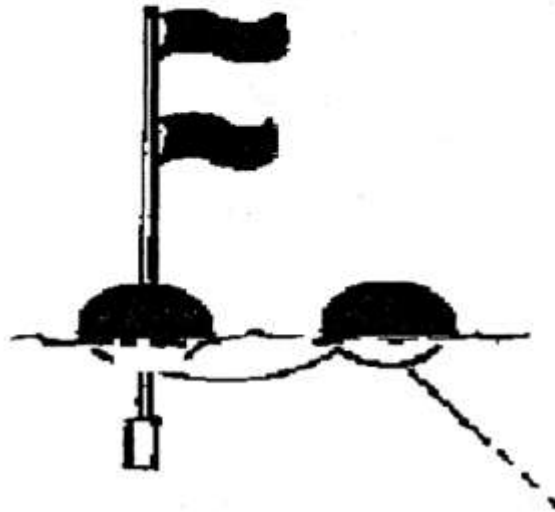


3. Placement of identification Markings, Tags and Flags on buoys and beacons.



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SCHEDULE II

Codes for fishing gear/methods : Gillnets and surrounding nets

Drift Gillnet - Large mesh	GNLM	Beach seine	SNBS
Draft Gillnet - Small mesh	GNSW	Ring net	SNRN
Botton - set Gillnet	GNBS	Purse seine	SNPS
Trammel net	GNTR	Wachchhal dela	SNWD
Kuda dela	GNKD		
Haras Dela	GNHD	Maya valai	SNMV
<i>Longliness and Handliness</i>			
Troll line	HLTR	Bottom long line	HLBL
Pole and line	HLPL	Head Line/Rod and line	HLRL
Hand Line	HLHL	Stilt Fishing	HLST
Shark long line	HLSL	Squid Jigs	HLSJ
Tuna long line	HLTL		
<i>Trawls and Drag Nets</i>		<i>Lift nets, Pots and Traps</i>	
Shrimp trawl net	DNST	Lift net from boat	LNBT
Fish trawl	DNBT	Lift net from shore	LNSh
Lagoon seine (Gawana dela)	DNGD	Crab pot	LNCR
Drag net (Kadippuwa)	DNKD	Fish trap	TRFS
Drivein nets (Gok randela/Vidu Valai)	DNGR	Cast net	FGCN
Drag net (Kalapu trawl)	DNLT	Fish kraals/Ja kottu	TRKP
		Cover pot/Karakgediya	TRCP
		Brush pile - Mas Athu	TRBP
		Stake net/Kattu dela	TRKD
<i>Miscellaneous Gear</i>			
Scoop net	MSSC	Harpoon	MSHP
		Spear fishing	MSSF
Diving	MSDV	Pila Athu	MSFF

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Implementation of VMS for Boats operating in High Seas Regulations

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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 1907/47 - 2015 මාර්තු මස 26 වැනි ප්‍රභස්පතින්දා - 2015.03.26

No. 1907/47 - THURSDAY, MARCH 26, 2015

(Published by Authority)

PART I : SECTION (I) — GENERAL

Government Notifications

L. D. B. 1/2012(II)

FISHERIES AND AQUATIC RESOURCES ACT, No. 2 OF 1996

REGULATIONS made by the Minister of Fisheries under Section 61(1)(sg), (sh) and (t) of the Fisheries and Aquatic Resources Act, No. 2 of 1996.

MAHINDA AMARAWEEERA
Minister of Fisheries.

Colombo,
25th March, 2015.

Regulations

1. These regulations may be cited as Implementation of Satellite based Vessel Monitoring System (VMS) for Fishing Boats Operating in High Seas Regulations 2015.

2. No person shall deploy fishing boats, supply or cargo vessels, reefers and carrier vessels (hereinafter referred to as the "Vessels") having an overall length of 10.3m (34 feet) or more for high seas fishing operations unless such vessel is fitted with Satellite based Vessel Monitoring System Device (hereinafter referred to as a "Monitoring Device") on board approved by Department of Fisheries and Aquatic Resources (hereinafter referred to as "the Department") which allows tracking and identification of such vessels by the land based Fisheries Monitoring Centre (hereinafter referred to as "FMC", particulars of which is specified in the Schedule I hereto) of the Department.

3. The master, skipper, owner or licensee of the fishing vessel shall take steps to ensure that the Monitoring Device on board is activated at all times irrespective of their geographical location allowing four hourly automatic transmission of required information or any time intervals decided by Director General as he may deem fit to the FMC. Such data shall include:-



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- (i) the identification of the fishing vessel ;
 - (a) registration number of the vessel;
 - (b) international call sign;
 - (c) name of the Vessel;
 - (d) International Maritime Organization No. (If available)
 - (e) Indian Ocean Tuna Commission (IOTC) No.
- (ii) the current geographical location of the fishing boat (longitude, latitude) with a position error of less than 500 meters, at a constant interval of 99%;
- (iii) the date and time (expressed in Universal Time Coordinated) for the fixing of the position referred to in paragraph (ii) .of the fishing boat;
- (iv) the speed and course of the fishing vessel.

4. (1) The "FMC" established under the Department shall be responsible for twenty four hour monitoring of any fishing vessel in high seas irrespective of their geographical position. The land based FMC shall receive the required information once in every four hours or any time intervals decided by Director General as he deems fit through a well-established computer system, coordinated by the service providers for automatic data processing and electronic data transmission.

(2) FMC shall keep and maintain backup and recovery procedures of the information received in order to support in the event of system failure.

5. The Department may provide information on Sri Lanka flagged fishing vessels to the regional fisheries management organization of which Sri Lanka is a member.

6. The FMC shall submit the data and information required to the Management Division of the Department at it's request for the purpose of verification of logbook data and detection of any Illegal, Unreported and Unregulated fishing activity.

7. The FMC shall take steps to ensure that the data received from any vessel is recorded and preserved either in soft or hard copies for a period of not more than two years or for a period as may be determined by the Director General.

8. The FMC through coordination with the service providers shall :-

- (i) take steps to ensure the Monitoring Devices on board of every vessel functions properly and not tampered with;
- (ii) monitor the fishing vessels at all times which engages in fishing at high seas or fishing related activities, and
- (iii) take steps to ensure accuracy of the data ;

9. When any Monitoring Device on board becomes defective or mal functioning the master, skipper, owner, licensee or representative authorized by the master, skipper or owner shall inform such failure to the FMC of the Department with immediate effect and , shall communicate and provide required data and information to the Department once in every four hours or any time intervals decided by Director General as he deems fit by any communication facility available such as; e-mail, fax, telephone or SSB radio etc.

10. In the event of detection of such technical failure or mal-functioning of the Monitoring Device fixed on board, the device shall be repaired or replaced within a maximum period of one month. A fishing vessel shall not leave a port following a technical failure unless the defective Monitoring Device is repaired and in good working order to the satisfaction of the FMC of Department.

11. No Monitoring Device shall be deactivated while in port until written authorization is given by the FMC of the Department. A written confirmation from the port authorities in respect of the time of arrival at port and a letter of confirmation from the owner indicating the estimated stay in the port shall also be produced to the Department. The first position report generated after re-powering shall not be different in relation to the position of the vessel in the last report.

12. Master or Skipper of a vessel shall take steps to ensure that the Monitoring Device on board is active at all times and no person shall destroy, damage, render it inoperative or otherwise interfere with the Monitoring Device installed on board and such activity is strictly prohibited. In particular,

- (a) alter the Vessel Monitoring System (VMS) data in any manner;
- (b) obstruct the antenna or the antennas connected to the Monitoring Device manually;
- (c) interrupt the power supply to the Monitoring Device manually; and
- (d) remove the Monitoring Device from the fishing vessel or change the installed position in the vessel without prior approval from the FMC of the Department.

13. Where FMC of the Department fails to receive data transmission within four hours time intervals or any different time interval decided by Director General as he deems fit it shall notify master or the owner, licensee of such vessel or any representative authorized in that behalf by such master with immediate effect. If such occurrence takes place in relation to a particular vessel, more than three times a year FMC of the Department shall conduct an investigation including an official check on the device in question, in order to establish whether the equipment has been tampered with.

14. The skipper or master of a vessel shall take steps to ensure through the Monitoring Device and its FMC monitors the date and time of the entry into and the exit from :-

- (a) any maritime areas where specific rules on access to waters and resources apply;
- (b) the regulatory areas of the Regional Fisheries Maritime Organization;
- (c) jurisdictional waters of any other state;
- (d) any other area, restricted or otherwise, which may be designated by Department.

15. Any Vessel which operates in close proximity up to twenty miles of any marine protected area or areas otherwise restricted for fishing shall be required to report at hourly intervals or any time intervals decided by Director General as he deems fit when they remain in that proximity.

16. The FMC shall take steps to ensure compliance by the vessel with the in-transit operation of the vessel. Any vessel that transits shall communicate the date and time of entering and leaving the areas of the Exclusive Economic Zone to FMC of the Department and the authorities of the relevant country to which the transit passage belongs to.

17. Access to the vessel monitoring data base shall be restricted to the officers authorized by Director General in writing in that behalf. Each staff member having access to the records of vessel monitoring data base shall be required to sign the declaration of restriction on the use and disclosure of the position of the vessel as specified in Schedule II of this regulation.

18. The officer in charge of the FMC shall be responsible for the monitoring of the Vessels and shall keep such data under lock and key and the ownership of the information and data of the vessel monitoring shall be vested with the Department and no such data shall be released except under the written permission of the Director General.

19. Satellite devices or any equipment for the Vessel Monitoring System (VMS) shall only be obtained from the authorized service provider approved by the Department in writing

20. These regulations shall apply to any fishing vessel having the overall length of 10.3m (34 feet) or more.

21. 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;

"High seas fishing operations" means fishing activities conducted beyond the Exclusive Economic Zone (200 nautical miles) and beyond the waters of the national jurisdiction of any other state;

"fishing related activities" means any operation in support of, or in preparation for, fishing, including the landing, packaging, processing, transshipping or transporting of fish that have not been previously landed at a port, as well as the provisioning of personnel, fuel, gear and other supplies at sea;

"Illegal, Unreported and Unregulated fishing" refers to the activities set out in paragraph 1 of the Resolution 11/03 adopted by the Indian Ocean Tuna Commission referred to in section 14G of the Fisheries and Aquatic Resources Act, No.2 of 1996;

"port" includes offshore terminals and other installations for landing, transshipping, packaging, processing, refueling or resupplying;

"vessel" means any vessel, ship or boat used for, equipped to be used for or intended to be used for, fishing or fishing related activities.

(Regulation 2)

SCHEDULE I

Information of the Fisheries Monitoring Centre of Department of Fisheries and Aquatic Resources (DFAR) Sri Lanka

Name
Address
Tel No.
Telex No
Fax No.
Email:

(Regulation 17)

SCHEDULE II

Format of the declaration of the restriction on the use and disclosure of the vessel position information.

Declaration

I the undersignedhereby undertake to treat whatever information is made available to me from the Vessel Monitoring System (VMS) data base in a confidential manner and desist from divulging in to any it to any person other than any person authorized in writing by the Director General

Name of the officer-
Designation-
NIC no -

04-396/1



Port State Measures Regulations

L.D. B 1/2012(II)

FISHERIES AND AQUATIC RESOURCES ACT No. 2 OF 1996

REGULATIONS made by the Minister of Fisheries under Section 61(1)(l) and (t) of the Fisheries and Aquatic Resources Act, No.2 of 1996

Mahinda Amaraweera,
Minister of Fisheries.

Colombo,
25th March 2015.

Regulations

1. These regulations may be cited as Implementation of Port State Measures to Prevent, Deter and Eliminate Illegal Unreported and Unregulated Fishing Regulations 2015.

2. (1) No person shall except under authority of a license issued by the Director General of the Department of Fisheries and Aquatic Resources, (hereinafter referred to as the "Director General") land, transship, pack or process fish taken outside Sri Lanka waters by a foreign fishing boat, or obtain services such as resupplying, maintenance and dry docking for such boat at any port of Sri Lanka, authorized by the Director General.

(2) Director General shall take steps to prevent such activities specified in paragraph (1) of the regulation being carried out in any port in Sri Lanka except in a port designated and declared in the Indian Ocean Tuna Commission or any port of Sri Lanka authorized by the Director General.

3. Every application for a license specified in regulation 2 shall be made substantially in the form specified in schedule I hereto and shall be accompanied by certified copies of boat registration issued by the Flag country, certificate of authorization to fish in high seas issued by the Flag country or any coastal state, the advance declaration in schedule II hereto and any other document requested by the Director General with a fee of ten thousand rupees.

4. An application referred to in regulation 3 shall be made at least forty eight hours in advance prior to the entering of the boat in to the designated port for the first time and twenty four hours in advance prior to the re-entering of such boat to the designated port or immediately after the end of fishing operation. if the time distance to the port is less than twenty four hours.

5. (1) The license shall be substantially in the form specified in Part I, II and III of Schedule III for landing, transshipment and for maintenance, dry docking and port of services respectively.

(2). Every license referred to in regulation 5(1) shall be valid for a time period specified therein and shall be subject to the conditions imposed by Director General in conformity with the relevant resolutions adopted by the Indian Ocean Tuna Commission and the Port State Measures Agreement.

6. Every license holder shall comply with the provisions of the Immigrants and Emigrants Act, No. 20 of 1948 and the Customs Ordinance (Chapter 235) when acting under the license in addition to the terms and conditions imposed by this regulation and the license issued thereunder.

7. When the Director General has sufficient evidence to believe that the boat seeking entry into the designated port has been engaged in Illegal, Unreported and Unregulated fishing (hereinafter referred to as IUU fishing) related activities or in support of such fishing, in particular the boat on a list of vessels having been engaged in IUU fishing or such fishing related activities adopted by a Regional Fisheries Management Organization, he shall deny entry to the designated port and

such decision shall be communicated to the Flag country of the boat, coastal country of which, the fishing is authorized, State of which the master of the boat is a national and the Indian Ocean Tuna Commission.

8. Every foreign boat permitted entry to the port, shall be inspected by the qualified inspectors authorized in writing in that behalf for that purpose in accordance with the procedure in schedule IV hereto and submit the report of port inspection in the format specified in schedule V hereto to the Director General. The Director General shall transmit the port inspection report to the Flag country and the Indian Ocean Tuna Commission in conformity with the relevant resolutions adopted.

9. The master, skipper or the captain of any boat subject to inspection shall cooperate with the inspector in carrying out the inspection procedure.

10. The inspector shall avoid any undue delay when carrying out any inspection in order to ensure minimum interference and inconvenience in respect of a passage of such vessel and degradation of the quality of the fish.

11. The communication system of the boat shall be linked to the radio frequencies of the Monitoring Control Surveillance unit of Department of Fisheries and Aquatic Resources of Sri Lanka and each boat shall carry "a transponder which is linked to the central monitoring system of the flag state.

12. The master, skipper or the captain of boat shall submit a copy of the log book maintained in terms of fish catch data collection and data of tuna catch and similar species with the geographic location of which the catch has taken place and the transshipment declaration if a transshipment has taken place at sea, in accordance with the format set out in Schedule VI hereto to the Director General.

13. Ten percent (10%) of the total weight of tuna and similar fish landed by a foreign fishing boat under the authority of a license issued in accordance with regulation 2 shall be made available to the Ceylon Fisheries Corporation to be purchased at a price to be agreed by such Corporation. The aforesaid ten percent of the total weight of tuna fish shall consist of five percent (5%) of fresh tuna and five percent (5%) of frozen tuna.

14. This regulation shall not affect the entry of any boat to port in accordance with international law of reasons of force majeure or distress. Accordingly a vessel shall not be denied of the use of port services essential to the safety or health of the crew or the safety of the boat, provided these needs are duly proven or if there is a risk of imminent danger to the vessel.

15. In these regulations -

" Fishing related activities" means any operation in support of, or in preparation for, fishing including the landing, packaging, processing, transshipping or transporting of fish that have not been previously landed at a port, as well as the provisioning of personnel, fuel gear and other supplies at sea;

"Illegal, Unreported and Unregulated fishing" refers to the activities set out in paragraph I of the Resolution 11/03 adopted by Indian Ocean Tuna Commission referred to in section 14G of the Fisheries and Aquatic Resources Act, No.2 of 1996 ;

"Designated port" includes offshore terminals and other installations for landing, transshipping, packaging, processing, refueling or resupplying of boat and reported to the Indian Ocean Tuna Commission to be declared by the port state;

"Boat" means any vessel, ship or boat used for, equipped to be used for, or intended to be used for, fishing or fishing related activities.

(Regulation 3)

SCHEDULE I

A a application for fish landing / transshipment / maintenance and port services by foreign fishing boat in designated and declared port of Sri Lanka.

1. Information of the local Agent/Company applying for the license

a. Full name:	b. Address:
c. Telephone No:	d. Fax No:
e. E-mail	f. Board of Investments(BOI) Registration No:

1. Information of the Foreign Agent/Company owns the fishing vessel

a. Full name:	b. Address:
c. Telephone No:	d. Fax No:
e. E-mail	f. Board of Investments(BOI) Registration No:

3. Purpose of port call :

- a) Fish Landing b) Transshipment c) Maintenance and port services

4. Information of the Foreign fishing boat

a) Name of the boat	b) Boat Nationality
c) Boat Registration No	d) Valid period of boat registration
e) Indian Ocean Tuna Commission(IOTC) authorized No	f) Valid period of IOTC authorization
g) State of fishing authorization	h) Valid period of fishing authorization
i) Radio call Sign	j) International Maritime Organization (IMO) No
k) Home port of the boat	l) Last port call

Description of the boat

a) Length overall	b) Draught	c) Breath	d) Hull material
e) Gross tonnage	f) Net Tonnage	g) Fishing gear	h) Cooling System
i) Deck equipment	j) Vessel Monitoring System (VMS)		

6. Details of the crew on board

Name	Nationality	Employment
Total		

7. Detail to obtain license for transshipment

- a) Date of transshipment
- b) Geographic location of the catches
- c) Receiving boat (carrier boat) information,

a) Name of the receiving boat	b) Boat Nationality
c) Boat Registration No	d) Valid period of boat registration
e) IOTC authorization No	f) Valid period of IOTC authorization
g) Radio Call Sign	h) IMO No.
i) Home port of the boat	j) Last port call

d) Details of the species of fish/type of product to be transhipped

Species of fish	Type of product (whole,gutted,headed,filleted)	Quantity (tons)
Yellow fin tuna		
Bigeye tuna		
Skip jack tuna		
Marlin		

8. Details to obtain license for maintenance and port services

a) Required Service :

- i) Refueling -
- ii) Resupplying - water /Ice/Bait/Food //...../
- iii) Maintenance **required:** Engine/Propellers/Dry docking

I certify that the particulars given above are true and correct.....

Signature

Date :

(Regulation 3)

SCHEDULE II

Information to be provided in advance by boat requesting port entry

1. Intended port of call									
2. Port State									
3. Estimated date and time of arrival									
4. Purpose(s)"									
5. Port and date of last port call									
6. Name of the boat									
7. Flag State									
8. Type of boat									
9. International Radio Call Sign									
10. boat contact information									
11. boat owners(s)									
12. Certificate of registration No									
13. IMO ship registration No , if available									
14. Any other registration No,if available									
15. IOTC No									
16. VMS		NO		Yes: National		Yes: RFMO(s)		Type	
17. Boat dimensions		Length		Beam		Draft			
18. Boat master' name and nationality									
19. Relevant fishing authority/Department									
<i>Identifier</i>		<i>Issued by</i>		<i>Validity</i>		<i>Fishing area(s)</i>		<i>Species</i>	
20. Relevant transshipment authority									
<i>Identifier</i>		<i>Issued by</i>		<i>Validity</i>					
<i>Identifier</i>		<i>Issued by</i>		<i>Validity</i>					
21. Transshipment information concerning donor boats									
<i>Date</i>	<i>Location</i>	<i>Name</i>	<i>Flag State</i>	<i>ID</i>	<i>Species</i>	<i>Product</i>	<i>Catch area</i>	<i>Quantity</i>	
22. Total catch onboard							23. Catch to be landed		
<i>species</i>	<i>Product form</i>	<i>Catch area</i>	<i>Quantity</i>						

(Regulation 5)

SCHEDULE III

PART I

License for fish landing by foreign fishing boat in designated and declared port in Sri Lanka.

- 1 (Applicant) of..... (address) is hereby authorized to land fish taken out side the Sri Lankan waters by the..... (country) fishing boat“(name)” bearing registration number.....and the High seas Fishing operation license no .issued.....by(the fishing authority of flag country.....(coastal state) at the harbour of Sri Lanka.
2. This license shall be used by the person named hereto and shall not be transferable to any other person.
3. This licence shall, unless earlier cancelled be valid for a period of commencing from 20 . / . / .. land fish caught in a single fishing trip.
4. Any fish taken out side the Sri Lanka waters and landed under the authority of this license shall not be transhipped using any local or foreign fishing boat at the port except under a license issued for such purpose under regulation 2 of Port State Measures to Prevent, Deter and Eliminate Illegal Unreported and Unregulated Regulations 2015.
5. This license shall be subjected to the provisions of Port State Measures to Prevent, Deter and Eliminate Illegal Unreported and Unregulated Regulations 2015 and the conditions given below.

FISH LANDING CONDITIONS

1. This license is subject to the immigrants and emigrants Act No 20 of 1948 and Customs Ordinance.
2. The fish catch should be caught out side the Exclusive Economic Zone (EEZ) of Sri Lanka and the fishing gears of the boat should be kept stowed during the arrival to the designated port and fishing within the Exclusive Economic Zone (EEZ)of Sri Lanka is completely prohibited.
3. Port inspectors appointed by the Department of Fisheries and Aquatic Resources, Harbour Managers of Ceylon Fisheries Harbour Corporation (CFHC) , Coast Guards and the Navy Officials are authorized to inspect the fishing boat.
4. Radio communication system of the boat should be linked to the radio frequencies of the Monitoring, Control, Servillance (MCS) unit of the Department of Fisheries and Aquatic Resources and each boat shall carry a transponder which is linked to the central monitoring system of the flag country.
5. The total catch landed using this license should be reported in accordance with species of fish to the Director General/Department of Fisheries and Aquatic Resources and the Harbour Manager at the end of the landing.
6. The licence holder should strictly adhere to the Security requirements imposed by the Ministry of Defence.
7. Any pollutant should not be discharged to the marine environment of harbour basin.
8. Departed port of the boat should be a recognized port of the flag country or a coastal State.
9. Land, sell or exhibit for sale of whole carcass or any part of a marine mammal, sea turtle, thresher shark species, white tip shark and only the fins which have been removed from the body of other sharks is completely prohibited.

- D In addition to the berthing charges and the other charges levied by the Ceylon Fisheries Corporation (CFC) Ten percent (10%) of the total weight of a tuna fish landed by a foreign fishing boat under regulation 13 shall be made available to the Ceylon Fisheries Corporation of a price agreed by such corporation with the company. The aforesaid ten percent of the total weight of tuna fish shall consist of five (5%) of fresh tuna and five percent (5%) frozen tuna.
- 11 These conditions shall not apply to fish in containers landed at the commercial port by a foreign fishing boat accompanied with a bill of lading at the time of landing

PART II

License to transship fish landed by foreign fishing boat in designated and declared port -in Sri Lanka.

1.(Name of Applicant) of(Address) is hereby authorized to transship the tuna and tuna like fish species in given quantities in the table (I) below, which is landed in theharbour of Sri Lanka under the authority of the license No..... (license no) issued by the Director General to the carrier boat of (country).....(boat name) and bearing registration No
2. This license shall be used by the person named hereto and shall not be transferable to any other persons.
3. This licence shall, unless earlier cancelled be valid for a period.....commencing from 20...../.....to.....
4. Fish Landing by a foreign fishing boat accompanied by a bills of lading at the time of landing at the commercial port and exported in containers shall not be treated as transshipment.
5. This license shall be subjected to the provisions of Port State Measures to prevent, deter and Eliminate Illegal Unreported and Unregulated fishing Regulations 2015 and the conditions given below.
6. Table I - Detail of Tuna and Tuna like species as permitted to tranship

<i>Species of fish</i>	<i>Form of transshipment</i>	<i>Quantity (Kg/ton)</i>	<i>Date of transshipment</i>
Yellow Tuna			
Bigeye tuna			
Marlin			
Sword fish			
Sharks			
Others			

Director General/Department of Fisheries and Aquatic Resources

Date

Part III

License for maintenance and to obtain port services by foreign fishing boat in designated and declared port in Sri Lanka.

1. The.....(country) Fishing vessel named **and** bearing registration number.....is authorized to enter the.....harbour on the date for maintenance, dry docking ,or to obtain port services **only**.
2. This license shall be used by the person named hereto and shall not be transferable to any other **person**.
3. This license is valid only for the purpose **specified herein** and landing of any fish in the harbour using this **licence is totally prohibited**.
4. This **licence** shall, unless earlier cancelled be valid for a period of.....commencing from 20.../.....to.....

Director General
Department of Fisheries and Aquatic Resources

Date

(Regulation 8)

SCHEDULE IV

Port State inspection procedure

Inspectors shall :

- a) verify, to the extent possible, that the boat identification documentation onboard and information relating to the owner of the boat is true, complete and accurate, including through appropriate contacts with the flag state or international records of boats if necessary;
- b) verify that the boat's flag and markings (e.g. name, registration number, International Maritime Organisation (IMO) ship identification number, international radio call sign and other markings, main dimensions) are consistent with the information contained in the documentation;
- c) verify, to the extent possible, that the authorizations for fishing and fishing related activities are true, complete, accurate and consistent with the information provided in accordance with schedule II;
- d) review all other relevant documentation and records held onboard , including, to the extent possible , those in electronic format and vessel monitoring system (VMS) data from the flag State or Indian Ocean Tuna Commission (IOTC) Secretariat or other relevant Regional Fisheries Management Organizations (RFMOs). Relevant documentation may include logbooks, catch, transshipment and trade documents ,crew lists, storage plans and drawings, descriptions of fish holds, and documents required pursuant to the Convention on International Trade in Endangered Species of Wild Fauna and Flora;
- e) examine, to the extent possible, all relevant fishing gear onboard , including any gear stowed out of sight as well as related devices, and to the extent possible, verify that they are in conformity with the conditions of the authorizations . The fishing gear shall , to the extent possible, also be checked to ensure that features such as the mesh and twine size, devices and attachments, dimensions and configuration of nets,pots,dredges,hook sizes and numbers are in conformity with applicable regulations and that the markings correspond to those authorized for the boat;

- f) determine, to the extent possible, whether the fish on board was harvested in accordance with the applicable authorizations;
- g) examine the fish, including by sampling, to determine its quantity and composition. in doing so , inspectors may open containers where the fish has been pre-packed and move the catch or containers to ascertain the **composition** of fish holds. Such examination may include **inspections** of product type and determination of nominal weight;
- h) **determine** whether **there is sufficient** evidence **to believe** that a boat has **been** engaged in Illegal, Unreported, Unregulated (IUU) fishing or fishing related activities in support of such fishing;
- i) provide the master of the boat with the report containing the result of the inspection, including possible measures that could be taken, signed by the inspector and the master. The master's signature on the report shall serve only as acknowledgment of the receipt of a copy of the report. The master shall be given the opportunity to add any comments or objection to the report, and as appropriate, to contact the relevant **Authorities** of the flag State in particular where the master has serious difficulties in understanding the content of the report . A copy of the report shall be provided to the master ; and
- j) arrange, where necessary and possible, for translation of relevant documentation.

(Regulation 8)

SCHEDULE V
Indian Ocean Tuna Commission (IOTC) Port Inspection report form

1. Inspection report No.				2. Port State	
3. Inspecting Authority					
4. Name of principal inspector				Identity Card No.	
5. Port of inspection					
6. Commencement of inspection	YYYY	MM	DD	HH	
7. Completion of inspection	YYYY	MM	DD	HH	
8. Advanced notification received					
9. Purposes (s)	LAN	TRA	PRO	OTH (specify	
10. Port and State and date of last port call			YYYY	MM	DD
11. Name of the boat					
12. Flag State					
13. Type of boat					
14. International Radio Call Sign					
15. Certificate of registration No.					
16. IMO ship registration No., if available					
17. Any other registration No., if available					
18. Port of registry					
19. Boat owner(s)					
20. Boat beneficial owner(s), if known and different from boat owner					
21. Boat operation(s), if different from boat owner					
22. Boat master name and nationality					
23. Fishing master name and nationality					
24. Boat agent					
25. VMS	NO	Yes: National	Yes: RFMO(s)	Type	
26. Status in IOTC, including IUU vessel listing					
Vessel identifier	RFMO	Flag State status	Vessel and authorized vessel list	Vessel on IUU vessel list	
27. Relevant fishing authorization(s)					
Identifier	Issued by	Validity	Fishing area(s)	Specice	Gear
28. Relevent transshipment authorization (s)					
Identifier	Issued by			Validity	
Identifier	Issued by			Validity	
29. Transshipment information concerning doner boats					

Name	Flag Service	Registration No.	Specie	Production	Cash	Quantity
30. Evaluation of offloaded by catch (quantity)						
species	Products from	Catch area(s)	Quantity declared	Quantity landed	Difference between quantity declared and quantity determined, if any	
31. Catch retained onboard (quantity)						
specis	Products from	Catch area(s)	Quantity declared	Quantity landed	Difference between quantity declared and quantity determined, if any	
32. examination of logbook(s) and other documentation				Yes	No	Comments
33. compliance with applicable catch documentation scheme(s)				Yes	No	Comments
34. compliance with applicable trade information scheme(s)				Yes	No	Comments
35. type of gear used						
36. gear examined in accordance with paragraph(e) of schedule IV				Yes	No	Comments
37. Findings by inspector(s)						
38. Apparent infringement(s) noted including reference to relevant legal instrument						
39. Comments by the master						
40. Action taken						
41. Masters signature						
42. Inspectors signature						

SCHEDULE VI

(Regulation 12)

Indian Ocean Tuna Commission (IOTC) Transshipment declaration

Carrier Vessel	Fishing Vessel
Name of the Vessel and Radio Call Sign :	Name of the Vessel and Radio Call Sign :
Flag :	Flag :
Flag State License Number :	Flag State License Number :
National Register Number, if available :	National Register Number, if available :
IOTC Register Number, if available:	IOTC Register Number, if available:

Day Month Hour Year Agent's name Master's name of LSTV Master's name of Carrier

Departure From

Return to Signature Signature Signature

Transshipment

Indicate the weight in kilograms or the unit used (e. g. box, basket) and the landed weight in kilograms of this unit Kilograms

LOCATION OF TRANSSHIPMENT

Species	Port	Sea	Type of product									
			Whole	Gutted	Headed	Filletted						

It transshipment effected at sea, Indian Ocean Tuna Commission (IOTC) Observer Name and Signature :

Annex-1 : Criteria for issuing High Seas Fishing Operation License

Department of Fisheries and Aquatic Resources

**Colombo 10, Sri Lanka.
T.P/Fax no: +94112449170**

High Seas Fishing Operations Licenses are issued to Sri Lankan boats under the High Seas Fishing Operations Regulations, No. 1 of 2014. Criteria to be adopted in issuing High Seas Fishing operations Licenses are summarized below:

1. Boat

- Only boats of length 10.3 m and over classified under the IMUL category and duly registered with the Department of Fisheries and Aquatic Resources are issued with High Seas Fishing Operations Licenses. Registration with DFAR implies that a vessel is insured and sea worthy to undertake high seas fishing.
- The boat should display vessel markings (Boat Registration Number) as specified under the Boat Registration Regulations, 2006 published in Gazette Extraordinary No.1430/4 dated 30.01.2006
- The boat should be equipped with VMS, SSB radio and the Radio Call Sign marked clearly on the hull (If the applicant forwards a payment receipt from the Telecommunication Regulatory Commission for a radio call sign, he will be eligible to receive a high seas fishing license)

2. Designated Harbours

- High seas fishing boats should be registered and operated only from Fishery Harbours designated as bases for high seas fishing. These are Dikkowita, Negombo, Mutwal, Panadura, Beruwala, Ambalangoda, Hikkaduwa, Galle, Mirissa, Puranawella, Nilwella, Kudawella, Tangalle, Kirinda, Valachchenai, Cod Bay and Chilaw fishery harbours.

3. Boat Owner

- The owner of the boat should not have been found guilty and convicted more than once of fishing in high seas without a valid license or engaged in unauthorized fishing in the waters of other coastal states.

4. Skipper

- The skipper should possess a valid Skippers license issued by the Department of Fisheries and Aquatic Resources.

- He should not have a previous conviction for fishing in high seas without a valid license or unauthorized fishing in the waters of other coastal states.

5. Fishing gear and appliances

- Licenses will be issued only to boats carrying fishing gear prescribed under the High Seas Fishing Operations Regulations, No. 1 of 2014 namely; purse seine, long line, gill net and long line, gill net, pole and line, hand line and troll lines.
- Maximum length of Gill net taken on board should not exceed 2.5km
- Fishing gear should be marked as per instructions given in the Fishing Gear Marking Regulations No. 1 of 2015 published in the Gazette Extraordinary No.1904/10 dated 03.03.2015
- Boats should carry de-hookers, line cutters and tori line on board to release by-catch such as turtles, marine mammals and sea birds etc.
- Boats should carry Dip nets on board if purse seine is used in fishing operations

6. Observers.

If requested by the Director General of the Department of Fisheries and Aquatic Resources, the boat owner should agree to take on board an observer when launching a fishing trip and provide the necessary facilities for the observer to carry out his tasks.

Annex-II: Circular on issuing High Seas Fisheries Operation Licences

Circular No: DFAR/FM/High Seas/2015-03

(Revised as of 18.03.2015)

To: All Asst. Directors/ Divisional Heads

Implementation of High Seas Fishing Operation Regulations

1. Further to the Circular No. DFAR/FM/EU/2012 dated 05.11.2012, Circular No. 2013/01 dated 07.01.2013 and Circular No: DFAR/FM/High Seas/2014-09 dated 10.09.2014 issued by the Director General, Department of Fisheries and Aquatic Resources, this circular is issued to provide additional guidelines regarding the implementation of the High Seas Fishing Operations Regulations No. 1 of 2014 published in the Gazette Extraordinary No.1878/12 dated 01.09.2014 and to stress the need for its strict compliance.
2. Boat owners and operators who engage in High Seas Fishing Operations should be made to adhere to the above regulations and comply with all the legal provisions provided thereunder.
3. Only "**Authorized vessels**" can engage in high sea fishing. An Authorized vessel is a vessel issued with a High Seas Fishing Operations License by the Department of Fisheries and Aquatic Resources and registered with the Indian Ocean Tuna Commission (IOTC) for the current year. In order to remain as an "**Active vessels**" in the IOTC list of authorized vessels, a vessel should engage in at least one single high seas fishing operation during the year, to be verified by Logbook returns.
4. High Seas Fishing Operations Licenses are issued to Sri Lankan boats under the High Seas Fishing Operations Regulations, No. 1 of 2014. Criteria to be adopted in issuing high seas fishing licenses are summarized below:

Vessels

- Only vessels 10.3 m and over classified under the IMUL category and duly registered with the Department of Fisheries and Aquatic Resources (DFAR) are issued with High Seas Fishing Operations Licenses. Registration with DFAR implies that a vessel is insured and sea worthy to undertake high seas fishing.
- The vessel should display vessel markings (Boat Registration Number) as specified under the Boat Registration Regulations, 2006 published in Gazette Extraordinary No.1430/4 dated 30.01.2006.

- The vessel should be equipped with VMS, SSB radio and the Radio Call Sign marked clearly on the hull to comply with national and international obligations (The issue of a License can be considered favourably if payment has been made to obtain a Radio call Sign and the receipt from the Telecommunication Regulatory Commission is submitted with the application)

Designated Harbours

- High seas fishing vessels should be registered and operate only from Fishery Harbour designated as a base for high seas fishing. These are Dikkowita, Negombo, Mutwal, Panadura, Beruwala, Ambalangoda, Hikkaduwa, Galle, Mirissa, Puranawella, Nilwella, Kudawella, Tangalle, Kirinda, Valachenai, Cod Bay, Kalpitiya, Chilaw fishery harbours and other harbours which could be designated.

Boat Owner

- The owner of the vessel should not have been found guilty and convicted more than once of fishing in high seas without a valid license or engaged in unauthorized fishing in the waters of other coastal states.

Skipper

- The skipper should possess a valid Skippers license issued by the Department of Fisheries and Aquatic Resources.
- He should not have a previous conviction for fishing in high seas without a valid license or unauthorized fishing in the waters of other coastal states.

Fishing Gear and Appliances

- Licenses will be issued only to boats carrying fishing gear prescribed under the High Seas Fishing Operations Regulations, No. 1 of 2014 namely; purse seine, long line, gill net and long line, gill net, pole and line, hand line and troll lines.
 - Maximum length of Gill net taken on board should be 2.5km
 - Gears should be marked as per instructions given in the Fishing Gear Marking Regulations No. 1 of 2015 published in the Gazette Extraordinary No.1904/10 dated 03.03.2015
 - Carry de-hookers, line cutters and tori line on board Drift net and Longline boats to release by-catch such as turtles, marine mammals and sea birds etc.
 - Carry Dip nets on board if purse seine is used in fishing operations.
5. The Assistant Directors of the relevant District in which the boat is registered is authorized to issue High Seas Fishing Operations Licenses and should take action accordingly.

6. All activities related to the issuance of High Seas Fishing Operations License shall be carried out under the direct supervision of the District Assistant Director and he will be held responsible for the entire procedure in the issuance of licenses.
7. Boat owners who intend to engage in High Seas Fishing Operations should submit the duly perfected application form as stipulated in Schedule II of these Regulations to the relevant Fisheries Inspector.
8. Fisheries Inspector shall charge the relevant fee for the licenses specified in these Regulations and issue a receipt (under General 172), if he is satisfied upon inspection (including field inspection) that all the criteria mentioned herein have been met and all the information provided in the application is correct. Fees should be charged only by the authorized District Fisheries offices.
9. The Assistant Director of the relevant District Fisheries office shall approve and grant a High Seas Fishing Operation License, certifying that the information provided in the application is true and correct.
 - a) Fishing operation licenses issued free of charge to Sri Lankan boats by the Department of Fisheries and Aquatic Resources for the year 2014 for fishing in international waters are cancelled with immediate effect
 - b) New High Sea Fishing Operation Licenses shall be issued under the "High Seas Fishing Operations Regulations No. 01 of 2014", free of charge for the period starting from 01 Oct. 2014 to 31 Dec. 2014. The license fees stipulated in Schedule III of the High Seas Fishing Operations Regulations No. 01 of 2014 shall be applied when High Seas Fishing Operation Licenses are issued from 01st January 2015 onwards.
 - c) A High Sea Fishing Operation License shall be valid for one calendar year and application for renewal could be made not less than 30 days period prior to its expiry. Boat owners should be made aware that issue and renewal of High Seas Fishing Operation Licenses take place from 1st January to 31st January each year.
10. The Assistant Director of the relevant District Receipt shall ensure that:
 - License fees charged (under General 172) are noted in the cash book and the relevant ledger in accordance with Financial Regulations and promptly remitted to the Finance Division of the Department of Fisheries and Aquatic Resources.
 - Weekly progress reports, including details regarding the issuance of High Sea Fishing Operation Licenses are forwarded to the Management Division of the Department of Fisheries and Aquatic Resources.
 - In order to expedite matters, a senior officer from the District Office should be assigned to monitor the issuance of High Sea Fishing Operation Licenses and financial matters related to the procedure.

- Maintain a register of High Seas Fishing Operation Licenses issued by the District Office.
 - Give priority to the issuance of High Seas Fishing Operation Licenses considering the exigency in each case
 - All officials of the District Office, Harbour Mangers, Sri Lanka Navy and the Coast Guard are made aware of the implementation of these regulations.
 - Boat owners and skippers are made aware of the need to keep the High Seas Fishing Operation Licenses on board during fishing trips and other conditions imposed by the Director General, Department of Fisheries and Aquatic Resources regarding high seas fishing operations, depicted on the reverse of the High Sea Fishing Operation License.
11. Boats fishing in high seas should only operate from designated fishery harbours and records of departures and arrivals of such boats should be maintained at each fishery harbor.
 12. When applying for a High Seas Fishing Operation License, a boat owner who has obtained a license or a permit from another foreign country for high seas fishing should provide an affidavit along with the application. He should provide information regarding the name of the country and the date of issue of the license / permit; date and period of suspension if such license / permit is under suspension and date of cancellation if such license / permit has been cancelled.
 13. High Sea Fishing Operation Licenses should not be issued to any fishing boat which contravenes provisions of the Fisheries and Aquatic Resources Act No. 02 Of 1996 amended by the Fisheries and Aquatic Resources Act No. 35 Of 2013 or any boat which do not comply with the requirements of the High Seas Fishing Operations Regulations No. 01 of 2014.
 14. If it is revealed that any boat owner or skipper is acting in contravention to the High Seas Fishing Operations Regulations No. 01 of 2014 or the conditions stipulated in the High Seas Fishing Operation License, it should be immediately brought to the notice of the Director General, Department of Fisheries and Aquatic Resources who has the power to suspend and /or cancel the license.
 15. Use of a fishing boat for high seas fishing operations without a High sea fishing operation license is a punishable offence under section 49 (2A) of the Fisheries and Aquatic Resources Act No. 02 of 1996 amended by the Fisheries and Aquatic Resources Act No. 35 of 2013 and Fisheries and Aquatic Resources Act No. 02 of 2015 (amendment). Accordingly, the boat owner is liable to a penalty of imprisonment not more than 2 years or a fine prescribed in accordance with the length of the boat.
 16. A person who violates any of the conditions under the High Seas Fishing Regulation No. 01 of 2014 shall be convicted under Section 14 (a) of the Fisheries and Aquatic Resources

Act and punishable under Section 49 (6) of the same Act. Accordingly, such a person is liable to a penalty of imprisonment not exceeding two years (2) or a fine not exceeding Rs.1 million.

17. Copies (Sinhala/English) of the relevant specimen application form are annexed herewith. Inquiries regarding the implementation procedure of the High Seas Fishing Operation License can be directed to the Management Division of the Department of Fisheries and aquatic resources.
18. "**High Seas**" means the waters beyond Sri Lanka waters or beyond the waters within the national jurisdiction of any other State.

M. C .L .Fernando
Director General
Department of Fisheries and Aquatic Resources

- Cc: 1. Chairman, Ceylon Fisheries Harbours Corporation
2. Director (Naval Operations), Sri Lanka Navy
 3. Director General, Department of Sri Lanka Coast Guard
 4. All Harbor Managers, Ceylon Fisheries Harbours Corporation
 5. Deputy Director/ Monitoring and Surveillance Division
 6. Asst. Director (Technical)

Annex III: Specimen of High Seas Fisheries operation Licence



Licence No.....

Department of Fisheries and Aquatic Resources
Colombo, Sri Lanka.
 T.P./ Fax No: +94 112449170 / +94 112434075
 email: vrdfar@gmail.com

FISHING OPERATIONS LICENCE FOR HIGH SEAS FISHING

(This licence is issued in accordance with provisions of the High Seas Fishing Operations Regulation No. 1 of 2014, under the Fisheries and Aquatic Resources Act, No 2 of 1996)

Licence for engaging in fishing operations in the 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.

1. Registration number of the boat for which License is issued :.....
2. Length of the fishing boat:
3. Authorized Fishing Operations under the Licence:

Authorized fishing gear	Length of fishing nets & Mesh size (Maximum length should be 2.5 km)	No. of hooks, Length of the floating line & Length of the branch lines	Authorized species of fish	Area of fishing in high seas
				In the high seas of the Indian ocean outside the Exclusive Economic Zone (EEZ) of another coastal state

4. Home port Landing :
5. Fishing Duration :

Catching, keeping in possession, transporting and transshipping of Marine mammals, Turtles, Thresher Sharks, species of Sea birds are totally prohibited. No fishing operation should be conducted within the radius 1 km of the data buoys installed in high seas.

.....
Date

.....
Director General / Licensing Officer

(please see overleaf for conditions of the licence)

SPECIFIC CONDITIONS FOR HIGH SEAS FISHING OPERATIONS

1. The Skipper/Master shall keep the operation licence for high seas fishing together with the registration certificate of the boat and skipper licence or 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;
2. Fishing shall not be permitted in any part of the High Seas except under the authority of a licence issued under these regulations;
3. 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 Registrations 1980 and in terms of food and Agriculture Organization standard specifications for marking and identification of any fishing boat;
4. The Skipper/Master shall report to the Harbour Manager immediately before departure from fishing port and immediately upon entry into such port;
5. 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;
6. The boat shall not catch, land, transport, transship, receive or keep in the possession of any prohibited species such as Marine Mammals, Turtles, Thresher shark species or Seas Birds and Tag species;
7. The Skipper/Master shall keep in possession and maintain an updated log book at all time;
8. 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 the original of the relevant log book sheet to an officer nominated by the Director-General or any other authorized officer on reaching the fishery harbor;
9. The maximum length of such gill nets shall be less than two point five kilometers (2.5 km) where the fishing operations in the High Seas are carried out by using Gill nets;
10. No Skipper/Master shall engage in the fishing operation within one nautical mile radius from data buoys installed in high seas and shall not damage such data buoys;
11. No Skipper/Master shall engage in fishing operations in the area defined by coordinates 0⁰-10⁰ North, 40⁰-60⁰ 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;
12.
 - 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 step to release the tuna (bigeye tuna, skipjack tuna and yellow fin 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.

N.B: Boat registration number, Boat Name(if any), International Radio Call Sign, Name of the Boat Owner, name of the Skipper, Port of registry shall be marked in the Flag or Tag that attached to the Fishing Gear as a administrative measure to identification of the gear.

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