

[Legal Notice No, 68]

FISHERIES ACT
(No. 13 of 1972)

FISHERIES (FOREIGN FISHING VESSELS) REGULATIONS 1981

I make the following Regulations under section 20 of the Fisheries Act.

1. These Regulations may be cited as the Fisheries (Foreign Fishing Vessels) Regulations 1981. Citation.

2. In these Regulations - Interpre-
tation
 - "territorial seas" means the territorial seas of Solomon Islands as defined in the Delimitation of Marine Waters Act 1978; No. 32 of
1978
 - "fishery limits" means the limits set by or under section 2 of the Fishery Limits Act 1977; and No. 18 of
1977.
 - "permit" means a permit granted under section 7(2) of the Fisheries Act.

3. Each permit shall be in conformity either with Form F1 or as the case may be with Form F2 in the First Schedule to these Regulations but may contain such informative additions as the licensing officer may consider expedient. Form of
Permit

4. A permit shall be valid from the date of issue for the period endorsed on the permit by a licensing officer, such period not to exceed 1 year. Validity
permit

5. A permit shall authorise a vessel to do such things as are endorsed on the permit in accordance with section 7 of the Act during the Permit Activation Period. Permit
Authori-
sation

6. The Permit Activation Period shall be endorsed on the permit and may be either - Permit Acti-
vation period
 - (a) for the period of the permit; or
 - (b) for such period or periods as the licensing officer may from time to time specify in writing.

7. It shall be a condition of each permit that the master of the foreign fishing vessel in respect of which the permit was issued shall within the fishery limits - Conditions
of permit
 - (i) comply with the Fisheries Act and the Regulations made under the Act;

- (ii) comply with the lawful instructions of an authorised officer;
- (iii) permit an authorised officer to inspect the vessel its catch and gear;
- (iv) present the catch for examination and weighing when required by a fisheries officer;
- (v) carry an observer on behalf of the Government of Solomon Islands whenever required by the Principal Licensing Officer.

Additional conditions for locally chartered foreign fishing vessels

8. It shall be an additional condition of each permit issued to the master of a foreign fishing vessel chartered by any company or fishermen's co-operative society incorporated under the laws of Solomon Islands and having its principal place of business in Solomon Islands that the master shall -

- (i) not, save for baitfishing, fish within five hundred metres of low water mark or within one nautical mile of any village nor fish within any local fishing area specified by the Principal Licensing Officer and shown on the local fishing area maps approved by the Principal Licensing Officer or in any manner not authorised by the permit;
- (ii) if permitted to engage in pole and line fishing
 - (a) not bait-fish in any area unless such area is shown on the current set of baitground maps approved by the Principal Licensing Officer and is the subject of an agreement between the customary baitground owners and the company or fishermen's co-operative by which the foreign fishing vessel is chartered;
 - (b) carry on board at all times the latest set of baitground maps approved by the Principal Licensing Officer; and
 - (c) keep a daily record of bait-fishing operations in a form approved by the Principal Licensing Officer;
- (iii) carry on board at all times the current set of local fishing area maps as approved by the Principal Licensing Officer;
- (iv) keep a daily record of all other fishing operations in a form approved by the Principal Licensing Officer;
- (v) submit a copy of each daily record of baitfishing and other fishing operations or with the agreement of the Principal Licensing Officer a summary total thereof, to the Principal Licensing Officer as often as he shall require

- (vi) erase all foreign fishing registration marks from the vessel and legibly paint the Identifying Mark shown on the permit in black on a white background on both sides of the hull at the turn of the bow of the vessel, on both sides of the bridge superstructure and on such part of the vessel as may be required by the Principal Licensing Officer with letters and numbers not less than 30 centimetres high each stroke thereof being not less than 5 centimetres wide;
- (vii) clearly exhibit the said Identifying Marks on all bait fishing boats and fixed fishing gear.

9. It shall be an additional condition of each permit issued to the master of a foreign fishing vessel other than a vessel mentioned in Regulation 8 that the master shall -

Additional conditions for other foreign fishing vessels.

- (i) report to the Principal Licensing Officer on entry into and departure from the fishery limits and, while remaining within the fishery limits, at such regular intervals as may be required by the Principal Licensing Officer giving the position of the vessel and a summary of the catch on board by weight of species;
- (ii) keep a daily catch record in a form approved by the Principal Licensing Officer and submit a copy of such catch record, or with the agreement of the Principal Licensing Officer a summary total thereof, to the Principal Licensing Officer as often as he shall require;
- (iii) not fish within the waters contained within the outermost limits of the territorial seas of Solomon Islands or outside the limits endorsed on the permit or in any manner not authorised by the permit;
- (iv) legibly paint the identifying mark shown on the permit on the hull amidships on both sides, and on such other part of the vessel as may be required by the Principal Licensing Officer in letters and figures one metre high, clear and distinct, black on white, white on black or other similar contrasting colours.

10. A licensing officer may impose such further conditions as may be required for the purpose of sections 3(2) and 7 of the Fisheries Act including in particular conditions required by any agreement made between the Government of Solomon Islands of the one part and a foreign government or foreign fishing association, co-operative or corporation of the other part.

Further conditions

Foreign
fishing vessel
to stow gear.

11. Any fishing gear aboard a foreign fishing vessel not permitted to fish within the fishery limits shall while the vessel is within the fishery limits be stowed wholly inboard the vessel and -

(a) nets, trawlboards and weights shall be disconnected from towing or hauling wires or ropes and all mechanical hauling devices shall be sufficiently disconnected to be incapable of immediate use;

(b) if carried on or above deck, shall be secured to some part of the super-structure or hull of the vessel.

Amendments
of the
Fisheries
Regulations
1972
(L.N 76/72)

12. The Fisheries Regulations 1972 are amended as set out in the Second Schedule.

FIRST SCHEDULE

Form F1

SOLOMON ISLANDS

PERMIT FOR FOREIGN FISHING VESSEL

(Fisheries Act and Fisheries (Foreign Fishing Vessel) Regulations 1981)

PART I

Permit No.

THE VESSEL NAMED BELOW IS AUTHORISED TO ENTER THE FISHERY LIMITS OF SOLOMON ISLANDS DURING THE PERMIT ACTIVATION PERIOD FOR THE PURPOSES INDICATED IN PART 2.

Issued to

Address

.....

Name and address of owner of vessel

.....

Name of vessel

Type of vessel

Port and country of registry

Registration No.

Identification mark

Length Registered net tonnage

Engine horsepower

Radio call sign Frequency

Permit Period from to

PERMIT AUTHORISATION. For the purposes specified in Part 2 during the Permit Activation Period only.

PERMIT ACTIVATION PERIOD (a) The Permit Period.

or

(b) Such period or periods as the licensing officer may from time to time specify in writing.

PART 2

AUTHORISATION TO FISH

Description of fishing operations authorised

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Areas which may be fished

.....

Species of fish to be taken

.....

Authorised landing places

.....

Further conditions

.....

AUTHORISATION TO LOAD, UNLOAD OR TRANSHIP

Description of operations authorised

.....

.....

Further conditions

.....

AUTHORISATION TO LOAD OR UNLOAD FUEL AND SUPPLIES

Description of operations authorised

.....
.....

Authorised bunkering ports

.....

Authorised number and frequency of visits

.....

Dated at this day of

..... 19

.....

Licensing Officer

NOTE. THE HOLDER OF THIS PERMIT IS SUBJECT TO THE FISHERIES ACT 1972 AND TO THE REGULATIONS MADE UNDER THE ACT, IN PARTICULAR TO THE FISHERIES (FOREIGN FISHING VESSELS) REGULATIONS 1981.

SOLOMON ISLANDS

PERMIT FOR FOREIGN FISHING VESSEL
CHARTERED TO LOCAL COMPANY OR CO-OPERATIVE

(Fisheries Act and Fisheries (Foreign Fishing Vessel)
Regulations 1981)

PART I

Permit No.

THE VESSEL NAMED BELOW IS AUTHORISED TO FISH WITHIN THE
FISHERY LIMITS IN ACCORDANCE WITH PART II OF THIS PERMIT
DURING THE PERMIT ACTIVATION PERIOD.

Issued to

Address

Name and address of owner of vessel

Name and address of company or co-operative chartering vessel

Period of charter: from to

Name of vessel identification mark

Port of Registry

Radio call sign Frequency

Length Tonnage

Engine horsepower

Permit Period: from to

Permit Authorisation: For the purposes specified in Part 2 during the Permit Activation Period only.

Permit Activation Period: (a) The Permit Period.

or

(b) Such period or periods as the licensing officer from time to time specify in writing.

PART II

Permitted fishing operations

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Areas which may be fished

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Species of fish to be taken

.....

Further conditions

.....

.....

Dated at this day of

..... 19

.....

Licensing Officer

NOTES. 1. THE HOLDER OF THIS PERMIT IS SUBJECT TO THE FISHERIES ACT 1972 AND TO THE REGULATIONS MADE UNDER THE ACT, IN PARTICULAR TO THE FISHERIES (FOREIGN FISHING VESSELS) REGULATIONS 1981.

2. UNDER SECTION 7(6) OF THE FISHERIES ACT 1972 BREACH OF THE CONDITIONS OF THIS PERMIT MAY MAKE THE OWNER, MASTER AND CHARTERER OF THE VESSEL EACH LIABLE TO A FINE OF \$25,000.00.

SECOND SCHEDULE

Amendments to the Fisheries Regulations 1972

1. Under the heading "Arrangement of Regulations" delete "6 Additional conditions for licensed foreign fishing vessels" and "8. Foreign fishing vessels to report and stow gear."
2. Delete Regulation 8.
3. In the First Schedule delete Form 5 (foreign fishing vessels permit).

Dated at Honiara this fourteenth day of December, 1981.

P. SALAKA
Minister of Land, Energy and Natural Resources
