

Fisheries Act 1973

LAWS OF SOLOMON ISLANDS

Revised Ed. 1996

CHAPTER 38

FISHERIES ACT

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AN ACT TO MAKE PROVISION FOR THE PROMOTION AND REGULATION OF
FISHING AND FISHERIES INDUSTRIES IN SOLOMON ISLANDS.

[1st January 1973]

**PART I
PRELIMINARY**

Short title

1. This Act may be cited as the Fisheries Act.

Interpretation

9 of 1977, s. 2
LN 46A of 1978
Cap, 121

2. In this Act, unless the context otherwise requires-

"authorised officer" means any fisheries officer, any police officer, any officer as defined in the Customs and Excise Act, the master of any Government vessel, and any other public officer declared by the Minister by notice to be an authorised officer for the purposes of this Act;

"fish" means any aquatic animal, whether piscine or not, and includes shell-fish, crustaceans, sponge, holothurian (bêche-de-mer), crocodile and turtle, and the young and eggs thereof;

"fisheries officer" means a fisheries officer or assistant fisheries officer appointed pursuant to section 3, and includes the Principal Fisheries Officer;

*"fishery limits" means the fishery limits of Solomon Islands extending to two hundred nautical miles from the baselines from which the territorial sea adjacent to Solomon Islands is measured;

**Vide section 4 of the Fishery Limits Act (Cap. 96).*

"fishing" means fishing for or catching, or taking, or killing fish by any method;

"fishing vessel" means any vessel used commercially for fishing but does not include canoe;

"fish processing establishment" means any land, jetty, premises, vessel or other place on or in which fish are processed but does not include any place in which fish are processed exclusively for sale by retail to the public or for consumption on the premises, or any fishing vessel on which fish which has been caught off such fishing vessel is only gutted, salted, iced, chilled or frozen for the purpose of preserving such fish;

"fish product" means any product of fish processing;

"foreign fishing vessel" means any fishing vessel other than a local fishing vessel;
"licensing officer" means a licensing officer appointed pursuant to section 5, and includes the Principal Licensing Officer;

"local fishing vessel" means any fishing vessel-

(a) owned by one or more persons domiciled and resident in Solomon Islands; and

(b) owned by any company or fishermen's cooperative society incorporated under the laws of Solomon Islands, and having its principal place of business in Solomon Islands and does not include any vessel registered in any country outside Solomon Islands;

"operate", in relation to a fishing vessel, means to be the master or owner or charterer of the fishing vessel, and, in relation to a fish processing establishment, means to own or be in charge of the fish processing establishment, and where the fish processing establishment is a vessel, means to be the master or owner or charterer thereof;

"Principal Fisheries Officer" means the Principal Fisheries Officer appointed pursuant to section 3;

"Principal Licensing Officer" means the Principal Licensing Officer appointed pursuant to section 5;

"processing", in relation to fish, includes preserving or preparing fish or producing any substance or article from fish by any method.

PART II FISHERIES ADMINISTRATION

Appointment of Principal Fisheries Officer and other fisheries officers

LN 46A of 1978

3.-(1) There may be appointed-

(a) a Principal Fisheries Officer; and

(b) such other fisheries officers and assistant fisheries officers as may be necessary to give effect to this Act,

and any such appointment shall, if the appointment is to an office in the public service, be made pursuant to the Constitution, but otherwise may be made by the Minister.

(2) The Principal Fisheries Officer shall-

(a) promote the development of fishing and fisheries in Solomon Islands; and

(b) endeavour to ensure that the fisheries resources of Solomon Islands are exploited to what appears to him to be the maximum reasonable extent consistent with sound fisheries resources management.

Fisheries Advisory Committee

LN 46A of 1978

4. The Minister may by order establish a Fisheries Advisory Committee and prescribe or provide for its constitution, functions and duties.

PART III LICENSING OF LOCAL FISHING VESSELS

Appointment of Principal Licensing Officer and other licensing officers

LN 46A of 1978

9 of 1977, s .3

5. There may be appointed-

(a) a Principal Licensing Officer; and

(b) such other licensing officers as may be necessary to give effect to this Act,

and any such appointment shall, if the appointment is to an office in the public service, be made pursuant to the Constitution, but otherwise may be made by the Minister.

Fishing vessel licenses

LN 46A of 1977

9 of 1977, s. 4

6.-(1) A licensing officer may, upon written application in the prescribed form and upon payment of the prescribed fee, grant a licence in the prescribed form in respect of any local fishing vessel:

Provided that no licence shall be granted to any local fishing vessel which is a vessel to which section 18(1) of the Shipping Act applies unless there is subsisting a valid and unexpired safety certificate issued in respect of that fishing vessel under section 13 of that Act, or, if no such certificate is required, unless the vessel meets any safety standards prescribed under section 28 of that Act in respect of the appropriate class of vessel.

Cap 163

(2) It shall be a condition of every licence granted under this section that there shall be marked and kept marked on the fishing vessel in respect of which the licence is granted such letters and numbers of identification as may be assigned to that vessel by the licensing officer, in such manner as he may specify or as may be prescribed.

(3) The validity of a licence granted under this section shall not extend beyond one year from the date of issue thereof, except where the licensing officer or, in the case of foreign fishing vessels, the licensing officer with the prior approval of the Minister, may in writing otherwise authorise.

(4) Any person who operates or causes or allows to be operated any local fishing vessel within the fishery limits except under a valid licence granted under this section in respect of that fishing vessel and in accordance with the conditions of such licence shall be guilty of an offence and liable to a fine of two hundred dollars or to imprisonment for six months, or to both such fine and such imprisonment.

PART IV FOREIGN FISHING VESSELS

Entry and fishing by foreign fishing vessels in the fishery limits

9 of 1977, s. 5

7.-(1) No foreign fishing vessel shall-

- (a) enter within the fishery limits except for a purpose recognised by international law;
- (b) fish or attempt to fish within the fishery limits;
- (c) load, unload or tranship any fish within the fishery limits; or
- (d) load or unload any fuel or supplies within the fishery limits,

unless authorised to do so under a permit granted under this section.

(2) A licensing officer may, with the approval of the Minister, grant a permit in the prescribed form in respect of any foreign fishing vessel, authorising such vessel to do such of the things described in subsection (1) as may be provided for in the permit.

(3) Any permit granted by a licensing officer under this section shall be subject to-

- (a) such conditions as may be prescribed, and such further conditions as may be endorsed upon the permit by the licensing officer; and
- (b) the payment of such fees and royalties as may be determined by the Principal Licensing Officer with the approval of the Minister.

(4) The fishing gear of any foreign fishing vessel which is prohibited by this section from fishing within the fishery limits shall, while the vessel is within those limits, be stowed in such manner as may be prescribed.

(5) Where any foreign fishing vessel contravenes any of the provisions of this section, the master, owner and charterer, if any, of such vessel shall each be guilty of an offence and liable-

- (a) in the case of a contravention under subsection (1), to a fine of two hundred and fifty thousand dollars; and

(b) in the case of a contravention under subsection (4), to a fine of twenty-five thousand dollars.

(6) Where any foreign fishing vessel contravenes any of the conditions of a permit granted under this section, the master, owner and charterer, if any, of such vessel shall each be guilty of an offence and liable to a fine of twenty-five thousand dollars.

PART V PROHIBITED FISHING METHODS

Fishing with explosives, poison and other noxious substances

LN 46A of 1978

8.-(1) Any person who-

(a) permits to be used, uses or attempts to use any explosive, or any poison or other noxious substance, for the purpose of killing, stunning, disabling or catching fish or in any way rendering fish more easily caught; or

(b) carries or has in his possession or control any explosive, poison or other noxious substance in circumstances which raise a reasonable presumption that such explosive, poison or other noxious substance is intended to be used for any of the aforesaid purposes,

shall be guilty of an offence and liable to a fine of two hundred dollars or to imprisonment for six months, or to both such fine and such imprisonment.

(2) Any person who, knowing or having reasonable cause to believe that any fish has been taken in contravention of the provisions of this section, without lawful excuse, receives or is found in possession of such fish, shall be guilty of an offence and liable -

(a) where the circumstances of such receipt or possession raise a reasonable presumption that the fish is intended for the purpose of sale, trade, or profit, to a fine of two hundred dollars or to imprisonment for six months, or to both such fine and such imprisonment; or

(b) where no such presumption arises, to a fine of fifty dollars or to imprisonment for two months, or to both such fine and such imprisonment.

(3) In this section "poison or other noxious substance" does not include any vegetable poison indigenous to the Solomon Islands.

PART VI FISH PROCESSING ESTABLISHMENTS

Fish processing establishments

9 of 1977, s. 6

9.-(1) The Principal Licensing Officer may on payment of the prescribed fee grant to any person a licence in the prescribed form to operate a fish processing establishment.

(2) Any licence granted under this section shall be subject to such conditions as may from time to time be prescribed, or as may be endorsed on the licence.

(3) Any person who operates or causes or allows to be operated any fish processing establishment except under a valid licence granted under this section in respect of that fish processing establishment and in accordance with the conditions of such licence shall be guilty of an offence and liable to a fine of two hundred dollars or to imprisonment for six months, or to both such fine and such imprisonment.

PART VII POWERS OF AUTHORISED OFFICERS

Power to stop, board, search, etc., fishing vessels

9 of 1977, s. 7

10. For purposes of ascertaining whether there is or has been any contravention of the provisions of this Act any authorised officer may -

(a) at all reasonable hours enter any fish processing establishment and any premises other than premises used exclusively as a dwelling-house;

(b) stop, board and search

(i) any fishing vessel within the fishery limits; or

(ii) any local fishing vessel, outside the fishery limits;

(c) stop and search any vehicle transporting, or reasonably suspected of transporting, fish or fish products;

(d) make such examination and inquiry as may appear necessary to him concerning any premises, fish processing establishment, vessel or vehicle in relation to which any of the powers conferred by this section have been, or may be, exercised and take samples of any fish, or fish products, found therein;

(e) require any person to produce his licence or his authority if it appears to the authorised officer that such person is doing any act for which a licence or other authority is required under this Act.

Power of an authorised officer where he reasonably believes in offence committed

9 of 1977, s. 7

11.-(1) Where he has reasonable grounds for believing that an offence against the

provisions of this Act has been committed, any authorised officer without a warrant, may-

(a) following hot pursuit as recognised by international law and commenced within the fishery limits, stop, board and search outside the fishery limits any foreign fishing vessel which he believes has been used in the commission of that offence within the fishery limits or in relation to which he believes such offence has been committed and bring such vessel and all persons and things on board such vessel within the fishery limits;

(b) within the fishery limits-

(i) arrest any person whom he believes has committed such offence and, if the authorised officer making such arrest is not a police officer, he shall without unnecessary delay make over such person to a police officer or, in the absence of a police officer, shall take such person to the nearest police station;

(ii) in the case of an offence against sections 7(1), 8(1) or 15, seize any vessel (together with its equipment, stores and cargo) which he believes has been used in the commission of such offence or in respect of which he believes such offence has been committed;

(iii) seize any fishing gear, instruments or appliances which he believes have been used in the commission of such offence;

(iv) seize any fish which he believes have been taken or fish products produced in the commission of such offence; and

(v) seize any explosive, poison or other noxious substance which he believes has been used, carried, possessed or controlled in contravention of section 8.

(2) After any vessel has been stopped under the provisions of this section any authorised officer may exercise concerning the vessel or in relation to any fish or fish products therein any of the powers conferred by paragraph (d) of section 10.

(3) A written receipt shall be given for anything seized under subsection (1) by the authorised officer concerned to the person from whom the seizure is made.

Obstruction, etc. of authorised officers

12. Any person who -

(a) wilfully obstructs any authorised officer in the exercise of any of his powers under this Act; or

(b) fails to comply with any lawful requirement imposed or to answer any lawful enquiry made by any authorised officer under this Act,

shall be guilty of an offence and liable to a fine of two hundred dollars or to imprisonment for six months, or to both such fine and such imprisonment, and if the obstruction or non-compliance takes place on board or alongside a fishing vessel, the master of the fishing vessel shall be guilty of a like offence and liable to a like penalty.

Authorised officers to declare office, etc.

13. Any authorised officer acting in the exercise of his powers under this Act shall, on demand, produce such document of identification or other evidence as may be reasonably sufficient to show that he is an authorised officer for the purposes of this Act.

Non-liability of authorised officers

14. No authorised officer shall be personally liable in respect of any act done or omitted to be done by him in good faith in the execution or purported execution of his powers and duties under this Act.

PART VIII OFFENCES AND LEGAL PROCEEDINGS

Throwing overboard or destroying incriminating evidence

15. Any person who, being on board any vessel being pursued or about to be boarded by any authorised officer, throws overboard or destroys any fish, fishing gear, explosive, poison, noxious substance or any other thing whatsoever, with intent to avoid the seizure of such fish, fishing gear, explosive, poison, noxious substance or thing, or the detection of any offence against this Act, shall be guilty of an offence and liable to a fine of four hundred dollars or to imprisonment for one year, or to both such fine and such imprisonment.

Cancellation and suspension of licenses and permit

9 pf 1977, s. 8

16.-(1) Where any condition of any licence or permit is contravened the Principal Licensing Officer may cancel the licence or permit, or suspend such licence or permit for such period as he may think fit.

(2) Any person aggrieved by the refusal of any licensing officer to issue any licence granted under this Act, or by the cancellation or suspension of any licence or permit granted under this Act, may appeal against such refusal, cancellation or suspension to the Minister, whose decision shall be final.

Forfeiture of gear, fish and vessels

9 of 1977, s. 9

17. Where any person is convicted of an offence against this Act the court may, in addition to any other penalty it may impose, order that any fish caught or fish product produced in the commission of such offence or the proceeds of sale of such fish or fish product, and any fishing gear, instruments or appliances and, in the case of any offence under section 7(1), 8(1) or section 15, any vessel (together with its equipment, stores and

cargo) used in the commission of such offence or in respect of which such offence has been committed, shall be forfeited to the Government, and if so forfeited shall be disposed of in such manner as the Minister of Finance may direct.

Presumption

9 of 1977, s.10

18. All fish found on board any fishing vessel used in the commission of an offence against the provisions of this Act or in respect of which any such offence has been committed, shall, unless the contrary is proved, be presumed to have been caught in the commission of such offence.

Jurisdiction of the courts

9 of 1977, s. 10

19. Any offence against any of the provisions of this Act committed within the fishery limits may be dealt with, and judicial proceedings taken, as if the offence had been committed in any place in Solomon Islands.

Disposal of seized goods

20.-(1) Any fish, fish product or other article of a perishable nature seized or taken under the provisions of this Act may on the direction of the Principal Fisheries Officer be sold and the net proceeds of the sale held pending the outcome of any prosecution brought under this Act, and if no such prosecution is brought such proceeds shall be paid to the owner of the fish, fish product or other article sold.

(2) Any fishing vessel, fishing gear, instrument or appliance seized under section 11 which is not ordered to be forfeited under section 17 shall be returned to its owner.

9 of 1977, s. 11

(3) Where any fishing vessel, fishing gear, instrument or appliance, fish or fish product has been seized under section 11, the court may order its release, on receipt of a satisfactory bond or other security from any person claiming such property, conditioned on such person-

(a) delivering such property to the court upon the order of the court, without any impairment of its value; or

(b) paying the monetary value of such property in accordance with an order or judgment of the court.

PART IX GENERAL

Compulsory acquisition of land

21. Whenever it appears to the Minister that any land is required for the purpose of developing fisheries or fisheries industries in Solomon Islands he may make a declaration to that effect and that purpose shall be deemed to be a public purpose and the provision of Division 2 of Part V of the Land and Titles Act (relating to the compulsory acquisition of land), with the exception of section 76(2) thereof, shall apply in relation thereto.

Cap 133

Fishing for scientific purposes

9 of 1977 s. 12

22. The Minister may, in writing, authorise any fishing vessel to fish within the fishery limits for the purpose of scientific investigation, and may for this purpose exempt such fishing vessel from all or any of the provisions of this Act and, in making such exemption, may impose such conditions as he may think fit.

Power to make regulations

23. The Minister may make such regulations as may seem to him expedient for carrying into effect any of the purposes or provisions of this Act, and, without prejudice to the generality of the foregoing, such regulations may prescribe or provide for all or any of the following purposes-

- (a) the training of fishermen;
- (b) the registration and licensing of fishermen and their fishing gear, including fixed nets, stakes and weirs, and the registration of fishing vessels;
- (c) conditions and procedures to be observed by foreign fishing vessels while within the fishery limits;
- (d) the conservation and protection of fish or any particular species of fish;
- (e) the establishment of closed seasons for any area of Solomon Islands therein specified;
- (f) the placing of a limit on the amount, size or weight of fish or any species of fish which may be caught or traded;
- (g) the designation of prohibited fishing areas for all fish or certain species of fish or methods of fishing;
- (h) the prohibition of certain types of fishing gear or methods of fishing;
- (i) in relation to fishing nets, minimum mesh sizes;
- (j) the organisation and regulation of sport fishing;
- (k) regulating the cultivation of sea-weed and other aquatic plants;
- (l) the licensing of fish farms and the regulation of importation of live fish;
- (m) the organisation and regulation of marketing, distribution and export from Solomon Islands of fish or fish products;
- (n) controlling the handling, landing and transportation of fish or fish products;
- (o) methods and procedures to be adopted in relation to fish storage and processing;
- (p) substances and materials to be used in fish processing;
- (q) the inspection of fish processing establishments and fish products;
- (r) minimum standards in relation to the quality of fish or fish products;

- (s) methods of analysis of fish and fish products;
(t) the grant of exemption to any class of vessels or fish processing establishments from all or any of the Provisions of this Act; and
(u) anything required to be prescribed by this Act,

CHAPTER 38

FISHERIES

Subsidiary Legislation

THE FISHERIES REGULATIONS (Section 23)

LN 76/1972
LN 56/1973
LN 112/1977
LN 68/1981
LN 69/1981
LN 116/1988
LN 43/1993
LN 54/1995
LN 85/1995
LN 3/1996

[15th December 1972]

ARRANGEMENT OF REGULATIONS

REGULATION

1. CITATION
2. FORMS
3. LICENCE FEES
4. DUPLICATE LICENCES
5. PROTECTION OF CRAYFISH
6. PROTECTION AND EXPORT OF TROCHUS
7. DISPOSAL OF FISH OFFAL
8. SALE OF CROCODILE AND CROCODILE SKIN
9. TURTLES, TURTLE NESTS AND EGGS
10. FISH FARMING AND RANCHING
11. RESTRICTION ON THE USE OF NETS
12. PROTECTION OF COCONUT CRAB, PEARL OYSTER, CORALS AND CORAL

SANDS

13. PROHIBITION OF EXPORT OF CERTAIN OYSTER SHELLS
14. REMOVAL OF CORAL AND CORAL SAND FROM DESIGNATED AREA
15. PROTECTION OF WILD CLAMS
16. EXEMPTION
17. STANDARDS OF CONSTRUCTION, EQUIPMENT AND SANITATION
18. ALTERATIONS, ETC TO FISH PROCESSING ESTABLISHMENT
19. CONDITIONS OF FISH PROCESSING ESTABLISHMENT LICENCE
20. EXEMPTION FROM CERTAIN REQUIREMENTS
21. PROTECTION OF CERTAIN TURTLES
22. ALTERATIONS ETC. TO PREMISES

FIRST SCHEDULE

SECOND SCHEDULE

THIRD SCHEDULE

Citation

1. These Regulations may be cited as the Fisheries Regulations

Forms. First Schedule

2. Every application, licence or other document required to be prescribed under the Act shall be in conformity with the appropriate form set out in the First Schedule.

License fees. Second Schedule

- 3.-(1) Fees for licences issued under the Act shall be payable at the appropriate rate specified in the Second Schedule.

(2) Where a licence is issued for a period of less than one year the fee payable therefor shall be that part of the annual fee in the proportion that the period for which the licence is issued bears to one year.

Duplicate licenses. Second Schedule

4. A licensing officer may, where satisfied that any licence issued under the Act has been lost or destroyed, issue a duplicate licence on payment of the fee specified in relation thereto in the Second Schedule.

Protection of crayfish

LN 43/1993

5. Any person who catches and retains or sells or exposes for sale, or buys or exports-

(a) any crayfish of the genus *Panulirus* whose carapace length is less than 8 centimetres when measured along the mid-line from immediately behind the rostral horn to the rear edge of the carapace;

(b) any female crayfish which is carrying eggs externally or from which the eggs have been removed,

shall be guilty of an offence and liable to a fine of one hundred dollars or to imprisonment for three months, or to both such fine and imprisonment.

Protection and export of trochus

LN 3/1996

6.-(1) Any person who catches and retains, or sells or exposes for sale or buys any trochus shell under 8 centimetres and over 12 centimetres in diameter as measured across the base shall be guilty of an offence and liable to a fine of one hundred dollars or to imprisonment for three months, or to both such fine and imprisonment.

(2) Any person who exports or has in his possession for export any raw trochus shall be guilty of an offence and liable to a fine of one hundred dollars or to imprisonment for three months or to both such fine and imprisonment.

Disposal of fish offal

LN 43/1993

7. Any person who disposes of any fish offal or waste from a fish processing establishment in the sea, within one nautical mile off land shall be guilty of an offence and liable to a fine of one hundred dollars or to imprisonment for three months or to such fine and imprisonment.

Sale of crocodile and crocodile skin

LN 43/1993

8.-(1) Any person who exports any crocodile or crocodile skin or any part or the product thereof, shall be guilty of an offence and liable to a fine of one hundred dollars or to imprisonment for three months, or to both such fine and imprisonment:

Provided that this regulation shall not apply in relation to any crocodile, or the skin or part thereof of any crocodile reared in a farm licensed under any regulation made under section 23(1) of the Act and whose belly-width is less than 45 centimetres and greater than 18 centimetres.

(2) In this regulation-

"belly-width" means the distance across the skin of the abdomen of a crocodile between the innermost edges of the rows of lateral scutes in either side of the abdomen measured between the pair of scutes third from the head.

Turtles, turtle nests and eggs

LN 43/1993

9.-(1) Any person who sells or exposes for sale or buys or exports any turtle or part of any turtle or the product thereof, shall be guilty of an offence and on conviction liable to a fine of one hundred dollars or to imprisonment for three months, or to both such fine and such imprisonment.

(2) Any person who takes nesting turtles or eggs or destroys turtle nests or eggs during breeding seasons which are from June to August and November to January shall be guilty of an offence and on conviction liable to a fine of one hundred dollars or three months imprisonment or to both such fine and imprisonment.

Fish farming and ranching

LN 43/1993

10.-(1) No fuming or ranching of fish shall be established without the approval and issuance of a licence by the Principal Fisheries Officer.

(2) Any licence granted under this section shall be subject to such conditions as may from time to time be prescribed or may be endorsed on the licence.

(3) Any person who operates any farming or ranching of fish without a valid licence granted under this section or in contravention of the conditions of such licence shall be guilty of an offence and on conviction liable to a fine of two hundred dollars or to imprisonment for six months, or to both such fine and such imprisonment.

(4) In this regulation "farming or ranching of fish" has the meaning assigned thereto in the Act.

Restriction on the use of nets

LN 56/1973

11. Any person who fishes by means of a seine, gill or trawl net within any area specified in the Third Schedule shall be guilty of an offence and liable to a fine of twenty dollars.

Protection of coconut crab, pearl oyster, corals and coral sand

LN 43/1993

12.-(1) Any person who has in his possession, or sells or exposes for sale or buys -

- (a) any coconut crab of the species *Birgus latro* which is less than 9 centimetres in length when measured along the carapace from immediately behind the rostral horn to the rear edge of the carapace in the midline; or
- (b) any coconut crab which is carrying eggs or from which the eggs have been removed,

shall be guilty of an offence and on conviction liable to a fine of five hundred dollars or to imprisonment for three months, or to both such fine and imprisonment.

(2) No person shall have in his possession for export coconut crab except with the permission of the Principal Licensing Officer and in accordance with such conditions as he may specify.

LN 54/1995

(3) In granting permission referred to in paragraph (2), the Principal Licensing Officer shall ensure that such export is not in respect of coconut crabs protected under paragraphs (1)(a) or (b).

LN 54/1995

Prohibition of export of certain oyster shells

LN 43/1993

13. Any person who exports any oyster shell of the genus *Pinctada* shall be guilty of an offence and on conviction liable to a fine of one hundred dollars or to imprisonment for three months, or to both such fine and imprisonment, so however, that such restriction on export shall not apply to oyster shells that are obtained from a farm as specified in section 23(l) of the Act.

Removal of coral and coral sand from designated area

LN 43/1993

14.-(1) The Minister in consultation with reef owners, may by notice published in the gazette, declare any area of Solomon Islands waters to be a designated area for the purposes of this regulation.

(2) Subject to paragraph (4) any person who, except under a written permit granted by the Principal Fisheries Officer, takes or collects dead or live coral or coral sand from any designated area declared under paragraph (1), shall be guilty of an offence and on conviction liable to a fine of one hundred dollars or to imprisonment for three months, or to both such fine and imprisonment.

(3) Any person who uses machines for the extraction of coral gravels and coral sand shall be guilty of an offence and shall on conviction be liable to a fine of one hundred dollars or to three months imprisonment or to both such fine and imprisonment.

(4) Paragraph (2) shall not apply to the-

- (a) taking or collecting of live coral for the sole purpose of producing by traditional methods lime for consumption with betel nut; or
- (c) clearing of a passageway through any reef area, provided that such clearing has been duly authorised by the appropriate government authorities.

Protection of wild clams

LN 3/1996

15. Any person who has in his possession for sale, sells or buys or exports any clam meat or the product of clams of the genus *Tridacna* and *Hippoppus* harvested from the wild, shall be guilty of an offence and liable to a fine of one hundred dollars or to imprisonment for three months or to both such fine and imprisonment.

Exemption

16. Any fish processing establishment used exclusively for the production of dried fish in any form, for sale within Solomon Islands, is hereby exempted from the provisions of section 9 of the Act (relating to licensing), and the Principal Licensing Officer may if he thinks fit grant a like exemption to any fish processing establishment producing dried fish for export.

Standards of construction, equipment and sanitation

LN 112/1977

17. Every fish processing establishment shall comply with the following standards as to construction, equipment and sanitation:-

- (a) where fish are to be stored in cold storage -
 - (i) there shall exist facilities for maintaining a constant temperature of 0°F or such other temperature lower than 0°F as the Principal Fisheries Officer may require in any particular case; and
 - (ii) there shall be adequate instruments for measuring temperatures in each cold storage chamber;
- (b) where fish are to be processed by freezing-
 - (i) there shall exist facilities for freezing fish to at least -30°C within a period of twelve hours; and
 - (ii) there shall be adequate instruments for measuring temperatures in each freezing unit;
- (c) where fish are to be processed by freezing or canning, there shall be an adequate supply of potable water under pressure; and
- (d) in all cases -
 - (i) floors and walls shall be constructed of non-slip, durable, impervious and washable materials, suitably graded to allow easy and efficient cleaning and draining, to the satisfaction of the Principal Licensing Officer;
 - (ii) drains shall be of adequate size and fitted with suitable removable gratings;

- (iii) adequate washing and toilet facilities shall be provided for workers and maintained in a hygienic manner;
- (iv) all utensils, tables, benches, containers, racks and trays, shall be of non-corrosive material, and kept clean and in good repair;
- (v) all processing equipment and processing premises shall be thoroughly and regularly cleaned with potable water;
- (vi) the premises shall be kept free of animals, birds, pests, insects and vermin;
- (vii) all refuse and offal shall be collected into covered containers and shall be disposed of at least once daily; and the containers shall be washed before re-use;
- (viii) no refuse or offal shall be disposed of into the sea in such a way as to cause pollution or to attract sharks to any area near to a populated area or where local fishing operations are habitually carried out;
- (ix) the use of tobacco or any other smoking mixture or substance, or any chewing substance, shall be prohibited in any room where exposed fish or fish products are being handled;
- (x) all workers handling exposed fish or fish products shall wash their hands with soap and rinse them with potable water before commencing work and after using toilet facilities, and towels shall not be used to dry hands;
- (xi) first aid facilities shall be provided for workers and any cut or abrasion on any exposed part of the body shall at all times be covered with a waterproof dressing;
- (xii) all filleters, skimmers, scalers and handlers of fish shall wear clean white outer garments and a washable head covering;
- (xiii) all workers employed in the processing room or otherwise handling exposed fish or fish products shall undergo a medical examination at least once every year; and
- (xiv) no person suffering from an infectious or communicable disease such as tuberculosis, cholera, typhoid fever, vesicular disease, persistent dermal diseases or sores, or any other disease likely to contaminate fish or fish products, shall be allowed to work in the establishment.

Alterations etc., to fish processing establishment

18. No alterations or modifications shall be made to any licensed fish processing establishment unless plans of the proposed alterations or modifications have first been submitted to a licensing officer and his prior written approval obtained.

Condition of fish processing establishment license

LN 122/1977

19. A licence to operate a fish processing establishment shall be conditional upon-

- (a) the establishment being maintained and operated in a clean and sanitary manner in accordance with the provisions of regulation 17 and the Environmental Health Act;
Cap 99

(b) all products of the establishment shall before sale be clearly labelled as to the nature of the product and the identity of the processor and, in the case of frozen and canned fish, shall also bear a symbol indicating the date of processing;

(c) accurate records shall be maintained relating to the operations carried out in the establishment, including records of the quantity, type and quality of fish received, processed and sold, and all such records shall be open to inspection by any authorised officer;

(d) such returns shall be made to the Principal Fisheries Officer concerning the operations of the establishment as the Principal Fisheries Officer may from time to time require;

(e) where the establishment is a vessel, such vessel shall be anchored and shall remain anchored at such point within Solomon Islands waters as the Principal Licensing Officer shall determine, and, save in the case of emergency, shall not be moved from its point of anchorage except with the express permission of the Principal Licensing Officer.

Exemption from certain requirements

20. The Principal Licensing Officer may, with the approval of the Director of Medical Services, exempt, subject to such conditions as he thinks fit to impose, any fish processing establishment from compliance with any requirements of these Regulations as to construction, equipment, sanitary or quality standards for such period of time as he may think fit, if he is satisfied that the requirement is unreasonable or unnecessary having regard to all the circumstances of the case.

Protection of certain turtles

LN 112/1977

21. Any person who, except under a written permit granted by the Principal Fisheries Officer -

(a) fishes for any turtle of the species known as the leathery backed turtle or luth (*Dermochelys coriacea*); or

(b) takes, destroys, possesses, sells or exposes for sale, buys or exports any eggs of any leathery backed turtle or luth,

shall be guilty of an offence and liable to a fine of one hundred dollars or to imprisonment for three months, or to both such fine and imprisonment.

Alterations etc to premises

LN 112/1977

22.-(1) The Principal Fisheries Officer may, after consultation with the Public Health Inspector and the local authority for the area concerned, by notice published in the Gazette declare any area to be a regulated area for the purpose of controlling the handling and marketing of fish.

(2) Any fish caught within Solomon Islands or the fishery limits, which is intended for sale within any regulated area as abovesaid as fresh or frozen fish, shall be dealt with in accordance with the following provisions-

(a) all fish other than fish known locally as buma and cutcut shall be gilled and gutted as soon as practicable after being caught and thoroughly washed in clean fresh or salt water;

(b) all fish shall be packed in ice as soon as practicable after being caught, and shall be kept adequately iced;

(c) no fish shall be processed by freezing other than in facilities capable of freezing fish to at least -30° C within a period of no more than twelve hours;

(d) all frozen fish shall be stored in freezers at a maximum temperature of -20°C or where fish are stored for more than two months at a maximum temperature of -30°C; and

(e) all freezers used for the storage of fish shall be maintained in a clean and sanitary condition.

(3) Any person who sells or exposes for sale within Solomon Islands or the fishery limits, any fish which has not been dealt with in accordance with this regulation, shall be guilty or an offence and liable to a fine of two hundred dollars.

LN 68/1981
LN 69/1981
LN 112/1977
LN 43/1993

FIRST SCHEDULE

(Regulation 2)

FORM 1

No.

SOLOMON ISLANDS

THE FISHERIES REGULATIONS

APPLICATION FOR FISH PROCESSING ESTABLISHMENT LICENCE

I,

(insert full name in block capitals)

hereby apply on behalf of

(Company name)

for a licence to operate the fish processing establishment described below for the period commencing and ending on theday of..... 19.....

Address of applicant
.....
.....

Principal shareholders:

<i>Name and Address</i>	<i>Nationality</i>	<i>Percent of shareholding</i>
-------------------------	--------------------	--------------------------------

- 1)
- 2)
- 3)
- 4)

Total investment:
.....

Source of funding:
.....

Location of establishment:
.....

Description of establishment:
.....
.....
.....

Type of processing:
.....

Specify type of fish to be processed:
.....
.....

If a vessel, specify approved areas of operation:
.....
.....
.....

I have submitted plans of the establishment for approval*/plans are submitted herewith for approval showing the location in relation to each other in the establishment of buildings, equipment, water supply, drainage and sanitation facilities⁺.

Other information (if required by Licensing officer):
.....
.....
.....

I declare that the foregoing particulars are true and complete.

Date:19.....

Signature of applicant

*Delete as appropriate

+Adapt as necessary

Renewal of this Licence is conditional on data provision to Fisheries Division.

FORM 2

SOLOMON ISLANDS

THE FISHERIES REGULATIONS

FISH PROCESSING ESTABLISHMENT LICENCE

LICENCE NO.....

The premises */vessel details of which are given below
Owned by/* registered in the name of *.....
of.....
(address)
are/is* hereby licenses as a fish processing establishment under section 9 of the Fisheries Act.
Address and description of premises.....
.....
.....
Description of processing operations.....
.....
.....
Name of vessel Registration number.....
Port of Registry..... Length..... Tonnage.....

This license is valid for the period commencing

.....
 until.....
 Date of issue

Signature of Licensing Officer

Fees Paid.....

*Delete as appropriate

This licence is granted subject to compliance with the Fisheries Act and, my Regulations made thereunder and the conditions endorsed upon the back hereof.

FORM 3

SOLOMON ISLANDS

THE FISHERIES REGULATIONS

FISH EXPORT PERMIT NO.....

Shipper (name & address)		Licence No.	Consignee (name & address)	
Date		Voyage/Flight	Port of discharge	
Common name	Scientific name	Quantity (kg)	Export value (SIS)	
I certify that the above-described product(s) was/were inspected by me and found to be legal and suitable for export				
			This document is valid only with inspecting Official's ORIGINAL signature and stamps.	
Name.....		Signature.....	Date.....	
Designation.....				
This permit is equivalent in authority to, and issue in Lieu of, any permits required to be issued pursuant to CITES to which Solomon Islands is not a party. <i>Valid for one shipment</i>				

only.

LN 85/1995
LN 3/1996

SECOND SCHEDULE
(Regulation 3)

FEES

FISH EXPORT PERMIT

For each fish export permit issue.....SI\$150.00

ANNUAL LICENCE FEES

Foreign Fishing Vessels chartered to local companies:-

First licence-(For First Year in which the Company begins operations)-

Purse Seiner.....US\$7,500.00

Long Liner.....US\$5,000.00

Pole and Line.....US\$2,500.00

Second and Subsequent Year's Licences

Purse Seiner.....US\$15,000.00

Long Liner.....US\$10,000.00

Pole and Line.....US\$5,000.00

Fishing Processing Establishment-

For shore-based processing including canning, or
smoking or cold storage of tuna and tuna products SI\$10,000.00

For cold storage and processing (filleting and packing) of reef fish and cray fish including
button blanks and the aquarium trade SI\$5,000.00

For processing of bech de mers, black lip and trochus SI\$2,000.00

Farming licence for prawns, crocodile and fish..... SI\$2,500.00

Port entry fee SI\$100.00

Transshipment fee

(per vessel per year) US\$600.00

Transshipment levy-

(canning grade) US\$2.00 per tonne

(sashimi grade) US\$12.00 per tonne

Duplicate licence
(all classes) SI\$100.00

THIRD SCHEDULE
(Regulation 11)

AREAS IN WHICH NET FISHING IS PROHIBITED

Honiara Inner Harbour

All that area of the Honiara Harbour enclosed by a line joining the iron mooring dolphin at the North East end of the deep water quay at Point Cruz to the Easternmost corner of the Shell Company security fence and the High Water mark between those two points.

THE FISHERIES (FOREIGN FISHING VESSELS) REGULATIONS
(*Section 23*)

LN 68/1981
LN 84/1983

[*31st December 1981*]

Citation

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

Interpretation

2. In these Regulations -

*"fishery limits" means the seas surrounding Solomon Islands to a distance of two hundred nautical miles from the baselines from which the breadth of the territorial sea is measured;

**Vide section 4 of the Fisheries Limits Act (Cap 96)*

"good standing" means the original status granted to vessels applying for inclusion on the regional register;

"observer" means any person authorised by the Principal Licensing Officer to observe, record and report any or all aspects of fishing operations or to carry out related duties that the Principal Licensing Officer may require from time to time;

"permit" means a permit granted under section 7(2) of the Act;

"permit activation period" means the period during which the Principal Licensing Officer has authorised fishing activities;

"regional fisheries agency" means the South Pacific Forum Fisheries Agency, or the South Pacific Commission or any other agency which the Principal Licensing Officer may designate to receive information on behalf of the Government;

"regional register" means the South Pacific Forum Fisheries Agency Regional Fishing Vessel Register maintained at Honiara, Solomon Islands according to procedures established by its member governments;

"territorial seas" means the territorial seas of Solomon Islands as defined in the Delimitation of Marine Waters Act.

Cap 95

Form of permit

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.

Validity of permit

LN 84/1983

4. (1) The issuance of a permit shall be conditional upon the vessel having good standing on the regional register.

(2) A permit shall be valid from the date of issue for the period endorsed on the permit by the Principal Licensing Officer, such date not to exceed one year.

(3) A permit shall remain valid only while the vessel retains good standing on the regional register.

Permit authorisation

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 activation period

LN 84/1983

6. (1) Permit activation shall be conditional upon the following: -

(a) payment of the required fee, or guarantee of such payment acceptable to the Principal Licensing Officer, shall be made before a permit is activated;

(b) no refund of any fee paid in respect of the issuance or the activation of a permit shall be made;

(c) no permit shall be transferable.

(2) The permit activation period may be either

(a) for the period of the permit; or

(b) for such period or periods as the Principal 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 vessel in respect of which the permit was issued shall:

(a) comply with the Act and any regulations made thereunder;

(b) comply with the lawful instructions of an authorised officer;

(c) permit an authorised officer to inspect the vessel, its catch, its gear and its navigational and catch records;

(d) carry the permit on board and, on demand of an authorised officer, produce the permit or, where the permit has not been received, the number of the current permit issued in respect of the vessel;

(e) carry on board an observer who shall be permitted to board or leave the vessel -

(i) at such times and places within the fishery limits as may be required by the Principal Licensing Officer

(ii) at such times and places outside the fishery limits (including, where appropriate, the port of voyage commencement or the port or place of unloading) as the Principal Licensing Officer, in consultation with the owner or charterer of the vessel, may require;

(f) provide maintenance for such observer including food, accommodation and medical care of a standard equivalent to that provided for officers of the vessel;

(g) allow such observer to observe and record any or all aspects of the fishing operations and allow him access-

(i) to the catch on board and at unloading in order to obtain management related or biological information and samples;

(ii) to the daily catch records;

(iii) to charts and navigational records;

(iv) to communication channels with the Principal Licensing Officer for the purpose of his duties; and

(v) to such other facilities and equipment as may reasonably be required to enable the observer to carry out his duties.

Additional conditions for locally chartered foreign fishing vessel

LN 84/1983

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-

(a) 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;

(b) if permitted to engage in pole and line fishing-

(i) 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;

(ii) carry on board at all times the current set of baitground maps approved by the Principal Licensing Officer; and

(iii) keep a daily record of bait-fishing operations in a form approved by the Principal Licensing Officer;

(c) carry on board at all times the current set of local fishing area maps as approved by the Principal Licensing Officer;

(d) keep a daily record of all other fishing operations in a form approved by the Principal Licensing Officer;

(e) report weekly to the Principal Licensing Officer, in such manner and form as he may require, vessel position, a summary of the catch on board by weight of species and such other information as he may require;

(f) provide the Principal Licensing Officer, in such manner and form as he may require, a daily record of bait fishing and other fishing operations, or on the approval of the Principal Licensing Officer, a summary total thereof, or in the event the vessel does not operate within the fishery limits during a period of a permit activation, a statement of no operations-

(i) not more than 14 days after the completion of each voyage; and

(ii) at such other times as the Principal Licensing Officer may require;

(g) remove all foreign fishing registration marks from the vessel and legibly paint-

(i) the identifying mark shown on the permit at the turn of the bow, on both sides of the bridge superstructure, and on such other part of the vessel as may be required by the Principal Licensing Officer, in black on white, white on black or similar contrasting colours, clear and distinct, with letters and figures of not less than one metre high;

(ii) the name of the vessel in English in large letters at the bow and stern of the vessel;

(h) clearly exhibit the identifying mark shown on the permit on all bait-fishing boats and fixed fishing gear;

(i) not fish on any submerged reef outside the limits described in paragraph (a) without prior written permission pursuant to an agreement of terms and conditions of access including payments (if any), with the customary owners, Area Councils and Provincial Governments under whose ownership or jurisdiction such reef falls.

Additional conditions for other foreign fishing vessels

LN 84/1983

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-

(a) report to the Principal Licensing Officer, or such regional fisheries agency as he may require, and in a form approved by the Principal Licensing Officer, the following information-

(i) expected vessel position, date and time of entry and catch on board at least 24 hours before entry to the fishery limits;

(ii) vessel position, date and time of entry to and exit from the fishery limits together with weight of each species on board at those times;

(iii) vessel position and weight of each species on board at such regular intervals as he may require;

(b) maintain a current daily catch and effort record on board such vessel in a form approved by the Principal Licensing Officer, while operating within the fishery limits;

(c) dispatch the completed catch and effort record, referred to in paragraph (b) to the Principal Licensing Officer, or such regional fisheries agency as he may require, not more than seven (7) days after the completion of a voyage, or such other time as the Principal Licensing Officer may require;

(d) dispatch a statement of no operations in a form specified by the Principal Licensing Officer to him within seven (7) days after the completion of a voyage if such vessel has not operated within the fishery limits during a voyage when such vessel has been so authorised;

(e) not fish in 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;

(f) legibly paint

(i) the identifying mark (international Radio Call Sign) 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 black on white or white on black or in contrasting colours, clear and distinct, with letters and figures not less than one metre high, and

(ii) the name of the vessel in English in large letters on the bows and stern of the vessel.

Further conditions

10. A licensing officer may impose such further conditions as may be required for the purpose of sections, 3(2) and 7 of the 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, cooperative or corporation of the other part.

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.

FIRST SCHEDULE

FORM F1

SOLOMON ISLANDS

PERMIT FOR FOREIGN FISHING VESSEL
(Fisheries Act and Fisheries (Foreign Fishing Vessel) Regulations)

PART 1

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.....
.....

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 AND TO THE REGULATIONS MADE UNDER THE ACT, IN PARTICULAR TO THE FISHERIES (FOREIGN FISHING VESSELS) REGULATIONS.

Form F2

SOLOMON ISLANDS

PERMIT FOR FOREIGN FISHING VESSEL CHARTERED TO LOCAL COMPANY OR CO-OPERATIVE (Fisheries Act and Fisheries (Foreign Fishing Vessel) Regulations)

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

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

PART II

Permitted fishing
operations.....
.....

Areas which may be fished.....

.....
Species of fish to be
taken.....

.....
Further conditions.....

.....
Date at.....this.....day of.....
.....19.....

.....
Licensing Officer

NOTES. 1. THE HOLDER OF THIS PERMIT IS SUBJECT TO THE FISHERIES ACT AND TO THE REGULATIONS MADE UNDER THE ACT, IN PARTICULAR TO THE FISHERIES (FOREIGN FISHING VESSELS) REGULATIONS.
2. UNDER SECTION 7(6) OF THE FISHERIES ACT 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

LN 69/1981
LN 26/1983
LN 105/1984
LN 75/1988
LN 117/1988
LN 27/1993
LN 20/1995

THE FISHERIES (LOCAL FISHING VESSELS) REGULATIONS
(Section 23)

[31st December 1981]

Citation

1. These Regulation may be cited as the Fisheries (Local Fishing Vessels) Regulations.

Interpretation

2. In these Regulations-

"licence" means a licence granted under section 6 of the Act.

Forms

3. The form of application for a licence and the licence shall be in conformity with Form L1 and Form L2 in the First Schedule provided that the licence may contain such informative additions as the Licensing Officer may consider expedient.

Fees

LN 27/1993, LN 20/1995

4. The fee for a licence shall be \$1,000.00

Duplicate

LN 27/1993

5. A licensing officer may, when satisfied, that a licence has been lost or destroyed, issue a duplicate licence on payment of the fee of \$100.00.

Obligations of master of licensed vessel

6. The master of the vessel in respect of which the licence was issued shall-

(a) comply with the Act and the regulations made under the Act;
(b) comply with the lawful instructions of an authorised officer;
(c) permit an authorised officer to inspect the vessel, its catch and gear;
(d) present the catch for examination and weighing when required by a fisheries officer;
(e) carry an observer on behalf of the Principal Licensing Officer whenever required;
(f) not, save for baitfishing, fish within five hundred metres of low water mark, within one nautical mile of any village or fish within any local fishing area specified by the Principal Licensing Officer until an agreement in writing between the licensee and the person or persons who have, over those waters, custom ownership, trusteeship recognised by the responsible Area Council or Councils or jurisdiction recognised under the Provincial Government Act has been signed by or on behalf of the parties, verified by the Provincial Government and received by the Principal Licensing Officer;

LN 26/1983

(g) if licensed for pole and line fishing-
(i) 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 owner of the vessel, or its charterers;
(ii) carry on board at all times the latest set of baitground maps approved by the Principal Licensing Officer; and
(iii) keep a daily record of bait-fishing operations in a form approved by the Principal Licensing Officer;
(h) carry on board at all times the current set of local fishing area maps approved by the Principal Licensing Officer;

- (i) keep a daily record of all other fishing operations in a form approved by the Principal Licensing Officer;
- (j) submit a copy of each daily record of bait-fishing 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;
- (k) legibly paint the identifying mark shown on the licence in black on a white background on both sides of the hull at the turn of the bow of the vessel and 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; or as prescribed by the Principal Licensing Officer;
- (l) clearly exhibit the said identifying mark on all baitfishing boats and fixed fishing gear;
LN 26/1983
- (m) not fish in any manner not authorised by the licence.

FIRST SCHEDULE

Form L1

SOLOMON ISLANDS

FISHERIES (LOCAL FISHING VESSELS) REGULATIONS

APPLICATION FOR A LICENCE

Details of Applicant and Owner of Vessel

- 1. Name of applicant.....
- 2. Address of applicant.....
.....
.....
- 3. Name and address of owner if different from above.....
.....
.....
- 4. Name of Fisheries Co-operative Society, if any, of which applicant or owner is a member
.....
.....

Details of Vessel

5. Name of vessel.....Type of vessel.....
6. Fishing identification mark.....
7. Port of Registry.....Registration Number.....
8. Length (m).....Gross tonnage.....
9. Inboard engine number.....Horse power.....
10. Outboard engines horsepower.....
11. Fish freezing ability Yes.....No.....Tonnes/day.....
Temperature (°C).....
12. Frozen hold capacity (tonnes).....Temperature (°C).....
13. Ice holding ability Yes.....No.....Refrigerated hold capacity (tonnes).....
14. Do you have a valid survey certificate
Yes.....No.....

Details of Fishing

Operations.....

Type of fishing equipment.....

Areas to be fished.....

Species of fish to be taken.....

Places where catch to be unloaded.....

LN 75/1973

I apply for a licence for the local fishing vessel named above and declare that the information given above is true and complete. I agree to comply with the provisions of the Fisheries Act, the regulations made under it and the conditions of any licence issued to me.

Date.....Signature.....

.....

Note: You should fill in the next page only if you are applying in respect of pole and line vessel.

Details of Pole and Line Baitboats

Vessel name.....

Number of baitboats.....

Details of Baitboats

	Baitboat 1	Baitboat 2	Baitboat 3	Baitboat 4
Length				
Breadth				
Engine				
Horse power				
Generator Engine				
Generator power				

Power of bulb used.....

Number of under-water lights used with vessel.....

Size of bait net operated by vessel.....

Form L2

SOLOMON ISLANDS

FISHERIES (LOCAL FISHING VESSELS) REGULATIONS

Licence No.....

LICENSEE

Name of licensee.....

Address.....

.....

Name and address of owner of vessel.....

.....

.....

VESSEL

Name of vessel.....
Fishing vessel identification mark.....
Port of registry.....Registration Number.....
Radio call sign.....Frequency.....
Length (m).....Tonnage.....
Number of inboard engines.....Horse power.....
Number of outboard engines.....Horse power.....

CONDITIONS

Type of fishing equipment authorised.....
Areas to be fished.....
Species of fish to be taken.....

THE HOLDER OF THIS LICENCE SHALL COMPLY WITH AND ENSURE THE VESSEL IS USED IN ACCORDANCE WITH THE FISHERIES ACT AND WITH THE REGULATIONS MADE UNDER IT.

VALIDITY

Valid from..... to

Dated at..... this day of..... 198...

Licensing Officer

**THE FISHERIES (PROHIBITION OF IMPORTATION OF LIVE FISH)
REGULATIONS**
(Section 20(k))

[5th October 1973]

1. These Regulations may be cited as the Fisheries (Prohibition of Importation of Live Fish) Regulations.

2. - (1) Subject to regulation 3, the importation of live fish is hereby prohibited.

(2) Any person who contravenes the provisions of paragraph (1) shall be guilty of an offence and liable to a fine of one hundred dollars or to imprisonment for three months, or to both such fine and such imprisonment.

3. The Principal Fisheries Officer may in writing at any time, and subject to such terms and conditions as he may specify, authorise the importation of live fish.
