

No. 96

**THE FISHERIES (CONSOLIDATION) ORDINANCE**

(Ordinance 3 of 2005)

**REGULATIONS MADE BY THE ADMINISTRATOR  
UNDER SECTION 10**

In exercise of the powers vested in him by section 10 of the Fisheries (Consolidation) Ordinance 2005<sup>(a)</sup> the Administrator hereby makes the following Regulations—

**Citation**

1. These Regulations may be cited as the Fisheries Regulations 2005.

**Interpretation**

2. In these Regulations—

“bag or cod-end” means the end section of the trawler net in which the catch is collected;

“harpoon-gun” means any apparatus which is capable of killing fish by launching any object or projectile;

“inland waters” means any river, natural stream, dam, lake or salt lake;

“licensed vessel” means any vessel licensed for the purposes of taking fish under the provisions of the Ordinance and these Regulations;

“master”, in relation to a fishing vessel, includes the captain of that vessel;

“mesh” means the opening of any net;

“Regulation 2244/2003/EC” means the Commission Regulation of 18 December 2003 laying down detailed provisions regarding satellite-based Vessel Monitoring Systems, as amended or substituted from time to time;

“sea-lane” means that part of the territorial waters of the Areas contained within a line drawn 180° to the high seas from the fixed Red Light at the entrance to the Limassol Lighter Baisin and a line drawn 180° to the high seas from the Ruins of Amathus, on Admiralty Chart No. 850 of 4<sup>th</sup> October 1940 and the sea boundaries of the Areas with the territorial waters of the Republic;

“the Ordinance” means the Fisheries (Consolidation) Ordinance 2005<sup>(b)</sup>.

**Application for a fishing licence or amateur fishing licence**

3. The master or owner of a vessel for which a fishing licence or amateur fishing licence is desired for the purpose of taking fish under the provisions of the Ordinance, shall make an application in writing to the Fiscal Officer setting out the particulars of the master and overall charterer, a short description of the vessel and its equipment and any other particulars the Fiscal Officer may deem necessary.

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(a) Ordinance 3 of 2005.

(b) Ordinance 3 of 2005.

### **Form of fishing licence & fees**

4.—(1) A fishing licence shall be in the form set out in Schedule 1 and shall only be issued after the fees provided for in Schedule 4 have been paid.

(2) The Fiscal Officer shall, for any licence he issues under paragraph (1) above, specify the category of the licence which he shall determine in accordance with Schedule 5.

(3) A fishing licence issued under paragraph (1) above shall state any conditions subject to which it is issued and with which the holder of the licence and the vessel to which it relates must comply.

(4) A fishing licence issued under paragraph (1) above or under regulation 20 shall be carried on the vessel to which it relates and shall be produced by the person for the time being in charge of the vessel to any police officer or Customs officer on his demand.

### **Number and signals of the licensed vessel**

5.—(1) Every licensed vessel shall bear such number as shall be given to the vessel by the Fiscal Officer, plainly painted in white figures on a black background, on each side of the vessel. The figures shall be at least 15 centimetres in height and at least 2.5 centimetres in breadth and shall have a space between them of at least 2.5 centimetres.

(2) Every licensed vessel shall, whether it is in motion in the sea or at anchor, display lanterns or signals as follows—

(a) in the case of a vessel fishing with trawls –

- (i) two lanterns which shall be visible all around the horizon, placed in a vertical line, the one on top being green, the one below being white or a signal consisting of two cones joined at their tops in a vertical line, namely one cone shall be placed directly above the other. Where the vessel is less than 20 metres in overall length, the vessel may exhibit a basket instead of the aforesaid signal;
- (ii) one mast-head lantern which shall be placed at a point above the green lantern required under sub-paragraph (i) above, directed towards the stern of the vessel. If the vessel is less than 50 metres in overall length, the display of this lantern is not compulsory;
- (iii) when in motion, it shall display, in addition to the lanterns mentioned above, a taffrail lantern;

(b) in the case of a vessel fishing without trawls –

- (i) two lanterns placed in a vertical line, the one at the top being red and the one below being white, such lanterns being visible all around the horizon, or a signal consisting of two cones joined at their tops in a vertical line, namely one cone shall be placed directly above the other. Where the vessel is less than 20 metres in overall length, it may display a basket instead of the aforesaid signal;
- (ii) where the horizontal outlying extent of the fishing gear exceeds 150 metres outside the vessel, it shall exhibit a white lantern which shall be visible all around the horizon or one cone, the top part of which shall be directed upwards and towards the extent of the fishing gear;

- (iii) when in motion, apart from the lanterns mentioned above, it shall also exhibit side lanterns and a taffrail lantern;
- (c) any vessel fishing at a very close distance to other vessels which are likewise fishing, may exhibit the following signals –
  - (i) if fishing with a trawl –
    - (aa) when casting its nets, two white lanterns in a vertical line;
    - (bb) when hauling in its nets, one white lantern placed above a red lantern in a vertical line;
    - (cc) when its nets are entangled, two red lanterns placed in a vertical line;
  - (ii) where vessels fish with trawls in pairs, each vessel shall exhibit –
    - (aa) at night, a head-light pointing right ahead and in the direction of the other vessel forming the pair;
    - (bb) when in the course of either casting or hauling in its nets or when such nets are entangled, the lanterns as these are specified in sub-paragraph (c)(i);
  - (d) any vessel fishing with surface nets shall exhibit two yellow lanterns placed in a vertical line. Such lanterns shall flash their light alternately every second, each flash being of equal duration and intermission and shall be so displayed only when the vessel is experiencing difficulty with the fishing gear.

(3) All licensed vessels, when engaged in fishing either with nets, long fishing lines or trawls shall, when under way in daytime, indicate their occupation to any approaching vessels by displaying a basket or other efficient signal where it can be best seen and when they have their fishing gear out at sea, on approach of any other vessel, show the same signal on the side on which such a vessel passes.

(4) The master or owner of any licensed vessel shall indicate the presence of any nets or long lines which he is using for the purpose of taking fish at a depth in excess of 25 fathoms within the territorial waters of the Areas, with lanterns showing a white or orange light. Such lanterns shall be –

- (a) visible all around the horizon for a distance of at least 1 mile;
- (b) be placed at both ends of such nets or lines.

### **Powers of the Fiscal Officer in issuing fishing licences**

6.—(1) This Regulation has effect subject to Schedule 6.

(2) The Fiscal Officer may by decision published in the Gazette –

- (a) limit the number of fishing licences which may be issued by him in any year, in particular those issued in respect of small vessels for inshore fishing in accordance with paragraph 1

of Schedule 5, which shall, subject to paragraph (4) below, not exceed 500 in any year;

- (b) restrict the quantity, size and type of nets or long lines which are used by each licensed vessel.

(3) The granting of fishing licences to small vessels for inshore fishing shall be prioritised according to whether the application is for a Category A fishing licence (full-time fishermen) or a Category B fishing licence (part-time fishermen).

(4) The granting of Category A fishing licences shall be prioritised according to whether the applicant –

- (a) is registered (as at 31<sup>st</sup> December 2004) under the Social Insurance Scheme of the Republic as engaged in the fishing profession and continues to be fully engaged in that profession; or
- (b) is aged under 70 years of age and retired from the fishing profession and who at the time of retirement possessed a Category A fishing licence.

(5) Notwithstanding paragraph (2)(a) above the Fiscal Officer may grant a licence to a small vessel for inshore fishing where to do so would require him to exceed the maximum number of licences permitted by that paragraph if the applicant is—

- (a) aged over 70 years of age;
- (b) was at the time of his retirement from the fishing profession in possession of a Category A fishing licence; and
- (c) has produced to the Fiscal Officer a medical certificate certifying his good health condition.

(6) The granting of Category B fishing licences shall be prioritised according to whether the applicant—

- (a) produces evidence that his annual catch exceeds 1000kg and the number of days during which he carries out fishing activities exceeds 120; or
- (b) is a beginner in the fishing profession and is aged under 40 years.

(7) Where the total number of applicants for a Category B fishing licence who fulfil the criteria in paragraph (6)(a) above exceeds the maximum permitted number of fishing licences which the Fiscal Officer may issue, the Fiscal Officer shall prioritise the applications according to the number of days each applicant has spent engaged in fishing activities.

(8) For the purposes of this regulation an applicant is to be regarded as a beginner in the fishing profession if he—

- (a) is at least 18 years of age;
- (b) owns a vessel which has a total length of 6 to 12 metres and which is registered in accordance with the Ordinance;
- (c) is registered with the Social Insurance Scheme of the Republic and is paying the required contributions; and

- (d) has acquired at least 2 years experience in fishing through working as an assistant to a person in possession of an fishing licence in respect of a small vessel for inshore fishing.

### **Nets and prerequisites for their usage**

7.—(1) The use of any net for the purpose of taking fish is prohibited unless such net is used –

- (a) from a licensed vessel;
- (b) without the use of a vessel, by any person who is in possession of a special permit in writing granted for that purpose by the Fiscal Officer following payment of the fees provided for in Schedule 4. In such a case the placing in the sea of any such net shall only be allowed at a depth less than 10 metres during the period commencing on 1<sup>st</sup> June in any year and ending on 30<sup>th</sup> October in the same year, notwithstanding the provisions of regulation 8(2); and, in either case,
- (c) other than in sea-bathing areas and, when equipped, shall not be more than 25 metres in length.

(2) The use of fishing nets by a trawler shall be prohibited unless such nets fulfil the following requirements—

- (a) their minimum mesh size shall be not less than 40 mm;
- (b) the cod-end shall be at least 5 metres in length from the point where it is joined with the remaining part of the net, up to the first point where it is tied together in the rear part of it.

(3) Any nets, other than the nets used by trawlers, used in any manner for the purpose of taking fish must have a minimum mesh size of not less than 32 mm.

(4) The use of any type of net made of monofilament is prohibited.

(5) Any interference with the mesh of the cod-end of a trawler net in a manner purporting to retain fish which is smaller in size than those in respect of which the net was originally made shall be prohibited.

(6) The taking of fish by the method of encircling fish with nets (yirovolia) shall be prohibited.

(7) The carrying by any vessel of nets or any part of a net which were not made in accordance with the provisions of these Regulations shall be prohibited unless the Fiscal Officer grants an authorisation in writing for that purpose.

### **Casting of nets to the bottom of the sea**

8.—(1) Subject to paragraph (2) below the Fiscal Officer may by decision published in the Gazette determine the times during which the casting to the bottom of the sea of any nets is permitted, according to the type of nets and the area in which they are to be used.

(2) The casting of any net to the bottom of the sea is prohibited in any place where the bottom of the sea is less than 5 metres deep during the period from 1<sup>st</sup> June to 30<sup>th</sup> September in any year.

### **Information to be provided to the Fiscal Officer**

9. The master or owner of any licensed vessel shall, upon request from the Fiscal Officer, furnish him by any means any details in connection with the activities and the catch of the said vessel.

### **Satellite tracking systems**

10.—(1) The Fishing Vessels Monitoring Centre established under regulation 10A of the Fisheries (Amendment) Regulations 2004 of the Republic<sup>(c)</sup> is recognised in the Areas as having the same rights and duties as if it had been established under the provisions of these Regulations and shall have the same powers as conferred upon it under the Republican Regulations for the purpose of carrying out its objects as specified in the same enactment.

(2) Subject to paragraph (3) below, it is unlawful for any licensed fishing vessel whose overall length exceeds 15 metres to fish in the Areas unless a satellite tracking device of a kind previously approved by the Fiscal Officer has first been installed.

(3) The obligation in paragraph (2) shall not apply in relation to any vessel which operates only within the territorial waters of the Areas and is used exclusively for the purposes of fishing.

(4) It is unlawful for any person to destroy, damage, render inoperative or otherwise interfere with a satellite tracking device or with any data entered into or transmitted by such device.

(5) The master of a vessel on board of which there is installed a satellite tracking device shall ensure –

- (a) the data sent by the device is not altered in any manner;
- (b) the antenna connected to the device is not obstructed in any manner;
- (c) the power supply for the device is not interrupted in any manner; and
- (d) the device is not removed from the vessel save in the event of it requiring repairs.

(6) In the event of any damage to or failure of a satellite tracking device installed on a licensed vessel, the master or owner of the vessel shall report the damage or failure to the Fishing Vessels Monitoring Centre and shall communicate the following information to it by electronic mail, facsimile transmission, telephone or radio every 4 hours –

- (a) the current geographical position of the vessel; and
- (b) the details of the fishing activity being carried out by the vessel.

(7) In the event of damage or failure as referred to in paragraph (6) above, the master or owner of the vessel shall ensure the repair or replacement of the satellite tracking device during its first mooring into a port.

### **Powers of Fiscal Officer**

11.—(1) The Fiscal Officer may at any time and at any place board any vessel for the purpose of inspecting and supervising the vessel and any catch, equipment, nets, implements, devices or any other thing which may be used for the purpose of taking fish.

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(c) Republican Public Instrument No. 453/2004 published in Republican Gazette No. 3850, 30.4.2004.

(2) An inspection in accordance with paragraph (1) shall take place at a port or fishing shelter in the Areas at least once every year in respect of any vessel in respect of which a fishing licence or amateur fishing licence has been issued under the Ordinance.

(3) The costs relating to an inspection carried out under this regulation shall be borne by the owner and master of the vessel and paid to the Fiscal Officer as fees for inspection and supervision.

### **Taking of small fish**

**12.** The taking, tenure or sale of fish which, on account of their size, cannot be retained in nets of the size permitted under these Regulations, is prohibited.

### **Keeping of fishery products**

**13.**—(1) It is unlawful for any fishery product which is not of the appropriate size to be kept on board a vessel, loaded onto another vessel, unloaded, transported, stored, sold, exposed or placed for sale.

(2) The appropriate size for any fishery product for the purpose of this regulation shall be determined in accordance with Schedule 2.

### **Fishing in inland waters**

**14.**—(1) The pursuit, taking, killing, tenure or sale by any means of any type of fish from inland waters is prohibited except when an amateur fishing licence is granted for this purpose by the Fiscal Officer.

(2) Any licence issued under paragraph (1)—

- (a) may include conditions under which the licence is granted and which the holder shall be obliged to comply with;
- (b) shall cease to be valid on 31<sup>st</sup> December of the year in which it was issued;
- (c) shall specify the dam or dams in respect of which the licence was issued.

(3) The fees payable for a licence issued under paragraph (1) are as follows—

- (a) in respect of one dam - £10;
- (b) in respect of two or more dams - £20.

(4) The Fiscal Officer may grant a collective licence to fish in dams to organised groups on application by any representative authorised in that behalf by the group concerned. Any such licence shall not exceed 15 days and shall specify the names of the members of the group as well as the conditions under which the licence is granted.

(5) The fee payable for any licence issued under paragraph (4) shall be £5 for any person named in the licence.

### **Protection of turtles and other species**

**15.**—(1) Unless he is the holder of a licence issued in that behalf by the Fiscal Officer no person shall –

- (a) kill, pursue, take, purchase, sell or possess any aquatic turtle, seal, dolphin, freshwater crab or sand crab of the Ocyrode cursor species;

- (b) attempt to kill, pursue, take, purchase or sell any of the species mentioned in sub-paragraph (a) above; or
- (c) purchase, sell or possess turtle eggs or any part of a turtle, seal or dolphin.

(2) The collection from any salt lake or the possession or sale of any shrimp or cyst of the *Artemia salina* species is prohibited except where a permit in writing is granted by the Fiscal Officer for this purpose.

### **Pollution**

**16.**—(1) It is unlawful to dump any substances or objects into any part of the territorial waters of the Areas or in any inland waters or artificial reservoir where live fish exist and where such substances or objects may cause any direct or indirect injurious effect to the reproduction, growth, survival or exploitation of fish.

(2) Without prejudice to the generality of paragraph (1), a direct or indirect injurious effect in respect of any sea area shall be deemed to be caused –

- (a) by the conducting or addition into the sea of water which—
  - (i) has a temperature exceeding by 10°C the temperature of the aqueous marine environment receiving such water;
  - (ii) contains organic substances of such concentration that the consumption of oxygen for their oxidation, calculated as being the consumption of oxygen for biological oxidation at 20°C within 5 days (Biochemical Oxygen Demand, B.O.D5) exceeds 30mg per litre of water;
  - (iii) contains substances of such concentration that the consumption of oxygen for their oxidation (Chemical Oxygen Demand, COD4) exceeds 30mg per litre of water;
  - (iv) contains acidity which is outside the range of PH 6.5 – pH 9;
  - (v) contains solid substances in such water in excess of 30 parts per million;
  - (vi) contains Zinc (Zn) of concentration exceeding 0.1 parts per million;
  - (vii) contains copper (Cu) of concentration exceeding 0.1 parts per million;
  - (viii) contains cadmium declared as total cadmium of concentration exceeding 0.2mg per litre;
  - (ix) contains mercury, declared as total mercury the concentration of which exceeds 50mg per litre. Pollution with mercury shall be deemed to be caused if, at a distance of 4mm from the point where water enters the sea, the concentration of mercury in organisms or sediment of the sea exceeds 50% of the natural concentration of mercury in it;



- (b) by the dumping or allowing the entry into the sea of any type or form of lubricating or mineral oils which are used in operating combustion engines, motion generating systems, hydraulic systems or turbines;
- (c) by the use of any dye which may contain organic combinations of tin (known as antifouling paint) (farmacomboyia) used in the painting of the ridges of any vessel which is of a length (o.a.l.) less than 25 metres or in the painting of any structure, equipment or apparatus which is used in breeding fish.

**Importation of fish and fish eggs etc.**

17. No person shall—

- (a) import into the Areas any live fish eggs or live fish at any stage of growth; or
- (b) enrich any inland waters with any fish eggs,  
unless he has previously secured a permit in writing to this effect from the Fiscal Officer and provided he acts in compliance with any conditions which the Fiscal Officer may impose on issuing such a permit.

**Use of a spear gun**

18.—No person shall use a spear gun—

- (a) if he is aged under 18 years of age;
- (b) from sunset to sunrise the following day;
- (c) when it is used together with compressed air diving apparatus unless a licence in writing to this effect has been granted by the Fiscal Officer;
- (d) if it is used together with any means of lighting;
- (e) in any area lawfully designated or reserved for the exclusive safe use of bathers;
- (f) with any other fishing implements;
- (g) during the month of May;
- (h) in any area designated by the Fiscal Officer and published in the Gazette.

**Fishing by means of lanterns or lights**

19. No person shall engage in amateur fishing by means of any kind of lantern or light other than where he employs the fishing method commonly known as “pyrofani” (fishing with light).

**Amateur fishing licences**

20.—(1) The use of any vessel for fishing for non-profit purposes and the use of any fishing implement during the exercise of such fishing with a vessel shall be prohibited unless an amateur fishing licence is issued by the Fiscal Officer in respect of this form of fishing.

(2) A licence issued by the Fiscal Officer for amateur fishing shall be in the form set out in Schedule 3 and shall only be issued after payment of the fees set out in Schedule 4.

(3) In an amateur fishing licence issued under this regulation the Fiscal Officer shall specify—

- (a) the area or areas within which such amateur fishing licence shall be valid;
- (b) the type of nets which shall be used; and
- (c) having regard to paragraph (4), the times during which the licence is valid.

(4) An amateur fishing licence issued under this regulation shall only be valid during the night period preceding Wednesdays, Saturdays, Sundays, all public holidays and daily during the period between 1<sup>st</sup> July and 31<sup>st</sup> August every year.

(5) For the purposes of this regulation, “night period” means the period beginning 1 hour before dusk and ending 2 hours after dawn.

### **General restrictions on amateur fishing**

**21.**—(1) Subject to paragraph (2) below, it is prohibited for any person to –

- (a) purchase, sell or generally to exploit for commercial purposes any products of amateur fishing;
- (b) engage in amateur fishing over a 24 hour period of any fish –
  - (i) weighing over 10 kilos by the use of nets;
  - (ii) weighing over 10 kilos by the use of a long fishing line;
  - (iii) weighing over 10 kilos by the use of fishing traps;
  - (iv) weighing over 5 kilos by the use of a spear gun;
- (c) engage in amateur fishing of tuna over a 24 hour period of more than 3 such fish.

(2) The Fiscal Officer may authorise any act of the kind referred to in sub-paragraphs (a) and (c) above where it takes place –

- (a) in the course of an amateur fishing contest which has been previously licensed by the Fiscal Officer in accordance with paragraph (3) below; or
- (b) in the course of a professional tourist activity in relation to the species of long-finned tuna (*thunnus alalunga*) and which has been previously licensed by the Fiscal Officer in accordance with paragraph (3) below.

(3) It is prohibited for any person to carry out –

- (a) an amateur fishing contest; or
- (b) amateur fishing in the course of a professional tourist activity,

unless the Fiscal Officer has previously granted a licence authorising such activity.

(4) A vessel in respect of which an amateur fishing licence has been issued shall not carry or use –

- (a) more than 2 long fishing lines of 200 hooks each;
- (b) more than 4 fishing traps;
- (c) fishing nets exceeding 800 metres in overall length.

### **Fishing Traps**

**22.** It shall be lawful for a person to place fishing traps at the bottom of the sea without being the holder of any permit to do so from the Fiscal Officer provided –

- (a) no more than 5 traps are used;
- (b) the traps are not transported on a vessel; and
- (c) the traps are not placed in areas reserved for sea-bathers.

### **Certain prohibitions in respect of vessels**

**23.—(1)** Fishing with trawls in the territorial waters of the Areas is prohibited –

- (a) between 1<sup>st</sup> June and 7<sup>th</sup> November in any year;
- (b) where the depth of water is less than 50 metres; and
- (c) at any time or in any period which is not expressly permitted in the relevant fishing licence issued under these Regulations.

(2) Notwithstanding any other provision in these Regulations, the fishing of swordfish in the territorial waters of the Areas from any type of vessel during the period commencing on 1<sup>st</sup> December in any year and ending on the last day of February in the following year is prohibited.

(3) No vessel in respect of which a Category A fishing licence has been granted shall have on board or shall cast deep-sea fishing nets of more than 5000 metres in length or deep-sea long fishing lines of more than 7000 metres in length.

(4) No vessel in respect of which a Category B fishing licence has been granted shall have on board or shall cast deep-sea fishing nets of more than 3000 metres in length or deep-sea long fishing lines of more than 5000 metres in length.

(5) No licensed vessel shall have on board or shall set any deep-sea fishing net where the maximum drop of such net exceeds 4 metres.

(6) The issue of a licence for fishing by use of the method known as “purse-seine fishing” in the territorial waters of the Areas is prohibited except –

- (a) any licence in force in respect of such fishing at the time these Regulations come into force may continue until its expiry;
- (b) the Fiscal Officer may issue a licence authorising this type of fishing where no more than 3 fishing licences for inshore fishing with a deep-sea trawler are currently in force and, where he does so, may impose conditions concerning the distance from the shore or the depth of the sea where such fishing is permitted.

### **Moving of trawler**

**24.** Notwithstanding any other provision of these Regulations, where a permit in writing has been issued by the Fiscal Officer and any conditions attached to that permit are complied with, any trawler may—

- (a) be moved at any time from the port where it is moored to any other part of the Areas;
- (b) during the period when trawl fishing in the territorial waters of the Areas is prohibited, depart from such waters for the purpose of fishing and return during such time having followed any one of the sea-lanes during its course.

## Vessels fishing outside the Areas

25. Any vessel fishing outside the territorial waters of the Areas or the Republic shall not unload its catch within the Areas unless permission has been secured in this respect from the Fiscal Officer and provided that any conditions he may impose are complied with.

### Administrative penalties

26. The Fiscal Officer may—

- (a) in addition to the power under section 11 of the Ordinance, revoke a fishing licence or amateur fishing licence where –
  - (i) it is discovered that such licence was issued on the basis of false particulars submitted by the holder of the licence;
  - (ii) without good reason, more than 6 months has elapsed without the vessel in respect of which the licence has been issued being used as a fishing vessel;
- (b) suspend any fishing licence or amateur fishing licence for a period not exceeding 6 months where the holder of the licence has contravened any requirement of these Regulations more than once. The length of the suspension shall be determined according to the nature and seriousness of the contraventions.
- (c) prohibit a person from using any vessel for a period not exceeding 3 months where—
  - (i) fishing implements are found on board a vessel for which that person is responsible and when such vessel is not licensed for fishing;
  - (ii) fishing implements of a kind prohibited under the Ordinance or these Regulations are found on board a vessel for which that person is responsible.

### Appeals

27. Any person who is not satisfied with any decision taken by the Fiscal Officer in accordance with these Regulations may, within 30 days of the date on which he is notified of such decision, appeal in writing to the Chief Officer stating the reasons for his appeal.

### Revocation

28. The following Public Instruments are revoked without prejudice to anything done or left undone under such Instruments –

- (a) the Fisheries Regulations 1991(d);
- (b) the Fisheries (Amendment) (No. 1) Regulations 1991(e);
- (c) the Fisheries (Amendment) Regulations 1994(f);
- (d) the Fisheries (Amendment) Regulations 2002(g).

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(d) Public Instrument No. 41 of 1991.  
 (e) Public Instrument No. 52 of 1991.  
 (f) Public Instrument No. 40 of 1994.  
 (g) Public Instrument No. 38 of 2002.

**SCHEDULE 1**

**(REGULATION 4)**

**THE FISHERIES (CONSOLIDATION) ORDINANCE 2005**

(Ordinance 3 of 2005)

**THE FISHERIES REGULATIONS 2005**

**Fishing licence under regulation 4**

***I. PARTICULARS OF VESSEL AND MASTER/OWNER:***

Number of fishing licence .....

**A. VESSEL**

- 1. Name .....
- 2. Flag .....
- 3. Port of Registration .....
- 4. Number of Registration .....
- 5. Identification particulars .....
- 6. International distinctive signs .....

**B. MASTER/OWNER**

- 1. Name of vessel owner .....
- Address .....
- 2. Name of master .....
- Address .....
- 3. Name of agent .....
- Address .....

***II. TECHNICAL CHARACTERISTICS AND EQUIPMENT***

- 1. Type of vessel .....
- 2. Main type of fishing equipment
  - (a) .....
  - (b) .....
  - (c) .....
  - (d) .....
- 3. Horse Power .....
- 4. Length – Overall .....
- or hull length
- or other specifications (for vessels under 10 metres)
- 5. Tonnage – under the London specification .....
- or other specifications .....

**III. CONDITIONS OF LICENCE**

Type of fishing .....

Area(s) .....

Period: From ...../...../..... to ...../...../.....

Other conditions

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

**SCHEDULE 2**  
**(REGULATION 13)**

**THE FISHERIES (CONSOLIDATION) ORDINANCE 2005****THE FISHERIES REGULATIONS 2005****Size provided for under regulation 13****MINIMUM SIZES**

<b>SPECIES</b>	<b>LATIN NAME</b>	<b>MINIMUM SIZE</b>
<b><u>Fish</u></b>		
Seabass	(Dicentrarchus labrax)	23cm
Sargo Bream	(Diplodus spp.)	15cm
Anchovy	(Engraulis encrasicolus)	9cm
Grouper	(Epinephelus spp.)	45cm
Anglerfish	(Lophius spp.)	30cm
Hake	(Merluccius merluccius)	20cm
Common Grey Mullet	(Mugil spp.)	16cm
Red Mullet	(Mullus spp.)	11cm
Red Sea bream	(Pagellus spp.)	12cm
Couch's Sea Bream	(Pagrus pagrus)	18cm
Stone Bass	(Polyprion americanus)	45cm
Mackerel	(Scomber scombrus)	18cm
Sole	(Solea vulgaris)	20cm
Gilt-Head Sea bream	(Sparus aurata)	20cm
Bluefin Tuna	(Thunnus thynnus)	70cm or 6.4kg
Scads and Horse Mackerel	(Trachurus spp.)	12cm
<b><u>Crustaceans</u></b>		
Lobster	(Hommarus gammarus)	85mm carapace 240mm total length
Scampi	(Nephrops norvegicus)	20mm carapace 70mm total length
Spiny lobsters	(Palinuridae)	240mm total length

SPECIES	LATIN NAME	MINIMUM SIZE
<b><u>Molluscs</u></b>		
Scallops	(Pecten spp.)	100mm
Clam	(Venerupis spp.)	25mm
Striped Venus	(Venus spp.)	25mm

### SCHEDULE 3

#### (REGULATION 20)

#### THE FISHERIES (CONSOLIDATION) ORDINANCE 2005

#### THE FISHERIES REGULATIONS 2005

#### AMATEUR FISHING LICENCE UNDER REGULATION 20

Licence No .....

Vessel in respect of which the licence is issued (description and Registration number) .....

Full name and address of proprietor .....

Full name and address of master .....

(1) Fishing area within which this licence is valid

.....

(2) Periods during which this licence is valid

.....

(3) The use of fishing nets is prohibited/permited  
(*delete as appropriate*):

Where nets are permitted –

(a) type of nets permitted .....

(b) times during which the nets may be used .....

(4) The use of a spear-gun is prohibited/permited  
(*delete as appropriate*).

(5) Special conditions .....

This licence enters into force on .....

and expires on .....

Dated .....

Signature .....

**SCHEDULE 4****(REGULATIONS 4 AND 20)****THE FISHERIES (CONSOLIDATION) ORDINANCE 2005****THE FISHERIES REGULATIONS 2005****ANNUAL FEE FOR THE ISSUE OR RENEWAL OF  
A FISHING LICENCE UNDER REGULATION 4 OR  
AMATEUR FISHING LICENCE UNDER REGULATION 20**

1. For inshore fishing of a limited scale:
  - Category A ..... £10
  - Category B ..... £10
2. For fishing with a trawler ..... £50
3. Combination fishing licence ..... £50
4. Other fishing licence ..... £20
5. Amateur fishing licence with a vessel ..... £20
6. Amateur fishing licence without the use of a vessel ..... £10
7. Amateur fishing licence authorising use of spear guns and diving apparatus ..... £20

**SCHEDULE 5****(REGULATION 4)****THE FISHERIES (CONSOLIDATION) ORDINANCE 2005****THE FISHERIES REGULATIONS 2005****CATEGORIES OF FISHING LICENCES UNDER REGULATION 4****1. FOR INSHORE FISHING BY SMALL VESSELS**

Category A and Category B: granted in respect of fishing vessels of between 6 to 12 metres in length for the purpose of catching fish in the territorial waters of the Areas with the use of deep-sea fishing nets, long-lines or fishing traps where the owner of the vessel is not a company.

**2. FOR A POLYVALENT VESSEL**

Granted in respect of a fishing vessel of more than 12 metres in length operated principally for the purpose of catching open sea species of fish whether within or outside the territorial waters of the Areas. If not being operated for open sea fishing such vessels may catch fish with the use of fishing nets and deep-sea long lines.

**3. FOR INSHORE FISHING BY A DEEP-SEA TRAWLER**

Granted in respect of fishing vessels catching fish in the territorial waters of the Areas by use of a deep-sea trawler.



**4. FOR FISHING IN THE MEDITERRANEAN**

Granted in respect of fishing vessels catching fish outside the territorial waters of the Areas but in the Mediterranean Sea.

**5. FOR FISHING OVERSEAS**

Granted in respect of fishing vessels catching fish outside the Mediterranean Sea.

**SCHEDULE 6****(regulation 6)**

1. The following paragraphs have effect in place of regulation 6 until 1<sup>st</sup> January 2006.

2. The Fiscal Officer may by decision published in the Gazette –

- (a) limit the number of fishing licences and amateur fishing licences which are issued in any year;
- (b) restrict the quantity, size and type of nets or long lines which are used by each licensed vessel.

3. Notwithstanding paragraph (2) above, the fishing licences issued in every year for fishing within the territorial waters of the Areas shall not exceed –

- (a) in relation to trawlers, 12;
- (b) in relation to vessels fishing for swordfish, 60; and
- (c) in relation to any other vessel fishing by any other means, 500.

4. Where the number of applicants for a fishing licence to authorise inshore fishing by a small vessel exceeds the limit for any year, the number of licences to be granted in that year shall be issued on the basis of objective criteria set by the Fiscal Officer which shall include, as the main criterion, the amount of fish caught by a vessel during the previous 2 years as verified by official receipts.

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Dated this 7th day of December 2005.

By the Administrator's Command,  
P. D. Draycott,  
Chief Officer,  
Sovereign Base Areas.

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(128/68/1)