

SUPPLEMENT to the British Solomon Islands Protectorate Gazette

Friday 15th December 1972

B.S.I.P. No. 21

[Legal Notice No. 75]

THE FISHERIES ORDINANCE
(No. 13 of 1972)**DATE OF COMMENCEMENT**

IN exercise of the powers conferred by section 1 of the Fisheries Ordinance 1972, and after consultation with the Governing Council, the High Commissioner hereby appoints the first day of January 1973 as the date on which the said Ordinance shall come into operation.

Dated at Honiara this twenty-eighth day of November 1972.

By Command,

T. RUSSELL
Chief Secretary

[Legal Notice No. 76]

AN 56/73

THE FISHERIES REGULATIONS 1972
ARRANGEMENT OF REGULATIONS**Regulation**

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THE FISHERIES ORDINANCE 1972
(No. 13 of 1972)

THE FISHERIES REGULATIONS 1972

IN exercise of the powers conferred by section 20 of the Fisheries Ordinance 1972, and after consultation with the Governing Council, the High Commissioner hereby makes the following Regulations:—

- Citation. 1. These Regulations may be cited as the Fisheries Regulations 1972.
- Forms. 2. Every application, licence or other document required to be prescribed under the Ordinance shall be in conformity with the appropriate form set out in the First Schedule.
- Licence fees. 3. (1) Fees for licences issued under the Ordinance shall be payable at the appropriate rate specified in the Second Schedule.
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 licences. 4. A licensing officer may, where satisfied that any licence issued under the Ordinance has been lost or destroyed, issue a duplicate licence on payment of the fee specified in relation thereto in the Second Schedule.
Second Schedule.
- Conditions of fishing vessel licence. 5. It shall be a condition of every licence granted under section 6 of the Ordinance in respect of any fishing vessel that the master of that vessel shall —
(a) present his catch for examination and weighing if called upon to do so by any fisheries officer; and
(b) submit such returns of catch at such times and in such form as the Principal Fisheries Officer may from time to time require.
- Additional conditions for licensed foreign fishing vessels. 6. It shall be a condition of every licence granted under section 6 of the Ordinance in respect of any foreign fishing vessel that —
(a) that vessel shall not be used for fishing operations in any waters within five hundred yards of low water mark or within one nautical mile of any village:
Provided that the Principal Licensing Officer may if he thinks fit waive this condition by endorsing the licence to that effect; and
(b) no fish taken within the fishery limits shall be transhipped, loaded or unloaded except within the fishery limits.

7. Except where otherwise specified by a licensing officer under section 6(2) of the Ordinance the letters and numbers of identification to be marked on a fishing vessel shall be -

Marking of licensed fishing vessels.

- (a) legibly painted in black on a white background on both sides of the hull at the turn of the bow of the vessel;
- (b) not less than twelve inches in height; and
- (c) each stroke thereof shall be not less than two inches in breadth.

8. (1) The master of any foreign fishing vessel not licensed under section 6(1) of the Ordinance entering within the fishery limits shall as soon as possible after so entering report its presence and the reasons therefor by radio or otherwise to the Superintendent of Marine in Honiara or to any authorised officer, and any master who fails to do so shall be guilty of an offence and liable to a fine of one hundred dollars.

Foreign fishing vessels to report and stow gear.

(2) Any fishing gear aboard a foreign fishing vessel referred to in paragraph (1) shall be stowed wholly inboard the vessel and -

- (a) in the case of nets, trawlboards or weights, shall be disconnected from towing or hauling wires or ropes; and
- (b) if carried on deck or above deck, shall be secured to some part of the superstructure of the vessel.

9. Any person who -

Crayfish and trochus shells.

- (a) catches and retains, or sells or exposes for sale, or buys or exports -
 - (i) any female crayfish carrying eggs externally; or
 - (ii) any trochus shell under two and a half inches in diameter as measured across the base; or
- (b) disposes of any crayfish or offal in the sea, within one nautical mile of land,

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.

10. (1) Any person who exports or attempts to export any crocodile or crocodile skin the belly-width or hornback-width of which exceeds twenty inches, or the shell of any turtle of less than 24 inches in carapace length, 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;

Export of crocodile skins and turtle shell.

Provided that this regulation shall not apply in relation to the skin of any crocodile reared in a crocodile farm licensed under any regulations made under section 20(k) of the Ordinance.

(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 on either side of the abdomen measured between the pair of scutes third from the head;

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

Restriction on the use of nets

Seining in,
Honiará
harbour.
Cap. 100.

ln. 56/73

11. Any person who fishes by means of a seine *in the waters of Honiara harbour as defined by Proclamation under the Light Dues and Harbours Ordinance* shall be guilty of an offence and liable to a fine of twenty dollars. ** within any area specified in the third schedule*

*gilt or brand net **

Exemption... 12. Any fish processing establishment used exclusively for the production of dried fish in any form, for sale within the Protectorate, is hereby exempted from the provisions of section 9 of the Ordinance (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 13. Every fish processing establishment shall comply with the following construction, equipment and sanitation. ing standards as to construction and equipment:-

- (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 or canning, there shall be an adequate supply of potable water under pressure; and
- (c) 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, skinniers, 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.

14. 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.

Conditions of fish processing establishment licence.

15. 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 13 and the Public Health Ordinance 1970;
- (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 fishing vessel, such vessel shall be anchored and shall remain anchored at such point within Protectorate 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.

16. 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.

17. Any person who, except under a written permit granted by the Principal Fisheries Officer, fishes for that species of turtle known as the leathery backed turtle or luth (*Dermochelys coriacea*) 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.

FIRST SCHEDULE
(regulation 2)

FORMS

FORM 1

THE FISHERIES REGULATIONS 1972
APPLICATION FOR FISHING VESSEL LICENCE

I apply for a licence for the fishing vessel
(insert full name in block capitals)

described below for the period commencing and ending
on the day of 19

Address of applicant

Name and address of owner of vessel if different from above
.....
.....
.....

Name of fishermen's co-operative society, if any, of which applicant or owner is a
member

Name of vessel

Local fishing vessel identification mark, if any, previously issued to vessel
.....

Port of Registry Registration Number

Dimension of vessel:
Length Beam Tonnage (if known).....

Method of propulsion
Inboard engines, number of Horse power
Outboard engines, horse power

Has a safety certificate been issued in respect of the vessel? Yes/No

Is vessel to be used for mother ship operations? Yes/No

Type of fishing equipment +
Areas to be fished +
Species of fish to be taken +

I declare that the foregoing particulars are true and complete.

Date 19
Signature of Applicant

+ Not applicable if applicant has to complete Form 3.

BRITISH SOLOMON ISLANDS PROTECTORATE FORM 2
THE FISHERIES REGULATIONS 1972
FISHING VESSEL LICENCE

Issued to
(full name)

Address

Name and address of owner of vessel if different from above
.....
.....
.....

Name of vessel Fishing vessel identification mark

Port of Registry Registration number

Vessel is classified as a local fishing vessel */foreign fishing vessel *

Dimensions of vessel

Length Tonnage

Method of propulsion

Inboard engines, number of Horse power

Outboard engines, horse power

Vessel to be used for mother ship operations */ fishing operations *

Type of fishing equipment

Areas to be fished

Species of fish to be taken

Fee paid \$A

Date of issue

Signature of Licensing Officer

Delete as appropriate *

This licence is granted subject to the following conditions:

1. This licence shall expire on the 19.....
2. The holder shall comply with and ensure that the vessel is used in conformity with the provisions of the Fisheries Ordinance 1972 and any regulations made thereunder.
3. (here insert any other conditions to which licence is subject)

BRITISH SOLOMON ISLANDS PROTECTORATE FORM 8
 THE FISHERIES REGULATIONS 1972
 APPLICATION FOR FISH PROCESSING ESTABLISHMENT LICENCE

I, hereby apply
(insert full name in block capitals)

for a licence to operate the fish processing establishment described below for the period commencing

and ending day of 19

Address of applicant

Name and address of owner if different from above

.....

.....

Location of establishment

Description of establishment

.....

.....

.....

Type of processing

Type of fish to be processed

If a fishing vessel, place of anchorage

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

BRITISH SOLOMON ISLANDS PROTECTORATE . FORM 4
THE FISHERIES REGULATIONS 1972
FISH PROCESSING ESTABLISHMENT LICENCE

The premises situated at /*

The vessel, details of which are given below/*

Owned by/* registered in the name of*

of

(address)

are/is* hereby licensed as a fish processing establishment under section 9 of the Fisheries Ordinance 1972.

Fees paid

Details of vessel Registration number

Name of vessel Port of Registry

Length Beam Tonnage

This licence is valid for the period commencing

until

Date of issue

Signature of Licensing Officer

*Delete as appropriate

+ Adapt as necessary

This licence is granted subject to compliance with the Fisheries Ordinance 1972 and any Regulations made thereunder and the conditions endorsed upon the back hereof.

*Delete as appropriate

SECOND SCHEDULE
(regulation 3)

ANNUAL LICENCE FEES

Local fishing vessel	\$15.00
Foreign fishing vessel	\$30.00
Fish processing establishment -		
used exclusively for the processing of beche de mer or the drying of squid or octopus		\$1.00
any other establishment		\$50.00
Duplicate licence (all classes)		\$0.50

Made at Honiara this twenty eighth day of November 1972.

LN 56/73

Third Schedule (Regulation 11)
Areas in which net fishing is prohibited
By Command,

T. RUSSELL
Chief Secretary