

IN THE SENIOR MAGISTRATE'S COURT
FOR CENTRAL DISTRICT NO.1 & SOUTHERN
DISTRICT HELD AT PORT VILA F

S E N T E N C E

Mr Her:-

You have been found guilty of fishing in Vanuatu's Waters without a licence contrary to Section 4 (1) of the Fisheries Act No.37 of 1982.

This is a very serious matter which the Court cannot consider lightly. The purpose of the Fisheries Act is to protect one of Vanuatu's valuable assets, its fish. This important natural resource provides income to this Country and infringements of the laws protecting this asset will be treated most seriously

Mr Chern Chin Her, this was a deliberate and flagrant breach of Vanuatu's fishing regulations. The Court has heard of your navigational skills and experience and your knowledge of the position of Vanuatu's economic exclusive zone.

You wished to fish in Vanuatu's Waters and when the owner of your boat telexed to say you were not to apply for a licence but to go to Western Samoa it would appear you simply decided to go ahead and to fish regardless.

You were apprehended some 50 nautical miles inside the economic exclusive zone of Vanuatu, close to a submerged reef where, we heard, one can expect to find fish.

I found your evidence to be unsatisfactory and I conclude that you knew precisely and accurately where you were fishing on the 9th September of this year.

You will be fined in this case the sum of eight million vatu. You will pay 100,000 vatu costs. In addition your vessel, Hoang Man Chin gear, stores, cargo and fish will be forfeited and I thus make a forfeiture order under Section 28 of the Fisheries Act.


E. Dawn Barcinski
SENIOR MAGISTRATE