



REPUBLIC OF NAURU

FISHERIES ACT 1997

FISHERIES REGULATIONS 1997

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In Exercise of the powers conferred on it by section 42 of the Fisheries Act 1997 the Cabinet has made the following Regulations —

PART I — PRELIMINARY

SHORT TITLE

1. These Regulations may be cited as the Fisheries Regulations 1997.

INTERPRETATION

2. In these Regulations, unless the context otherwise requires —
 - “acceptable safety standards” in relation to a small boat, means any safety standards required from time to time by the Board or the Chief Executive Officer;
 - “the Act” means the Fisheries Act 1997;
 - “game fishing licence” means a licence issued in respect of a boat used for game fishing under regulation 31;
 - “fish store” means any premises where fish are sold, or stored or processed for sale whether within or outside Nauru, or for export from Nauru;
 - “fish store licence” means a licence issued in respect of a fish store under regulation 33;
 - “fishing licence” means a licence to use a small boat for fishing issued under regulation 10;
 - “foreign boat licence” means a licence issued in respect of a foreign boat under regulation 27;
 - “national boat licence” means a licence issued in respect of a national boat under regulation 29;
 - “research permit” means a research permit in respect of a boat used for research issued under regulation 12;
 - “temporary fishing permit” means a temporary fishing permit issued under regulation 9.

PART II — SMALL BOAT FISHING AND RESEARCH

REGISTRATION OF SMALL BOATS

3. (1) A small boat which is used for fishing, including game fishing, in fisheries waters shall be registered in accordance with this Part.
 - (2) A person who wishes to register or renew the registration of a small boat may apply in Form 1 of Schedule 1.
 - (3) Where he is satisfied that —
 - (a) the boat the subject of an application under sub-regulation (2) meets acceptable safety standards; and
 - (b) the registration or renewal will not conflict with any scheme of priorities established for the registration of small boats; and

- (c) it is in the national interest to register or renew the registration of the boat,

the Chief Executive Officer may, upon receiving payment of the fee set out in Column 2 of Schedule 2, register the boat and grant a certificate of registration in Form 2 of Schedule 1 to the owner of the boat, or renew the registration and certificate, as the case may be.

REGISTER OF SMALL BOATS

4. (1) The Chief Executive Officer shall maintain a Register of Small Boats in Form 3 of Schedule 1.

(2) Upon registering a small boat, the Chief Executive Officer shall assign a separate identification mark to the boat and enter each number in the Register of Small Boats.

(3) In any proceedings under the Act or these Regulations, the entry in respect of a boat in the Register of Small Boats shall be *prima facie* evidence of the ownership of the boat.

CONDITIONS OF SMALL BOAT REGISTRATION

5. (1) A registered small boat shall have its assigned identification markings displayed at all times while it is being used for fishing.

(2) A registered small boat shall, at all times while it is being used for fishing, carry such safety equipment and signalling devices as the Chief Executive Officer may from time to time require.

(3) The owner of a small boat shall ensure that the registration of the boat is valid at all times that the boat is used for fishing.

TRANSFER OF REGISTRATION

6. (1) The owner of a registered small boat who sells or disposes of the boat shall, within seven days after the sale or disposal —

- (a) give written notice to the Chief Executive Officer of the sale or disposal, and the full name and address of the person to whom the boat has been sold or disposed of; and
- (b) deposit the certificate of registration of the boat with the Chief Executive Officer.

(2) The purchaser or person to whom the boat was sold or disposed of shall, within seven days after the purchase or disposal, apply to the Chief Executive Officer in Form 1 of Schedule 1 to have the certificate of registration transferred to him.

(3) Where the owner of a registered small boat dies, the person who is entitled by law or by custom to become the owner of the boat shall, within thirty days after becoming entitled, apply to the Chief Executive Officer in Form 1 of Schedule 1 to have the certificate of registration transferred to him, and the Chief Executive Office shall transfer the registration accordingly.

REFUSAL OR CANCELLATION OF REGISTRATION

7. (1) The Chief Executive Officer may —
- (a) refuse to register or to renew the registration of a small boat; or
 - (b) refuse to transfer the registration of a small boat which has been sold or otherwise disposed of; or
 - (c) cancel the registration of a small boat,
- where —
- (d) he considers that the boat is not fit for fishing or does not meet acceptable safety standards; or
 - (e) the registration, renewal, transfer or continued registration, as the case may be, will conflict with any scheme of priorities established for the registration of small boats; or
 - (f) he is satisfied that the registration of the boat would not be in the national interest.

(2) The owner of a boat refused registration, renewal or transfer of registration or the registration of which is cancelled under sub-regulation (1) may, within 21 days, appeal in writing to the Board and the decision of the Board shall be final.

FISHING BY USE OF SMALL BOAT

8. (1) Subject to sub-regulation (2), no person shall use a small boat for fishing unless he holds —
- (a) a valid fishing licence; or
 - (b) a temporary fishing permit.
- (2) The provisions of sub-regulation (1) do not apply to —
- (a) a Nauruan citizen; or
 - (b) a person who is engaged in game fishing for sport or recreation on board a boat licensed as a game fishing boat under regulation 31; or
 - (c) a person who is fishing under and in accordance with a research permit; or
 - (d) any other category of persons whom the Minister, on the recommendation of the Board, by notice in the Gazette, exempts from the requirements of sub-regulation (1).

TEMPORARY FISHING PERMITS

9. (1) The Chief Executive Officer may issue a temporary fishing permit to any person.
- (2) A temporary fishing permit —

- (a) shall be in Form 4 of Schedule 1; and
- (b) is not transferable; and
- (c) is valid for one day's fishing only; and
- (d) may contain such further conditions as are endorsed on it.

FISHING LICENCES

10 (1) The Chief Executive Officer may issue a fishing licence to a natural person who is ordinarily resident in Nauru.

(2) An application for a fishing licence shall be in Form 5 of Schedule 1.

(3) In considering an application for a fishing licence, the Chief Executive Officer shall have regard to —

- (a) any relevant Fishery Strategy; and
- (b) whether the issue of the licence will conflict with any scheme of priorities established for the issue of fishing licences; and
- (c) the desirability in the national interest of granting the licence; and
- (d) whether there is reason to believe that the applicant will not comply with the conditions of the licence; and
- (e) any other matter which in the opinion of the Chief Executive Officer is relevant to the application.

(4) Where in the opinion of the Chief Executive Officer it is necessary to do so in order to give effect to any licensing programme which is specified in an applicable Fisheries Strategy or otherwise, or he is not satisfied as to any of the matters in sub-regulation (3), he may refuse to grant a fishing licence.

(5) An applicant refused a fishing licence under this regulation may, within 21 days, appeal in writing to the Board and the decision of the Board shall be final.

(6) A fishing licence —

- (a) shall be in Form 6 of Schedule 1; and
- (b) shall be valid for a period not exceeding one year; and
- (c) is not transferable; and
- (d) may contain limitations on the area of waters, the fishery, the method of fishing and the type and quantity of equipment used for which it is valid; and
- (e) shall be carried by the holder at all times while he is fishing by use of a small boat; and
- (f) is subject to such other terms and conditions as are endorsed on it.

ILLEGAL SMALL BOAT FISHING

11. (1) A person, other than a person exempted under regulation 8(2), who

- (a) uses a small boat for fishing without being the holder of a valid fishing licence or a temporary fishing permit; or
- (b) fails to observe any term or condition of a fishing licence or a temporary fishing permit issued to him,

is guilty of an offence and is liable to a penalty not exceeding \$1,000.

(2) A person who is in possession of fishing equipment while on board a small boat shall be presumed, unless the contrary is proved, to intend to use the boat for fishing.

RESEARCH PERMITS

12. (1) A person who intends to use a boat, including a small boat, in fisheries waters for a research project involving fishing trials, investigations or research, other than a research project carried out by or on behalf of the Republic or the Authority, may propose a research plan to the Board.

(2) A research plan may relate to one or more of the following:—

- (a) proposing proper resource utilisation and management guidelines;
- (b) determining the biological and species composition, abundance, population size and distribution of a fisheries resource, and related matters;
- (c) testing the commercial viability of a new fishing method or a new fisheries resource or fishing in previously unexploited waters;
- (d) establishing the viability or otherwise of a fishery or a fishing method;
- (e) any other marine scientific research conducted for peaceful purposes and in order to increase scientific knowledge of the marine environment for the benefit of all mankind.

(3) Where the Board is satisfied —

- (a) as to the *bona fides* of the research plan and of the proposer of the plan; and
- (b) that the conduct of the research project is in accordance with the objects of the Authority and the provisions of Part XIII Regulation 3 of the United Nations Convention on the Law of the Sea and will be of benefit to the Republic,

it may authorise the Chief Executive Officer to issue a research permit in Form 7 of Schedule 1 in respect of the boat, and the Chief Executive Officer shall issue a research permit accordingly.

(4) A research permit shall be valid for the period specified in it, but in any case shall not exceed one year, and shall specify —

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- (a) the area of fisheries waters in which the boat may operate; and
 - (b) the fishing method and sampling strategy to be used; and
 - (c) the species of fish targeted for research, the maximum quantities of the fish to be taken and the manner of disposal of any fish taken; and
 - (d) the time within which the exploratory report, including all raw data, shall be presented to the Authority; and
 - (e) such further terms and conditions as the Authority or the Chief Executive Officer thinks appropriate.
- (5) A research permit shall be subject to the following conditions:—
- (a) the research project shall be conducted in accordance with the provisions of Part XIII, Regulation 3 of the United Nations Convention on the Law of the Sea;
 - (b) scientific observers and any other personnel designated by the Chief Executive Officer shall be allowed on board the boat and shall be allowed to participate fully in the research project both on board the boat and elsewhere;
 - (c) copies of all data and information generated by the research project shall be submitted to the Authority at the end or, upon request, during the course of, the research or survey operations;
 - (d) the results and conclusions of the research project shall be submitted to the Authority as soon as practicable following the completion of the project and in any case no later than the time specified for the submission of the results and conclusions under sub-regulation (4)(d);
 - (e) no results of the research or survey operations shall be published or otherwise made internationally available without the prior consent of the Authority.
- (6) A research permit is not transferable or renewable.

PART III —LICENSING OF FISHING BOATS AND FISHING ACTIVITIES

APPLICATION OF PART III

13. This Part does not apply to —
- (a) fishing, other than game fishing, carried out by use of a registered small boat; or
 - (b) fishing carried out under and in accordance with a research permit granted under regulation 12; or
 - (c) fishing or a fisheries activity carried out by or on behalf of the Republic or the Authority.

ACTIVITIES REQUIRING LICENCE

14. (1) Subject to sub-regulation (2) —

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- (a) a foreign boat which is used for fishing or a fisheries activity in fisheries waters shall be licensed as a foreign boat under regulation 27; and
 - (b) a national boat which is used in any waters for fishing, other than for sport or game fishing in fisheries waters, or a fisheries activity shall be licensed as a national boat under regulation 29; and
 - (c) a boat, including a registered small boat, which is used for reward or hire for the purpose of sport or game fishing in fisheries waters shall be licensed as a game fishing boat under regulation 31.
- (2) Sub-regulation (1) does not apply to —
- (a) a support craft; or
 - (b) a foreign boat licensed under a Regional Licensing Arrangement.
- (3) Premises which are used wholly or partially for the commercial storage, processing or sale of fish shall be licensed as a fish store under regulation 33.

LICENCE APPLICATIONS

15. (1) In considering an application for a licence under this Part, the Chief Executive Officer shall take into consideration —
- (a) any relevant policy directions or guidelines of the Minister and the Authority; and
 - (b) any relevant Fishery Strategy; and
 - (c) any relevant declarations of total allowable catch or precautionary limit points; and
 - (d) where the proposed operation entails possible adverse environmental effects, any proposals for the management of those effects; and
 - (e) the commercial viability of the proposed operation (including, where necessary or applicable, an assessment of the financial resources of the applicant and analysis of projected cash flows); and
 - (f) the financial and operational history of the applicant and any other person involved in the operation the subject of the application; and
 - (g) whether the applicant and any other person involved in the operation the subject of the application have cooperated in and made contributions to the development of the fishing industry, fishery research, the identification of fishing resources, the enforcement of fisheries laws, the provision of catch data and the conservation and management of fishing resources; and

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- (h) in relation to a boat the subject of the application, the ownership and registration history of the boat, the nature of any charter agreement, lease, mortgage or other financial arrangement in relation to the boat, the proposed base port of operation of the boat and the history of the good standing of the boat; and
 - (i) in relation to a national boat the subject of an application for a national boat licence, details of the ownership of the boat or the use of land-based facilities in Nauru such as may qualify the boat to be classed as a national boat; and
 - (j) in relation to an application for a game fishing licence, whether it is proposed that the operation will be associated with any national, sub-regional or regional tag-and-release or other similar conservation or scientific project; and
 - (k) in relation to an application for a fish store licence, all relevant factors, including those related to fisheries, the environment, health and industry; and
 - (l) any proposals by the applicant and any other person involved in the proposed operation for future expansion or alteration of the nature of the proposed operation; and
 - (m) in relation to an enterprise which is not wholly owned and controlled by Nauruan citizens, the level of citizen equity and the degree of control exercisable in law, by agreement or in practice by citizens in the enterprise, the proposed cost and profit sharing arrangements in the enterprise, and any proposals for variation in any of these; and
 - (n) any proposed level of training and employment of Nauruan citizens in the proposed operation (including crew members on any boat involved in the proposed operation); and
 - (o) any other similar matters.
- (2) The Chief Executive Officer may refuse to grant a licence —
- (a) where he considers it necessary to do so in order to give effect to any licensing programme or limitation specified in a relevant Fishery Strategy or, in the case of a fishery not subject to a Fishery Strategy, or not previously exploited, where he believes that it would be detrimental to the proper management of the fishery to issue a licence; or
 - (b) where the issue of the licence would conflict with any scheme of priorities established for the grant of licences; or
 - (c) where he has reason to believe, in view of previous convictions for offences related to fisheries, that the applicant will not comply with the conditions of the licence; or
 - (d) in relation to an application in respect of a boat, where the boat does not have a valid seagoing certificate or certificate of seaworthiness where required under the laws governing shipping, or is not in compliance with any prescribed or acceptable safety standards; or

- (e) in relation to an application for a national boat licence, where he is not satisfied as to the *bona fides* of the joint venture under which it is proposed the boat will operate or that the boat is sufficiently based in Nauru so to qualify as a national boat; or
- (f) in relation to an application for a foreign boat licence, where the boat does not have good standing, or its good standing is suspended; or
- (g) in relation to an application in respect of a fish store intended for the preparation, processing or storage of fish, where he considers that the store is not capable of that preparation, processing or storage to internationally acceptable standards for the type, class or species of fish for which the licence is being sought; or
- (h) on any other grounds specified by or under the Act or these Regulations.

ALLOCATION OF FISHING BOAT LICENCES

16. (1) Subject to the Act or these Regulations, fishing boat licences for each fishery shall be granted in the following descending order of priority:—

- (a) a national boat wholly owned by Nauruan citizens, the Republic or a statutory corporation of the Republic;
- (b) a national boat owned by or operated under a joint venture;
- (c) any other national boat;
- (d) a foreign boat owned or operated by a Nauruan enterprise which is not a joint venture;
- (e) any other foreign boat;

and in accordance with any priorities established by an international, regional or sub-regional agreement or arrangement to which the Republic is a party.

GRANT OF LICENCES

17. (1) A licence granted under this Part —

- (a) is subject to the conditions specified in it; and
- (b) provided the applicable fee has been paid, comes into force on a date specified in it or, if no date is specified, on the date on which it is granted; and
- (c) subject to this regulation, remains in force until the day on which it expires in accordance with regulation 18.

(2) A licence issued in contravention of any provision of the Act or these Regulations, any other law or any applicable agreement or arrangement, is void.

PERIOD OF LICENCE

18. The period of a licence issued under this Part is as specified in Column 3 of Schedule 2.

LICENCE FEES

19. (1) Subject to sub-regulation (3), the fees payable in respect of a licence under this Part are as specified in Column 2 of Schedule 2.

(2) A licence shall not come into force until and unless the applicable fee has been paid.

(3) An access fee is payable in respect of a foreign boat according to the terms of the access agreement under which the boat is licensed.

(4) An access agreement shall make provision for the payment of an access fee in respect of all foreign boats licensed under the access agreement.

(5) Notwithstanding sub-regulations (1) and (2), an access agreement may make provision for the payment, by a lump sum method, of all or part of the fees payable in respect of all or some of the foreign boats licensed under the access agreement, in which case the fees shall be paid accordingly.

(6) There shall be no refund of any fee paid for the issue of a licence.

TRANSFER OF LICENCE

20. A licence issued under this Part shall not be transferred to another licensee or to be held in respect of another boat, premises or place.

LOST, DESTROYED OR DEFACED LICENCE

21. (1) Where a licence has been lost or destroyed, the licensee may make written application to the Chief Executive Officer for the issue of a duplicate licence.

(2) Where the Chief Executive Officer is satisfied that —

(a) the licence has been lost or destroyed; and

(b) no improper use has been made or is being made of the licence,

he may, on payment of the fee set out in Schedule 2, issue a duplicate licence to the licensee.

(3) Where a licence has been defaced, the licensee shall, on returning the licence to the Chief Executive Officer and on payment of the fee set out in Schedule 2, be issued with a duplicate licence.

(4) A duplicate licence issued under this regulation has the same force and effect as the licence of which it is a duplicate.

CHANGE IN CIRCUMSTANCES OF OPERATION

22. (1) Where a licensee which is a corporate person proposes a change in its shareholding or beneficial ownership, it shall immediately notify the Chief Executive Officer in writing, giving details of the proposed change.

(2) Where the operator of a national boat proposes a change in the operations of the boat such that it may no longer qualify as a national boat, he shall

immediately notify the Chief Executive Officer in writing, giving details of the proposed change.

(3) The Chief Executive Officer shall consider a notification under sub-regulation (1) or (2) and shall decide whether the proposed change is such that the licence should be cancelled or continued.

AUTOMATIC SUSPENSION OF LICENCE

23. (1) A licence which authorises fishing or a fisheries activity in contravention of a notice under section 11 of the Act is, to the extent that its terms contravene the notice, automatically suspended.

(2) Where the good standing of a licensed boat is suspended, any licence in respect of the boat is automatically suspended until and unless the good standing of the boat is restored.

SUSPENSION OF LICENCE

24. (1) The Chief Executive Officer may suspend a licence, on such terms as he considers appropriate —

- (a) if a material misrepresentation, omission or misstatement of fact has been made in the application for the licence; or
- (b) if there has been consistent failure to report as required by these Regulations; or
- (c) if he has reasonable grounds to suspect that there has been a contravention of, or a failure to comply with, a term or condition of the licence, not being a ground to which he has previously exercised his powers under this regulation in relation to the licence; or
- (d) if any fee, charge or levy required in respect of the licence has not been paid; or
- (e) for a specified period, if he is satisfied that the suspension is necessary for the proper management of a fishery; or
- (f) if the licensee has been charged with an offence involving dishonesty under any law and the charge has not yet been determined; or
- (g) in respect of a national boat which the Republic has proposed for licensing under a Regional Licensing Arrangement, where he has reasonable grounds to believe that the boat has been operated contrary to the conditions of the Regional Licensing Arrangement or the laws of any state in whose waters the Regional Licensing Arrangement entitles it to fish; or
- (h) on any other ground specified under the Act or these Regulations for the suspension of a licence.

(2) Before a licence is suspended, the Chief Executive Officer shall serve a notice on the licensee specifying the ground for suspension and —

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- (a) where the licence is being suspended under sub-regulation (1)(b) or (c), allowing the holder not less than 14 days after the date of serving of the notice to remedy the contravention or the failure to comply or pay; or
 - (b) where the licence is being suspended under sub-regulation (1)(d), (f) or (g), allowing the holder not less than 14 days after the date of service of the notice to make representations as to why the licence should not be suspended.
- (3) Unless sooner revoked, the suspension of a licence under sub-regulation (1)—
- (a) takes effect on the expiry of the time allowed in the notice under sub-regulation (2); and
 - (b) continues until the suspension is rescinded by the Chief Executive Officer or the licence expires or is cancelled.
- (4) On the request of the licensee, the Chief Executive Officer shall allow him an opportunity to be heard and —
- (a) where he is satisfied that the ground for suspension does not apply or is not sufficiently serious as to merit suspension, may rescind the suspension; or
 - (b) where he is satisfied that the licensee is performing his obligations and complying with the Act and these Regulations, shall rescind the suspension.
- (5) The Chief Executive Officer shall rescind a suspension —
- (a) under sub-regulation (1)(e), if the suspension is no longer required for the proper management of the fishery; or
 - (b) under sub-regulation (1)(f), when the charge has been determined in favour of the licensee.

AUTOMATIC TERMINATION OF LICENCE

25. Where —

- (a) any fee, charge or levy required in respect of a licence has not been paid; or
- (b) the flag state registry or the ownership of a boat the subject of a licence changes; or
- (c) the good standing of a boat the subject of a licence is cancelled; or
- (d) an approval under regulation 22 has not been sought in accordance with that regulation, or approval has not been given or conditions upon which the approval was given have not been complied with, and the change has occurred; or
- (e) an operator of a national boat which the Republic has proposed for licensing under a Regional Licensing Arrangement has been convicted by any court of operating the boat contrary to the

conditions of the Regional Licensing Arrangement or the laws of any state in whose waters the Regional Licensing Arrangement entitles it to fish,

the licence shall automatically terminate.

CANCELLATION OF LICENCE

26. (1) The Chief Executive Officer may cancel a licence —
- (a) where he is satisfied that information required to be given or reported under the Act or these Regulations and any applicable access agreement is false, incomplete, incorrect or misleading; or
 - (b) where the licensee (or where the licensee is a corporate person, any of the principals of the licensee) is convicted of an offence against the Act or these Regulations, the Marine Resources Act 1978 (*repealed*), any other law concerning fisheries matters, or
 - (c) where the licensee (or where the licensee is a corporate person, any of the principals of the licensee) is convicted of an offence involving dishonesty under any law; or
 - (d) where the licensee becomes bankrupt, or applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his creditors or makes an assignment of his remuneration for their benefit; or
 - (e) where he is satisfied on reasonable grounds that the licensed activity is not being conducted in accordance with the requirements of the Act or these Regulations or any other relevant law, any applicable access agreement or other agreement, or that there has been a change in the circumstances of the licensee sufficient to justify cancellation of the licence; or
 - (f) on any ground given under these Regulations for the cancellation of a licence.
- (2) For the purposes of sub-regulation (1), "principals" in respect of a corporate person includes the director, manager, secretary or other similar officer or any person purporting to act in such a capacity.
- (3) Where the Chief Executive Officer proposes to cancel a licence under this regulation, he shall serve a notice on the licensee —
- (a) advising him of the intention to cancel the licence and of the reasons for the intended cancellation; and
 - (b) allowing him, within 14 days from the date of service of the notice, to make written or oral representations as to why the licence should not be cancelled.
- (4) Where the licensee does not make, within 14 days, representations under sub-regulation (3)(b) or a request to be heard under sub-regulation (4), the Chief Executive Officer may cancel the licence.

(5) Where representations have been made under sub-regulation (3)(b), the Chief Executive Officer shall consider them and decide whether or not to cancel the licence.

FOREIGN BOAT LICENCES

27. (1) No licence shall be issued in respect of a foreign boat except under and in accordance with an access agreement.

(2) An application for a foreign boat licence shall be made in Form 8 of Schedule 1 by or on behalf of the operator of the boat.

(2) A foreign boat licence —

- (a) shall be in Form 9 of Schedule 1; and
- (b) shall be issued for a specified species, sub-species, class or type of fish; and
- (c) may be issued for a specified area of fisheries waters; and
- (d) shall specify the fishing method permitted under the licence; and
- (e) may specify the type of equipment to be used for fishing; and
- (f) may specify a port or ports at which the boat may tranship, offload, refuel or reprovision; and
- (g) may specify such further conditions in relation to any fishing permitted under the licence, including catch limits, as are necessary or desirable; and
- (h) may specify a number of Nauruan citizens who are to be employed as crew aboard the boat during the licence period; and
- (i) may require that an approved automatic location communicator be installed on the boat, maintained in good working order and kept operational at all times during the licence period; and
- (j) shall be endorsed in respect of any support aircraft and support craft.

(3) A foreign boat licence is subject to the conditions in regulation 30 and to such further conditions as are specified in it.

LEGAL REPRESENTATIVE

28. (1) The foreign party to an access agreement or the operator of a licensed foreign boat shall nominate a legal representative who is resident in Nauru and authorise him to act on behalf of the operator of the boat and to accept legal responsibility on behalf of the operator for any action, juridical or otherwise, taken in respect of the boat.

(2) Any communication, information, document, direction, request or response to or from the legal representative shall be deemed to have been sent to, or received from, the foreign party or operator or both, as the case may be.

NATIONAL BOAT LICENCES

29. (1) The operator of a national boat may apply for a national boat licence in Form 10 of Schedule 1.

- (2) A national boat licence —
- (a) shall be in Form 11 of Schedule 1; and
 - (b) shall be issued for a specified species, sub-species, class or type of fish; and
 - (c) may be issued for a specified area of fisheries waters; and
 - (d) shall specify the fishing method permitted under the licence; and
 - (e) may specify the type of equipment to be used for fishing; and
 - (f) may specify a port or ports at which the boat may tranship, offload, refuel or reprovision; and
 - (g) may specify such further conditions in relation to any fishing permitted under the licence, including catch limits, as are necessary or desirable; and
 - (h) may specify a number of Nauruan citizens who are to be employed as crew aboard the boat during the licence period; and
 - (i) may require that an approved automatic location communicator be installed on the boat, maintained in good working order and kept operational at all times during the licence period; and
 - (j) shall be endorsed in respect of any support aircraft and support craft.

(2) A national boat licence is subject to the conditions in regulation 30 and to such further conditions as are specified in it.

CONDITIONS OF FOREIGN AND NATIONAL BOAT LICENCES

30. (1) The operator of a boat licensed under this Part shall recognise and agree to comply with all laws of the Republic, including and in particular the Act and these Regulations.

(2) The boat shall only be used for such fishing and during such periods and in such places as are specified in the licence.

- (3) The boat shall not be used for transshipment at sea.
- (4) The boat shall at all times while in fisheries waters —
- (a) fly the flag of the state in which it is registered; and
 - (b) display identification markings in accordance with Schedule 3; and

-
- (c) display lights and shapes for the boat and activity in which it is engaged in compliance with the requirements of the International Regulations for Preventing Collisions at Sea.

(5) The boat shall carry the original of the licence on board the boat at all times during the licence period and produce it to an officer upon request.

(6) The boat shall, unless the Chief Executive Officer otherwise directs in writing, carry a person who is able to communicate effectively in English and in the language of the master of the boat and that person may be the master.

(7) The master of a boat which takes fish shall complete daily in the English language, whether within fisheries waters or not, in a form approved by the Chief Executive Officer, a fishing logbook for each day of fishing which shall include the following information:—

- (a) the date and time;
- (b) the fishing effort of the boat;
- (c) the method of fishing used;
- (d) the area and position (to one minute of arc) at which fishing was undertaken;
- (e) the species of fish taken, and the quantity and condition of each species;
- (f) the species of fish taken and discarded, and the quantity and condition of each species;
- (g) any other information required by the Chief Executive Officer or as specified in the licence,

and shall certify by his signature that the information in the fishing logbook is true, complete and accurate.

(8) The operator of a boat which takes fish shall provide to the Chief Executive Officer, in a form and by a means approved by him —

- (a) a preliminary trip report, together with true copies of catch reports, landing slips or dock receipts, within 14 days; and
- (b) a final trip report within 21 days in the case of a national boat, or 45 days in the case of a foreign boat,

of the completion of a fishing trip.

(9) The operator shall provide to the Chief Executive Officer, in a form and by a means approved by him, information in Schedule 4 —

- (a) each Wednesday while the boat is in fisheries waters; and
- (b) within a reasonable time of entry into and exit from fisheries waters; and
- (c) within a reasonable time before the estimated time of entry into the port of Nauru; and
- (d) within a reasonable time before any transshipment, offloading, refuelling or provisioning is proposed.

(10) The master shall maintain on board the boat, at all times whether within fisheries waters or not, a ship's log separate from the fishing logbook referred to in sub-regulation (7) and shall enter in that log a record of the date, time and nature of every instruction or direction normally recorded in a ship's log and every requirement communicated to the master by the Chief Executive Officer or an authorised officer.

(11) The master shall ensure the continuous monitoring of the international distress and calling frequency (HF) as determined from time to time by the International Telecommunications Union, and the international safety and calling frequency (channel 16, VHF FM).

(12) The boat shall carry on board the latest edition of the "International Code of Signals" published by the International Maritime Organization Marine Safety Committee, and the signals specified in that Code shall be used in every communication by radio, flag or light by a licensed boat in fisheries waters.

(13) The master shall adopt all reasonable measures to minimise catch of species other than those specified in the licence, including the use of equipment and techniques shown to be effective in minimising those catches.

(14) The provisions of the Act and these Regulations relating to observers shall be observed at all times and in all waters.

(15) Notwithstanding anything in these Regulations, the Chief Executive Officer may at any time during the licence period, require further and better information from the operator of a licensed boat regarding the operations of the boat.

GAME FISHING LICENCES

31. (1) The operator of a game fishing boat may apply for a game fishing licence in Form 12 of Schedule 1.

- (2) A game fishing licence —
- (a) shall be in Form 13; and
 - (b) may be issued for a specified type, class or species of fishstock; and
 - (c) may be issued for a specified area of fisheries waters; and
 - (d) may specify the kind of fishing permitted under the licence.

(3) A game fishing licence is subject to the conditions in regulation 32 and to such further conditions as are specified in it.

CONDITIONS OF GAME FISHING LICENCES

32. (1) The boat the subject of the licence shall be seaworthy and shall comply with any safety standards for shipping which are applicable from time to time under the laws of the Republic.

(2) The boat shall only be used for such fishing and during such periods and in such places as are specified in the licence.

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- (3) The boat shall at all times while in fisheries waters —
- (a) display identification markings in accordance with Schedule 3; and
 - (b) where it is registered under any law, including the law of another state, related to registration of shipping, fly the flag of the state in which it is registered; and
 - (c) display lights and shapes for the boat and activity in which it is engaged in compliance with the requirements of the International Regulations for Preventing Collisions at Sea.

(4) The operator shall promptly provide the Chief Executive Officer with any information in respect of the fishing operations of the boat that he may require from time to time.

FISH STORE LICENCES

33. (1) The owner or occupier of premises which are used as a fish store may apply for a fish store licence in Form 14 of Schedule 1.

- (2) A fish store licence —
- (a) shall be in Form 15; and
 - (b) shall specify the premises to which it relates; and
 - (c) may specify the species, sub-species, type or class of fish which may be handled in the fish store; and
 - (d) may specify other matters in relation to the storing, processing and packaging of fish.

(2) A fish store licence is subject to the conditions in regulation 34 and to such further conditions as are specified in it.

CONDITIONS OF FISH STORE LICENCES

34. (1) A licensed fish store shall be —
- (a) maintained and operated in a clean and sanitary manner and in accordance with the relevant provisions of any law relating to the maintenance of health, sanitation in respect of any place, premises or receptacle, or food for human consumption; and
 - (b) equipped only with equipment and fittings which are capable of being sterilised and are maintained in a clean and hygienic condition.

(2) Freezing or chilling of fish in a licensed fish store shall be carried out as rapidly as possible and in such a way as to minimise undesirable physical, biochemical and microbiological changes.

(3) Where the Chief Executive Officer requires it, accurate records shall be kept of such matters in relation to the purchase, storage, processing and sale of fish, and in such form, as the Chief Executive Officer considers necessary.

(4) The holder of a fish store licence and all persons employed at the fish store shall —

- (a) immediately comply with every instruction or direction given by an authorised officer; and
- (b) facilitate his safe entry and inspection of the fish store, together with any records, documents and fish; and
- (c) take all measures to ensure the safety of an authorised officer in the performance of his duties.

(5) A person who —

- (a) contravenes or fails to comply with a provision of this regulation; or
- (b) stores, processes, sells, displays for sale or exports fish intended for human consumption which is adulterated, contaminated with or contains a poisonous or harmful substance or pathogenic micro-organisms, or is otherwise injurious to human health,

is guilty of an offence and is liable to a penalty not exceeding \$100,000.

POWERS OF AUTHORISED OFFICERS IN RELATION TO LICENSED FISH STORES

35. For the purposes of enforcing the Act and these Regulations, an authorised officer may at all reasonable times —

- (a) enter any licensed fish store for the purpose of inspection of the condition of the premises or the examination of any fish held on the premises; and
- (b) while in the fish store, make any search, examination or enquiry which he considers necessary to find out whether any provision of the Act or these regulations has been contravened; and
- (c) where he considers it necessary or desirable, take samples for analysis of any fish stored or held on the premises; and
- (d) seize any fish which he has reasonable grounds to believe are being held, stored, processed or sold in contravention of any provision of the Act or these Regulations, or any thing which may be necessary to the conduct of an investigation into any offence against the Act or these Regulations.

PART IV — EVIDENCE BY CERTIFICATE

EVIDENCE BY CHIEF EXECUTIVE OFFICER

36. (1) For the purposes of section 31 of the Act, the Chief Executive Officer may give a certificate as to one or more of the following matters:—

- (a) a specified boat was or was not on a specified date or dates a national boat or a foreign boat;

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- (b) there was or was not on a specified date or dates a licence or certificate of registration issued in respect of a specified boat;
 - (c) a specified person was or was not on a specified date or dates the holder of a specified licence, permit, certificate of registration or other authorisation;
 - (d) an appended document is a true copy of the licence, permit, certificate of registration or other authorisation in respect of a specified boat, premises or person and that specified conditions were those of a licence, permit, certificate of registration or other authorisation issued in respect of a specified boat, premises or person;
 - (e) a call sign, name or number is that of a particular boat or has been allotted under any system of naming, numbering or otherwise identifying boats to a particular boat;
 - (f) a particular location or area of water was on a specified date or dates within fisheries waters, or was within a closed, limited, restricted or in any other way controlled area of fisheries waters, or an area of fisheries waters subject to specified conditions;
 - (g) an appended chart shows the boundaries on a specified date or dates of fisheries waters, the territorial sea, closed or limited areas or other areas or zones delineated for any specified purpose;
 - (h) an appended document is a true copy of a certificate of an access agreement or an international, regional or sub-regional agreement or arrangement;
 - (i) an appended statement received from the Director of the South Pacific Forum Fisheries Agency shows that a specified boat does or does not have good standing;
 - (j) a particular position report, catch report or other report, a copy of which is appended, was given in respect of a specified boat.

(2) In proceedings for an offence against section 22 or 25 of the Act, or against regulation 42 or 43, the Chief Executive Officer, or a person authorised by him in writing, may give a certificate as to the cause and manner of death of or injury to any fish.

EVIDENCE OF LOCATION OF BOATS

37. (1) For the purposes of section 31 of the Act, an authorised officer or observer may give a certificate that a specified boat was or was not, at a specified date and time or during a specified period of time, in a particular place or area, and in the certificate shall state —

- (a) his name, address, official position, country of appointment and the provision under which he is appointed; and
- (b) the name and, if known, call sign of the boat concerned; and
- (c) the date and time or period of time the boat was in the place or area; and

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- (d) the place or area in which it is alleged the boat was located; and
 - (e) the instrument or method used to fix the place or area stated in paragraph (d).

(2) Where an instrument used to fix a place or area under sub-regulation (1) is not part of the Regional Vessel Monitoring System, the person giving the certificate under that sub-regulation shall also state —

- (a) the accuracy of the instrument within specified limits; and
- (b) that he checked the instrument a reasonable time before and after it was used to fix the position and it appeared to be working correctly; and
- (c) where the instrument used is not judicially recognised as notoriously accurate, a declaration that he checked the instrument as soon as possible after the time concerned against an instrument which is judicially recognised as notoriously accurate.

(3) Where the position, course, speed or other similar matter concerning a boat under sub-regulation (1) is determined by the use of the Regional Vessel Monitoring System, the authorised officer or observer who is giving the certificate shall also state —

- (a) that he is competent to read and interpret the printout or visual display unit of the machine used to ascertain information from the Regional Vessel Monitoring System; and
- (b) the date and time the information was obtained or ascertained from the machine; and
- (c) the name and call sign of the boat on which the approved automatic location communicator is or was located as known to him or as ascertained from any official register, record or other document; and
- (d) a declaration that there appeared to be no malfunction in the machine used to obtain or ascertain the information from the Regional Vessel Monitoring System.

(4) All information or data obtained or ascertained by the use of an approved automatic location communicator on board a boat shall be presumed, unless the contrary is proved, to —

- (a) come from the boat identified as the boat on which the approved automatic location communicator is installed; and
- (b) be accurately transmitted or transferred; and
- (c) be given by the operator of the boat;

and evidence may be given of information and data obtained or ascertained from the approved automatic location communicator whether from a printout or visual display unit.

(5) The presumption in sub-regulation (4) shall apply whether or not the information was stored before or after any transmission or transfer.

PHOTOGRAPHIC EVIDENCE

38. (1) Where a photograph is taken of any fishing or fisheries activity and simultaneously the date and time on which and the position from which the photograph is taken are superimposed upon the photograph, then it shall be presumed unless the contrary is proved that the photograph was taken on that date and time and from that position.

(2) The presumption in sub-regulation (1) shall arise only if —

- (a) the camera taking the photograph is connected directly to the instruments which provide the date, time and position concerned; and
- (b) the instruments which provide the date, time and position are judicially recognised as being notoriously accurate or were checked as soon as possible after the taking of the photograph against such instruments.

(3) An authorised officer or observer who takes a photograph of the kind described in sub-regulation (1) may give a certificate, appending the photograph, stating —

- (a) his name, address, official position, country of appointment and provision under which he is appointed; and
- (b) the name and call sign, if known, of any boat appearing in the photograph; and
- (c) the names of the camera, watch or clock or other instruments supplying the date and time and the position fixing instrument and a declaration that he checked those instruments a reasonable time before and after the taking of the photograph and, if necessary, in accordance with sub-regulation (2)(b) and that they all appeared to be working correctly; and
- (d) the matters set out in sub-regulation (2)(a); and
- (e) the accuracy of the fixing instrument used within specified limits; and
- (f) the maximum possible distance and the direction of the subject of the photograph away from the camera at the time the photograph was taken.

PART V — MISCELLANEOUS**REGISTERS OF LICENCES**

39. The Authority shall keep registers in Form 16 of Schedule 1 of all licences issued or granted under this Act.

OFFENCES REGARDING LICENCES

40. A person who —

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- (a) without lawful authority, alters or defaces any licence issued under the Act or these Regulations; or
 - (b) falsely represents himself to be a person lawfully licensed under these Regulations,

is guilty of an offence and is liable to a penalty —

- (a) in a case involving a foreign boat licence, not exceeding \$50,000; or
- (b) in a case involving the use of a national boat licence, not exceeding \$10,000; or
- (c) in any other case, not exceeding \$1,000.

INTERFERING WITH EVIDENCE

41. (1) A person who, being on board any boat being pursued, about to be boarded or notified that it will be boarded by an authorised officer, throws overboard or destroys any fish, fishing equipment, explosive, poison, noxious substance, chart, log, document or other thing with intent to avoid its seizure or the detection of an offence against the Act or these Regulations is guilty of an offence.

(2) A person who removes from custody any boat, fish, equipment or other item held in custody under the Act or these Regulations, or does any act or omission by which a boat, fish, equipment or other item held in custody under the Act or these Regulations may be removed from custody, is guilty of an offence.

(3) Sub-regulation (2) applies whether or not the person accused of the offence knew that the boat, fish, equipment or other item was being held in custody.

(4) A person who, whether in Nauru, in fisheries waters or on the high seas —

- (a) intentionally, recklessly or negligently destroys, damages, renders inoperative or otherwise interferes with any part of an automatic location communicator; or
- (b) intentionally feeds or inputs into an automatic location communicator information or data which is not officially required or is meaningless; or
- (c) knowingly switches off an approved automatic location communicator at any time that the boat on which it is installed is at sea; or
- (d) knowingly interferes with or alters any radio or other electronic transmission made or given as required or permitted under the Act or these Regulations; or

is guilty of an offence.

(5) A person who intentionally, recklessly or negligently divulges information obtained from a vessel monitoring system or any other system of reporting or recording required or permitted under the Act or these Regulations, other than in the course of duty and to a person or persons entitled to receive that information in the course of duty, is guilty of an offence.

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- (6) A person who is guilty of an offence under this regulation is liable to a penalty —
- (a) in a case involving the use of a foreign boat, not exceeding \$50,000; or
 - (b) in a case involving the use of a national boat, not exceeding \$10,000; or
 - (c) in the case of a crew member of a foreign or a national boat, not exceeding \$5,000; or
 - (d) in any other case, not exceeding \$1,000.

ASSOCIATION WITH DRIFTNET FISHING

42. (1) No person shall engage or assist in driftnet fishing in fisheries waters.
- (2) No Nauruan citizen shall engage or assist in driftnet fishing in any waters.
- (3) A person who contravenes sub-regulation (1) or (2) is guilty of an offence and is liable to a penalty not exceeding \$5,000.
- (4) A person who, anywhere in fisheries waters or in the country, tranships, offloads or imports, or permits the transshipment, offloading or import of, any fish or fish product which he knows or reasonably suspects has been taken with the use of a driftnet is guilty of an offence and is liable to a penalty not exceeding \$5,000.

EXPLOSIVES AND POISON

43. (1) A person who —
- (a) permits to be used, uses or attempts to use any explosive, 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 indicating an intention of using the substance for any of the purposes referred to in paragraph (a);
- is guilty of an offence and is liable to a penalty not exceeding \$5,000.
- (2) Any explosive, poison or other noxious substance found on board any boat shall be presumed, unless the contrary is proved, to be intended for the purposes referred to in sub-regulation (1)(a).
- (3) A person who lands, sells, receives or possesses any fish taken by a means which contravenes sub-regulation (1)(a), and who knows or has reasonable cause to believe them to have been so taken, is guilty of an offence and is liable —
- (a) where the person proves that the landing, receipt or possession was not for the purpose of sale, trade or profit, to a fine not

exceeding \$500 or imprisonment for a term not exceeding one year, or both; or

- (b) in any other case, to a fine not exceeding \$1,000 or imprisonment for a term not exceeding two years, or both.

FISH AGGREGATING DEVICES

44. (1) No person shall place a fish aggregating device in fisheries waters except with the permission in writing of the Chief Executive Officer and in accordance with such conditions as he specifies.

(2) Permission to place a fish aggregating device shall not, of itself, confer any exclusive right to fish in the vicinity of the device.

(3) No person shall use a boat, other than a small boat, to fish within a radius of two nautical miles from a designated fish aggregating device except with the permission of the Chief Executive Officer and in accordance with such conditions as he may specify.

(4) A fish aggregating device placed in fisheries waters otherwise than in accordance with permission given under sub-regulation (1) may be used or disposed of as the Chief Executive Officer directs.

(5) A person who contravenes sub-regulation (1) or (3) is guilty of an offence and is liable to a penalty not exceeding \$500.

IMPORTATION OF LIVE FISH

45. (1) A person who, without the permission in writing of the Chief Executive Officer subject to such conditions as the Chief Executive Officer sees fit —

- (a) imports or attempts to import any live fish into Nauru; or
(b) introduces into any part of fisheries waters any fish not indigenous to Nauru,

is guilty of an offence and is liable to a penalty not exceeding \$5,000.

(2) Where the Chief Executive Officer is satisfied that there has been a contravention of sub-regulation (1), he may cause the fish to be seized and destroyed or otherwise disposed of.

(3) For the purpose of seizing, destroying or otherwise disposing of live fish under this regulation, an authorised officer may, without warrant, enter upon any land.

SALE OF FISH

46. (1) The Minister may from time to time, by notice in the Gazette, declare —

- (a) the price, or range of prices for which; and
(b) the method, whether by piece, weight or other form of measurement, by which,

any class, type, species or sub-species of fish may be sold.

(2) A person who sells fish in breach of a notice under sub-regulation (1) is guilty of an offence and is liable to a penalty of \$500.

PROVISION OF INFORMATION

47. (1) A person engaged in fishing or a fisheries activity in fisheries waters or in respect of fish taken from fisheries waters shall provide to the Chief Executive Officer such information relating to fishing or the fisheries activity, including information relating to fishing time and effort, landings, processing, sales, purchases, exports and other related transactions, in such form as the Chief Executive Officer may require, or as is provided under these Regulations.

(2) A person is not excused from providing information under the Act or these Regulations on the ground that the information might tend to incriminate him, but the information is not admissible in evidence against him in any proceedings other than proceedings in respect of —

- (a) providing false information in the return; or
- (b) a refusal or failure to provide information as required by the Act or these Regulations.

(3) Any information required to be recorded, or to be notified, communicated or reported under the Act or these Regulations shall be true, complete and correct.

(4) Any change in circumstances which has the effect of rendering any such information referred to in sub-regulation (1) false, incomplete or misleading shall be notified immediately to the appropriate person, authority or body.

(5) A person who contravenes a provision of this regulation, or who —

- (a) knowingly makes a statement that is false or incorrect in any particular in relation to an application for the purposes of the Act or these Regulations; or
- (b) knowingly furnishes a false or incorrect statement in relation to any fish taken, bought, sold, processed, exported or otherwise dealt with by the person or by an agent or employee of the person; or
- (c) knowingly makes or causes to be made any entry or writing that is false in any material particular, in any book, log, record, return, declaration or statement required by the Act or these Regulations to be kept, made or given; or
- (d) refuses or knowingly fails to provide any information, particulars, report or return required by the Act or this Regulation,

is guilty of an offence and is liable to a penalty not exceeding \$50,000.

SCHEDULES**SCHEDULE 1****FORMS**

Form 1	-	Application for Small Boat Registration
Form 2	-	Small Boat Registration Certificate
Form 3	-	Register of Small Boats
Form 4	-	Temporary Fishing Permit
Form 5	-	Application for Fishing Licence
Form 6	-	Fishing Licence
Form 7	-	Research Permit
Form 8	-	Application for Foreign Boat Licence
Form 9	-	Foreign Boat Licence
Form 10	-	Application for National Boat Licence
Form 11	-	National Boat Licence
Form 12	-	Application for Game Fishing Licence
Form 13	-	Game Fishing Licence
Form 14	-	Application for Fish Store Licence
Form 15	-	Fish Store Licence
Form 16	-	Register of Licences

Note: Forms will be drawn up in the Department of Fisheries and Marine Resources.

SCHEDULE 2**PERIOD AND FEES OF LICENCES**

Regulation 3, 9, 10, 12, 18, 19

Class of Licence, etc	Fee	Period of Licence or Permit
1. Small boat registration	(a) canoe or boat, non-powered — \$50 (b) canoe or boat, powered — \$150	one year
2. Temporary Fishing Permit	\$5	one day
3. Fishing Licence	\$100	one year
4. Research Permit	\$200	as specified, but not exceeding one year
5. Foreign Boat Licence: (a) pole-and-line	according to access agreement	according to access agreement
(b) longline	according to access agreement	according to access agreement
(c) purse-seine	according to access agreement	according to access agreement
(d) other	according to access agreement	according to access agreement
6. National Boat Licence	(a) where overall length does not exceed 15 m. — \$250 (b) where overall length exceeds 15 m. — \$500	one year
7. Game Fishing Licence	\$300	one year
8. Fish Store Licence	\$100	one year
9. Issue of duplicate licence	\$20	

SCHEDULE 3

Regulation 30

MARKINGS OF FISHING BOATS.

(1) A licensed boat, other than a registered small boat, shall have displayed —

- (a) its name or identification and port of registry in Roman letters; and
- (b) its markings, which shall be its International Telecommunications Union Radio Call Sign, or, where the boat does not have such a sign, the characters allocated by the International Telecommunications Union to the flag state of the boat, followed by a hyphen, followed by the licence or registration number assigned by the flag state to the boat.

- (2) The markings referred to in sub-regulation (1) shall be displayed —
- (a) on the boat's side or superstructure, port and starboard, as high as possible above the waterline and in no case extending below the waterline, avoiding the flare of the bow and stern, and clear of any flow from scuppers or overboard discharges; and
- (b) athwartships on the deck with the tops of the numbers and letters towards the bow; and
- (c) where the markings on the deck are obscured by an awning or other temporary cover, on that awning or cover; and
- (d) so that they are not obscured by fishing equipment, whether stowed or in use.

- (4) The markings referred to in sub-regulation (1) shall be —
- (a) painted directly onto the hull, superstructure or deck, as the case may be; and
- (b) white on a black background or black on a white background; and
- (c) in block letters and numbers throughout; and
- (d) maintained in good condition at all times.

(5) The sizes of boat markings referred to in sub-regulation (1) shall be as follows:—

- (a) for marks on the hull or superstructure, according to the following table:-

<u>Length of Vessel Overall (in Metres)</u>	<u>Height of Letters and Numbers (in Metres)</u>
25 and over	1.0
20 but less than 25	0.8
15 but less than 20	0.6
12 but less than 15	0.4
5 but less than 12	0.3
Less than 5	0.1;

- (b) for marks on the deck, not less than one metre for all boats of overall length of five metres or more;

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- (c) the length of the hyphen shall be half the height of the letters and numbers;
 - (d) the width of the stroke for all letters and numbers, and the hyphen, shall be one-sixth of the height;
 - (e) the space between all letters and numbers shall be not less than one-sixth or greater than one-quarter the height;
 - (f) the space between adjacent letters having sloping sides shall be not less than one-tenth or greater than one-eighth the height;
 - (g) the background shall extend to provide a border around the markings of not less than one-sixth the height of the letters and numbers.

SCHEDULE 4

Regulation 30

REPORT FORMS.

(1) **Weekly Reports**

- (a) report type (WEEK)
- (b) trip begin date
- (c) date and time (GMT)
- (d) international call sign
- (e) licence number
- (f) vessel name
- (g) Regional Register number
- (h) position (to one minute of arc)
- (i) catch on board by weight by type
- (j) intended action

as: WEEK / TBD / ddmmy / TIME / CALL SIGN / LICNO / VESSEL NAME / R.REGNO / LA 1111 / LO 1111 / SJ www YF xxx BE yyy OTH zzz / INTENDED ACTION

(2) **Zone Entry and Exit**

- (a) report type (ZENT for entry and ZEXT for exit)
- (b) trip begin date
- (c) date and time (GMT)
- (d) international call sign
- (e) licence number

- (f) vessel name
- (g) Regional Register number
- (h) position (to one minute of arc)
- (i) catch on board by weight by type
- (j) intended action

as: ZENT (or ZEXT) / TBD / ddmmyy / TIME / CALL SIGN / LICNO / VESSEL NAME / REGNO / LA 1111 / LO 11111 / SJ www YF xxx BE yyy OTH zzz / INTENDED ACTION

(3) Closed Area Entry and Exit

- (a) report type (CAEBT for entry and CAEXT for exit)
- (b) trip begin date
- (c) date and time (GMT)
- (d) international call sign
- (e) licence number
- (f) vessel name
- (g) Regional Register number
- (h) position (to one minute of arc)
- (i) catch on board by weight by type
- (j) intended action

as: CAENT (or CAEXT) / TBD / ddmmyy / TIME / CALL SIGN / LICNO / VESSEL NAME / REGNO / LA 1111 / LO 11111 / SJ www YF xxx BE yyy OTH zzz / INTENDED ACTION

(4) Notice of Port Entry or Transshipment/Offloading or Refuelling/Provisioning

- (a) report type (PENT)
- (b) trip begin date
- (c) date and time (GMT)
- (d) international call sign
- (e) licence number
- (f) vessel name
- (g) Regional Register number
- (h) position (to one minute of arc)
- (i) catch on board by weight by type
- (j) estimated time of entry into port *or* arrival at rendezvous for transshipment (other than transshipment by foreign boat) (GMT)
- (k) port name *or* boat to which transshipping (for transshipment other than transshipment by foreign boat)

(l) intended action

as: PENT / TBD / ddmmyy / TIME / CALL SIGN / LICNO / VESSEL NAME /
REGNO / LA 1111 / LO 11111 / SJ www YF xxx BE yyy OTH zzz / ETA /
PORT NAME / INTENDED ACTION / CERT y/n

(5) Transhipment Report

- (a) report type (TRANS)
- (b) trip begin date
- (c) date and time (GMT)
- (d) international call sign
- (e) licence number
- (f) vessel name
- (g) Regional Register number
- (h) position (to one minute of arc)
- (i) catch transferred by weight by type
- (j) name of carrier/shore establishment
- (k) destination of catch

as: TRANS / TBD / ddmmyy / TIME / CALL SIGN / LICNO / VESSEL NAME /
REGNO / LA 1111 / LO 11111 / SJ www YF xxx BE yyy OTH zzz / CARRIER
NAME / DESTINATION OF CATCH

(6) Trip Completion Report

- (a) report type (COMP)
- (b) trip begin date
- (c) date and time (GMT)
- (d) international call sign
- (e) licence number
- (f) vessel name
- (g) Regional Register number
- (h) date of completion of trip
- (i) place of discharge of catch
- (j) catch discharged by weight by type

as: COMP / TBD / ddmmyy / TIME / CALL SIGN / LICNO / VESSEL NAME /
REGNO / TCD / PORT NAME / SJ www YF xxx BE yyy OTH zzz