

ANTIGUA AND BARBUDA



THE FISHERIES REGULATIONS, 2013

STATUTORY INSTRUMENT

2013, No. 2

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THE FISHERIES REGULATIONS, 2013

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ANTIGUA AND BARBUDA
THE FISHERIES REGULATIONS, 2013
2013, No. 2

THE FISHERIES REGULATIONS made by the Minister in exercise of the powers contained in section 76 of the Fisheries Act, 2006.

1. Short title

These Regulations may be cited as the Fisheries Regulations, 2013.

2. Interpretation

In these Regulations—

“Act” means the Fisheries Act, 2006 (No. 22 of 2006)

“Committee” means the Fisheries Advisory Committee established under regulation 3.

“Minister” means the Minister responsible for Fisheries.

The terms and phrases defined in the Act shall be given the same meaning in these regulations, unless the context requires otherwise.

PART II – FISHERIES ADVISORY COMMITTEE

3. Establishment of Fisheries Advisory Committee

- (1) There is hereby established a Fisheries Advisory Committee.
- (2) The Committee shall consist of the following Committee persons—
 - (a) a chairman, who shall be appointed by the Minister;
 - (b) a deputy chairman, who shall be appointed by the Minister;
 - (c) the Chief Fisheries Officer or his representative, who shall be the secretary;
 - (d) three persons nominated by professional fishers and appointed by the Minister to represent the views of professional fishers one of whom shall be from Barbuda.
 - (e) a person to be appointed by the Minister, and;
 - (f) a person to be nominated by the Barbuda Council.
- (3) At least one of the persons appointed by the Minister shall be a woman.

(4) The quorum for conducting the business of the Committee shall be at least three members, the Chairman or in his absence the Deputy Chairman, the Secretary and a representative of the professional fishers group.

(5) The Committee may invite such other persons as it may think fit, to participate in its meetings.

(6) The Committee may determine its own procedures but shall meet at least twice a year. The Chairman may call a meeting of the Committee at any time, or on the written request of at least two members. A meeting shall convene within fourteen days of the receipt of the request.

4. Functions

The functions of the Committee are as follows—

- (a) to advise the Minister on fisheries management and development;
- (b) to consider and advise the Minister on the fisheries management and development plan and the aquaculture management and development plan and on each review of these plans;
- (c) to consider and advise the Minister on the need for any amendment to the Act or to any Regulations made under it;
- (d) to consider and advise the Minister on any proposals for access agreements, joint venture investment in fisheries, or development projects in the fisheries sector;
- (e) to consider and advise the Minister on any initiative for the regional harmonization of fisheries regimes, including any regional licensing schemes for foreign fishing vessels;
- (f) to advise the Minister on the coordination of the policies and activities of Government Departments and ministries with respect to any of the above matters;
- (g) to advise the Minister on conditions to be imposed and the fees to be paid by any person or body applying for a licence under these Regulations;
- (h) to consider and advise the Minister on such other matters as he may from time to time assign to the Committee.

**PART III REGISTRATION, CONSTRUCTION, CERTIFICATION AND
INSPECTION OF LOCAL FISHING VESSELS**

5. Application

Unless otherwise specified, this part applies to all local fishing vessels, regardless of class, size, type or length overall, other than vessels used as life boats or survival craft that are part of the equipment of the fishing vessel.

6. Exemptions

Notwithstanding the entry into force of these Regulations, the Minister may, by a Notice published in the *Gazette*, suspend the application of all or certain provisions of this part to existing vessels or any class of vessels as specified in the notice, provided that such suspension shall be for a period not exceeding five years from the coming into force of these Regulations.

7. Names of local fishing vessels

(1) A local fishing vessel shall not be registered under the Act without an approved name.

(2) The Chief Fisheries Officer may approve the name or a change in the name of a local fishing vessel before it is first registered under this part or approve a change in the name of a local fishing vessel which is registered under this part.

(3) The application for reservation or approval of a name or change in the name for a local fishing vessel under the Act shall be made to the Chief Fisheries Officer as set out in Schedule I, Form A, and accompanied by the fee as set out in Schedule XIV.

(4) The Chief Fisheries Officer shall refuse to approve any name if –

- (a) it is the same as the name of a ship considered to be or is an Antigua and Barbuda ship under the Antigua and Barbuda Merchant Shipping Act, 2006, or local fishing vessel registered under this Act;
- (b) it is likely, in the opinion of the Chief Fisheries Officer, to deceive or be confused with the name of a ship considered to be or is an Antigua and Barbuda ship under the Merchant Shipping Act, 2006, or a local fishing vessel registered under this Act or with a distress signal;
- (c) it is likely, in the opinion of the Chief Fisheries Officer, to be objectionable for reasons of decency or otherwise be offensive to members of the public;
- (d) its use is prohibited under any other law of Antigua and Barbuda; or
- (e) it is an inappropriate name for other reason as may be prescribed; and shall notify the applicant in writing that the name is not approved.