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OFFSHORE FISHERIES MANAGEMENT DECREE 2012 (DECREE NO. 78 OF 2012)

Offshore Fisheries Management Regulations 2014

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SCHEDULES

IN exercise of the powers conferred upon me by section 104 of the Offshore Fisheries Management Decree 2012, I hereby make these Regulations—

PART 1—PRELIMINARY

Short title and commencement

1. These Regulations may be cited as the Offshore Fisheries Management Regulations 2014 and shall come into force on the date of its publication in the *Gazette*.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires—

“associated equipment” means any device or system that can be used by a vessel to locate, track or otherwise monitor fishing or related activity and includes but is not limited to—

- (a) a video camera;
- (b) equipment associated with a fish aggregating device;
- (c) a satellite;
- (d) a beacon; or
- (e) a buoy;

“bareboat charter” means the lease of a fishing vessel under a charter party in which the owner of the vessel does not possess the vessel and the person chartering the has possession and exercises control of the management and operations of the vessel for the duration of charter;

“charter” or “charter party” means a bareboat charter or demise charter party agreement made in accordance with the Marine Act 1986;

“Decree” means the Offshore Fisheries Management Decree 2012;

“deployment” means the introduction into the sea of a FAD or associated electronic equipment;

“domestic fisheries development” refers to fishing or related activity in support of fisheries development in Fiji and includes such fishing and related activity by Fiji vessels, and locally based foreign fishing vessels, and processing facilities in Fiji;

“domestic fishing vessel” or “domestic fishing fleet” includes Fiji vessels, locally based foreign fishing vessels or a chartered fishing vessels;

“Exclusive Economic Zone” has the same meaning as in the Decree ;

“FFA Vessel Register” means the register of fishing vessels maintained by the Forum Fisheries Agency;

“Fiji fisheries waters” has the same meaning as in the Decree;

“Fiji owned” means a fishing vessel that is wholly owned and controlled by—

- (a) a company, society or other association of persons incorporated or established under the written laws of Fiji, at least 51 percent of which is beneficially owned by citizens of Fiji;
- (b) citizens of Fiji; or
- (c) a formal arrangement;

“fish” has the same meaning as in the Decree;

“fish aggregating device” or “FAD” has the same meaning as in the Decree;

“fish processing” has the same meaning as in the Decree and “processed” or “processing” shall have a corresponding meaning;

“fish processing establishment” means any place, other than a fishing vessel, where fish are canned, dried, gutted, dismembered, loined, filleted, salted, iced, chilled, frozen, packed, or otherwise processed for sale in or outside Fiji;

“fishery” or “fisheries” has the same meaning as in the Decree;

“fisheries scientific research” means any scientific activity within Fiji fisheries waters to—

- (a) investigate a fishery;
- (b) evaluate interactions within an ecosystem;
- (c) assess the effectiveness of fishing gear in minimising incidental catch of non-target species; or
- (d) in protecting targeted species from depredation;

“Fisheries Management Plan” has the same meaning as in the Decree;

“fishing trip” means the period commencing from the time a fishing vessel prepares to depart from a port to the time it returns to port to land or tranship its catch;

“high seas” has the same meaning as in the Decree;

“IUU” means illegal, unreported and unregulated;

“illegal, unreported and unregulated fishing” or “IUU fishing” means—

- (a) illegal fishing refers to activities—
 - (i) conducted by a Fiji fishing vessel or foreign fishing vessel in waters under the jurisdiction of a State, without the permission of that State, or in contravention of its laws;
 - (ii) conducted by vessels flying the flag of States that are parties to a relevant regional fisheries management organisation but operate in contravention of international conservation and management measures adopted by that organisation and by which the States are bound, or relevant provisions of the applicable international law; or
 - (iii) conducted in violation of national laws or international obligations, including those undertaken by cooperating States to a relevant regional fisheries management organisation;
- (b) unreported fishing refers to fishing activities—
 - (i) which have not been reported, or have been misreported, to the relevant national authority, in contravention of national laws; or

- (ii) undertaken in the area of competence of a relevant regional fisheries management organisation which have not been reported or have been misreported, in contravention of the reporting procedures of that organisation;
- (c) unregulated fishing refers to fishing activities—
 - (i) in the area of application of a relevant regional fisheries management organisation that are conducted by vessels without nationality, or by those flying the flag of a State not party to that organisation, or by a fishing entity, in a manner that is not consistent with or contravenes the conservation and management measures of that organisation; or
 - (ii) in areas or for fish stocks in relation to which there are no applicable conservation or management measures and where such fishing activities are conducted in a manner inconsistent with State responsibilities for the conservation of living marine resources under international law;

“import” means to—

- (a) land on, bring into, or introduce into any place in Fiji;
- (b) attempt to land on, bring into, or introduce into any place in Fiji;
- (c) receive on account or consignment for the purposes of paragraph (a) or (b); or
- (d) carry or transport anything for the purposes of paragraph (a) or (b);

“length overall” or “LOA”, in relation to a vessel, means the distance in metres (with an accuracy of two decimal places) in a straight line between the foremost point of the bow and the aftermost point of the stern, provided that the bow shall be taken to include the watertight hull structure, forecastle, stem and forward bulwark, and the stern shall be taken to include the watertight hull structure;

“licence” means a licence issued in accordance with the Decree and for the purposes of these Regulations, includes a licence issued by a regional fisheries authority;

“locally based foreign fishing vessel” has the same meaning as in the Decree;

“Ministry” means the Ministry responsible for fisheries;

“Mobile Transceiver Unit” or “MTU” has the same meaning as in the Decree;

“taken” in relation to catch retention means the capture of fish but does not include the release or discard of fish;

“transhipment” has the same meaning as in the Decree;

“vessel monitoring system” has the same meaning as in the Decree;

“vessel monitoring system information” has the same meaning as in the Decree;

“Western and Central Pacific Fisheries Commission” means the regional fisheries management organisation established under the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean; and

“whole fish” means a fish that is not living and has not been processed on land and is intended for transshipment or export.

(2) A reference to the holder of a licence or authorisation shall, in the case of a fishing vessel licence or authorisation, be deemed to be a reference to the operator of the vessel or, in the case of a foreign vessel, the operator or legal representative of that vessel.

PART 2—FISHERIES CONSERVATION, MANAGEMENT AND DEVELOPMENT

Designation of prohibited or restricted fishing areas

3.—(1) Unless otherwise authorised by these Regulations, a foreign fishing vessel and Fiji fishing vessel shall not conduct any fishing or related activities within a prohibited or restricted fishing area described in Schedule 1 and any prohibited area declared in accordance with the Environment Management Act 2005 or any other written law.

(2) Any person who contravenes this regulation commits an offence.

(3) Nothing within these Regulations shall limit or prohibit any person other than a foreign fishing vessel or Fiji fishing vessel from conducting any fishing or related activities within a prohibited or restricted area for the purposes personal use or consumption.

Seasonal and species restrictions

4.—(1) A person shall not kill, take, land, sell or offer or expose for sale, deal in, transport, receive or possess any fish identified in Schedule 2A in accordance with the requirements described in that Schedule.

(2) Any person who contravenes this regulation commits an offence.

Restrictions relating to endangered or protected fish species

5.—(1) A person shall not kill, take, land, sell or offer or expose for sale, deal in, transport, receive or possess any endangered or protected fish listed in Schedule 2B.

(2) Any person who contravenes this regulation commits an offence.

Prohibitions relating to certain types of fishing gear and fishing methods

6.—(1) A person shall not use for fishing or have on board a vessel or possess in Fiji fisheries waters any fishing gear or employ a fishing method identified in Schedule 2C, including but not limited to any—

- (a) driftnet fishing gear;
- (b) net, the mesh size of which does not conform to the minimum stretched mesh size set by the Ministry for that type of net;
- (c) poison, chemical, stupefying substance or explosive;
- (d) fishing gear which does not conform to standards approved by the Minister required pursuant to the Decree for that type of fishing gear; and
- (e) fishing gear which is prohibited by the Decree.

(2) Any person who contravenes this regulation commits an offence.

International conservation and management measures

7.—(1) The Minister may by notice in the *Gazette* declare that an international conservation and management measure is a measure applicable to Fiji fishing vessels and foreign fishing vessels in Fiji fisheries waters, and Fiji fishing vessels beyond Fiji fisheries waters.

(2) An international conservation and management measure declared under sub-regulation (1) is deemed to be a condition of any fishing licence or authorisation issued pursuant to the Decree and shall be complied with by the master, owner, operator or person chartering a fishing vessel as the case may be.

(3) Any person who contravenes this regulation commits an offence.

Contravention

8.—(1) Any person who—

- (a) being the operator of a fishing vessel, fails to comply with the conservation and management measure declared under regulation 7; or
- (b) otherwise contravenes or fails to comply with any provision of this Part,

commits an offence.

PART 3—DOMESTIC FISHERIES DEVELOPMENT

Requirements for joint venture or other commercial agreement

9. The Minister may, on the recommendation of the Permanent Secretary and in conformity with the Decree and a Fisheries Management Plan, declare by notice in the *Gazette* the requirements for joint venture or other commercial agreements in support of domestic fisheries development, and may amend such requirements from time to time.

Requirements for charter of foreign fishing vessels

10.—(1) Notwithstanding the requirements in any written law, no citizen or national of Fiji shall charter a foreign fishing vessel for the purposes of fishing or related activities within Fiji fisheries waters or beyond such waters except with the authorisation of the Permanent Secretary and in accordance with the requirements under these Regulations.

(2) A person intending to charter a foreign fishing vessel shall apply to the Permanent Secretary for an authorisation to charter a foreign fishing vessel.

(3) A person making an application in accordance with sub-regulation (2) shall be a person holding the office of director or equivalent of a body corporate registered under the Companies Act (Cap.247).

(4) Every application for an authorisation to charter shall be—

- (a) made in the form set out in Schedule 60;
- (b) accompanied by a true copy of the proposed charter party with the application for a licence; and
- (c) accompanied by the relevant fees set out in Schedule 7, including but not limited to an application fee or an authorisation to charter annual fee.

(5) An authorisation to charter may be granted for the proposed duration of the charter party or such lesser period as determined by the Permanent Secretary.

(6) The Permanent Secretary shall not grant an authorisation to charter if—

- (a) the fishing vessel is listed on the IUU vessel list of any regional fisheries management organisation or arrangement;
- (b) the fishing vessel has committed any IUU fishing or related activity in support of such fishing;
- (c) the fishing vessel is owned or previously owned by an operator or beneficial owner who is known to have another vessel on the IUU vessel list of any regional fisheries management organisation or arrangement;
- (d) the fishing vessel has been operating, or has previously operated in a manner inconsistent with any obligations or requirements or international conservation and management measures;
- (e) the charter of the fishing vessel is prohibited under any requirement of the maritime and shipping laws of Fiji; or
- (f) authorisation of the charter shall contribute to excess fishing capacity in a fishery.

(7) In considering an application for an authorisation to charter, the Permanent Secretary must be satisfied that—

- (a) there are no outstanding or pending penalties from another State with respect to the vessel; and
- (b) where applicable, the vessel has good standing on the register or record of fishing vessels of regional fisheries management organisations to which Fiji is a member, and such good standing has not been suspended or withdrawn.

(8) The Permanent Secretary may suspend or cancel an authorisation to charter if—

- (a) such suspension or cancellation is a requirement for compliance by Fiji with its obligations under an agreement to which Fiji is a party, or under an international conservation and management measure;
- (b) the operator has contravened a term or condition of the authorisation;
- (c) the operator has contravened these Regulations or any provision of the Decree; or
- (d) the operator or any crew member on the vessel has committed a serious violation in accordance with the Decree.

(9) The Minister may, on the recommendation of the Permanent Secretary, declare by notice in the *Gazette* in conformity with the Decree and any written law, the requirements for the charter of foreign fishing vessels, and may amend such requirements from time to time.

(10) A person authorised to charter a fishing vessel in accordance with this Part shall comply with the following conditions—

- (a) the charter party in respect of a vessel shall not be altered or amended except with the approval of the Permanent Secretary;
- (b) except where approved by the Permanent Secretary, there shall be no other contractual arrangement between the parties to the charter;
- (c) any charter fee remitted to the owner of a foreign fishing vessel shall be subject to applicable withholding tax and such other taxes as may be imposed under any written law;
- (d) all costs for the operation of the chartered vessel shall be the sole responsibility of the person chartering the vessel;
- (e) all income from the sale or trade of fish shall be remitted or deposited wholly into the bank account of the person chartering the vessel within the Fiji banking system;
- (f) pursuant to paragraph (e), all information concerning such proceeds shall be submitted to the Permanent Secretary and shall be true, complete and accurate;
- (g) all payments and remittances in respect of the chartered vessel shall be made from the bank account of the person chartering the vessel within the Fiji banking system;
- (h) pursuant to paragraph (g), information concerning payments shall be submitted to the Permanent Secretary and shall be true, complete and accurate;
- (i) the person chartering the vessel shall provide to the Permanent Secretary evidence of bank remittances of charter fees to the owner of the vessel;
- (j) the amount remitted for the charter of the vessel shall correspond with the amount stipulated in the charter party and there shall be no other arrangement with the owner except charter fees;
- (k) the vessel shall be maintained sea-worthy and manning requirements as determined by the Maritime Safety Authority of Fiji shall be complied with at all times;
- (l) the vessel shall be subject to port inspection and such management and monitoring fees as may be imposed in accordance with the Decree and these Regulations;
- (m) obtain and maintain appropriate protection and indemnity cover during the period of validity of the licence and such cover shall include the risks within the meaning of "full insurance coverage" in the Decree; and
- (n) compliance with the requirements under any written law.

(11) Any person who—

- (a) charters a foreign fishing vessel or operates a chartered foreign fishing vessel, and fails to comply with the requirements of a charter party endorsed by the Permanent Secretary; or
- (b) otherwise contravenes or fails to comply with any provision of this regulation,

commits an offence.

Requirements for charter of Fiji fishing vessels by Fiji nationals

11.—(1) Notwithstanding the requirements under the maritime and shipping laws of Fiji, no citizen of Fiji shall charter a Fiji fishing vessel for the purposes of fishing or related activities within Fiji fisheries waters or beyond such waters except with the authorisation of the Permanent Secretary and in accordance with the requirements under this regulation.

(2) Any owner or operator of a fishing company intending to charter a Fiji fishing vessel shall apply to the Permanent Secretary for an authorisation to charter a Fiji fishing vessel, and every application for an authorisation to charter a Fiji fishing vessel shall be —

- (a) made in the form set out in Schedule 6O; and
- (b) accompanied by the relevant fees set out in Schedule 7, including but not limited to—
 - (i) an application fee; and
 - (ii) authorisation to charter annual fee.

(3) An authorisation to charter may be granted for the proposed duration of the charter party or such lesser period as determined by the Permanent Secretary.

(4) The Permanent Secretary shall not grant an authorisation to charter if—

- (a) the fishing vessel is listed on the IUU vessel list of any regional fisheries management organisation or arrangement;
- (b) the fishing vessel has committed any IUU fishing or related activity in support of such fishing;
- (c) the fishing vessel is owned or previously owned by an operator or beneficial owner who is known to have another vessel on the IUU vessel list of any regional fisheries management organisation or arrangement;
- (d) the fishing vessel has been operating, or has previously operated in a manner inconsistent with any obligations or requirements or international conservation and management measures;
- (e) the charter of the fishing vessel is prohibited under any requirement of shipping and maritime laws of Fiji; and
- (f) authorisation of the charter shall contribute to excess fishing capacity in a fishery.

(5) In considering an application for an authorisation to charter, the Permanent Secretary must be satisfied that—

- (a) there are no outstanding or pending penalties from another State with respect to the vessel; and
- (b) where applicable, the vessel has good standing on the Regional Register or Record of Fishing Vessels of regional fisheries management organisations to which Fiji is a member, and such good standing has not been suspended or withdrawn.

(6) The owner or operator of a Fiji fishing vessel applying for authorisation to charter shall—

- (a) comply with the conditions set out in regulation 10(10);
- (b) consent to comply with all reporting and monitoring, control and surveillance measures, including all relevant and applicable legal requirements stipulated under the Decree;
- (c) where the vessel is used for fishing or related activity beyond Fiji fisheries waters, consent to comply with terms and conditions of the authorisation under section 32 of the Decree to fish beyond Fiji fisheries waters;
- (d) ensure that the fishing vessel installs an approved MTU and operate such unit properly at all times and report automatically to the vessel monitoring system;
- (e) consent to pay in full necessary fees from time to time, including the payment of fees or charges under the charter party;
- (f) ensure that the fishing vessel fully complies with all applicable conservation and management measures; and
- (g) provide a copy of the proposed charter party to the Permanent Secretary.

(7) The Permanent Secretary may suspend or cancel an authorisation to charter if—

- (a) such suspension or cancellation is a requirement for compliance by Fiji with its obligations under an agreement to which Fiji is a party, or under an international conservation and management measure;
- (b) the operator has contravened a term or condition of the authorisation;
- (c) the operator has contravened these Regulations or any provision of the Decree; and
- (d) the operator or any crew member on the vessel has committed a serious violation as defined in section 2 of the Decree.

(8) Any person who—

- (a) charters a Fiji fishing vessel and fails to comply with the requirements of its charter party; or
- (b) otherwise contravenes or fails to comply with any provision of this regulation,

commits an offence.

Requirements for the acquisition, modification or construction of fishing vessels

12.—(1) Notwithstanding requirements under any written law, a person shall not acquire, purchase, modify or construct a fishing vessel except with the written authorisation of the Permanent Secretary.

(2) This regulation applies to a fishing vessel primarily intended to engage in fishing in Fiji fisheries waters, except in internal waters and archipelagic waters, and beyond Fiji fisheries waters.

(3) A person intending to acquire, purchase, modify or construct a fishing vessel shall apply for an authorisation to acquire, modify or construct a fishing vessel in the form set out in Schedule 6P and pay the relevant fees in Schedule 7.

(4) A authorisation granted under this regulation may be accompanied by such terms and conditions the Permanent Secretary deems appropriate.

(5) Any person who—

- (a) acquires, purchases, modifies or constructs a fishing vessel without written authorisation;
- (b) fails to comply with the terms and conditions of authorisation; or
- (c) contravenes or fails to comply with this regulation,

commits an offence.

Export and import of fish and fish products

13.—(1) Fish or fish products shall not be imported or exported except with a permit and such other certification required under this Part.

(2) A person intending to import or export fish or fish products shall apply for a permit in the form set out in Schedule 6G for a consignment, or monthly fresh fish export basis, and pay the relevant fees in Schedule 7 in accordance with the following categories—

- (a) commercial;
- (b) fisheries scientific research; and
- (c) personal use or consumption, provided that the amount of fish or fish product intended for export does not exceed 10 kilograms per travelling person.

(3) In addition to paying the relevant application fees in Schedule 7 for an import or export permit in accordance with sub-regulation (2), a person intending to tranship or export whole fish for commercial or fisheries scientific purposes shall pay the additional “whole fish levy” prescribed in Schedule 7.

(4) A person intending to import or export fish or fish products shall comply with all requirements for a permit, including but not limited to the provision of information on the—

- (a) area where the fish was caught and transhipped, where transhipment of all or portion of the catch has occurred;
- (b) details of the fishing vessel, including the owner or operator of a chartered fishing vessel where applicable, master, crew list, observer, and species composition of fish caught during the fishing trip;

- (c) details of the vessel involved in related activity;
- (d) Flag State registration number;
- (e) Flag State authorisation reference;
- (f) licence or fishing authorisation number;
- (g) quota or allocation for the vessel, where applicable;
- (h) description of the fish or fish product;
- (i) identification number issued by a regional fisheries management organisation;
- (j) compliance with applicable measures of a regional fisheries management organisation;
- (k) compliance with national laws of the licensing State;
- (l) purchaser of the fish or fish product; and
- (m) purchase price of the fish or fish product.

(5) A permit to import or export fish or fish products may be denied by the Director or officers designated by the Director if the—

- (a) if the Director or officers designated by the Director have reasonable cause to suspect that the fish or fish product are not fit for their intended purpose;
- (b) fish or fish product to be imported have been caught in contravention of the laws of another State, or an international conservation and management measure; or
- (c) documents and information provided do not satisfy the import requirements of an importing country.

(6) A person issued a permit to import or export fish or fish products in accordance with sub-regulation (2)(a) or (b) shall comply with the conditions endorsed on the permit, including the following—

- (a) completion of a report on the import or export of fish or fish products in the approved format and submission of such report to the Director within 7 days after the import or export activity;
- (b) provision of information on the—
 - (i) description of the fish or fish product;
 - (ii) purchaser of the fish or fish product;
 - (iii) actual purchase price of the fish or fish product; and
 - (iv) final destination of the exported fish or fish product.

(7) The Minister may by notice in the *Gazette* declare standards applicable to the marketing, distribution, export, import and trade in fish and fish products, and in like manner, declare minimum standards for the merchantable quality of fish and fish products.

(8) Any person who—

- (a) exports or imports fish or fish products without a permit;
- (b) fails to comply with the terms and conditions of a permit;
- (c) fails to comply with the declared standards under sub-regulation (7);
- (d) fails to provide true, complete or accurate information; or
- (e) otherwise contravenes or fails to comply with this regulation,

commits an offence.

Fiji Catch Certificate

14.—(1) An export permit to export fish or fish products for commercial purposes shall not be issued in accordance with regulation 13(2)(a) except with a Fiji Catch Certificate issued by the Director or officers designated by the Director.

(2) Sub-regulation (1) shall not apply to fish or fish product exported for personal use or consumption that does not exceed 10 kilograms per travelling person.

(3) An application for a Fiji Catch Certificate shall be—

- (a) made in form set out in Schedule 6H;
- (b) accompanied by the relevant fees in Schedule 7; and
- (c) accompanied by any other information required by the Director.

(4) A certificate shall not be issued, unless the Director or officers designated by the Director are satisfied that the—

- (a) fish or fish product have been caught by a Fiji fishing vessel or fishing vessel under a bareboat charter to a Fiji national;
- (b) fishing vessel is not listed on the IUU vessel list of any regional fisheries management organisation or arrangement;
- (c) fishing vessel has not committed any IUU fishing or related activity in support of such fishing;
- (d) fishing vessel is not owned or previously owned by an operator or beneficial owner who is known to have another vessel on the IUU vessel list of any regional fisheries management organisation or arrangement; and
- (e) fishing vessel has not been operating, or has not previously operated in a manner inconsistent with any obligation or international conservation and management measure.

(5) A certificate issued shall—

- (a) be signed by the Director or officers designated by the Director;
- (b) have the approved official stamp affixed upon it; and

- (c) include additional information, where required from an overseas regulatory authority of an importing country provided that such information is consistent with the Decree and these Regulations.
- (6) A certificate required by this regulation shall not be issued—
- (a) unless a prescribed fee has been paid;
 - (b) unless the fish or fish product have been processed in a licensed or approved fish processing facility;
 - (c) if the Director or officers designated by the Director have reasonable cause to suspect that the fish or fish product are not fit for their intended purpose; or
 - (d) the verified documents and information provided do not satisfy the fish traceability requirements of an importing country.
- (7) A certificate issued under this regulation may be revoked by the Director if—
- (a) there has been a contravention of the terms and conditions of the certificate; or
 - (b) there has been a contravention of the Decree, these Regulations or any other written law.
- (8) Any person who—
- (a) exports fish or fish products without a certificate of catch;
 - (b) fails to comply with the terms and conditions of certification;
 - (c) fails to provide true, complete or accurate information; or
 - (d) otherwise contravenes or fails to comply with this regulation,
- commits an offence.

PART 4—LICENCES AND AUTHORISATIONS

Licence to fish within Fiji fisheries waters

15.—(1) A Fiji fishing vessel shall not be used for fishing or related activity within Fiji fisheries waters except with a licence to fish issued by the Permanent Secretary pursuant to section 32 of the Decree.

(2) The owner or operator of a Fiji fishing vessel applying for a licence to fish within Fiji fisheries waters may apply to be licensed to fish for the following fish species in the application form set out in Schedule 6A—

- (a) Tuna species;
- (b) Straddling fish species;
- (c) Deep-water Snapper, unless the Fiji fishing is 100 percent owned by Fiji nationals;
- (d) Billfish species, unless the Fiji fishing vessel is 100 percent owned by Fiji nationals;

- (e) Mahimahi, unless the Fiji fishing vessel is 100 percent owned by Fiji nationals;
- (f) Swordfish, unless the Fiji fishing vessel is 100 percent owned by Fiji nationals; and
- (g) other species of fish prescribed by the Permanent Secretary.

(3) The owner or operator applying for a licence to fish within Fiji fisheries waters shall pay the following application and annual fees set out in Schedule 7—

- (a) Fiji vessel management and monitoring fee;
- (b) applicable Fiji vessel access fee;
- (c) Fiji Vessel Observer levy; and
- (d) such other fees required by these Regulations.

(4) Any person who—

- (a) uses a Fiji fishing vessel for fishing or related activity within Fiji fisheries waters without a licence;
- (b) fails to comply with the terms and conditions of licence;
- (c) fails to provide true, complete or accurate information; or
- (d) otherwise contravenes or fails to comply with this regulation,

commits an offence.

Licence to fish within Fiji's exclusive economic zone

16.—(1) Unless otherwise provided in the Decree, a person shall not use a foreign fishing vessel for fishing or related activity within the exclusive economic zone except with a licence to fish issued by the Permanent Secretary pursuant to section 34 of the Decree.

(2) The owner or operator of a locally based foreign fishing vessel or foreign fishing vessel may apply for a licence to fish within Fiji's exclusive economic zone for tuna species only in the respective forms set out in Schedule 6B.

(3) The owner or operator of a locally based foreign fishing vessel or foreign fishing vessel applying for a licence to fish within Fiji's exclusive economic zone shall pay the relevant the application and annual fees set out in Schedule 7—

- (a) applicable foreign fishing vessel management and monitoring fee;
- (b) applicable foreign fishing vessel access fee;
- (c) Fiji Vessel Observer levy, where the foreign fishing vessel is chartered by a Fiji national in accordance with these Regulations; and
- (d) such other fees required by these Regulations.

(4) Any person who—

- (a) uses a foreign fishing vessel for fishing or related activity within Fiji fisheries waters without a licence;

- (b) fails to comply with the terms and conditions of licence;
- (c) fails to provide true, complete or accurate information; or
- (d) otherwise contravenes or fails to comply with this regulation,

commits an offence.

Licence to undertake sport or recreational fishing

17.—(1) A Fiji fishing vessel shall not be used for sport fishing or recreational fishing within the archipelagic waters, territorial sea or exclusive economic zone unless licenced by the Permanent Secretary pursuant to section 32 of the Decree.

(2) The owner or operator of a Fiji fishing vessel may apply for a sport or recreational fishing licence in the form set out in Schedule 6C and pay the relevant fees set out in Schedule 7.

(3) Any person who—

- (a) uses a Fiji fishing vessel for sport or recreational fishing within the archipelagic waters, territorial sea or exclusive economic zone without a licence;
- (b) fails to comply with the terms and conditions of licence;
- (c) fails to provide true, complete or accurate information; or
- (d) otherwise contravenes or fails to comply with this regulation,

commits an offence.

Permission to undertake exploratory fishing or test fishing within Fiji fisheries waters

18.—(1) A vessel shall not be used for exploratory fishing or test fishing or related activity within the Fiji fisheries waters except with the permission of the Permanent Secretary pursuant to section 23 of the Decree.

(2) A person intending to conduct exploratory fishing or test fishing within Fiji fisheries waters shall apply in the form set out in Schedule 6D and pay the relevant fees set out in Schedule 7.

(3) Permission issued by the Permanent Secretary to a vessel in accordance with sub-regulation (1) shall specify the area within Fiji fisheries waters where such fishing is permitted, the species that may be caught, and the gear, equipment or technique that may be used.

(4) A vessel authorised to carry out exploratory or test fishing within Fiji fisheries waters shall in addition to complying with regulation 6, comply with the following conditions —

- (a) the use of any trawl net is prohibited except with the written approval of the Permanent Secretary;
- (b) placement of a fisheries officer on board the vessel at all times and the master, operator and each crew member shall owe such obligations identified in section 72 of the Decree towards such officer; and

- (c) ensure the payment of all allowances and costs for the placement of the fisheries officer including transportation and other costs to and from the vessel.

(5) Notwithstanding the requirement for the payment of fees in sub-regulation (2), the Permanent Secretary may exempt a person from such requirements.

(6) Any person who—

- (a) uses a vessel for exploratory fishing or test fishing within Fiji fisheries waters without a licence; or
- (b) fails to comply with the terms and conditions of a licence for exploratory fishing or test fishing; or
- (c) fails to provide true, complete or accurate information; or
- (d) otherwise contravenes or fails to comply with this regulation,

commits an offence.

Authorisation to undertake fisheries scientific research

19.—(1) A fishing vessel shall not be used for fisheries scientific research within the Fiji fisheries waters except with an authorisation to fish issued by the Permanent Secretary pursuant to section 41 of the Decree.

(2) The operator of a fishing vessel intending to engage in fisheries scientific research shall apply for an authorisation in the form set out in Schedule 6E and shall pay the relevant fees in Schedule 7.

(3) Any person who, being the operator—

- (a) uses a fishing vessel for fisheries scientific research within the Fiji's fisheries waters without an authorisation; or
- (b) fails to comply with the terms and conditions of authorisation; or
- (c) fails to provide true, complete or accurate information; or
- (d) otherwise contravenes or fails to comply with this regulation,

commits an offence.

Authorisation to fish beyond Fiji fisheries waters

20.—(1) A Fiji fishing vessel shall not be used for fishing or related activity beyond Fiji fisheries waters except with an authorisation to fish issued by the Permanent Secretary pursuant to section 32 of the Decree.

(2) The authorisation may be used for fishing—

- (a) in high sea areas beyond Fiji fisheries waters; or
- (b) in the waters under the jurisdiction of another State, subject to approval and compliance with the terms and conditions of fishing of that State.

(3) The operator of a Fiji fishing vessel intending to engage in fishing or related activities in areas specified in sub-regulation (2) shall apply for an authorisation in the form set out in Schedule 6F.

(4) The owner or operator of a Fiji fishing vessel applying for authorisation to fish beyond Fiji fisheries waters shall pay the following application and annual fees set out in Schedule 7—

- (a) Fiji vessel management and monitoring fee;
- (b) Fiji vessel observer levy; and
- (c) such other fees required by these Regulations.

(5) Any person who—

- (a) being the operator of a Fiji fishing vessel uses such vessel for fishing or related activity beyond Fiji fisheries waters without an authorisation;
- (b) fails to comply with the terms and conditions of authorisation; or
- (c) otherwise contravenes or fails to comply with this regulation,

commits an offence.

Licence and authorisation conditions and requirements

21.—(1) The master of a vessel licensed or authorised under the Decree shall comply with the following conditions—

- (a) ensure that the original licence or a certified copy, together with any endorsement, shall be kept on board at all times and displayed clearly in the wheelhouse;
- (b) ensure that the vessel clearly displays, on both sides and the deck, its international radio call sign or the country (Flag State) registration number;
- (c) the master shall complete in English, daily, catch reports or logsheets and submit them, along with true copies of the landing slips and dock receipts, to the Director, a copy of logsheets not later than 2 days after completion of the trip;
- (d) unless otherwise authorised by the Permanent Secretary, land all fish taken during the period of validity of the licence or authorisation in Fiji;
- (e) provide 72 hours' notice of a request to tranship fish or bunker or re-provision the vessel, and the vessel may only tranship in an approved port or designated area within Fiji fisheries waters and at a time and under such conditions as specified by the Permanent Secretary;
- (f) allow any authorised and identified officer to board the vessel in Fiji fisheries waters for the purpose of inspection and examination; and
- (g) ensure that each member of the crew complies with the terms and conditions of any access agreement and any written law.

(2) The operator of a fishing vessel licensed or authorised under this Decree shall comply with the following conditions—

- (a) install, maintain and operate a registered Mobile Transceiver Unit at all times and in accordance with the manufacturer's specifications and operating instructions and standards approved by the Director;

- (b) ensure that no person tampers or interferes with the Mobile Transceiver Unit and that the unit is not altered, damaged or disabled;
- (c) ensure that the Mobile Transceiver Unit is switched on and is operational at all times during the period of validity of the licence or authorisation;
- (d) upon notification by the Director that the vessel's Mobile Transceiver Unit has failed to report, shall ensure that reports containing the vessel's name, call sign, position expressed in Latitude and Longitude to minutes of arc, and date and time of the report, are communicated to the Director at intervals of 8 hours or such shorter period as specified by the Director, commencing from the time of notification of the failure of the unit, and such reports shall continue until such time the unit is confirmed operational by the Director;
- (e) if it is not possible to make any one or more of the further position reports as above, or when the Director so directs, the master of the vessel shall immediately stow the fishing gear and take the vessel directly to a port identified, and as soon as possible, report to the Director that the vessel is being, or has been, taken to port with gear stowed;
- (f) ensure the continuous monitoring of the international distress and calling frequency 2182 khz (HF), and the international safety and calling frequency 156.8 Mhz (channel 16, VHF-FM) to facilitate communication with the fisheries management, surveillance and enforcement authorities of Fiji;
- (g) ensure that a recent and up to date copy of the International Code of Signals (INTERCO) is on board and accessible at all times;
- (h) ensure that the crew members do not directly or indirectly contaminate the Fiji fisheries waters in any way (and in the case of a Fiji fishing vessel, Fiji fisheries waters and waters beyond Fiji fisheries waters), including by the discharge of any object or substance or by any act or omission that is likely to cause damage to or deterioration in the quality of the marine resources such as—
 - (i) non-biodegradable rubbish or debris;
 - (ii) the discharge of a poison, chemical or noxious substance, including but not limited to oil, petroleum, solvents, or metals; and
 - (iii) the introduction of disease to the Fiji fisheries waters.
- (i) ensure that all objects and substances likely to cause damage to or deterioration in the quality of marine resources is stored on board the vessel and returned to port;
- (j) that the following records or logs are maintained on board the vessel —
 - (i) catch log;
 - (ii) engineer's log;

- (iii) ship's log; and
 - (iv) freezer log;
 - (k) nominate, appoint and maintain an agent who shall be resident in Fiji and who shall have authority to receive and respond to any legal process and shall notify the Permanent Secretary of the name and address of such agent;
 - (l) that the master of the vessel is able to communicate in the English language, and in the event that the master is not able to communicate as such, the operator or his or her agent shall ensure that there is a translator on board the vessel at all times;
 - (m) confirms that any communication, information, document, direction, request or response to or from that agent shall be deemed to have been sent to, or received from the vessel operator;
 - (n) a licensed fishing vessel shall comply with the requirements for the marking of such vessel prescribed in Schedule 5; and
 - (o) where any information submitted to the Director or Permanent Secretary in an application for a licence, authorisation or permit has changed, the operator shall provide notification of such changes to the Director within one month from the date the change is effected.
- (3) A fishing vessel licence or authorisation issued in accordance with the Decree may contain such other terms and conditions and—
- (a) shall be issued for a specified type, class or species of fish provided that a vessel licensed or authorised to catch certain species shall ensure that such species constitute at least 70 percent of the total catch prior to landing or transhipment, whichever occurs earlier;
 - (b) may be issued for a specified area of Fiji fisheries waters;
 - (c) shall specify which types of fishing and related activities are permitted under the licence;
 - (d) may specify a port or ports at which the vessel may tranship, land, re-fuel or re-provision;
 - (e) may specify such further conditions in relation to any fishing permitted under the permit, including any applicable conditions in relation to total allowable catch or effort, as are necessary or desirable;
 - (f) may specify the number of citizens who are to be employed as crew aboard the vessel during the licence period;
 - (g) shall be endorsed in respect of any support craft carried on board and any aircraft used for any fishing operation;
 - (h) may require the placement of observers in accordance with section 70 of the Decree;

- (i) may impose conditions relating to the operation of fish aggregating devices, including the requirement to limit the number of such devices allowed under any permit;
- (j) shall be seaworthy and contain adequate life safety equipment or survival gear for each passenger and crew member including for the authorised observer;
- (k) shall be subject to manning requirements determined by the Maritime and Safety Authority of Fiji; and
- (l) shall be subject to such further terms and conditions imposed by the Permanent Secretary.

Additional conditions and requirements for Fiji fishing vessels

22.—(1) The master or operator of a vessel authorised to fish beyond Fiji fisheries waters under the Decree shall comply with the conditions applicable to licences or authorisations issued under the Decree and these Regulations, and the following conditions—

- (a) compliance with the maintenance of logs and reporting of catches as described in the vessel reporting requirements in these Regulations;
- (b) compliance with the Mobile Transceiver Unit reporting requirements;
- (c) compliance with the obligations relating to authorised officers and observers set out in Part 6 of the Decree and in these Regulations;
- (d) where the vessel is licensed to fish within the waters under the recognised jurisdiction of another State, compliance with the terms and conditions of licence of that State. In the event of a conflict between the terms and conditions of licence of that State and the terms of authorisation, the operator shall notify the Director;
- (e) where the vessel is fishing within the waters under the recognised jurisdiction of another State, compliance with the applicable laws of that State;
- (f) where the vessel is fishing on the high seas—
 - (i) compliance with applicable international conservation and management measures;
 - (ii) compliance with vessel reporting requirements including reporting requirements in high seas areas regulated by the Western and Central Pacific Fisheries Commission or other regional fisheries management organisations; and
 - (iii) compliance with the boarding and inspection requirements in high seas areas regulated by the Western and Central Pacific Fisheries Commission or other regional fisheries management organisations.

(2) Notwithstanding the requirement for landing of catch in regulation 4(a), an operator of a fishing vessel may apply in the form set out in Schedule 6M to the Permanent Secretary

for an exemption from landing all catch in Fiji provided that such an application may only be made in the event of force majeure or distress of the vessel or in accordance with the terms of a fisheries treaty or agreement.

(3) Where there is a dispute concerning the circumstances for an exemption, the onus is on the operator of a fishing vessel to prove the existence of such circumstances at the time the application is made.

(4) The master and operator of a Fiji fishing vessel that contravene the terms and conditions of an authorisation to fish beyond Fiji fisheries waters each commit an offence.

Maintenance and submission of catch logs in zones and on high seas

23.—(1) The operator of a licensed or authorised fishing vessel shall—

(a) duly complete in the English language, daily records or reports in the form of all—

- (i) catch; and
- (ii) by-catch by species,

taken in Fiji fisheries waters and the high seas;

(b) ensure that records of all catch and all by-catch transhipped or landed are true, complete and accurate, and maintained and provided to the Director;

(c) provide to the Director on the approved forms a final report within 2 days of the completion of a trip.

(2) If a person who being the operator of a licensed or authorised fishing vessel—

- (a) fails to complete in the English language daily catch reports;
- (b) fails to provide true, complete and accurate records; or
- (c) otherwise contravenes or fails to comply with this regulation;

commits an offence.

Licence procedures for any licence or authorisation issued under these Regulations

24.—(1) An application for any licence or authorisation licence or authorisation issued under these Regulations shall be—

- (a) lodged with the Permanent Secretary;
- (b) accompanied by the relevant application fee set out in Schedule 7 or as prescribed, which shall be non-refundable unless otherwise provided in the Decree; and
- (c) be accompanied by any other documents or information required by the Permanent Secretary.

(2) Where—

- (a) the Permanent Secretary considers that an application has been made for an inappropriate class of permit, licence or authorisation; or

- (b) there is insufficient evidence or information accompanying the application upon which to make a recommendation regarding the application,

the Permanent Secretary shall return the application to the applicant with details of his or her reasons, and the applicant may submit a revised application with such additional evidence or information as may be appropriate.

(3) For the purposes of this regulation, an application for renewal of licence or authorisation shall be treated in the same manner as a new application.

Requirements for the transfer of a licence or authorisation

25.—(1) A licence or authorisation issued to a vessel shall not be transferred to another vessel except in accordance with section 35(3) of the Decree and the requirements in this regulation.

(2) The Permanent Secretary may approve the transfer of a licence or authorisation where—

- (a) such transfer is from one Fiji fishing vessel to another Fiji fishing vessel owned by the same company in the Record of Offshore Fishing Companies under regulation 28; and
- (b) the licensed or authorised Fiji fishing vessel requires maintenance and repairs; or
- (c) other reasons prescribed in connection with the limitation of effort in any fishery,

provided that a licence or authorisation of a Fiji fishing vessel can be transferred no more than two times within a year.

(3) The operator of a Fiji fishing vessel intending to apply for a transfer of a licence or authorisation shall apply to the Permanent Secretary in the approved form and pay the relevant fees set out in Schedule 7 with such fees being non-refundable.

(4) An application for the transfer of a licence or authorisation shall include—

- (a) documentary evidence of the maintenance and repairs required to be undertaken on the licensed Fiji fishing vessel;
- (b) such documents specified in the application form; and
- (c) other information as may be required by the Permanent Secretary.

(5) Where there is insufficient evidence or information accompanying the application upon which to make a decision regarding the application, the Permanent Secretary shall return the application to the applicant with details of his or her reasons, and the applicant may submit a revised application with such additional evidence or information as may be appropriate.

(6) The operator of a Fiji fishing vessel and the person to whom a licence or authorisation has been transferred shall comply with all the conditions of the transfer of the licence or authorisation.

(7) Any person who—

- (a) fails to comply with a condition of a transfer of licence or authorisation;
- (b) fails to provide true, complete and accurate information; or
- (c) otherwise contravenes or fails to comply with this regulation,

commits an offence.

Fishing inspections

26.—(1) The owner or operator of a fishing vessel shall not be issued with a fishing licence or authorisation unless compulsory pre-fishing inspections are carried out for the purposes of verifying—

- (a) the specifications, gear and equipment of the vessel;
- (b) the Flag State registration certificate and Flag of the vessel;
- (c) the Flag State survey certificate or a survey certificate issued by an authorised classification society;
- (d) the authorisation to fish granted by the Flag State in respect of a foreign fishing vessel;
- (e) the logs and other documents of the vessel;
- (f) the markings of the vessel;
- (g) the crew list and nationality of persons on board; and
- (h) that the vessel complies with accepted international pre-fishing practices as described in Schedule 8.

(2) A fishing vessel issued with a fishing licence or authorisation shall be the subject of post-fishing inspection upon the completion of each fishing trip for the purposes of verifying the—

- (a) catch on board the vessel;
- (b) logs and other documents of the vessel;
- (c) markings of the vessel;
- (d) gear and equipment on board the vessel;
- (e) crew list and nationality of persons on board; and
- (f) vessel's compliance with the Decree and international conservation and management measures.

Licence, authorisation and permit fees

27.—(1) Unless otherwise provided in these Regulations, the licence, authorisation or permit application fees set out in Schedule 7 shall be paid upon both the—

- (a) application for each licence or authorisation or permit; and
- (b) issuance of each licence or authorisation or permit under the Decree or these Regulations.

(2) The fees payable under sub-regulation (1) may include a fee for any support craft or aircraft provided for in the licence or authorisation.

(3) Where the period of a licence or authorisation is greater than one year, an annual fee for that licence or authorisation shall be payable in advance on or by a date specified in the licence or authorisation or notified by the Director, or where no such date is specified or notified, annually from the date of issue of the licence or authorisation.

(4) No application fee or annual fee shall be refunded unless otherwise provided in the Decree.

(5) Where the period of licence or authorisation requested by the applicant is for a period of less than one year, the fee for that licence or authorisation shall be the fee for an annual licence or authorisation.

Record of Offshore Fishing Companies

28.—(1) The Director shall maintain a Record of Offshore Fishing Companies and ensure that such Record includes the following information—

- (a) company structure including parent and subsidiary companies associated with the fishing company;
- (b) details of vessels owned or chartered by the company;
- (c) export or import activity;
- (d) export markets; and
- (e) number of employees.

(2) The owner or operator of a fishing company engaged in fishing or related activities subject to the Decree shall apply in the form set out in Schedule 6Q for inclusion of such company in the Record of Offshore Fishing Companies maintained by the Director, and such application shall be made annually.

(3) Any owner or operator of a fishing company who fails to—

- (a) comply with the requirement for inclusion in the Record of Offshore Fishing Companies;
- (b) comply with the terms and conditions of inclusion in the Record of Offshore Fishing Companies; or
- (c) provide true, complete and accurate information,

commits an offence.

Record of Fish Processing Establishments

29.—(1) The Director shall maintain a Record of Fish Processing Establishments and ensure that such Record includes the following information—

- (a) company structure including parent and subsidiary companies associated with the fish processing establishment;
- (b) processing capacity; and
- (c) number of employees.

(2) The owner of a fish processing establishment shall apply to the Director for inclusion on the Record of Fish Processing Establishments in the form set out in Schedule 6R.

(3) Any owner of a fish processing establishment who—

- (a) fails to comply with the requirement for inclusion on the Record of Fish Processing Establishments;
- (b) fails to comply with the terms and conditions of inclusion on the Record of Fish Processing Establishments; or
- (c) fails to provide true, complete and accurate information,

commits an offence.

Record of Fish Exporters and Importers

30.—(1) The Director shall maintain a Record of Fish Exporters and Importers and ensure that such Record includes the following information—

- (a) company structure including parent and subsidiary companies associated with the fish exporter or importer;
- (b) fish and fish products exported or imported;
- (c) location of registered office, processing and storage facilities;
- (d) types of certification held in relation to the processing and storage facilities;
- (e) details of export markets and consignee; and
- (f) details of import markets and consignors.

(2) Each fish or fish product exporter or importer subject to the Decree shall apply for inclusion on the Record of Fish Exporters and Importers with the Director and such application shall be made annually.

(3) Each fish or fish product exporter or importer shall apply to the Director for inclusion on the Record of Fish Exporters and Importers in the form set out in Schedule 6S and pay such fees set out in Schedule 7.

(4) A fish or fish product exporter or importer who—

- (a) fails to comply with the requirement for inclusion on the Record of Fish Exporters and Importers;
- (b) fails to comply with the terms and conditions of inclusion on the Record of Fish Exporters and Importers; or
- (c) fails to provide true, complete and accurate information,

commits an offence.

PART 5—MONITORING, CONTROL AND SURVEILLANCE

Requirement for Mobile Transceiver Unit

31.—(1) A fishing licence or authorisation shall not be issued pursuant to the Decree unless the master, owner, operator or person chartering the fishing vessel, as the case may be, has installed on the vessel, a Mobile Transceiver Unit in accordance with specifications and procedures approved by the Director.

(2) A Mobile Transceiver Unit installed pursuant to sub-regulation (1) shall be switched on and is operating properly at all times during the period of validity of the licence or authorisation.

(3) A fishing licence or authorisation shall not be issued pursuant to the Decree unless the master, owner, operator, or person chartering the fishing vessel, as the case may be, consents to the monitoring of such Mobile Transceiver Unit at all times within and beyond Fiji fisheries waters during the period of validity of such licence or authorisation.

(4) Any person who contravenes this regulation commits an offence.

Operation and Monitoring of Mobile Transceiver Unit

32.—(1) The owner or operator of a fishing vessel licensed or authorised pursuant to the Decree shall—

- (a) maintain the Mobile Transceiver Unit in good working order at all times during the period of validity of the licence or authorisation when the vessel is in Fiji fisheries waters, on the high seas or in waters under the jurisdiction of another State;
- (b) not interfere with, tamper with, alter, damage, or disable the Mobile Transceiver Unit;
- (c) not move or remove the Mobile Transceiver Unit from the original position in which such unit was installed without the prior permission of the Director;
- (d) ensure that upon notification by the Director or officers designated by the Director that the vessel's Mobile Transceiver Unit has failed to transmit, comply with the directives of the Director or officers designated by the Director until such time the vessel's Mobile Transceiver Unit is functioning properly;
- (e) authorise the Director to be able to monitor the vessel at all times during the period of validity of the licence or authorisation; and
- (f) allow for the auditing and inspection of the Mobile Transceiver Unit by authorised officers or officers designated by the Director.

(2) The Permanent Secretary may suspend or cancel the licence or authorisation of any Fiji fishing vessel or foreign fishing vessel that fails to comply with this regulation.

(3) Any person who contravenes sub-regulation (1) commits an offence.

Confidentiality and authorised release of VMS information

33.—(1) The ownership of all vessel monitoring system information generated in Fiji fisheries waters or by Fiji fishing vessels within or beyond Fiji fisheries waters vests in the State.

(2) Vessel monitoring system information shall be classified as confidential information.

(3) The Minister may authorise the release of vessel monitoring system information only in the following circumstances—

- (a) cooperation in monitoring, control and surveillance with other agencies of government including border control agencies;
- (b) discharge of international and regional obligations assumed by Fiji;
- (c) under agreements for the exchange of vessel monitoring system information for the purposes including but not limited to scientific purposes and to deter and eliminate illegal, unreported and unregulated fishing;
- (d) maintenance of law and order; or
- (e) safety of life.

Transshipment

34.—(1) The operator of a fishing vessel shall not tranship at sea under any circumstances except in a port authorised by the Director to an authorised carrier vessel which is in good standing on the Regional Register.

(2) The operator of a fishing vessel intending to conduct transshipment shall in accordance with sub-regulation (1)—

- (a) provide 72 hours' notice to the Director of a request to tranship any or all of the fish on board; and
- (b) provide such information required in the form set out in Schedule 6I including the name of the vessel, its international radio call sign, its position, the catch on board by species, the time and port where such transshipment is requested to occur, and an undertaking to pay all fees required.

(3) A fishing vessel authorised to conduct transshipment in accordance with this regulation shall—

- (a) only tranship at the time, port, and approved designated areas within Fiji fisheries waters authorised for transshipment by the Director;
- (b) submit full reports on transshipment in the form approved by the Director;
- (c) allow and assist any person identified as an observer to have full access to and use of facilities and equipment which the officer may determine is necessary to carry out his or her duties;
- (d) not assault, obstruct, resist, delay, refuse boarding to, intimidate or interfere with any such officer in the performance of his or her duties; and

- (e) pay the relevant fees set out in Schedule 7 based on tonnage of fish transhipped to the receiving vessel upon completion of transshipment operations in a designated port or specified area within Fiji fisheries waters.

(4) The operator of a vessel shall comply with any condition imposed by the Director in the authorisation for transshipment.

(5) Transshipment in a designated area within Fiji fisheries waters shall only be authorised for Fiji fishing vessels transshipping fresh fish.

(6) An operator of a vessel who contravenes this regulation commits an offence.

Bunkering

35.—(1) The operator of a fishing vessel shall not conduct bunkering under any circumstances except where authorised by the Director and with an authorised bunker vessel which is in good standing on the Regional Register.

(2) The operator of a fishing vessel intending to conduct bunkering shall provide—

- (a) 72 hours' notice to the Director of a request to bunker ;and
- (b) such information required in the form set out in Schedule 6J including the name of the vessel, its international radio call sign, its position, the time and port where such bunkering is requested to occur, and an undertaking to pay all fees required.

(3) An operator of a fishing vessel authorised to conduct bunkering shall—

- (a) only conduct bunkering at the time, place, and approved designated areas authorised for bunkering by the Director;
- (b) submit full reports on bunkering on the form approved by the Director;
- (c) allow and assist any person identified as an authorised officer to have full access to and use of facilities and equipment which the officer may determine is necessary to carry out his or her duties;
- (d) not assault, obstruct, resist, delay, refuse boarding to, intimidate or interfere with any such officer in the performance of his or her duties;
- (e) pay the relevant fees set out in Schedule 7 prior to the commencement of bunkering in a designated place in Fiji fisheries waters; and
- (f) comply with all laws of Fiji including laws for the protection and preservation of the marine environment, and labour laws.

(2) The operator of a vessel shall comply with any condition imposed by the Director in the authorisation for bunkering.

(3) An operator of a vessel who contravenes this regulation commits an offence.

Provisioning

36.—(1) The operator of a fishing vessel shall—

- (a) not conduct provisioning under any circumstances except where authorised by the Director and with an authorised fishing vessel;

- (b) provide 72 hours' notice to the Director of a request to provision in the form set out in Schedule 6K, and an undertaking to pay the relevant fees required by these Regulations;
- (c) only conduct provisioning at the time and place, approved by the Director; and
- (d) submit a full report on provisioning on the form approved by the Director.

(2) The operator of a vessel intending to conduct provisioning shall pay the relevant applicable fees in Schedule 7 prior to the provisioning.

(3) The operator of a vessel shall comply with any condition imposed by the Director in the authorisation for provisioning.

(4) An operator of a vessel that contravenes this regulation commits an offence.

(5) For the purposes of this regulation, "provisioning" includes the movement on to and off the fishing vessel of crew, engine parts, rations, bait, fishing gear and other goods.

Authorised officers

37.—(1) The operator, master and each crew member of any fishing vessel, the driver of any vehicle upon which fish or fish products from a fishing vessel are being transported and the pilot and crew of any aircraft of a fishing vessel shall comply with the duties towards an authorised officer appointed under sections 45 and 46 of the Decree and shall—

- (a) not access or attempt to access the equipment, journal or documents of an authorised officer on board the vessel;
- (b) not damage, destroy or attempt to damage or destroy the equipment, journal or documents of an authorised officer; and
- (c) comply with instructions of an authorised officer including whilst a vessel is in port.

(2) Where the operator is unable to communicate in the English language, the operator or master shall ensure that there is a translator on board the vessel at all times.

(3) Any person who contravenes this regulation commits an offence.

Observers

38.—(1) Where an observer is in waters under the jurisdiction of another State, that observer must be duly recognised or authorised to exercise observer functions in those waters prior to exercising the functions of an observer under section 69 of the Decree.

(2) An observer exercising functions in waters under the jurisdiction of another State shall comply with the laws of that State and applicable standards for the conduct of observers under an agreement to which Fiji is a party.

(3) The operator, master, and each crew member of any fishing vessel, the driver of any vehicle and the pilot and crew of any aircraft shall comply with the obligations towards an observer prescribed in sections 70 and 72 of the Decree and shall not—

- (a) access or attempt to access the equipment, journal or documents of an observer on board the vessel; or

(b) damage, destroy or attempt to damage or destroy the equipment, journal or documents of an observer.

(4) An observer exercising functions within Fiji fisheries waters or beyond such waters shall comply with his or her obligations set out in Schedule 10.

(5) Any person—

(a) who contravenes sub-regulation (3); and

(b) who while acting as an observer contravenes sub-regulation (2),

commits an offence.

Vessel reporting requirements

39.—(1) The operator of a Fiji fishing vessel, locally based foreign fishing vessel and foreign fishing vessel shall comply with the reporting requirements in the Decree and these Regulations and any other specific requirements imposed by the Permanent Secretary.

(2) The operator of a Fiji fishing vessel licensed or authorised pursuant to the Decree shall provide to the Director information relating to the position of, catch and observer on board, the vessel, in the form set out in Schedule 3A and in the manner as follows—

(a) each Wednesday;

(b) at least 48 hours prior to entry into and departure from the Fiji fisheries waters;

(c) at least 24 hours prior to entry into and departure from the waters under the jurisdiction of another State;

(d) at least 24 hours prior to entry into and departure from the port of another State;

(e) at least 24 hours prior to the estimated time of entry into any port in Fiji; and

(f) at least 24 hours prior to the estimated time of entry into and departure from high seas areas identified as special management areas by a regional fisheries management organisation to which Fiji is a member.

(3) The operator of a locally based foreign fishing vessel and foreign fishing vessel licensed or authorised pursuant to the Decree shall provide to the Director information relating to the position of, catch and observer on board, the vessel, in the format set out in Schedule 3 and in the manner as follows—

(a) each Wednesday whilst within Fiji fisheries waters;

(b) at least 48 hours prior to entry into and departure from the Fiji fisheries waters; and

(c) at least 24 hours prior to the estimated time of entry into any port in Fiji.

(4) The operator of a Fiji fishing vessel, locally based foreign fishing vessel and foreign fishing vessel shall also provide, after each fishing trip, landing and out-turn documentation, and landing and dock receipts to the Director.

(5) Catch logs for a fishing trip are to be submitted to the Director within 2 days of the completion of that trip.

(6) The operator of any foreign fishing vessel, navigating Fiji fisheries waters shall report its name, International Radio Call Sign, flag registration, date and time (GMT), position (to 1 minute of arc), compliment, intended activity, and catch on board, to the Director through approved electronic means or manual reports, in the format set out in Schedule 3B and in the manner as follows—

- (a) at least 100 nautical miles prior to entry into Fiji fisheries waters;
- (b) upon entry into Fiji fisheries waters;
- (c) every two (2) hours whilst within Fiji fisheries waters;
- (d) upon departure from Fiji fisheries waters; and
- (e) at such other times determined by the Permanent Secretary by notice in the *Gazette*.

(7) The operator of any fishing vessel entering or departing a port in Fiji shall provide such information required in the format set out in Schedule 3A and in the notification form in Schedule 4 at least 72 hours prior to such entry or departure.

(8) Any person who contravenes this regulation commits an offence.

High seas boarding and inspection

40.—(1) An authorised officer appointed in accordance with section 45 of the Decree may conduct boarding and inspection on any vessel on the high seas provided that such boarding and inspection are conducted in accordance with any international, regional and sub-regional organisations or arrangements to which Fiji is a member.

(2) A Fiji fishing vessel authorised to fish beyond Fiji fisheries waters shall comply with the requirements for high seas boarding and inspection established by any international, regional and sub-regional organisations or arrangements to which Fiji is a member including accepting such boarding and inspection subject to sea safety conditions and the safety of the vessel and crew.

Inspectors and inspection vessels

41.—(1) The Director shall maintain a record of all authorised officers that are permitted to engage in boarding and inspection on the high seas beyond Fiji fisheries waters and provide standards for the training and conduct of such officers.

(2) The Director may transmit the details of the inspection authority of Fiji to an authority under an access agreement or fisheries management agreement to which Fiji is a party.

(3) The Director may transmit the name of any Fiji inspection vessel and the inspection authority that is permitted to engage in boarding and inspection outside the fisheries waters to an authority under an access agreement or fisheries management agreement to which Fiji is a party.

Entry and use of designated port

42.—(1) A fishing vessel shall not enter or use a port in Fiji for landing, transshipping, packaging, or processing of fish or for other port services including, inter alia, refuelling and resupplying, maintenance and dry docking, unless—

- (a) the port has been designated by the Minister on the recommendation of the Permanent Secretary for use by fishing vessels;
- (b) the operator has given at least 48 hours advance request of the operator's intention to enter or use the port in the form set out in Schedule 6N, and an undertaking to pay, unless otherwise provided in these Regulations, all such entry and use of port fees set out in Schedule 7;
- (c) the operator provides true, accurate and complete information as required;
- (d) a written authorisation for entry into and use of the port has been issued by the Director;
- (e) where the Director has authorised entry of the vessel into the port and the use of the port, the master of the vessel or the vessel's representative presents the authorisation for entry into the port to an authorised officer or other competent officer upon the vessel's arrival at port;
- (f) the operator only uses the port approved by the Director; and
- (g) the operator does not engage in any unauthorised activity whilst within the port approved by the Director.

(2) The Permanent Secretary may deny a fishing vessel the use of a port in Fiji in accordance with section 76 of the Decree.

(3) An authorisation for the use of a port granted by the Director under this regulation may be revoked by the Permanent Secretary in the exercise of his or her discretion under section 76 of the Decree.

Inspection of foreign fishing vessels in port

43.—(1) In carrying out inspections of foreign fishing vessels in a designated port area, authorised officers shall follow such procedures as may be prescribed or required by the Director to the extent possible, and—

- (a) present to the master of the vessel an identification document prior to an inspection;
- (b) if appropriate arrangements are agreed between the Government of Fiji and the Flag State of the vessel, invite that State to participate in the inspection;
- (c) not interfere with the master's ability, in conformity with international law, to communicate with the authorities of the Flag State; and
- (d) make all reasonable efforts to—
 - (i) avoid unduly delaying the vessel to minimise interference and inconvenience, including any unnecessary presence of authorised officers on board, and to avoid action that would adversely affect the quality of the fish on board;

- (ii) facilitate communication with the master or senior crew members of the vessel; and
- (iii) ensure that inspections are conducted in a fair, transparent and non-discriminatory manner and would not constitute harassment of any vessel.

(2) A report of the inspection in the form set out in Schedule 9A shall be promptly provided to the Director in such form as may be prescribed or the Director may require.

(3) The master or owner of the vessel subject to inspection pursuant to this regulation shall give authorised officers all necessary assistance and information, and present relevant material and documents as required, or certified copies thereof.

(4) The master and owner of a vessel that contravene sub-regulation (3) each commit an offence and on conviction are each liable to a fine not less than \$5,000 and not exceeding \$10,000.

(5) These Regulations do not prejudice—

- (a) the sovereignty of Fiji in the monitoring, control, enforcement and inspection of foreign fishing vessels in the internal waters, archipelagic waters or territorial sea; or
- (b) the exercise of sovereign rights in the monitoring, control, and inspection of foreign fishing vessels in the exclusive economic zone; or
- (c) the exercise of other rights and duties in accordance with international law.

Inspection of Fiji fishing vessel in port

44.—(1) In carrying out inspections of Fiji fishing vessels in a port, authorised officers shall follow such procedures as may be prescribed or required by the Director to the extent possible, and—

- (a) present to the master of the vessel an identification document prior to an inspection;
- (b) make all reasonable efforts to—
 - (i) avoid undue delay of the vessel to minimise interference and inconvenience, including any unnecessary presence of authorised officers on board, and to avoid action that would adversely affect the quality of the fish on board;
 - (ii) facilitate communication with the master or senior crew members of the vessel; and
 - (iii) ensure that inspections are conducted in a fair, transparent and non-discriminatory manner and would not constitute harassment of any vessel.

(2) A report of the inspection in the form set out in Schedule 9B shall be promptly provided to the Director.

(3) The master or owner of the vessel subject to inspection pursuant to this regulation shall give authorised officers all necessary assistance and information, and present relevant material and documents as required or certified copies thereof.

(4) The master and owner of a vessel that contravene sub-regulation (3) each commit an offence and on conviction are each liable to a fine not less than \$5,000 and not exceeding \$10,000.

Record of fishing vessels using ports in Fiji

45.—(1) The Permanent Secretary shall maintain a Record of Fishing Vessels Using Ports in Fiji.

(2) The Record maintained under sub-regulation (1) shall include the following information—

- (a) name of fishing vessel, registration number, previous names, if known, and port of registry;
- (b) name and address of owner or owners;
- (c) name and nationality of master;
- (d) previous flag, if any;
- (e) International Radio Call Sign;
- (f) vessel communication types and numbers (INMARSAT A, B, C and D numbers and satellite telephone number);
- (g) colour photograph of vessel;
- (h) location and date of vessel manufacture;
- (i) type of vessel;
- (j) normal crew complement;
- (k) type of fishing method or methods;
- (l) length overall and length between the perpendiculars;
- (m) moulded depth;
- (n) beam;
- (o) gross register tonnage;
- (p) power of main engine or engines;
- (q) the nature of the authorisation to fish granted by Fiji or any other State;
- (r) carrying capacity, including freezer type, capacity and number and fish hold capacity;
- (s) the fishing and related activities of the vessel;
- (t) record of compliance with any obligations arising out of measures adopted by relevant regional or sub-regional fisheries management organisations;

- (u) frequency and duration of the use of port and the services used;
- (v) record of port inspections in Fiji or elsewhere; and
- (w) any further information necessary in order to fulfil any obligations arising out of measures adopted by relevant regional or sub-regional fisheries management organisations.

Vessels using port in Fiji to be on Record

46.—(1) Notwithstanding requirements under any written law including customs laws of Fiji, a fishing vessel intending to use a port in Fiji at least three times a year shall apply for inclusion on the Record of Fishing Vessels Using Ports in Fiji in the form set out in Schedule 6T and pay the relevant fees specified in Schedule 7.

(2) The master and operator of a fishing vessel shall provide to the Director all information required for placement on the Record and information provided shall be true, complete and accurate.

(3) The placement of a vessel on the Record shall be valid for a period of 12 months.

(4) A foreign fishing vessel included on the Record of Fishing Vessels Using Ports in Fiji is deemed to be a locally based foreign fishing vessel.

(5) The owner, master and operator of a vessel that contravene this regulation each commit an offence.

Compliance with use of port terms and conditions

47.—(1) The master and operator of a fishing vessel on the Record of Fishing Vessels Using Ports in Fiji shall comply with all terms and conditions of registration.

(2) The master and operator of a fishing vessel included in the Record of Fishing Vessels Using Ports in Fiji shall—

- (a) obtain good standing on the FFA Vessel Register if authorised to fish within the waters under the national jurisdiction of an FFA member;
- (b) be listed on the record of fishing vessels maintained by the Western and Central Pacific Fisheries Commission or other regional fisheries management organisation;
- (c) comply with vessel reporting requirements in these Regulations;
- (d) as a condition of its registration, install, maintain, operate, and consent to the monitoring during the registration period, of an approved Mobile Transceiver Unit at all times whilst in the Fiji fisheries waters and beyond the Fiji fisheries waters or such other area as may be agreed or designated;
- (e) ensure that the MTU is switched on and is operational at all times when the vessel is within the Fiji fisheries waters and beyond the Fiji fisheries waters during the period of validity of the registration;
- (f) not be included in a list of vessels engaged in illegal, unreported or unregulated fishing maintained by a regional fisheries management organisation;

- (g) comply with all Mobile Transceiver Unit reporting requirements contained in the Decree and these Regulations; and
- (h) comply with such other conditions as may be determined by the Director by notice in the *Gazette*.

(3) The master and operator of a vessel that contravene this regulation each commit an offence.

Suspension or cancellation of inclusion on the record

48.—(1) The Director may suspend or cancel inclusion on the Record of Fishing Vessels Using Ports in Fiji if there is failure to comply with the conditions of inclusion on the Record or the requirements of the Decree or these Regulations.

(2) A licence or authorisation may be suspended or cancelled if the Director is satisfied that—

- (a) it is necessary to do so in order to give effect to any conservation measure specified in, or implemented in accordance with a Fisheries Management Plan;
- (b) a vessel in respect of which the licence or authorisation has been issued has been used in contravention of the Decree or of any condition of the licence or in breach of any applicable agreement;
- (c) payment has not been made and is overdue for any fees required by the Decree, or for any penalty, fine or other determination imposed pursuant to this Decree; or
- (d) the vessel has been used in a manner that undermines the conservation and management measure of a regional fisheries management organisation or arrangement.

(3) Where inclusion on the Record of Fishing Vessels Using Ports in Fiji has been suspended or cancelled under this regulation, notification of the suspension or cancellation in writing shall be given within a reasonable time to the person to whom the registration was issued.

(4) A fishing vessel that has been suspended or cancelled from the Record of Fishing Vessels Using Ports in Fiji shall not be permitted to use any port in Fiji.

Requirements for landing of catch

49.—(1) Unless otherwise required by these Regulations, no fishing vessel shall land its catch in Fiji except with a permit issued by the Director.

(2) The master or operator of a fishing vessel intending to land its catch in Fiji shall apply to the Director for authorisation in the form set out in Schedule 6L and pay the application fee set out in Schedule 7.

(3) The master or operator of a fishing vessel issued a permit for landing of catch shall comply with the terms and conditions of landing.

(4) Within 3 days upon the completion of landing, the master or operator of a fishing vessel shall be required provide a report on all catch landed in Fiji to the Director in the approved form.

(5) A master or operator that does not comply with the requirement for landing or the terms and conditions of a permit for landing commits an offence.

Bond and other forms of compensation

50.—(1) The Permanent Secretary may determine the amount for a bond or other form of compensation in respect of an authorisation for exploratory or test fishing in Fiji fisheries waters or such other licence or authorisation that may have detrimental effect to the fishery or marine environment and shall take into account the following—

- (a) the potential of harm to the fishery or marine environment;
- (b) the cost of remedying any harm caused by such fishing;
- (c) the social, cultural or economic impact on Fiji; and
- (d) any other matter of significance.

(2) The Permanent Secretary, pursuant to section 42 of the Decree, may by notice in the *Gazette* determine the formula for a bond or other form of compensation in respect of a licence or authorisation granted, or a category of licence or authorisation.

Security for release of foreign fishing vessel

51.—(1) Where any foreign fishing vessel is detained under section 52 of the Decree, and proceedings are instituted against the master or licensee or person chartering the vessel in respect of the offence for which the vessel has been detained, the master or licensee of the vessel or any other person having an interest in the vessel may at any time prior to the determination of the proceedings apply to the court by which proceedings will be determined for the release of the vessel on the provisions of a bond or other financial security in accordance with this regulation.

(2) On hearing the application, the court may order the release of the foreign fishing vessel on the execution by any person or persons by the court for the purpose, of a bond in favour of the State in the approved form and in accordance with sub-regulation (4), in an amount not less than the—

- (a) aggregate of the value of the vessel including its gear, equipment and appurtenances;
- (b) value of the catch on board the vessel;
- (c) cost of all monitoring, control, surveillance and enforcement activity in respect of the detention of the vessel including the fuel and operational costs of maritime surveillance assets; and
- (d) maximum fine which the defendant is liable for if he or she is convicted of an offence.

(3) Notwithstanding sub-regulation (2), the court may, where it is satisfied that there are special circumstances to justify it in doing so and taking into account the seriousness of the offence, order that the bond be in a specified amount that is less than the amount required by that sub-regulation.

(4) The condition of the bond shall be that if the defendant—

- (a) is found not guilty of the offence; or
- (b) on being convicted of the offence, pays in full within fourteen days after he or she is convicted the amount of the fine imposed by the court and the foreign fishing vessel is within that time surrendered to the State for forfeiture if so ordered by the court,

then the bond shall be of no effect, but that otherwise the bond shall remain in full force and effect.

(5) The amount specified in the bond shall be recoverable in full as a debt due to the State jointly and severally by the person or persons by whom the bond is given unless the person or persons prove the due performance of the condition on which the bond is defeasible.

PART 6—OFFENCES FOR OFFSHORE FISHERIES FIXED PENALTY NOTICES

Identification of offences to which a Fixed Penalty Notice applies

52.—(1) An Offshore Fisheries Fixed Penalty Notice may be issued to a person who commits an offence stipulated in Schedule 11.

(2) Notwithstanding the penalty prescribed for an offence in the Decree or these Regulations, the fixed penalty for an offence to which an Offshore Fisheries Fixed Penalty Notice applies is stipulated in Schedule 11.

(3) Where an offence has been committed by—

- (a) a natural person, the fixed penalty shall be the amount stipulated in Schedule 11; and
- (b) a corporation or other entity, the fixed penalty shall be the amount stipulated in Schedule 11 which is twice the amount for an offence committed by a natural person.

PART 7—MISCELLANEOUS

Marking of gear

53.—(1) Fishing gear shall be clearly and permanently marked so as to identify—

- (a) its ownership;
- (b) the vessel in conjunction with which it is used;
- (c) its International Radio Call Sign; or
- (d) such other details required by the Permanent Secretary,

or any combination of these, in accordance with the terms and conditions of a licence or authorisation.

(2) The licence holder, owner or operator in respect of a fish aggregating device used in Fiji fisheries waters shall ensure that it is clearly and permanently marked—

- (a) where the device is used in conjunction with a licensed vessel, with the licence number of the vessel; or

- (b) in any other case, sufficiently to identify the owner or any person placing and using the device,

except that the requirements for marking in this regulation shall not apply to any person engaged in artisanal or subsistence fishing.

(3) A fish aggregating device or associated equipment deployed independently of a vessel shall be placed so that it is well clear of navigational routes.

(4) Any person who commits an offence against this regulation is liable to—

(a) in the case of a natural person – a fine not exceeding \$10,000; and

(b) in the case of a corporation – a fine not exceeding \$20,000.

(5) For the purposes of this regulation, “fishing gear” includes a radio beacon, float, buoy, line shooter, main line hauler, branch line hauler, branch line basket, and fish aggregating device.

Marking of support craft

54.—(1) A support craft used in conjunction with a licensed or authorised vessel shall be clearly and permanently marked in a manner approved by the Permanent Secretary.

(2) The operator shall clearly and permanently mark the name of the licensed or authorised vessel and international radio call sign of the vessel on the support craft painted in white on a black background or in black on a white background in the following manner—

(a) on the body of any helicopter and on the hull of any skiff or other craft, with each letter and number being at least 30 centimetres high, and having a stroke width of 5 centimetres wide with the background extending to provide a border around the mark of not less than 5 centimetres; and

(b) on any other equipment being carried by and intended to be separated from the vessel during normal fishing operations, with each letter and number being at least 10 centimetres high and having a stroke width of 1.7 centimetres, with the background extending to provide a border around the mark of not less than 1.7 centimetres.

(3) Any person who commits an offence against this regulation is liable to—

(a) in the case of a natural person – a fine not exceeding \$20,000; and

(b) in the case of a corporation – a fine not exceeding \$50,000.

(4) For the purposes of this regulation, “support craft” includes any vessel, vehicle or aircraft used in conjunction with the licensed or authorised vessel for fishing or related activities.

Interference, retrieval or possession of fishing gear and support craft

55.—(1) A person shall not interfere with, obstruct, retrieve or possess fishing gear or support craft owned or operated by another person.

(2) Any person who commits an offence against this regulation is liable to—

(a) in the case of a natural person – a fine not exceeding \$30,000; and

(b) in the case of a corporation – a fine not exceeding \$60,000.

General offences and penalty

56.—(1) Any person who commits an offence against these Regulations for which no other penalty is provided is liable to—

- (a) in the case of a natural person – a fine not exceeding \$50,000; and
- (b) in the case of a corporation – a fine not exceeding \$100,000.

(2) Where the offence is a continuing one, a person is liable to an additional fine not exceeding \$1,000 for every day that the offence has continued or continues.

Amendments to Schedules and Standards

57. The Minister may, on the recommendation of the Permanent Secretary and in conformity with the Decree, by notice in the *Gazette* amend any Schedule or Standard made under these Regulations.

Made this 23rd day of May 2014.

INIA B. SERUIRATU
Minister for Fisheries and Forests

LIST OF SCHEDULES

<i>Schedule</i>	<i>Description</i>
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2A	Seasonal and Species Restrictions
2B	Endangered and Protected Species
2C	Prohibited Fishing Gear and Methods
3A	Vessel Reporting Requirements
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4	Vessel Notification
5	Summary of the FAO Standard Specifications for the Marking and Identification of Fishing Vessels
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6G	Export and import application
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6R	Processing Establishments Application
6S	Record of Fish Exports and Importers
6T	Record of Fishing Vessels Using Fiji Ports
7	Fees
8	Accepted International Pre-fishing Practices
9A	Port Inspection Report Format – Foreign fishing vessel
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10	Obligations of Observers
11	Offences to which an Offshore Fisheries Fixed Penalty Notice applies

SCHEDULE 1
(Regulation 3)

PROHIBITED AND RESTRICTED AREAS

Prohibited Areas

<i>Name</i>	<i>Coordinates and description</i>
Reef systems	All areas within 3 nautical miles radius of reef systems within Fiji fisheries waters. This prohibition shall not apply to vessels using the drop line method targeting deep water snapper species.
Internal waters	All Internal waters within Fiji fisheries waters.

RESTRICTED AREAS (APPLICABLE TO SPECIFIED
CATEGORIES OF FISHING VESSELS)

<i>Name</i>	<i>Coordinates</i>	<i>Applicable vessels</i>
Restricted area - Archipelagic waters and Territorial sea	The coordinates of the archipelagic waters and territorial sea of Fiji are described in the Marine Spaces Act (Cap. 158A) and delineated in official charts.	Restriction applicable to Foreign fishing vessels, Locally-based foreign fishing vessels, and Fiji fishing vessels with a fish hold capacity equal to or greater than 40 cubic metres.
		This restriction does not apply to Fiji longline vessels with a fish hold capacity less than 40 cubic metres targeting tuna and tuna like species and that utilise no more than 2500 hooks per set.

SCHEDULE 2A
(Regulation 4)

SEASONAL AND SPECIES RESTRICTIONS

(As per the directive of the Department of Fisheries from time to time)

SCHEDULE 2B
(Regulation 5)

ENDANGERED AND PROTECTED SPECIES

(1) Any fish species covered under appendix I and II of Convention on International Trade on Endangered Species of Wild Fauna and Flora; – restricted throughout the year.

(2) Seabirds.

SCHEDULE 2C
(Regulation 6)

PROHIBITED FISHING GEAR AND METHODS

1. Any driftnet fishing gear.
 2. Use of dynamite, gelignite or other explosive substance.
 3. Use of any chemical or chemical compound including—
 - (a) any substance containing derris;
 - (b) any substance containing rotenone.
 4. Shark lines – trace wire, baited shark lines attached to floats (Hook 99).
 5. Hook types – any hook types declared by the Minister by notice in the *Gazette* as a prohibited hook type.
 6. Demersal trawlers.
 7. Longline targeting DWS or any bottom dwelling fish species.
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SCHEDULE 3A
(Regulation 39)

VESSEL REPORTING REQUIREMENTS

(A) Weekly Reports (each Wednesday)

- (a) report type (WEEK);
- (b) date and time (GMT);
- (c) vessel name; or
- (d) international call sign or country (Flag State) registration number; or
- (e) licence number;
- (f) position (to one minute of arc);
- (g) catch on board by weight by species;
- (h) intended action; and
- (i) observer name and nationality.

as: WEEK/DDMMYY/TIME/VESSEL NAME/CALL SIGN/LICNO/LA 1111/
LO11111/SJ xxx YF yyy OTH zzz/INTENDED ACTION/OBSERVER NAME
AND NATIONALITY

(B) Zone Entry and Exit Reports

- (a) report type (ZENT for entry and ZEXT for exit);
- (b) data and time (GMT);
- (c) vessel name; or
- (d) international call sign or country (Flag State) registration number; or
- (e) licence number;
- (f) position (to one minute of arc);
- (g) catch on board by weight by species;
- (h) intended action; and
- (i) observer name and nationality.

as: ZENT (or ZEXT) DDMMYY/TIME/VESSEL NAME/CALL SIGN/LIC NO/
LA 111/LO 11111/SJ xxx YF yyy OTH zzz/INTENDED ACTION/OBSERVER
NAME AND NATIONALITY

(C) Port Entry (including for unloading) and Exit Reports

- (a) report type (PENT/PEXT);
- (b) date and time (GMT)
- (c) vessel name; or

- (d) international call sign or country (Flag State) registration number; or
- (e) licence number;
- (f) position (to one minute of arc);
- (g) catch on board by weight by species;
- (h) estimated time of entry into port (or time of exit) (GMT);
- (i) port name;
- (j) intended action; and
- (k) observer name and nationality.

as: PENT (or PEXT)/DDMMYY/TIME/VESSEL NAME/CALL SIGN/LIC NO/
LA 1111/LO 1111/SJ xxx YF yyy OTH zzz/PORT/ETA (or ETD)/INTENDED
ACTION/OBSERVER NAME AND NATIONALITY

(D) Another Port Entry and Exit Reports (Fiji fishing vessels only)

- (a) report type (APENT/APEXT);
- (b) date and time (GMT);
- (c) vessel name; or
- (d) international call sign or country (Flag State) registration number; or
- (e) licence number;
- (f) position (to one minute of arc);
- (g) catch on board by weight by species;
- (h) estimated time of entry into port (GMT);
- (i) port name;
- (j) intended action; and
- (k) observer name and nationality.

as: APENT (or APEXT) /DDMMYY/TIME/VESSEL NAME/CALL SIGN/LIC NO/
LA 1111/LO 1111/SJ xxx YF yyy OTH zzz/PORT/ETA/INTENDED ACTION/
OBSERVER NAME AND NATIONALITY

(E) Another Zone Entry and Exit Reports (Fiji fishing vessels only)

- (a) report type (AZENT for entry and AZEXT for exit);
- (b) data and time (GMT);
- (c) vessel name; or
- (d) international call sign or country (Flag State) registration number; or
- (e) licence number;
- (f) position (to one minute of arc);
- (g) catch on board by weight by species;

- (h) intended action; and
- (i) observer name and nationality.

as: AZENT (or AZEXT) DDMMYY/TIME/VESSEL NAME/CALL SIGN/LIC NO/
LA 111/LO 11111/SJ xxx YF yyy OTH zzz/INTENDED ACTION/OBSERVER
NAME AND NATIONALITY

(F) Special Management Area Entry and Exit Reports (Fiji fishing vessels only)

- (a) report type (SMENT for entry and SMEXT for exit);
- (b) data and time (GMT);
- (c) vessel name; or
- (d) international call sign or country (Flag State) registration number; or
- (e) licence number;
- (f) position (to one minute of arc);
- (g) catch on board by weight by species;
- (h) intended action;
- (i) transshipment; and
- (j) observer name and nationality.

as: SMENT (or SMEXT) DDMMYY/TIME/VESSEL NAME/CALL SIGN/
LIC NO/LA 111/LO 11111/SJ xxx YF yyy OTH zzz/INTENDED ACTION/
TRANSHIPMENT-Y/N/OBSERVER NAME AND NATIONALITY

SCHEDULE 3B
(Regulation 39(6))

TRANSIT REPORTS—FOREIGN FISHING VESSELS

- (a) report type (TRANSIT);
- (b) date and time (GMT);
- (c) vessel name;
- (d) international radio call sign or country (Flag State) registration number;
- (e) position (to one minute of arc);
- (f) compliment;
- (g) intended activity;
- (h) catch on board by weight by species;

as: TRANSIT/DDMMYY/TIME/VESSEL NAME/CALL SIGN/LA 111/LO 11111/
Crew 10/INTENDED ACTIVITY/SJ xxx YF yyy OTH zzz

SCHEDULE 4
(Regulation 39(7))



Fiji Government
Fisheries Department

VESSEL NOTIFICATION

PART A – Owner

1. Name of company

2. Postal address

Business phone

--

Mobile

Fax

E-mail address

--

PART B – Agent

1. Name of company

2. Contact person's name

--

Business phone

--

Mobile

Fax

E-mail address

--

PART C – Vessel details

1. Name of vessel

--

2. Vessel type (e.g. longline, purse seine, pole & line, others – specify)

--

3. IMO number

--

4. Vessel registration no.

--

5. IRCS

--

6. Flag State

7. Number of crew on board

Nationality	Number

8. Observer on board

[Y/N]

If yes, please provide information as in table below:

Name	
Nationality	

9. Master

Name	
Nationality	

PART D – Fishing authorisation held

1. Authorisation/s

Area	Period of validity DD/MM/YY

PART E – Species information

Estimated total fish on board

Species	Weight (kg)
Albacore	
Yellowfin	
Bigeye	
Others	
TOTAL	

PART F – Intended of point of Fiji EEZ entry

Latitude	
Longitude	
Date	
Time	

PART G – Port

Intended port/s to access	
Estimated arrival date	
Estimated arrival time	
Estimated departure date	
Estimated departure time	
Last port of call	
Next port of call	

PART H – Declaration by agent/owner (circle applicable status)

I,, the agent/owner;

- Declares that the information provided on this form is to the best of my/our knowledge, true and correct; and
- Consent to comply with the Offshore Fisheries Management Decree 2012 and its Regulation and laws of Fiji.

Full name	
Position held in company	
Date	
Signature	
Company seal	

SCHEDULE 5
(Regulation 21(1)(n))

SUMMARY OF THE FAO STANDARD SPECIFICATIONS FOR THE
MARKING AND IDENTIFICATION OF FISHING VESSELS

Introduction

The specifications below were endorsed by the Eighteenth Session of the FAO Committee on Fisheries, Rome April 1989, for adoption by States as a standard system to identify fishing vessels operating, or likely to operate in waters of States other than those of the Flag State.

1. Basic System
 - 1.1 Vessels shall be marked with their International Telecommunications Union (ITU) Radio Call Signs (IRCS).
 - 1.2 Vessels not provided with an IRCS shall be marked with the characters allocated by the ITU to the Flag State and followed by the licence or registration number assigned by the Flag State. In such cases a hyphen shall separate the ITU characters and the assigned number.
 - 1.3 Apart from the vessel's name or identification and port of registry, the marking system specified shall be the only other vessel identification mark consisting of letters and numbers painted on the hull or superstructure.
2. Application
 - 2.1 The markings shall be prominently displayed at all times—
 - (a) on the vessel's side or superstructure, port and starboard;
 - (b) on a deck, should an awning or other temporary cover obscure the mark, the awning or cover shall also be marked. Deck marks shall be placed athwartships with the top of the numbers or letters towards the bow.
 - 2.2 Marks shall be placed as high as possible above the water line. The flare of the bow and the stern shall be avoided.
 - 2.3 The marks shall—
 - (a) be placed so that they are not obscured by the fishing gear whether stowed or in use;
 - (b) be clear of the flow from scuppers and overboard discharges including areas which might be damaged or discoloured from the catch of certain species;
 - (c) not extend below the waterline.
 - 2.4 Boats, skiffs and craft carried by the vessel for fishing operations shall bear the same mark as the vessel concerned.

3. Technical Specifications

3.1 Block lettering and numbering shall be used throughout.

3.2 The height (h) of the letters and numbers shall be in proportion to the size of the vessel in accordance with the following—

(a) for marks placed on the hull or superstructure;

Length of vessel overall (LOA) in meters (m)	Height of letters and numbers in meters (m)
25m and over	1.0m
20m but not less than 25m	0.8m
15m but less than 20m	0.6m
12m but less than 15m	0.4m
5m but less than 12m	0.3m
Under 5m	0.1m

(b) for marks placed on deck, the height shall be not less than 0.3m for all classes of vessels of 5m and over.

3.3 The length of the hyphen shall be half the height of the letters and numbers.

3.4 The width of the stroke for all letters, numbers and the hyphen shall be $h/6$.

3.5 The space between letters and/or numbers shall not exceed $h/4$ nor be less than $h/6$.

3.6 The space between adjacent letters having sloping sides shall not exceed $h/8$ nor be less than $h/10$, for example A V.

3.7 The marks shall be—

(a) white on a black background; or

(b) black on a white background.

3.8 The background shall extend to provide a boarder around the mark of not less than $h/6$.

3.9 The marks and background shall be maintained in good condition at all times.

PART E – Fishing Authorisation held
1 Authorisations

Area	Validity	Gear

2 Species

3 Fishing gear authorised

I.L. P.L. P.S. D.L. other _____

PART F – Species and other information

1 Target species (list: Tuna etc)

- a.
b.
c.
d.

2 Catch area applying for

- Archipelagic Waters EEZ
 Territorial Sea High seas

Other: _____

3. Intended Port of landing, transhipment, provision

- Muaiwalu Fiji Fish
 Lautoka Levuka
 Princess Wharf Other: _____

PART G – Declaration by Agent/Owner
IMPORTANT

I, the Owner detailed in Part A or the Agent detailed in Part B:

- Apply for the grant of an Offshore License in respect of the vessel described in Part D, and
- Declare that the information provided on this form is, to the best of my/our knowledge, true and correct.
- Consent to comply with the requirements under the Offshore Fisheries Management Decree and its Regulations.

Signature and date

--

Full name (Company Seal)

--

Position held in the Company (if applicable)

--

Checklist of attachments

The attachments to this application are:

- Registration certificate
- Inmarsat Distress Alert (IDA) Contact Details Form
- Crew list
- Colour Scanned Passport [Master, Owner etc]
- Copies of authorisation
- Photo of Vessel (plan view, side view, stern)

PART II – OFFICIAL USE ONLY

1. Status- approved/ not approved/ pending

2. Amount Received

--

3. Receiving Officer

--

4. Signature

--

5. Receipt No -

Official seal

11 MTU details (DNID)

Serial number	
Model/Type	
Inmarsat Mobile No	

PART E – Fishing Authorisation held

1 Authorisations

Area	Validity	Gear

2 Species

3 Fishing gear authorised

LL PL PS DL other _____

PART F –other information

1. Intended Port of landing, transhipment, provision

Mutaiwala Fiji Fish
 Lautoka Levuka
 Princess Wharf Other: _____

**PART G – Declaration by Agent/Owner
IMPORTANT**

I, the Owner detailed in Part A or the Agent detailed in Part B:

- Apply for the grant of a Foreign Fishing Licence in respect of the vessel described in Part D, and
- Declare that the information provided on this form is, to the best of my/our knowledge, true and correct, and
- Consent to comply with the requirements under the Offshore Fisheries Management Decree 2012 and its Regulations and the Laws of Fiji.

Signature and date

--

Full name (Company Seal)

--

Position held in the Company (if applicable)

--

Checklist of attachments

The attachments to this application are:

- Registration certificate
- Inmarsat Distress Alert (IDA) Contact Details Form
- Crew list
- Colour Scanned Passport [Master, Owner etc]
- Copies of authorisation
- Photo of vessel (plan, side, stern)

PART H –OFFICIAL USE ONLY

1. Status- approved/ not approved/ pending

2. Amount Received

--

3. Receiving Officer

--

4. Signature

--

5. Receipt No:

--

Official seal

SCHEDULE 6C
(Regulation 17(2))



Fiji Government
Fisheries Department

SPORT OR RECREATIONAL FISHING LICENCE
APPLICATION

PART A – Owner (additional form)

1 Name of Company

2 Postal address

Postcode

3 Other Vessels owned/ table- name, flag, IRCS (attach)

4. Contact person's name

--

Business phone

--

Mobile

--

Fax

--

Email address

--

PART B – Agent / Charterer

1 Name of Company

2 Contact person's name

--

Business phone

--

Mobile

--

Fax

--

Email address

PART C – Master

1 Name of Master

--

2 Nationality

--

Passport

--

3 Contact details

Postal address

Phone number

()

Mobile

Phone/Satphone

--

--

Fax number

Email

--

PART D – Vessel

1 Names of Vessel

--

2 Vessel type (e.g.)

--

3 IMO number

--

4 Vessel registration

--

5 International radio

--

Call sign

--

6 Insurance cover

--

7 Previous name(s)

--

and flag State(s)

8 Vessel Port base

--

9 Description of Vessel (e.g. size, colour, scheme, GRT)

GRT

LOA

Beam

--

--

--

Net Ton

Depth

Colour

--

--

--

Fish hold tonnage

--

Carrying capacity

--

Freezer type

--

Hull type – steel/fb

--

Engine power kw

--

10 Number of crew members onboard

Nationality	Number

Attach a crew list giving names, nationalities and passport numbers of each crew member (attachment)

11 MFU details

Serial number

Model/Type

Inmarsat Mobile No

--

--

--

PART E – Fishing Authorisation held

1 Authorisations

Area	Validity	Gear

2 Species

3 Fishing gear authorised

HL PL DL DL other _____

PART F – Species and other information

1 Target species (list; Billfish, Mahimahi etc)

- a.
- b.
- c.
- d.

2 Catch area applying for

- Archipelagic Waters EEZ
- Territorial Sea

3. Intended Port of landing

Please specify: _____

**PART G – Declaration by Agent/Owner
IMPORTANT**

I, the Owner detailed in Part A or the Agent detailed in Part B:

- Apply for the grant of a recreation fishing licence in respect of the vessel described in Part D, and
- Declare that the information provided on this form is, to the best of my/our knowledge, true and correct, and
- Consent to comply with the Offshore Fisheries Management Decree and its Regulations and the Laws of Fiji.

Signature and date

Full name (Company Seal)

Position held in the Company (if applicable)

Checklist of attachments

The attachments to this application are:

- Registration certificate
- Inmarsat Distress Alert (IDA) Contact Details Form
- Crew list
- Colour Scanned Passport [Master, Owner etc]
- Copies of authorisation
- Vessel photo (side, plan, stern)
- Insurance cover

PART H – OFFICIAL USE ONLY

1. Status- approved/ not approved/ pending

2. Amount Received

3. Receiving Officer

4. Signature

5. Receipt No -

Official seal

SCHEDULE 6D
(Regulation 18(2))



Fiji Government
Fisheries Department

EXPLORATORY FISHING OR TEST FISHING
APPLICATION

1. PART A – Applicant details

Name of Company/ Organisation	Postal address	
<input type="text"/>	<input type="text"/>	
<input type="text"/>	<input type="text"/>	
<input type="text"/>	<input type="text"/>	
Business phone	<input type="text"/>	Mobile
Fax	<input type="text"/>	Email address
	<input type="text"/>	<input type="text"/>

2. PART B – Activity details

Project title:

Activity intent:

Gear type(s): TRW LL DL Other (specify)

Intended species (eg. orange roughy, alfonsino, blue-nose etc)

Start Date: End Date:

3. PART C- Vessel details

Names of Vessel <input type="text"/>	Vessel type (e.g. longline, purse seine, pole and line) <input type="text"/>														
IMO number <input type="text"/>	Vessel registration <input type="text"/>														
International radio <input type="text"/>	Fish hold tonnage <input type="text"/>														
Call sign <input type="text"/>	Carrying capacity <input type="text"/>														
Current flag state <input type="text"/>	Freezer type <input type="text"/>														
Previous name(s) <input type="text"/>	Engine power <input type="text"/>														
and flag State(s) <input type="text"/>															
Insurance cover (Y/N) <input type="text"/>															
Description of Vessel (e.g. size, colour, scheme, GRT) attach vessel	Number of crew members on board														
GRT <input type="text"/>	<table border="1"> <thead> <tr> <th>Nationality</th> <th>Number</th> </tr> </thead> <tbody> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </tbody> </table>	Nationality	Number												
Nationality	Number														
LOA <input type="text"/>															
Beam <input type="text"/>															
Net Ton <input type="text"/>															
Depth <input type="text"/>															
Colour <input type="text"/>															
MTU details <input type="text"/>															
Serial number <input type="text"/>															
Model/Type <input type="text"/>															
Inmarsat Mobile No <input type="text"/>															

4. PART D- AGREEMENTS (Please attach the following information to your application):

Tick where appropriate

Partnership agreement Joint venture Other

Please state partner details
(name of partnering company- start and end date of agreement etc)



5. PART E- Exploratory Fishing details (to be attached to the application)

Project proposal:

Clearly outline the fishing objectives and methodology that will be used in your project. Be as specific as possible. If capture is involved, outline methods (eg: length of activity, gear used etc) and stress levels on affected species. If biological sample collection or other invasive activities (eg surgery) are part of the permit request, you must also provide sufficient detail on methodology and indicate efforts to reduce wildlife pain or stress.

Project Location:

Identify the specific location(s) of your field work, including co-ordinates (latitude/longitude). If large areas will be covered, provide a map summary of locations included in your study. If appropriate, identify which special or protected lands you plan to work in (eg MPA's, seamount etc). If your project is to occur in an area of high species interaction, please indicate.

Personal Experience:

Outline your previous experience in relation to the proposed activities and capture/handling of wildlife. If other persons may be involved with this activity (eg: field assistant), also list their names and previous experience in relation to the proposed project.

The attachments to this application are:

- | | |
|---|---|
| <input type="checkbox"/> Registration certificate | <input type="checkbox"/> Photo vessel (plan, side, stern) |
| <input type="checkbox"/> Inmarsat Distress Alert (IDA) Contact Details Form | <input type="checkbox"/> Crew list |
| <input type="checkbox"/> Colour Scanned Passport (applicant/master) | <input type="checkbox"/> Copies of authorisation |

6. PART F - DECLARATION

I, the applicant detailed in Part A applying for an exploratory fishing authorisation,

- declare that the information provided on this form is, to the best of my/our knowledge, true and correct
- Consent to comply with the Offshore Fisheries Management Decree 2012 and its Regulations and the Laws of Fiji

Full name and signature

Seal

Date

7. PART G - OFFICIAL USE ONLY

1. Status- approved/ note approved/ pending

2. Amount Received

3. Receiving Officer

4. Signature/date

Official seal



Fiji Government
Fisheries Department

SCIENTIFIC RESEARCH APPLICATION

Project Location:

Identify the specific location(s) of your field work, including co-ordinates (latitude/longitude). If large areas will be covered, provide a map summary of locations included in your study. If appropriate, identify which special or protected lands you plan to work in (e.g., MPAs, seamount etc.). If your project is to occur in an area of high species interaction, please indicate.

Personal Experience:

Outline your previous experience in relation to the proposed activities and capture/handling of wildlife. If other persons may be involved with this project (e.g., field assistant), also list their names and previous experience in relation to the proposed project.

5. PART E- DECLARATION

I, the Owner /Agent detailed in Part B:

- Applying for a scientific research authorisation declare that the information provided on this form is, to the best of my/our knowledge, true and correct.
- Consent to comply with the Offshore Fisheries Management Decree 2012 and its Regulations and the Laws of Fiji.

Full name and signature

Seal

Date

6. PART F- OFFICIAL USE ONLY

1. Status- approved/ not approved/ pending

2. Amount Received

3. Receiving Officer

4. Signature/date

Official seal

SCHEDULE 6F
(Regulation 20(3))



Fiji Government
Fisheries Department

AUTHORISATION TO FISH BEYOND FIJI'S
FISHERIES WATERS

PART A – Applicant

1. Name of Applicant

2. Postal address

3. Email address

4. Business phone

5. Mobile

6. Fax

PART B – Purpose of Application
[please tick]

WCPFC High Seas Authorisation

Authorisation to fish in waters
under the Jurisdiction of another
Coastal State

Authorisation to fish in high seas areas
managed by other Regional Fisheries
Management Organisation

PART C – Vessel

1. Vessel Name:

2. IRCS

3. LOA

4. Draft:

5. Beam:

6. GRT:

7. Engine Power:

8. Port of Registry:

9. Fish Hold Capacity:

10. Fishing Method *[please tick]*:

Longline

Purse-seine

Pole and Line

Other

If Other, please specify:

11. Target Species (please list – e.g. Tuna, Billfish)

- a.
- b.
- c.
- d.

PART D – DECLARATION

I, the applicant detailed in Part A applying for an export/
import/ re-export permit:

- Declare that the information provided on this form is, to the best of my/our knowledge, true and correct.
- Consent to comply with the Offshore Fisheries Management Decree 2012 and its Regulations and the Laws of Fiji.

Full name and signature

Company Seal

Date

Checklist of attachments

The attachments to this application are:

- Flag Registration certificate
- Inmarsat Distress Alert (IDA) Contact Details Form
- Crew list
- Colour Scanned Passport (Master, Owner etc)
- Copies of authorisation
- Details of other vessels owned
- Vessel photo (plan view, side view, stern)

PART E – OFFICIAL USE ONLY

1. Approved *[please tick]*

Yes

No

2. Authorisation No: _____

Fees paid *[please tick]*

Yes

No

3. Name of Issuing Officer

4. Signature & Seal

Official seal

SCHEDULE 6G
(Regulation 13(2))



Fiji Government
Fisheries Department

EXPORT AND IMPORT APPLICATION

PART A – APPLICANT

1. Name of Applicant

2. Address of Applicant

Postcode

3. Email address

4. Business phone

5. Mobile

6. Fax

PART B – PURPOSE OF APPLICATION
[please tick]

Export Import

Re-Export

PART C – Shipment

1. Country of Origin

2. Country of Destination

3. Shipment Date

4. Container No:

5. Name of Exporter/ Importer

6. Address of Exporter / Importer

PART D – COMMODITY

1. Condition of Export/Import Commodity
[please tick]

Live Dead Whole

Part Derivative Fresh

Frozen Other

If Other, please specify

2. Source *[please tick]*

Wild Cultured/ Farmed

Other

If Other, please specify

PART E - DECLARATION

I, the applicant detailed in Part A:

- Applying for an export/import/re-export permit, declare that the information provided on this form is, to the best of my/our knowledge, true and correct.
- Consent to comply with the Offshore Fisheries Management Decree 2012 and its Regulations and the Laws of Fiji.

Full name and signature

Official Seal

Date

PART F – OFFICIAL USE ONLY

1. Approved *[please tick]*

Yes No

2. Receipt No: _____

3. Fees paid *[please tick]*

Yes No

4. Name of Issuing Officer

5. Signature & Seal

Official seal

SCHEDULE 6H
(Regulation 14(3))



Fiji Government
Fisheries Department

FIJI CATCH CERTIFICATE

Document number:		Validating authority: Ministry of Fisheries & Forests			
1. Name:		Address:		Fax number:	
				Telephone number:	
2. Fishing vessel name:		Flag:		Call sign:	IMO/Lloyd's number: (if issued)
		Home port:			
		Registration number:			
Fishing license number:		Inmarsat number:			
		Telefax number:			
Valid to:		Telephone number:			
		E-mail address:			
3. Description of product:		Type of processing authorized on board:		4. References of applicable conservation and management measures:	
Species:	Product code:	Catch area(s) and dates:	Estimated live weight (kg):	Estimated weight to be landed (kg):	Verified weight landed (kg) where appropriate:
5. Name of master of fishing vessel:			Signature:		
			Seal:		

6. Declaration of transshipment at sea <i>Name of Master of Fishing Vessel:</i>				Signature:	
				Date:	
Transshipment: N/A					
Date	Area	Position	Estimated Weight (kg)		
				Master of receiving vessel:	
				Signature:	
				Vessel Name:	
				Call Sign:	
				IMO/Lloyds number: (if issued)	
7. Transshipment authorisation within a port area: N/A					
Name:		Authority:		Signature:	
Address:		Telephone number:	Port of landing:	Date of landing:	Seal: (Stamp)
8. Name of exporter:		Signature:		Seal:	
Address of exporter:		Date:			
9. Flag State authority validation:					
Name:		Signature:		Seal: (Stamp)	
Title:		Date:			
10. Transport details: See Appendix I					
11. Importer Declaration:					

Name of importer:		Signature:	Seal:
Address of importer:		Date:	
Product CN code:			
Documents under (i) Article 14(1), (2) of Regulation (EC) n° .../...° (ii) Other (specify)			
12. Import control: Authority		Place:	
Importation authorised:		Importation suspended:	Verification requested – date:
Customs declaration: (if issued)		Number:	
Date:		Place:	

Declaration by Owner/Charterer

IMPORTANT

I, the Owner or the Charterer, apply for a Fiji Catch Certificate in respect of the vessel described herein, and declare:

- that the information provided on this form is, to the best of my/our knowledge, true and correct.
- Consent to comply with the Offshore Fisheries Management Decree 2012 and its Regulations and the Laws of Fiji.

Signature
and date

Full name (Company Seal)

Position held in the Company (if applicable)

APPENDIX I
TRANSPORT DETAILS

1. Country of exportation: Port/airport/other place of departure:	2. Exporter signature:
Vessel name and flag:	Container number (s): list attached
Flight number/airway bill number:	Name:
Truck Nationality and registration number:	Address:
Railway bill number:	Signature:
Other transport document:	

SCHEDULE 6I
(Regulation 34(2)(b))



Fiji Government
Fisheries Department

TRANSHIPMENT

PART A – Owner's details (additional form)

1 Name of Company

2 Postal address

 Postcode

3 Contact person's name

Business phone

Mobile

Fax

Email address

PART B – Master's details

1 Name of Master

2 Nationality

Passport no

PART C – Carrier Vessel details

1 Name of Vessel

2 Carrying Capacity[mt]

3 Call Sign

4 Flg

PART D – Transhipment information

1 Vessels to tranship catch from

Vessel Name	Call Sign	Area [port, EEZ]

PART E – Declaration by Agent/Owner
IMPORTANT

I, the Owner detailed in Part A, apply for the grant of a Transhipment Authorisation in respect of the vessels described in Part D, and

- Declare that the information provided on this form is, to the best of my/our knowledge, true and correct.

Signature and date

DD/MMM/YY

Full name

Position held in the Company (if applicable)

Company seal (if applicable)

PART F – OFFICIAL USE ONLY

1. Status- approved/ note approved/ pending

2. Amount Received

3. Receiving Officer

4. Signature & date

5. Receipt No

Official seal

SCHEDULE 6J
(Regulation 35(2)(b))



Fiji Government
Fisheries Department

BUNKERING

1. PART A – Applicant details

Name of Company

Postal address

Business phone

Mobile

Fax

Email address

2. PART B- Vessel details

Names of Vessel

IMO number

International radio

Call sign

Current flag state

Previous name(s)

and flag State(s)

Vessel Port State

Description of Vessel (e.g. size, colour, scheme, GRT)

GRT

Net Ton

LOA

Depth

Beam

Colour

MTU details

Serial number

Model/Type

Inmarsat Mobile No

Vessel type (e.g. longline, purse seine, pole and line)

Vessel registration

Fish hold tonnage

Carrying capacity

Freezer type

Engine power kw

Number of crew members on board

Nationality	Number

3. PART C- Bunker Vessel / Provider

Name of Company

Names of Vessel

Vessel type (e.g. longline, purse seine, pole and line)

IMO number

Vessel registration

International radio

Fish hold tonnage

Call sign

Current flag state

4. PART D- Intended Bunkering

Total fuel estimated (litrs)

Total oil (litrs)

Intended Bunkering location

Start Date

Time:

End Date:

Time:



5. PART E- DECLARATION

I, the applicant detailed in Part A:

- Applying for a landing permit, declare that the information provided on this form is, to the best of my/our knowledge, true and correct.
- Consent to comply with the Offshore Fisheries Management Decree 2012 and its Regulations and the Laws of Fiji.

Full name and signature

Date

Company Seal

6. PART F- OFFICIAL USE ONLY

1. Status- approved/ note approved/ pending

2. Amount Received

3. Receiving Officer

4. Signature/date

Official seal

SCHEDULE 6K
(Regulation 36(1)(b))



Fiji Government
Fisheries Department

PROVISIONING

1. PART A – Applicant

Name of Company

Postal address

Business phone

Mobile

Fax

Email address

2. PART B- Vessel

Names of Vessel

IMO number

International radio

Call sign

Current flag state

Previous name(s)

and flag State(s)

Insurance cover

Y/N

Description of Vessel (e.g. size, colour, scheme, GRT)

GRT

Net Ton

LOA

Depth

Beam

Colour

MTU details

Serial number

Model/Type

Inmarsat Mobile No

Vessel type (e.g. longline, purse seine, pole and line)

Vessel registration

Fish hold tonnage

Carrying capacity

Freezer type

Engine power kw

Number of crew members on board

Nationality	Number

3. PART C- Provision Details

Name of Company /Service provider

Names of Vessel

Vessel type (e.g. longline, purse seine, pole and line)

IMO number

Vessel registration

International radio

Fish hold tonnage

Call sign

Current flag state

Product/ Item	Description	Quantity

Intended Provision location (port name etc)

Start Date

Time:

End Date:

Time:



4. PART D- DECLARATION

I, the applicant detailed in Part A:

- Applying for a provision permit, declare that the information provided on this form is, to the best of my/our knowledge, true and correct.
- Consent to comply with the Offshore Fisheries Management Decree 2012 and its Regulations and the Laws of Fiji.

Full name and signature

Date

Company Seal

5. PART E- OFFICIAL USE ONLY

1. Status- approved/ note approved/ pending

2. Amount Received

3. Receiving Officer

4. Signature/date

Official seal

SCHEDULE 6L
(Regulation 49(2))



Fiji Government
Fisheries Department

LANDING OF CATCH APPLICATION

PART A – Vessel

1 Names of Vessel

2 Vessel type (e.g. longliner)

3 IMO number

4 Vessel registration

5 International radio

Call sign

6 Flag

7 Previous name(s)

Of flag State(s)

8 Vessel Port base

9 Arrival Date

PART B – OWNER/AGENT DETAILS

1. Name of Company/ Agent (highlight)

2. Postal Address

3. Contact person's name

Phone

Fax

Mobile

Tin

Email

PART C - LANDING DETAILS (Landing to)

Processor(s) Reefers Other: _____

Port of landing:

Princess wharf Muaiwalu Fiji Fish

Lautoka Levuka Other: _____

PART D – SPECIES BREAKDOWN

Species	Receiver 1		Receiver 2		Receiver 3		Total
	Date		Date		Date		
	Fresh	Frozen	Fresh	Frozen	Fresh	Frozen	
Albacore							
Bigeye							
Total							

PART E - DECLARATION

I, the Owner /Agent detailed in Part B applying for a landing permit:

- Declare that the information provided on this form is, to the best of my/our knowledge, true and correct.
- Consent to comply with the Offshore Fisheries Management Decree 2012 and its Regulations and the Laws of Fiji.

Full name and signature

Date

Company Seal

PART F - OFFICIAL USE ONLY

1. Status- approved/ note approved/ pending

2. Amount Received

3. Receiving Officer

4. Signature/date

Official seal

SCHEDULE 6M
(Regulation 22(2))



Fiji Government
Fisheries Department

EXEMPTION OF LANDING OF CATCH

PART A – Vessel

1 Names of Vessel

2 Vessel type (e.g. longliner)

3 MTU make/model

4 Vessel registration

5 International radio

Call sign

6 Flag

7 Previous name(s)

Of flag State(s)

8 Vessel Port base

9 Arrival Date

PART B – OWNER/AGENT

1. Name of Company/ Agent (highlight)

2. Postal Address

3. Contact person's name

Phone

Fax

Mobile

Tin

Email

PART C- CATCH DETAIL (mt)

Albacore

Bigeye

Yellow fin

Billfish

Total Catch

PART D- LANDING DETAILS (reasons for landing)

Force majeure

Vessel distress

Bi-lateral agreement

Please attach all relevant documents to support the reasons highlighted above.

PART E – SPECIES BREAKDOWN

Species	Receiver 1		Receiver 2		Receiver 3		Total
	Date		Date		Date		
	Fresh	Frozen	Fresh	Frozen	Fresh	Frozen	
Albacore							
Bigeye							
Total							

PART F- DECLARATION

I, the Owner /Agent detailed in Part B applying for a landing exemption:

- Declare that the information provided on this form is, to the best of my/our knowledge, true and correct.
- Consent to comply with the Offshore Fisheries Management Decree and its Regulations and the Laws of Fiji.

Full name and signature

Date

Company Seal

PART G - OFFICIAL USE ONLY

1. Status- approved/ not approved/ pending

2. Amount Received

3. Receiving Officer

4. Signature/date

Official seal

SCHEDULE 6N
(Regulation 42(1)(b))



APPLICATION FOR ENTRY AND USE OF PORT IN FIJI



1. Intended port of call										
2. Port State										
3. Estimated date and time of arrival										
4. Purpose(s) of visit										
5. Port and date of last port call										
6. Name of the vessel										
7. Flag State										
8. Type of vessel										
9. International Radio Call Sign										
10. Vessel contact information										
11. Vessel owner(s)										
12. Certificate of registry ID										
13. IMO ship ID, if available										
14. RFMO ID, if applicable										
15. MTU/ALC			No		Yes: National		Yes: RFMO(s)		Type:	
16. Vessel dimensions			Length		Beam		Draft			
17. Vessel master name and nationality										
18. Relevant fishing authorisation(s)										
<i>Identifier</i>		<i>Issued by</i>		<i>Validity</i>		<i>Fishing area(s)</i>		<i>Species</i>		<i>Gear</i>
19. Relevant transhipment authorisation(s)										
<i>Identifier</i>			<i>Issued by</i>			<i>Validity</i>				
<i>Identifier</i>			<i>Issued by</i>			<i>Validity</i>				
20. Transhipment information concerning donor vessels										
<i>Date</i>	<i>Location</i>	<i>Name</i>	<i>Flag State</i>	<i>ID number</i>	<i>Species</i>	<i>Product form</i>	<i>Catch area</i>	<i>Quantity</i>		
22. Total catch onboard								23. Catch to be offloaded		
<i>Species</i>		<i>Product form</i>		<i>Catch area</i>		<i>Quantity</i>		<i>Quantity</i>		

23. DECLARATION

I, the Owner applying to enter and use a port in Fiji:

- Declare that the information provided on this form is, to the best of my knowledge, true and correct
- Consent to comply with the Offshore Fisheries Management Decree 2012 and its Regulations and the Laws of Fiji

Full name and signature

Date

Seal

SCHEDULE 60
(Regulations 10 and 11)



Fiji Government
Fisheries Department

FISHING VESSEL CHARTER APPLICATION

The fee for processing of your application is contained in schedule 7 of the Offshore Fisheries Management Regulations

Payments can be made to:
Department of Fisheries

What you need to do
Post the completed form along with any attachment(s) to:
Fiji Fisheries Department
Offshore Fisheries Division
POBox 2218
Government Buildings
Suva, Fiji

PART A – Owner

1 Name of Registered Owner/Company

2 Postal address

 Postcode

3 Other Vessels owned/ table- name, flag, IRCS, (Attach details)

4. Contact person's name

Business phone

Mobile

Fax

Email address

PART B – Charterer

1 Name of Person/Company

2 Contact person's name

Business phone

Mobile

Fax

Email address

PART C – Master

1 Name of Master

2 Nationality

Passport

3 Contact details

Postal address

Phone number

 ()

Mobile

Phone/Satphone

Fax number

Email

PART D – Vessel

1 Names of Vessel

2 Vessel type (e.g. longline, purse seine, pole and line)

3 IMO number

4 Flag state registration number

5 International radio

Call sign

6 Current flag state

7 Previous name(s)

and flag State(s)

8 Insurance cover (Y/N)

9 Description of Vessel (e.g. size, colour, scheme, GRT)

GRT

Net Ton

LOA

Depth

Beam

Colour

Fish hold tonnage

Carrying capacity

Freezer type

Hull type –steel/ fb

Engine power kw

10 Number of crew members onboard

Nationality	Number
Total crew	



11 MTU details

Serial number	
Model/Type	
Inmarsat Mobile No	

PART E – Fishing Authorisation held
1 Authorisations

Area	Validity	Gear

2 Species

3 Fishing gear authorised
 LL PL PS DL other _____

PART F – other Information

1. Intended Port of landing, transhipment, provision

- Suva (Muaiwalu) Suva (Fiji Fish)
 Lautoka Levuka
 Suva (Princess Wharf)

PART G – Declaration by Owner/Charterer
IMPORTANT

I, the Owner detailed in Part A or the Agent detailed in Part B, Apply for an authorisation to charter a Fiji fishing vessel/foreign fishing vessel:

- Declare that the information provided on this form is, to the best of my/our knowledge, true and correct.
- Consent to comply with the Offshore Fisheries Management Decree and its Regulations and the Laws of Fiji.

Signature and date

Full name (Company Seal)

Position held in the Company (if applicable)

Checklist of attachments

The attachments to this application are:

- Copy of charter agreement
- Registration certificate
- Inmarsat Distress Alert (IDA) Contact Details Form
- Copy of the Insurance policy
- Colour Scanned Passport [Master and Owner]
- Copies of authorisation
- Details of other vessels owned
- Color photos of vessel (side view, plan view and stem)

PART H – OFFICIAL USE ONLY

1. Status- approved/ not approved/ pending

2. Amount Received

3. Receiving Officer

4. Signature

5. Receipt No -

Official seal

SCHEDULE 6P
(Regulation 12(3))



Fiji Government
Fisheries Department

VESSEL ACQUISITION APPLICATION

What you need to do

Post the completed form along with any attachment(s) to:

Fiji Fisheries Department
Offshore Fisheries Division
POBox 2218
Government Buildings
Suva, Fiji

PART A -- Owner / Purchaser

1 Name of Registered Owner/Company

2 Postal address

 Postcode

3 Other Vessels owned/ table- name, flag, IRCS. (Attach details)

4. Contact person's name

Business phone

Mobile

Fax

Email address

PART B -- Agent/ Charterer

1 Name of Person/Company

2 Contact person's name

Business phone

Mobile

Fax

Email address

PART C -- Master

1 Name of Master

2 Nationality

Passport

3 Contact details

Postal address

Phone number

 ()

Mobile

Phone/Satphone

Fax number

Email

PART D -- Vessel

1 Name of Vessel

2 Vessel type (e.g. longline, purse seine, pole and line)

3 IMO number

4 Vessel registration

5 International radio

Call sign

6 Current flag state

7 Previous name(s)

and flag State(s)

8 Vessel Port of

Registry

9 Description of Vessel (e.g. size, colour, scheme, GRT)

GRT

Net Ton

LOA

Depth

Beam

Colour

Fish hold tonnage

Carrying capacity

Freezer type

Hull type - steel/ib

Engine power kw

When built

Where Built

10 Purchase price (USD)

PART E -- Fishing Authorisation held

1 Authorisations

Area	Validity	Gear



**Fiji Government
Fisheries Department**

VESSEL ACQUISITION APPLICATION

2 Fishing gear authorised
 LL PL PS DL other _____

PART F – Other information

1. Modification or Construction of a Fishing Vessel

Name of shipbuilder

Name of shipyard

Name of naval architect

Proposed changes

Expected date of completion (dd/mm/yy)

Fish hold tonnage Carrying capacity

Freezer type LOA

GRT Engine Capacity

Gear Navigational Equipment

Structure Other

Please specify: _____

**PART G – Declaration by Agent/Owner
IMPORTANT**

I, the Owner/ Purchaser detailed in Part A or the Agent/ Charterer detailed in Part B:

- Apply for the grant of a Port permit in respect of the vessel described in Part D, and
- Declare that the information provided on this form is, to the best of my/our knowledge, true and correct.
- Consent to comply with the Offshore Fisheries Decree and its Regulations and the Laws of Fiji.

Signature and date

Full name (Company Seal)

Position held in the Company (if applicable)

Checklist of attachments

The attachments to this application are:

- Registration certificate
- Inmarsat Distress Alert (IDA) Contact Details Form
- Colour Scanned Passport (Master and Owner)
- Copies of authorisation
- Details of other vessels owned
- Color photos of vessel (side view, plan view and stern)
- Original vessel plan
- Proposed vessel modification plan

Proposed vessel construction plan

PART H – OFFICIAL USE ONLY

1. Status- approved/ not approved/ pending

2. Amount Received

3. Receiving Officer

4. Signature

5. Receipt No -

Official seal



**Fiji Government
Fisheries Department**

**RECORD OF OFFSHORE FISHING COMPANIES
APPLICATION**

4. Number of foreign nationals employed on onshore facilities

Nationality	Number of Persons	
	Male	Female

**PART E – Declaration by Owner/ Agent/
Charterer.
IMPORTANT**

I, the Owner detailed in Part A or the Agent/Manager detailed in Part B, apply for the inclusion in the Record of Offshore Fishing Companies and:

- Declare that the information provided on this form is, to the best of my/our knowledge, true and correct.
- Consent to comply with the Offshore Fisheries Management Decree 2012 and its Regulations and the Laws of Fiji.

Signature and date

Full name (Company Seal)

Position held in the Company (if applicable)

Checklist of attachments

The attachments to this application are:

- Company Registration certificate
- Colour Scanned Passport [Owner, shareholder(s), Agent, Manager]
- Details of other vessels owned (Name, IRCS, Flag)
- FIRCA Registration Certificate
- FIRCA VAT Clearance letter

PART F – OFFICIAL USE ONLY

1. Status- approved/ not approved/ pending

2. Amount Received

3. Receiving Officer

4. Signature

5. Receipt No -

Official seal

SCHEDULE 6R
(Regulation 29(2))



Fiji Government
Fisheries Department

PROCESSING ESTABLISHMENT APPLICATION

The fee for processing of your application is contained in schedule 7 of the Offshore Fisheries Management Regulations

Payments can be made to:
Department of Fisheries

What you need to do
Post, fax or email the completed form along with any attachment(s) to:

Fiji Fisheries Department
Offshore Fisheries Division
P O Box 2218
Government Buildings
Suva, Fiji

PART A – Company

1 Name of Company

2 Postal address

 Postcode

3. Contact person's name

Business phone

Mobile

Fax

Email address

PART B – Owner(s)

1. Name of owner (s) citizenship and shares

Name	Citizen	Share

PART C – Processing facility

1. Location of processing facility

2. Type of processing (please tick)

- Canning filleting loining

- Packing Other(specify below)

3. Handled species (list: Tuna, billfish, mahimahi, etc)

- a.
b.
c.

4. Raw materials (please tick where appropriate)

- Fishing vessels offloaders
 Fishing companies processing companies
 Other (please specify)

PART D – Market

Indicate market location:

- Local Overseas Other

PART E – Declaration by Agent/Owner
IMPORTANT

I, the Owner detailed in Part B apply for an authorisation for processing establishment;

- Declare that the information provided on this form is, to the best of my/our knowledge, true and accurate;

Signature and date

Full name (Company Seal)

Position held in the Company (if applicable)

Checklist of attachments

The attachments to this application are:

- Company Registration certificate
 Business plan
 Haccp certificate
 Processing plan
 Memorandum of articles/articles of association



Fiji Government
Fisheries Department

PROCESSING ESTABLISHMENT APPLICATION

PART F – OFFICIAL USE ONLY

1. Status- approved/ not approved/ pending

2. Amount Received

3. Receiving Officer

4. Signature

5. Receipt No



SCHEDULE 6S
(Regulation 30(3))



Fiji Government
Fisheries Department RECORD OF FISH EXPORTERS AND IMPORTERS

1. PART A – COMPANY

Export Import

Name of Company Postal address

Business phone Mobile

Fax Email address

2. PART B – OWNER(S)

Please fill in shareholder breakdown

Name	Citizen	Number of shares

3. PART C- PRODUCT

Product name(s) (list):

Product type:

- fresh frozen loin fillet canning dried
 smoked salted other (specify)

Product source:

- Wild cultured other

4. PART D- DECLARATION

I, the Owner /Agent detailed in Part B:

- Applying for a scientific research authorisation declare that the information provided on this form is, to the best of my/our knowledge, true and correct.
- Consent to comply with the Offshore Fisheries Management Decree 2012 and its Regulations and the Laws of Fiji.

Full name and signature

Date

Official Seal

SCHEDULE 6T
(Regulation 46(1))



Fiji Government
Fisheries Department

RECORD OF VESSELS USING FIJI PORTS

What you need to do
Post, fax or email the completed form along with any attachment(s) to:

Fiji Fisheries Department
Offshore Fisheries Division
POBox 2218
Government Buildings
Suva, Fiji

PART A – Owner

1 Name of registered owner/Company

2 Postal address

Postcode

3 Other Vessels owned/ table- name, flag, IRCS. (Attach details)

4. Contact person's name

--

Business phone

--

Mobile

--

Fax

--

Email address

--

PART B – Agent/ Charterer

1 Name of Person/Company

2 Contact person's name

--

Business phone

--

Mobile

--

Fax

--

Email address

PART C – Master

1 Name of Master

--

2 Nationality

--

Passport

--

3 Contact details
Postal address

--

Phone number

()

Mobile

Phone/Satphone

--

Fax number

--

Email

--

PART D – Vessel

1 Name of Vessel

--

2 Vessel type (e.g. longline, purse seine, pole and line)

--

3 IMO number

--

4 Vessel registration

--

5 International radio

Call sign

--

6 Current flag state

--

7 Previous name(s)

and flag State(s)

--

8 Vessel Port State

--

9 Description of Vessel (e.g. size, colour, scheme, GRT)

GRT

--

Net Ton

--

LOA

--

Depth

--

Beam

--

Colour

--

Fish hold tonnage

--

Carrying capacity

--

Freezer type

--

Hull type -steel/ib

--

Engine power kw

--

10 Number of crew members onboard

Nationality	Number

Attach a crew list giving names, nationalities and passport numbers of each crew member (attachment)

11 MTU details

Serial number

Model/Type

Inmarsat Mobile No



**Fiji Government
Fisheries Department**

RECORD OF VESSELS USING FIJI PORTS

PART E – Fishing Authorisation held

1 Authorisations

Area	Validity	Gear

2 Species

3 Fishing gear authorised

LL PL PS DL other _____

PART F – other information

1. Intended Port of landing, transshipment, provisioning

- Suva (Mauiwatu) Suva (Fiji Fish)
 Lautoka Levuka
 Suva (Princess Wharf)

**PART G – Declaration by Owner/ Agent/
Charterer.
IMPORTANT**

I, the Owner detailed in Part A or the Agent/Charterer detailed in Part B, apply for inclusion on the Record of Vessels using Ports in Fiji in respect of the vessel described in Part D:

- Declare that the information provided on this form is, to the best of my/our knowledge, true, complete and accurate.
- Agree to provide promptly to the Department notification of any changes to the information herein provided.
- Consent to comply with the Offshore Fisheries Management Decree and its Regulations and the Laws of Fiji.

Signature
and date

--

Full name (Company Seal)

--

Position held in the Company (if applicable)

--

Checklist of attachments

The attachments to this application are:

- Registration certificate
 Inmarsat Distress Alert (IDA) Contact Details Form
 Colour Scanned Passport [Master, Owner, Charterer]
 Copies of authorisation
 List of other vessels owned (Name, IRCS, flag)
 Colour photos of vessel (side view, plan view and stern)
 Original plan of vessel

PART H – OFFICIAL USE ONLY

1. Status- approved/ not approved/ pending

2. Amount Received

--

3. Receiving Officer

--

4. Signature

--

5. Receipt No -

Official seal

SCHEDULE 7 - FEES
(Regulation 27)

		<i>Period</i>	<i>Fee [VIP] FJD</i>
Foreign Fishing Vessel Management and Monitoring Fee [Not Locally based foreign fishing vessel]		Trip	\$575
Foreign Fishing Vessel Management and Monitoring Fee [Locally based foreign fishing vessel]		Annual	\$1,150
Fiji Vessel Management and Monitoring Fee		Annual	\$6,900
Sport Fishing Vessel Management and Monitoring Fee		Per tournament	\$690
Fiji Vessel Access Fees	1. Chartered Foreign flagged equal to or greater than 20m in length overall [Longline]	Annual	\$20,700
	2. Chartered Foreign flagged less than 20m in length overall [Longline]	Annual	\$14,950
	3. Chartered Fiji fishing vessel equal to or greater than 20m in length overall [Longline]	Annual	\$10,350
	4. Chartered Fiji fishing vessel less than 20m in length overall [Longline]	Annual	\$7,475
	5. Fiji fishing vessel with a fish hold capacity equal to or greater than 40 cubic metres [Longline]	Annual (i) Non- Fiji Owned Fiji fishing vessel (ii) Fiji owned Fiji fishing vessel	(i) \$18,400 (ii) \$9,200

	6. Fiji fishing vessel with a fish hold capacity equal to or greater than 40 cubic metres [Other]	Annual (i) Non-Fiji owned Fiji fishing vessel (ii) Fiji owned Fiji fishing vessel	(i) \$18,400 (ii) \$9,200
	7. Fiji fishing vessel with a fish hold capacity less than 40 cubic metres [Longline]	Annual (i) Non-Fiji owned Fiji fishing vessel (ii) Fiji owned Fiji fishing vessel	(i) \$6,900 (ii) \$3,450
	8. Fiji fishing vessel less than 5mt fish hold carrying capacity. [Dropline]	Annual 100 % Fiji ownership Fiji fishing vessel	\$1,150
	9. Fiji fishing vessel more than 5mt fish hold carrying capacity. (Dropline)	Annual 100 % Fiji ownership Fiji fishing vessel	\$5,750
Fiji Vessel Observer Levy ¹		Annual	\$2,300
Fiji fishing vessel transfer of licence or authorisation		Application	\$575
<i>Fees for Records established under the Regulations</i>			
Record of Fishing Vessels Using Ports in Fiji Fee	Application	\$23.00	
	Annual	\$57.50	
Record of Offshore Fishing Companies Fee	Application	\$23.00	
	Annual	\$115.00	
Record of Fish Processing Establishments Fee	Application	\$ 23.00	
	Annual	\$2,300	
Record of Exporters and Importers ²	Application	\$23.00	
	Annual	\$115.00	

¹Applicable to all Fiji vessel categories, Fiji Chartered fishing vessels and Fiji authorised at-sea transshipment vessels.

²This fee does not apply to persons or companies registered with the Department of Environment under the Endangered and Protected Species Act provided that evidence of such registration is submitted to the Director of Fisheries.

<i>Fees for Permits</i>		
Export (commercial)	Application	\$5.75
	Per Consignment	\$11.50
	Monthly fresh fish export	\$28.75
Import (commercial)	Application	\$23
	Per consignment	\$28.75
Export & import (fisheries scientific research)	Per permit	\$22.50
Whole Fish Levy	Per tonne	\$115.00
Individual (personal use or consumption only – amount exceeding 10 kilogrammes)	Per permit	\$5.75
Entry or use of port (fees only applicable to Foreign Fishing Vessels not based in Fiji and not on the Record of Fishing Vessels Using Ports in Fiji)	Application	\$23.00
	Per Entry or Use of Port	\$1115.00
<i>Authorisation to Charter Fishing Vessels</i>		
Authorisation to Charter – Fiji fishing vessel	Application	\$23.00
	Per Authorisation	\$115.00
Authorisation to Charter – Foreign fishing vessel	Application	\$23.00
	Per Authorisation	\$230
Application fees for licence to fish within Fiji's fisheries waters or licence to fish within Fiji's economic exclusive zone	Per Application	\$115
Sport fishing licence fees	Application per tournament	\$23
	Per tournament	\$57.50
Recreational fishing licence fees	Per Application	\$5.75
	Annual	\$57.50

<i>Authorisations</i>		
Authorisation to undertake fisheries scientific research	Application	\$57.50
	Per Authorisation	\$2,300
Observer levy for Authorisation to undertake fisheries scientific research in the exclusive economic zone	(i) Less than 3 months	(i) \$862.50
	(ii) More than 3 months but less than 6 months	(ii) 1725.00
	(iii) More than 6 months but less than 9 months	(iii) \$2,587.50
	(iv) More than 9 months but less than 12 months	(iv) 3,450.00
Authorisation to undertake exploratory fishing or test fishing	Application	\$57.50
	Per Authorisation	
	(i) 1-3 months	(i) \$5,750
	(ii) 3-6 month	(ii) \$9,200
	(iii) 6-9 months	(iii) \$13,800
(iv) 9-12 months	(iv) \$18,400	
Observer levy for Authorisation to undertake exploratory fishing or test fishing	(i) Less than 3 months	(i) \$862.50
	(ii) More than 3 months but less than 6 months	(ii) 1725.00
	(iii) More than 6 months but less than 9 months	(iii) \$2,587.50
	(iv) More than 9 months but less than 12 months	(iv) \$3,450.00
Application fee for Authorisation to fish beyond Fiji fisheries waters	Application	\$23

<i>Related Activity</i>		
Landing	Per landing application	\$23
Transshipment (foreign fishing vessel)	Application	nil
	Per Transshipment	\$11.50 per tonne transhipped to the receiving vessel
Transshipment - Approved Fiji Fishing Vessels At Sea Fresh Fish Transshipment Fee (only within Fiji fisheries waters)	Annual	\$15.75 per tonne transhipped
Bunkering	Per Bunkering	\$23
Provisioning	Per Provisioning	\$23
<i>Miscellaneous</i>		
Duplicate licence	Per duplicate	\$57.50
Permit re-issuance	Per permit	\$57.50
Instant Permit Application fee (if permit is needed within 24 hours)	Per permit	
	(i) Export	\$69.00
	(ii) Import	\$115.00
Logbooks (foreign fishing vessels only)	Per book	\$57.50

SCHEDULE 8
(Regulation 26(1)(h))

ACCEPTED INTERNATIONAL PRE-FISHING PRACTICES

1. All fishing and support vessels shall provide a port entry notice (including their authorisation to fish, details of their fishing trip and quantities of fish on board, with due regard to confidentiality requirements in accordance with national laws) to the port authority and the national fisheries authority at least 24 hours prior to entering port.
2. No fishing vessel or support vessel may enter port to carry out any functions without prior clearance from the port authority and the Director.
3. Any fishing vessel that enters the ports of Fiji can, and will be subjected to a full inspection of the vessel, documents, fishing gear, catch and fish in storage prior to it being permitted to conduct any activities in the ports, to ensure that:
 - (i) all fishing within national jurisdiction is within the terms and conditions of an approved licence and/or agreements; and
 - (ii) the full investigation of all relevant documents, fishing gear, catch and fish in stowage demonstrate compliance with national and international fisheries legislation and agreements, and meet the port State's international fisheries obligations.
4. In the exercise of Fiji's sovereignty including the right to inspect fishing vessels that enter its ports, the following information may be collected and remitted it to the Flag State and, where appropriate, the relevant regional fisheries management organisation—
 - (i) the Flag State of the vessel and identification details;
 - (ii) name, nationality, and qualifications of the master and fishing master;
 - (iii) fishing gear;
 - (iv) catch on board, including origin, species, form, and quantity; and
 - (v) where appropriate, other information required by relevant regional fisheries management organisations to which Fiji is a member or other international agreements to which Fiji is a party; and
 - (vi) total landed and transhipped catch.

SCHEDULE 9A
(Regulation 43(2))

PORT INSPECTION REPORT FORMAT – FOREIGN FISHING VESSEL

REPORT OF THE RESULT OF THE INSPECTION

1. Inspection report no				2. Port State			
3. Inspecting authority							
4. Name of principal inspector						ID	
5. Port of inspection							
6. Commencement of inspection				YYYY	MM	DD	HH
7. Completion of inspection				YYYY	MM	DD	HH
8. Advanced notification received				Yes		No	
9. Purpose(s)		LAN	TRX	PRO	OTH (specify)		
10. Port and State and date of last port call				YYYY	MM	DD	
11. Vessel name							
12. Flag State							
13. Type of vessel							
14. International Radio Call Sign							
15. Certificate of registry ID							
16. IMO ship ID, if available							
17. External ID, if available							
18. Port of registry							
19. Vessel owner(s)							
20. Vessel beneficial owner(s), if known and different from vessel owner							
21. Vessel operator(s), if different from vessel owner							
22. Vessel master name and nationality							
23. Fishing master name and nationality							
24. Vessel agent							
25. VMS		No	Yes: National	Yes: RFMOs	Type:		
26. Status in RFMO areas where fishing or fishing related activities have been undertaken, including any IUU vessel listing							
Vessel identifier	RFMO	Flag State status	Vessel on authorized vessel list	Vessel on IUU vessel list			

27. Relevant fishing authorization(s)						
Identifier	Issued by	Validity	Fishing area(s)	Species	Gear	
28. Relevant transshipment authorization(s)						
Identifier	Issued by	Validity				
29. Transshipment information concerning donor vessels						
Name	Flag State	ID no.	Species	Product form	Catch area(s)	Quantity
30. Evaluation of offloaded catch (quantity)						
Species	Product form	Catch area(s)	Quantity declared	Quantity offloaded	Difference between quantity declared and quantity determined, if any	
31. Catch retained onboard (quantity)						
Species	Product form	Catch area(s)	Quantity declared	Quantity retained	Difference between quantity declared and quantity determined, if any	
32. Examination of logbook(s) and other documentation				Yes	No	Comments
33. Compliance with applicable catch documentation scheme(s)				Yes	No	Comments
34. Compliance with applicable trade information scheme(s)				Yes	No	Comments
35. Type of gear used						
36. Gear examined in accordance with paragraph e) of Annex B			Yes	No	Comments	
37. Findings by inspector(s)						
38. Apparent infringement(s) noted including reference to relevant legal instrument(s)						

39. Comments by the master
40. Action taken
41. Master's signature
42. Inspector's signature

SCHEDULE 9B
(Regulation 44(2))

PORT INSPECTION REPORT FORMAT – FIJI FISHING VESSEL



MINISTRY OF FISHERIES AND FORESTS-DEPARTMENT OF FISHERIES



BOARDING AND INSPECTION FORM

FIJI LICENSED VESSEL FISHING WITHIN FIJI FISHERIES WATERS

VESSEL ARRIVAL

VESSEL DEPARTURE

VESSEL NAME	DATE OF DEPARTURE	IRCS
COMPANY NAME	DATE OF ARRIVAL	VESSEL MARKING
CAPTAIN'S NAME	FLAG OF REGISTRATION	ALC TYPE AND MODEL
LICENSED NUMBER	PURPOSE OF VISIT	ALC LOGGED ON: Y/N

CATCH ONBOARD BY SPECIES				
SPECIES	PRODUCT FORM	CATCH AREA[S]	WEIGHT [KG]	FISH DISCARDED
ALBACORE				
YELLOW FIN				
BIG EYE				
SWORD FISH				
BLUE MARLIN				
MAHI MAHI				

INFRINGEMENTS/VIOLATIONS/OFFENCES

BOARDING OFFICER(S) COMMENT

BOARDING OFFICER(S)	BOARDING OFFICERS SIGNATURE
BOARDING DATE	VESSEL SEAL CAPTAIN'S SIGNATURE
BOARDING TIME	

SCHEDULE 10
(Regulation 38(4))

OBLIGATIONS OF OBSERVERS

The following guidelines for the obligations of observers shall apply to observers placed on a licensed or authorised fishing vessel.

The responsibilities of observers include—

- (a) Being capable of performing the duties of an observer.
- (b) Acceptance and compliance with agreed upon confidentiality rules and procedures with respect to the fishing operations of the vessels and of the vessel owners.
- (c) Maintenance of independence and impartiality at all times whilst on duty.
- (d) Compliance with the laws and regulations of the State that exercises jurisdiction over the vessel.
- (e) Respecting the hierarchy and general rules of behaviour that apply to all vessel personnel.
- (f) Performance of duties in a manner that does not unduly interfere with the lawful operations of the vessel and in carrying out their functions they shall give due consideration to the operational requirements of the vessel and shall communicate regularly with the captain or master of the vessel.
- (g) Familiarity with the emergency procedures aboard the vessel, including the locations of life rafts, fire extinguishers, and first aid kits.
- (h) Communicating regularly with the vessel captain on relevant observer issues and duties.
- (i) Promptly writing and submitting reports.

SCHEDULE 11
(Regulation 52)

OFFENCES TO WHICH AN OFFSHORE FISHERIES FIXED
PENALTY NOTICE APPLIES

<i>Section/ Regulation</i>	<i>Description of Offence</i>	<i>Fixed Penalty for natural person</i>	<i>Fixed Penalty for corporation or other entity</i>
s.23(1) & Reg. 18	Use of a vessel for test or exploratory fishing without the permission of the Permanent Secretary	\$3,000	\$6,000
s.23(1) & Reg. 18	Use of a vessel for test or exploratory fishing in contravention of authorisation conditions	\$2,000	\$4,000
s.24	Use, permits to be used or attempts to use of any explosive/firearm/poison/ or other noxious substance or other prohibited items contrary to section 24(1)	\$10,000	\$20,000
s.24	Carriage or possession of any explosive/ firearm/poison/ or other noxious substance contrary to section 24(1)	\$10,000	\$20,000
s.24	Landing, sale or receipt of fish taken using a prohibited fishing item or method contrary to section 24(4)	\$10,000	\$20,000
s.26	Use of a sport or recreational fishing vessel in the fisheries waters without a licence contrary to section 26(2)	\$2,000	\$4,000
s.26	Use of a Fiji fishing vessel by a crew member for fishing/related activity/ other activity in the internal waters/ archipelagic waters/territorial sea/ exclusive economic zone without a licence or authorisation contrary to section 26(4)	\$1,000	\$2,000
s.39(3)	Failure to provide information required for the Record of Fishing Vessels contrary to section 39(3)	\$1,000	\$2,000
s.41 & Reg. 19	Fisheries scientific research in the exclusive economic zone without authorisation contrary to section 41(4)	\$2,500	\$5,000

<i>Section/ Regulation</i>	<i>Description of Offence</i>	<i>Fixed Penalty for natural person</i>	<i>Fixed Penalty for corporation or other entity</i>
s.41 & Reg. 19	Fisheries scientific research in the exclusive economic zone in contravention of the laws of Fiji/ conditions of authorisation contrary to sections 41(3) and (4)	\$2,000	\$4,000
s.74	Failure to install a Mobile Transceiver Unit contrary to section 74(1) and (7)	\$5,000	\$10,000
s.74	Failure to maintain a Mobile Transceiver Unit contrary to section 74(1) and (7)	\$5,000	\$10,000
s.74	Failure to operate a Mobile Transceiver Unit contrary to section 74(1) and (7)	\$5,000	\$10,000
s.74	Failure to consent to the monitoring of a Mobile Transceiver Unit contrary to section 74(1) and (7)	\$5,000	\$10,000
s.77	Failure to comply with the requirement for port sampling contrary to section 77(2), (3) and (6)	\$4,000	\$8,000
s.93	Interference with evidence contrary to section 93	\$10,000	\$20,000
s.103	Removal of item in custody contrary to section 103(1)	\$5,000	\$10,000
Reg. 3	Fishing within a prohibited area	\$10,000	\$20,000
	Fishing within a restricted area	\$10,000	\$20,000
Reg. 4	Failure to comply with seasonal and species restrictions	\$10,000	\$20,000
Reg. 5	Failure to comply with restrictions relating to endangered or protected fish species	\$10,000	\$20,000
Reg. 6	Use of prohibited fishing gear	\$10,000	\$20,000
Reg. 6	Use of prohibited fishing method	\$10,000	\$20,000
Reg. 7	Failure to comply with an international conservation and management measure	\$10,000	\$20,000
	<i>Offences relating to chartering, acquisition, modification and construction of fishing vessels</i>		
Reg. 10	Failure to comply with the requirements of charter of a foreign fishing vessel	\$10,000	\$20,000
Reg. 11	Failure to comply with the requirements of charter of a Fiji fishing vessel	\$10,000	\$20,000

<i>Section/ Regulation</i>	<i>Description of Offence</i>	<i>Fixed Penalty for natural person</i>	<i>Fixed Penalty for corporation or other entity</i>
Reg. 12	Acquisition/ modification/ construction of a fishing vessel without written authorisation	\$10,000	\$20,000
Reg. 12	Failure to comply with the terms and conditions of authorisation <i>Offences relating to landings, imports and exports</i>	\$15,000	\$30,000
Reg. 49	Landing catch without a permit	\$3,000	\$6,000
Reg. 49	Landing catch in contravention of conditions of landing permit	\$1,000	\$2,000
Reg. 13	Import of fish or fish products without a permit	\$2,000	\$4,000
Reg. 13	Failure to comply with the terms and conditions of an import permit	\$1,000	\$2,000
Reg. 13	Export of fish or fish products without a permit	\$3,000	\$6,000
Reg. 13	Failure to comply with the terms and conditions of an export permit	\$2,000	\$4,000
Reg. 14	Export of fish or fish products without a catch certificate	\$3,000	\$6,000
Reg. 14	Failure to comply with the terms and conditions of a catch certificate	\$2,000	\$4,000
Reg. 13	Failure to provide true, complete and accurate information for the export of fish and fish products	\$3,000	\$6,000
Reg. 13	Failure to provide true, complete and accurate information for the import of fish and fish products	\$3,000	\$6,000
Reg. 13	Failure to comply with declared standards for the import or export of fish and fish products	\$3,000	\$6,000
Reg. 13	Failure to pay the "whole fish levy"	\$575 per tonne	\$1,150 per tonne
	<i>Fishing in contravention of licence terms and conditions</i>		
Reg. 21	Failure to keep on board and display the original or certified copy of licence in the wheelhouse	\$1,000	\$2,000
Reg. 21	Failure to clearly display the international radio call sign or Flag State Registration number	\$1,000	\$2,000

<i>Section/ Regulation</i>	<i>Description of Offence</i>	<i>Fixed Penalty for natural person</i>	<i>Fixed Penalty for corporation or other entity</i>
Reg. 21	Failure to submit daily catch reports after completion of a fishing trip	\$1,000	\$2,000
Reg. 23	Failure to complete daily catch reports in the English language	\$1,000	\$2,000
Reg. 23	Failure to provide true, complete and accurate catch records	\$2,000	\$2,000
Reg. 21	Failure to land all fish taken in Fiji	\$5,000	\$10,000
Reg. 21	Failure to allow an authorised officer to board the vessel in Fiji fisheries waters for the purposes of inspection and examination	\$10,000	\$20,000
Reg. 21	Failure continuously monitor the international distress and calling frequency and the international safety and calling frequency	\$1,000	\$2,000
Reg. 21	Failure to keep on board an up-to-date copy of the International Code of Signals	\$1,000	\$1,000
Reg. 21	Discharge of any object or substance likely to cause damage to or deterioration in the quality of the marine resources	\$5,000	\$10,000
Reg. 21	Failure to store any object or substance likely to cause damage to or deterioration in the quality of the marine resources	\$3,000	\$6,000
Reg. 21	Failure to maintain catch log	\$1,000	\$2,000
Reg. 21	Failure to maintain engineer's log	\$1,000	\$2,000
Reg. 21	Failure to maintain ship's log	\$1,000	\$2,000
Reg. 21	Failure to maintain freezer log	\$1,000	\$2,000
Reg. 21	Failure to appoint and maintain an agent resident in Fiji	\$1,000	\$2,000
Reg. 21	Failure to comply with the requirements for vessel marking	\$1,000	\$2,000
Reg. 21	Failure to provide notification of changes to information submitted in an application for a licence/authorisation/permit	\$1,000	\$2,000
	Fishing in contravention of licence terms and conditions – targeting other species	\$2,000	\$4,000
Reg. 25	Failure to comply with condition of transfer of licence or authorisation	\$5,750	\$11,500

<i>Section/ Regulation</i>	<i>Description of Offence</i>	<i>Fixed Penalty for natural person</i>	<i>Fixed Penalty for corporation or other entity</i>
Reg. 39	Fishing in contravention of licence terms and conditions – Fiji fishing vessel failing to provide vessel reports:		
	(i) Wednesday report;	\$500	\$1,000
	(ii) at least 48 hrs prior to entry/exit from Fiji fisheries waters;	\$500	\$1,000
	(iii) at least 24 hrs prior to entry/exit from waters under jurisdiction of another State;	\$1,000	\$2,000
	(iv) at least 24 hrs prior to entry/exit to the port of another State;	\$1,000	\$2,000
	(v) at least 24 hrs prior to estimated time of entry into any designated fisheries port in Fiji;	\$1,000	\$2,000
	(vi) at least 24 hrs prior to estimated time of entry/exist from high seas areas identified as special management areas by a regional fisheries management organisation to which Fiji is a member;	\$3,000	\$6,000
	(vii) zone entry/ exit notification;	\$500	\$1,000
	(viii) port entry/ exit notification;	\$500	\$1,000
Reg. 39	Fishing in contravention of licence terms and conditions – Foreign fishing vessel failing to provide vessel reports:		
	(i) Wednesday report;	\$1,000	\$2,000
	(ii) at least 48 hrs prior to entry/exit from Fiji fisheries waters;	\$500	\$1,000
	(iii) at least 24 hrs prior to estimated time of entry into any designated fisheries port in Fiji;	\$1,000	\$2,000
	(iv) zone entry/exit notification;	\$500	\$1,000
	(v) port entry/exit notification;	\$500	\$1,000
Reg. 49	Failure to provide landing report in accordance with prescribed requirements	\$1,000	\$2,000
Reg. 34	Failure to provide transshipment report	\$1,000	\$2,000
Reg. 35	Failure to provide bunkering report	\$500	\$1,000
Reg. 36	Failure to provide provisioning report	\$500	\$1,000
Reg. 13	Failure to provide import/export report	\$1,000	\$2,000

<i>Section/ Regulation</i>	<i>Description of Offence</i>	<i>Fixed Penalty for natural person</i>	<i>Fixed Penalty for corporation or other entity</i>
<i>Minor offences relating to vessel monitoring system</i>			
Reg. 21	Failure to report manually upon notification by the Director	\$1,000	\$2,000
Reg. 32	Failure to comply with directives of the Director	\$1,000	\$2,000
Reg. 32	Removal of a Mobile Transceiver Unit without prior permission of the Director	\$3,000	\$6,000
<i>Offences for Related Activities</i>			
s.78(3) & 106(2) & Reg. 34	Transshipping without authorisation	\$4,000	\$8,000
s.78(3) & 106(2) & Reg. 35	Bunkering without authorisation	\$2,000	\$4,000
s.78(3) & 106(2) & Reg. 36	Provisioning without authorisation	\$2,000	\$2,000
s.78(3) & 106(2) & Reg. 34	Transshipping in contravention of authorisation terms and conditions	\$2,000	\$4,000
s.78(3) & 106(2) & Reg. 35	Bunkering in contravention of authorisation terms and conditions	\$1,000	\$2,000
s.78(3) & 106(2) & Reg. 36	Provisioning in contravention of authorisation terms and conditions	\$1,000	\$2,000
<i>Minor Offences relating to authorised officers</i>			
s.72	Failure to facilitate safe boarding of an authorised officer	\$1,000	\$2,000
s.72	Failure to comply with instructions of an authorised officer	\$1,000	\$2,000
s.72	Failure to produce valid documents requested by an authorised officer	\$1,000	\$2,000
Reg. 37	Access or attempt to access the equipment, journal or documents of an authorised officer on board the vessel	\$1,000	\$2,000
Reg. 37	Damage, destruction or attempt to damage or destroy the equipment, journal or documents of an authorised officer	\$1,000	\$2,000

<i>Section/ Regulation</i>	<i>Description of Offence</i>	<i>Fixed Penalty for natural person</i>	<i>Fixed Penalty for corporation or other entity</i>
Reg. 37	Failure to provide a translator	\$500	\$1,000
	<i>Minor Offences relating to observers</i>		
s.72(1)	Failure to take an observer on board a vessel when required by the Director	\$1,000	\$2,000
Reg. 38	Access or attempting to access the equipment, journal or documents of an observer on board the vessel	\$1,000	\$2,000
Reg. 38	Damage, destruction or attempt to damage or destroy the equipment, journal or documents of an observer	\$1,000	\$2,000
	<i>Offences relating to use of ports</i>		
Reg. 42	Failure to comply with port notification requirement	\$1,000	\$2,000
Reg. 42	Entry and use of a designated port without written authorisation	\$5,000	\$10,000
Reg. 42	Failure to comply with the condition of use and entry to port	\$1,000	\$2,000
Reg. 43	Failure to give an authorised officer all necessary assistance and information (foreign fishing vessel inspection)	\$3,000	\$6,000
Reg. 44	Failure to give an authorised officer all necessary assistance and information (Fiji fishing vessel inspection)	\$2,000	\$4,000
Reg. 46	Failure to apply for inclusion on the Record of Fishing Vessels Using Ports in Fiji.	\$1,000	\$2,000
Reg. 47	Failure to comply with a condition of inclusion on the Record of Fishing Vessels Using Ports in Fiji	\$500	\$1,000
	<i>Offences relating to Record of Offshore Fishing Companies</i>		
Reg. 28	Failure to apply for inclusion on the Record of Offshore Fishing Companies	\$1,000	\$2,000
Reg. 28	Failure to comply with the conditions of inclusion on the Record of Offshore Fishing Companies	\$500	\$1,000
Reg. 28	Failure to provide true, complete and accurate information	\$500	\$1,000

<i>Section/ Regulation</i>	<i>Description of Offence</i>	<i>Fixed Penalty for natural person</i>	<i>Fixed Penalty for corporation or other entity</i>
<i>Offences relating to Record of Fish Processing Establishments</i>			
Reg. 29	Failure to apply for inclusion on the Record of Fish Processing Establishments	\$1,000	\$1,000
Reg. 29	Failure to comply with the conditions of inclusion on the Record of Fish Processing Establishments	\$500	\$1,000
Reg. 29	Failure to provide true, complete and accurate information	\$500	\$1,000
<i>Offences relating to Record of Fish Exporters and Importers</i>			
Reg. 30	Failure to apply for inclusion on the Record of Fish Exporters and Importers	\$1,000	\$2,000
Reg. 30	Failure to comply with the conditions of inclusion on the Record of Fish Exporters and Importers	\$500	\$1,000
Reg. 30	Failure to provide true, complete and accurate information	\$500	\$1,000
<i>Miscellaneous</i>			
Reg. 53	Failure to mark fishing gear		
	(i) Radio beacon	\$500	\$1,000
	(ii) Float or Buoy	\$20	\$40
	(iii) Line shooter	\$500	\$1,000
	(iv) Spool/Main line hauler	\$500	1,000
	(v) Branch line basket	\$100	\$2,00
	(vi) Fish Aggregating Device	\$500	\$1,000
	(vii) Branch line hauler	\$500	\$1,000
	(viii) Others	\$100	\$2,00
Reg. 54	Failure to mark support craft		
	(i) Skiff	\$1,000	\$2,000
	(ii) Helicopter	\$1,000	\$2,000
	(iii) Speed boat	\$1,000	\$2,000
	(iv) Others	\$500	\$1,000
Reg. 55	Interference with fishing gear or support craft owned or operated by another person	\$5,000	\$10,000
Reg. 55	Obstruction of fishing gear or support craft owned or operated by another person	\$5,000	\$10,000

<i>Section/ Regulation</i>	<i>Description of Offence</i>	<i>Fixed Penalty for natural person</i>	<i>Fixed Penalty for corporation or other entity</i>
Reg. 55	Retrieval of fishing gear or support craft owned or operated by another person	\$10,000	\$20,000
Reg. 55	Possession of fishing gear or support craft owned or operated by another person	\$10,000	\$20,000