

**REPUBLIQUE
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VANUATU**
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**REPUBLIC
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NOTIFICATION OF PUBLICATION

ORDER

FISHERIES ACT [CAP 315]

- FISHERIES REGULATIONS
(AMENDMENT) ORDER NO. 141 OF 2013



REPUBLIC OF VANUATU

FISHERIES ACT [CAP 315]

**Fisheries Regulations (Amendment)
Order No. 141 of 2013**

In exercise of the powers conferred on me by section 79 of the Fisheries Act [CAP 315], I, the Honourable DAVID TOSUL, Minister of Agriculture, Livestock, Forestry, Fisheries and Biosecurity, make the following Order.

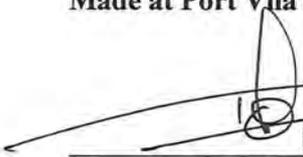
1 Amendments

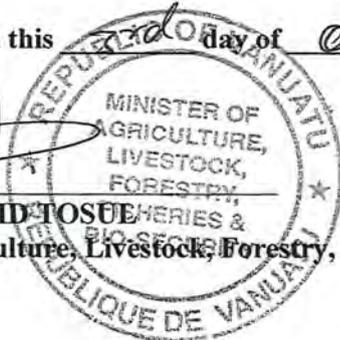
The Fisheries Regulations Order No. 28 of 2009 is amended as set out in the Schedule.

2 Commencement

This Order is taken to have commenced on 3 October 2013.

Made at Port Vila this 3rd day of Oct, 2013.


Honourable DAVID TOSUL
Minister of Agriculture, Livestock, Forestry, Fisheries and Biosecurity



SCHEDULE

AMENDMENTS OF THE FISHERIES REGULATIONS ORDER NO. 28 OF 2009

1 Clause 1

Insert in its correct alphabetical order

“**Department** means the Fisheries Department;”

2 Subclause 61(heading)

Repeal the heading, substitute “Processing of Beche-de-mer”

3 Subclauses 61(1), (2), (3) and (4)

Repeal the subclauses, substitute

- “(1) A person must not process or have in his or her possession any beche-de-mer for the purpose of processing.
- (2) A person who intends to process any beche-de-mer may apply in writing to the Director for a processing licence.
- (3) The Director may issue a processing licence to an applicant if he or she:
- (a) is a citizen of Vanuatu; and
 - (b) has paid the relevant fee set out in Schedule 27A.
- (4) A person issued with a processing licence may process beche-de-mer subject to conditions imposed by the Director.
- (5) A processing licence issued under this clause expires on 31 December each year and may be renewed.”

6 After clause 61

Insert

“ **61A Harvesting of beche-de-mer**

- (1) A person must only harvest beche-de-mer in an area set out in Schedule 27B.
- (2) A person must not harvest beche-de-mer under subclause (1) unless:
 - (a) the Department conducts an assessment of the full stock of beche-de-mer; and
 - (b) the Department finds that there is sufficient stock of beche-de-mer in that area.
- (3) A person must not harvest beche-de-mer in the absence of an officer of the Department.”

7 Clause 62

Repeal the clause, substitute

“**62 Export of Beche-de-mer**

- (1) A person must not export or have in his or her possession any beche-de-mer for the purpose of export.
- (2) A person who intends to export beche-de-mer may apply in writing to the Director for an export licence.
- (3) The Director may issue an export licence to an applicant if he or she:
 - (a) is a citizen of Vanuatu; and
 - (b) has paid a fee for the issue or renewal of a licence to operate a fish export processing establishment set out in clause 49.
- (4) A person issued with an export licence must only export beche-de-mer that is of the required size specified under Schedule 27.
- (5) An export licence issued under this clause expires on 31 December each year and may be renewed.”

8 After Schedule 27

Insert

SCHEDULE 27A
PROCESSING LICENCING FEES

(Regulation 61(3)(b))

Column 1	Column 2	Column 3	Column 4
Common Name	Scientific Name	Grade	Single-species licence fee
Amberfish	<i>Thelenota anx</i>	Low	=3,000 (VT) TAC (kg)
Brown Curryfish	<i>Stickopus vastus</i>	Low	=3,000 (VT) TAC (kg)
Chalkfish	<i>Bohadschia marmorata</i>	Low	=3,000 (VT) TAC (kg)
Elephant Trunkfish	<i>Holothuria fuscopunctata</i>	Low	=3,000 (VT) TAC (kg)
Flowerfish	<i>Pearsonothuria Graeffei</i>	Low	=3,000 (VT) TAC (kg)
Pinkfish	<i>Holothuria edulis</i>	Low	=3,000 (VT) TAC (kg)
Red snakefish	<i>Holothuria flavomaculata</i>	Low	=3,000 (VT) TAC (kg)
Snakefish	<i>Holothuria coluber</i>	Low	=3,000 (VT) TAC (kg)
Hairy blackfish	<i>Actinopyga miliaris</i>	Medium	=5,000 (VT) TAC (kg)

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Lollyfish	Holotyhuira atra	Medium	=5,000 (VT) TAC (kg)
Brown sandfish	Bohadshia vitiensis	Medium	=5,000 (VT) TAC (kg)
Deepwater blackfish	Actinopyga palauensis	Medium	=5,000 (VT) TAC (kg)
Greenfish	Stichopus chloronotus	Medium	=5,000 (VT) TAC (kg)
Peanutfish	Stichopus horrens	Medium	=5,000 (VT) TAC (kg)
Prickly redfish	Thelenota ananas	Medium	=5,000 (VT) TAC (kg)
Stonefish	Actinopyga lecanora	Medium	=5,000 (VT) TAC (kg)
Surf redfish	Actinopyga mauritiana	Medium	=5,000 (VT) TAC (kg)
Tigerfish	Bohadschia argus	Medium	=5,000 (VT) TAC (kg)
Black teatfish	Holothuria	High	=8,000 (VT) TAC (kg)
Golden sandfish	Holothuria lessoni	High	=8,000 (VT) TAC (kg)
White teatfish	Holothuria fuscogilva	High	=8,000 (VT) TAC (kg)
Curryfish	Stichopus herrmanni	High	=8,000 (VT) TAC (kg)

Note 1: Licence application fees are indicated for single-species processing and export licences.

Licence application fee are proportional to the value of the processed and exported quantities for each Beche-de-mer species.

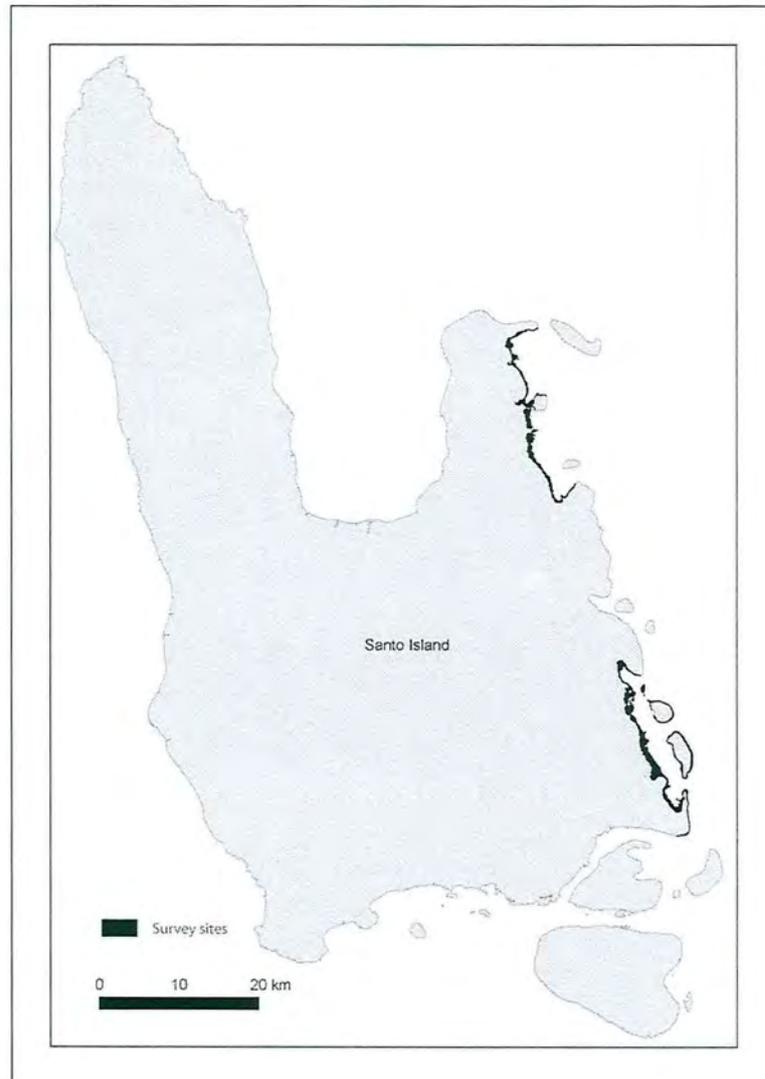
Note 2: TAC must be indicated in kg of dried products (using standard conversion rates from wet/semi-processed to dried products).

Example 1: The fee of a licence for producing 1,500 kg of dried Lollyfish (*holothuria atra*) is 468,750VT.

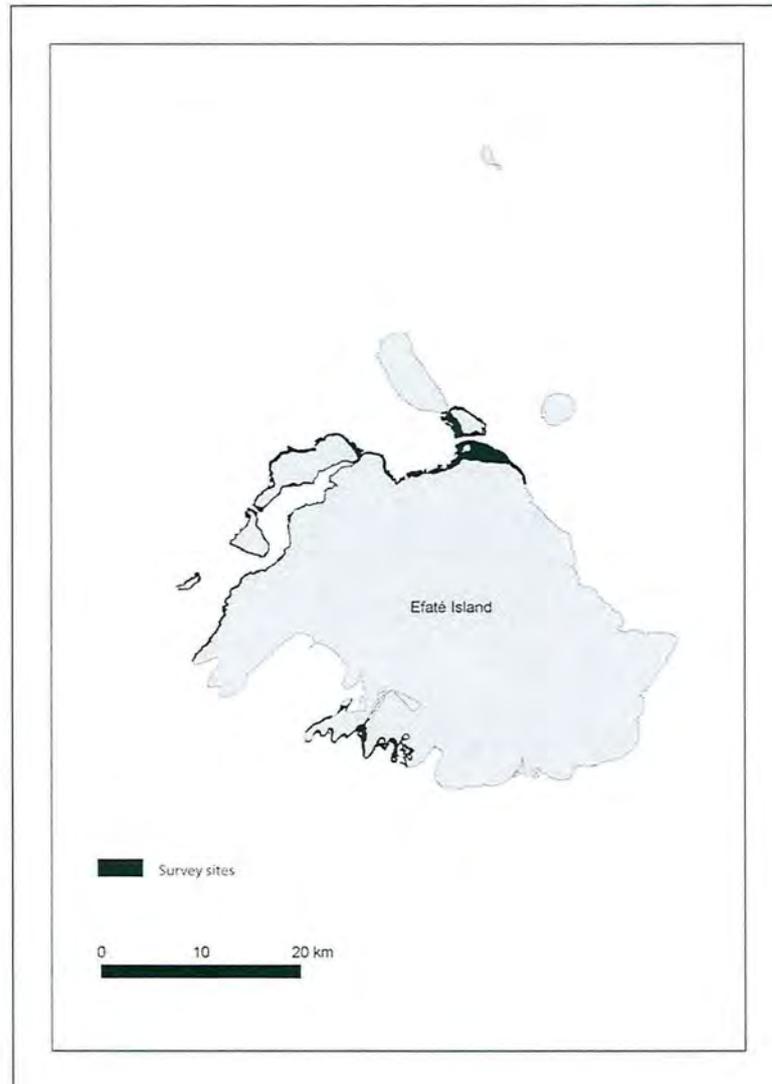
Example 2: The fee of a licence for producing 500 kg of dried Curryfish (*Stichopus herrmanni*) is 250,000VT.

SCHEDULE 27B SELECTED AREAS

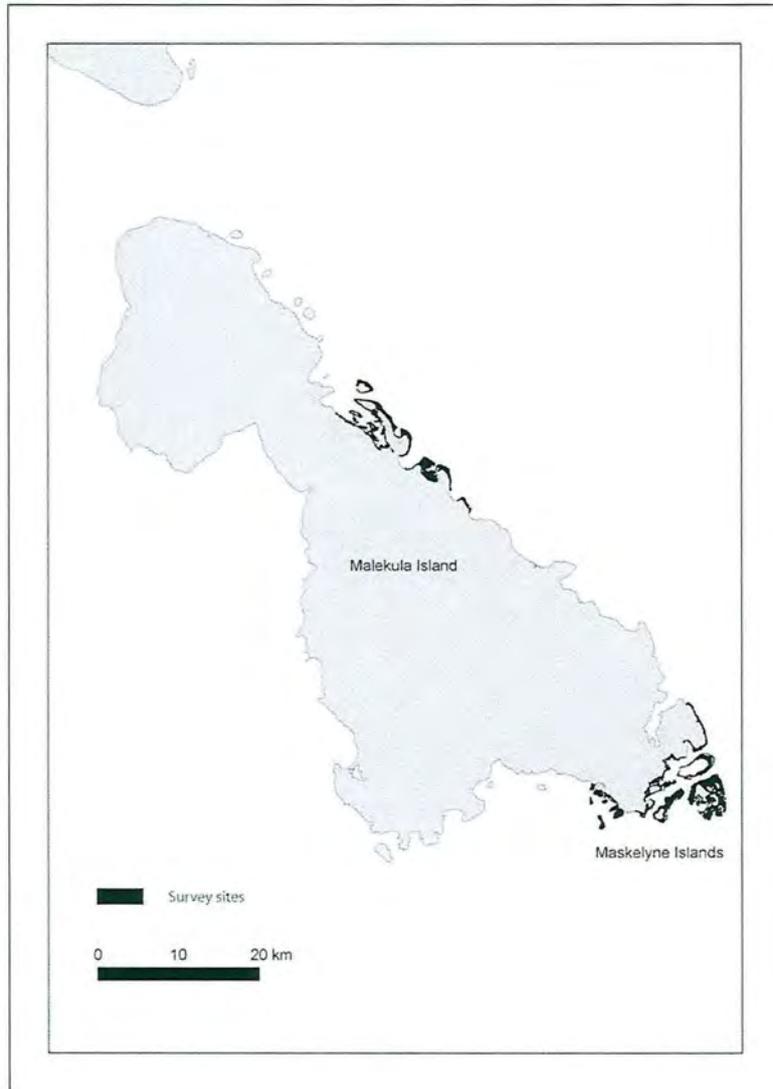
(Regulation 61A(1))

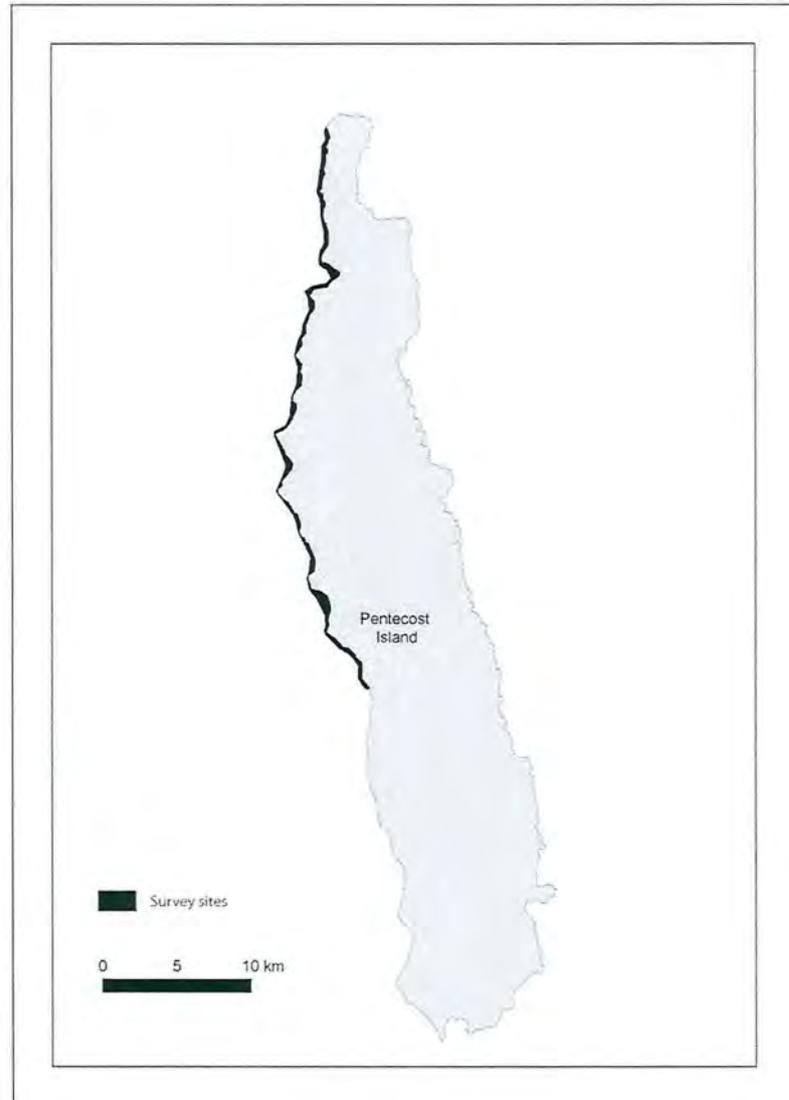


SCHEDULE
AMENDMENTS OF THE FISHERIES REGULATIONS ORDER NO. 28 OF 2009



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Note 1:Black shadings indicate the areas where Harvesting of Beche-De-Mer is licenced.

Note 2:All licence holders must only harvest at the selected areas designated to them by the Department.