

Regulation No. 2008-6 of 9th of June 2008, “Fisheries Regulations, 2008”

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FISHERIES ACT, 2007
(Nº. 6 OF 2007)

FISHERIES REGULATIONS, 2008

ARRANGEMENT OF REGULATIONS

PART I — PRELIMINARY

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|---------------------------|--|
| Citation and commencement | <p>1. These Regulations may be cited as the Fisheries Regulations, 2008 and comes into force on 1st April 2008.</p> |
| Interpretation | <p>2. (1) In these Regulations, unless the context otherwise requires-</p> <p>"Act" means the Fisheries Act, 2007;</p> <p>"delinquent status", in relation to a fishing vessel, has the meaning given to it under regulation 10 of these Regulations;</p> <p>"GRT" means Gross Registered Tonnage;</p> <p>"industrial fishing vessel" means a decked fishing vessel which has characteristics exceeding those of artisanal fishing vessels;</p> <p>"master" means the master of a vessel to which these Regulations relate;</p> <p>"responsible status", in relation to a fishing vessel, has the meaning given to it under regulation 8 of these Regulations;</p> <p>"satellite communication system" means a communication system designed for receiving and transmitting data via satellites and earth stations;</p> <p>"Vessel Monitoring System (VMS) administrator" means the person for the time being designated by the Director as the coordinator of operations of the Vessel Monitoring System and custodian of information on vessel movements and activities as recorded in the Vessel Monitoring System;</p> <p>"Vessel Monitoring System (VMS) unit" means that component of a Vessel Monitoring System known as an automatic location communicator;</p> <p>(2) A word or phrase, which is not specifically defined in these Regulations but is defined in the Act, has the meaning given to it in the Act.</p> |

PART II — REGISTER OF FISHING VESSELS

- Register of Fishing Vessels **3.** (1) The Director shall maintain or cause to be maintained a Register of Fishing Vessels.
- (2) A licence shall not be issued under the Act in respect of-
- (a) a local fishing vessel;
 - (b) a sports fishing vessel;
 - (c) a vessel used for research or test fishing operations; or
 - (d) a foreign fishing vessel,
- unless that vessel is registered on the Register of Fishing Vessels and has a responsible status in accordance with regulation 8 of these Regulations.
- Application **4.** Every application for registration of a fishing vessel on the Fishing Vessel Register shall be-
- Schedule I (a) made by the owner of the vessel in the Form prescribed in Schedule I to these Regulations;
- (b) addressed to the Director; and
 - (c) accompanied by the prescribed registration fee.
- Registration fees **5.** (1) The fees payable for the registration of a fishing vessel on the Register of Fishing Vessels shall be the amount prescribed in Schedule II to these Regulations.
- Schedule II (2) The Director shall, with the approval of the Secretary of State, determine the currency in which the fees payable for the registration of a fishing vessel on the Register of Fishing Vessels shall be paid.
- Inspection **6.** (1) The Director shall, on receipt of an application in accordance with regulation 4 of these Regulations, cause the fishing vessel to be inspected.
- (2) The Director may also cause the fishing vessel to be inspected at any time after the registration of the vessel.
- Grounds for refusal of registration **7.** (1) A fishing vessel shall not be registered on the Register of Fishing Vessels unless the Director is satisfied that-
- (a) an application has been made in accordance with regulation 4 of these Regulations and is true, correct and complete in every way;
 - (b) the fee prescribed in Schedule II has been paid;
 - (c) the vessel, or its owner, has not been convicted within the last five years of an offence under the Act or its regulations;
 - (d) the vessels, or its owner, has not been convicted within the last five years of an offence under the laws of The Gambia governing navigation, customs, immigration, fiscal measures, health, narcotics or firearms;
- Schedule II

(e) no evidence exists that gives reasonable cause to believe that the vessel has undermined the effectiveness of international conservation and management measures or has taken part in illegal fishing in the waters of another State or in international waters; and

(f) all other information requested by the Director have been provided in the manner requested or required.

2) The Director may, having regard to the circumstances of the case, and with the approval of the Secretary of State, waive the requirements of sub-paragraphs (c) and (d) of paragraph (1) of this regulation, where the vessel, or its owner, has been convicted of an offence, the gravity of which does not, in his or her opinion, require the denial of registration.

Registration and responsible status

8. (1) The Director may, where he or she is satisfied that a fishing vessel meets the requirements of regulation 7 of these Regulations, register the fishing vessel on the Register of Fishing Vessels and accord the fishing vessel a responsible status.

Change of ownership and modification of the vessel

9. A change of ownership of, or addition or modification to, a fishing vessel registered on the Register of Fishing Vessels in accordance with the provisions of the Act and these Regulations shall be notified to the Director by the owner or the new owner of the vessel, as the case may be, within thirty days of the change of ownership, addition or modification.

Delinquent status

10. (1) The Director shall decide to remove the responsible status of a registered fishing vessel and accord that vessel a "delinquent" status if-

(a) the vessel, or its owner or operator, has repeatedly violated the provisions of the Act and its regulations;

(b) the vessel, or its owner or operator, has repeatedly violated any Law of The Gambia governing navigation, customs, immigration, fiscal measures, health, narcotics or firearms;

(c) evidence exists that gives reasonable cause to believe that the vessel has committed a serious offence against the fisheries laws or regulations of another sub-regional state or against any international conservation and management measures and it has not been possible to bring the vessel or its owner or operator to trial;

(d) the owner has submitted information that is untrue, incomplete or incorrect in connection with his or her application for Registration; or

(e) the owner or the new owner of the fishing vessel, as the case may be, has failed to comply with the requirement of regulation 9 of these Regulations.

(2) Where the Director accords a fishing vessel a delinquent status under paragraph (1) of this regulation, a licence issued in respect of the fishing vessel shall cease to be valid forthwith.

- Appeal **11.** The owner of a fishing vessel which has been accorded a delinquent status in accordance with regulation 10 of these Regulations may, within thirty days of the receipt of notification of that decision, appeal against it to the Secretary of State, whose decision shall be final.
- Sharing of information **12.** The information contained in the Register of Fishing Vessel may be shared with any administrator of a register of fishing vessels of another sub-regional State or with any administrator of a regional register of fishing vessels maintained under a regional or sub-regional fisheries management agreement or arrangement.
- Other requirements for registration **13.** The requirement to register on the Register of Fishing Vessels is in addition to, and not derogation from, any other requirement for registration under any other law of The Gambia relating to the registration of ships.

PART III — REGISTER OF COMMERCIAL FISHING CANOES

- Register of Commercial Fishing Canoes **14.** (1) The Director shall maintain, or cause to be maintained, a Register of Commercial Fishing Canoes, in which shall be entered the name of a person who owns a fishing canoe and who meets the requirements of regulation 17 of these Regulations.
(2) A canoe shall not undertake commercial fishing in the fisheries waters without being registered as a commercial fishing canoe.
- Request **15.** An application for registration of a canoe as a commercial fishing canoe shall be-
- Schedule III (a) made in the Form prescribed in Schedule III to these Regulations;
(b) be addressed to the Director; and
(c) be accompanied by the prescribed registration fee.
- Registration fee Schedule II **16.** The fee payable for registration as a commercial fishing canoe shall be the amount prescribed in Schedule II to these Regulations.
- Requirements **17.** (1) A commercial fishing canoe shall not be registered in the Register of Commercial Fishing Canoes unless the Director is satisfied that-
(a) the owner or the master of the canoe has not been convicted within the last five years of an offence under the Act or its regulations;
(b) the owner or master of the canoe has not been convicted within the last five years of an offence under the laws of The Gambia governing navigation, customs, immigration, fiscal measures, health,

narcotics or firearms; and

(c) be such other requirements, as the Director may specify, have been fulfilled.

(2) The Director may, having regard to the circumstances of the case, and with the approval of the Secretary of State, waive the requirements of sub-paragraphs (a) and (b) of paragraph (1) of this regulation, where the owner or master of the canoe has been convicted of an offence, the gravity of which does not, in his or her opinion, require the denial of registration as a commercial fisherfolk.

Registration card

18. (1) Where the owner or master of a fishing canoe fulfils all the requirements of regulation 17 of these Regulations, the Director may enter his or her name and the canoe in the Register of Commercial Fishing Canoes.

Schedule II

(2) A person whose name is entered in the Register of Commercial Fishing Canoes shall, on payment of the fee prescribed in Schedule II, be given a registration card and number signifying that he or she is registered as a master or an owner of a commercial fishing canoe.

Schedule II

(3) On payment of the fee prescribed in Schedule II to these Regulations, a commercial fishing canoe which is entered in the Register of Commercial Fishing Canoes shall be given a number and a permit signifying that it is registered as a commercial fishing canoe.

Schedule IV

(4) A registration card issued to the master or owner of a commercial fishing canoe shall be in the Form set out in Schedule IV to these Regulations and may indicate whether the master or owner is a full-time commercial fisherfolk or a part-time commercial fisherfolk and the type of fishing method to be used.

(5) A registration card issued to the master or owner who is a commercial fisherfolk shall, unless earlier suspended or cancelled under regulation 19 of these Regulations, be valid for a period of one year from the date of its issuance.

(6) The registration card shall be kept in safe custody by the master or owner to whom it is issued and shall be produced for inspection at any reasonable time when so required by an authorized officer.

Suspension and cancellation

19. Where a registered master of a commercial fishing canoe or a member his or her crew on-board the registered canoe has been convicted of an offence under the Act or its regulations, the Director may, in the case of-

(a) a first offence, suspend the registration of the master and the permit of the fishing canoe for a period of not more than six months;

(b) a second offence, suspend the registration of the master and the permit of the fishing canoe for a period of not more than twelve months;

(c) third and subsequent offences, cancel the registration of the master or owner and the permit of the fishing canoe.

(2) Where a registered master or owner of a commercial fishing canoe has been convicted of an offence under the laws of The Gambia governing navigation, customs, immigration, fiscal measures, health, narcotics or firearms, the Director may suspend his or her registration for such period of time as he or she thinks fit or cancel the registration.

Appeal

20. A master of a commercial fishing canoe whose registration has been suspended or cancelled in accordance with regulation 19 of these Regulations may, within thirty days of the receipt of notification of that decision, appeal against it to the Secretary of State, whose decision shall be final.

PART IV — FOREIGN FISHING VESSEL LICENCE

Application
Schedule V

21. (1) An application for a foreign fishing vessel licence shall be in the Form prescribed in Schedule V to these Regulations and be addressed to the Director.

(2) The application for a foreign fishing vessel licence shall contain-

- (a) the vessel's name, registration numbers and port of registry;
- (b) the vessel's International Radio Call Signal;
- (c) the names and addresses of the vessel's owners and operators;
- (d) where and when the vessel was built;
- (e) the type of vessel;
- (f) the vessel's length;
- (g) the type of fishing method or methods;
- (h) the gross tonnage of the vessel;
- (i) the power of the main engine or engines of the vessel; and
- (j) such other information as the Director may require for the purpose of giving effect to international conservation and management measures.

Licence
Schedule VI

22. (1) A foreign fishing vessel licence shall be as prescribed in Schedule VI to these Regulations.

(2) Where a licence has been issued but not yet received by the foreign fishing vessel, a confirmation by telex, fax or cable of the licence and information contained in the licence and carried on board will constitute sufficient authority.

(3) A foreign fishing vessel licence shall be valid, unless earlier suspended or cancelled for-

- (a) a maximum period of six months from the date of its issuance;

- (b) a specified period computed on pro-rata basis; or
- (c) the term of the applicable access agreement, whichever first occurs.

Fees
Schedule II

23. (1) The fees payable for the issuance of a foreign fishing vessel licence shall be the amount prescribed in Schedule II to these Regulations or as provided for in the applicable access agreement.

(2) The Director shall with the approval of the Secretary of State, determine the currency in which any fee or other charge payable for the issuance of a foreign fishing vessel licence shall be paid.

Agent

24. (1) There shall, in respect of a licensed foreign fishing vessel, be an agent appointed and maintained by the owner or charterer of the foreign vessel who-

- (a) is authorized to act on behalf of the owner, master or charterer of that vessel; and
- (b) is able to accept legal responsibility on behalf of the owner, master or charterer for any action, juridical or otherwise, taken in respect of that vessel.

(2) The agent shall be a Gambian national.

(3) Any communication, information, document, direction or request or response to or from the agent is deemed to have been sent to or received from the owner, master or charterer of the vessel.

(4) The owner or operator of the vessel shall notify the Director in writing at the time of application for a foreign fishing vessel licence of the appointment of an agent under paragraph (1) of this regulation, together with his or her name and address, and thereafter of any subsequent change of agent.

Grounds for refusal of a licence

25. Without prejudice to any other provision of the Act, a licence in respect of a foreign fishing vessel shall not be issued unless-

- (a) the vessel is registered in the Register of fishing vessels as a foreign fishing vessel and has been accorded a responsible status;
- (b) an application has been made in accordance with regulation 21 of these Regulations and is true, correct and complete in every way;
- (c) an agent is appointed and maintained in accordance with regulation 24 of these Regulations;

Schedule II

- (d) the fee prescribed in Schedule II to these Regulations has been paid;
- (e) the costs of fisheries observers to be placed on-board have been paid, including-
 - (i) costs related travel to and from the vessel,
 - (ii) the full amount of such salary as may be specified by the Director,

(iii) full insurance cover in respect of loss of life, medical expenses or personal injury;

(f) the vessel is equipped and fitted with the communication means referred to under Part IX of these Regulations; and

(g) all information requested by the Director in respect of the proposed fishing operations, or required under the applicable access agreement, have been provided in the manner requested or required.

General conditions

26. A foreign fishing vessel licence shall, among others, be subject to the following conditions —

(a) the vessel shall only be used for such fishing operations and during such periods and in such places and with such fishing gear as are specified in the licence;

(b) any change in the information supplied in the application form shall be notified to the Director as soon as practicable, and, in any case, not later than seven days from the date of the change;

(c) the vessel shall at all times in the fisheries waters-

(i) fly the flag of the State in which it is registered,

(ii) display identification markings as prescribed in Schedule VII to these Regulations,

(iii) display lights and shapes for the vessel and activity in which it is engaged in compliance with the requirements of the Convention on the International Regulations for Preventing Collisions at Sea 1972 (COLREG 1972) and the International Conference on Revision of the International Regulations for Preventing Collisions at Sea 1990 (1990 Edition);

(d) the vessel shall not be used for fishing within one nautical mile of a fish aggregating device without the written permission of the person who was responsible for placing the device;

(e) fish shall not be trans-shipped from or onto the vessel while in the fisheries waters except with the prior written approval of the Director in accordance with such conditions as he or she may specify;

(f) the vessel shall, unless the Director otherwise directs in writing, carry a person who is able to communicate effectively in English and in the language of the master of the vessel and that person may be the master;

(g) the master shall cause a fishing logbook to be maintained at all times while the vessel is in the fisheries waters and up-to-date entries to be made daily and in such form as the Director may, from time to time require in writing for the purpose recording the fishing operations of the vessel;

Schedule VII

(h) in particular, but without limiting the generality of the sub-paragraph (g) of this paragraph, the master shall cause the following information to be entered relating to the activities of the vessel during that day-

- (i) the fishing effort of the vessel,
- (ii) the methods of fishing used,
- (iii) the areas in which fishing was undertaken,
- (iv) the species of fish taken, and the quantity and condition of each species,
- (v) the species of fish taken and returned to the sea, and the quantity and condition of each species,
- (vi) such information regarding foreign fishing as may be required by the Director in accordance with standards adopted by member States of a fisheries management agreement or arrangement to which The Gambia is a member,
- (vii) such other information as the Director may reasonably require in writing in order to ascertain the fishing or other activities of the vessel in the fisheries waters;

(i) the master shall certify that the information contained in the logbook maintained under sub-paragraph (g) of this paragraph

(j) the master shall cause the logbook maintained under sub-paragraph (g) of this paragraph to be transmitted in its original and unaltered form to the Director or to any other person or organization designated by him or her-

- (i) not later than fourteen days after the completion of the voyage to which the logbook relates, or
- (ii) at any other time, at the request of the Director or any authorized officer;

(k) the master shall cause reports containing information referred to in sub-paragraph (h) of this paragraph to be made to the Director or such other person or organization designated by him or her at the following times-

- (i) immediately upon entry into the fisheries waters,
- (ii) any day or such other day as the Director may specify while the vessel is in the fisheries waters,
- (iii) immediately upon departure from the fisheries waters, and
- (iv) such other times as the Director may specify;

(l) each report made under sub-paragraph (k) of this paragraph shall contain the following information-

- (i) the international radio call sign,
- (ii) the position of the vessel at the time of reporting,
- (iii) the total catch by weight by species on board the vessel at the time of reporting, and
- (iv) such other matters as the Director may require from time to time;

(m) the operator of the vessel or his or her agent shall notify the Director or such other person or organization designated by the Director of the entry of the vessel into any port in The Gambia at least twenty-four hours prior to the entry;

(n) the master of the vessel shall cause to be maintained on board the vessel, at all times while the vessel is in the fisheries waters, a ship's log separate from the fishing logbook as maintained under sub-paragraph (g) of this paragraph and shall enter in that log-

- (i) a record of the date, time and nature of every instruction or direction normally recorded in the ships, log, and
- (ii) every requirement communicated to the master by the Director or any authorized officer;

(o) the master and each member of the crew of the vessel, shall allow and assist a fisheries observer to-

- (i) board the vessel for scientific, compliance, monitoring and other functions as the Director may require,
- (ii) embark at an agreed time and place,
- (iii) disembark at an agreed time and place, and
- (iv) carry out all duties safely;

(p) the master shall provide a fisheries observer, while on, board the vessel, at no charge, with food, accommodation and medical facilities equivalent to that provided to officers;

(q) the master and each member of the crew of the vessel shall provide all reasonable assistance in their power to enable an authorized officer or a fisheries observer to perform his or her duties in accordance with the Act and, in particular, but without restricting the generality of the foregoing, shall-

- (i) provide him or her with full access to the bridge, fishing gear and areas which may be used to hold, process, weigh and store fish and any fish on board,
- (ii) provide him or her with full access to the vessel's records including its logs and documentation for the purposes of inspection and copying,

- (iii) provide him or her with a suitable work area including a table and sufficient lighting to carry out his or her work,
- (iv) provide him or her, on request, with the accurate position of the vessel in latitude and longitude and full access to navigation equipment and charts,
- (v) promptly send and receive messages on his or her behalf by means of the communications equipment on board the vessel, and
- (vi) provide him or her with suitable storage facilities for any samples taken;

(r) at least twenty per cent of the crew on board shall be Gambian nationals who shall be appointed according to their level of competence, skills, physical fitness and experience;

(s) the master or a crew member of the vessel shall not assault, obstruct or intimidate a Gambian crew member;

(t) the operator shall 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);

(u) the master of the vessel shall, while in the fisheries waters, take all reasonable measures and precautions to avoid causing damage to any local fishing operations, including non-commercial operations;

(v) the master shall cause to be carried on the vessel the latest edition of the International Code of Signals published by the International Maritime Organisation Marine Safety Committee, and the signals specified in the Code shall be used in every communication by radio, flag or light by a licensed vessel in the fisheries waters; and

(w) each member of the crew of the vessel shall comply with the requirements of the Act and regulations or other instruments made under the Act.

Stowage of gear **27.** The prescribed manner in which a fishing gear shall be stowed for the purposes of section 36 of the Act is as follows-

- (a) the fishing gear shall be stowed wholly on board the vessel;
- (b) the beam shall be lowered as far as possible so that the vessel cannot be used for fishing but so that the skiff is accessible for use in emergency situations;
- (c) all nets, trawl board and weights shall be disconnected from the towing or hauling wires or ropes and all mechanical hauling devices shall be sufficiently disconnected as to be incapable of immediate use;

(d) where possible, the fishing gear shall be stowed below deck and any fishing gear carried on or above deck shall be secured to some part of the super-structure or hull of the vessel and

(e) the helicopter, if any, shall be tied down.

Notifications
and reports

28. (1) The master shall cause any notification, record or logbook required to be made or maintained under the Act or these Regulations to be made or maintained in English.

Schedule VIII

(2) For the purpose of recording catch and effort data, the master of every foreign fishing vessel licensed to fish in the fisheries waters shall use the log sheets specified in Schedule VIII to these Regulations.

(3) In addition to the catch and effort data required to be recorded on the log sheets, the Director may require such additional information to be provided in respect of the fishing operations as he or she may determine is appropriate for fisheries conservation and management.

PART V — LOCAL FISHING VESSEL LICENCE

Application
Schedule IX

29. Every application for a local fishing vessel licence shall be as prescribed in Schedule IX to these Regulations and be addressed to the Director.

Licence
Schedule X

30. (1) Every local fishing vessel licence shall be in the Form prescribed in Schedule X to these Regulations.

(2) A local fishing vessel licence shall be valid, unless earlier suspended or cancelled, for-

(a) a maximum period of six months from the date of its issuance; or

(b) a specified period computed on a pro-rata basis.

Fees
Schedule II

31. The fees payable for the issuance of a local fishing vessel licence shall be the amounts prescribed in Schedule II to these Regulations.

Grounds for
refusal of a
licence

32. Without prejudice to any other provision of the Act, a licence in respect of a local fishing vessel shall not be issued unless-

(a) the vessel is registered in the Register of Fishing Vessels as a local fishing vessel and has been accorded a responsible status;

(b) an application has been made in accordance with regulation 29 of these Regulations and is true, correct and complete in every way;

Schedule II

(c) the fee prescribed in Schedule II to these Regulations has been paid;

(d) all information requested by the Director in respect of the proposed fishing operations have been provided in the manner requested or required.

General conditions

33. Every licence in respect of a local fishing vessel shall be subject, among others, to the following general conditions —

(a) the vessel shall only be used for such fishing operations and during such periods and in such places and with such fishing gear as are specified in the licence;

(b) any change in the information provided in the application form shall be notified to the Director as soon as practicable, and, in any case, not later than seven days from the date of the change;

Schedule VII

(c) the vessel shall display the identification marks as prescribed in Schedule VII to these Regulations;

(d) no fish may be trans-shipped from or onto the vessel except with the prior written approval of the Director in accordance with such conditions as he or she may specify;

(e) the master of the vessel shall, if so required by the Director, cause a logbook to be maintained on a daily basis in such form as the Director may, from time to time, require for the purpose of recording the fishing operations of the vessel;

(f) any logbook maintained under the subparagraph (e) of this paragraph shall be transmitted in its original and unaltered form to the Director at such time as he or she may require;

(g) the master and each member of the crew of the vessel shall provide all reasonable assistance in their power to enable an authorized officer or a fisheries observer to perform his or her duties in accordance with the Act;

(h) each member of the crew of the vessel shall comply with the requirements of the Act and its regulations and other instruments made under the Act; and

(i) if the vessel is fishing in the waters of another State, it shall comply with such laws relating to fishing of that State, if any, as may be recognized by the Government as having force in those waters.

Notifications and reports

34. (1) The master shall cause any notification, record or logbook required to be made or maintained under the Act or these Regulations to be made or maintained in English.

Schedule XI

(2) For the purpose of recording catch and effort data, the operator of every local fishing vessel licensed to fish in the fisheries waters shall use the log sheets specified in Schedule XI to these Regulations.

(3) In addition to the catch and effort data required to be recorded on the log sheets, the Director may require such additional information to be provided in respect of the fishing operations as he or she may determine is appropriate for fisheries conservation and management.

PART VI — SPORTS FISHING VESSEL LICENCE

Application Schedule XII	<p>35. Every application for a sports fishing vessel licence shall be in the Form prescribed in Schedule XII to these Regulations and be addressed to the Director.</p>
Licence Schedule XIII	<p>36. (1) Every sports fishing vessel licence shall be as prescribed in Schedule XIII to these Regulations.</p> <p>(2) A sports fishing vessel licence shall be valid, unless earlier suspended or cancelled, for-</p> <ul style="list-style-type: none">(a) maximum a period of one year from the date of its issuance; or(b) a specified period computed on a pro-rata basis, <p>whichever first occurs.</p>
Fees Schedule II	<p>37. (1) The fee payable for the issuance of a sports fishing vessel licence shall be the amount set out in Schedule II to these Regulations.</p> <p>(2) The Director shall with approval of the Secretary of State, determine the currency in which any fee or other charge payable for the issuance of a sports fishing vessel licence shall be paid.</p>
Grounds for refusal of a licence	<p>38. Without prejudice to any other provision of the Act, a licence in respect of a sports fishing vessel shall not be issued unless-</p> <ul style="list-style-type: none">(a) the vessel is registered in the Register of Fishing Vessels as a sports fishing vessel and has been accorded a responsible status;(b) an application has been made in accordance with regulation 35 of these Regulations and is true, correct and complete in every way;
Schedule II	<ul style="list-style-type: none">(c) the fee prescribed in Schedule II to these Regulations has been paid; and(d) all information requested by the Director in respect of the proposed fishing operations have been provided in the manner requested or required.
General conditions	<p>39. Every licence in respect of a sports fishing vessel shall be subject, among other, to the following general conditions -</p> <ul style="list-style-type: none">(a) the vessel shall only be used for such sports fishing operations and during such periods and in such places and with such fishing gear as are specified in the licence;(b) any change in the information provided in the application form shall be notified to the Director as soon as practicable, and in any case not later than seven days from the date of the change;
Schedule VII	<ul style="list-style-type: none">(c) the vessel shall display the identification marks as prescribed in Schedule VII to these Regulations;(d) a person shall not sell fish caught under a sports fishing vessel licence unless with the prior written approval of the Director;

- (e) a person on board the sports fishing vessel shall fish by the method of angling with a hook or lure attached to a line held in the hand or attached to a pole, rod or reel;
- (f) a person shall not use a spear, fish trap or net other than a dip net or cast net;
- (g) the owner or operator of the vessel shall not use more than six rods or reels unless he or she is in possession of a licence authorizing the use of more rods or reels;
- (h) not more than two hundred kilograms of fish may be caught per vessel per day, and any fish taken exceeding this weight limit shall not be injured unnecessarily and shall be returned alive to their waters;
- (i) a vessel shall not have on board any turtle, conch or lobster;
- (j) the master of the vessel shall, if so required by the Director, cause a logbook to be maintained on a daily basis in such form as the Director may, from time to time, require for the purpose of recording the fishing operations of the vessel;
- (k) any logbook maintained under the sub-paragraph (j) of this paragraph shall be transmitted in its original and unaltered form to the Director at such time as he or she may require;
- (l) the master and each member of the crew of the vessel shall provide all reasonable assistance in their power to enable an authorized officer or a fisheries observer to perform his or her duties in accordance with the Act;
- (m) each member of the crew and any other person on board the vessel shall comply with the requirements of the Act and its regulations and other instruments made under the Act.

PART VII — RESEARCH AND TEST FISHING OPERATIONS

Application
Schedule XIV

40. (1) Every application for a research licence shall be in the Form prescribed in Schedule XIV to these Regulations and be addressed to the Director.

Schedule XV

(2) Every application for a test fishing licence shall be as prescribed in Schedule XV to these Regulations and be addressed to the Director.

(3) The application for a research or test fishing licence shall contain details of, among others-

- (a) the vessel's name, registration numbers and port of registry;
- (b) the vessel's International Radio Call Signal;
- (c) the names and addresses of the vessel's owners and operators;
- (d) where and when the vessel was built;

- (e) the type of vessel;
- (f) the vessel's length;
- (g) the type of fishing method or methods;
- (h) the gross tonnage of the vessel;
- (i) the power of the main engine or engines of the vessel; and
- (j) any other information the Director requires for the purpose of giving effect to international conservation and management measures.

(4) Every application shall be accompanied by a detailed research or test fishing operations plan as the case may be.

Licence
Schedule XVI

41. (1) Every research licence shall be as prescribed in Schedule XVI to these Regulations.

Schedule XVII

(2) Every test fishing licence shall be as prescribed in Schedule XVII to these Regulations.

(3) A research or test fishing licence shall be valid, unless earlier suspended or cancelled, for a period of one month from the date of its issuance.

Fees
Schedule II

42. (1) The fees payable for the issuance of a research or test fishing licence shall be the amount set out in Schedule II to these Regulations.

(2) The Director shall with the approval of the Secretary of State, determine the currency in which any fee or other charge payable for the issuance of a research or test fishing licence shall be paid.

Grounds for
refusal of a
licence

43. Without prejudice to any other provision of the Act, no licence in respect of a fishing vessel used for research or test fishing operations shall be issued unless-

(a) the vessel is registered in the Register of Fishing Vessels as a vessel used for research or test fishing operations and has been accorded a responsible status;

(b) an application has been made in accordance with regulation 40 of these Regulations and is true, correct and complete in every way;

Schedule II

(c) the fee prescribed in Schedule II to these Regulations has been paid;

(d) the vessel is equipped and fitted with the communication means referred to under Part IX of these Regulations;

(e) all information requested by the Director in respect of the proposed research or test fishing operations have been provided in the manner requested or required.

General
conditions

44. Every research or test fishing licence shall be subject, among others, to the following general conditions —

(a) the master of the vessel or his or her agent shall notify the

Director or such other person or organization designated by him or her of the entry of the vessel into any port in The Gambia at least twenty-four hours prior to the entry;

(b) the vessel shall only be used for such research or test fishing operations and during such periods and in such places and with such fishing gear as are specified in the licence;

(c) any change in the information provided in the application form shall be notified to the Director as soon as practicable, and, in any case, not later than seven days from the date of the change;

(d) the results, conclusions and benefits derived from the research or test fishing operations shall be shared with the Director within seven days after expiration of the licence;

(e) the vessel shall at all times in the fisheries waters-

(i) fly the flag of the State in which it is registered,

(ii) display identification markings as prescribed in Schedule VII to these Regulations, and

(iii) display lights and shapes for the vessel and activity in which it is engaged in compliance with the requirements of the Convention on the International Regulations for Preventing Collisions at Sea 1972 (COLREG 1972) and the International Conference on Revision of the International Regulations for Preventing Collisions at Sea 1990 (1990 Edition);

(f) the vessel shall not be used for fishing within one nautical mile of a fish aggregating device without the written permission of the person who was responsible for placing the device;

(g) no fish shall be trans-shipped from or onto the vessel while in the fisheries waters except with the prior written approval of the Director in accordance with such conditions as he or she may specify;

(h) the vessel shall, unless the Director otherwise directs in writing, carry a person who is able to communicate effectively in English and in the language of the master of the vessel and that person may be the master;

(i) the master shall cause a fishing logbook to be maintained at all times while the vessel is in the fisheries waters and up-to-date entries to be made daily and in such form as the Director may, from time to time, require in writing for the purpose of recording the fishing operations of the vessel;

(j) in particular, but without limiting the generality of the preceding sub-paragraph (i) of this paragraph, the master shall cause the following information to be entered relating to the activities of the vessel during the day the entries are made-

Schedule VII

- (i) the research or test fishing operations of the vessel,
- (ii) the methods of fishing used,
- (iii) the areas in which research or test fishing was undertaken,
- (iv) the species of fish taken, and the quantity and condition of each species,
- (v) the species of fish taken and returned to the sea, and the quantity and condition of each species,
- (vi) such information regarding research or test fishing as may be required by the Director in accordance with standards adopted by the member States of a fisheries management agreement or arrangement to which The Gambia is a member, and
- (vii) such other information as the Director may reasonably require in writing in order to ascertain the research or test fishing or other activities of that vessel in the fisheries waters;

(k) the master shall certify that the information contained in the logbook maintained under sub-paragraph (i) of this paragraph is true, complete and correct;

(l) the master shall cause the logbook maintained under sub-paragraph (i) to be transmitted in its original and unaltered form to the Director or to any other person or organization designated by him or her-

- (i) not later than fourteen days after the completion of the voyage to which the logbook relates, or
- (ii) at any other time at the request of the Director or any authorized officer;

(m) the master shall cause reports containing information referred to in sub-paragraph (j) of this paragraph to be made to the Director or such other person or organization designated by him at the following times-

- (i) immediately upon entry into the fisheries waters,
- (ii) and day or such other day as the Director may specify while the vessel is in the fisheries waters,
- (iii) immediately upon departure from the fisheries waters, and
- (iv) such other times as the Director may specify;

(n) each report made under the sub-paragraph (m) of this paragraph shall contain the following information-

- (i) the international radio call sign,
- (ii) the position of the vessel at the time of reporting,

- (iii) the total catch by weight by species on board the vessel at the time of reporting, and
 - (iv) such other matters as the Director may require, from time to time;
- (o) the master of the vessel shall cause to be maintained on board the vessel, at all times while the vessel is in the fisheries waters, a ship's log separate from the fishing logbook as maintained under sub-paragraph (i) of this paragraph and shall enter in that log a record of the date, time and nature of every instruction or direction normally recorded in the ships log and every requirement communicated to the master by the Director or any authorized officer;
- (p) the master and each member of the crew of the vessel shall allow and assist a fisheries observer to-
- (i) board the vessel for scientific, compliance, monitoring and other functions as the Director may require,
 - (ii) embark at an agreed time and place,
 - (iii) disembark at an agreed time and place, (iv) carry out all duties safely;
- (q) the master shall provide the fisheries observer, while on board the vessel, at no charge, with food, accommodation and medical facilities equivalent to that provided to officers;
- (r) the master and each member of the crew of the vessel shall provide all reasonable assistance in their power to enable an authorized officer or a fisheries observer to perform his or her duties in accordance with the Act and in particular to, but without restricting the generality of the foregoing, shall-
- (i) provide him or her with full access to the bridge, fishing gear and areas which is used to hold, process, weigh and store fish and any fish on board,
 - (ii) provide him or her with full access to the vessel's records, including its logs and documentation for the purposes of inspection and copying,
 - (iii) provide him or her with a suitable work area, including a table and sufficient lighting to carry out his or her work,
 - (iv) provide him or her, on request, with the accurate position of the vessel in latitude and longitude and full access to navigation equipment and charts,
 - (v) promptly send and receive messages on his or her behalf by means of the communications equipment on board the vessel, and
 - (vi) provide him or her with suitable storage facilities for any samples taken;

(s) the operator shall 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);

(t) the master shall, while in the fisheries waters, take all reasonable measures and precautions to avoid causing damage to any local fishing operations including non-commercial operations;

(u) the master shall cause to be carried on the vessel the latest edition of the "International Code of Signals" published by the International Maritime Organisation Marine Safety Committee, and the signals specified in the Code shall be used in every communication by radio, flag or light by a licensed vessel in the fisheries waters;

(v) each member of the crew and any other person on board the vessel shall comply with the requirements of the Act and its regulations or other instruments made under the Act.

Notifications
and reports

45. (1) The master shall cause any notification, record or logbook required to be made or maintained under the Act or these Regulations to be made or maintained in English.

(2) For the purpose of recording catch and effort data, the master of every fishing vessel used for research or test fishing operations in the fisheries waters shall use log sheets as specified in Schedule VIII to these Regulations.

(3) In addition to the catch and effort data required to be recorded on the log sheets, the Director may require such additional information to be provided in respect of the research or test fishing operations as he or she may determine is appropriate for fisheries conservation and management.

PART VIII — HIGH SEAS FISHING

Application
Schedule XVIII

46. (1) Every application for a high seas fishing licence shall be the form prescribed in Schedule XVIII to these Regulations and be addressed to the Director.

(2) Every application for a high seas fishing licence shall contain details of, among others —

(a) the ship's name, previous names (if known), registration numbers and port of registry;

(b) the ship's previous flags (if any);

(c) the ship's International Radio Call Sign;

(d) the names and addresses of the ship's owners and operators;

(e) where and when the ship was built;

(f) the type of ship;

- (g) the ship's length;
- (h) the type of fishing method or methods;
- (i) the moulded depth of the ship;
- (j) the beam of the ship;
- (k) the gross tonnage of the ship;
- (l) the power of the main engine or engines of the ship;
- (m) vessel navigation and position fixing equipment; and
- (n) any other information the Director requires for the purpose of implementing the Compliance Agreement and the Fish Stocks Agreement, or for the purpose of giving effect to international conservation and management measures.

Licence
Schedule XIX

47. (1) Every high seas fishing licence shall be as prescribed in Schedule XIX to these Regulations.

(2) A high seas fishing licence shall be valid, unless earlier suspended or cancelled, for a maximum period of six months from the date of its issuance.

Fees
Schedule II

48. (1) The fee payable for the issuance of a high seas fishing licence shall be the amount set out in Schedule II to these Regulations.

(2) The Director may with the approval of the Secretary of State, determine the currency in which any fee or other charge payable for the issuance of a high seas fishing licence shall be paid.

Grounds for
refusal of a
licence

49. (1) Without prejudice to any other provision of the Act, no licence shall be issued for high seas fishing unless-

(a) an application has been made in accordance with section 46 of these Regulations and is true, correct and complete in every way;

Schedule II

(b) the fee prescribed in Schedule II to these Regulations has been paid;

(c) the costs of fisheries observers to be placed on board have been paid, including-

(i) costs related travel to and from the ship,

(ii) the full amount of such salary as may be specified by the Director, and

(iii) full insurance cover in respect of loss of life, medical expenses or personal injury;

(d) the ship is equipped and fitted with the communication means referred to under Part IX of the Regulations;

(e) all information requested by the Director in respect of the proposed high seas fishing operations has been provided in the manner requested or required.

(2) The Director shall not issue a high seas fishing licence to the applicant or in respect of any ship if that ship was previously authorized to be used for fishing on the high seas by a foreign State and-

(a) the foreign State suspended the authorization because the ship engaged in activities that are contrary to the provisions of international conservation and management measures, and the suspension has not expired; or

(b) the foreign State, within the last three years preceding the application for a high seas fishing licence, withdrew the authorization because the ship engaged in activities that are contrary to the provisions of international conservation and management measures.

(3) The restriction in paragraph (2) of this regulation does not apply if the ownership of the ship has changed since the ship undermined international conservation and management measures, and the new owner has provided sufficient evidence to the Director demonstrating that the previous owner or operator has no further legal beneficial or financial interest in the ship.

(4) The restriction in paragraph (2) of this regulation does not apply if the Director makes a determination that issuing a high seas fishing licence in respect of the ship would not undermine the object and purpose of the Compliance Agreement and the Fish Stocks Agreement.

General
conditions

50. Every high seas fishing licence shall be subject, among others to the following general conditions —

(a) the ship shall only be used for such fishing and related activities and during such periods and in such places as are specified in the permit;

(b) the ship shall at all times-

(i) fly the flag of the State in which it is registered,

(ii) display identification markings as specified in Schedule VII to these Regulations, and;

(iii) display lights and shapes for the ship and activity in which it is engaged in compliance with the requirements of the Convention on the International Regulations for Preventing Collisions at Sea 1972 (COLREG 1972) and the International Conference on Revision of the International Regulations for Preventing Collisions at Sea 1990 (1990 Edition);

Schedule VII

(c) the master shall cause a fishing logbook to be maintained at all times and up-to-date entries to be made daily and in such form as the Director may, from time to time require in writing for the purpose of recording the fishing operations or related activities of the ship;

(d) in particular, but without limiting the generality of sub-paragraph (c) of this paragraph, the master shall cause the following information to be entered relating to the activities of the ship during the day the entries are made-

- (i) the fishing effort of the ship,
- (ii) the methods of fishing used,
- (iii) the areas in which fishing was undertaken,
- (iv) the species of fish taken, and the quantity and condition of each species,
- (v) the species of fish taken and returned to the sea, and the quantity and condition of each species,
- (vi) such information regarding fishing on the high seas as may be required by the Director in accordance with the standards adopted by a fisheries management organisation or arrangement in areas where the standards shall apply, and
- (vii) such other information as the Director may reasonably require in order to ascertain the fishing or related activities of that ship

(e) the master shall certify that the information contained in the logbook referred to in sub-paragraph (c) of this paragraph is true, complete and correct;

(f) the master shall cause the logbook referred to in sub-paragraph (c) of this paragraph to be transmitted in its original and unaltered form to the Director or to any other person or organisation designated by him or her-

- (i) not later than fourteen days after the completion of the voyage to which the logbook relates, or
- (ii) at any other time at the request of the Director;

(g) the master shall cause reports containing information referred to in sub-paragraph (c) to be made to the Director, or such other person or organisation as the Director may designate in writing, at the following times-

- (i) any day or such other day as the Director may specify,
- (ii) immediately on departure from and entry into port, and
- (iii) such other times as the Director may specify;

(h) each report made under sub-paragraph (g) of this paragraph shall contain the following information —

- (i) the international radio call sign,
- (ii) the position of the ship at the time of reporting,

- (iii) the total catch by weight by species on board of the ship at the time of reporting, and
 - (iv) such other matters as the Director may require from time to time;
- (i) any change in the information provided in the application form shall be notified to the Director as soon as practicable, and, in any case, not later than seven days from the date of the change;
- (j) fish shall not be trans-shipped from or onto the ship except with the prior written approval of the Director in accordance with such conditions as he or she may specify;
- (k) the ship shall, unless the Director otherwise directs in writing, carry a person who is able to communicate effectively in English and in the language of the master of the ship and that person may be the master;
- (l) the master of the ship shall notify the Director or such other person or organization designated by him or her of the entry of the ship into any port in The Gambia at least twenty-four hours prior to the entry;
- (m) the master of the ship shall cause to be maintained on board of the ship, at all times a ship's log separate from the fishing logbook referred to in sub-paragraph (c) of this paragraph and shall enter in that log a record of the date, time and nature of every instruction or direction normally recorded in the ship's log and every requirement communicated to the master by the Director or any authorized officer;
- (n) the master and each member of the crew of a ship shall allow and assist a fisheries observer to-
- (i) board the ship for scientific, compliance, monitoring and other functions as the Director may require,
 - (ii) embark at an agreed time and place,
 - (iii) disembark at an agreed time and place, and
 - (iv) carry out all duties safely;
- (o) the master shall provide the fisheries observer, while on board of the ship, at no charge, with food, accommodation and medical facilities equivalent to that provided to officers;
- (p) the master and each member of the crew of the ship shall provide all reasonable assistance to enable an authorized officer or a fisheries observer to perform his or her duties in accordance with the Act and in particular, but without restricting the generality of the foregoing, shall-
- (i) provide him or her with full access to the bridge, fishing gear and areas which may be used to hold, process, weigh and store fish and any fish on board,

- (ii) provide him or her with full access to the ship's records, including its logs and documentation for the purposes of inspection and copying,
- (iii) provide him or her with a suitable work area, including a table and sufficient lighting to carry out his or her work,
- (iv) provide him or her, on request, with the accurate position of the ship in latitude and longitude and full access to navigation equipment and charts,
- (v) promptly send and receive messages on his or her, behalf by means of the communications equipment on board the ship, and
- (vi) provide him or her with suitable storage facilities for any samples taken;

(q) the operator shall 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);

(r) the master of the ship shall, while in the fisheries waters, take all reasonable measures and precautions to avoid causing damage to any local fishing operations, including non-commercial operations;

(s) the master shall cause to be carried on the ship the latest edition of the "International Code of Signals" published by the International Maritime Organisation Marine Safety Committee, and the signals specified in the Code shall be used in every communication by radio, flag or light by the ship; and

(t) each member of the crew and any other person on board the ship shall comply with the requirements of the Act and its regulations and other instruments made under the Act.

Notifications and reports

51. (1) The master shall cause any notification, record or logbook required to be made or maintained under the Act or these Regulations to be made or maintained in English.

Schedule VIII

(2) For the purpose of recording catch and effort data, the master of every fishing vessel used for high seas fishing shall use log sheets as specified in Schedule VIII to these Regulations.

(3) In addition to the catch and effort data required to be recorded on the log sheets, the Director may require such additional information to be provided in respect of the high seas fishing operations as he or she may determine is appropriate for fisheries conservation and management.

PART IX — COMMUNICATION

Communication means

52. (1) Every licensed local and foreign fishing vessel, every licensed fishing vessel used for research or test fishing operations and every Gambian ship used for fishing on the high seas shall be

equipped with operational radio equipment capable of providing radio telephone communications using maritime frequencies in the High Frequency and VHF bands.

(2) Every licensed ship or vessel referred to in paragraph (1) of this regulation shall be fitted with a Vessel Monitoring System unit approved by the Director and installed by an approved installer.

(3) The master of the licensed ship or vessel to which an approved Vessel Monitoring System unit is fitted shall-

(a) ensure that the Vessel Monitoring System unit is operating at all times while fishing and undertaking related activities in the fisheries waters;

(b) take reasonable measures to ensure that, if the Vessel Monitoring System unit ceases to operate, he or she is made aware of that fact;

(c) immediately after becoming aware that the Vessel Monitoring System unit has ceased to operate, notify the Vessel Monitoring System administrator of that fact;

(d) ensure, prior to engaging in any fishing activity or related activity, that-

(i) the Vessel Monitoring System unit has been switched on,

(ii) the operation of the Vessel Monitoring System unit has been tested,

(iii) the Vessel Monitoring System administrator has confirmed that the Vessel Monitoring System unit is operating.

(4) The operator of a licensed ship or vessel shall prevent any person other than an approved installer to-

(a) install a Vessel Monitoring System unit;

(b) attach a seal to a Vessel Monitoring System unit fitted to the ship or vessel;

(c) service or repair a Vessel Monitoring System unit fitted to the ship or vessel; or

(d) remove or interfere with-

(i) a Vessel Monitoring System unit fitted to the licensed ship or vessel, or

(ii) a seal on a Vessel Monitoring System unit fitted to the licensed ship or vessel.

(5) If the licensed ship or vessel to which an approved Vessel Monitoring System unit is fitted undergoes servicing or repairs while the Vessel Monitoring System unit is switched on, the operator of the ship or vessel shall, before using the ship or vessel for the purpose of engaging in any fishing operation, ensure that-

- (a) the operation of the Vessel Monitoring System unit has been tested;
- (b) the Vessel Monitoring System administrator has confirmed that the Vessel Monitoring System unit is operating.

(6) The Director may require the operator of the licensed ship or vessel to which an approved Vessel Monitoring System unit is fitted to modify or replace the Vessel Monitoring System unit within a specified period.

(7) The Director may give directions with respect to the installation, testing, servicing or repair of an approved Vessel Monitoring System unit fitted to a licensed ship or vessel to an approved installer or the operator of the ship or vessel.

Alternative communication means

53. (1) The operator of the licensed ship or vessel to which an approved Vessel Monitoring System unit is fitted shall ensure that-

- (a) there is on the ship or vessel a radio, telephone or other means of instantaneous electronic communication capable of providing communication between the ship's or vessel's crew and the Director or the Vessel Monitoring System administrator at all times during fishing and while conducting activities relating to fishing;

- (b) the Director is notified in writing of the call sign or other identifier that enables the ship's or vessel's crew to be contacted by the alternative means of communication on the ship or vessel;

- (c) the Director is provided in writing with the name and contact details of a person that the Director may contact if it has reason to believe that the Vessel Monitoring System unit has ceased to operate or that the ship's or vessel's crew cannot be contacted directly by the Director or the Vessel Monitoring System administrator;

- (d) the alternative means of communication on the ship or vessel under sub-paragraph (a) of this paragraph is operating at all times during any fishing operation;

- (e) any direction given by the Director or the Vessel Monitoring System administrator in respect of the alternative means of communication on the ship or vessel is complied with.

(2) The operator of the licensed ship or vessel must, within seven days of any change in the name or contact details of the nominated contact person, notify the Director in writing of the new name or contact details, as the case may require.

(3) The Vessel Monitoring System administrator may notify the nominated contact person that the Vessel Monitoring System unit is not operating if he or she-

- (a) has reason to believe that a Vessel Monitoring System unit fitted to a licensed ship or vessel has ceased to operate;

(b) is unable to contact the ship's or vessel's crew.

(4) If the Vessel Monitoring System administrator notifies the nominated contact person that the Vessel Monitoring System unit fitted to the ship or vessel is not operating, the person must immediately inform the operator of the ship or vessel, by the alternative means of communication on the ship or vessel, which the Vessel Monitoring System unit is not operating.

(5) If the Director is notified or becomes aware that the Vessel Monitoring System unit fitted to a licensed ship or vessel has ceased to operate, he or she may give the operator of the ship or vessel such directions as he or she considers necessary to ensure that the activities of the ship or vessel shall be monitored.

(6) Without limiting paragraph (5) of this regulation, such directions may include directions-

(a) requiring the geographical position and course of the ship or vessel to be notified to the Director at specified intervals during a specified period by the alternative means of communication on the ship or vessel; and

(b) requiring the ship or, vessel to be moved to a specified port.

PART X — AQUACULTURE

Application
Schedule XX

54. (1) Every application for an aquaculture licence shall be as prescribed in Schedule XX to these Regulations and be addressed to the Director.

(2) Every application for an aquaculture licence shall specify-

(a) the type of aquaculture system sought to be set up, including plans relating to the construction, development or possible modification of an aquaculture establishment to which the application relates;

(b) a plan of the site to which the application relates, including details on location of the aquaculture establishment and of all places, if applicable, at which the applicant intends to conduct aquaculture;

(c) details of the species, stages of life cycle and quantity of the aquaculture products to be bred, farmed, cultured or held;

(d) authorizations required or obtained under any other relevant legislation of The Gambia, including, but not limited to, an environmental clearance for the intended aqua-culture activity in accordance with the National Environment Management Act, 1994; and

(e) such other information as the Director may require for processing the application.

Licence Schedule XXI	<p>55. (1) Every aquaculture licence shall be as prescribed in Schedule XXI to these Regulations.</p> <p>(2) Every aquaculture licence shall contain information relating to, among others —</p> <ul style="list-style-type: none"> (a) the size of the area; (b) a description of the area; (c) the location of the area; (d) the species to be cultured; and (e) any other information the Director considers necessary. <p>(3) An aquaculture licence shall be valid, unless earlier suspended or cancelled, for a period of twenty years from the date of its issuance.</p> <p>(4) An aquaculture licence shall not be used for any other purpose except those purposes specified in the licence.</p>
Fees Schedule II	<p>56. (1) The fees payable for the issuance of an aquaculture licence shall be the amounts set out in Schedule II to these Regulations.</p> <p>(2) The Director shall with the approval of the Secretary of State, determine the currency in which any fee or other charge payable for the issuance of an aquaculture licence shall be paid.</p>
Grounds for refusal of a licence	<p>57. Without prejudice to any other provision of the Act, no aquaculture licence shall be issued unless-</p> <ul style="list-style-type: none"> (a) an application has been made in accordance with regulation 54 of these Regulations and is true, correct and complete in every way; (b) all authorizations required under any other relevant act of The Gambia have been obtained;
Schedule II	<ul style="list-style-type: none"> (c) the fee prescribed in Schedule II to these Regulations has been paid; and (d) all information requested by the Director in respect of the proposed aquaculture activity have been provided in the manner requested.
General duties of licence holder	<p>58. A licence holder shall —</p> <ul style="list-style-type: none"> (a) ensure that the aquaculture establishment is in operation within six months from the date of issuance of the licence; and (b) comply with any direction on sanitation and fish health as may be imposed by the Director from time to time.
Discharge of waste	<p>59. (1) A licence holder shall not discharge waste generated on the aquaculture establishment into the fisheries waters, except biodegradable household waste.</p> <p>(2) Where an aquaculture establishment is located on land or part of the land for which discharge of water is required for the harvesting and treatment of aquaculture products, the establishment must have an effluent reservoir built to a standard approved by the Director and</p>

in accordance with any other relevant law of The Gambia;

(3) Waste water from an aquaculture establishment in paragraph (2) of this regulation shall not be discharged directly into the fisheries waters, including lagoons and mangrove areas, without first being treated at the effluent reservoir.

(4) In cases other than in paragraph (3) of this regulation, including a marine aquaculture establishment, the licence holder shall take waste, other than biodegradable household waste, into a port or fish landing site and dispose of the waste in a manner satisfactory to the authority responsible for disposal of waste in that port or fish landing site.

(5) Unless circumstances render it costly or impractical, no form of treatment, other than biological means of effluent treatment, shall be used at any aquaculture establishment.

Cessation of aquaculture

60. (1) A licence holder who ceases to operate an aquaculture establishment shall forthwith inform the Director the he or she has ceased to operate the aquaculture establishment.

(2) The Director may require a licence holder who ceases to operate an aquaculture establishment or whose licence has been cancelled in accordance with the provisions of the Act to remove or cause to be removed at his or her own expense the aquaculture establishment or parts of it within one month after being notified by the Director to do so.

Deposit

61. (1) The Director may, before issuing an aquaculture licence, require the applicant to pay a deposit in respect of that aquaculture establishment for the purposes of removing the establishment or causing it or part of it to be removed if the licence holder ceases to operate the establishment or the licence is cancelled in accordance with the provisions of the Act.

(2) The Director shall collect the receipts issued by the Directorate of Treasury in respect of every deposit paid under paragraph (1) of this regulation.

(3) Where the licence holder has -

(a) removed the aquaculture establishment; or

(b) caused the aquaculture establishment or part of it to be removed, at his or her own expense and within the time specified, the deposit shall be refunded to the licence holder.

(4) Where the licence holder has failed to remove the aquaculture establishment, or cause it or part of it to be removed, at his or her own expense and within the time specified, the Director may take all necessary steps to remove and destroy and to deduct from the deposit made under paragraph (1) of this regulation, the expenses incurred in the removal and destruction of the aquaculture establishment or part of it.

(5) Where the expenses incurred in the removal and destruction of the aquaculture establishment or part of it-

(a) is less than the amount of the deposit, the balance shall be refunded to the licence holder;

(b) exceeds the amount of the deposit, the balance shall be recoverable from the licence holder.

Aquaculture
research
Schedule XXII

62. (1) Every application for an aquaculture research licence shall be as prescribed in Schedule XXII to these Regulations and be addressed to the Director.

Schedule II

(2) The fee payable for the issuance of an aquaculture research licence shall be the amount set out in Schedule II to these Regulations.

(3) The Director shall, with the approval of the Secretary of State, determine the currency in which the fee payable for the issuance of an aquaculture research licence shall be paid.

Schedule II

(4) The Director shall, on receipt of an application, inspect or cause to be inspected the aquaculture establishment of the applicant, and on being satisfied with the standards and conditions of the establishment, and on payment of the fee set out in Schedule II to these Regulations, issue an aquaculture research licence.

Schedule XXIII

(5) Every aquaculture research licence shall be as prescribed in Schedule XXIII to these Regulations and shall be subject to such terms and conditions as the Director may specify, including the condition that the results, conclusions and benefits derived from the research shall be shared with the Director within seven days after expiration of the licence.

Records
Schedule XXIV

63. (1) A licence holder shall maintain accurate data, information and records in the form set out in Schedule XXIV to these Regulations and provide the data, information and records annually to the Director or at any other time as he or she considers appropriate.

(2) The data, information and records in paragraph (1) of this regulation shall relate to —

(a) the origin, transport, transfer and stocking quantity of aquaculture products;

(b) the type and amount of feed used in the aquaculture establishment;

(c) all disposals and sales of aquaculture products, including the date, number, weight and destination of each disposal and sale;

(d) the presence and occurrence of diseases;

(e) the type of medication used in relation to aquaculture products, including the dosage and treatment date and the duration of any veterinarian treatments; and

(f) any other data, information and records the Director considers appropriate with respect to a particular aquaculture.

(3) In order to facilitate control of serious disease outbreaks, the licence holder shall keep accurate and up to date records of all aquaculture products kept on the premises, from their arrival on the premises until their final disposal or sale, including, among others, full information on any mortalities, any clinical signs observed, the nature and results of any diagnostic tests performed and the nature and results of any treatments applied.

Disease

64. (1) A licence holder shall immediately report to the Director presence of any disease or infected aquatic organism or unusually high mortalities in the aquaculture establishment.

(2) A licence holder shall immediately comply with any instruction or measure that may be communicated or directed to him or her by the Director following receipt of a report referred to in paragraph (1) of this regulation.

(3) A licence holder shall take all possible measures to prevent the spread of disease or of any infected organism in or from an aquaculture establishment, including the destruction of aquaculture products and the disinfection of an aquaculture establishment.

(4) Where a serious outbreak of disease is identified within an aquaculture establishment, the Director may mandate that all or a portion of the establishment be placed under quarantine conditions as he or she may specify.

Disease zoning

65. (1) In order to control the spread of disease and to provide trading partners with assurances of the fish disease status of aquaculture products from The Gambia, the Director may establish and maintain zones of freedom from specific serious diseases.

(2) Zones establishment under paragraph (1) of this regulation may consist of a designated aquaculture establishment or establishments, or other defined areas.

(3) The Director shall, when establishing free, infected and surveillance zones, use internationally accepted methods for disease zoning as outlined by the International Aquatic Animal Health Code of the Office of International Epizooties.

Chemicals

66. For the purpose of treatment and prevention of fish disease, the licence holder may only apply those chemicals, pharmaceuticals and bio-remediation products, or their derivatives, as specified in Schedule XXV to these Regulations.

Schedule XXV

Feed
Schedule XXV

67. The licence holder may only apply those feed and feed additives as specified in Schedule XXVI to these Regulations produced by certified feed producers under internationally accepted standards.

PART XI — FISHERIES CONSERVATION MEASURES

- Area restrictions **68.** The following restrictions apply in the areas indicated —
- (a) fishing vessels, other than canoes and licensed sports fishing vessels, shall not fish within twelve nautical miles of the low water mark, or within twelve nautical miles from the most westerly uncovering rocks at Bijol Island;
 - (b) fishing vessels not more than two hundred and fifty gross registered tonnage shall fish beyond twelve nautical miles of the low water mark or beyond twelve nautical miles from the most westerly uncovering rocks at Bijol Island;
 - (c) fishing vessels above two hundred and fifty gross registered tonnage shall net fish within fifteen nautical miles of the low water mark, or within fifteen nautical miles from the most westerly uncovering rocks at Bijol Island.
- Gear restrictions **69.** (1) The following restrictions apply in respect of the use of fishing gear in addition to any restrictions otherwise imposed —
- (a) no trawling shall be undertaken in the waters of the River Gambia;
 - (b) no beach seine nets shall be used for fishing in the fisheries waters;
 - (c) no fishing gears, especially "dumbu" traps and other gears that catch juvenile fish shall be used in the fisheries waters, without a written permission from the Director of fisheries;
 - (d) no spear guns shall be used for fishing in the fisheries waters; and
 - (e) no fishing vessel shall have on board or use for fishing any net the stretched mesh size of which is less than indicated in Schedule XXVII to these Regulations.
- Schedule XXVII
- (2) For the purpose of this regulation, the River Gambia includes all waters landward of a line drawn from Cape Point to Buniadu Point.
- Lobsters **70.** (1) A person shall not catch, take, have in his or her possession, sell or expose for sale, export or purchase, any lobster which is carrying eggs, undersized or moulting.
- (2) For the purpose of this regulation, "Undersized" means —
- (a) a carapace length of less than ninety-five millimetres measures from immediately behind the rostral horns along the median dorsal line to the maximum concavity of the rear edge of the carapace;
 - (b) less than seven hundred grams in weight; or
 - (c) having a tail weighting less than two hundred grams.
- (3) A person shall not remove the eggs from a lobster or have in his or her possession, sell or expose for sale, export or purchase any

lobster from which the eggs have been removed.

(4) A person shall not have in his or her possession, sell or expose for sale, export or purchase any lobster that has been speared or hooked.

(5) Until otherwise declared by the Secretary of State by Notice published in the *Gazette*, the closed season for lobster shall commence from the 1st day of July and end on the 30th day of November of every year.

(6) A person shall not fish for lobster during the period of a closed season for lobster.

Fish size
limitations

71. (1) No person shall catch, take, have in his possession, sell or expose for sale, export or purchase any fish of an average weight or length which is less than the fish weight or length limitations set out in Schedule XXVIII to these Regulations.

Schedule XXVIII

(2) For the purpose of determining the average weight of shrimp under paragraph (1) of this regulation, samples of one kilogramme of the shrimp shall be taken and the total count of shrimp shall not exceed sixty-five per kilogramme.

By-catch

72. (1) Any under-sized or unlawfully caught fish shall be immediately returned to the fisheries waters if the fish can live.

(2) Any dead or dying under-sized or unlawfully caught fish shall be landed and the taking and landing of the by-catch shall be recorded in the logbook if a logbook is required to be maintained.

Sharks

73. (1.) A person shall not carry out fining of sharks, skates or rays or dump the carcasses of these species in the fisheries waters of The Gambia.

(2) A person who contravenes paragraph (1) of this regulation commits an offence and is liable on conviction to a fine not exceeding seven hundred and fifty thousand dalasis or imprisonment for a term not exceeding three years, or to both the time and imprisonment.

(3) All sharks caught in the fisheries waters of The Gambia shall be landed ashore in The Gambia.

PART XII — FISHERIES DEVELOPMENT FUND

Appropriation of
Fisheries Fund

74. The per centage to be appropriated in accordance with section 19 (1)(b) of the Act, shall, in the case of -

(a) proceeds of any fees paid for any licences issued under the Act, be -

(i) sixty per cent to the Fund, and

(ii) forty per cent to the Consolidated Fund;

(b) administrative fines imposed and received in accordance with the provisions of the Act, be-

- (i) eighty per cent to the Fund,
 - (ii) ten per cent to the Consolidated Fund, and
 - (iii) ten per cent to the surveillance personnel from The Gambia Navy, as ex-gratia payment; and
- (c) Proceeds of sale of any article forfeited in accordance with the provisions of the Act, be-
- (i) sixty per cent to the Fund, and
 - (ii) forty per cent to the Consolidated Fund.

PART XIII - MISCELLANEOUS

Revocation

- 75.** (1) The Fisheries Regulations, 1995 are hereby revoked.
- (2) Any licence, permit or other authorisation issued under the Regulations revoked under paragraph (1) of this regulation remains valid until it expires, is suspended, revoked or cancelled, as the case may be.

SCHEDULES

SCHEDULE I (regulation 4)

REPUBLIC OF THE GAMBIA
APPLICATION FORM FOR REGISTRATION
IN THE REGISTER OF FISHING VESSELS

Reserved for Administration
Name of vessel:
Date of inscription:
N° of inscription:

Part A

I - Applicant

Company: _____

Owner: Agent:

First name of applicant: _____

Surname of applicant: _____

Address: _____

Business registration number: _____

Date and place of birth: _____

Designation: _____

II - Vessel

A - Identification:

Country of registration: _____

Name of vessel: _____ Former Name _____

Original name: _____
Name of actual owner: _____ Name of former owner _____
Name of Master: _____
Date and place of construction _____
Registration N°: _____
Former nationality: _____ Flag _____
Date of flagging: _____
Port of operation: _____
Photo of vessel _____
Date Photo taken: _____
International radio call sign: _____ Working frequency _____
Former radio call sign: _____
Seaworthiness certificate number: _____

B — Technical characteristics

Length: _____ Width: _____
Depth: _____
Cruising speed: _____
Loaded draught: _____
GRT: _____ GT: _____ NRT: _____
Date of last tonnage gauging: _____
Observations associated with the gauging _____
Classification: Old _____ New _____
Classification Society: _____
Mark of main engine: _____ Engine type _____
Number of engines: _____ N° of main _____
Engine HP: _____
Autonomy at sea _____
Hull: _____ Material: _____ Colour _____
Date and place of fast dry-docking _____
Means of propulsion: _____
Detection equipment: _____
Navigation equipment: _____
Transmission equipment: _____
Number of beacons: _____ Type of beacon _____
Number of crew: Gambian National: _____ Foreign _____

C - Conservation

Conservation method: _____

Total refrigerating power: _____

Freezing capacity (tonnes per day): _____

Number of fish holds: _____

Fish hold capacity: _____

III – Fishing authorization (Reserved for Administration)

Authorised zone: _____

Authorised period: _____

Status of vessel (chartered or not): _____

Type of fishing _____ Options _____

Authorised fishing gear: _____

Minimum mesh size: at cod-end _____ At wings _____

Other obligatory devices: _____

Targeted species: _____

Incidental (By-catch): _____

Other types of fishing: _____ Other fishing gear: _____

Minimum mesh size: at cod-end _____ At wings: _____

Other obligatory devices: _____

Targeted species: _____

Incidental (By-catch): _____

Part B - Fisheries Monitoring, Control and Surveillance Activities

(This part corresponds to the Surveillance Operations Coordinating Unit of the Sub-Regional Fisheries Commission's (SUCO) database)

1. Observation

Control

Date: _____ Time: _____ State: _____

Zone: _____

Position: Latitude _____ Longitude _____

Activity: _____ (Fishing, steaming, outstream, anchored, transhipping, in port)

Means: _____ Aerial (); _____ Maritime (); _____ Coastal radar ()

Comments: _____

2. Offences observed

Call sign: _____

Nature of offence: _____

Date: _____ Time: _____

Position: Latitude _____ Longitude _____

Authorised officer: _____ State: _____

Name of master: _____

Sanctions: _____

Comments: _____

3. Reinscription:

Motive/reason: _____

Name of vessel: _____

Radio call sign: _____

State of registry _____

Reason/(s) for last barring _____

Signature of Applicant _____

Date _____

SCHEDULE II

(regulations 5, 7, 16, 18, 23, 25, 31, 32, 37, 38, 42, 48, 49, 56 and 57)

REGISTRATION FEES AND LICENCES

PART I – REGISTRATION FEES

- | | |
|-------------------------------|-----------------|
| 1. Fishing vessel | D500 per vessel |
| 2. Commercial fishing canoe- | |
| (a) motorised fishing canoe | D750 per annum |
| (b) unmotorised fishing canoe | D500 per annum |
| (c) any other type of canoe | D300 per annum |

PART II – LICENCE FEES

1. Foreign Fishing Vessels-

- | | |
|---|--|
| (a) Trawlers (for fish and cephalopods) | D3250 per GRT per annum |
| (b) Shrimp trawler | D4062.50 per GRT per annum |
| (c) Seiners/Pelagic Trawlers (for small pelagics) | D1625 per GRT per annum |
| (d) Processing Vessel | D1950 per GRT per annum |
| (e) Tuna Vessel- | |
| (i) Tuna Vessels | D1560 per GRT per tonne of Tuna caught in the fisheries waters |
| (ii) purse Seiners prior to licensing | A lump sum of D273,000 per annum equivalent to catch of 100 tonnes of Tuna per annum |
| (iii) For long liners and pole and line vessels | A lump sum of D136,500 per annum equivalent to catch 50 tonnes of Tuna per annum |
| (f) Sport fishing vessels | D3250 per vessel per annum |

2. Local Fishing Vessels-

- | | |
|---|----------------------------|
| (a) Trawlers (for fish and cephalopods) | D1228.50 per GRT per annum |
| (b) Shrimp trawler | D1560 per GRT per annum |
| (c) Seiners/Pelagic Trawlers (for small pelagics) | D715 per GRT per annum |

(d)	Processing Vessel	D1950 per GRT per annum
(e)	Tuna Vessel-	
	(i) Licence Tuna Vessels	D1170 per GRT per tonne of Tuna caught in the fisheries waters
	(ii) Purse Seiners prior to licensing	A lump sum of D52,000 per annum equivalent to catch of 100 tonnes of Tuna per annum
	(iii) For long liners and pole and line vessels	A lump sum of D19,500 per annum equivalent to catch 50 tonnes of Tuna per annum
(f)	Sport fishing vessels	D3250 per vessel per annum

3. Sports Fishing Vessels D3250 per vessel per annum

4. Test Fishing Vessels

(1) Foreign Fishing vessels-

(a)	Trawlers (for fish and cephalopods)	D3250 per GRT per annum
(b)	Shrimp trawler	D4062.50 per GRT per annum
(c)	Seiners/Pelagic Trawlers (for small pelagics)	D1625 per GRT per annum
(d)	Processing Vessel	D1950 per GRT per annum
(e)	Tuna Vessel-	
	(i) Tuna Vessels	D1560 per GRT per tonne of Tuna caught in the fisheries waters
	(ii) Purse Seiners prior to licensing	A lump sum of D273,000 per annum equivalent to catch of 100 tonnes of Tuna per annum
	(iii) For long liners and pole and line vessels	A lump sum of D136,500 per annum equivalent to catch 50 tonnes of Tuna per annum
(f)	Sport fishing vessels	D3250 per vessel per annum

(2) Local vessels-

(a)	Trawlers (for fish and cephalopods)	D1228.50 per GRT per annum
(b)	Shrimp trawler	D1560 per GRT per annum
(c)	Seiners/Pelagic Trawlers (for small pelagics)	D715 per GRT per annum
(d)	Processing Vessel	D1950 per GRT per annum
(e)	Tuna Vessel-	
	(i) Licence Tuna Vessels	D1170 per GRT per tonne of Tuna caught in the fisheries waters
	(ii) purse Seiners prior to licensing	A lump sum of D52,000 per annum equivalent to catch of 100 tonnes of Tuna per annum

(iii)	For long liners and pole and line vessels	A lump sum of D19,500 per annum equivalent to catch 50 tonnes of Tuna per annum
(f)	Sport fishing vessels	D3250 per GRT per annum

5. High Sea Fishing

(1) Foreign Fishing vessels-

(a)	Trawlers (for fish and cephalopods)	D3250 per GRT per annum
(b)	Shrimp trawler	D4062.50 per GRT per annum
(c)	Seiners/Pelagic Trawlers (for small pelagics)	D1625 per GRT per annum
(d)	Processing Vessel	D1950 per GRT per annum
(e)	Tuna Vessel-	
(i)	Tuna Vessels	D1560 per GRT per tonne of Tuna caught in the fisheries waters
(ii)	Purse Seiners prior to licensing	A lump sum of D273,000 per annum equivalent to catch of 100 tonnes of Tuna per annum
(iii)	For long liners and pole and line vessels	A lump sum of D136,500 per annum equivalent to catch 50 tonnes of Tuna per annum
(f)	Sport fishing vessels	D3250 per vessel per annum

(2) Local vessels-

(a)	Trawlers (for fish and cephalopods)	D1228.50 per GRT per annum
(b)	Shrimp trawler	D1560 per GRT per annum
(c)	Seiners/Pelagic Trawlers (for small pelagics)	D715 per GRT per annum
(d)	Processing Vessel	D1950 per GRT per annum
(e)	Tuna Vessel-	
(i)	Tuna Vessels	D1170 per GRT per tonne of Tuna caught in the fisheries waters
(ii)	Purse Seiners prior to licensing	A lump sum of D52,000 per annum equivalent to catch of 100 tonnes of Tuna per annum
(iii)	For long liners and pole and line vessels	A lump sum of D19,500 per annum equivalent to catch 50 tonnes of Tuna per annum
(f)	Sport fishing vessels	D3250 per GRT per annum

6. Aquaculture (Research)

Fees for aquaculture (research) licence will be set by the Secretary of State in consultation with the Fisheries Advisory Committee established under section 5 of the Act.

SCHEDULE III (regulation 15)

APPLICATION FORM FOR REGISTRATION OF COMMERCIAL FISHING CANOE

1. Name of Master Fisherman: _____
2. Canoe ownership: _____
3. Crew Number: _____
4. Canoe type: : Dugout, ()
 : Planked dugout, ()
 : Fibreglass ()
 : Motorized ()
 : Non-Motorized ()
 : Year built ()
 : Length ()
5. Gears use: _____
6. Horse Power (HP): _____
7. Target Species: _____
8. Fishing Zone: : Marine Coastal ()
 : Estuary ()
 : River ()
 : Tributary/bolong ()
9. Location/Address: _____

Signature of Applicant: _____

Date: _____

SCHEDULE IV (Regulation 18)

REGISTRATION CARD

(Master Fisherman)

1. Name of Master Fisherman: _____
2. Address: _____
3. Date of Birth: _____
4. Place of Birth: _____
5. Nationality: _____
6. Canoe Registration N°: _____
7. Fishing/Landing Site _____

Registered by

Name _____

Designation _____

FISHERIES DEPARTMENT, 6, MARINA PARADE, BANJUL

SCHEDULE V(regulation 21)

THE REPUBLIC OF THE GAMBIA

FORM 1: APPLICATION FORM FOR A FISHING LICENCE

I. APPLICANT

1. Name of Applicant (Trade Name) _____
2. Business Registration No: _____
3. First name and surname of applicant: _____
4. Date and place of birth: _____
5. Occupation: _____
6. Address: _____
7. No of employees _____ Permanent _____ Temporary _____

II. VESSEL

1. Name: _____ Former Name _____
2. Name of Master: _____
3. Country of Registration: _____
Former Country of Registration: _____
4. Registration N°: _____ Former Registration N°: _____
5. Radio Call Sign: _____ Call Frequency: _____
6. Hull Materials: _____
7. Date of construction: Date _____ Month _____ Year _____
8. Place of construction _____
9. Length _____
10. Width _____
11. Loaded draught _____
12. Gross tonnage _____
13. Displacement tonnage _____
14. Net tonnage _____
15. Main engine power _____
16. Fuel capacity _____
17. Period of licence requested (Maximum 6 months) _____
18. Proposed commencement date of fishing operations _____

19. If previously licensed under the Act,

(a) state the number of the last licence held _____

(b) specify any changes to information previously provided: _____

20. Current fishing licensed held elsewhere:

<u>COUNTRY</u>	<u>LICENCE N°</u>	<u>PERIOD</u>
.....
.....

III. LIST OF NAVIGATION, SOUNDING AND TRANSMISSION INSTRUMENTS

- 1. Radar
- 2. GPS/Satellite Navigation systems
- 3. Automatic pilot
- 4. Route plotter
- 5. Sonar
- 6. Netsonde
- 7. Scanmar
- 8. VHF radio
- 9. HF, BLU radio
- 10. VMS
- 11. Other (please specify): _____

IV Conservation

- 1. Packed in ice
- 2. Ice and refrigeration
- 3. Freezing in brine
- 4. Plate Freezing
- 5. Refrigerated sea water
- 6. Total refrigerating Power: _____
- 7. Number of fish holds: _____
- 8. Fish hold capacity: _____

V TYPE OF FISHING

A. Inshore Demersal

- | | | |
|---------------------------------|----------------|--------------------------|
| Shrimp | | Fish and cephalopod |
| Type of fishing gear: | Fish | Shrimps Longline fishing |
| 1. Length of trawl: _____ | Headline _____ | |
| Mesh size in the body: _____ | | |
| Mesh size in the wings: _____ | | |
| Mesh size in the cod end: _____ | | |

2. Length of line _____ Number of hooks _____
Number of line _____ size of hooks _____

B. Deep-Sea Demersal

- Shrimp Fish
Type of fishing gear: Shrimp Fish Longline fishing
1. Length of trawl: _____ Headline _____
Mesh size in the body: _____
Mesh size in the wings: _____
Mesh size in the cod end: _____
2. Length of line _____ Number of hooks _____
Number of line _____ size of hooks _____

C. Inshore Pelagic

- Pelagic trawler Seiner
1. Length of trawl: _____ Headline _____
Mesh size in the body: _____
Mesh size in the wings: _____
Mesh size in the cod end: _____
2. Length of seine _____ Depth of seine _____
Mesh size _____

D. Deep sea pelagics (tuna)

- Type of fishing gear: Seine Pole and line
1. Length of seine _____ Depth of seine _____
Mesh size _____
2. Number of poles and lines _____

E. Long line and pots

1. Length of lines ... _____ Number of hooks _____
Number of Lines ... _____ Size of hooks ... _____
2. Number of pots ... _____ Material _____
Length (base diameter) ... _____
Width (upper diameter) ... _____
Diameter of openings ... _____ method of cover _____
Mesh (cover) _____

VI SHORE INSTALLATIONS

1. Address _____
2. Permit N° _____
3. Activities _____
Domestic wholesale fish trade
Retail _____ Export ... _____
4. Description of processing and conservation plant: _____
5. No. of employees: ... _____
Gambians: ... _____ Foreigners: _____
Permanent: ... _____ Temporary: ... _____

DECLARATION

I declare that the information contained herein is correct and true to the best of my knowledge and I understand that I am required to report any change in the information contained in this Form to the licensing officer within 7 days of the change.

Signature of applicant: _____

Specify whether owner, charterer or agent _____

Date: _____

NOTE: Any licence issued on the basis of this application form is liable to cancellation if any of the information given in this application form is incorrect.

FORM 2: APPLICATION FORM FOR THE RENEWAL OF A FISHING LICENCE

I wish to apply to renew the licence issued in respect of the undermentioned vessel:

I. APPLICANT

1. Name of application (Trade Name): _____
2. Business Registration N°: _____
3. First name and surname of applicant: _____
4. Address: _____

II. VESSEL

1. Name: _____
2. Country of Registration: _____
3. Registration N°: _____ 4. Radio: _____
Call Sign: _____

5. Name of Master: _____

6. GRT: _____ 7. HP _____

III. TYPE OF FISHING

IV. PREVIOUS LICENCE

1. N°: of most recent licence held _____

2. Valid From/...../20To:/20.....

DECLARATION

I declare that the information contained herein is correct and true to the best of my knowledge and I understand that I am required to report any change in the information contained in this Form to the licensing officer within seven days of the change.

Signature of applicant: _____

Specify whether owner, charterer or agent _____

Date: _____

NOTE: Any licence issued on the basis of this application form is liable to cancellation if any of the information given in this application form is incorrect.

SCHEDULE VI (regulation 22)

THE REPUBLIC OF THE GAMBIA FOREIGN FISHING VESSEL LICENCE

I. APPLICANT

Issued to _____

Address _____

specify whether owner, charterer or agent _____

2. VESSEL

Name _____

Country of registration _____

Registration n°: _____

Radio call sign _____ Frequency _____

Engine horsepower _____

3. OPERATIONS AUTHORIZED

- (a) Fishing
 - (i) Trawling
 - Shrimp
 - Pelagic
 - Fish & Cephalopods
 - (ii) Purse Seining Tuna
 - Small Pelagics
 - (iii) Other (Specify) _____
- (b) To load, unload or trans-ship fish or supplies

4. CONDITIONS

Minimum mesh size authorized _____

Zone limit _____

Target species _____

Authorized landing place(s) _____

Special conditions _____

Period of validity: from _____

Date of issue _____

Fees paid _____

DIRECTOR OF FISHERIES

The applicant, details of which appear above, is hereby authorized to do such of the above, subject to the licence holder complying and ensuring that the vessel is used in conformity with the provisions of the Fisheries Act, 2007 and the Fisheries Regulations, 2008.

SCHEDULE VII (regulations 26, 33 and 39)

SPECIFICATIONS FOR THE MARKING OF FISHING VESSELS

1. CONTENT OF IDENTIFICATION MARKS

- a) Any vessel that has been assigned an International Telecommunication Union Radio Call shall display that Radio Call Sign as its identification mark.
- b) Any vessel that has not been assigned an International Telecommunication Union Radio Call Sign, other than a vessel referred to in sub-paragraph (c) of this paragraph, shall display an identification mark consisting of the characters allocated by the International Telecommunication Union to the flag state of the vessel, followed by a hyphen and the licence or registration number assigned to that vessel by its flag state.
- c) Any vessel that has not been assigned an International Telecommunication Union Radio Call Sign, but is normally carried on-board another vessel for use in fishing operations shall display the identification mark assigned to that other vessel.

2. LOCATION OF MARKING

- a) Identification marks shall be prominently displayed, as shown in sub-paragraph (b) of this paragraph-
 - (i) on the vessel's port and starboard side or superstructure, high above the waterline, but not on the flare of the bow or on the stem, in such a way as to be clearly visible both from the sea and from the air, and
 - (ii) for vessels, other than undecked vessels, on a horizontal surface of the vessel, athwart ships, with the top of the letters and numbers towards the bow of the vessel, and where an awning or other temporary/cover is placed so as to obscure the making, the awning or other cover shall bear the same identification mark.
- b) Identification marks shall be so placed that they-
 - (i) are not obscured at any time by fishing gear whether stowed or in use,
 - (ii) are clear of flow from scuppers or overboard discharges and areas that might be prone to damage or discolouration occurring during or as a result of catching operations, and
 - (iii) do not extend below the waterline.

3. TECHNICAL SPECIFICATIONS

- (a) Block lettering and numbering shall be used throughout.
- (b) The width of the letters and numbers shall be in proportion to the height of the vessel in accordance with the criteria stated in sub-paragraphs (c) to (j).

(c) The height of the letters and numbers shall be in proportion to the size of the vessel in accordance with the following criteria:

(i) for identification marks on the side or superstructure of the vessel:

Length overall of Vessel (in metres(m))	Minimum height of letters and numbers (in metres(m))
25 m and over	1.0 m
at least 20 m but less than 25 m	0.8 m
at least 15 m but less than 20 m	0.6 m
at least 12 m but less than 15 m	0.4 m
at least 5 m but less than 12 m	0.3 m
under 5m	0.1 m

(ii) for identification marks to be displayed on horizontal surfaces on vessels of 5 metres length overall and over, the height of the letters and number shall be not less than 0.3 metres.

(d) The length of the hyphen shall be half the height of the letters and numbers.

(e) The width of the stroke for all letters, numbers and the hyphen shall be one sixth of the height of the letters and numbers.

(f) The space between letters or numbers, except in the case referred to in sub-paragraph (g) of this paragraph, shall not exceed one quarter of the height of the letters or numbers or be less than one sixth of that height.

(g) The space between adjacent letters having sloping rides shall not exceed one-eighth of the height of the letters or be less than one-tenth of that height

(h) Identification marks shall be white on a black background or black on a white background and the background shall extend to provide a boarder around the letters and numbers of not less than one-sixth of the height of the letters and numbers.

(i) Good quality marine paints shall be used in the marking of vessels in accordance with these specifications: Retro reflective or heat-generating substances may also be used.

(j) The identification marks, and the background, shall be maintained in a good condition at all times.

SCHEDULE VIII (regulations 28, 45 and 51)

**LOGSHEETS FOR RECORDING CATCH AND EFFORT DATA
(FOREIGN FISHING VESSELS)
(VESSELS USED FOR RESEARCH AND TEST FISHING OPERATIONS)
(HIGH SEAS FISHING)**

Fisheries Department
MCS Unit

Name of Vessel: _____

Name of Observer: _____ Date: _____

N° of Trawl Sets/or Purse Seine	Setting Time	Hauling Time	Number of hauls	POSITION OF FISHING				DEPTHS	
				LATITUDE		LONGITUDE		Begin	End
				Begin	End	Begin	End		
1st set									
2nd									
3rd									
4th									
5 th									
6 th									
7 th									
8 th									
9 th									
10th									

SCHEDULE IX (regulation 29)

**APPLICATION FORM FOR A LOCAL FISHING VESSEL LICENCE
(Same as in Schedule V, but with necessary modifications)**

SCHEDULE X (regulation 30)

LOCAL FISHING VESSEL LICENCE

(Same as in Schedule VI, but with necessary modifications)

SCHEDULE XI (regulation 34)

LOGSHEETS FOR RECORDING CATCH AND EFFORT DATA

(LOCAL FISHING VESSELS)

(Same as in Schedule VIII, but with necessary modifications)

SCHEDULE XII (regulation 35)

THE REPUBLIC OF THE GAMBIA

APPLICATION FOR A SPORTS FISHING VESSEL LICENCE

I. APPLICANT

1. Name of Application (Trade Name) _____
2. Business Registration N°: _____
3. First name and surname of applicant: _____
4. Date and place of birth: _____
5. Occupation: _____
6. Address: _____
7. N° of employees: _____ Permanent _____
Temporary _____

II. VESSEL

1. Name _____ Former name _____
2. Name of Operator _____
3. Type of vessel: Fibreglass Wooden Others,
Specify _____

4. Length _____ Width _____ Draught _____
5. Year vessel built/bought _____
6. Type and Engine HP _____
7. Type of fishing tackles _____
8. N° of fishing tackles per boat _____
9. Fuel capacity per fishing trip _____

III. LIST OF NAVIGATION AND TRANSMISSION INSTRUMENTS

Hand GPS _____ Telephone _____ VHF Radio _____ Radar _____
 Others Specify _____

IV. CONSERVATION

- a. Refrigerator _____ b. Ice boxes _____ c. Ice and refrigeration _____
- b. Others Specify _____

DECLARATION

I declare that the information contained herein is correct and true to the best of my knowledge and I understand that I am required to report any change in the information contained in this Form to the licensing officer within 7 days of the change.

Signature of applicant: _____

Specify whether owner, charterer or agent _____

Date: _____

NOTE: Any licence issued on the basis of this Application Form is liable to cancellation if any of the information given in this application Form is incorrect.

SCHEDULE XIII (regulation 36)

SPORTS FISHING VESSEL LICENCE

(Same as in Schedule VI, but with necessary modifications)

SCHEDULE XIV (regulation 40(1))

APPLICATION FORM FOR A RESEARCH LICENCE

An application for research licence must be made in writing addressed to the Secretary of State, specifying the name of the institution(s) involved in the research; the name of the vessel(s), master(s) of the vessel(s); equipment and materials to be used; research methods; characteristics of the vessel(s) and its fishing gears; areas/zones where the research operations will be carried out; species being targeted; names and nationalities of persons who will be involved in the research and the duration of the research.

Results of the research and any other information requested during and on completion of the research must be submitted to the Director of Fisheries.

SCHEDULE XV (regulation 40(2))

APPLICATION FOR A TEST FISHING LICENCE

(Same as in Schedule V, but with necessary modifications)

SCHEDULE XVI (regulation 41)

RESEARCH LICENCE

Licence for research operations will be in the form of a written letter of approval of the application mentioned in Schedule XIV by the secretary, or written on his/her behalf stipulating the terms and conditions as he or she thinks fit.

SCHEDULE XVII (regulation 41)

TEST FISHING LICENCE

(Same as in Schedule VI, but with necessary modifications)

SCHEDULE XVIII (regulation 46)

APPLICATION FOR A HIGH SEAS FISHING LICENCE

(Same as in Schedule V, but with necessary modifications)

SCHEDULE XIX (regulation 47)

HIGH SEAS FISHING LICENCE

(Same as in Schedule V, but with necessary modifications)

SCHEDULE XX (regulation 54)

APPLICATION FOR AN AQUACULTURE LICENCE

Application for an aquaculture licence must be made in writing addressed to the Secretary of State specifying the culture; technique; details of the site; species to be cultured; duration of culture cycle; management strategies of fish enclosures; processing and marketing or other disposal strategies; waste and effluent management strategies; chemicals, feed and feed additives to be used; a Residue Monitoring Plan and the names of persons and companies and institutions who will be involved in the aquaculture establishment.

SCHEDULE XXI (regulation 55)

AQUACULTURE LICENCE

An aquaculture licence will be in the form of a written letter of approval of the application mentioned in Schedule XX by the Secretary of State or written on his or her behalf stipulating the terms and conditions as he/she thinks fit.

SCHEDULE XXII (regulation 62)

APPLICATION FOR AN AQUACULTURE RESEARCH LICENCE

An application for aquaculture research licence will be the same as the application mentioned in Schedule XX and must stipulate the duration of the research.

SCHEDULE XXIII (regulation 62)

AQUACULTURE RESEARCH LICENCE

An Aquaculture Research Licence will be in the same format as mentioned in Schedule XXI.

Results of the research and any other information requested during and on completion of the research must be submitted to the Director of fisheries.

SCHEDULE XXIV (regulation 63)

AQUACULTURE RECORDS

Aquaculture Records shall be submitted to the Fisheries Department as and when requested by the Director of Fisheries in a format prescribed by the Director or his or her designated representative.

SCHEDULE XXV (regulation 66)

LIST OF APPROVED CHEMICALS FOR USE IN AQUACULTURE

A list of approved chemicals for use in aquaculture will be submitted to an applicant by the Director of Fisheries when his or her application is approved by the Secretary of State.

SCHEDULE XXVIII (regulation 71)
MINIMUM FISH WEIGHT OR LENGTH LIMITATIONS

Shads/Bonga	15 cm
Sardinella	12 cm
Mackerels	19 cm
Sea breams	23 cm
Dentex	15 cm
Red Pandora	19 cm
Sompat Grunt	25 cm
Rubberlip Grunt	25 cm
Brown Meagre	25 cm
Meagre (capitaine)	70 cm
Groupers	40 cm
Croakers	70 cm
Red Mullet	15 cm
Solefish	30 cm
Threadfins	60 cm
Hake	30 cm
Catfish	30 cm
Cuttlefish	13 cm
Octopus	500 gm. (eviscerated)
Lobsters	75 mm (carapace length)
Shrimps	100 individuals per kilogram
Oysters	60 mm (diameter)

SCHEDULE XXVI (regulation 67)

LIST OF APPROVED FEED AND FEED ADDITIVES FOR USE IN AQUACULTURE

A list of approved feed and feed additives for use in aquaculture will be submitted to the applicant by the Director of Fisheries when his or her application is approved by the Director of Fisheries by the Secretary of State.

SCHEDULE XXVII (regulation 69)

MINIMUM STRETCHES OF MESH SIZES FOR FISHING NETS

MINIMUM MESH SIZES FOR FISHING NETS (STRETCHED MESH)

- 1. INDUSTRIAL FISHING VESSELS**
 - (1). COASTAL**
 - (a) Demersal fishes - 70 mm
 - (b) Pelagic - 40 mm
 - (c) Shrimps - 50 mm
 - (2). DEEP SEA**
 - (a) Demersal fishes and Cephalopods - 70 mm
 - (b) Deepsea Shrimps - 50 mm
 - (3). Purse Seine**
 - (Filet tournant) - 40 mm
 - (a) Seine nets - 140 mm
- 2. TUNA**
 - (a) Seine nets - 140 mm
 - (b) Gill nets - 60 mm
- 3. PURSE SEINERS**
 - (a) Consumption - 40 mm
- 4. ARTISANAL**
 - (a) Bottom Gill Nets (solefish) - 80 mm
 - (b) Bottom Gill Nets (Other Demersal fish) - 120 mm
 - (c) Bottom Gill Nets (Cuttlefish) - 80 mm
 - (d) Surface Gill Nets (Shads/Bonga) - 80 mm
 - (e) Drift Gill Nets (Mulletts) - 60 mm
 - (f) Drift Gill Nets (Barracuda) - 140 mm
 - (g) Drift Gill Nets (Sharks) - 200 mm
 - (h) Drift Gill Nets (Shrimps) - 25 mm
 - (i) Stow Nets (Shrimps) - 25 mm
 - (j) Purse Seine (Filet tournant) - 40 mm

MADE this 9th day of June 2008

YANKUBA TOURAY

SECRETARY OF STATE FOR FISHERIES,
NATURAL RESOURCES AND NATIONAL ASSEMBLY
MATTERS