

FISHERIES (AMENDMENT) ACT, 2000 – 8

Arrangement of Sections

Section

1. Short title
2. Amendment of section 2 of Cap. 391
3. Amendment of section 8 of Cap. 391
4. Amendment of section 10 of Cap. 391
5. Amendment of section 11 of Cap. 391
6. Amendment of section 12 of Cap. 391
7. Amendment of section 13 of Cap. 391
8. Amendment of section 18 of Cap. 391
9. Amendment of section 24 of Cap. 391
10. Amendment of section 31 of Cap. 391
11. Amendment of section 46 of Cap. 391
12. Amendment of Schedule to Cap. 391

I assent
C. STRAUGHN HUSBANDS
Governor-General
27th May, 2000.

2000 – 8

An Act to amend the Fisheries Act.

(1st June, 2000) Commence-
ment

ENACTED by the Parliament of Barbados as follows:

1. This Act may be cited as the *Fisheries (Amendment) Act, 2000*. Short title

2. Section 2 of the *Fisheries Act*, in this Act referred to as the principal Act is amended by Amendment
of section
2 of
Cap. 391

(a) deleting the word “exclusively” appearing in the definition of “commercial fishing”; and

(b) inserting the words “in the waters of Barbados” at the end of paragraph (a) of the definition of “related activities”.

Amendment
of section 8
of
Cap. 391

3. Section 8 of the principal Act is amended

(a) by deleting subsection (3) and substituting the following:

“(3) An application for a foreign fishing licence may be made to the Minister in such form as may be approved by him.”; and

(b) by inserting the following as paragraph (c) of subsection (6)

“(c) any foreign fishing vessel, where in the opinion of the Minister, it is in the interest of Barbados to grant a licence.”

Amendment
of section
10 of
Cap. 391

4. Section 10 of the principal Act is amended by deleting subsection (2) and substituting the following:

“(2) An application for a sports fishing licence may be made to the Chief Fisheries Officer in such form as may be approved by him.”.

Amendment
of section
11 of
Cap. 391

5. Section 11 of the principal Act is amended by deleting subsection (3) and substituting the following:

“(3) An application for a local fishing vessel licence may be made to the Chief Fisheries Officer in such form as may be approved by him.”

Amendment
of section
12 of
Cap. 391

6. Section 12 of the principal Act is amended by deleting subsections (1), (2) and (3) and substituting the following:

“(1) No person shall fish commercially in the waters of Barbados without a commercial fisherman’s licence issued under this section.

(2) An application for a commercial fisherman’s licence may be made to the Chief Fisheries Officer in such form as may be approved by him.

(3) Subject to subsection (4), the Chief Fisheries Officer may issue or renew a commercial fisherman's licence in such form as may be approved by him."

7. Section 13(1) of the principal Act is amended by deleting the words "twelve months" in the second line and substituting the words "five years".

Amendment
of section 13
of Cap. 391

8. Section 18 of the principal Act is amended by

Amendment
of section
18 of
Cap. 391

(a) deleting subsection (2) and substituting the following:

"(2) An application for registration under subsection (1) shall be made to the Chief Fisheries Officer in such form as may be approved by him.";

(b) deleting the words "prescribed form" in subsection (3)(a) and substituting the words "approved form"; and

(c) deleting the words "home port of" appearing in the third line of subsection (4) and substituting the words "home port or".

9. Section 24 of the principal Act is amended

Amendment
of section 24
of Cap. 391

(a) in subsection (1) by

(i) deleting the word "inspection" in the third line of paragraph (b) and substituting the word "registration";

(ii) deleting the words "shall notify the Chief Fisheries Officer of his intention before commencing construction, alteration or conversion" in the closing words and substituting the words "shall apply to the Chief Fisheries Officer for permission to construct, alter or convert the vessel";

(b) by deleting subsection (2) and substituting the following:

"(2) Within 21 days of the receipt of an application under subsection (1), the Chief Fisheries Officer shall, where

- (a) all the information required under subsection (1) has been submitted;
- (b) he is satisfied that the design, mode and material of construction and equipment of the fishing vessel to be constructed, altered or converted are such as to allow the vessel once completed to comply with the prescribed standards relating to sea worthiness, safety equipment and sanitary conditions for a vessel of that category or class; and
- (c) he is satisfied that the construction, alteration or conversion of a fishing vessel would not be contrary to any regulations made to give effect to any scheme for managing any particular fishery,

give permission in writing for the construction, alteration or conversion of the fishing vessel.”; and

- (c) by deleting subsection (4) and substituting the following:

“(4) A person who constructs, alters or converts a fishing vessel without obtaining the permission of the Chief Fisheries Officer is guilty of an offence and is liable on summary conviction to a fine of \$1,000.”.

Amendment
of section
31 of
Cap. 391

10. Section 31 of the principal Act is amended

- (a) in subsection (7) by deleting the words “that certificate of inspection” in paragraph (b) and substituting the words “the prescribed standards”; and
- (b) in subsection (8) by deleting the words “that certificate of inspection” in paragraph (b) and substituting the words “the prescribed standards”; and
- (c) by deleting subsection (9) and substituting the following:

“(9) Where following an inspection pursuant to subsection (7) or (8), the Chief Fisheries Officer is satisfied that the fishing

vessel or its equipment is not being maintained in accordance with the prescribed standards, he may cancel or suspend the fishing licence in respect of that fishing vessel.”.

11. Section 46 of the principal Act is amended by

Amendment
of section
31 of
Cap. 391

(a) renumbering paragraph (u) as paragraph (w) and deleting the full stop at the end of that paragraph and substituting a semicolon;

(b) inserting the following as paragraphs (u) and (v):

“(u) regulating fishing associations;

(v) regulating the procedure in respect of licensing and registration.”; and

(c) inserting the following after paragraph (w):

“(x) generally for giving full effect to the Act and provisions of this Act and for the due administration thereof.”.

12. The Schedule to the principal Act is amended by

Amendment
of schedule
to Cap.
391

(a) deleting the word “and” at the end of paragraph (c);

(b) deleting the full stop at the end of paragraph (d); and

(c) adding the following paragraphs immediately after paragraph (d);

“(e) a representative of the Markets Division; and

(f) a representative of the registered fishing associations.”.