

**Written Question: Response from Hon. Semi Koroilavesau.**

**95/2019** Hon. Ro Teimumu Kepa to ask the Minister for Fisheries – Would the Minister inform Parliament on –

- (a) the criteria for obtaining the licence to fish and sell;
  - (b) the process, terms and conditions with regard to the said license;
  - (c) how many licenses have been issue; and
  - (d) the breakdown of locality in the last 24 months.
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**(a) Obtaining an Inshore Fisheries Fishing License**

**License to Fish**

- i. Consent letter from Head of the Customary Fishing Right Area (I-Qoliqoli). The consent must clearly specify the fishing method he approves e.g. Hand lining, Net fishing, Diving, Collection of BDM and Collection of Coral;
- ii. Consent letter to be verified and supported by the Provincial Office;
- iii. Divisional Commissioners must issue Fishing Permits. Permit must clearly state the type of fishing that has been approved to be undertaken (Commissioner's Office authorizes fishing for the purpose of selling);
- iv. Fisheries Department will deal with relevant Divisional Officers for the issuance of Fishing License/Permit.

**To Sell Fish**

- i. Obtain authorization from the Divisional Officer's Office.
- ii. Important to buy fish from a Licensed Fisherman.

### **Fishing License Cost**

- i. Captain - \$5.28
- ii. Per crew - \$1.32
- iii. Boat with Engine - \$5.28
- iv. Skiff/Boat with oars - \$1.32

### **(b) Conditions of inshore licenses**

Having a commercial fishing licence or commercially fishing using one of the 3 excepted methods (spear, line from the shore or portable fish trap) still means that all the other laws of Fiji apply to the fisher, including the Fisheries Act, and Regulations and the Endangered and Protected Species Act, 2002 (as amended).

Indeed these laws apply regardless of whether the fisher is fishing for a commercial or subsistence or recreational purpose and apply to:

- i. Fishing methods
- ii. Fish or aquatic species
- iii. Fish sizes.

We address these laws and regulations that have universal application below.

### **Fishing methods**

Various fishing methods are illegal regardless of whether a licence is held or not. This includes:

- i. Using dynamite or other explosives
- ii. Poison which includes any chemical or chemical compound, any substance containing derris or its active principal rotenone, or any plant belonging to the

genera *Barringtonia*, *Derris*, *Euphorbia*, *Pittosporum* or *Tephrosia* or any of its extracts or derivatives

- iii. Other methods banned from time to time by Regulations
- iv. Use of UBA (underwater breathing apparatus) (banned by Fisheries Regulation pursuant to section 9 of the Fisheries Act).

There are restrictions on the types of nets that may be used for fishing regardless of whether the fishing is for commercial or for subsistence purposes. These restrictions take into account the mesh size which, when wet and stretched, is measured at two diagonally opposing knots, as well as overall dimensions and include:

- i. Hand net – refers to a net fixed on a frame or on two poles which can be moved in all directions by one person. While its maximum width should not exceed 1.5m, there is no restriction as to mesh size.
- ii. Cast nets – refers to a round net with weights attached to it in such a way that it sinks to the bottom as it is cast over the fish. The mesh size must not be less than 30mm.
- iii. Nets used solely for sardines and whitebait - must not be joined together and may not have a mesh size less than 30mm. Also, their overall dimensions must not exceed 10.5m along the cork line and 1.5m from the cork line to the ground rope.
- iv. Gill nets – must be obtained from the Fisheries Division with mesh size not less than 30mm and may only be used for catching garfish.
- v. Wading net – refers to a net fixed on a frame or on two poles and can be moved in all directions by two persons. Its maximum width should not exceed 4.3m while the mesh size must not be less than 75mm.
- vi. All other nets not specifically mentioned in the Fisheries Act Regulations - the mesh must not be of a size less than 75mm.
- vii. In areas around the river mouth or in the sea within 100m of the river mouth, the usage of all nets apart from hand nets, wading nets and cast nets is prohibited.



The use of fish fences is also regulated according to the materials used in their construction. For instance,

- i. if the fish fence comprises of cane or reed screens, the section at the inmost point in each terminal trap or pan must not be less than 1m in length and of the full height of the fence,
- ii. wherein the cane or reeds placed must not be less than 50mm apart.
- iii. If netting or cord, galvanised wire or expanded metal is used instead, its mesh must not be less than 50mm across the smallest diameter.
- iv. Where the fences are made entirely out of wire netting or expanded metal, the mesh of the netting in the traps or pans must not measure less than 50mm along the shortest diameter.

## **Species**

For the survival of certain species that are endangered, it is necessary to regulate fishing activities regardless of whether fishing is for commercial or subsistence purposes.

Fishing for certain species of fish or aquatic animals is prohibited by law including:

- Turtles
- Dolphins and other marine animals
- Humphead wrasse
- Seasonal species eg: Kawakawa, Donu, Beche de mer.

Bans can be implemented for certain species via Regulations made pursuant to section 9 of the Fisheries Act.

The Endangered and Protected Species Act 2002 includes a list of fish species, amongst other things, which are threatened with extinction or are likely to become extinct if its trade is left unregulated. Anyone who possesses, offers, or exposes for sale any of the listed species commits an offence and is liable upon conviction to a fine of five thousand dollars or to two years imprisonment.

### **Size limits**

While it is not uncommon to see undersized marine organisms being sold or offered for sale at the local markets, laws are in place to prevent the harvesting of such by prescribing a minimum size for fish caught. Pursuant to the Fisheries Act Regulations, this includes, but is not limited to:

- Swimming crab or qari dina – 125mm when measured across the widest part of the shell
- Trocas shell or sici – 90mm across the whorl
- Barracuda or ogo – 300mm measured from the point of the snout to the middle of the tail fin when the fish is laid flat
- Parrotfish or ulavi – 250mm measured from the point of the snout to the middle of the tail fin when the fish is laid flat.

These size limits apply to both commercial and subsistence fishing, except where the fish is caught by children under sixteen years of age for non-commercial purposes using a hook and line from the shore or wading near the shore.

Failure to comply with the prescribed size limits is an offence incurring a penalty of imprisonment for three months and/or a fine of five hundred dollars.

### **(c) How many licenses have been issued?**

2019: A total of 531 Licenses have been issued in all four Fisheries Divisions.

**EASTERN DIVISION**

| YEAR                   | PROVINCE | NUMBER OF<br>LICENCE ISSUED | YEAR                   | PROVINCE | NUMBER OF<br>LICENCE ISSUED | YEAR                   | PROVINCE | NUMBER OF<br>LICENCE ISSUED |
|------------------------|----------|-----------------------------|------------------------|----------|-----------------------------|------------------------|----------|-----------------------------|
| 2017                   | LAU      | 117                         | 2018                   | LAU      | 36                          | 2019                   | LAU      | 20                          |
|                        | KADAVU   | 1                           |                        | LOMAVIT  | 2                           |                        | LOMAVITI | 5                           |
|                        | LOMAVITI | 11                          |                        |          |                             |                        |          |                             |
|                        |          |                             |                        |          |                             |                        |          |                             |
| TOTAL EASTERN DIVISION |          | 129                         | TOTAL EASTERN DIVISION |          | 38                          | TOTAL EASTERN DIVISION |          | 25                          |

**CENTRAL DIVISION**

| YEAR                   | PROVINCE  | NUMBER OF<br>LICENCE ISSUED | YEAR                   | PROVINCE  | NUMBER OF<br>LICENCE ISSUED | YEAR                   | PROVINCE  | NUMBER OF<br>LICENCE ISSUED |
|------------------------|-----------|-----------------------------|------------------------|-----------|-----------------------------|------------------------|-----------|-----------------------------|
| 2017                   | REWA      | 92                          | 2018                   | REWA      | 50                          | 2019                   | REWA      | 75                          |
|                        | SERUA     | 27                          |                        | SERUA     | 51                          |                        | SERUA     | 52                          |
|                        | TAILEVU   | 129                         |                        | TAILEVU   | 103                         |                        | TAILEVU   | 84                          |
|                        | NAITASIRI | 37                          |                        | NAITASIRI | 24                          |                        | NAITASIRI | 54                          |
|                        | NAMOSI    | 2                           |                        | NAMOSI    | 5                           |                        | NAMOSI    | 17                          |
|                        |           |                             |                        |           |                             |                        |           |                             |
|                        |           |                             |                        |           |                             |                        |           |                             |
| TOTAL CENTRAL DIVISION |           | 287                         | TOTAL CENTRAL DIVISION |           | 233                         | TOTAL CENTRAL DIVISION |           | 282                         |





| YEAR                    | PROVINCE   | NUMBER OF LICENCE ISSUED | YEAR | PROVINCE   | NUMBER OF LICENCE ISSUED | YEAR                    | PROVINCE   | NUMBER OF LICENCE ISSUED |
|-------------------------|------------|--------------------------|------|------------|--------------------------|-------------------------|------------|--------------------------|
| 2017                    | MACUATA    | 240                      | 2018 | MACUATA    | 0                        | 2019                    | MACUATA    |                          |
|                         | BUA        | 138                      |      | BUA        | 52                       |                         | BUA        |                          |
|                         | CAKAUDROVE | 162                      |      | CAKAUDROVE | 11                       |                         | CAKAUDROVE |                          |
|                         |            |                          |      |            |                          |                         |            |                          |
| TOTAL NORTHERN DIVISION |            |                          | 63   |            |                          | TOTAL NORTHERN DIVISION |            |                          |
|                         |            |                          |      |            |                          |                         |            |                          |
| TOTAL NORTHERN DIVISION |            |                          | 540  |            |                          | 0                       |            |                          |