

Tanzania

Fisheries Act

Fisheries Regulations, 1989

Government Notice 317 of 1989

Legislation as at 31 July 2002

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Fisheries Regulations, 1989 (Government Notice 317 of 1989)
 Contents

- Part I – Preliminary provisions (regs 1-2) 1
 - 1. Citation 1
 - 2. Interpretation 1
- Part II – Registration of fishing vessels (regs 3-10) 3
 - 3. Application 3
 - 4. Authorised officer 3
 - 5. Application 4
 - 6. Registration fees 4
 - 7. Transfer of ownership 4
 - 8. Amendment of register 5
 - 9. Central registry of fishing vessels 5
 - 10. Copy of entries to be supplied 5
- Part III – Licensing of fishing vessels fishermen and fish dealers (regs 11-22) 5
 - A: – Licensing of fishing vessels (regs 11-12) 5
 - 11. Classes of fishing vessels and issue of licences 5
 - 12. Fishing vessels to be kept in seaworthy condition 6
 - B: – Licensing of fishermen and fish dealers (reg 13) 7
 - 13. No person to engage in certain types to fishing or export of fish or fish products unless licensed 7
 - C: – General provisions relating to licences (regs 14-22) 8
 - 14. Register of licences 8
 - 15. Power to refuse or suspend a licence 8
 - 16. Power to cancel or revoke a licence or permit 8
 - 17. Duration of licences 8
 - 18. Power of the Director of Fisheries to attach conditions 8
 - 19. Director may call for records and returns 9
 - 20. Special licences 9
 - 21. Replacement of a lost licence 10
 - 22. Appeal to Minister 10
- Part IV – General provisions relating to prohibitions, restrictions and exemptions (regs 23-41) 11
 - 23. Restriction on import and export of fish and introduction of new species 11
 - 24. Control of disease in fish 11
 - 25. Offence to posses or use dynamite, explosives or electric devices 11
 - 26. Prohibition of use of poison 11
 - 27. Water pollution prohibited 12

28. Prohibition of disturbance of spawn	12
29. Exemption from certain prohibition	13
30. Restriction on entry of foreign fishing vessels in territorial water	13
31. Restriction of fishing in territorial waters	13
32. Prohibition of exposing fishing gear in territorial waters	13
33. Prohibition of transporting fish into territorial waters	13
34. Restriction on possession of fish in prohibited place	14
35. Fishing gear not to obstruct navigation	14
36. Fishing gear not to be damaged	14
37. Stakes, weirs, etc., to be removed	14
38. Main channel not to be obstructed	14
39. Nets or fishing gear not to obstruct the passage for fish	14
40. Prohibition on certain sizes of seine and other types of nets, etc.	14
41. Exemptions relating to methods of fishing	14
Part V – Offences and penalties (regs 42-45)	15
42. Offences	15
43. Penalty for offences	15
44. Offences committed under Regulations	15
45. Revocation	15
First Schedule	15
Second Schedule (Regulation 7(3))	15
Third Schedule (Regulations 7(3) and 13)	22
Fourth Schedule (Regulation 42)	31

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[Section 7; G.N. s Nos. 317 of 1989; 362 of 1991; 417 of 1992; 189 of 1993; 369 of 1994; 189 of 1997; 624 of 1998; 223 of 2000]

Part I – Preliminary provisions (regs 1-2)

1. Citation

These Regulations may be cited as the Fisheries Regulations.

2. Interpretation

In these Regulations, unless the context otherwise requires:

"**Act**" means the Fisheries Act ¹;

"**approval number**" means an identification mark consisting of letter(s) followed by the three or more figures allocated to a fish processing establishment, by the Director of Fisheries or any other competent authority;

"**aquaculture products**" means all fishery aquatic products born and raised in controlled conditions until placed on the market as food stuff or for any other utilization. However, sea water or freshwater fish and aquatic flora of commercial size caught in their natural environment and kept alive to be sold at a later date are not considered to be aquaculture products if they are merely kept alive without any attempt being made to increase their growth performance;

"**beach seine**" means a fishing net designed to hang vertically in the water, the ends being drawn together to the beach while the foot rope drags through the fishing ground;

"**bêche de mer**" means echinoderms of class Holothuroides;

"**citizen**" means a citizen of United Republic of Tanzania as stipulated in the Tanzania Citizenship Act²;

"**coral**" means a living or dead calcareous skeleton secreted by polyploid coelenterates of class Anthozoa;

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[Cap. 279](#)

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[Cap. 357](#)

"**Director of Fisheries**" means the person for the time being exercising the power conferred by or under the Act upon the Officer appointed under Part II of the Act;

"**dynamited fish**" means fish with either one or all of the following characteristics:

limp body which when pressed leaves a depressed mark, ruptured blood vessels in the gills and in the eyes, disintegrated alimentary canal,

and evidence on "dynamited fish" when given by a licensing authority in the prescribed Form 8 shall be accepted by any court as true evidence without doubt;

"**estuary**" means a stream, a river, inlet, rivulet or water cause way flowing into the sea or major lake;

"**export**" means to take away any fishery product from Tanzania to any place outside the country;

"**explosive**" means a dynamite or bomb; or any blasting agent, detonators or any material used in the manufacture of explosives;

"**fish dealer**" means any person other than a fishermen who sells, barter or offers for sale any fish or fish products, and includes every person or body of persons whether corporate or incorporate, engaged in the buying, bartering, exposing for sale, preparing, processing, packing or storing, landing or trans-shipping, any fish or fish products, but does not include a hotel, restaurant, cafeteria or other similar establishment which the Minister may declare not to be a fish dealer for the purposes of these Regulations;

"**fish net or seine net locally known as Juya la Kojani or Kavogo**" means a net with mesh sizes below 76 mm (3 inches) which are uniform from wing to code-end and while in use its foot rope drags through the fishing ground while the ends are being drawn together;

"**fish processing establishment**" means any premise or vessel where fishery products are prepared, processed, chilled, frozen, packed or stored, except that auction and wholesale market in which only display and sale by wholesale takes place are not deemed to be a fish processing establishment;

"**fishermen**" means any persons engaged in fishing;

"**fishery**" includes every area, locality or place or stations in or which fishing gear is used, set, placed or located and also the area, tract or stretch of water in or from which fish may be taken by such fishing gear;

"**foreign fishing vessel**" means any fishing vessel which is not a Tanzania fishing vessel;

"**freshwater game fish**" means trout (Salmonidae family), Black bass (Centrarchidae family) and includes the young and the eggs thereof;

"**Government fishing vessel**" means any fishing vessel belonging to or in the service of the United Republic of Tanzania;

"**length**" means—

- (a) in relation to a fishing vessel the overall length of the vessel from forward part of the stem to the side or rim timbers;
- (b) in relation to a lobster, the distance from the head carapace to the end the body shell (abdominal length) measured along a line parallel to the centre line of body shell;

"**licensing authority**" means every officer authorised under the Act or Regulation 4 to exercise any power or to discharge any duty under these Regulations relating to registration of fishing vessels, licensing of fishing vessels, fishermen and fish dealers and general enforcement of these Regulations;

"**mollusc**" means a large phylum of invertebrates without segments or limbs, usually having a mantle or folds of skin that secretes a shell, members of the phylum include lamellibrachs, gastropods, cephalopods and scaphopods;

"**owner**" as applied to registered fishing vessel or gear, means the registered owner, and as applied to any other vessel or gear means the actual owner;

"**oyster**" means any mollusc of any species of genus *Ostrea*;

"**poison**" means natural or synthetic chemicals used to kill fish;

"**processing**" means cleaning, filleting, icing, packing, canning, freezing, smoking, salting, drying or otherwise preparing of fish or fish products for marketing;

"**registered tonnage**" in relating to a vessel means the tonnage appearing on her certificate of registry;

"**sea fishery**" means the fisheries of the waters which are to the seaward of the mean high water mark;

"**shell**" means the hard protective cover of a mollusc;

"**sport fishing**" means fishing for sport or pleasure and not for profits;

"**Tanzania fishing vessel or local vessel**" means a fishing vessel registered or licensed under these Regulations which is owned wholly by one or more persons each of whom is a citizen of the United Republic, or by a body corporate or incorporate under and subject to the laws of the United Republic and has its principal place of business in the United Republic, and also includes a Government fishing vessel;

"**trout stream**" means any stream which contains trout or any other freshwater game fish;

"**water pollution**" means the introduction by man directly or indirectly of substances or energy into sea water or freshwater including estuaries which results into or is likely to result in such deleterious effects as harmful to fish and other living organisms, hazard to human health, hindrance to marine activities, including fishing, impairment of quality for the use of sea or freshwater and reduction of amenities.

Part II – Registration of fishing vessels (regs 3-10)

3. Application

- (1) Every fishing vessel to which the provision of this Part apply shall be registered in accordance with and subject to the provisions of the Act and these Regulations.
- (2) This Part shall apply to all fishing vessels, Government fishing vessels and to all persons:
Provided that the Director of Fisheries may direct either general or in any particular case that in their application to Government fishing vessels and to persons in the service of the Government, all or any of the provisions of this Part shall be limited, modified, varied or excluded to such extent in such manner as the Director of Fisheries may specify.
- (3) No person shall use for fishing purposes any fishing vessel which is required to be registered under these Regulations unless such a vessel has been duly registered.
- (4) No person shall employ, cause, or permit any other person to use a fishing vessel which such first mentioned person is prohibited from using by the provisions of paragraph (3) of these Regulations.

4. Authorised officer

- (1) Every officer in the Fisheries Division of the rank of a Director, Assistant Director, an officer of the rank above the Assistant Fisheries Officer grade IV, Fisheries Officer grade III, Fish Technologist grade IV, Skipper grade IV, Marine Engineer grade IV or any other person appointed in writing by the Director of Fisheries, shall be an authorised officer for the purpose of enforcing the provisions of the Fisheries Act³, and regulations made under it.
- (2) The Director of Fisheries may appoint in writing such number of persons from among the authorised officers, to be licensing authorities.

- (3) Every licensing authority shall keep a register of all fishing vessels.
- (4) The Register of all fishing vessels shall be kept in such form as to show the particulars set out in the appropriate application form prescribed in the First Schedule.

5. Application

Every person who applies to register a fishing vessel shall lodge with the licensing authority an application in duplicate duly completed in the appropriate Forms 1(a), 1(b) and 1(c) prescribed in the First Schedule of these Regulations.

6. Registration fees

- (1) On receipt of an application and a fee prescribed in the Third Schedule of these Regulations the licensing authority may, subject to these regulations, register the vessel and shall issue a certificate of registration in the appropriate Form 2 prescribed in the First Schedule of these Regulations.
- (2) Every licensing authority shall assign to every fishing vessel registered with him an identification mark, consisting of a letter or letters representing the licensing authority with whom it is registered, and a number.
- (3) The identification mark to be assigned by a licensing authority shall conform as to lettering, numbering and otherwise with the particulars set out in the Second Schedule to these Regulations.
- (4) Every fishing vessel registered under the provisions of these Regulations shall be marked permanently and conspicuously to the satisfaction of the licensing authority as follows—
 - (a) her name (if any) and an identification mark shall be marked on each of her bows upon a plain background or distinct contrast thereto, that is to say shall be in dark characters on a light background or light characters on a dark background;
 - (b) each letter and figure thereof shall be not less than 25cm high and the contours shall be not less than 4cm broad.
- (5) No identification mark other than those prescribed shall be marked on any registered fishing vessel.

7. Transfer of ownership

- (1) On transfer of ownership of any vessel which has been registered in pursuance of these Regulations the transferor shall hand the certificate of Registration relating to such a vessel to the person acquiring the vessel and shall within thirty days of the date of transfer, notify in writing the licensing authority with whom the vessel is registered, the name and residential address of the transferee and the date of the transfer.
- (2) If the person to whom the ownership of any registered vessel is transferred intends to use it as a fishing vessel, such person shall, within thirty days of the day of transfer, forward the certificate of registration relating to such a vessel to the licensing authority with whom the vessel is registered and shall lodge an application in accordance with Regulation 5, in so far as it is appropriate, for the transfer of registration to his name.
- (3) On receipt of the certificate and the application referred to in paragraph (2) of this Regulation together with the prescribed fee as specified in the Third Schedule to these Regulations the licensing authority shall transfer the registration to the name of the person specified as the transferee, forthwith cancel the original certificate and shall issue a fresh certificate on which he shall enter the personal particulars required to be shown on the certificate of registration relating to the vessel.
- (4) If the person to whom the ownership of any registered vessel is transferred does not intend to use it as a fishing vessel, such person shall forthwith upon such transfer forward for cancellation the certificate of registration relating to such vessel to the licensing authority with whom the vessel is

registered and shall also in all other respects comply with the provisions of Regulation 9 and that Regulation shall apply accordingly.

8. Amendment of register

If any circumstances (other than a change of ownership) occurs in relation to any registered fishing vessel, which affects the accuracy of any particulars entered as respects that vessel in the register, the owner of the vessel shall forthwith inform the licensing authority with whom it has been registered, and the licensing authority shall upon non payment fee, cause the register to be amended accordingly.

9. Central registry of fishing vessels

- (1) There shall be established a central registry of fishing vessels registered under these Regulations.
- (2) The Director of Fisheries shall appoint any of the licensing authority to be the Central Registrar of fishing vessels.

10. Copy of entries to be supplied

- (1) Every licensing authority shall supply without delay to the Central Registrar a copy of every entry made in his register and shall upon application being made to him by any other licensing authority under these Regulations or by any public officer, forthwith provide without fees a copy of the entries in his register relating to any specified fishing vessel.

Central Registry inspection fees

- (2) Any member of the public, on showing reasonable cause may, on payment of prescribed fee of thirty shillings, inspect the Central Registry and such licensing authority or Central Registrar shall supply to any person applying for a copy of those entries relating to any specified vessel, a copy of those entries on payment of the prescribed fee of thirty shillings, if such a person shows he has a reasonable cause for requiring such a copy.
- (3) Any Government Officer may, in his official capacity, without fee, at all reasonable times inspect the register and take copies of any entries in it.
- (4) The Central Registrar shall file and keep all copies of such entries of application of licences furnished in pursuance of these Regulations, and shall on request by a licensing authority, or public officer supply such particulars in relation thereto as may be required.
- (5) In any cause or matter relating to a fishing vessel or licence or permit produced by the Central Registrar or other officer deputed by him shall be *prima facie* evidence of any matter, fact or thing stated or appearing thereon.

Part III – Licensing of fishing vessels fishermen and fish dealers (regs 11-22)

A: Licensing of fishing vessels (regs 11-12)

11. Classes of fishing vessels and issue of licences

- (1) Fishing vessels shall be classified for licensing purposes in classes enumerated in Part A of the Third Schedule of these Regulations and fees payable for such licences shall be those stated in Part A of the Third Schedule against each class and upon payment of the said fee and subject to compliance with the provisions of the Act and of these Regulations licensing authorities may issue licences which shall be in the appropriate Form 4 prescribed in the First Schedule of these Regulations.

- (2) Any fishing vessel with an overall length of above 11.0 metres or 20 gross registered tonnage, shall be licensed after a written approval of the Director of Fisheries.
- (3) No person shall use for fishing or cause another person to use a fishing trawler whose overall length is below 11.0 metres or below 20 gross registered tonnage.
- (4) Any fishing vessel brought into the country whether owned by a citizen or a non-citizen shall be registered under these Regulations and have licences under non-citizen conditions until such a time the vessel has been properly imported into the country and registered under the Merchant Shipping Act⁴.
- (5) All Government and public corporations owned vessels are exempted from the provisions of subregulation (2).
- (6) No person shall use for fishing purposes any vessel of a class specified in Part A of the Third Schedule of these Regulations, unless he has a valid licence in respect of such vessel issued in accordance with these Regulations.
- (7) No person shall employ, cause or permit any other person to use a vessel which such first mentioned person is prohibited from using by the provisions of subregulation (4).
- (8) Application for fishing vessel licences shall be made in the appropriate Form 3 prescribed in the First Schedule of these Regulations.
- (9) Licences permitting the use of a vessel for fishing purposes shall be in the appropriate Form 4 prescribed in the First Schedule of these Regulations.
- (10) For purposes of ascertaining whether or not a vessel complies with the provisions of the Act or of these Regulations, a licensing authority may direct that before any vessel is licensed under this part of these Regulations, the owner or the person applying for licences shall produce the vessel for inspection to the licensing authority.
- (11) The inspection report of a fishing vessel or a fish processing establishment shall be submitted in writing in Forms 1(b) and 1(c) respectively as prescribed in the First Schedule.

12. Fishing vessels to be kept in seaworthy condition

- (1) No fishing vessel licensed under these Regulations shall proceed on a fishing voyage unless it is seaworthy and there is placed on the vessel—
 - (a) sufficient quantity of food and number of utensils for holding water and food; and
 - (b) a serviceable horn or trumpet;
 - (c) at least two life rings and one life jacket for each crew member.
- (2) Where any licensing authority, upon inspection of any licensed fishing vessel which is being prepared to proceed on a fishing voyage, considers that the vessel is unseaworthy or unfit to proceed to the sea or to make a fishing voyage, that the food or water for the use of the crew are of bad quality, he may detain the vessel until he is satisfied that she is a safe vessel or that proper food or water are provided *in lieu* of those which have been condemned.
- (3) Where any vessel is detained under paragraph (2) a licensing authority may, before releasing her require the owner or master to rectify any defects found to exist.
- (4) Any person who contravenes the provisions of subregulation (1) or fails or refuses to comply with any requirements under subregulation (3) of this regulation commits an offence.

B: Licensing of fishermen and fish dealers (reg 13)**13. No person to engage in certain types to fishing or export of fish or fish products unless licensed**

- (1) No person shall engage in fishing, collecting or export of any of the fish or fish products enumerated in Part B of the Third Schedule of these Regulations unless he is the holder of a valid licence permitting him to engage in fishing or collecting or export of the type of fish products specified on the licence.
- (2) No person shall employ, cause or permit any other person to engage in fishing, collecting or export of any type of fish or fish product which such first mentioned person is prohibited from fishing, collecting or export by the provisions of subregulation (1) of this Regulation.
- (3) The fees stated against each type of fish or fish product specified in Part B of the Third Schedule of these Regulations shall be payable to licences for fishing, collecting or export to these types of fish products.
- (4) Application for licences under this Regulation shall be in the appropriate Forms 5(a), 5(b) and 5(c) prescribed in the First Schedule of these Regulations.
- (5) Application for a prawn fishing licence shall be made in Form 5(c).
- (6) Licences under this Regulation shall be in the appropriate Form 6 prescribed in the First Schedule of these Regulations.
- (7) On receipt of an application and the prescribed fee, a licensing authority may, subject to the provisions of the Act and of these Regulations issue a licence in the prescribed Form 6 of these Regulations.
- (8) No person shall by way of trade, buy, sell or otherwise deal in ordinary fish unless a valid licence is issued to him under Business Licensing Act ⁵, or he is exempted from such a licence in respect of his trade in fish or fish products under these Regulations.
- (9) Fees for the licences and export royalties are shown in Part C of the Third Schedule of these Regulations and the exempted group included fishermen with valid special licences issued by the Director of Fisheries under Regulation 21 of these Regulations, who may sell or otherwise deal in fish or fish products throughout the country in tea rooms, restaurants, hotels, shops and at fish receiving stations.
- (10) Fish hawking is prohibited and instead all hawkers should sell their fish or fish products in fish markets or other prescribed places and shall have valid licences issued under the Business Licensing Act ⁶.
- (11) No person other than licensed fishermen or fish dealers shall possess fish or fish products without a ship certificate of ownership.
- (12) No person shall fish, kill sea turtle, possess turtle shell or deal in turtle shell or any other species classified as endangered inhibited any International Convention which Tanzania is a party.

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[Cap. 208](#)

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[Cap. 208](#)

C: General provisions relating to licences (regs 14-22)

14. Register of licences

Every licensing authority shall keep and maintain a register in respect of each type of licence issued under these Regulations.

15. Power to refuse or suspend a licence

The Director of Fisheries may in his discretion, refuse to issue a licence or may suspend any licence already issued under these Regulations for such a period as he may specify; if the licensing authority is other than the Director of Fisheries, it shall report its intentions to suspend a certain licence to the Director of Fisheries who may confirm, vary or reverse the intentions of the other licensing authority.

16. Power to cancel or revoke a licence or permit

The Director of Fisheries may cancel, revoke a licence or permit issued or granted under these Regulations on either of the following grounds—

- (a) that the holder has been convicted of an offence against the Act or any Regulations made thereunder or he has violated or failed to comply with any of the conditions or restrictions attached to or imposed on the licence or permit;
- (b) that the holder has been convicted of an offence involving dishonesty or fraud;
- (c) that the level of exploitation of any fishery is detrimental to the resources.

17. Duration of licences

- (1) Every licence issued under these Regulations other than—
 - (a) a sport fishing licence referred to in paragraph (2) of this Regulation;
 - (b) a special licence issued by the Director of Fisheries under Regulation 21 of these Regulations unless previously cancelled shall remain in force until 31st December next following the date of issue;
 - (c) a trawling licence for prawns or fin fish, unless previously cancelled shall remain in force until the 30th November next following the date of issue;
 - (d) fishermen or a fishing company licensed to deploy a trawler to fish prawns or fin fish shall commence fishing operations at 0600 hours and may engage in fishing until 1800 hours local time after which the trawler shall remain anchored until 0600 hours at dawn.
- (2) A Sport fishing licence may be issued for a fortnight or for one month or for one year and such licence shall unless previously cancelled continue in force—
 - (a) in case of a fortnightly licence for a period of fourteen days from the date of issue;
 - (b) in the case of a monthly licence, for a period of thirty days from the date of issue; and
 - (c) in the case of a yearly licence for a period of one year from the date of issue.
- (3) A licence issued under these Regulations shall not be transferable.

18. Power of the Director of Fisheries to attach conditions

- (1) The Director of Fisheries may attach to any licence issued under these Regulations any conditions which in his opinion are necessary or expedient for the carrying into effect the objectives and

purposes of the Act and of these Regulations to licences so long as those conditions are not inconsistent with the provisions of the Act or Regulations made thereunder.

- (2) Without prejudice to the generality of the provisions of subregulation (1) of this regulation, the Director of Fisheries may impose conditions as to—
- (a) the methods used in fishing and disposal of fish or particular species of fish and the use of any equipment, appliance, instrument, net, fishing gear, dams or any other means whatsoever;
 - (b) introduce closed periods for fishing, restrict fishing time, specify fishing zones for any fishery;
 - (c) regulate number of fishermen, number, size and type of fishing vessels to be engaged, type and size for fishing gear or any pieces of equipment, appliance or instrument to be employed for any purpose in relation to fishing;
 - (d) the minimum length or size of any species of fish which may be captured or killed;
 - (e) requiring any licensee to submit to the Director of Fisheries or any other licensing authority samples of fishery products for laboratory analysis before marketing;
 - (f) the manner in which any fish or species of fish or any fish products shall be graded, cured, processed, preserved, marked or marketed;
 - (g) the preparation, purchase, sales or disposal of fish or fish products including fish offals;
 - (h) the layout and construction of fish processing establishment;
 - (i) the allocation of an approval number to a fish processing establishment that conforms to layout and hygienic standards set by the Director of Fisheries.

19. Director may call for records and returns

- (1) Every licensee shall furnish to the licensing authority such records pertaining to fish, species of fish products captured, killed, processed, preserved, packed, bought, sold, imported, exported, or otherwise acquired or disposed of as the Director of Fisheries may by general or special order direct.
- (2) Every licensee shall submit to the licensing authority such periodic returns as the Director of Fisheries may by general or special order direct.
- (3) A licensing authority may suspend a licence of any person who fails to comply with the provisions of paragraphs (1) and (2) until the required data has been duly submitted.
- (4) Where the licensing authority is a person other than a Director of Fisheries, he shall report the suspension to the Director as soon as practicable and the Director may confirm, vary or reverse the suspension made.

20. Special licences

- (1) Notwithstanding anything contained in these Regulations, the Director of Fisheries may grant to any person, without fees, a licence to be called a Special Licence, which shall entitle the holder to engage in fishing and to do such other things as may be specified therein for any of the following purposes—
 - (a) scientific research and museums;
 - (b) complimentary purposes;
 - (c) educational purposes; and
 - (d) the supply of food in cases of emergency where no other adequate food supply is available.

- (2) A special licence may authorise fishing in any waters and fishing of any kind of species of fish provided that a special licence issued for complimentary purposes shall not authorise the fishing of any kind of fish declared to be protected under any regulations made under the Act or fishing in any marine reserves, parks or sanctuary.
- (3) A special licence shall be valid for the periods specified therein.

21. Replacement of a lost licence

- (1) If any person to whom a licence has been issued under these Regulations satisfies the licensing authority who issued such licence that his licence or any copy of it has been lost, destroyed or defaced, the licensing authority may or, on payment by the applicant of a fee of twenty shillings issue to him a duplicate licence including any particulars endorsed or entered upon the licence lost, destroyed or defaced and the duplicate so issued shall have the same effect as the original licence.
- (2) Any licence which has been altered or added to without lawful authority or has become defaced or mutilated shall not be deemed to be a valid licence for the purposes of these Regulations.

22. Appeal to Minister

- (1) Any person aggrieved by—
 - (a) the refusal by a licensing authority to issue a licence to him;
 - (b) the suspension or revocation of a licence; permit or authority by the Director of Fisheries;
 - (c) any conditions or restriction attached or imposed on a licence,may within thirty days of communication to him of such refusal, suspension, revocation, condition or restriction, appeal in writing to the Minister.
- (2) A petition of appeal lodged under this Regulation may be in any form, but the appellant shall:
 - (a) prepare the petition in duplicate;
 - (b) adequately describe the matter to which the appeal relates;
 - (c) set forth concisely the grounds of objection;
 - (d) sign the petition; and
 - (e) serve the duplicate to the Director of Fisheries or as the case may be, the licensing authority whose decision is being challenged.
- (3) On receipt of the duplicate referred to in paragraph (2)(e) of this Regulation, the Director of Fisheries or the licensing authority, as the case may be, shall without delay forward to the Minister a written statement setting out such particulars relating to the subject matter of the appeal together with his own comments thereon as in his opinion are useful towards a just determination of appeal.
- (4) The decision of the Minister in any appeal shall be in writing and shall be communicated to the appellant and the Director of Fisheries or as the case may be, the licensing authority.

Part IV – General provisions relating to prohibitions, restrictions and exemptions (regs 23-41)

23. Restriction on import and export of fish and introduction of new species

- (1) No person shall without first obtaining a written permit or other authorisation from the Director of Fisheries and except in accordance with the conditions specified in the permit or other authorisation—
 - (a) import any live fish or fish products into Tanzania other than fish indigenous to Tanzania;
 - (b) introduce into any water in Tanzania blue gill sunfish (*Helioperca marcochira*), carp, all species of *Cyprinus* (including gold fish) or any species of fish not indigenous to Tanzania or the eggs thereof;
 - (c) transfer any species of fish or fish products not indigenous to Tanzania or the eggs thereof from one water to another within Tanzania; or
 - (d) export any live fish which are protected or fish products from Tanzania.
- (2) In addition to any other penalty which may be awarded against any person for contravention of subregulation (1) of this Regulation, the Director of Fisheries may order seizure or destruction of any fish or fish products in respect of which the offence has been committed.

24. Control of disease in fish

- (1) Where in the opinion of any licensing authority any fish or fish products in any waters are infected with any epidemic disease, he may give notice in writing to the owner of the waters or of fishing rights requiring the destruction of all fish or fish products in the said waters or the taking of such other measures as the licensing authority may specify in the notice.
- (2) Every person who receives notice served upon him under, subregulation (1) of this Regulation shall comply with the requirements set out therein at his own expense, and in default of such compliance, the licensing authority may enter upon the area take or cause to be taken such measures as may be necessary for complying with the requirement of the notice and expenses incurred thereon shall be recoverable as a civil debt from the person who has been in default.

25. Offence to possess or use dynamite, explosives or electric devices

- (1) No person shall possess or use dynamite, explosives or electric devices for the purpose of killing fish or to simplify fishing.
- (2) No person shall possess dynamited fish at sea or lake or river, or at a fish receiving station or at any other place.
- (3) Evidence on dynamited fish shall be given in a court of law by a licensing authority in Form 8 as prescribed in the Third Schedule of these Regulations.
- (4) Any person who contravenes any of the provisions of this Regulation commits an offence.

26. Prohibition of use of poison

- (1) No person shall
 - (a) use poison to kill or catch fish;
 - (b) possess fish killed by poison.
- (2) Any person who contravenes this regulation commits an offence.

- (3) A proof that fish have been killed by poison shall be made before a court of law by an authorised officer after performing rapid field and laboratory tests approved in writing, from time to time, by the Chief Government Chemist or any other authorised agency.

27. Water pollution prohibited

- (1) No person shall cause or knowingly permit to flow or pass into water any solid, liquid or gaseous matter, or cause water pollution in any lake, river, dam, estuary or sea water.
- (2) The Director of Fisheries shall maintain and establish a system of consultation and co-operation with appropriate officials in the Ministry responsible for industries or any other person or body of persons established by any written law for the purpose of requiring any person or body of persons who contravenes the provisions of this Regulation to clean the polluted water within a reasonable period at his own expenses.
- (3) No person shall, as from the first day of March, 1997 possess or use or cause another person to use or possess beach seine in any lake, dam, river, estuary or reservoir.
- (4) Where the court convicts any person of an offence committed against this paragraph⁸ of these Regulations the Court may order that the vessel, fish and fishing gear be forfeited to the government:

Provided that the provisions of subparagraphs (2), (3) and (4) shall not apply to a Research Institution to whom a special licence has been granted by the Director of Fisheries.

28. Prohibition of disturbance of spawn

- (1) No person shall wilfully disturb any spawn, or spawning fish or any bed, bank or shallow water in which there is any spawn or spawning fish provided that nothing in this Regulation shall affect any legal right to take any material or water from any waters.
- (2) No person shall carry out any fishing activity using trawl net or otherwise engage in trawling in Lake Victoria
 - (a) in waters of depth of 20 metres or less;
 - (b) in any bay, gulf or inlet of the lake.
- (3) No person shall use or cause another person to use trawl net with mesh size less than 100 mm in the cod-end in any area of Lake Victoria.
- (4) No person shall use a seine net or trawl net in an area which is 500 metres on each side of an estuary and extending seawards to a distance of 1000 metres measured from the lowest tidal level equidistant from the main channel and when regressed, to a point on the 500 metres outwards.
- (5) No person shall manufacture, import or sell a beach seine net at home, beach, shop, factory or at any other place.
- (6) Where a fishing vessel or fishing gear or fishery product is abandoned, and the authorised officer believes that any person is liable to be investigated, searched or arrested in connection with a commission of an offence under the Act, or that, that person has absconded to any place within or outside the United Republic, or has concealed himself so that he cannot be searched, arrested or otherwise investigated the authorised officer may cause investigation measures to be taken in relation to the area or premises and property previously in possession, occupation or under control of the suspect.
- (7) Where upon completion of measures taken pursuant to subregulation (5) it is found that an offence has been committed, the authorised officer shall, by notice in the *Gazette*, notify the public his intention to apply to a court of law for an order in relation to the property or goods involved in the commission of a crime.

- (8) Upon expiry of twenty-one days from the date of publication of a notice under subregulation (6), the authorised officer may make an application in accordance with subregulation (7).
- (9) Upon receipt of an application made pursuant to this regulation, the court shall make such order as the court shall deem proper or just.

29. Exemption from certain prohibition

Notwithstanding anything contained in these Regulations, a person shall not be guilty of any offence against any provisions of regulations 26, 27, 28 and 29 by reason only of any act done in exercise of any legal right, or in continuance of any process or method which he has been lawfully employing from before the commencement of these Regulations, if he proves to the satisfaction of the court that he has used all available and practicable means to render any substance, matter or thing used by him harmless to fish or to the spawning grounds, spawn or food of fish.

30. Restriction on entry of foreign fishing vessels in territorial water

- (1) No foreign fishing vessel shall enter territorial waters for any purpose unless such entry is authorised by or under
 - (a) the Act or Regulations made thereunder;
 - (b) any other written law; or
 - (c) any treaty or international convention to which the United Republic of Tanzania is a party.
- (2) No foreign fishing vessel shall enter the territorial waters with the intention of seeking or fishing license either by way of change of ownership or change of vessel flag without prior consent in writing by the Director of Fisheries.

31. Restriction of fishing in territorial waters

In the territorial waters no person on board a foreign fishing vessel, including members of her crew and persons attached to or employed on such vessel, shall

- (a) fish or prepare to fish; or
- (b) unload, land or tranship any fish, outfit of supplies;
- (c) ship or discharge any person; or
- (d) purchase or obtain bait or any supplies or outfits; or
- (e) take or prepare any aquatic flora, unless he is authorised to do so by the provisions or regulations made under this Act or any other written law or any treaty or International Convention to which United Republic of Tanzania is a party.

32. Prohibition of exposing fishing gear in territorial waters

Every foreign fishing vessel that enters the territorial waters shall fly its national flag and ensure that its registration mark is clearly visible, and it shall clear its decks of fishing gear which shall be stowed in such manner as to preclude its use.

33. Prohibition of transporting fish into territorial waters

No person, being on board a Tanzania fishing vessel shall bring into the territorial waters any fish or fish products received outside such waters from a foreign vessel, unless he is authorised by provisions or Regulations made under this Act.

34. Restriction on possession of fish in prohibited place

At any place where fishing for any type of fish is prohibited under these Regulations, no person shall have in his possession any fish or such type of fish the fishing of which is prohibited, as the case may be, or any product without lawful excuse, the proof of which shall lie upon him.

35. Fishing gear not to obstruct navigation

No person shall set or use seine nets, gill nets or other fishing gear in to such place or manner as obstruct navigation.

36. Fishing gear not to be damaged

No person shall, by conducting or navigating any boat or vessel destroy or damage any seine net, gill net or other fishing gear lawfully set.

37. Stakes, weirs, etc., to be removed

Every person who uses stakes, posts, buoys or other materials for the purposes of fishing shall remove the same from the waters within forty eight hours of having ceased to use them, and in all cases at the expiry of the fishing seasons.

38. Main channel not to be obstructed

Except where the Director of Fisheries having regard to any special circumstances by writing permits otherwise, a fishing gear shall be so set or used as to leave clear, navigational and unobstructed at least one third of the whole breadth of the river or stream, main channel at low tide or tidal stream, to which the gear is set.

39. Nets or fishing gear not to obstruct the passage for fish

No person shall erect, construct, use or maintain in the territorial waters any net or other fishing gear which unduly obstructs the passage of fish, and a licensing authority may order removal of or cause to be removed any such net, or other fishing gear.

40. Prohibition on certain sizes of seine and other types of nets, etc.

Notwithstanding anything contained in these Regulations no person shall use for use of fishing

- (a) monofilament nets in all fresh water fisheries;
- (b) harpoon guns, spear guns, except where he is authorised by Regulations made under the Act.

41. Exemptions relating to methods of fishing

- (1) Notwithstanding anything contained in these Regulations, no licence, permit or permission shall be required for fishing by means of any of the methods set out in the Fourth Schedule of these Regulations.
- (2) Where a fee has been prescribed and is chargeable in respect of any matter or thing under these Regulations, the Director of Fisheries may remit the whole or part of such fee which, but for this Regulation, would be payable by any *bona fide* Ujamaa Village.

Part V – Offences and penalties (regs 42-45)

42. Offences

Any person who contravenes any of the provisions of these Regulations commits an offence.

43. Penalty for offences

Any person who commits an offence under these Regulations other than those with prescribed penalties shall be liable on conviction—

- (a) in the case of a first offence, to a penalty of a fine not exceeding three hundred thousand shillings or of a term of imprisonment not exceeding two years or to both;
- (b) in the case of a second or subsequent offence, to a penalty of a fine not exceeding five hundred thousand shillings or a term of imprisonment not exceeding five years, or to both.

44. Offences committed under Regulations

- (1) Any person who commits an offence under Regulations [26](#), [27](#), [31](#), [32](#) and [41](#) shall be liable on conviction—
 - (a) in case of a first offence under Regulations [26](#), [27](#), [31](#), [32](#) and [41](#) a penalty of a fine of not less than three hundred thousand shillings or to a term of imprisonment of not less than three years or to both;
 - (b) in case of a second offence or subsequent offences to a penalty of a fine of not less than five hundred shillings or to a term of imprisonment of not less than four years or to both.
- (2) The court convicting a person of an offence under paragraphs [\(a\)](#) and [\(b\)](#) shall order forfeiture of such a vessel, fish or fishing gear, to the United Republic of Tanzania.

45. Revocation

[Revokes the Fisheries (General) Regulations⁷.]

First Schedule

Forms

[Editorial note: The forms have not been reproduced]

Second Schedule (Regulation 7(3))

Provisions as to identification marks

The places mentioned below in column one shall be represented respectively by the sets of letters mentioned in column two, and where more than one set of letters occurs in respect of any place, such shall be represented by any of such sets of letters—

	Column one region/District	Column two mark
1.	Arusha	A
	Arumeru	RU
	Arusha	AR
	Monduli	MD
	Babati	BT
	Hanang	BB
	Ngorongoro	NG
	Mbulu	ML
	Kiteto	ET
	Simanjiro	SJ
2.	Coast	C
	Bagamoyo	BG
	Mafia	MF
	Rufiji	RJ
	Kisarawe	KS
	Kibaha	KH
3.	Dar es salaam	X
	Ilala	IL
	Temeke	TK

	Column one region/District	Column two mark
	Kinondoni	KI
4.	DODOMA	D
	Dodoma Urban	DM
	Mpwapwa	MP
	Kondoa	KD
	Dodoma Rural	DV
	Kongwa	KO
5.	Iringa	N
	Iringa	IR
	Mufindi	FD
	Njombe	ND
	Rudewa	RW
	Makete	MK
6.	Kigoma	K
	Kigoma Township	KGM
	Kigoma District	KGM
	Kasulu	KU
	Kibondo	KB
7.	Kilimanjaro	J
	Moshi	MH

	Column one region/District	Column two mark
	Same	SE
	Rombo	RB
	Hai	HI
	Mwanga	MN
8.	Lindi	L
	Kilwa	KW
	Lindi	LD
	Nachingwea	HA
	Liwale	LE
9.	Mara	M
	Bunda	BD
	Musoma	MU
	Musoma Urban	MM
	Musoma Rural	MR
	Tarime	TH
	Serengeti	ST
10.	Mbeya	E
	Mbeya Rural	MB
	Mbeya Township	MJ
	Chunya	CH

	Column one region/District	Column two mark
	Kyela	KY
	Mbozi	BZ
	Ileje	IJ
	Usangu	US
11.	Morogoro	G
	Kilosa	KL
	Ulanga	UL
	Morogoro	MG
	Kilombero	OK
12.	Mtwara	W
	Mtwara Township	MM
	Mtwara District Council	MV
	Newala	NE
	Masasi	MA
	Tandahimba	TH
13.	Mwanza	M
	Geita	GA
	Malya	KM
	Mwanza	MW
	Ukerewe	UK

	Column one region/District	Column two mark
	Magu	UM
	Sengerema	SR
	Misungwi	SU
14.	Rukwa	Q
	Mpanda	PD
	Sumbawanga	SB
	Nkasi	NK
15.	Ruvuma	V
	Mbinga	MN
	Songea	SG
	Tunduru	TU
	Songea Sub-District	SO
16.	Sinyanga	Y
	Kahama	KA
	Maswa	MS
	Shinyanga	SY
	Bariadi	BA
	Shinyanga Sub-District	SN
	Meatu Sub-District	MA

	Column one region/District	Column two mark
17.	Singida	S
	Iramba	KT
	Manyoni	MY
	Singida Urban	SA
	Singida Rural	SW
18.	Tabora	O
	Tabora Municipality	TBI
	Tabora District Council	TBW
	Urambo District Council	UR
	Nzega District Council	NZ
	Igunga District Council	IG
19.	Tanga	T
	Handeni	HD
	Korogwe	KR
	Lushoto	LT
	Pangani	PA
	Muheza	MZ
	Tanga	TA
20.	Kagera	B
	Bukoba Township	BKT

	Column one region/District	Column two mark
	Bukoba Rural	BKR
	Biharamulo	KB
	Karagwe	KE
	Ngara	NR
	Muleba	ME

Third Schedule (Regulations 7(3) and 13)

Fees

Part A: Fishing vessel registration and transfer fees

- Fishing vessel registration and transfer fee shall be charged according to the mode of operation, ownership, whether the applicant has invested in approved shore based fish processing establishment or not;
- Transfer fee for any type of fishing vessel shall be charged at the same rate as the registration fee;
- Owners of Tanzania vessels shall pay fees in equivalent Tanzania Shillings and owners of foreign vessels shall pay licence fees in US\$.

Fees for registration or transfer of various categories of fishing vessels are as follows:

	Vessel description	Tanzanian Vessel	Tanzanian Vessel	Foreign Vessel	Foreign Vessel
		(i)	(ii)	(i)	(ii)
1.	Trawler below 11.0 metres long or below 20 grt	prohibited	prohibited	prohibited	prohibited
2.	Trawler between 11.1 - 15.0 metres or 20 grt to 150 grt	68.16	100.80	4,000.00	48,000.00
3.	Trawler above 150 grt	prohibited	prohibited	prohibited	prohibited
4.	Vessel for fishing for fin fish up to 11.0 metres long	1.68	1.68	prohibited	prohibited

	Vessel description	Tanzanian Vessel	Tanzanian Vessel	Foreign Vessel	Foreign Vessel
5.	Vessel for fishing for fin fish 11.1 - 15.0 metres long	4.80	4.80	600.00	1,200.00
6.	Vessel for fishing for fin fish between 15.1 - 20.0 metres long	9.60	12.00	840.00	2,400.00
7.	Vessel for fishing for fin fish between 20.1 - 150 grt	33.60	48.00	1,200.00	12,000.00
8.	Vessel for fishing for fin fish between 150.1 - 200 grt	48.00	120.00	2,400.00	14,400.00
9.	Vessel for fishing for fin fish between 200.1 - 250 grt	120.00	180.00	3000.00	16,800.00
10.	Vessel for fishing fin fish between 250.1 - 300 grt	180.00	240.00	3600.00	19,200.00
11.	Vessel for fishing for fin fish above 300.1 grt	240.00	298.00	4800.00	21,600.00
12.	Sport fishing vessel	6.72	6.72	120.00	120.00
<p><i>Note:(i) Individual/company with approved shore based fish processing establishment. (ii) Individual/company without approved shore based fish processing establishment.</i></p>					

Part B: Fishing vessel licence:

Fees for fishing vessel licence (Form 4) shall be charged according to the gross registered tonnage of the vessel, ownership and of investment in terms of shore based fish processing establishment approved according to the Fisheries policy. An owner of Tanzanian vessel shall pay licence fees in equivalent Tanzanian shillings. Owner of a foreign vessel shall pay licence fees in United States dollars.

	Vessel Description	Tanzania Vessel	Tanzania Vessel	Foreign Vessel	Foreign Vessel
		(i)	(ii)	(i)	(ii)
1.	Trawler up to 11.0 metres or below 20 grt	prohibited	prohibited	prohibited	prohibited

	Vessel Description	Tanzania Vessel	Tanzania Vessel	Foreign Vessel	Foreign Vessel
1.2. ¹¹	Vessel for fishing for fin fish up to 11.0m or below 20 grt	1.20	1.20	prohibited	prohibited
2.3. ¹²	Vessel for fin fish between 11.1 - 15.0 metres	2.40	2.40	prohibited	prohibited
3.4. ¹³	Vessel between 15.1 - 20.0 metres	3.00	4.80	prohibited	prohibited
5.	Trawler/vessel for fin fish between 20.1 - 50.0 grt	2.40	4.80	22.56	54.00
6.	Trawler/vessel between 50.1 - 100.0 grt	3.60	6.00	30.00	72.00
7.	Trawler/vessel between 100.1 - 150 grt	4.80	9.00	37.56	90.00
8.	Vessel for fin fish between 150.1 - 200.0 grt	6.00	10.80	45.00	108.00
9.	Vessel for fin fish between 200.1 - 250 grt	7.20	12.60	52.56	126.00
10.	Vessel for fin fish between 250.1 - 300.00 grt	8.40	16.20	60.00	144.00
11.	Vessel for fin fish above 300.1 grt	9.60	18.00	60.36	162.00

11

Rate per Vessel.

12

Rate per Vessel.

13

Rate per Vessel.

	Vessel Description	Tanzania Vessel	Tanzania Vessel	Foreign Vessel	Foreign Vessel
12.	4 Vessel for sport fishing 14	24.00	24.00	24.00	24.00

Part C – Fishing licences:

Crustacean:					
Vessel description		Tanzanian vessel		Foreign vessel	
		(i) rate @ grt	(ii) rate @ grt	(i) rate @ grt	(ii) rate @ grt
1.	Trawler up to 11.0m or below 20 grt	Prohibited	Prohibited	Prohibited	Prohibited
2.	Trawler between 20.1 - 50 grt	2.40	4.80	22.5	54.00
3.	Trawler between 50.1 - 100 grt	3.6	6.00	30.00	72.00
4.	Trawler between 100.1 - 150 grt	4.8	9.00	37.56	90.00
5.	Trawler between 150.1 - 200 grt	6.00	10.80	45.00	108.00

Fin Fish:					
Vessel description		Tanzania Vessel	Foreign Vessel	Foreign Vessel	Foreign Vessel
		(i)	(ii)	(i)	(ii)
1.	Vessel up to 11.0m or below 20 grt	1.80	1.80	Prohibited	Prohibited
2.	Vessel between 11.1 - 15.0 metres	6.00	6.00	Prohibited	Prohibited

14

Rate per Vessel.

3.	Vessel between 15.1 - 20.0 metre	12.00	12.00	Prohibited	Prohibited
4.	Vessel between 15.1 - 20.0 metre	1.20@grt	1.20@grt	11.28@grt	27.00@grt
5.	Vessel between 50.1 - 100 grt	1.80@grt	3.00@grt	15.00@grt	36.00@grt
6.	Vessel between 100.1 - 150 grt	2.40@grt	4.50@grt	18.78@grt	45.00@grt
7.	Vessel between 150.1 - 2.00 grt	3.00@grt	5.40@grt	22.50grt	54.00@grt
8.	Vessel between 200.1 - 250 grt	3.60@grt	6.30@grt	26.28@grt	63.00@grt
9.	Vessel between 250.1 - 300 grt	4.0@grt	8.10@grt	30.00@grt	72.00@grt
10.	Vessel between 300.1 - 350 grt	4.8@grt	9.00@grt	30.18@grt	81.00@grt
11.	Vessel between 350.1 - 400 grt	5.2@grt	9.6@grt	37.70@grt	90.00@grt
12.	Vessel above 400 grt	6.0@grt	11.7@grt	41.28@grt	99.00@grt

Sport fishing: (fee payable in equivalent (T. Shs))

(a)	For seven days	US dollars 6.00				
(b)	For fourteen days	US dollars 12.00				
(c)	For one year	US dollars 60.00				

Fee for collecting, fishing or dealing in fishery products specified below shall be as follows:

	Fishery products	Tanzania citizen		Non-citizen	
		(i)	(ii)	(i)	(ii)
1.	Aquarium fish	12.60	18.96	504.00	prohibited
2.	Sea shells	5.04	7.56	504.00	prohibited

Sport fishing: (fee payable in equivalent (T. Shs)						
3.	Bêche de mer	3.12	4.68	504.00	prohibited	
4.	Sea weeds	3.12	4.68	504.00	prohibited	
5.	Shark fins/ jaws	3.12	4.68	504.00	prohibited	
6.	Cephalopods	5.04	4.68	504.00	prohibited	
7.	Prawns/ lobsters/crab	5.04	7.56	504.00	prohibited	
8.	Fish maws	3.12	4.68	504.00	prohibited	
9.	Fish offal	3.12	4.68	504.00	prohibited	
10.	Fish skins	3.12	4.68	504.00	prohibited	
11.	Others	3.36	4.56	504.00	prohibited	
<p><i>Note:(i) Individual/company with approved shore based fish processing establishment.(ii) Individual/company without approved shore based fish processing establishment.</i></p>						

Fees for export licences:

Product	Citizen		Non citizen	
	(i)	(ii)	(i)	(ii)
1. Aquarium fish	43.80	47.04	504.00	Prohibited
2. Bêche de mer	21.48	23.52	504.00	Prohibited
3. Sea shells	37.80	41.64	504.00	Prohibited
4. Prawn/lobster/crabs	37.80	41.64	504.00	Prohibited
5. Sea weeds	21.48	23.52	504.00	Prohibited

Product	Citizen		Non citizen	
6. Shark fins/shark jaws	21.48	23.52	504.00	Prohibited
7. Cephalopods	37.80	41.64	504.00	Prohibited
8. Dry fish	37.80	41.64	504.00	Prohibited
9. Fish fillets	37.80	41.64	504.00	Prohibited
10. Head on and gutted Nile perch	75.60	83.16	504.00	Prohibited
11. Fish maws	21.48	23.52	504.00	Prohibited
12. Fish offals	21.48	23.52	504.00	Prohibited
13. Products not specified above	35.28	38.76	504.00	Prohibited

Export royalty

Export royalty shall be charged according to kilogram weight and grade of the products specified below except for sea shells and aquarium fish which shall be charged according to FOB value.

Product	Grade	Frozen at sea	Frozen at shore Based establishment
Prawns - headless (tails)			
	1-15	0.89	0.86
	16-25	0.84	0.81
	26-40	0.72	0.69
	41-60	0.66	0.63
	61-80	0.48	0.45
	81-100	0.36	0.33
	101-150	0.32	0.29

Product	Grade	Frozen at sea	Frozen at shore Based establishment
	151-200	0.26	0.23
	above 201	0.19	0.16
Prawns - head on	1-10	0.82	0.79
	11-15	0.71	0.69
	16-24	0.67	0.64
	25-36	0.65	0.63
	37-48	0.47	0.45
	49-60	0.33	0.30
	61-90	0.27	0.24
	over 90	0.24	0.21

Products	Grade/type	Royalty @ kg
Lobsters:		
(i) Live	Live	0.90
(ii) Whole frozen	Whole frozen	0.42
(iii) Tails	1-4cm	0.48
	4-6cm	0.54
	6-8cm	0.57
	8-10cm	0.63

Products		Grade/type	Royalty @ kg
		10-12cm	0.75
		12-14cm	0.84
		above 14cm	0.90
Caribbean prawns		Live	0.72
Calamari/prawn kebab		Frozen/chilled	0.30
Crabs		" "	0.60
		" "	0.30
Cephalopods/gastropods		Frozen/chilled	
(i)	octopus	0.15	
(ii)	squids		0.18
(iii)	shell meat		0.06
Bêche de mer		10-20pc/kg	1.20
		21-30pc/kg	1.08
		31 & above	0.90
Shark fins		Below 10cm	0.66
		10-20cm	1.08
		20-30cm	1.20
		30-40.0cm	1.50
		above 40.1cm	1.80
Sea weeds		Euchemma spp	0.024

Products		Grade/type	Royalty @ kg
		Gracillaria spp	0.030
		Gigartana/others	0.051
Freshwater fishery products			
(i)	Fillets	Fresh/chilled/frozen	0.15
(ii)	Dry Nile Perch	Dry	0.18
(iii)	Fish maws	Dry	0.36
(iv)	Fish maws	Fresh	0.18
(v)	Belly flaps	Fresh/chilled	0.075
(vi)	Off cuts	Fresh/chilled	0.075
(vii)	Fish meal	Dry	0.012
(viii)	Fish frames		0.009
(ix)	Dagaa	L. Victoria	0.042
(x)	Dagaa	L. Tanganyika	0.072
(xi)	Aquarium fish	Fresh water/sea water	6% <i>ad valorem</i>
(xii)	Sea shells	All types	6% <i>ad valorem</i>

Fourth Schedule (Regulation 42)

Fishing methods exempted from taking out licence 151

1. Fishing for prawns using cloth - KUTANDA UDUVI.
2. Using rod and line or handline from the beach without using a fishing vessel whether for sport fishing, domestic consumption on sale except in a declared out steam or prawning ground or a fish reserve.
3. Small cast nets, seine nets for amusement, sport, domestic consumption or commercial purposes except in spawning grounds or closed waters, or fish reserve.

4. Baskets, aps, gill nets when used without using a fishing vessel for domestic consumption or sale except in spawning grounds or closed waters or fish reserve.
5. Fishing or harvesting of fish or aquatic flora from a fish pond or a commercial farm.