

3) REGULATIONS

(a) Fisheries Regulations, 1979.

IN exercise of the powers conferred on the Commissioner responsible for Agriculture by section 23 of the Fisheries Decree, 1979 (S.M.C.D.) these Regulations are made this day of 1979.

Licences.

1. (1) A licence for a motor fishing vessel shall be in the form set out in the First Schedule to these Regulations.

(2) The fee payable for a licence in respect of a motor fishing vessel shall be in accordance with the Second Schedule to these Regulations.

(3) Where in the case of tuna vessels a motor vessel operates with catchers as a unit the fee prescribed shall apply to the motor vessel.

(4) Notwithstanding anything to the contrary, the provisions of this regulation shall apply to any vessel affected by any agreement entered into under the proviso to paragraph (a) of subsection (1) of section 3 of the Fisheries Decree, 1972 (N.R.C.D. 87) in respect of any period falling after the commencement of these Regulations.

Use of explosives or of poisonous matter prohibited.

2. No person shall within Ghana take or destroy or attempt to take or destroy any fish by the use of dynamite, gelignite or other explosive substance, or by the use of any noxious or poisonous matter.

No seine net to be used without permit.

3. (1) No person shall use a seine net in any river unless a permit in the form set out in the Third Schedule to these Regulations for the use of such net has been granted by the Director of Fisheries or any person authorised by him to act on his behalf; and any reference to the Director of Fisheries shall be construed as including any such person.

(2) No permit shall be issued in respect of a seine net having a bag the mesh of which is less than 50 millimetres in stretched diagonal length.

(3) A permit for the use of a seine net may for good cause be revoked by the Director of Fisheries.

(4) For the purposes of this regulation, "seine net" means any net having two wings joined to a bag at its centre, and which for the purposes of taking fish is drawn through the water by means of ropes attached to the outer end of each wing.

No set net to be used unless of specified mesh.

4. (1) No person shall use a set net in any river or dam unless the mesh of such net is not less than 50 millimetres in stretched diagonal length.

(2) For the purpose of this regulation "set net" means any net that for the purpose of taking fish is anchored to the bed of the river.

Importation and selling of certain type of fishing net prohibited. 5. No person shall import into or sell in Ghana any fishing net or netting, the mesh of which is less than 25 millimetres in stretched diagonal length.

Permit to import or export live fish. 6. (1) No person shall import into or export out of Ghana any live fish except under and in accordance with the terms of a permit issued by the Licensing Officer.

(2) The permit to be issued under this regulation shall be subject to such conditions as the Licensing Officer may think necessary or expedient and shall be in the form set out in the Fourth Schedule to these Regulations.

Minimum requirements of mesh. 7. No person shall operate from or carry upon or in any motor fishing vessel a trawl net the mesh of which is less than 70 millimetres in stretched diagonal length.

Seaworthiness. 8. (1) A motor fishing vessel shall be sound and seaworthy and its engine shall be kept in serviceable and good condition.

(2) The Licensing Officer may cancel or suspend the licence of any motor fishing vessel which in his opinion does not comply with the requirements of this regulation.

Lights to be carried by motor vessels. 9. A motor fishing vessel, according to its waterline length as hereunder specified, shall carry the following lights between sunset and sunrise:-

(1) exceeding 12 metres in waterline length:

(a) When under way -

- (i) a white light showing ahead from $22\frac{1}{2}^{\circ}$ abaft the starboard beam to $22\frac{1}{2}^{\circ}$ abaft the port beam;
- (ii) a green light carried below the white light showing from right ahead to $22\frac{1}{2}^{\circ}$ abaft the starboard beam;
- (iii) a red light carried below the white light showing from right ahead $22\frac{1}{2}^{\circ}$ abaft the port beam;
- (iv) a white light at stern showing from right abaft to $67\frac{1}{2}^{\circ}$ on either side of the vessel.

(b) When trawling -

- (i) a tricolour lantern showing a white light ahead from $22\frac{1}{2}^{\circ}$ on the starboard bow to $22\frac{1}{2}^{\circ}$ on the port bow; a green light showing from $22\frac{1}{2}^{\circ}$ on the starboard bow to $22\frac{1}{2}^{\circ}$ abaft the starboard beam, and a red light showing from $22\frac{1}{2}^{\circ}$ on the port bow to $22\frac{1}{2}^{\circ}$ abaft the port beam.
- (ii) a white light showing all round the horizon, such white light being carried below the tricolour lantern.

(c) When at anchor, a white light showing all round the horizon.

- (2) not exceeding 12 metres but exceeding 8 metres -
 - (a) When under way -
 - (i) a white light showing ahead from $22\frac{1}{2}^{\circ}$ abaft the starboard beam to $22\frac{1}{2}^{\circ}$ abaft the port beam,
 - (ii) a green light carried below the white light showing from right ahead to $22\frac{1}{2}^{\circ}$ abaft the port beam.
 - (b) When trawling or at anchor, a white light showing all round the horizon.

(3) A motor fishing vessel not exceeding 8 metres in waterline length or a fishing vessel including a canoe not being a motor fishing vessel when under way or at anchor between sunset and sunrise shall carry a white light showing all round the horizon.

Equipment to be carried by motor vessels. 10. A motor fishing vessel according to its waterline length as hereunder specified shall carry the following items of equipment, each of which shall be of a type approved by the Licensing Officer for such vessels:-

- (1) exceeding 8 metres in waterline length -
 - (a) one anchor and chain cable;
 - (b) one compass;
 - (c) one horn or other instrument for producing sound signals;
 - (d) two fire extinguishers, one of which shall be placed near the engine and one forward thereof. Where the engine is situated in a closed compartment or below the deck the fire extinguisher near it shall be of the foam, carbon dioxide or powder type.

(2) not exceeding 12 metres but exceeding 8 metres in waterline length: lifebelts or lifebuoys or other buoyant apparatus sufficient to support all the members of its normal crew. Such lifebelts, lifebuoys or buoyants shall be of a type approved by the Licensing Officer.

- (3) exceeding 12 metres in waterline length -
 - (a) an inflatable liferaft of a size to accommodate all the members of the vessel's normal crew, the type of liferaft to be approved by the Licensing Officer;
 - (b) flares or other pyrotechnic distress signals of a type and in such quantity as the Licensing Officer may specify;
 - (c) a tow rope, chain or wire approved by the Licensing Officer as suitable for towing such vessel.

Light and equipment to be carried by small vessels. 11. (1) The following lights shall be carried by all small fishing vessels including canoes whether operative under paddle or sail or driven by outboard motor between the hours of dusk and dawn, that is to say -

- (a) a white light of a pattern approved by the Director of Fisheries such as a well-made hurricane lantern visible all round the horizon and suspended from the mast as high as possible.
- (b) a flare up light such as a piece of cloth soaked in kerosene or other inflammable oil which can be ignited to produce a substantial flare in time to avoid a collision.

- (4) Where the contravention involves the carrying on of fishing operations in Ghana without a licence and the vessel involved is a vessel registered in a country other than Ghana or owned wholly by persons other than Ghanaians, the penalty imposed by the Commissioner under subregulation (3) of this regulation may be prescribed to be paid in convertible foreign currency.

- (5) The amount of any civil penalty imposed by the Commissioner under subregulation (3) of this regulation shall take into account the nature, circumstances, extent and gravity of the contravention, and with respect to the person responsible for the contravention the degree of culpability, any history of previous offences and such other matters as justice may require.

Revocation 14. The Fisheries Regulations, 1964 (L.I.364) is hereby revoked.

Commencement 15. These Regulations shall come into force on the day of _____, 1979.

FIRST SCHEDULE

FISHERIES DECREE, 1979 (S.M.C.D.)

FISHERIES REGULATIONS, 1979

Motor Fishing Vessel Licence
(granted under regulation 1 (1))

Gross registered tonnage in metric tonnes.....

Fee paid: C The motor fishing vessel (name)
bearing (letter and number) and
owned by of is
hereby licensed to be operated and navigated within Ghana for the purpose of taking fish
therein from the day of , 19....., both dates inclusive.

2, This licence is subject to the following conditions:-

Issued at this day of , 19.....

Licensing Officer

GHA 44

FISHERIES REGULATIONS, 1979

SECOND SCHEDULE

Regulation 1(2)

(A) LICENCE FEES FOR FISHING VESSELS OTHER
THAN TUNA VESSELS BUILT OR
REGISTERED IN GHANA

Gross Registered Tonnage	Licence Fee	
	Annual	Quarter
Up to	C	C
— 15 tonnes	64	18
16 — 50	112	30
51 — 80	128	35
81 — 100	184	50
101 — 150	224	60
151 — 200	272	72
201 — 300	304	80
301 — 400	336	88
401 — 500	368	95
501 — 600	480	125
601 — 700	500	135
701 — 800	550	145
800 and above	600	160

(B) LICENCE FEES FOR TUNA VESSELS

Category	Licence Fee
(1) Tuna vessels Wholly owned by Ghanaians	Same as specified in Part (A) for motor fishing vessels other than tuna vessels.
(2) Tuna vessels Partly owned by Ghanaians	C50.00 per gross registered tonnage of vessels per annum.
(3) Chartered tuna vessels	US \$150.00 per gross registered tonnage of vessel per annum.
(4) Foreign tuna vessels or carriers used for tuna transshipment	US \$200.00 per call.
(5) Ghanaian owned tuna vessels or carriers used for tuna transshipment	C200.00 per call.
(6) Long liner tuna vessels which call at Ghana ports for not more than twice a year	US \$2,000.00 per call.

GHA 46

FISHERIES REGULATIONS, 1979

THIRD SCHEDULE

Regulation 3(1)

SEINE NET PERMIT
(granted under regulation 3 (1))

Permit No.....

Permission is hereby granted to _____ of _____ to
use one seine net in the _____ river, within the
district until the 31st December, 19..... subject to the following condi-
tions:-

Issued this _____ day of _____, 19.....

Director of Fisheries

FISHERIES REGULATIONS, 1979

FOURTH SCHEDULE

Regulation 6(2)

IMPORT / EXPORT PERMIT FOR LIVE FISH
(granted under regulation 6(2))

Permission is hereby granted to _____ of _____ to

*import into/export out of Ghana live fish of the description and in the
quantity specified hereon.

Description

Quantity

This permit is subject to the following conditions:

Issued at _____ this _____ day of _____, 19..

Licensing Officer

*Strike out whichever is inapplicable.

FIFTH SCHEDULE

THE FISHERIES REGULATIONS, 1979

CERTIFICATE OF COMPETENCY – FISHING COXWAIN
(granted under regulation 12(2))

I hereby certify that

of _____ is competent to serve
as a Fishing Coxwain in charge of a motor fishing vessel.

Licensing Officer

Photograph of Holder

Signature or right thumbprint
of Holder

.....