

# **THE FISHERIES (MARINE RESERVES) REGULATIONS**

(Section 7(2))

G.Ns. Nos.

137 of 1975

150 of 1975

## **1. Citation**

These Regulations may be cited as the Fisheries (Marine Reserves) Regulations.

## **2. Declaration of Marine Reserve**

The areas described in the Schedule to these Regulations are already declared to be Marine Reserves.

## **3. Fishing in Marine Reserve**

No person unless specifically authorised by the Director of fisheries shall fish in a Marine Reserve.

## **4. Control of entry**

No person shall enter or reside in a Marine Reserve without the consent in writing of the Director of fisheries:

Provided that this regulation shall not apply in relation to—

(a) a public officer on duty within the Marine Reserve or a member of his family including a domestic employee;

(b) a person who ordinarily resides at any place within the boundaries of a Marine Reserve;

(c) any person engaged in any work being lawfully carried out within the boundaries of a Marine Reserve;

(d) any person who is a *bona fide* visitor or tourist.

## **5. Preservation of Marine Reserve**

(1) No person shall collect any fish or other marine organisms within a Marine Reserve.

(2) No person shall cut, carve, injure, mutilate, remove, displace or break off any undergrowth or formation or other flora within a Marine Reserve.

(3) No person shall dig any hole within a Marine Reserve or in any other way damage or impair any natural habitat or underwater scene within a Marine Reserve.

(4) No person shall swim, wade, dive or use any diving equipment within a Marine Reserve except for any purpose connected with scientific study or if specifically otherwise authorised by the Director of fisheries.

#### **6. Prohibition of vandalism**

No person shall destroy, mark, deface, displace, remove or tamper with any sign, notice, float or placard within the boundaries of a Marine Reserve.

#### **7. Control of marine operation**

No person shall, within the boundaries of a Marine Reserve, carry on or permit or cause to be carried on any operation involving dredging, excavating, drilling or filing of any kind or use or permit or cause to be used any equipment, machinery or equipment normally used for dredging, drilling or excavating or deposit, construct or install any such machinery or equipment.

#### **8. Handling of boats in the Marine Reserve**

No person shall, within a Marine Reserve, operate, anchor, cast or drag any vessel, water craft, mooring device, in such manner as would likely strike, injure or otherwise cause damage to any marine life or underwater feature.

#### **9. Use and possession of fishing equipment prohibited**

No person shall, within a Marine Reserve, use or have in his possession any type of fishing equipment save with the permission in writing of a Fisheries Officer in charge of such Reserve.

#### **10. Offences**

Any person who contravenes any provision of these Regulations commits of an offence and shall be liable on conviction to a fine not exceeding twenty thousand shillings or imprisonment for a term not exceeding five years.

### **SCHEDULE** **MARINE RESERVES**

#### **1. *Fungu Yasini Marine Reserve:***

All that area consisting of land and ocean waters centred at Latitude 06 degrees 36 feet 00 seconds South and Longitude 39 degrees 14 feet 30 seconds East and extending to depth of 5 fathoms below the mean low tide mark from the centre point described above.

#### **2. *Mbudya Island Marine Reserve:***

All that area consisting of land and ocean waters centred at Latitude 06 degrees 39 feet 30 seconds South and Longitude 39 degrees 15 feet 00 seconds East and extending to a depth of 5 fathoms below the mean low tide mark in all direction from the centre point described above.

**3. *Bongoyo Island Marine Reserve:***

All that land and ocean waters centred at Latitude 6 degrees 43 feet 12 seconds South and Longitude 38 degrees 16 feet 00 seconds extending to a depth of 5 fathoms below the mean low tide mark in all directions from the centre point described above.

**4. *Pangavini Island Marine Reserve:***

All that area consisting of land ocean waters centred at Latitude 6 degrees 40 feet South 42 seconds South and Longitude 38 degrees 14 feet 12 seconds East and extending to a depth of 5 fathoms below the mean low tide mark from the centreed point described above.

**5. *Chale Bay Marine Reserve:***

(a) All that area consisting of land and ocean waters bounded by a line commencing at the southern most tip of Miewi Island which bears North 08 degrees 00 feet 00 seconds West and which extends to the Mainland of Mafia Island; thence along the mean high tide line to the nearest point at the outer fringing reef to the -5 fathom contour (Mean Low Water) and thence in a southerly direction generally parallel to the western shore of Miewi Island at the -5 Fathoms contour (Mean Low Water) to the point of origin at the southernmost tip of Miewi Island.

(b) All that area consisting of land and ocean waters bounded by a line commencing at the northernmost tip of Chole Island extending toward the southernmost tip of Miewi Island to its point of intersection with a line commencing at the northernmost tip of Juani Island which bears north 50 degrees 00 feet 00 seconds west; thence along this line to the northernmost tip of Juani Island and thence in a southerly direction along the mean high tide line of land on Juani Island to the point of origin on Chole Island and thence along this line to the point of origin on Chole Island.

**6. *Tutia Island Marine Reserve:***

All that area consisting of land and ocean waters centred at Latitude 8 degrees 07 feet 30 seconds South and Longitude 39 degrees 39 feet 30 seconds East and extending to a depth of 5 fathoms below the mean low mark in all directions commencing from the centre point described above.

**7. *Maziwi Island Marine Reserve:***

All that land and ocean waters centred to the north and south by 5 degrees 29 feet 48 seconds East and 5 degrees 31 feet 00 seconds East and extending to a depth of 5 fathoms below the mean low mark in all directions commencing from the centre point described above.