

FISHERIES

Table of Contents

Page

Principal

Fisheries Act 1997

Table of Provisions	23
Table of Amendments	27
Fisheries Act 1997	29

Subsidiary

Fisheries Regulations 1998

Table of Provisions	91
Table of Amendments	93
Fisheries Regulations 1998	95

Fisheries (PNA Third Implementing Arrangement) Regulations 2009

Table of Provisions	147
Table of Amendments	149
Fisheries (PNA Third Implementing Arrangement) Regulations 2009 .	151

Fisheries Act Notice 2015

Table of Amendments	165
Fisheries Act Notice 2015	167

Fisheries Act 1997

TABLE OF PROVISIONS

Section

Title

PART 1 — PRELIMINARY

- 1 Short title and commencement
- 2 Interpretation
- 3 Application

PART 2 — FISHERIES MANAGEMENT

- 4 Management principles
- 5 Foreign fishing and fisheries principles
- 6 Agreements and arrangements
- 7 Provision of information
- 8 Access agreements
- 9 Limits of catch and licences
- 10 Fishery Strategies
- 11 Fishing prohibitions
- 12 General licencing provisions
- 12A Term of licence or authorisation
- 12B Refusal to issue a licence or authorisation
- 12C Suspension and cancellation of licences and authorisations
- 12D Observance of other laws
- 12E Request for reconsideration of denied licence or authorisation
- 12F National Fisheries Register of licences and authorisations
- 12G Information to be accurate

PART 2A — REGISTRATION OF FISHING VESSELS ON THE REGISTER BOOK ESTABLISHED UNDER THE SHIPPING REGISTRATION ACT 1968

DIVISION 1 — REGISTRATION REQUIREMENTS

- 12H Requirements for registration of fishing vessels in the register book established under the Shipping Registration Act 1968
- 12I Entry and maintenance of registration in the register book
- 12J Obligation of operators applying for registration

DIVISION 2

- 12K Nauru record of fishing vessels
- 12L Disclosure of information on the record of Nauru fishing vessels
- 12M Penalties for fishing without providing information

<i>Section</i>	<i>Title</i>
DIVISION 3 — FISHING BY NATIONAL FISHING VESSELS BEYOND NAURU WATERS	
12N	Application for an authorisation to fish
12O	Power of Chief Executive Officer to grant authorisation
12P	Power not to issue an authorisation
12Q	Conditions applying to an authorisation to fish
12R	Validity of an authorisation
12S	Cancellation or suspension of an authorisation
12T	Fishing in contravention of an authorisation to fish
DIVISION 4 — USE OF FISHING VESSELS FLAGGED TO OTHER COUNTRIES ON THE HIGH SEAS	
12U	Use of vessels of other flags by Nauruan citizens or Nauruan corporations or companies on the high seas
12V	Use of National fishing vessels in the jurisdiction of another State
12W	Investigation of breaches and non-compliance
12X	Penalties for breaches of conditions or non-observance of obligations
12Y	Access to information held by the Registrar of Foreign Vessels
12Z	Obligation to provide fisheries data and catch information
DIVISION 5 — INTERNATIONAL FISHERIES UNIT	
12AA	International Fisheries Unit
PART 3 — MONITORING AND ENFORCEMENT	
13	Observers
14	Authorised officers
15	Identification of authorised officers and observers
16	Offences as cognizable offences
17	Powers of authorised officers
18	Seizure of vessels, vehicles and aircraft
19	Immobilisation of vessel, vehicle or aircraft
20	Disposal of seized fish and other things
21	Security for release of a seized vessel
PART 3A — REQUIREMENTS FOR CHARTER OF FISHING VESSELS	
21A	Charter of fishing vessel by citizens
21B	Duty of operator to comply
21C	Suspension or cancellation of a licence or authorisation in respect of a fishing vessel operating under a charter agreement
PART 3B — AUTHORISATION TO CHARTER BEYOND NAURU WATERS	
21D	Application by non-citizen for authorisation to charter a national fishing vessel beyond Nauru waters
21E	Duty of operator to comply

<i>Section</i>	<i>Title</i>
21F	Suspension or cancellation of authorisation

PART 3C — COMPLIANCE WITH INTERNATIONAL OBLIGATIONS

21G	Application of Part 3C
21H	Giving effect to international conservation and management measures

PART 3D — POLLUTION

21I	Interpretation
21J	Discharge of oil or pollution into Nauru waters
21K	Discharge of oil or pollutants into waters outside Nauru waters
21L	Discharge of garbage or sewage from fishing vessels into Nauru water
21M	Equipment to prevent pollution
21N	Equipment to deal with pollution
21O	Duty to report discharge
21P	Records
21Q	Enforcement of the prevention of pollution

PART 4 — OFFENCES

22	Breach of fishing prohibitions
23	Fishing without or in breach of a licence
24	Foreign fishing vessels in fisheries waters
25	Driftnet fishing
26	Import of illegally taken fish
27	Obstruction of authorised officers or observers

PART 5 — DEALING WITH OFFENCES

28	Liability of master and others
29	Offences triable in the District Court
30	Jurisdiction of the court
31	Evidence by certificate
32	Presumptions
33	Forfeiture of vessel and other property
34	Compensation for loss or damage
35	Costs in fisheries prosecutions
36	Cancellation of licence
37	Vessels and other things detained or seized

PART 6 — MISCELLANEOUS

38	Application of bond, security and proceeds of sale
39	Fees, forfeited property and proceeds of sale
40	Liability for loss, damage or deterioration of items in custody
41	Immunity of persons acting in pursuance of powers
42	Regulations