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[Legal Notice No. 61]**FISHERIES MANAGEMENT (PROHIBITED ACTIVITIES)
REGULATIONS 2018****Table of provisions**

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FISHERIES MANAGEMENT (PROHIBITED ACTIVITIES) REGULATIONS 2018

IN exercise of the powers conferred by section 129 of the Fisheries Management Act 2015 the Minister for Fisheries and Marine Resources makes the following Regulations:

1 Citation

These Regulations may be cited as the Fisheries Management (Prohibited Activities) Regulations 2018.

2 Commencement

These Regulations commence on the date of publication in the *Gazette*.

3 Definitions

In these Regulations:

“carapace” means the upper section of the outer shell of a crustacean;

“carapace length” means a vertical measurement from the rostral horn to the bottom end of a carapace;

“coral” means sedentary invertebrates which normally live in colonies, are composed of polyps and an external calcareous, horny or soft skeleton and are massive, plate, branching or encrusting in character;

“dead coral” means any calcareous, horny or soft skeleton remaining after the death of coral polyps, and includes coral gravel or a fragment which originates from coral;

“destroys” means to damage or to remove;

“live rock” means dead coral or rock naturally colonized by marine life such as invertebrates, corals, sponges;

“rostral horn” means the horn-like projecting structure near the eyes or mouth on a carapace;

“nesting turtle” means any turtle that is above the waterline, anywhere on a beach or in the process of laying eggs;

“seine net” means a fishing net that hangs vertically in the water with its bottom edge held down by weights and its top edge buoyed by floats. And can be deployed from the shore as a beach seine or from a boat;

“shark finning” means the taking of a shark, removing its fin or fins (whether or not including the tail) and returning the remainder of the shark to the sea;

“tag” means any device or system that can be attached to a fish and used to electronically locate, track or otherwise monitor a fish;

“tangle net” means a net made with a thin light nylon rope that has mesh size of less than 8 cm and is strung between a top rope that floats and the bottom rope which has attached weights and a greater amount of slack netting interspersed within its multiple netting walls;

“turtle nest” means a pit on a sand beach which contains turtle eggs; and

“waterline” is wherever the water reaches land at anytime of the day.

4 Application

These regulations apply only to activities, fish and gear specified in the Schedule.

5 Prohibited Activities

A person who engages in conduct specified in the Schedule, column 1, in relation to fish or gear specified opposite in column 2, commits an offence carrying the penalty in column 3.

Schedule

Column 1	Column 2	Column 3
1. fish for and retain, sell or buy	<p>(i) any mud crab of the species <i>Scylla serrata</i>:</p> <p>1) whose carapace length is less than 12cm when measured along the midline from immediately behind the rostral horn to the rear edge of the carapace; or</p> <p>2) which is carrying eggs externally or from which eggs have been removed.</p> <p>(ii) any crayfish of the genus <i>Panulirus</i>:</p> <p>1) whose carapace length is less than 8cm when measured along the midline from immediately behind the rostral horn to the rear edge of the carapace; or</p> <p>2) carrying eggs externally from which the eggs have been removed.</p>	30 000 penalty units or 3 months imprisonment or both.
2. fish for and retain, be in possession of, sell or buy	<p>(i) any coconut crab of the species <i>Birgus latro</i>:</p> <p>(1) which is less than 9cm in length when measured along the carapace from immediately behind the rostral horn to the rear edge of the carapace in the midline; or</p> <p>(2) during the breeding season from June to October in a calendar year; or</p> <p>(3) carrying eggs externally or from which eggs have been removed.</p> <p>(ii) any oyster shells of the genus <i>Pinctada</i> less than 10cm in shell width when measured across the widest part of the shell.</p>	40 000 penalty units or 4 months imprisonment or both.

3. fish for, sell or buy	<p>(i) golden cowrie shell of the species <i>Callistocypraea aurantium</i> of any size;</p> <p>(ii) glory of the sea cone shell of the species <i>Conus gloriamaris</i> of any size;</p> <p>(iii) green snail of the species <i>Turbo marmoratus</i> of any size;</p> <p>(iv) any maori wrasse (<i>Cheilinus undulatus</i>) less than 65cm in total length when measured from the furthestmost point of the snout to the end of the tail;</p> <p>(v) any bumphead parrotfish (<i>Balbometopon muricatum</i>) less than 65cm in total length when measured from the furthermost point of the snout to the end of the tail.</p>	30 000 penalty units or 3 months imprisonment or both.
4. fish for and retain, be in possession of, sell, buy or export	<p>(i) any nesting turtle;</p> <p>(ii) any leatherback turtle of the species <i>Dermochelys coriacea</i>; or</p> <p>(iii) any dugong (<i>Dugong dugong</i>).</p>	40 000 penalty units or 4 months imprisonment or both.
5. sell, buy or export	<p>(i) any turtle</p> <p>(ii) clam meat or clam products of the genus <i>Tridacna</i> and <i>Hippopus</i> not under a management plan;</p> <p>(iii) triton shell of the genus <i>Charonia</i> of any size.</p>	40 000 penalty units or 4 months imprisonment or both.
6. fish for, sell, buy or export in their unprocessed form	<p>(i) branching coral <i>Acropora humulis</i>, soft coral <i>Euphyllia glabrescens</i> and mushroom coral <i>Fungia fungites</i>.</p>	50 000 penalty units or 5 months imprisonment or both.

7. destroys	(i) turtle nest or eggs; (ii) turtle with a tag attached; or (iii) tag attached to a turtle	40 000 penalty units or 4 months imprisonment or both.
8. shark finning	(i) any shark of any species	40 000 penalty units or 4 months imprisonment or both.
9. export	(i) crocodile or any of its parts or crocodile products; (ii) all live and dead corals or live rock not under a management plan.	30 000 penalty units or 3 months imprisonment or both.
10. import, sell, buy, be in possession	(i) seine net of less than the minimum size 8cm; (ii) gill net of less than the minimum size 8cm; (iii) trawl net; or (iv) tangle net.	50 000 penalty units or 5 months imprisonment or both.

MADE IN HONIARA this ninth day of August, 2018.

HON. JOHN MANENIARU
Minister for Fisheries and Marine Resources