

FISHERIES (CONSERVATION AND MANAGEMENT) REGULATIONS 2006

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KINGDOM OF TONGA

**FISHERIES MANAGEMENT ACT 2002
(Section 101)**

FISHERIES (CONSERVATION AND MANAGEMENT) REGULATIONS 2006

In exercise of the powers contained in section 101 of the Fisheries Management Act 2002, the Minister makes the following Regulations:

PART I – PRELIMINARY

Citation

1. These Regulations may be cited as the Fisheries (Conservation and Management) Regulations 2006.

Interpretation

2. (1) In these regulations –

- (a) the terms and phrases defined in the Fisheries Management Act 2002 shall be given the same meaning, unless the context requires otherwise;
- (b) “the Act” means the Fisheries Management Act 2002;
- (c) “adjacent communities” mean communities situated within the same district as a coastal community, that coastal community having been designated under section 14(1) of the Act for the purposes of community based fisheries management;
- (d) “Coastal Community Management Committee” means a committee formed under regulation 9(1);
- (e) “Coastal Community Management Plan” refers to a fishery plan prepared by the Coastal Community Management Committee under regulation 17;
- (f) “Coastal Community Register of Fishers” refers to the register of fishers authorised to fish in a special management area under regulation 18;
- (g) “Coastal Community Register of Fishing Vessels” refers to the register of vessels authorised to fish in a special management area established under regulation 18;
- (h) “district” refers to the districts established in Schedule 1 of the District and Town Officers Act 1930;
- (i) “District Officer” refers to an officer elected under section 4 of the District and Town Officers Act 1930;
- (j) “fish fence” means any fence, stake or other fixed construction used for entrapping fish;
- (k) “form” is a reference to a form of that number in Schedule 1;
- (l) “mesh size” shall be measured between the inner knots of the net when the net is wet and fully stretched, and shall be based on an average of 20 consecutive meshes;
- (m) “Ministry” means the Ministry responsible for fisheries
- (n) “net” means any net used for entrapping fish;
- (o) “Schedule” is a Schedule to these Regulations;
- (p) “Town Officer” refers to an officer elected under section 5 of the District and Town Officers Act 1930;

(q) “underwater breathing apparatus” means any underwater apparatus that utilises compressed gas or surface supplied air including scuba gear, hookah gear, compressors and other mechanical and robotic means in collecting, catching and diving for fish.

Forms and fees

3. (1) The forms set out in Schedule 1, with such modifications as the circumstances require, are hereby prescribed for the purposes of the Act and these Regulations.
- (2) The fees set out in Schedule 2 are hereby prescribed for the purposes of the Act and these Regulations.

PART II – GENERAL CONSERVATION AND MANAGEMENT MEASURES

Prohibition, restriction or control of export of fish or fish products

4. (1) The Minister may, by Notice published in the Gazette, prohibit, restrict, or control the export from Tonga of any species, type or size of fish or fish product for any of the purposes set out in section 35(6) of the Act.
- (2) Any person who contravenes any prohibition, restriction or control relating to export in a Notice referred to in sub-regulation (1) commits an offence and shall be liable to a fine not exceeding \$500,000, and to forfeiture under section 83(1) of the Act.

Returns

5. (1) For the purposes of conservation and management, the Secretary may require returns from any persons engaged in fishing, fish processing, fish marketing or the export of fish or fish products of such species as he may designate during such time period as he may specify.
- (2) Such returns may include information such as –
 - (a) name of the seller;
 - (b) name of the village the seller is from;
 - (c) origin of the fish by species or category;
 - (d) destination of the shipment by species or category;
 - (e) name of the buyer and the quantity purchased by species or category;
 - (f) date of sale;
 - (g) total weight of species being sold by species or category;
 - (h) date of shipment;
 - (j) total price of shipment by species or category;
 - (k) total price received at market by species or category;
 - (l) name of ship/plane;
 - (m) number of flight/voyage.
- (3) Each person shall promptly provide such information as may be required under this regulation.
- (4) Any person who fails to comply with a request for information under this regulation commits an offence and is liable upon conviction to a fine not exceeding \$100,000 under section 69 of the Act, and to forfeiture under section 83(1) of the Act.

Determination of participatory rights

6. In determining the allocation of participatory rights in a fishery under section 6 of the Act, the Minister shall also take into consideration –
- (a) the fishery plan made in respect of that fishery;
 - (b) the extent to which there has been compliance with the laws of the Kingdom and any relevant access agreement or fisheries management agreement;
 - (c) whether, and the extent to which, there has been cooperation with the Kingdom in, and substantial contributions to, the conservation, management and development of fisheries and fishery research;
 - (d) whether there has been an undertaking to invest in the fisheries sector in such a manner as to bring significant benefit to the Kingdom;
 - (e) whether there has been cooperation with the Kingdom in enforcement of the provisions of the Act and its regulations, including flag state enforcement and provision of information required for the conservation and management of fisheries resources;
 - (f) whether there has been compliance, while in the national waters of another State in the region, with the terms of any fisheries management agreement to which the Kingdom is a party and which is implemented by such other State; and
 - (g) such other matters deemed appropriate.

Fisheries Management and Development Plans

7. Without limiting the generality of section 7(2) of the Act, a fishery management and development plan shall –
- (a) identify the characteristics of the fishery;
 - (b) specify the management and development strategies to be adopted for the fishery, and the limitations, if any, to be applied to the issue of licences, permits or other authorisations or allocation of participatory rights in respect of the fishery;
 - (c) identify any possible adverse environmental effects of the operation of fishing activities in the fishery, together with proposals for the management of those effects;
 - (d) specify the conservation and management measures to be applied and enforced to protect the fishery resource from over-exploitation and the authority, persons or groups of persons or coastal community that may be responsible for management, monitoring, control and surveillance;
 - (e) specify the information and other data required to be given or reported for effective management and development of the fishery;
 - (f) specify the research necessary to enhance conservation and management of the fishery; and
 - (g) take into account any relevant traditional fishing methods or principles.

PART III – SPECIAL MANAGEMENT AREAS AND DESIGNATED COASTAL COMMUNITIES

Boundary of a special management area

8. (1) The boundary of any special management area declared under section 13(1) of the Act shall –
- (a) be measured seaward from the high-water mark of a coastal community; and
 - (b) not exceed a distance of 2500 metres from the high-water mark or a depth of 50 metres.
- (2) Where the application of sub-regulation (1) means that the boundaries of any two coastal communities will overlap, the boundary shall be the equidistance between such communities.

- (3) The Minister may, in consultation with that community's Coastal Community Management Committee and the Fisheries Management Advisory Committee, alter the application of the boundary under sub-regulation (1) or sub-regulation (2) for the purposes of ensuring habitat, conservation, management, sustainable utilisation and development of fisheries resources.
- (4) Such alteration of the boundary under sub-regulation (3) shall occur only –
 - (a) in special circumstances; and
 - (b) as the Minister deems appropriate or upon request from a coastal community that is to be allocated a special management area under section 14(1) of the Act.
- (5) Such special circumstances in sub-regulation (4) include where the application of sub-regulation (1) would mean delimitation through a reef that is adjacent to the coastal community.
- (6) The boundary of a special management area shall be clearly defined and demarcated in accordance with the guidelines established by the Ministry.

Coastal Community Management Committee

9. (1) Prior to allocation of a special management area to a designated coastal community under section 14(1) of the Act, that coastal community shall establish a Coastal Community Management Committee and prepare its Coastal Community Management Plan.
- (2) The purpose of the Coastal Community Management Committee, in cooperation with the Ministry, is to assist the coastal community referred to in sub-regulation (1) in organising itself and its operations or administration in a manner that is conducive to the effective conservation and management of fisheries resources in its special management area.

Membership and operation of the Coastal Community Management Committee

10. (1) The Coastal Community Management Committee shall comprise the following members –
 - (a) the Town Officer of the coastal community;
 - (b) the District Officer of the district within which the coastal community is situated;
 - (c) a representative of the Ministry nominated by the Secretary;
 - (d) representatives from sectors of the coastal community to include fishers, youth and women;
 - (e) representatives of any relevant key stakeholders.
- (2) The Coastal Community Management Committee may co-opt a person in the role of observer or advisor but such co-opted person shall not be entitled to vote.
- (3) The Coastal Community Management Committee shall determine its operating procedures in accordance with the guidelines established by the Ministry.

Election of members

11. (1) The members of the Coastal Community Management Committee, other than *ex officio* members, shall be elected by a majority vote of the relevant coastal community, in a meeting convened by the Town Officer and the Ministry.
- (2) At the same meeting referred to in sub-regulation (1), the Chairperson of the Coastal Community Management Committee shall be elected by a majority vote of the relevant coastal community.
- (3) Such members referred to in sub-regulation (1) shall be elected for a three-year term and may be elected for a second or subsequent term, unless the member resigns from the Coastal Community Management Committee or regulation 14 applies.

Nomination of proxies

12. At the first meeting of the Coastal Community Management Committee, each member shall nominate their proxy. Such proxies, or any changes to proxies, shall be approved on the basis of a majority vote of such Committee.

Quorums for meetings

13. A meeting of the Coastal Community Management Committee shall not be deemed a valid meeting and may not develop any valid decisions unless a quorum of no fewer than 50% of the members of the Committee and the Chairperson are present.

Non-attendance at meetings

14. Where a member of the Coastal Community Management Committee, or where appropriate their proxy, fails to attend three consecutive meetings without an appropriate explanation submitted to and accepted by this Committee, such Committee shall require the resignation of that member or proxy and shall appoint a replacement.

Decision-making

15. (1) The Coastal Community Management Committee shall make decisions by consensus. For the purposes of this regulation, "consensus" means the absence of any formal objection made at the time the decision was taken.
(2) If all efforts to reach a decision by consensus have been exhausted, decisions by voting shall be taken by a majority of those present and voting.
(3) Where sub-regulation (2) is applied and there is a tie in the vote, the Chairperson shall have the casting vote.

Responsibilities of the Coastal Community Management Committee

16. The Coastal Community Management Committee shall be required to *inter alia* –
 - (a) prepare a coastal community management plan for the conservation, management, sustainable utilisation and development of fisheries resources for its special management area to be submitted to the Minister for approval;
 - (b) ensure all community members are provided an opportunity to be involved in the preparation of the coastal community management plan;
 - (c) facilitate meetings or discussions with sectors of the coastal community such as fishers, women, youth and any other relevant key stakeholders;
 - (d) keep all community members informed of the fishery plan with regular community meetings;
 - (e) consult with neighbouring communities and other concerned stakeholders about the coastal community management plan;
 - (f) implement the coastal community management plan;
 - (g) monitor and evaluate the implementation of the coastal community management plan, including the maintenance of the Registers referred to in regulation 18;
 - (h) assess and, where necessary, revise the coastal community management plan every twelve months;
 - (i) assist authorised officers in undertaking their duty of enforcement of the coastal community management plan.
 - (j) undertake the duties of an authorized officer as designated by the Minister under the Act and as maybe required.

Coastal Community Management Plan

17. In addition to the relevant requirements for a fishery plan under section 7(2) of the Act and regulation 7 of these regulations, a coastal community management plan shall contain the following –
- (a) a trend analysis which contains details of the past and present environmental and socio-economic situation of the coastal community and surrounding area;
 - (b) a problem analysis of the coastal community and surrounding area;
 - (c) a description of the boundary of the special management area, and justification for such boundary;
 - (d) a map which illustrates the boundary of the special management area, including any other management areas within the special management area;
 - (e) a list of members and proxies of the Coastal Community Management Committee.

Coastal Community Register of Fishers and Coastal Community Register of Fishing Vessels

18. (1) The Coastal Community Management Committee shall establish and maintain a Coastal Community Register of Fishers and a Coastal Community Register of Fishing Vessels.
- (2) A Coastal Community Register of Fishers shall contain the names and details of persons authorised by the Coastal Community Management Committee to fish in the special management area.
- (3) A Coastal Community Register of Fishing Vessels shall contain the name of the owner of the vessel and details of the vessel authorised by the Coastal Community Management Committee to fish in the special management area.
- (4) The Coastal Community Management Committee shall not register a vessel on the Coastal Community Register of Fishing Vessels unless that vessel has been registered on the Fishing Vessels Register in accordance with section 20 of the Act.
- (5) The Coastal Community Management Committee shall submit copies of both registers to the Ministry, and promptly inform the Ministry of –
- (a) any additions from either of the Registers; or
 - (b) any deletions from either of the Registers by reason of the voluntary relinquishment of or non-renewal of the authorisation to fish by a fisher or vessel owner, or withdrawal of the name of a fisher or vessel under paragraph (6).
- (6) The Coastal Community Management Committee shall withdraw the name of –
- (a) a fisher or vessel from the appropriate Register for non-compliance with the conservation and management measures applicable to the special management area; or
 - (b) a vessel from the Coastal Community Register of Fishing Vessels where the vessel has been removed from the Fishing Vessels Register maintained by the Ministry.
- (7) Such persons or vessels whose names have been withdrawn under sub-regulation (6)(a) shall not be allowed to fish in the special management area until corrective action, as determined by the Coastal Community Management Committee, is taken, and their name is reinstated on the appropriate Register.

Responsibilities of the Ministry.

19. (1) The Ministry shall provide timely technical advice, assistance and support to the Coastal Community Management Committee –
- (a) in the preparation of its Coastal Community Management Plan; and
 - (b) in accordance with such Plan.

- (2) Following receipt of a proposed coastal community management plan, the Ministry shall conduct consultations through, but not limited to, the following –
 - (a) radio announcements inviting comments from any persons or entities who have an interest in the proposed coastal community management plan or may be affected by such plan;
 - (b) preparation and publication of a notice in a national newspaper, which includes a summary of the proposed coastal community management plan, a map of the special management area, and an invitation for comments to be submitted, in writing, to the Secretary within 28 days of such publication;
 - (c) letter from the Secretary to the District Officer of the relevant district and the Town Officers of the adjacent communities, which invites comments on such plan;
 - (d) in coordination with the relevant District Officer and Town Officers, conduct individual meetings with adjacent communities at which written comments on the proposed coastal community management plan are invited for submission to the Secretary within 28 days of publication of the national newspaper referred to in sub-regulation (2)(b).
- (3) The Secretary shall –
 - (a) acknowledge receipt of any comment submitted under sub-regulation (2), within 14 days of receipt of such comment;
 - (b) consider such comments submitted under sub-regulation (2) in accordance with the guidelines established by the Ministry.
- (4) Any person aggrieved by a decision made by the Secretary under sub-regulation (3) may within 14 days of receipt of such decision submit to the Secretary a written appeal to the Minister.
- (5) The Secretary shall submit such written appeal under sub-regulation (4) to the Minister within 7 days.
- (6) Where a written appeal is submitted under sub-regulation (5), the decision of the Minister shall be binding and final.

Penalty in relation to Part III

20. Any person who contravenes any of the regulations in this Part commits an offence and shall be liable upon conviction to a fine not exceeding \$50,000, and to forfeiture under section 83(1) of the Act.

PART IV – RESTRICTED FISHING METHODS

Diving equipment

21. (1) No person shall use any underwater breathing apparatus for the purpose of fishing except with the written authorisation of the Secretary and in accordance with such conditions as he may specify.
- (2) Any person who contravenes sub regulation (1) commits an offence and shall be liable upon conviction to a fine not exceeding \$100,000 and to forfeiture under section 83(1) of the Act.

Nets

22. No person shall use a net for fishing except with a licence issued by the Secretary and in accordance with such conditions as he may specify.

Application to license a net for fishing

23. An application to license a net for fishing shall be on Form 1 accompanied by the fee specified in Schedule 2.

Licence to use a net for fishing

24. A licence to use a net for fishing shall be on Form 2 and, unless sooner cancelled or suspended, shall be valid until the expiry date on the licence.

Mesh Sizes

25. (1) The mesh size of a cast net used for fishing shall not be less than 12 millimetres and the radius of such a net shall not exceed 2 metres.
- (2) Subject to sub-regulation (3), the mesh size of any trammel net, entangling net, dragnet or beach seine net, gill net, drive-in net, ring net, lift net or purse seine net used for fishing shall not be less than 50 millimetres.
- (3) The mesh size of a ring net, lift net or purse seine net used for fishing for live fish bait shall not be less than 20 millimetres.
- (4) The Secretary may, by Notice in the Gazette, set mesh sizes for nets that are not specified in sub-regulations (1), (2) and (3).
- (5) No person or company shall sell or purchase a net with a mesh size that is inconsistent with this regulation.

Length of the Nets

26. (1) The length of a drive-in net including ropes or scare lines attached to the drive-in net used for fishing shall not be greater than 300 metres.
- (2) Subject to sub-regulations (3) and (4), the length of any trammel net, entangling net, dragnet or beach-seine net, gill net, ring net, lift net or purse seine net used for fishing shall not be greater than 300 metres.
- (3) The length of any ring net, lift net or purse seine net used for fishing for live fish bait shall not be greater than 600 metres.
- (4) The Secretary may, by Notice in the Gazette, set the length of any net used for tuna fishing.

Prohibitions in net fishing

27. No person shall –
- (a) use any net, except a cast net, to fish within 200 metres of a fish fence;
- (b) use more than one net at any one time.

Application to renew a licence to use a net for fishing

28. (1) An application to renew a licence to use a net for fishing shall be on Form 3 accompanied by the fee specified in Schedule 2.

Penalty in relation to Part IV

29. Any person who contravenes any regulation in this Part commits an offence and shall be liable upon conviction to a fine not exceeding \$100,000 under section 18 of the Act, and forfeiture under section 83(1) of the Act.

PART V – MARINE POLLUTION

Biodegradable and non-biodegradable material

30. No person shall –
- (a) dump or discharge into the sea, whether directly or indirectly, any non-biodegradable material such as plastics, fuel or oil;
- (b) dump or discharge into the sea biodegradable material, such as rejected fish, within 1 nautical mile of land.

Discarded fishing gear

31. (1) No person shall deliberately dump or discard any fishing gear except in an emergency or circumstances involving the safety of a vessel or its crew.
- (2) The vessel operator shall inform the Ministry of –
- (a) any fishing gear that is either discarded in the manner provided in sub-regulation (1) or accidentally lost; and
 - (b) reasonable efforts made to recover such gear.

Penalty in relation to Part V

32. Any person who contravenes the provisions of this Part commits an offence and shall be liable on conviction to a fine not exceeding \$250,000.

PART VI – SPECIES CONSERVATION AND MANAGEMENT

Marine mammals

33. (1) In this regulation “marine mammal” means any member, at any stage of its life cycle, of any species of the class Mammalia including whales and dolphins.
- (2) No person shall fish for, harm or interfere with any marine mammal in the fisheries waters.
- (3) No person shall have in his possession a marine mammal, live or dead or part of a marine mammal, cooked in part or whole, its bones, meat, teeth or skin or a product derived from a marine mammal, where the marine mammal has been killed or taken in contravention of the provisions of this regulation.
- (4) Where a person injures or kills a marine mammal accidentally, or finds a marine mammal that is injured or killed, he has a duty to record and report this finding to the Secretary.
- (5) A person who provides a report under sub-regulation (4) shall furnish such information as is required by the Secretary.
- (6) Notwithstanding sub-regulations (2) and (3), the Secretary may give written authorisation to fish for marine mammals in a limited manner and only in exceptional circumstances involving international scientific research which is intended to result in significant benefit for marine mammals, and will not cause harm or injury to the species.
- (7) Any person who has a licence to carry out the activity of whale watching shall –
- (a) ensure that he or any person involved shall not fish for, harm or interfere with any marine mammal in the fisheries waters; and
 - (b) comply with any other laws relating to whale watching.

Spiny lobster (‘uo)

34. (1) In this regulation “lobster” or “uo” means a crustacean of the genus Panulirus.
- (2) No person shall fish for, harm, have in his possession, sell or purchase –
- (a) any lobster carrying eggs; or
 - (b) any lobster the carapace of which is less than 7.5 centimetres when measured along the midline from immediately behind the rostral horns to the rear edge as illustrated in Schedule 3;
 - (c) any lobster during the closed season specified in Schedule 12.

- (3) Where the rostral horns of the lobster have been damaged, measurement of the carapace length of such lobster for the purposes of sub-regulation (2)(b) shall be undertaken on whatever part of the carapace is remaining.
- (4) No person shall –
 - (a) use destructive techniques to dig lobsters from their burrows;
 - (b) remove the eggs from a lobster or take, have in his possession, sell or purchase a lobster from which the eggs have been removed.

Slipper lobster (tapatapa)

35. (1) In this regulation “slipper lobster” or “tapatapa” means a crustacean of the genus Parribacus.
- (2) No person shall fish for, harm, have in his possession, sell or purchase –
 - (a) any slipper lobster carrying eggs; or
 - (b) any slipper lobster which is less than 15 centimetres in length when laid flat and measured from the front edge of the carapace to the rear edge of the telson as illustrated in Schedule 4.
- (3) No person shall –
 - (a) use destructive techniques to dig slipper lobsters from their burrows;
 - (b) remove the eggs from a slipper lobster or have in his possession, sell or purchase a slipper lobster from which the eggs have been removed.

Triton shell (kele'a)

36. (1) In this regulation “triton shell” or “kele'a” means any mollusc of the species Charonia tritonis.
- (2) No person shall fish for, harm, have in his possession, sell or purchase any triton shell which is less than 20 centimetres in length when measured along the outside of the shell from one end to the other as illustrated in Schedule 5.

Giant clam (vasuva)

37. (1) In this regulation “giant clam” or “vasuva” means any mollusc of the family Tridacnidae.
- (2) No person shall –
 - (a) fish for, harm, have in his possession, sell or purchase any giant clam the shell length of which is less than the length specified for the particular species indicated in Schedule 6;
 - (b) remove the mantle or adductor muscle from any giant clam the shell length of which is less than the length specified for the particular species indicated in Schedule 6;
 - (c) sell clam meat out of the shell, unless it has been certified by an authorised officer that it came from a clam of legal size;
 - (d) use destructive techniques to collect giant clams.
- (3) Notwithstanding any other provisions in the Act, no person shall export –
 - (a) any clam meat for commercial purposes or clam meat quantities of more than 5 kilograms in weight for the purpose of private consumption; or
 - (b) any giant clams or shells;except with the written authorisation of the Secretary.

Winged pearl oyster (tofe)

38. (1) In this regulation “winged pearl oyster” or “tofe” means any mollusc of the species Pteria penquin.
- (2) No person shall fish for, harm, have in his possession, sell or purchase any winged pearl oyster which is less than 20 centimetres in ambo-ventral length as illustrated in Schedule 7.

Black lip oyster

39. (1) In this regulation “black lip oyster” or “tofe” means any mollusc of the species Pinctada margaritifera.
- (2) No person shall fish for, harm, have in his possession, sell or purchase any black lip oyster which is less than 11.5 centimetres in ambo-ventral length as illustrated in Schedule 8.

Inter-island Transfer of Pearl Oyster

40. No person shall remove or take any pearl oyster for the purposes of transferring it between any of the island groups of Tongatapu, Vava'u, Ha'apai, 'Eua, Niuatoputapu and Niuafu'ou except with the written authorisation of the Secretary and in accordance with such conditions as he may specify.

Turtles (fonu)

41. No person shall –
- (a) disturb, take, have in his possession, sell or purchase any turtle eggs;
 - (b) interfere with or disturb in any way any turtle nest;
 - (c) use a spear or spear gun for the purpose of capturing, destroying or taking any species of turtle;
 - (d) at any time fish for, harm, capture or destroy any male turtle the shell length of which is less than 45 centimetres as illustrated in Schedule 9;
 - (e) fish for, harm, capture or destroy any male turtle during the closed season specified in Schedule 12; or
 - (f) at any time fish for, harm, capture or destroy any Leatherback turtle of the species Dermodochelys coriacea;
 - (g) sell turtle meat out of the shell, unless it has been certified by an authorised officer that it came from a turtle of legal size.
 - (h) fish for, harm, capture or destroy any female turtle.

Mullet (kanahe or fua)

42. (1) In this regulation “mullet” or “kanahe” or “fua” means any species of fish of the family Mugilidae.
- (2) No person shall fish for mullet during the closed season specified in Schedule 12.

Beche-de-mer (mokothonu)

43. No person shall fish for, harm, have in his possession, sell or purchase any beche-de-mer except with the written authorisation of the Secretary and subject to a management plan.

Octopus (feke)

44. (1) In this regulation “octopus” or “feke” means any species of the family O. cynaeus, O. macropus, and O. membranaceus.
- (2) No person shall use destructive techniques to dig octopus from their burrows.

Trochus (takaniko)

45. (1) In this regulation "trochus" or takaniko" means any mollusc of the family Trochus nicolitus.
- (2) Subject to sub-regulation (3), no person shall fish for, harm, have in his possession, sell or purchase any trochus which is less than 8 centimetres and more than 12 centimetres in diameter as illustrated in Schedule 10.
- (3) No person shall fish for, harm, have in his possession, sell or purchase any trochus except with the written authorisation of the Secretary and subject to a management plan.

Green snail ('elili lanumata)

46. (1) In this regulation "green snail" or "elili lanumata" means any mollusc of the family Turbo marmoratus.
- (2) Subject to sub-regulation (3), no person shall fish for, harm, have in his possession, sell or purchase any green snail which is less than 16 centimetres in ambo-ventral length as illustrated in Schedule 11.
- (3) No person shall fish for, harm, have in his possession, sell or purchase any green snail except with the written authorisation of the Secretary and subject to a management plan.

Marine aquarium fish

47. (1) In this regulation "marine aquarium fish" refers to hard coral, soft coral, small invertebrates and aquarium fish.
- (2) No person shall –
- (a) engage in fishing for marine aquarium fish without a licence issued by the Secretary;
 - (b) engage in fishing for marine aquarium fish in a manner that is inconsistent with the objectives of the relevant management and development plan;
 - (c) use destructive techniques, including the use of hammers and metal bars, to harvest marine aquarium fish.
- (3) The Secretary may impose conditions relating to but not limited to –
- (a) the quantities that may be harvested or exported;
 - (b) the location or locations from which it may be harvested;
 - (d) the method of harvesting;
 - (e) measures necessary or desirable to conserve and protect the marine environment; and
 - (e) the fees, royalties or compensation to be paid in respect of the permitted operations.

Application for a licence to fish for marine aquarium fish

48. An application for a licence to fish for marine aquarium fish shall be on Form 4 accompanied by the fee specified in Schedule 2.

Licence to fish for marine aquarium fish

49. A licence to fish for marine aquarium fish shall be on Form 5 and, unless sooner cancelled or suspended, shall be valid for a period of 12 months from the date of issue.

Application to renew a licence to fish for marine aquarium fish

50. (1) An application to renew a licence to fish for marine aquarium fish shall be on Form 6 accompanied by the fee specified in Schedule 2.

Resource Rent on marine aquarium fish

51. (1) The Minister may, by Notice published in the Gazette, raise a resource rent as he deems necessary on any marine aquarium fish processed or exported by any person or establishment that has been licensed to process or export marine aquarium fish.

(2) The resource rent referred to in sub-regulation (1) shall be based upon such information as determined by the Minister such as statistical returns collected from licence holders.

Use and expenditure of the marine aquarium fish resource rent

52. (1) Seventy five percent of funds raised from the resource rent shall be made available to the Ministry for the purposes of monitoring and research of marine aquarium fish, quality improvement of marine aquarium fish, market promotion of Tongan marine aquarium fish and for the implementation of any other program to benefit the marine aquarium fishery; and, twenty five percent of funds raised from the resource rents shall be paid to Government revenue.

(2) The Fisheries Management Advisory Committee shall determine priorities for the expenditure of the seventy five percent resource rent fund that goes to the Ministry.

(3) The Ministry shall report back to the Fisheries Management Advisory Committee annually, giving details of expenditure from the marine aquarium fish resource rent funds and results from work undertaken with these funds.

Suspension of the marine aquarium fish resource rent.

53. If the Fisheries Management Advisory Committee decides that the marine aquarium fish resource rent funds have been expended inappropriately or the results from the programme of work undertaken by the Ministry do not justify the level of expenditure, it may request the Minister to suspend collection of the levy for one year.

Penalty in relation to Part VI

54. Any person who fails to comply with any provision in this Part commits an offence and is liable to a fine not exceeding \$250,000, or the suspension or revocation of the licence, or forfeiture under section 83(1) of the Act, or any of these penalties.

PART VII – FISH FENCES

Fish fences

55. No person shall erect or use a fish fence except with a licence issued by the Secretary and in accordance with such conditions as he may specify.

Application for a licence to erect and use a fish fence

56. An application for a licence to erect and use a fish fence shall be on Form 7 and shall be accompanied by the fee specified in Schedule 2.

Bond

57. (1) In addition to the fee for an application for a licence to erect and use a fish fence, the applicant shall pay a bond as specified in Schedule 2 to the Ministry.
- (2) The bond shall be used to meet the costs of the Ministry in the event of abandonment of a fish fence or neglect by the licence holder to remove the fish fence upon the expiry of his licence.

Licence to erect and use a fish fence

58. (1) A licence to use a fish fence shall be on Form 8 and, unless sooner cancelled or suspended, shall be valid until 31 May of each year, and shall not be valid during the closed season specified in Schedule 12.
- (2) Each licence holder shall remove his fish fence by 31 May of each year.
- (a) The Ministry shall confirm that the fish fence has been removed.
- (b) Upon the expiry of his licence, where the licence holder –
- (i) removes his fish fence, the Ministry shall ensure the refund of his bond; or
- (ii) fails to remove his fish fence by the expiry date of his licence, the Ministry shall remove and confiscate his fish fence. In addition, the Ministry shall not refund his bond.

Grounds for licence refusal

59. (1) The Secretary shall not issue a licence to erect and use a fish fence –
- (a) within 500 metres of another fish fence;
- (b) within 500 metres of any Government wharf;
- (c) in any place where it may be a hazard or obstruction to navigation;
- (d) where to do so would be inconsistent with the objectives set out in any fisheries plan prepared under section 7 of the Act; or
- (e) during the closed season specified in Schedule 16.
- (2) The Secretary may refuse to issue a licence to any person who has been convicted of any offence against the Act or any regulations made thereunder.

Prohibitions

60. (1) In this regulation, the distance from one fish fence to another will be measured from the mid-point of the leading fence of the fish fence.
- (2) No person shall erect or use a fish fence –
- (a) the mesh of which is less than 50 millimetres;
- (b) the width of which at its widest point exceeds 50 metres;
- (c) the total installed length of which exceeds 140 metres; or
- (d) at a distance seawards from the beach exceeding that specified in the annex to the licence.
- (3) There shall not be more than three fish traps.
- (4) The leading fish fence shall be 15 metres away from the end edge of the high-water mark to enable free passage of small vessels and local fishers.

Application to renew a licence to erect and use a fish fence

61. (1) An application to renew a licence to erect and use a fish fence shall be on Form 9 and shall be accompanied by the fee specified in Schedule 2.

Penalty in relation to Part VII

62. Any person who fails to comply with any regulation in this Part commits an offence and shall be liable to a fine not exceeding \$250,000, and to forfeiture under section 83(1) of the Act. In addition to any judicial decision made, the Secretary may order the suspension or withdrawal of the licence and the removal of the fish fence by the owner.

PART VIII – FISH AGGREGATION DEVICES (FADs)

Fish aggregation devices (private)

63. No person shall place a privately owned fish aggregating device in the fisheries waters except with a licence issued by the Secretary and in accordance with such conditions as he may specify.

Application to license a private fish aggregation device

64. An application to license a private fish aggregation device shall be on Form 10 and shall be accompanied by the fee specified in Schedule 2.

Licence for a private fish aggregation device

65. (1) A licence for a private fish aggregation device shall be on Form 11.
- (2) When granting a licence under sub-regulation (1), conditions which the Secretary may specify include but are not limited to the following –
- (a) the method of use;
 - (b) the location;
 - (c) the times during which the device may be used;
 - (d) the markings or colourings to be adopted; and
 - (e) that the device does not constitute a hazard to navigation.

Application to renew a licence for a private aggregation device

66. An application to renew a licence for a private fish aggregation device shall be on Form 12 accompanied by the fee specified in Schedule 2.

Designated fish aggregation device (public)

67. (1) The Secretary may, by Notice published in the Gazette, declare any fish aggregation device placed by the Ministry to be a designated fish aggregation device for the purpose of this regulation.
- (2) Subject to sub-regulation (3), no person shall fish within a radius of three nautical miles from a designated fish aggregation device except with the written authorisation of the Secretary and in accordance with such conditions as he may specify.
- (3) The Secretary may, by Notice published in the Gazette, declare that any person may fish within a radius of three nautical miles from a designated fish aggregation device.

Markings and equipment of a fish aggregation device

68. Any fish aggregation device which utilises a surface float shall –
- (a) be clearly marked with the name of the owner and of the vessel from which the device was placed;
 - (b) be equipped with a radar reflector; and
 - (c) be equipped with white lights to be visible at night from a distance of three nautical miles.

Use of a fish aggregation device

69. Unless specifically authorised by the Secretary in writing, no person, other than the person who has placed the fish aggregation device, shall attach a vessel to the fish aggregation device.

Compliance with other conservation and management measures

70. Permission to use a fish aggregation device does not affect any obligation to observe applicable conservation or management measures for fisheries except where the Secretary specifies in writing that a particular measure does not apply to fish caught within three nautical miles of that device.

Disposal of unauthorised fish aggregation devices

71. Any fish aggregation device placed in fisheries waters otherwise than in accordance with this Part may be used or disposed of in such manner as the Secretary may decide.

Penalty in relation to Part VIII

72. Any person who contravenes any regulation in this Part commits an offence is liable upon conviction to a fine not exceeding \$250,000, and to forfeiture under section 83(1) of the Act.

PART IX – MISCELLANEOUS PROVISIONS

General condition for renewal of a licence

73. Any changes to the information stated in an original licence, including those that have already been notified, communicated or reported to the Ministry, shall be recorded on an application made under these regulations to renew a licence.

Information to be true, complete and correct

74. (1) Any information required to be recorded, notified, communicated or reported under any of these regulations shall be true, complete and correct.
- (2) Any change in circumstances which has the effect of rendering such information false, incomplete or misleading shall be notified immediately to the Secretary.
- (3) Any person who contravenes sub-regulations (1) or (2) commits an offence and shall be liable upon conviction to a fine not exceeding \$100,000.

Minister may raise a levy on any fishery

75(1) The Minister may, by Notice published in the Gazette, raise a levy as he deems necessary on any fishery for the purposes of management and development of that fishery.

(2) The levy referred to in sub-regulation (1) shall be based upon such information as determined by the Minister such as statistical returns collected from licence holders and other sources as required.

(3) The levy referred to in sub-regulation (2) can be amended by the Fisheries Management Advisory Committee at anytime upon approval of the Minister.

Use and expenditure of the levy

76. (1) Funds raised from the levy shall be made available to the Ministry for the purposes of management and development of Tonga's fisheries resource and for the implementation of any other program to benefit marine resources.
- (2) The Fisheries Management Advisory Committee shall determine priorities for the expenditure of the levy upon the submission by the Ministry of work plans, budgets and performance indicators.
- (3) The Fisheries Management Advisory Committee shall report to the Minister, annually giving details of expenditure from the levy, the level of achievement of performance indicators and any other results from

work undertaken with these funds.

Minister may suspend collection of the levy

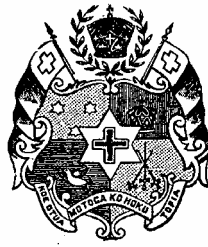
77. If the Fisheries Management Advisory Committee decides that the levy funds collected under this Part have been expended inappropriately or the results from the programme of work undertaken by the Ministry do not justify the level of expenditure, it may request the Minister to suspend collection of the resource rent for one year.

SCHEDULE 1

Forms

- 1.Application for a licence to use a net for fishing
- 2.Licence to use a net for fishing
- 3.Application to renew a licence to use a net for fishing
- 4.Application for a licence to fish for marine aquarium fish
- 5.Licence to fish for marine aquarium fish
- 6.Application to renew a licence to fish for marine aquarium fish
- 7.Application to erect and use a fish fence
- 8.Licence to erect and use a fish fence
- 9.Application to renew a licence to erect and use a fish fence
- 10.Application to license a private fish aggregation device
- 11.Licence for a private fish aggregation device
- 12.Application to renew a licence for a private aggregation device

KINGDOM OF TONGA



FISHERIES MANAGEMENT ACT 2002

APPLICATION FOR A LICENCE TO USE A NET FOR FISHING

(Fisheries (Conservation and Management) Regulations 2006 – Regulation 23)

INSTRUCTIONS: Underline surname or family name
Address means complete mailing address
Use a separate sheet where necessary

I/We (insert full name of applicant(s))

.....
.....

of (inset address of applicant(s))

.....
.....

apply for a licence to use a net, the full particulars of which are described below

DESCRIPTION OF NET

1. Design and type of the proposed net (attach diagram on a separate sheet of paper, if necessary)

.....
.....
.....

2. Size (specify overall capture area)

.....
.....
.....
.....

3. Materials to be used

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.....
.....

4. Mesh size

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.....
.....

PROPOSED SITE OF FISHING

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.....
.....
.....

INTENDED USE OF CATCH

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.....

The Fisheries Management Act 2002 provides penalties for persons who provide false information. I certify that the information supplied in this application is a true, correct and complete statement.

.....
.....

Signature of applicant/s

.....

Date of application

KINGDOM OF TONGA



FISHERIES MANAGEMENT ACT 2002

LICENCE TO USE A NET FOR FISHING

(Fisheries (Conservation and Management) Regulations 2006 – Regulation 24)

LICENCE No.

ISSUED TO

ADDRESS OF THE LICENCE HOLDER/S

.....
.....
.....

- 1. This licence is issued under regulation 24 of the Fisheries (Conservation and Management) Regulations 2006.
- 2. The holder/s of this licence is permitted to use a net for fishing in the area specified in paragraph 3 of this licence, for the period specified in paragraph 4 of this licence, and in accordance with particular conditions set out in the Annex to this licence and subject to the general conditions set out in the Fisheries (Conservation and Management) Regulations 2006, and such general conditions as may be prescribed under the Fisheries Management Act 2002.

- 3. The net may be used in the following area(s)
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.....
.....

4. Subject to the Fisheries Management Act 2002 and regulations made thereunder, this licence is valid from the day of 20 to the day of 20 (inclusive).

- 5. This licence is not transferable.

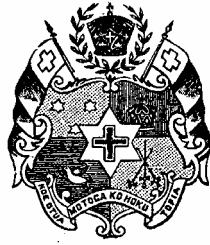
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Secretary of Fisheries

.....
Date

FAILURE TO COMPLY WITH THESE AND ALL OTHER TERMS AND CONDITIONS OF THE LICENCE, THE FISHERIES MANAGEMENT ACT 2002 AND REGULATIONS MADE THEREUNDER, MAY, IN ADDITION TO ANY JUDICIAL PENALTIES THAT MAY BE INCURRED, RESULT IN THE SUSPENSION OR LOSS OF THIS LICENCE, EITHER TEMPORARILY OR PERMANENTLY.

KINGDOM OF TONGA



FISHERIES MANAGEMENT ACT 2002

APPLICATION TO RENEW A LICENCE TO USE A NET FOR FISHING
(Fisheries (Conservation and Management) Regulations 2006 – Regulation 28)

INSTRUCTIONS: Underline surname or family name
Address means complete mailing address
Use a separate sheet where necessary

LICENCE No.

1. Name of current licence holder/s
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.....
.....

Address of current licence holder/s
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.....
.....

2. Area to which the current licence applies
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.....
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.....

The Fisheries Management Act 2002 provides penalties for persons who provide false information. I certify that the information supplied in this application is a true, correct and complete statement.

.....
Signature of applicant/s

.....
Date of application

KINGDOM OF TONGA



FISHERIES MANAGEMENT ACT 2002

APPLICATION FOR A LICENCE TO FISH FOR MARINE AQUARIUM FISH
(Fisheries (Conservation and Management) Regulations 2006 – Regulation 48)

INSTRUCTIONS: Underline surname or family name
Address means complete mailing address
Use a separate sheet where necessary

I/We (insert full name of applicant(s))
.....
.....

of (inset address of applicant(s))
.....
.....
.....

apply for a licence to fish for marine aquarium fish, the full particulars of which are described below.

DESCRIPTION OF MARINE AQUARIUM FISH

1. Species
.....
.....
.....

2. Sources of supply
.....
.....
.....

PROPOSED SITE FOR FISHING

.....
.....
.....

INTENDED USE OF CATCH

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.....

The Fisheries Management Act 2002 provides penalties for persons who provide false information. I certify that the information supplied in this application is a true, correct and complete statement.

.....
.....

Signature of applicant/s

.....

Date of application

KINGDOM OF TONGA



FISHERIES MANAGEMENT ACT 2002

LICENCE TO FISH FOR MARINE AQUARIUM FISH

(Fisheries (Conservation and Management) Regulations 2006 – Regulation 49)

LICENCE No.

ISSUED TO

ADDRESS OF LICENCE HOLDER/S

.....
.....
.....

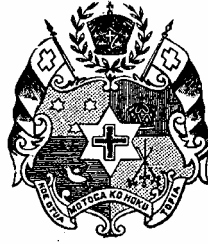
1. This licence is issued under regulation 49 of the Fisheries (Conservation and Management) Regulations 2006.
2. The holder/s of this licence is permitted to fish for marine aquarium fish in the area specified in paragraph 3 of this licence, for the period specified in paragraph 4 of this licence, and in accordance with particular conditions set out in the Annex to this licence and subject to the general conditions set out in the Fisheries (Conservation and Management) Regulations 2006 and such general conditions as may be prescribed under the Fisheries Management Act 2002.
3. Marine aquarium fishing may be conducted in the following area(s)
.....
.....
.....
4. Subject to the Fisheries Management Act 2002 and regulations made thereunder, this licence is valid from the day of20 to the day of 20..... (inclusive).
5. This licence is not transferable.

.....
Secretary of Fisheries

.....
Date

FAILURE TO COMPLY WITH THESE AND ALL OTHER TERMS AND CONDITIONS OF THE LICENCE, THE FISHERIES MANAGEMENT ACT 2002 AND REGULATIONS MADE THEREUNDER, MAY, IN ADDITION TO ANY JUDICIAL PENALTIES THAT MAY BE INCURRED, RESULT IN THE SUSPENSION OR LOSS OF THIS LICENCE, EITHER TEMPORARILY OR PERMANENTLY.

KINGDOM OF TONGA



FISHERIES MANAGEMENT ACT 2002

APPLICATION TO RENEW A LICENCE TO FISH FOR MARINE AQUARIUM FISH

(Fisheries (Conservation and Management) Regulations 2006 – Regulation 50)

INSTRUCTIONS: Underline surname or family name

Address means complete mailing address

Use a separate sheet where necessary

LICENCE No.

1. Name of current licence holder/s

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.....

Address of current licence holder/s

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.....
.....

2. Site to which the current licence applies

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.....

The Fisheries Management Act 2002 provides penalties for persons who provide false information. I certify that the information supplied in this application is a true, correct and complete statement.

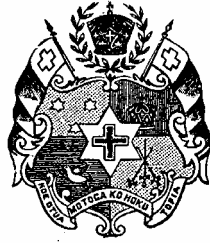
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Signature of applicant/s

.....

Date of application

KINGDOM OF TONGA



FISHERIES MANAGEMENT ACT 2002

APPLICATION FOR A LICENCE TO ERECT AND USE A FISH FENCE
(Fisheries (Conservation and Management) Regulations 2006 – Regulation 56)

INSTRUCTIONS: Underline surname or family name
Address means complete mailing address
Use a separate sheet where necessary

I/We (insert full name of applicant(s))

.....
.....

of (inset address of applicant(s))

.....
.....

apply for a licence to erect and use a fish fence the full particulars of which are described below.

DESCRIPTION OF FISH FENCE

1. Design of the proposed fish fence (attach diagram on a separate sheet of paper)

.....
.....
.....

2. Size (specify overall capture area)

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.....

3. Materials to be used

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4. Specify mesh size

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5. Specify if there will be any lead or guide fence(s), if so, how many

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PROPOSED SITE OF THE FISH FENCE

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.....

INTENDED USE OF CATCH

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The Fisheries Management Act 2002 provides penalties for persons who provide false information. I/We certify that the information supplied in this application is a true, correct and complete statement.

.....
.....

Signature of applicant/s

.....

Date of application

KINGDOM OF TONGA



FISHERIES MANAGEMENT ACT 2002

LICENCE TO ERECT AND USE A FISH FENCE

(Fisheries (Conservation and Management) Regulations 2006 – Regulation 58)

LICENCE No.

ISSUED TO

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.....

ADDRESS OF LICENCE HOLDER/S

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- 1. This licence is issued under regulation 58 of the Fisheries (Conservation and Management) Regulations 2006.
- 2. The holder/s of this licence is permitted to erect or use a fish fence in the area specified in paragraph 3 of this licence, for the period specified in paragraph 4 of this licence, and in accordance with particular conditions set out in the Annex to this licence and subject to the general conditions set out in the Fisheries (Conservation and Management) Regulations 2006 and such general conditions as may be prescribed under the Fisheries Management Act 2002.

- 3. A fish fence may be erected in the following area(s)

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.....
.....
.....

- 4. Subject to the Fisheries Management Act 2002 and regulations made thereunder, this licence is valid from theday of 20 to the day of 20 (inclusive).

5. This licence is not transferable.

.....
Secretary of Fisheries

.....
Date

FAILURE TO COMPLY WITH THESE AND ALL OTHER TERMS AND CONDITIONS OF THE LICENCE, THE FISHERIES MANAGEMENT ACT 2002 AND REGULATIONS MADE THEREUNDER, MAY, IN ADDITION TO ANY JUDICIAL PENALTIES THAT MAY BE INCURRED, RESULT IN THE SUSPENSION OR LOSS OF THIS LICENCE, EITHER TEMPORARILY OR PERMANENTLY.

KINGDOM OF TONGA



FISHERIES MANAGEMENT ACT 2002

APPLICATION TO RENEW A LICENCE TO ERECT AND USE A FISH FENCE

(Fisheries (Conservation and Management) Regulations 2006 – Regulation 61)

INSTRUCTIONS: Underline surname or family name

Address means complete mailing address

Use a separate sheet where necessary

LICENCE No.

1. Name of current licence holder/s

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Address of current licence holder/s

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2. Site to which the current licence applies

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.....

The Fisheries Management Act 2002 provides penalties for persons who provide false information. I/We certify that the information supplied in this application is a true and correct statement.

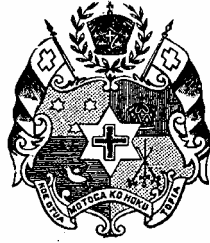
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Signature of applicant/s

.....

Date of application

KINGDOM OF TONGA



FISHERIES MANAGEMENT ACT 2002

APPLICATION TO LICENSE A PRIVATE FISH AGGREGATION DEVICE
(Fisheries (Conservation and Management) Regulations 2006 – Regulation 64)

I/We (insert full name of applicant(s))

.....
.....

of (inset address of applicant(s))

.....
.....
.....

apply to license a private fish aggregation device, the full particulars of which are described below.

DESCRIPTION OF THE PRIVATE FISH AGGREGATION DEVICE

- 1. Design of the proposed private fish aggregation device (attach diagram on a separate sheet of paper, if necessary)

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.....
.....

- 2. Size (specify overall capture area)

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.....

- 3. Materials to be used

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.....
.....

PROPOSED SITE OF DEVICE

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INTENDED USE OF CATCH

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.....

The Fisheries Management Act 2002 provides penalties for persons who provide false information. I/We certify that the information supplied in this application is a true, correct and complete statement.

.....

.....

Signature of applicant/s

.....

Date of application

KINGDOM OF TONGA



FISHERIES MANAGEMENT ACT 2002

LICENCE FOR A PRIVATE FISH AGGREGATION DEVICE

(Fisheries (Conservation and Management) Regulations 2006 – Regulation 65)

LICENCE No.

ISSUED TO

.....
.....

ADDRESS OF LICENCE HOLDER/S

.....
.....
.....

1. This licence is issued under regulation 65 of the Fisheries (Conservation and Management) Regulations 2006.
2. The holder/s of this licence is permitted to place a private fish aggregation device in the area specified in paragraph 3 of this licence, for the period specified in paragraph 4 of this licence, and in accordance with particular conditions set out in the Annex to this licence and subject to the general conditions set out in the Fisheries (Conservation and Management) Regulations 2006, and such general conditions as may be prescribed under the Fisheries Management Act 2002.
3. The private fish aggregation device may be used in the following area(s)
.....
.....
.....
4. Subject to the Fisheries Management Act 2002 and regulations made thereunder, this licence is valid from the day of 20 to the day of 20 (inclusive).
5. This licence is not transferable.

.....
Secretary of Fisheries

.....
Date

FAILURE TO COMPLY WITH THESE AND ALL OTHER TERMS AND CONDITIONS OF THE LICENCE, THE FISHERIES MANAGEMENT ACT 2002 AND REGULATIONS MADE THEREUNDER, MAY, IN ADDITION TO ANY JUDICIAL PENALTIES THAT MAY BE INCURRED, RESULT IN THE SUSPENSION OR LOSS OF THIS LICENCE, EITHER TEMPORARILY OR PERMANENTLY.

KINGDOM OF TONGA



FISHERIES MANAGEMENT ACT 2002

APPLICATION TO RENEW A LICENCE FOR A PRIVATE AGGREGATION DEVICE

(Fisheries (Conservation and Management) Regulations 2006 – Regulation 66)

INSTRUCTIONS: Underline surname or family name
Address means complete mailing address
Use a separate sheet where necessary

LICENCE No.

1. Name of current licence holder/s

.....
.....

Address of current licence holder/s

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.....

2. Site to which the current licence applies

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.....

The Fisheries Management Act 2002 provides penalties for persons who provide false information. I certify that the information supplied in this application is a true, correct and complete statement.

.....
Signature of applicant/s

.....
Date of application

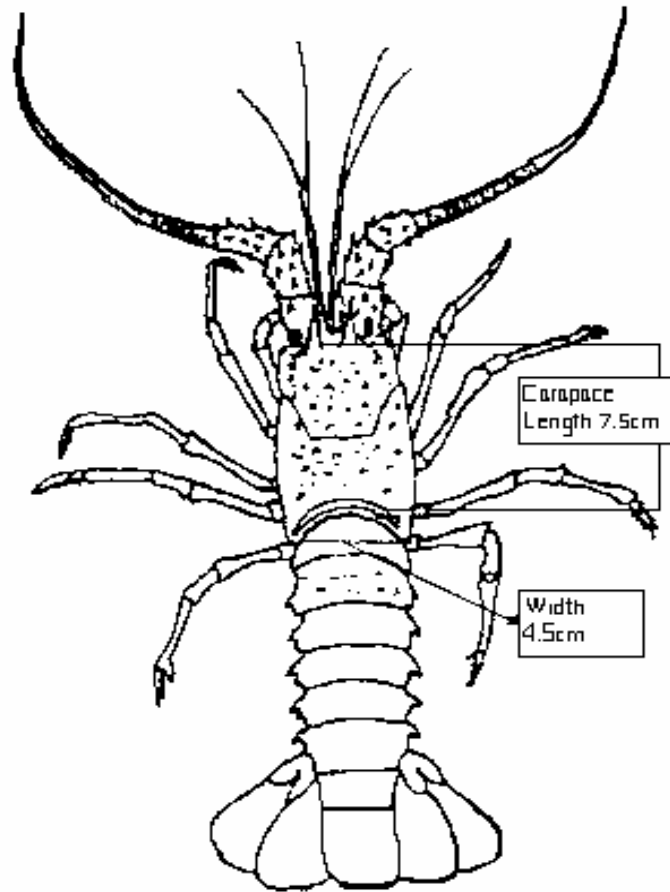
SCHEDULE 2

FEES

1. Application for a licence to use a net for fishing
\$100.00
2. Issuance or renewal of a licence to use a net for fishing
\$100.00
3. Application for a licence to erect or use a fish fence
\$50.00
4. Issuance of a licence to erect or use a fish fence
\$50.00
5. Bond for the licence to erect or use a fish fence
\$100.00
6. Application for a licence to fish for marine aquarium fish
\$100.00
7. Issuance or renewal of a licence to fish for marine aquarium fish
\$1000.00
8. Application to register a private fish aggregation device
\$5.00
9. Issuance or renewal of a private fish aggregation device
\$20.00

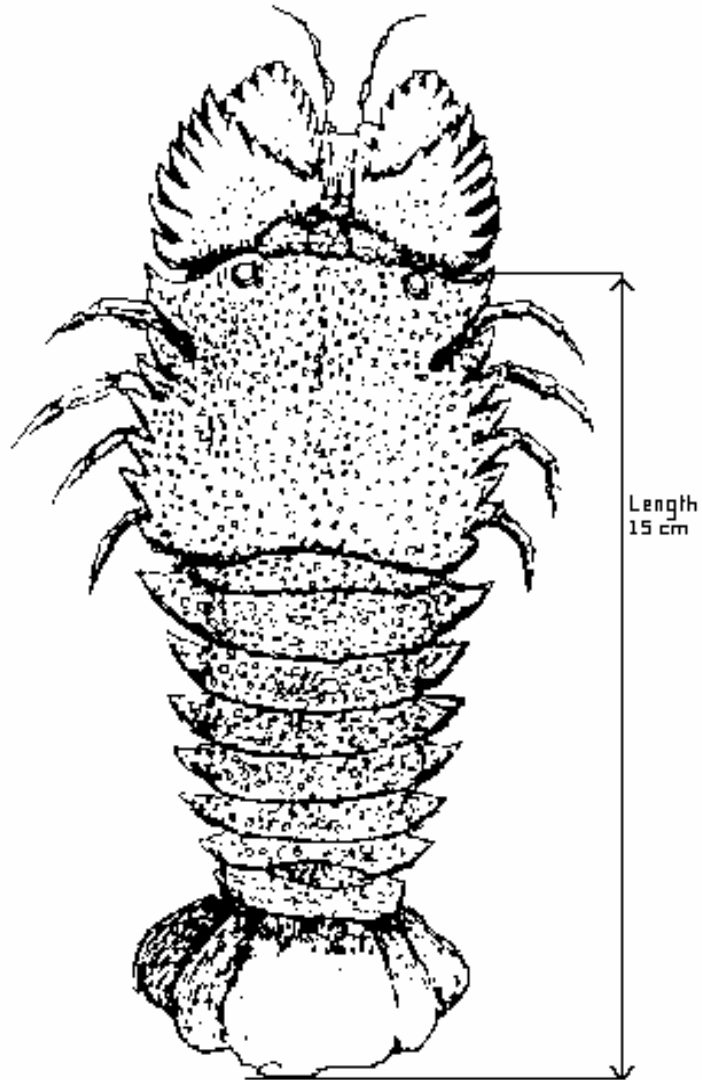
SCHEDULE 3

Illustration of a Lobster



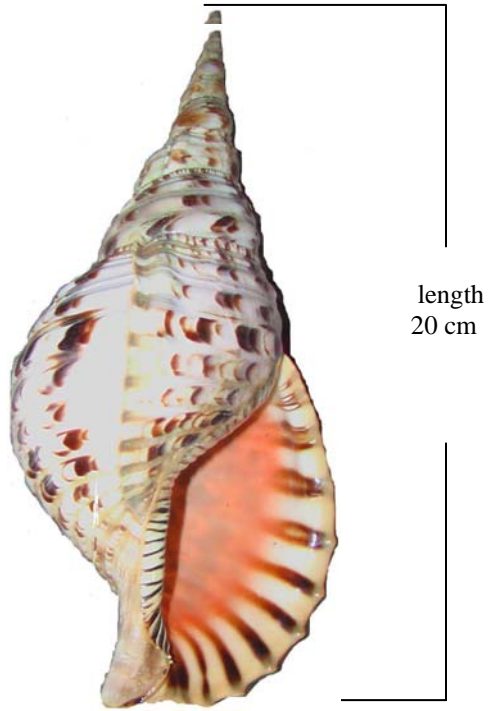
SCHEDULE 4

Illustration of a Slipper Lobster



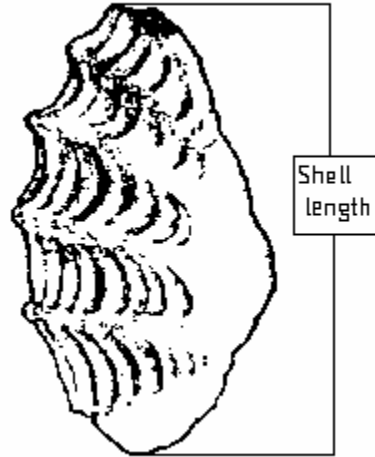
SCHEDULE 5

Illustration of a Triton Shell



SCHEDULE 6

Illustration of a Giant Clam

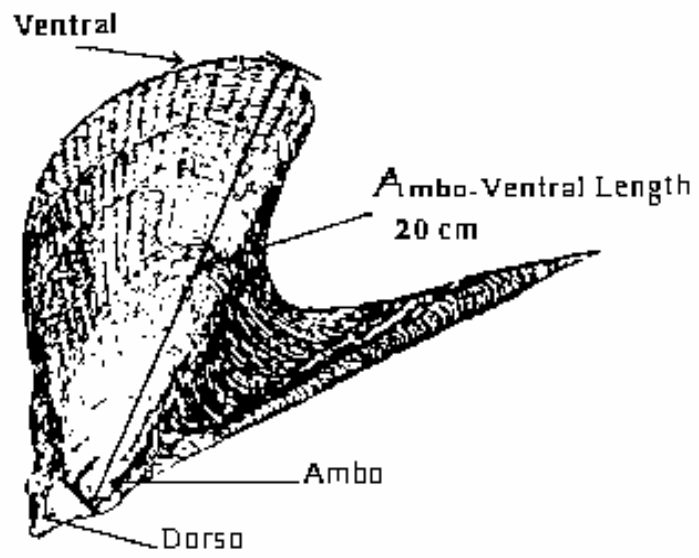


Minimum Shell Lengths for Giant Clams

Local Name	Scientific Name	Minimum size
Tokanoa molemole	<u>Tridacna derasa</u>	260 mm
Matahele	<u>Tridacna squamosa</u>	180 mm
Kukukuku	<u>Tridacna maxima</u>	155 mm
Saieniti	<u>Tridacna gigas</u>	500 mm
Toki	<u>Tridacna devoroa</u>	260 mm

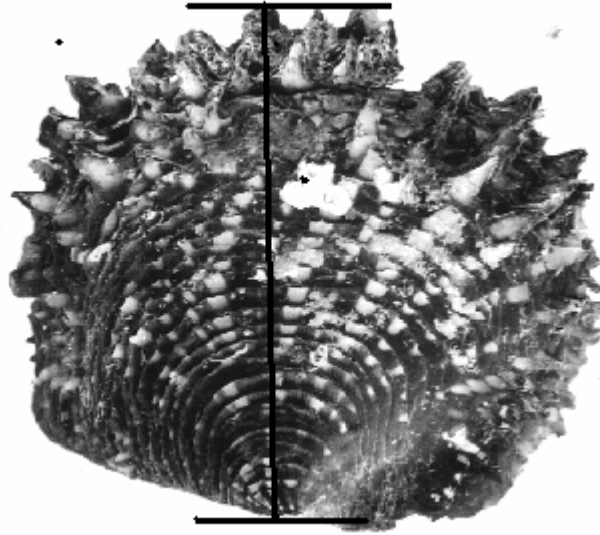
SCHEDULE 7

Illustration of a Winged Pearl Oyster



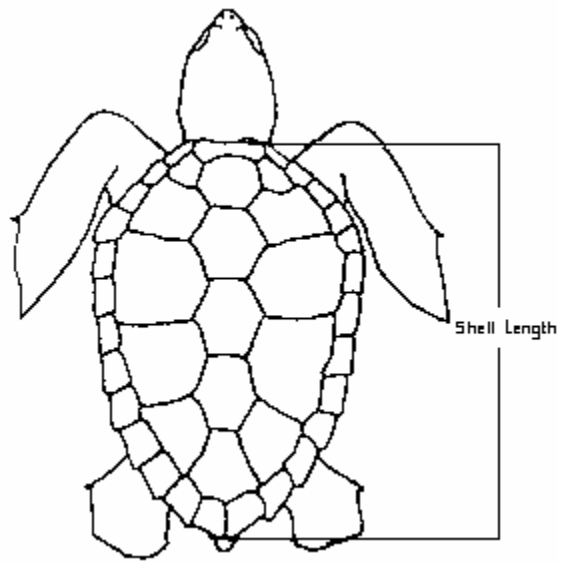
SCHEDULE 8

Illustration of a Black Lip Oyster



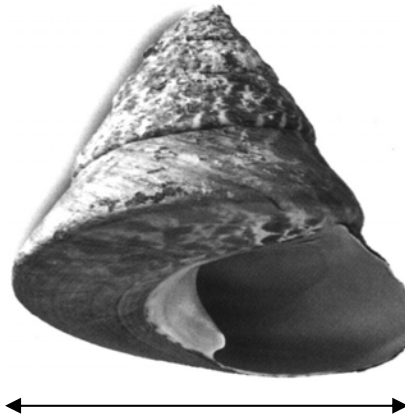
SCHEDULE 9

Illustration of a Turtle



SCHEDULE 10

Illustration of a Trochus



SCHEDULE 11

Illustration of a Green Snail



SCHEDULE 12
CLOSED SEASONS

TURTLES

Local Name	English Name	Scientific Name	Closed season
Fonu tangata	Male Turtle (all species except Leatherback turtle)	-	August, September, October, November, December, January, February
Fonu fefine	Female Turtle	=	All year
Fonu-leta	Leatherback	<u>Dermodochelys coriacea</u>	All year

MULLET

Kanahe or fua	Mullet	Mullet Mugilidae	1 June to 31 August
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FISH FENCES

Pa ika	Fish fence		1 June to 31 August
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