

The Laws of Zambia

REPUBLIC OF ZAMBIA

THE FISHERIES ACT

CHAPTER 200 OF THE LAWS OF ZAMBIA

CHAPTER 200 THE FISHERIES ACT

THE FISHERIES ACT

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CHAPTER 200

FISHERIES

21 of 1974
13 of 1994

An Act to provide for the development of commercial fishing in the Republic; to control fishing and provide for the registration of fishermen and their boats; and to provide for matters connected with or incidental to the foregoing.

[8th November, 1974]

PART I

PRELIMINARY

1. This Act may be cited as the Fisheries Act. Short title
2. In this Act, unless the context otherwise requires- Interpretation

"authorised officer" means the Director, any officer of the Department of Fisheries duly authorised by the Director and any other person authorised in writing either by name or appointment by the Director;

"boat" means any water craft whether powered or unpowered used for or in connection with commercial fishing;

"commercial fishing" means fishing which is undertaken in a commercial fishing area as a regular or occasional occupation for the supply of fish to any market or industry;

"Director" means the officer for the time being in charge of the Department of Fisheries;

"fish" means any vertebrate fish alive or dead and any part thereof whether or not preserved in any form and includes the young and eggs;

"fisherman" means any person who as a regular or occasional occupation, undertakes fishing for the supply of fish to any market or industry, and "occupation of a fisherman" shall be construed accordingly;

"fishing" includes any act directed at the taking, killing or injuring of any fish;

"water" means water in any river, stream, watercourse, lake, lagoon, swamp, pond, dam, reservoir or other place of a similar nature, but does not include water in aquaria or ornamental ponds unconnected with any natural water.

PART II

CONTROL OF FISHING

3. (1) No person shall, without the written permission of the Director which may be given to any person, class or group of persons, for the purpose of fishing, make, grow, use or have in his possession any poison, poisonous plants, or like injurious substance or make, use or have in his possession any explosive or any electrical fishing device. Prohibited methods of fishing

(2) Any person contravening the provisions of this section shall be guilty of an offence.

4. Where it appears to the Minister that any method of fishing is likely to prove unduly destructive under any circumstances, he may by order in respect of any area for a period to be stated in such order- Power to restrict methods of fishing

- (a) prohibit the use of such method;
- (b) subject the use of such method to such conditions as he may deem fit.

5. (1) No person shall without the written permission of the Director- Restriction on introduction of fish

- (a) introduce or cause to be introduced into any water any fish of a species not native either to the water into which it is introduced or to other waters naturally connected therewith;
- (b) import into the Republic any live fish.

(2) Any person contravening the provisions of this section shall be guilty of an offence.

PART III

SPECIAL FISHING AREAS AND LICENCES

6. (1) The Minister may, for the purposes of recreational, subsistence, or research fishing, by statutory order declare any area of water to be a prescribed area and shall in such order specify for which of the foregoing purposes the area is so declared. Prescribed areas

(2) The Minister may, in respect of any prescribed area designated as such under the provisions of subsection (1), regulate the method of fishing to be used therein and may prohibit the use of nets.

7. (1) Notwithstanding the provisions of this Act, it shall be lawful for the Minister, upon such conditions as he may deem fit, and upon payment of such fee as may be prescribed, to grant to any person or persons collectively a licence to be known as a Special Fishing Licence which shall authorise the holder thereof to fish in any specified area or specified waters for any of the following purposes: Special fishing licences

- (a) scientific research or the collection of specimens for aquaria, museums and similar institutions;
- (b) collecting live fish for stocking specified waters;
- (c) the supply of food in cases of emergency if no other adequate food supply is available;
- (d) experiment subject to the direction of the Director.

(2) A Special Fishing Licence may in the discretion of the Minister authorise the holder to fish by any means or method of fishing, whether otherwise prohibited or not, subject, however, to such conditions as the Minister may deem fit to impose.

PART IV

COMMERCIAL FISHING

8. (1) The Minister may, by statutory order, declare any area of water to be a commercial fishing area. Declaration of commercial fishing area

(2) The Minister may, in respect of any commercial fishing area declared as such under the provisions of subsection (1), make regulations-

- (a) prohibiting, restricting or regulating fishing;
- (b) controlling the methods of fishing;
- (c) prescribing that during any period of the year it shall be an offence to fish whether generally or for any particular species of fish;

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- (d) prescribing the licences which must be held by any person fishing in a commercial fishing area;
- (e) prescribing the records to be kept and the information to be provided by any person fishing in a commercial fishing area:

Provided that nothing contained in any such regulations shall apply to or in any way affect any person who is not registered with the Director in accordance with the provisions of section *nine*.

9. The Minister may, by statutory instrument, provide that any person who so desires may register with the Director as a fisherman. Registration of fishermen

10. (1) The Minister may, by statutory order, require that every boat used by a fisherman for the purpose of commercial fishing shall be registered with the Director in such manner and on payment of such fee as the Minister may prescribe. Registration of boats

(2) Any fisherman who fails to register a boat used by him for the purpose of commercial fishing shall be guilty of an offence.

11. (1) Every boat registered under the provisions of this Act shall be allocated a number or identification mark corresponding to the number or identification mark entered in the register. Boat identification marks

(2) The number or identification mark of a boat shall be clearly painted on the hull of such boat in such manner as the Minister may prescribe.

12. (1) For the better co-ordination and improvement of commercial fishing in any commercial fishing area, the Minister may in respect of such area appoint a committee to be known as the Fishing Development Committee which shall submit its reports to the Minister. Fishing Development Committee

(2) The members of any Fishing Development Committee shall be appointed by the Minister under such terms and conditions and for such periods as the Minister may prescribe.

PART V

OFFENCES AND PENALTIES

13. (1) If any officer has reasonable grounds for believing that any person has committed an offence against this Act, he may- Powers of search, seizure and arrest

- (a) require any such person to produce for his inspection any fish or any vehicle, bicycle or boat, or any net, trap, line or any poison or explosive or any other appliance, device, material or thing whatsoever in relation to or in connection with which an offence appears to such officer to have been committed or any licence or other document issued to him or required to be kept by him under the provisions of this Act;
- (b) enter and search any land, building, tent, vehicle or boat occupied by or under the control of such person and open and search any baggage or anything in his possession and require him to show any traps, weirs, stakes, banks, obstructions, fences or other immovable contrivances:

Provided that no house or other dwelling shall be entered without a warrant;

- (c) seize any fish or any net, trap, line or any poison or explosive or any other appliance, device or material in relation to or in connection with which an offence appears to him to have been committed, whether or not it is in the possession of any person;
- (d) without warrant arrest and detain any person appearing to him to have committed an offence unless he is satisfied that such person will appear and answer any charge which may be preferred against him.

(2) Any person detained or any thing seized under the foregoing provisions shall forthwith be taken before a court to be dealt with according to law and, where it is not practicable to remove from its location any apparently unlawful means of fishing, such means of fishing may forthwith be rendered inoperative.

(3) Any person who without reasonable excuse, the burden of proof whereof shall lie on such person, fails to produce or show anything which under the powers conferred by this section he is required to produce or show shall be guilty of an offence against this Act:

Provided that where such person is on demand being made to him unable to produce any licence, permit or document issued under the provisions of this Act, he shall not be guilty of an offence under this subsection if he produces such licence, permit or document within a reasonable time, not exceeding twenty-one days, to an officer or employee of the rural council for the area, and explains to such officer or employee that such licence, permit or document is produced in compliance with the demand of an officer and names the place where such demand was made.

(4) It shall be lawful for any officer to stop and detain any person whom he sees doing an act for which a licence or permit is required under the provisions of this Act for the purpose of requiring such person to produce his licence or permit, and if such person fails to produce his licence or permit, he may be arrested without a warrant unless he furnishes his name and address and otherwise satisfies the officer that he will duly answer any summons or other proceedings which may be taken against him.

(5) The Government shall not be responsible for any loss or damage which may occur to any property during an act of seizure or whilst such property is detained under this section, and no officer shall be responsible for any such loss or damage unless he shall have caused the same negligently, maliciously or fraudulently.

(6) For the purposes of this section, "officer" means any authorised officer and any police officer.

14. Any person who is guilty of an offence under the provisions of this Act shall, unless some other penalty is specifically provided therefor, be liable to a fine not exceeding four thousand penalty units or to imprisonment for a period not exceeding six months, or to both.

Penalties

(As amended by Act No. 13 of 1994)

15. (1) Where any person is convicted of an offence against this Act or where no person has within three months of the seizure of anything mentioned in subsection (1) (c) of section *thirteen* appeared to answer a charge, the court may order that any fish, or any net, trap, line or any poison or explosive or any other appliance, device or other thing in relation to or in connection with which an offence has been committed shall be forfeited to and become the property of the Government, and such property shall thereafter be destroyed or otherwise disposed of in accordance with any general or special instruction which the Director may issue in that behalf.

Forfeitures

(2) A court may order any person who unlawfully makes, uses or has in his possession any weir, bank, or other device or obstruction whatever used for the purpose of fishing which it is impracticable to move, to destroy and obliterated it, or order that it shall be otherwise destroyed and obliterated and in such case any expenditure incurred shall be recoverable from the offender.

16. Where any person is convicted of an offence against this Act, the court may order that any licence or permit held by such person under the provisions of this Act be cancelled and that such person shall not be issued with any further licence or permit for such period not exceeding six months as it may deem fit.

Cancellation of licences by court order

17. The Director or any authorised officer may, subject to the directions of the Director of Public Prosecutions, conduct a prosecution for an offence against this Act and shall for that purpose have the powers of a public prosecutor appointed under any written law for the time being in force.

Conduct of prosecution

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18. Any person who without reasonable excuse has in his possession or deals in any fish which has been taken contrary to the provisions of this Act shall be guilty of an offence. Unlawful possession of fish

PART VI

GENERAL

19. Nothing contained in this Act shall affect the liability in trespass of any person who enters upon the lands of another for the purpose of fishing without the permission of the owner or occupier thereof previously had and obtained. Trespass upon private property

20. (1) The Minister may in his discretion vary, suspend or cancel any licence or permit issued under this Act. Cancellation, suspension or variation of licences and permits by Minister

(2) The Director or any licensing officer may refuse to issue a licence, and may vary, suspend or cancel any licence issued under this Act other than a licence issued by the Minister and, in any case in which he shall have done so, he shall forthwith report the fact to the Minister.

(3) Where any licence has been refused, cancelled or suspended under this section, the person aggrieved may appeal in writing to the Minister whose decision thereon shall be final.

(4) Where a licence has been cancelled under this section, the Minister may, if he considers fit, direct that the whole or part of any fee paid therefor shall be refunded.

(5) Any authorised officer may-

(a) state to a licensing officer an objection in writing to the issue of any licence in which case the licensing officer shall, in accordance with the provisions of subsection (2), refuse to issue the licence;

(b) exercise the powers of cancellation and suspension conferred by subsection (2).

21. (1) The Minister may, by statutory instrument, make regulations for the better carrying into effect of this Act. Regulations

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(2) In particular and without prejudice to the generality of the foregoing, such regulations may be made-

- (a) prescribing anything which by this Act may or is to be prescribed;
- (b) requiring the registration of fishermen and boats used for commercial fishing;
- (c) prescribing the procedure to be followed and the records to be kept by a Fishing Development Committee;
- (d) regulating the methods of fishing in any prescribed area;
- (e) providing for the control, management and improvement of any commercial fishing area;
- (f) regulating the methods of curing, preserving, processing, or storing fish at any commercial fishing area;
- (g) prescribing the fees to be paid for anything to be done under this Act;
- (h) regulating the trade in and the sale and export of fish;
- (i) prescribing the forms to be used for any application, permit, licence, or other document issued or kept under the provisions of this Act;
- (j) providing for the keeping of records of fish taken under licence or removed within the Republic or exported;
- (k) regulating and controlling fish culture and fish farming;
- (l) making or giving any order or direction generally, for the better carrying out of the purposes of this Act.

(3) Any such regulations may provide that any person who contravenes or fails to comply with such regulations shall be guilty of an offence against this Act, and may further provide that, unless some other penalty is in such regulations specifically provided therefor, such person shall be liable to a fine not exceeding one thousand penalty units or to imprisonment for a period not exceeding three months, or to both.

(As amended by Act No. 13 of 1994)

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22. An authorised officer may for the purpose of obtaining fish statistics weigh, measure and check any fish, and any person in charge of fish shall on demand being made to him produce such fish to the authorised officer for that purpose. Powers of authorised officers to take statistics

23. The Minister may, in his discretion, exempt any person or persons from all or any of the provisions of this Act, either generally or in respect of any particular area or waters. Exemption from provisions

24. The Director may, with the prior approval of the Minister, delegate to any suitably qualified person the powers conferred upon him by this Act. Delegation of powers by Director

SUBSIDIARY LEGISLATION

THE FISHERIES REGULATIONS.

ARRANGEMENT OF REGULATIONS

PART I PRELIMINARYPART I

PRELIMINARY

Regulation

1. Title
2. Interpretation

PART II LICENCES AND CONTROL OF FISHINGPART II

LICENCES AND CONTROL OF FISHING

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3. Fishing licence
4. Prohibited fishing equipment
5. Prohibited fishing method
6. Prohibited fishing area
7. Application for fishing licence
8. Notice of intention to object
9. Issue and duration of licences
10. Restrictions on issue of licences
11. Cancellation of licences
12. Appeals
13. Transfer of licences

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GENERAL

14. Register of licences
15. Duplicate licence
16. Partnership
17. Display of licences
18. Use of pesticides
19. Evidence
20. Penalties
21. Revocation of S.I. No. 106 of 1976

FIRST SCHEDULE-PRESCRIBED FORMS

SECOND SCHEDULE-COMMERCIAL FISHING AREAS, SPECIFIED NETS AND EXTENT
OF RESTRICTION

THIRD SCHEDULE-PROHIBITED FISHING AREA

SECTION 8-FISHERIES REGULATIONS.

Regulations by the Minister

Statutory Instrument
55 of 1986
198 of 1986
16 of 1989
42 of 1993
Act No.
13 of 1994

PART I PRELIMINARYPART I

PRELIMINARY

1. These Regulations may be cited as the Fisheries Regulations. Title

2. In these Regulations, unless the context otherwise requires- Interpretation

"appropriate fee" means the fee prescribed by the Minister in exercise of his powers contained in section *twenty one* of the Act;

"draw net" means any net ordinarily used for encircling and hauling fish onto a shallow bank for capture;

"gill net" means a multifilament twine net customarily left drifting or stationary in water and which captures fish by meshing;

"kutumpula" means any fishing method whereby fish are driven into a stationary gill net or monofilament net;

"licence" means a fishing licence issued under regulation 3;

"monofilament net" means any net made of a single solid filament material for the web of a net.

PART II LICENCES AND CONTROL OF FISHINGPART II

LICENCES AND CONTROL OF FISHING

3. No person shall, without a fishing licence issued by the Director in Form 3 set out in the First Schedule, fish in any commercial fishing area set out in column 1 of the Second Schedule. Fishing licence

4. (1) No person shall use for fishing, in any commercial fishing area set out in column 1 of the Second Schedule, any of the nets specified in column 2 of the Second Schedule. Prohibited fishing equipment

(2) The restriction imposed in sub-regulation (1) shall apply only to the extent described in column 3 of the Second Schedule.

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(3) No person shall use a draw net to fish in the open waters or along the shores of Lake Bangweulu.

(4) Any person who is found in any commercial fishing area, in possession of any fishing equipment the use of which is prohibited under this regulation shall be guilty of an offence.

5. No person shall fish in any commercial fishing area by *kutumpula*.

Prohibited fishing method

6. (1) No person shall fish in any commercial fishing area set out in column 1 of the Third Schedule.

Prohibited fishing area

(2) The restriction imposed in sub-regulation (1) shall apply only to the extent described in column 2 of the Third Schedule.

(3) The prohibition imposed by sub-regulation (1) shall apply only during the period described in column 3 of the Third Schedule.

7. (1) An application for a fishing licence shall be made on or before the 31st October in each year, and shall be in Form 2 set out in the First Schedule.

Application for fishing licence

(2) The Director shall not consider any application for a fishing licence unless he is satisfied that the applicant has given at least thirty days notice of his intention to make such application.

(3) The notice referred to in sub-regulation (2) shall be made in Form 1 set out in the First Schedule, and shall be published in the *Gazette* and in two consecutive issues of a newspaper circulating in the area in which such fishing is intended, and the period of thirty days mentioned in sub-regulation (2) shall be calculated from the date of the last publication of such notice.

(4) Any person who makes or causes to be made any false statement in any application made under this regulation shall be guilty of an offence.

(5) Evidence given on application for issue of a licence shall be given on oath.

8. (1) Within twenty-one days after the last publication of the notice referred to in sub-regulation (2) of regulation 7, any person may object to the issuance of the fishing licence by lodging with the Director an objection in writing and serving a copy on the applicant. Notice of intention to object

(2) The objection referred to in sub-regulation (1) shall-

- (a) state the grounds in support of the objection; and
- (b) include an address at which service of notices and other documents may be effected

9. (1) The Director may issue a licence subject to such terms and conditions as he thinks fit. Issue and duration of licences

(2) The Director shall not issue a licence under sub-regulation (1) unless the appropriate fee has been paid by the applicant.

(3) Subject to the provisions of these Regulations, a licence shall continue in force until the 31st December, next following the date of issue and shall thereupon expire.

10. (1) The Director shall not issue a licence to any person who- Restrictions on issue of licences

- (a) in the opinion of the Director is under the age of twenty-one years; or
- (b) is an undischarged bankrupt or has entered into a composition or a scheme of arrangement with his creditors which is still binding; or
- (c) has, within a period of five years immediately preceding the date of his application, been convicted of an offence against the Bankruptcy Act; or Cap. 82
- (d) has been disqualified from holding a fishing licence by a court under regulation 26, while such disqualification remains in force.

(2) Where the Director rejects an application for a licence or decides that there is no merit in any objection under regulation 8, he shall give his reasons for doing so to the applicant or to the objector as the case may be.

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11. The Director shall cancel a licence in respect of which facts become known which, had they been known at the time of the application, the licence would not have been issued. Cancellation of licence

12. Any person aggrieved by a decision of the Director may, within sixty days of receiving information of such decision, appeal to the Minister. Appeals

13. (1) Where a licensee dies the licence shall be deemed to have been transferred to his successors in title or personal representatives for the unexpired period. Transfer of licences

(2) Save as provided in this regulation, a licence shall not be transferrable.

PART III GENERALPART III

GENERAL

14. (1) The Director shall keep or cause to be kept a register of licences in which shall be entered- Register of licences

- (a) the name and address of every holder of a licence;
- (b) the area in respect of which a licence is granted; and
- (c) any other information relating to licences.

(2) The register referred to in sub-regulation (1) may be inspected on the payment of the appropriate fee.

15. (1) Where a licence is lost, destroyed or defaced the licensee may in Form 4 set out in the First Schedule, apply to the Director for a duplicate, and the Director shall, if satisfied that such licence is lost, destroyed or defaced, issue a duplicate to such licensee. Duplicate licence

(2) Every duplicate licence shall state the fact.

(3) Every application under this regulation shall be accompanied by the appropriate fee.

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16. (1) Where the licensee is a partnership and its composition changes otherwise than by the death of a partner, such change shall be notified to the Director as soon as is practically possible. Partnership

(2) A licence issued to a partnership shall become void at the expiration of three months from the date of a change in the composition of such partnership if the Director has not been notified of such change under sub-regulation (1).

17. (1) A licensee who has a place of business shall display his licence at all times, in a prominent position. Display of licences

(2) Any licensee who contravenes sub-regulation (1) shall be guilty of an offence.

18. No person shall use any pesticides as a means of curing, preserving, processing or storing fish in any commercial fishing area. Use of pesticides

19. (1) Where in, a prosecution for an offence against these Regulations, it is alleged that a person is not the holder of a licence, it shall be presumed that such person is not the holder of such licence until the contrary is proved. Evidence

(2) Where an offence is committed against these Regulations by a body corporate, any person who at the time of the commission of the offence, was a director, general manager or secretary of such corporation shall be guilty of such offence unless he proves that-

(a) the offence was committed without his knowledge or consent; or

(b) he exercised all diligence to prevent the commission of the offence as he ought to have exercised having regard to the nature of his functions.

20. (1) Any person convicted of an offence under these Regulations shall be liable upon conviction to a fine not exceeding one hundred and twenty five penalty units and in addition, where the offence continues, to a fine not exceeding thirteen penalty units for each day during which the offence continues. Penalties

(2) Where a licensee is convicted by a court for an offence-

(a) against these Regulations;

(b) any written law providing for the control of prices;

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(c) any written law providing for the control of weights and measures; or

(d) any written law relating to the substance or quality of goods;

the court may endorse such conviction on the licence and may in addition to any other penalty lawfully imposed for such offence order-

(i) that the licence be cancelled; and

(ii) that the licensee be disqualified from holding a licence for such period as the court may think fit.

(3) Notwithstanding the provisions of sub-regulation (2) the court shall not endorse a licence or make an order for the cancellation of any licence or for the disqualification of the licensee, if the licensee proves-

(a) that he did not commit the offence knowingly or wilfully; or

(b) he had taken reasonable steps to prevent the commission of the offence, where the offence is committed by his employee or agent.

(4) Where a licence is endorsed or an order for cancellation or disqualification is made under sub-regulation (2), the court shall inform the Director of such endorsement or order, and the Director shall enter or cause to be entered in the register of licences maintained under regulation 14 the particulars of such endorsement or order.

(5) Where a licensee appeals against an endorsement or order made under regulation 14 a court may suspend the operation of such order subject to such conditions as it may think fit pending the determination of such appeal.

(As amended by Act No. 13 of 1994)

FIRST SCHEDULE

(Regulations 3, 7 and 15)

PRESCRIBED FORMS

REPUBLIC OF ZAMBIA

THE FISHERIES ACT.

(Cap. 200)

THE FISHERIES REGULATIONS

NOTICE OF INTENTION TO APPLY FOR A FISHING LICENCE

(Regulation 7)

Full name.....

Postal address.....

Business name (if any).....

Area(s) in which fishing is to be done.....

.....

.....
Applicant

REPUBLIC OF ZAMBIA

 THE FISHERIES ACT (CAP 200)

 THE FISHERIES REGULATIONS
 APPLICATION FOR A FISHING LICENCE
 (Regulation 7)

Part I

- 1. Full name.....
- 2. Postal address.....
- 3. Business name (if any).....
- 4. Area(s) in which fishing is to be done.....

Part II

- 5. If the applicant is an individual, state:
 - (a) Residential address.....
 - (b) Date of birth.....
 - (c) National Registration Card No.....
 - (d) Citizenship details (state whether by birth and if by naturalisation or by registration give Certificate No.).....

Part III

- 6. If the applicant is a body corporate or a co-operative society, state:
 - (a) Registered office.....
 - (b) Date of formation.....
- 7. Give details in the case of a body corporate, all directors and, in the case of a co-operative society, all officers:

<i>Full Name</i>	<i>Country of Residence</i>	<i>Date of Birth</i>	<i>Citizenship Details (as in (5 (d)) above</i>	<i>No. of Shares Held</i>
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- 8. If any of the shareholders are companies, are any of the shareholders of those companies non-Zambians?

Part IV

- 9. If the applicant is in partnership give details of all partners:

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<i>Full Name</i>	<i>Country of Residence</i>	<i>Date of Birth</i>	<i>Citizenship Details (as In 5 (d)) above</i>	<i>Percentage No. of interest in Partnership</i>
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10. My/our intention to apply for a fishing licence was published in the *Government Gazette* on..... and in the..... newspaper on-

(a)

(b)

and the *Government Gazette* and newspaper cuttings are enclosed.

11. I,.....a.....

.....of.....

hereby declare that the information given in this application is true and correct to the best of my knowledge and belief.

Dated the.....day of.....19.....

.....
Applicant

REPUBLIC OF ZAMBIA

 THE FISHERIES ACT
 (CAP 200)

 THE FISHERIES REGULATIONS
 FISHING LICENCE
 (*Regulation 3*)

No.....

A fishing licence is hereby granted to.....

of.....

to fish in.....

..... up to and including.....

This licence is subject to the following condition(s).....

.....

.....

Fee paid K..... (.....kwacha).

.....

Director

Date.....

REPUBLIC OF ZAMBIA

THE FISHERIES ACT
(CAP 200)

THE FISHERIES REGULATIONS

APPLICATION FOR ISSUE OF A DUPLICATE FISHING LICENCE

(Regulation 15)

- 1. Full name.....
- 2. Postal address.....
- 3. Business name (if any).....
- 4. Area(s) in respect of which original licence was issued.....
.....
- 5. I/We apply for a duplicate of licence No..... which was
issued to me/us on....., 19.....
- 6. Brief statement outlining the circumstances under which the licence was lost, destroyed or defaced:
.....
.....
.....
- 7. The prescribed fee of K..... (.....kwacha) for a
duplicate licence is enclosed.

Dated the..... day of....., 19.....

.....
Applicant

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(Regulation 2)

SECOND SCHEDULE

(Regulation 4)

THE FISHERIES REGULATIONS

COMMERCIAL FISHING AREAS, SPECIFIED NETS AND EXTENT OF RESTRICTION

The Laws of Zambia

<i>Column 1</i> <i>Commercial Fishing Area</i>	<i>Column 2</i> <i>Specified Nets</i>	<i>Column 3</i> <i>Extent of Restriction</i>
BANGWEULU COMMERCIAL FISHING AREA	Seine/Draw net of any mesh size	Throughout the area
	Gill net of a mesh size less than 51 mm	Throughout the area
	Mono-filament net of a mesh size less than 120 mm	Throughout the area
KAFUE COMMERCIAL FISHING AREA	Seine/Draw nets of any mesh size	Throughout the area
	Gill net of a mesh size less than 76 mm	Throughout the area
	Mono-filament net of a mesh size less than 120 mm	Throughout the area
KARIBA COMMERCIAL FISHING AREA	Seine/Draw nets of any mesh size	Throughout the area
	Gill net of a mesh size less than 76 mm	Throughout the area
	Mono-filament net of a mesh size less than 120 mm	Throughout the area
	Kapenta nets of a mesh size less than 8 mm	Throughout the area
LAKE TANGANYIKA COMMERCIAL FISHING AREA	Mono-filament net of a mesh size less than 120 mm	Throughout the area
	Kapenta nets of a mesh size less than 10 mm	Throughout the area
LUKANGA SWAMP COMMERCIAL FISHING AREA	Seine/Draw nets of any mesh size	Throughout the area
	Gill net of a mesh size less than 51 mm	Throughout the area
	Mono-filament net of a mesh size less than 120 mm	Throughout the area
LUSIWASHI COMMERCIAL FISHING AREA	Seine/Draw nets of any mesh size	Throughout the area
	Gill net of a mesh size less than 76 mm	Throughout the area
MWERU-LUAPULA COMMERCIAL FISHING	Seine/Draw nets of any mesh size	Throughout the area
	Gill net of a mesh size less than 51 mm	Throughout the area
	Mono-filament net of a mesh size less than 120 mm	Throughout the area
	Seine nets except those used for (Chisense)	Throughout the area
MWERU-WANTIPA COMMERCIAL FISHING AREA	Poecilothrissa Moerrensensis Seine/Draw nets of any mesh size	Throughout the area
	Gill net of mesh size less than 76 mm	Throughout the area
	Mono-filament net of a mesh size less than 120 mm	Throughout the area
	Seine nets except those used for (Chisense)	Throughout the area
UPPER ZAMBEZI COMMERCIAL FISHING AREA	Poecilothrissa Moeuruensis Seine/Draw nets of any mesh size	The Zambezi River Channel only
	Gill net of a mesh size less than 76 mm	Throughout the area
	Mono-filament net of a mesh size less than 120 mm	Throughout the area

(As amended by S.I. No. 198 of 1986)

(Regulation 3)

THIRD SCHEDULE

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(Regulation 6)

THE FISHERIES REGULATIONS

PROHIBITED FISHING AREA

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Commercial Fishing Area</i>	<i>Extent of prohibition</i>	<i>Period of prohibition</i>
MWERU-LUAPULA	That portion of water of Mweru bound by a straight line drawn from the northern tip of Nkolo point in a northerly direction to the southern most tip of Kwila Island; thence in a south-easterly direction to the bank of the Chota Channel; thence following the shores of Lake Mweru to the right bend of Luapula River; thence up this river for a distance approximately 5 kilometres; thence to the nearest boundary between Zaire and Zambia opposite; thence in a northerly direction along this boundary to the point of starting. The rest of that area	Throughout the Year
LAKE BANGWEULU	Throughout the lake	1st December to 28th February 1st December to 28th February
KAFUE FISHERY	Throughout the fisheries area	1st December to 28th February
LOWER ZAMBEZI RIVER	From the Dam wall to Zambezi/ Luangwa confluence	1st December to 28th February
KARIBA DAM/LAKE	None	
LOWER LUANGWA RIVER	From Luangwa Bridge to Luangwa/ Zambezi Confluence	1st December to 28th February

(As amended by S.I. no. 198 of 1986)

SECTION 10-THE FISHERIES (REGISTRATION OF FISHING BOATS) ORDER.

Statutory Instrument
24 of 1986

Order by the Minister

Act 13 of 1994

1. This Order may be cited as the Fisheries (Registration of Fishing Boats) Order. Title

2. In this Order, unless the context otherwise requires-

"fishing boat" means any water craft whether mechanically powered or not, used for or in connection with commercial fishing.

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3. (1) Every fishing boat shall be registered with the Director.

Registration of fishing
boats

(2) A fishing boat registered under paragraph (1) shall be allocated a number which shall be displayed on both sides of the hull.

(3) Any person who fails to register a fishing boat or to comply with sub-regulation (2) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one hundred and twenty penalty units or to imprisonment not exceeding three months, or to both.

(As amended by Act No. 13 of 1994)

SECTION 6-THE FISHERIES (PRESCRIBED AREAS) (DECLARATION) ORDER.

Statutory Instrument
26 of 1986
Act 13 of 1994

Order by the Minister

1. This Order may be cited as the Fisheries (Prescribed Areas) (Declaration) Order. Title

2. (1) Each area of water which has been declared a commercial fishing area is hereby declared a prescribed area for purposes of recreational, subsistence and research fishing. Declaration of prescribed areas

(2) No person shall fish in a prescribed area unless authorised under these Regulations or by a special Fishing Licence issued by the Minister under the Act for the purposes set out in section seven.

3. No person shall fish in a prescribed area by rod and line without a licence to be known as an angling licence, issued by the Director or other person authorised in writing by the Director in that behalf in the form set out in the First Schedule hereto. Angling licence

4. A person licensed to collect specimens for aquaria shall keep records in the form set out in the Second Schedule hereto and shall submit, monthly, a copy of such records to the Director. Keeping of records

5. Any person who contravenes any of the provisions of this Order shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one hundred and twenty five penalty units or to imprisonment not exceeding three months, or to both. Offences

(As amended by Act No. 13 of 1994)

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FIRST SCHEDULE

(Paragraph 3)

ANGLING LICENCE

.....PRESCRIBED AREA/DAM/RIVER/LAKE

Name..... Nat. Reg. Card/Passport No.....
of (Residential Status).....
Address..... is hereby authorised
to fish in..... by means of.....
for the purpose of.....
Fee paid.....
This licence is valid until.....
Date.....
.....
Director

SECOND SCHEDULE

(Paragraph 4)

THE FISHERIES REGULATIONS, 1986

ORNAMENTAL FISH: RECORD FORM

PART I

PRODUCTION

Locality..... No.....
Date.....

Species	Number	Mortality	Fish Used For Research	No. of Fish Sold	No. of Fish Exported

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TOTAL					

Destination of exports.....

Signature of Exporter.....

Signature of Government Officer

No.....

Date	Species	No. of live fish exported	Actual/ Estimated price for specimen	No. of fish sold locally or otherwise disposed of	Price per specimen
TOTAL					

Total Gross Income: (a) Exports

GRZ Export fee

K

(b) Local sales

K

Signature of Government officer.....

Signature of dealer.....

SECTIONS 20 AND 21-THE FISHERIES (FISHING LICENCE FEES) REGULATIONS

CAP. 200

Regulations by the Minister

*Statutory Instrument
21 of 1997*

1. These Regulations may be cited as the Fisheries (Fishing Licence Fees) Regulations. Title

2. The fee payable in respect of a Special Fishing Licence for any activity set out in the First Schedule to these Regulations shall be the appropriate fee set out opposite each activity as specified in that Schedule. Special fishing licence fee

3. The fee payable in respect of a Fishing Licence issued for the purpose of fishing in a commercial fishing area, set out in the Second Schedule to these Regulations, shall be the appropriate fee set out opposite such areas as specified in that Schedule. Fishing licence fee for commercial areas

4. The Fisheries (Fishing Licence Fees) Regulations, 1994, are hereby revoked. Revocation of S.I. No. 36 of 1994

FIRST SCHEDULE

(Paragraph 2)

SPECIAL FISHING LICENCE FEES

	<i>Fee units</i>
1. <i>Collection of fish specimen for aquaria</i>	
All licensed fishermen	833 per annum
2. <i>Recreation fishing</i>	
Persons resident in Zambia:	
under the age of 18 years	14 per month or 83 per annum
of the age of 18 years and above	28 per month or 167 per annum
3. <i>Institutional angling permits for lodges, camps and hotels</i>	
(i) Up to 20 beds capacity	972 per annum
(ii) From 21 to 40 beds	1,250 per annum
(iii) 41 beds and above	1,527 per annum
(iv) Fishing competitions	417 per week

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SECOND SCHEDULE

(Paragraph 3)

COMMERCIAL FISHING AREAS

FISHING LICENCE FEES:

	<i>Fee units</i>
1. Persons resident in Zambia:	
(i) Kafue Fishery from Chunga Lagon to Kafue Gorge Dam	47 per annum
(ii) Kafue Fishery from Itezhi-tezhi dam to western end of Chulwe Lagoons	39 per annum
(iii) Lukanga Fishery	44 per annum
(iv) Lake Kariba Fishery	42 per annum
(v) Bangweulu Fishery	37 per annum
(vi) Mweru-Luapula Fishery	36 per annum
(vii) Mweru-Wa-Ntipa Fishery	36 per annum
(viii) Upper Zambezi Fishery	26 per annum
(ix) Tanganyika Fishery	37 per annum
(x) Lower Zambezi Fishery	42 per annum
(xi) Luangwa Fishery	26 per annum
(xii) Chisense Fishing (Mweru-Luapula Bangweulu and Mweru-Wa-Ntipa)	64 per annum
(xiii) Kapenta Fishing (artisanal) Lake Tanganyika	78 per annum
(xiv) Lake Itezhi-tezhi	32 per annum
(xv) Other fishery areas not mentioned above	25 per annum
(xvi) Rod and line fishing (all fishery areas)	11 per annum
2. Persons non-resident in Zambia	167 per annum
3. Fishing groups or Co-operatives	333 per annum
4. Companies: Lake Kariba Fishery per fishing rig	556 per annum
5. Companies: Lake Tanganyika Fishery per fishing unit	1,667 per annum