

**Only available in English // Uniquement disponible en anglais**

**Annex (i)**

**Measures taken and the implementation progress on Resolution 21/01 para 21-23**

- 1) Conducted a survey to record the number of large scale drift gill nets in Sri Lanka.(District Level)
- 2) Made aware the fishers on resolution 17/07 during the period of 2018-2020
- 3) Notify the number of authorized vessels operate large scale gill nets in the competent area of IOTC to the Secretariat by 31 December 2020 as per the point 5 of the resolution.
- 4) Prepared the draft regulation prohibiting the use of gill nets larger than 2.5km within EEZ of Sri Lanka . ( Use of large gill nest in High seas is already prohibited)
- 5) The drafted regulation is processing at the Department of Legal Draftsman's.
- 6) Planned to publish in 2022.

**Set gillnets at 2m depth from the surface in gillnet fisheries (Resolution 19/01 and 21/01)**

- a. Sri Lanka included the factor the depth of laying drift gill net in Sri Lanka to the survey conducted to find the number of large scale drift gill nets in Sri Lanka as per resolution 17/07 to comply with the para 21 of 19/01.
- b. Findings of the survey
  - Since the surface current wave action is very high sea around Sri Lanka creating rough seas conditions in the off-shore, majority fishermen (65%) lay their drift gill nets about 3m below the surface to avoid wash away the nets from target fishing grounds.
  - To lay the net in required depth they keep the buoy line length 2 to 3m in length from the upper mainline of the net.
- c. DFAR conducted awareness on laying of drift long lines in 2m below the surface and laying of Drift gill nets below 2m depth is incorporated to the **draft regulation** on prohibition of large Drift gill nets (larger than 2.5km) in the IOTC area of competence which will publish in year 2022.

### **Annex (iii)**

#### **Increase observer coverage or field sampling in gillnet fishing vessels by 10% using alternative data collection methodologies- page 6**

- ❖ The data collection in the small landing sites is strengthened by increasing the field samplers in a view to increase the data collection from 5% to 10% by as per the resolution 11/04 para 4 for the gill net operating artisanal vessels of Sri Lanka.
- ❖ Pilot project on EMS is being conducted under the technical assistance of EU/IOTC for the small vessels of Sri Lanka to increase to observer coverage.

ශ්‍රී ලංකා ප්‍රජාතාන්ත්‍රික සමාජවාදී ජනරජයේ ගැසට් පත්‍රය  
අති විශේෂ

The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 1878/12 - 2014 සැප්තැම්බර් මස 01 වැනි සඳුදා - 2014.09.01  
No. 1878/12 - MONDAY, SEPTEMBER 01, 2014

(Published by Authority)

**PART I : SECTION (I) — GENERAL**

**Government Notifications**

L.D.B. 1/2012.

**THE FISHERIES AND AQUATIC RESOURCES ACT, No. 2 OF 1996**

REGULATIONS made by the Minister of Fisheries and Aquatic Resources Development under Section 61 (1) (t) of the Fisheries and Aquatic Resources Act, No. 2 of 1996 read with Sections 14A, 14B, 14C, 14D, 14E, 14F, 14G, 14H, 14I, 14J, 14K, 14L, 14M, 14N of that Act.

DR. RAJITHA SENARATNA,  
Minister of Fisheries and Aquatic  
Resources Development.

Colombo,  
27th August 2014.

**Regulations**

1. These regulations may be cited as High Seas Fishing Operations Regulations No. 1 of 2014.
2. No person shall engage in any fishing operation specified in the Schedule I hereto in the High Seas except under the authority of a valid licence granted by the Director-General.
3. (1) Every application for a licence for fishing operations in the High Seas referred to in regulation 2 shall be substantially in the form specified in Schedule II hereto and be submitted to the Director-General accompanied with the relevant licence fee specified in the Schedule III hereto.  
(2) Every licence granted under regulation 2 shall be substantially, in the form specified in the Schedule IV hereto and shall be valid for a period of one calendar year from the date of grant of such licence unless suspended or cancelled earlier.  
(3) The holder of a licence granted under regulation 2 may apply to the Director-General for renewal of such licence, not later than thirty days before the expiry of the licence accompanied with the relevant licence fee specified in the Schedule III hereto.



1A

4. The holder of a licence granted for fishing operations in the High Seas shall comply with the following conditions imposed by the Director-General for fishing operations in the High Seas under the conservation and management measures adopted in keeping with the United Nations Convention on the Law of the Sea of December 10, 1982, Indian Ocean Tuna Commission and Fish Stocks Agreement 1995 and United Nations Food and Agriculture Organization (FAO) Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing 2009 :-

- (i) The Skipper/Master shall keep the operation licence for high seas fishing together with the registration certificate of the boat and the skipper licence or a certified copy thereof on board at all times and shall produce such licence, the registration certificate of the boat and the skipper licence upon the request of an authorized officer ;
- (ii) Fishing shall not be permitted in any part of the High Seas except under the authority of a licence issued under these regulations ;
- (iii) The boat shall fly the flag of Sri Lanka and clearly display on both sides of the deck, the name of the country (flag state) and the registration number of the Boat. Markings shall be displayed in accordance with the Fishing Boat Registration Regulations 1980 and in terms of Food and Agriculture Organization standard specifications for marking and identification of any fishing boat ;
- (iv) The Skipper/Master shall report to the Harbour Manager immediately before departure from fishing port and immediately upon entry into such port ;
- (v) The Skipper/Master of any boat shall not use or cause to be used any fishing boat in respect of which operation licence granted under these regulations for fishing operations in the territorial waters of another coastal state unless authorized to do so in accordance with the laws of that state ;
- (vi) The boat shall not catch, land, transport, tranship, receive or keep in the possession of any prohibited species such as Marine Mammals, Turtles, Thresher Shark species or Seas Birds and Tag species ;
- (vii) The skipper/Master shall keep in possession and maintain an updated log book at all times ;
- (viii) The Skipper/Master shall certify that the information contained in the logbook maintained under paragraph (vii) to be accurate, complete and correct and shall submit original of the relevant log book sheet to an Officer nominated by the Director-General or any other authorized officer on reaching the fishery harbour;
- (ix) The maximum length of such gill nets shall be less than two point five kilometers where the fishing operations in the High Seas are carried out by using Gill nets ;
- (x) No Skipper/Master shall engage in fishing operation within one nautical mile radius from data buoys installed in high seas and shall not damage such data buoys ;
- (xi) No Skipper/Master shall engage in fishing operations in the area defined by co-ordinates  $0^{\circ}$  -  $10^{\circ}$  North,  $40^{\circ}$  -  $60^{\circ}$  East in the Indian ocean and any in other protected areas using long lines during the month of February and using Purse Seine during the month of September ;

- (xii) (a) Any person utilizing a Purse Seine net shall be required to keep on board and unload all bigeye tuna, Skipjack tuna, and yellow fin tuna caught in the sea except such fish unfit for human consumption ;
- (b) When the Skipper/Master finds that there is insufficient space in the fish hold he shall take one of the following steps :-
- (i) he shall take steps to release the tuna (bigeye tuna, skipjack tuna and yellowfin tuna) alive as soon as possible ; and
- (ii) he shall not fish after the discard of tuna (bigeye tuna, skipjack tuna and yellow fin tuna) until the boat reaches the port.
- (c) No Skipper/Master shall intentionally set purse seine around cetaceans and whale shark.

5. Any person granted with a licence under regulation 2 shall not be permitted to unload or tranship fish in any port of any other country.

6. In these regulations unless the context otherwise requires -

“Director-General” means the Director General of Fisheries and Aquatic Resources appointed under Section 2 of Fisheries and Aquatic Resources Act, No. 2 of 1996 ;

“Holder of Licence” includes an agent or any employee of the license holder or owner of the boat.

## Regulation 2

### SCHEDULE I

#### PRESCRIBED FISHING OPERATIONS FOR HIGH SEAS

1. Purse Seine fishing operations.
2. Long Line fishing operations.
3. Gillnet cum Longline fishing operations.
4. Gillnet fishing operations.
5. Pole and line fishing operations.
6. Handline fishing operations.
7. Trolling fishing operations.

Any other fishing gear to be introduced with the development of fisheries in agreement with the international/regional convention/resolution ratified/complied by Sri Lanka.

## Regulation 3(1)

### SCHEDULE II

DEPARTMENT OF FISHERIES AND AQUATIC RESOURCES, MALIGAWATTA, COLOMBO 10, SRI LANKA

APPLICATION FOR A LICENCE FOR HIGH SEAS FISHING OPERATIONS

1. Details of the Owner

- (a) Full Name of owner : \_\_\_\_\_ ;
- (b) National Identity Card Number of owner : \_\_\_\_\_ ;
- (c) Permanent address of the owner : \_\_\_\_\_ ;

(d) Mailing Address : \_\_\_\_\_ ;

(e) Telephone No. : \_\_\_\_\_ ;

(f) E-mail : \_\_\_\_\_ ;

## 2. Details of the Skipper/Master

(a) The name, address, telephone numbers and National Identity Card number of the Skipper/Master : \_\_\_\_\_ ;

(b) Number and date of license of the skipper : \_\_\_\_\_ ;

## 3. Details of the boat

(a) Registration number of the Boat ;

Date of the first Registration : \_\_\_\_\_ ; Date of Renewal : \_\_\_\_\_ ;

(b) Name of the Boat (If any) : \_\_\_\_\_ ;

(c) International Radio Communication Sign : \_\_\_\_\_ ;

(d) Port of Registry : \_\_\_\_\_ ;

(e) The Boat's previous flags (If any) : \_\_\_\_\_ ;

(f) Country of origin, Year of built : \_\_\_\_\_ ;

(g) Type of Boat : \_\_\_\_\_ ;

(h) Hull Material : \_\_\_\_\_ ;

(i) Gross Tonnage : \_\_\_\_\_ ;

(j) Length Overall : \_\_\_\_\_ ;

(k) Type of the Engine : \_\_\_\_\_ ;

(l) Engine Number : \_\_\_\_\_ ;

(m) The power of the main engine/engines of the boat : \_\_\_\_\_ ;

## 4. Details of fishing Gear/Methods

(a) Gill nets (it should be less than 2.5 k.m. in length)

<i>Total length</i>	<i>Depth</i>	<i>Mesh Size/Ply</i>	<i>Target Species</i>

(b) Long line :

<i>Total Number of Hooks</i>	<i>Number of Units</i>	<i>Target Species</i>

(c) Pure Seine

<i>Length of the Net</i>	<i>Depth of the Net</i>	<i>Free Swimming/FAD (Anchored/Drifting)</i>	<i>Target Species</i>

(d) Other type of Gear used


I, hereby confirm that the information provided in the above declaration is true and correct to the best of my knowledge.

In the event of issuing a licence to me for high seas fishing, I, undertake to comply with the conditions specified therein in accordance with High Seas Fishing Operation Regulations No. 1 of 2014 under the Fisheries and Aquatic Resources Act, No. 2 of 1996 as amended by Act, No. 35 of 2013 and comply with conservation and management measures adopted in keeping with the United Nations Law of the Sea Convention 1982, United Nations Fish Stock Agreement 1995, and Indian Ocean Tuna Commission, United Nations Agreement Food and Agriculture Organization (FAO) Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing 2009.

.....  
 Signature of the Applicant

.....  
 Date

**For Office Use Only**

(a) Observations/recommendations of the Fisheries Inspector (FI)

Amount paid : Rs. .... Date of payment : ..... Receipt No. : .....

(b) Issue of licence for high seas fishing is recommended/not recommended;

..... Signature	..... Name of the fisheries Inspector	..... Division of the fisheries Inspector	..... Date
--------------------	---	---	---------------

(b) Order of the Director General/Asst. Director/Licensing Officer

I approve/do not approve the issue of a license for high seas fishing.

(i) High seas fishing to be conducted using Boat Name : .....

Registration No. : .....



## 2. Approved Licence Fishing Gear

<i>Type of gear</i>	<i>Lengh and Depth of nets/mesh sizes</i>	<i>Number of Hooks</i>

3. Target specices : .....

4. Conditions for fishing operations : .....

5. If Application for License is not approved, reasons are : .....

.....  
Signature of Director/General/Asst. Director.

Date : .....

Name : .....

Designation : .....

District : .....

**Regulation 3(1), (3)**

## SCHEDULE III

## Fee for Fishing Operation License in the High Seas

- |  |  |
|--|--|
| 1. Boats more than twenty four (24) metres in length                           | - Rupees Five Hundred Thousand (Rs. 500,000) |
| 2. Boats between fifteen (15) to twenty four (24) meters in length             | - Rupees Fifty Thousand (Rs. 50,000)         |
| 3. Boats between ten decimal three (10.3) to fifteen (15) metres-<br>in length | - Rupees Fifteen Thousand (Rs. 15,000)       |

**Regulation 3(2)**

## SCHEDULE IV

DEPARTMENT OF FISHERIES AND AQUATIC RESOURCES COLOMBO, SRI LANKA.

T.P./Fax No.: + 94112449170  
email : depfish@fisheries.gov.lk

## FISHING OPERATIONS LICENSE FOR HIGH SEAS FISHING

Licence for engaging in fishing operations in high seas is hereby granted to Mr./Ms/  
..... of .....  
from..... to ..... in terms of the provisions of High Seas Fishing  
Operation Regulations No. 1 of 2014 under the Fisheries and Aquatic Resources Act, No. 2 of 1996 as amended by Act, No 35

of 2013 and comply with conservation and management measures United Nations Law of the Sea Convention 1982, United Nations Fish Stock Agreement 1995 and Indian Ocean Tuna Commission, under United Nations Food and Agriculture organization (FAO) Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing 2009. (please see overleaf for conditions of the license)

1. Registration number of the boat for which the License is issued :  
 .....
2. Length of the fishing boat : .....
3. Authorized Fishing Operations under the Licence :

<i>Authorized fishing gear</i>	<i>Length of fishing nets &amp; Mesh size (Maximum length should be 2.5 k.m.)</i>	<i>No. of hooks, Length of the floating line &amp; Length of the branch lines</i>	<i>Authorized species of fish</i>	<i>Area of fishing in high seas</i>
				In the high seas of the Indian ocean out side the Exclusive Economic Zone of another coastal state

4. Home port landing : .....
5. Fishing duration : .....

Catching, keeping in possession, transporting and transshipping of Marine mammals, Turtles, Thresher Sharks, species of Sea birds are totally prohibited. No fishing operation should be conducted within the radius one km of the data buoys installed in high seas.

.....  
 Director General/Licensing Officer

Date : .....

09 - 533

ශ්‍රී ලංකා ප්‍රජාතාන්ත්‍රික සමාජවාදී ජනරජයේ ගැසට් පත්‍රය

අති විශේෂ

The Gazette of the Democratic Socialist Republic of Sri Lanka  
EXTRAORDINARY

අංක 1945/6 - 2015 දෙසැම්බර් මස 14 වැනි සඳුදා - 2015.12.14  
No. 1945/6 - MONDAY DECEMBER 14, 2015

(Published by Authority)

**PART I : SECTION (I) — GENERAL**

**Government Notifications**

L.D.B. 1/2012(II)

**THE FISHERIES AND AQUATIC RESOURCES ACT, No. 2 OF 1996**

REGULATIONS made by the Minister of Fisheries and Aquatic Resources Development under Section 61(1)(t) of the Fisheries and Aquatic Resources Act, No. 2 of 1996 read with Sections 14A, 14B, 14C, 14D, 14E, 14F, 14G, 14H, 14I, 14J, 14K, 14L, 14M and 14N of that Act.

MAHINDA AMARAWEEERA,  
Minister of Fisheries and Aquatic Resources  
Development.

Colombo,  
30th November 2015.

**Regulations**

The High Seas Fishing Operations Regulations No. 1 of 2014 published in Gazette Extraordinary No. 1878/12 of September 01, 2014 are hereby amended as follows :-

(1) in regulation 4 of that regulation -

(i) by the substitution in item (vi) thereof for the words “Sea Birds and Tag Species” of the words “Sea Birds” ;

(ii) by the substitution for item (xi) thereof, of the following new item :-

“(xi) Fins of any shark species permitted to catch under a licence, shall not be kept on board unless such fins are naturally attached to the body of such shark.”

(iii) by the addition, immediately after item (xii) thereof, of the following new item :-



“(xiii) VHF radio installation together with HF/MF (SSB) radio communication unit shall be intalled and maintained in accordance with the provision of regulation 162 of Fishing Boats Safety (Design, Construction and Equipment) Regulations, 2009 published in Gazette Extraordinaty No. 1600/13 of May 05, 2009. International Radio call signs issued by the Telecommunication Regulatory Commission shall be clearly marked on both sides of the boat as specified in the Schedule V hereto ;

Provided however, the provisions of this paragraph shall be applicable to boats having a length more than twenty four meters.

(xiv) Fire extinguishers shall be taken on board in accordance with regulations 105, 106 and 107 of Fishing Boats Safety (Design, Construction and Equipment) Regulations 2009 ;

Provided however, the proviosions of this paragraph shall be applicable to bosts having a length more than twenty four meters.

(xv) Unauthorized fishing gears shall not be taken on board of the boat.

(xvi) Number of life jackets equivalent to the number of crew on board shall be stocked on board in accordance with Local Fishing Boats (Life Jackets) Regulation 2008 published in *Gazette Extraordinary* No. 1570/32 of October 09, 2008. These shall be worn by the members of crew at an emergency.

(xvii) Fishing gears shall be marked in accordance with the Fishing Gear Marking Regulations No. 01 of 2015 published in *Gazette Extraordinary* No. 1904/10 of March 03, 2015.

(xviii) Satelite based Vessel Monitoring System equipment approved by the Department of Fisheries and Aquatic Resources shall be installed in the boat to link with the land based fisheries monitoring center at the Department of Fisheries and Aquatic Resource in accordance with the implementation of Satelite based Vessel Monitoring System (VMS) for Fishing Boats Operating in High Seas Regulations 2015 published in *Gazette Extraordinary* No. 1904/47 of March 26 2015.

(xix) De-hookers, line cutter and, dip nets shall be taken on board by the long liners and purse-seiners respectively in order to release prohibited fish species and aquatic animals.

(xx) A scientific observer nominated by the Director General shall be deployed for each boat having a length more than twenty four meters and the boat owner shall essentially provide facilities required by the observer similar to that provided to the master of the boat until completion of the fishing operation ;

Provided however, the Director General may deploy a scientific observer to any boat having a length of less than twenty four meters taking into consideration the type of facilities available in such boasts

(2) by the addition of the following new regulation immediately after regulations 5 of that regulation :

“5A. No person who operates in the high seas shall transship fish to any other boat at sea or any port without the prior written approval of the Director-General”.

(3) In regulation 6, by the addition of the following expressions immediately after the definition of the expression “Holder of License” :-

“Scientific observer” means a person who has undergone special training regarding scientific data collection in accordance with the resolution No. 11/04 of Indian Ocean Tuna Commission (IOTC) and authorized by the Director General for that purpose and registered with Department of Fisheries and Aquatic Resources or any regional Fisheries Management Organization.;

“unauthorized fishing gear” means any fishing gear which is not permitted by the Director General under this regulation ;

(4) by the addition of Schedule V immediately after Schedule IV thereof :-

#### SCHEDULE V

INTERNATIONAL RADIO CALL SIGN (ICRS) DISPLAY AS PER GIVEN BELOW

Example :



Specifications of letters/number (size) - FAO standard specification for the marking and identifications of the boat.

<i>Length of boat overall (LOA) in meters</i>	<i>Height of letters and numbers in meters (m) to be not less than</i>
25m and over	1.0m
20m and over but less than 25m	0.8m
15m and over but less than 20m	0.6m
12m and over but less than 15m	0.4m
5m and over but less than 12m	0.3m
under 5m	0.1m

01-36

**Annex (v)**

**Progress of Legal Actions by DFAR in 2021**

<b>Offense</b>	<b>No. of Cases</b>	<b>Relevant Resolution</b>	<b>Relevant National Legislation</b>	<b>Sanction after Trail at Court</b>
<b>Incomplete log records</b>	11	19/04	*under 61 sentence of FARA No 2 of 1996 *No 1878/11 and 1 <sup>st</sup> 09 2014 Dated *Data collection Regulation 2015	Administrative Monetary penalty
<b>Detained Shark fins on board/ possession Prohibited shark</b>	06	-	*Under 61 sentence of FARA No 2 of 1996 *No 1938/2 and 26 <sup>th</sup> 10 2015 Dated *Shark Fisheries Management Regulation 2015	Prosecuted in courts  Fine imposed  Cases are over
<b>Fishing in other state EEZ</b>	17	18/03	*14 F sentence of FARA No 2 of 1996 amended by FARA No 35 of 2013	Administrative Monetary penalty for 16 cases  1 case is prosecuting at courts

We here by correct the figure given in Compliance Questionnaire under 2.4.1 (no.of infractions of fishing logbook) from 02 to 11.