
SEA FISHERIES (LICENSING) REGULATIONS

[S.1. 18 of 1992.]

under section 13

[17th December, 1992]

[Commencement.]

1. Pre-purchase assurance

(1) A prospective owner of a fishing vessel intended for fishing or shrimping in Nigeria's territorial waters shall first obtain a written assurance that such a vessel would be granted a fishing or shrimping licence before arrangement for the purchase of the vessel is concluded.

(2) A prospective owner of any type of trawler or fishing vessel shall obtain a letter of support for fishing operations in foreign waters.

2. Submission of feasibility studies, etc.

Every application for a licence shall be in writing supported by-

- (a) a feasibility report on the proposed fishing venture;
- (b) a copy of the article and memorandum of association of the company certified by the Registrar-General of the Corporate Affairs Commission;
- (c) a copy of the certificate of registration of the company; and
- (d) a deletion certificate in case of an old vessel.

3. Registration of vessel

(1) Every vessel intended for fishing or shrimping purposes shall first be registered with the Federal Ministry of Transport.

(2) Every such registered vessel shall carry the Nigeria's national flag.

4. Survey against and tonnage Measurement

(1) Upon presentation by the applicant to the Federal Ministry of Transport of an authentic clean bill of sale or deletion certificate in respect of the vessel, the Federal Ministry of Transport shall cause to be carried out on the vessel, a survey and tonnage measurement.

(2) The survey and tonnage report carried out pursuant to paragraph (1) of this subparagraph shall be forwarded to the Ministry.

5. Licence

(1) As from the commencement of these Regulations, no person shall navigate a fishing vessel for fishing purposes in Nigeria's territorial waters unless such a vessel is duly registered and licensed for such purpose.

(2) A person, who navigates a fishing vessel for fishing or shrimping purposes in Nigeria's territorial waters without being so licensed, shall be guilty of an offence and liable to the penalties as prescribed under the Sea Fisheries Act.

[Cap. S4.]

(3) Where a person is convicted of an offence under this paragraph, the court by which he is convicted may, in addition to the punishment prescribed under the Act, order for the forfeiture of the fish or shrimp catch on board the fishing vessel.

6. Issuance of licence

The Minister shall be responsible for the issuance in accordance with the provisions of these Regulations, of a licence authorising a vessel to carry on fishing or shrimping purposes in Nigeria's territorial waters.

7. Application for licence

(1) An application for a licence to--

- (a) trawl for fish or shrimp in Nigeria's territorial waters or Nigeria's exclusive economic zone; or

- (b) navigate, for the purpose of discharging imported frozen fish in any Nigerian port; or
- (c) navigate Nigerian or foreign waters for the purpose of processing or discharging wet fish caught from such waters in any Nigerian port,

shall be made in writing by the owner of the vessel to the licensing officer.

(2) Every such application shall state in the case of-

- (a) an individual, the name, nationality and address of the applicant;
- (b) a partnership, the name, nationality and address of each partner;
- (c) a company or other body corporate, the name, nationality and registered address of the company in Nigeria and of its directors and be accompanied by a feasibility report on the proposed fishing venture together with a certified copy of the memorandum of association and articles of association or other document relating to the constitution of the body corporate.

(3) In addition to the requirements specified in subparagraph (2) of this paragraph, every such application shall be accompanied by a concise state as to the tonnage of the fishing vessel, year of construction, and horsepower.

8. Dimension of fishing vessel

No fishing vessel or shrimp trawler intended for fishing or trawling in Nigeria's territorial waters shall exceed in the case of-

- (a) a fishing vessel, 25.3 metres in dimension and 150 gross tonnage; and
- (b) a shrimp trawler, 23.2 metres in dimension and 130 gross tonnage.

9. Form of application for renewal

Every application for the renewal of a licence shall be as in Forms A of the First schedule to these Regulations.

[Form A. Schedule.]

10. Issue of licence

Where an application for a fishing or shrimping licence is made to the licensing officer in accordance with paragraph 6 of these Regulations and is accompanied by the prescribed report, particulars, documents, information and such fees as may be required to be paid for such licence, the Minister, shall if he is satisfied that-

- (a) the fishing vessel is constructed and equipped to such a standard, and dimension as to be fit for the particular purpose intended;
- (b) the applicant is-
 - (i) capable of complying with such conditions as may be imposed of attached to a licence;
 - (ii) in all respects a suitable person to be granted a licence,

issue to the applicant a licence on such conditions as he may impose or as may be attached thereto.

11. Validity of a licence

(1) Unless a licence is cancelled under paragraph 9 of these Regulations, a licence shall remain in force for such period as may be prescribed therein and may be renewed from time to time.

(2) The Minister, may on an application for the renewal of a licence vary the conditions attached to such licence including the fees chargeable for renewal of a licence or impose such additional conditions as he may deem appropriate.

12. Cancellation of licence

(1) Where the Minister has reasonable grounds for believing that-

- (a) a fishing vessel can no longer be used for the purpose for which it was intended; or
- (b) the licensee has failed to comply with any condition stipulated under paragraph 10 of these Regulations, he may, after giving the licensee the opportu-

nity of being heard or making representation by notice in writing, require him before the date specified in the notice, to remedy to the satisfaction of the Minister, the defects specified in the notice.

13. Penalty

If any person, in furnishing any information for the purposes of these regulations, makes any false statement which he knows to be false in any material particular, that person shall be guilty of an offence under the Act and be liable to the penalties prescribed therein.

14. Exemption

The size restriction specified in these Regulations shall not apply to any existing Nigeria inshore fishing fleet during its life span.

15. Interpretation

In these Regulations unless the context otherwise requires -

"**Minister**" means the Minister charged with responsibility for matters relating to fisheries and "**Ministry**" shall be construed accordingly.

16. Citation and revocation of S.1. 99 of 1971

- (1) These Regulations may be cited as the Sea Fisheries (Licensing) Regulations.
- (2) The Sea Fisheries (Licensing) Regulations 1971 are hereby revoked.

FIRST SCHEDULE

[Paragraph 9.]

Forms

FORM A

Application for issue or renewal of a licence

I/We

(Full name in block capitals)

hereby apply for a licence under section 3 of the Sea Fisheries Act in respect of the motor fishing boat the particulars and descriptions of which are hereinafter stated.

2. (Renewals only) Particulars of the applicant's current licence are as follows -

No

Date of issue

FORM A—continued

3. The full name, address and nationality of the applicant; or if the applicant is a partnership, of every partner, or, if the applicant is a company or other body corporate, of every director are as follows—

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

4. The particulars of the methods of catching fish to be employed and the area within which it is proposed that the motor fishing boat shall operate and the arrangements that are to be made for the preservation and marketing of the catch in Nigeria are as follows—

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

5. The gross tonnage and net tonnage of the motor fishing boat in respect of which this application is made—

.....
.....

Signature of applicant

NOTE.—Where the application is made by a company, the signature shall be that of the secretary to the company and the application shall be accompanied by a copy of the Memorandum of Association and Article of Association of the company certified by the Registrar-General of the Corporate Affairs Commission.

Tonnage for a Nigerian flag registered fishing vessel shall be as measured by the Federal Ministry of Transport and in the case of foreign fish carriers by Lloyds on any other reputable authority.

FORM B

Fishing/fish importation data form

1. NAME OF VESSEL NIGERIAN REGISTRATION NO.
TYPE OF VESSEL YEAR OF CONSTRUCTION
DURATION OF VOYAGE COUNTRY OF ORIGIN
CURRENT LICENCE NO. FLAG COUNTRY
TYPE OF LICENCE EXPIRY DATE OF LICENCE
OWNER'S NAME AND ADDRESS COMPANY AND ADDRESS

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

FORM B-continued

2. NAMES OF CREW MEMBERS, NATIONALITIES AND STATUS

(1) NO OF CREW: NIGERIAN NON-NIGERIAN

 Skipper

 Engineer

 Deckhand

(2) NAMES OF CREW MEMBERS, NATIONALITIES AND STATUS

 (i)(vii)

 (ii)(viii)

 (iii)(ix)

 (iv)(x)

 (v)(xi)

 (vi)(xii)

3. MAJOR CHARACTERISTICS OF VESSEL

LENGTH OVERALL(m) (ft.)

LENGTH WATERING(m)(ft.)

BEAMS(m) (ft.)

DRAFT(m) (ft.)

GROSS TONNAGE(m) tons

NET TONNAGE(m) tons

FISH HOLD CAPACITY(m) tons

FUEL TANK CAPACITY(m) tons

FUEL CONSUMPTION V O Y A G E(m) tons

4. ENGINE-

TYPE

HORSE POWER

5. NAVIGATIONAL AIDS:MODEL

RADIO/TELEPHONE

RADAR

ECHO SOUNDER

6. REFRIGERATION CAPACITY: CUBIC METRES/CUBIC FEET

7. TYPES OF FISHING GEAR:

 (i)(iii)

 (ii)(iv)

FORM B—*continued*

8. NUMBER OF FISHING NETS ON BOARD

- (i) Nos. for fishing
- (ii) Nos. for shrimping
- (iii) Nos. spare cod-ends
- Cod-end mesh size for fishing nets
- Cod-end mesh size for shrimping nets

9. NIGERIAN PORT (BASE) OF OPERATION

- NIGERIAN PORT OF DISCHARGE/BERTHING
- DATE OF ENTRY INTO PORT (NIGERIA)
- FOREIGN PORT (BASE) OF DEPARTURE
- DATE OF DEPARTURE FROM FOREIGN PORT
- NEXT FOREIGN PORT OF CALL
- FISHING GROUND(s) (EXACT LOCATION)
- DURATION OF TRIP (DAYS)
- QUANTITY OF FUEL USED DURING THE TRIP:
- DIESEL Litres
- LUBRICANT Litres

| | METRIC (m) | ENGLISH (Ft) |
|------------------|--------------------------|---------------|
| Length overall | | |
| Length waterline | | |
| Beams | | |
| Draft | | |
| Displacement | | |
| | | |
| | | |
| | | |
| TONNAGE | METRIC (m ³) | ENGLISH (gr&) |
| Registered | | |
| Net | | |
| ENGINE | METRIC | ENGLISH |

FORM B—*continued*

Type

Horse power

Speed capable

| NAVIGATIONAL | RADIO/TELEPHONE | ECHO SOUNDER RADAR |
|--------------|-----------------|--------------------|
|--------------|-----------------|--------------------|

Model

REFRIGERATION

| Capacity | METRIC (CM) | ENGLISH (ft) |
|----------|-------------|--------------|
|----------|-------------|--------------|

| | METRIC | ENGLISH |
|--|--------|---------|
|--|--------|---------|

Type of fishing gear

Headline

Mesh

Material

Place of berthing

FORM C

Application for issue or renewal of a licence

Licence to operate or navigate a motor fishing boat

Serial No:

The motor fishing boat known as
Registered number and owned by
..... is hereby licensed to be operated or navigated within the territorial waters of Nigeria.
from the day of 20 to the day
of 20 both dates inclusive.

FORM *C-continued*

2. This licence is issued subject to the following conditions, that is -

.....
