

L.N. 99 of 1971

SEA FISHERIES DECREE 1971

(1971 No. 30)

Sea Fisheries (Licensing) Regulations 1971

Commencement : 6th December 1971

In exercise of the powers conferred by section 3 of the Sea Fisheries Decree 1971, and of all other powers enabling me in that behalf I, Josiah Onyebuchi Johnson Okezie, Federal Commissioner for Agriculture and Natural Resources, hereby make the following regulations :—

1.—(1) Subject to the provisions of section 3 of the Sea Fisheries Decree 1971 (which specifies certain information, etc. to be furnished by an applicant) an application under that section for a licence to operate or navigate a motor fishing boat within the territorial waters of Nigeria shall be made in writing by the owner of the vessel to a licensing officer; and the application shall state—

(a) if the applicant is an individual, the name, nationality and address of the applicant;

(b) if the applicant is a partnership, the name, nationality and address of each partner; or

(c) if the applicant is a company or other body corporate, the name, nationality and address of each director of the applicant; and also the address of the place of business of the applicant in Nigeria.

(2) The application shall also contain a statement as to the tonnage of the motor fishing boat in respect of which the application is made.

(3) Where the applicant is a company or other body corporate, the application shall be accompanied by a certified copy of the memorandum of association and articles of association or other document relating to the constitution of the company or body corporate.

2.—(1) Every application for, or for the renewal of, a licence shall be in Form A in Schedule 1 to these regulations.

(2) Every licence shall be in Form B in Schedule 1 to these regulations.

3.—(1) The fees specified in Schedule 2 to these regulations shall be charged for the issue or renewal of a licence.

(2) The said fees shall be paid by the applicant to the licensing officer at the time when the application for the licence or the renewal is made, but shall be refunded to the applicant if the application is refused.

4.—(1) If any person in furnishing any information for the purposes of these regulations makes any statement which he knows to be false in any material particular, or recklessly makes any statement which is false in any material particular, that person shall be guilty of an offence under these regulations and on conviction shall be liable to a fine not exceeding £200 or to imprisonment for a term not exceeding six months, or to both such fine and imprisonment.

Application
for a licence.
1971 No. 30.

Forms of
application
and of
licence.

Fees for
issue or
renewal of
a licence.

Offences.

(2) Where an offence under these regulations committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary, or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, he, as well as the body corporate, shall be guilty of that offence and liable to be proceeded against and punished accordingly.

Exemption
of fishing
canoes.

5. Nothing in these regulations shall apply to any fishing canoe, whether or not fitted with engine.

Citation
and extent.

6. These regulations may be cited as the Sea Fisheries (Licensing) Regulations 1971 and shall apply throughout the Federation.

SCHEDULE 1

(Regulation 2)

FORMS

FORM A

Sea Fisheries Decree 1971

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 Decree 1971 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.

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 that are 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 tonnage of the motor fishing boat in respect of which this application is made is—

**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 must be accompanied by a certified copy of the memorandum of association and articles of association of the company.

FORM B

Sea Fisheries Decree 1971

LICENCE TO OPERATE OR NAVIGATE A MOTOR FISHING BOAT

Serial No. :

The motor fishing boat known as _____
registered number _____ and owned by _____
of _____

is hereby licensed to be operated or navigated within the territorial waters of
Nigeria from the _____ day of _____ 19____ to the _____ day of
19____ both dates inclusive.

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

ISSUED at _____ this _____ day of _____ 19____

Fee paid : £ _____ s _____ d _____

Licensing Officer

SCHEDULE 2

(Regulation 3)

FEES CHARGEABLE FOR ISSUE OR RENEWAL OF A LICENCE

<i>Gross Tonnage of Fishing Vessel</i>	<i>Annual Licence</i>	<i>Quarterly Licence</i>
	£	£
Under 20 tons	20	6
20 tons to 199 tons	50	15
200 tons to 999 tons	100	30
1,000 tons and above	200	60

MADE at Lagos this 6th day of December 1971.

J. O. J. OKEZIE,
Federal Commissioner for
Agriculture and Natural Resources

EXPLANATORY NOTE

*(This note does not form part of the above Regulations but is
intended to explain their effect)*

The Regulations prescribe the form of application for a licence or renewal of a licence, to operate or navigate a motor fishing boat within the territorial waters of Nigeria and the particulars which must be stated in such application. The Regulations also prescribe the form of licence and the fees which must be paid for the issue or renewal of any licence.

2 Fishing canoes are exempted from the provisions of the Regulations