

CAYMAN ISLANDS



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**THE MARINE CONSERVATION (AMENDMENT) LAW, 2001
(LAW 45 OF 2001)**

- (b) any of the following ornamental fish-
- (i) tilefish (*Malacanthus plumieri*);
 - (ii) filefish (*Monacanthidae*);
 - (iii) angelfish (*Pomacanthidae*),

is guilty of an offence.”.

Insertion of new section
- prohibition on feeding
sharks

12. The principal Law is amended by inserting after section 17 the following new section-

“Prohibition on feeding
sharks

17A. Any person who feeds, attempts to feed or provides or uses food to attract any shark in Cayman waters is guilty of an offence.”.

Passed by the Legislative Assembly the 11th day of January, 2002.

JULIANNA O’ CONNOR- CONNOLLY

Speaker.

WENDY LAUER EBANKS

Clerk of the Legislative Assembly.

THE MARINE CONSERVATION (AMENDMENT) LAW, 2001

ARRANGEMENT OF SECTIONS

Sections

1. Short title.
2. Amendment of section 2 of the Marine Conservation Law (1995 Revision) - definitions.
3. Repeal of section 6 - absolute protection of certain lobsters.
4. Repeal of section 7 and substitution - closed seasons.
5. Repeal of section 8 - limit of lobster catch.
6. Repeal of section 9 and substitution - restriction on taking and receiving conch.
7. Insertion of new section - restriction on taking and receiving Nassau groupers.
8. Insertion of new section - designated spawning areas.
9. Amendment of section 14 - use of spear guns prohibited.
10. Insertion of new section - restriction on use of fish pots.

- 11. Amendment of section 16 - restriction on taking certain marine life.
- 12. Insertion of new section – prohibition on feeding sharks.

- 9. The principal Law is amended in section 14 by inserting after the word “waters” the words “or has in his possession any marine life taken from Cayman waters with the aid of a speargun”.
- 10. The principal Law is amended by inserting the following new section after section 15 -

Amendment of section 14 - use of spear guns prohibited

Insertion of new section - restriction on use of fish pots

“Restriction on use of fish pots

15A.(1) Any person who has a fish pot in his possession in the Islands or takes any marine life with the aid of a fish pot in Cayman waters is guilty of an offence unless licensed by the Board who may, in granting such licence, make such conditions in addition to those imposed by this Law, as to possession and use as it may think fit.

(2) Any person who uses a fish pot for the purpose of taking any marine life within a an area of one mile of any boundary of a designated grouper spawning area during the months of November to March inclusive is guilty of an offence.

(3) The Board may from time to time by directives determine the types of fish pots which may be used in accordance with subsection (1); and such directives may provide for any matter incidental to the licensing, issue and use of fish pots.”.

- 11. The principal Law is amended in section 16 as follows-
 - (a) by renumbering the section as subsection (1);
 - (b) by inserting after paragraph (b) the following new paragraph -

“(f) any fish less than 8 inches in length other than the following-

 - (i) goggle eye fish (*Selar crumenophthalmus*);
 - (ii) herring fish (*Clupeidae*);
 - (iii) anchovy fish (*Engraulidae*);
 - (iv) silverside fish (*Atherinidae*).”; and
 - (c) by inserting the following new subsection –

“(2) Any person who takes-

 - (a) any jew fish (*Epinephelus itijara*); and

Amendment of section 16 - restriction on taking certain marine life

Insertion of new sections
- restriction on taking
and receiving whelks
and Nassau groupers

7. The principal Law is amended by inserting the following new sections after section 9-

"Restriction on taking
and receiving whelks

- 9A. (1) Any person who, in any one day-
- (a) takes more than two gallons and one-half gallons of whelks in the shell from Cayman waters; or
 - (b) has in his possession more than two and one-half pounds of whelks which are processed and which were taken from Cayman waters,

is guilty of an offence.

(2) Any person who, in any one day, causes or permits to be loaded onto any vessel in Cayman waters more than two and one-half gallons of whelks in the shell which were taken from Cayman waters is guilty of an offence.

(3) Any person who, in any one day, purchases or receives more than two and one-half gallons of whelks in the shell taken from Cayman waters or more than two and one-half pounds of processed whelks is guilty of an offence.

Restriction on taking
and receiving Nassau
groupers

9B. Any person who, by any means, takes from Cayman waters any Nassau grouper which is less than one foot in length is guilty of an offence."

Insertion of new section
-designated spawning
areas

8. The principal Law is amended by inserting the following new section after section 11-

"Spawning areas

11A. (1) The Governor may designate certain areas of Cayman waters to be spawning areas for any type of marine life and such areas shall be clearly demarcated and subject to such restrictions of user by the public as specified in this Law or as the Governor may specify in each case.

(2) Any person who, in a designated spawning area, fails to comply with any restriction imposed with respect to such spawning area is guilty of an offence."

CAYMAN ISLANDS

Law 45 of 2001.

I Assent

P.J. Smith

Governor.

Date: 6 February, 2002

A LAW TO AMEND THE MARINE CONSERVATION LAW (1995 REVISION) TO PROTECT LOBSTERS, WHELKS, CONCH AND NASSAU GROUPERS AND OTHER MARINE CREATURES; TO RESTRICT THE USE OF FISH POTS AND SPEAR GUNS; AND FOR INCIDENTAL AND CONNECTED PURPOSES

Enacted by the Legislature of the Cayman Islands.

1. This Law may be cited as the Marine Conservation (Amendment) Law, 2001. Short title

2. The Marine Conservation Law (1995 Revision), in this Law referred to as "the principal Law", is amended in section 2 -

Amendment of section 2
of the Marine
Conservation Law (1995
Revision) - definitions

- (a) by repealing the definition "cape length"; and
- (b) by inserting the following definitions in their appropriate alphabetical order-

" "bleeding teeth" means the local term used to describe the marine gastropod molluscs of the family Neritae;"

"chiton" means the common term used to describe the marine molluscs of the Class Polyplacophora";

"fish pot" means a wire trap for catching fish;

"periwinkle" means the local term used to describe the marine gastropod molluscs of the family Littorinidae";

“speargun” includes a mechanical speargun, a Hawaiian sling, a pole spear, a harpoon, a rod or any other device which may be used to take marine life by spearing it; and

“whelks” means the local term used to describe the marine gastropod molluscs *Cittarium pica* of the family Trochidae;”.

Repeal of section 6 -
absolute protection of
certain lobsters

3. The principal Law is amended by repealing section 6.

Repeal of section 7 and
substitution- closed
seasons

4. The principal Law is amended by repealing section 7 and substituting the following-

“Closed seasons
and bans -
lobsters, conch,
and Nassau
groupers

7. (1) Any person who takes from Cayman waters or receives or has in his possession any lobsters taken from Cayman waters during the months of March to November inclusive is guilty of an offence.

(2) Any person who takes from Cayman waters in any one day more than three lobsters is guilty of an offence.

(3) Any person who permits or causes to be caught from or loaded onto any one vessel in any one day -

- (a) more than three lobsters for each person on board such vessel; or
- (b) six such lobsters,

whichever is the lesser number is guilty of an offence.

(4) Any person who takes from Cayman waters or receives or has in his possession any -

- (a) chitons;
- (b) periwinkles; or
- (c) bleeding teeth,

taken from Cayman waters is guilty of an offence.

(5) Any person who takes from Cayman waters or receives or has in his possession any conch taken from Cayman waters during the months of May to October inclusive is guilty of an offence.

(6) With effect from 1st January, 2003 to 31st December 2003 (and every alternate year thereafter) any person who, by any means, takes from a designated grouper spawning area or receives or has in his possession any Nassau grouper which has been taken from such an area is guilty of an offence and in the years during which a person is permitted to take Nassau groupers from a designated grouper spawning area, a person who, in any one day, causes or permits to be loaded onto any vessel in Cayman waters more than twelve groupers is guilty of an offence.

(7) The Board may, by notice in the Gazette, suspend or change the operation of subsection (6) from time to time in such area or areas as it may specify in such notice.

5. The principal Law is amended by repealing section 8.

Repeal of section 8 -
limit of lobster catch

6. The principal Law is amended by repealing section 9 and substituting the following -

Repeal of section 9 and
substitution - restriction
on taking and receiving
conch

“Restriction on
taking and
receiving conch

9. (1) Any person who takes from Cayman waters in any one day more than five conch is guilty of an offence.

(2) The Board may by notice in the Gazette suspend or change the operation of subsection (1) from time to time in such area or areas as it may specify in the notice.

(3) Any person who permits or causes to be caught from or loaded onto any one vessel in any one day-

- (a) more than five conch for each person on board such vessel; or
- (b) ten such conch,

whichever is the lesser number, is guilty of an offence.

(4) Any person who, in any one day, purchases or receives more than five conch taken from Cayman waters is guilty of an offence.”.