

CAYMAN ISLANDS



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**THE MARINE CONSERVATION LAW
(2002 Revision)**

THE MARINE CONSERVATION (AMENDMENT) DIRECTIVES, 2003

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THE MARINE CONSERVATION (AMENDMENT) DIRECTIVES, 2003

ARRANGEMENT OF DIRECTIVES

1. Citation.
2. Amendment of the Marine Conservation Directives (1998 Revision) - definitions.
3. Amendment of directive 3 - limitations upon issue.
4. Amendment of directive 4 - type of licence.
5. Repeal of directive 5 - retail licence conditions.
6. Amendment of directive 6 - user's licence: conditions.
7. Amendment of directive 7 - general conditions.
8. Insertion of Part V- licensing of fish pots.

will be expressed to terminate the licence fourteen days after the service of the notice on the licence holder, and thereafter he will no longer be licensed by the Board.”.

Made by the Marine Conservation Board the 30th day of April, 2003

Don Foster

Chairman.

CAYMAN ISLANDS

THE MARINE CONSERVATION LAW
(2002 Revision)

THE MARINE CONSERVATION (AMENDMENT) DIRECTIVES, 2003

In accordance with the powers conferred by section 3 of the Marine Conservation Law (2002 Revision) the Marine Conservation Board gives the following directives:

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| 1. These directives may be cited as the Marine Conservation (Amendment) Directives, 2003. | Citation |
| 2. The Marine Conservation Directives (1998 Revision), in these directives referred to as the “principal directives”, are amended in directive 2 by repealing the definitions of “spear gun” and “retail licence”. | Amendment of the Marine Conservation Directives (1998 Revision)- definitions |
| 3. The principal directives are amended in directive 3 (1) (b) by repealing the words “unless such person has been ordinarily resident in the Islands for five years or more immediately prior to the time of making application for a licence.”. | Amendment of directive 3- limitations upon issue |
| 4. The principal directives are amended in directive 4 as follows- (a) by repealing paragraph (1) and substituting the following- “(1) The Board shall issue licences called owner’s licences.”; (b) by repealing paragraph (2); and (c) by repealing paragraph (3) and substituting the following- “(3) An owner’s licence will license the holder to possess one spear gun and to take marine life with it.”. | Amendment of directive 4- type of licence |
| 5. The principal directives are amended by repealing directive 5. | Repeal of directive 5- retail licence conditions |
| 6. The principal directives are amended in directive 6 as follows- (a) in paragraph (1)- (i) by repealing the words “ a user’s” and substituting “ an owner’s”; (ii) by repealing paragraph (a) and substituting the following- “(a) fix the maximum number of spear guns that may be possessed under the licence to a maximum of one;”; | Amendment of directive 6- user’s licence: conditions |

- (iii) by repealing paragraph (b) and substituting the following-
“(b) limit the number of fish that may be taken in any one period of twenty-four hours beginning at midnight to a maximum of three fish;”;
- (iv) in paragraph (c), by inserting after the word “zone” the words “lagoon, sound or any body of water which does not exceed twenty feet in depth”;
- (v) by repealing paragraph (e) and substituting the following-
“(e) prohibit the use of any spear gun within one mile of any designated grouper spawning area during the months of November to March inclusive;”;
- (vi) by inserting after paragraph (e) the following paragraphs -
“(f) affix an identification tag to the licensee’s spear gun; and
(g) require photographic identification of the licence holder and the spear gun.”; and
- (b) in paragraph (2). by repealing the words “a user’s” and substituting “an owner’s”.

Amendment of directive 7- general conditions

7. The principal directives are amended in directive 7 by inserting after paragraph (d) the following paragraphs-

- “(e) it will prohibit the licence holder from selling, giving or lending the gun to any other person;
- (f) it will require the licence holder to keep the licence in the licence holder’s presence when spear fishing; and
- (g) it will prohibit the licence holder from removing or tampering with the identification tag affixed to the spear gun.”.

Insertion of Part V- licensing of fish pots

8. The principal directives are amended by inserting the following new Part after Part IV-

“PART V-Licensing of fish pots

Licence for use of fish pots

19. Only persons with Caymanian status over the age of eighteen are eligible for the grant of a licence to use a fish pot and the Board shall not grant a licence to any person to use more than two fish pots.

Licence conditions

20. The Board shall grant a licence to use a fish pot subject to the following conditions-

- (a) the fish pot shall have no more

- than one entry funnel;
- (b) the fish pot shall not exceed two feet in height by four feet in width by four feet in length;
- (c) the minimum mesh size of the fish pot shall be a vertically oriented two and one-quarter inch mesh opening on all sides of the fish pot;
- (d) the trap door of the fish pot shall be not less than eight and one-half inches height by eleven inches in width and shall be hinged at the bottom and secured only by corrosible wire or by decomposable cord;
- (e) the fish pot shall bear a tag issued by the Board;
- (f) the licence shall be for a period of one year; and
- (g) the licence shall not be transferable.

Revocation of licence to use a fish pot

21. (1) The Board may revoke a licence under this Part if it appears to the Board that-

- (a) any material particular on the application for the licence was false;
- (b) the licence holder is convicted of any offence under the Law or any directives under the Law;
- (c) the licence holder is convicted of any offence involving violence or the threat of violence; or
- (d) the licence holder contravenes any condition or restriction of the licence, whether or not the licence holder is prosecuted or convicted of any offence in relation to such contravention.

(2) Any revocation of a licence under this Part will be notified to the licence holder and to the police by a notice in writing and such notice