

Supplement No. 4 published with Gazette No. 16 of 9th August, 2004.

MARINE CONSERVATION LAW
(2003 Revision)

MARINE CONSERVATION REGULATIONS
(2004 Revision)

Revised under the authority of the Law Revision Law (1999 Revision).

The Marine Conservation Regulations, 1979 made the 23rd January, 1979.

Consolidated with the-

Marine Conservation (Amendment) Regulations, 1980 made the 15th April, 1980
Marine Conservation (Amendment) Regulations, 1985 made the 16th July, 1985
Marine Conservation (Amendment) Regulations, 1986 made the 4th February, 1986
Marine Conservation (Amendment) Regulations, 1988 made the 31st May, 1988
Marine Conservation (Amendment) (Spear Gun Fees) Regulations, 2001 made the 29th May, 2001
Marine Conservation (Amendment) Regulations, 2003 made the 2nd September, 2003.

Consolidated and revised this 6th day of July, 2004.

Note (not forming part of the regulations): This revision replaces the 2002 Revision which should now be discarded.

MARINE CONSERVATION REGULATIONS
(2004 Revision)

ARRANGEMENT OF REGULATIONS

1. Citation
2. Definition
3. Seizure, disposal, etc., of marine life caught in contravention of Law
4. Badges, insignia and identification cards
5. Forms
6. Fees
7. Penal
8. No-diving zones
9. Damage to coral reef
 - First Schedule: Badges and insignia
 - Second Schedule: Identification card
 - Third Schedule: Letter of appointment
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 - Fifth Schedule: Fees
 - Sixth Schedule: No-diving zones

MARINE CONSERVATION REGULATIONS
(2004 Revision)

1. These regulations may be cited as the Marine Conservation Regulations (2004 Revision). Citation
2. In these regulations - Definition
“Law” means the Marine Conservation Law (2003 Revision) and its subordinate legislation; 2003 Revision
3. A Fisheries Officer, in any place in which under section 5(4) he may lawfully search any person, may seize any marine life which he has reason to believe has been caught in the commission of an offence or which is possessed in contravention of the Law, and he may, in his discretion - Seizure, disposal, etc., of marine life caught in contravention of Law
 - (a) return such marine life to its natural habitat;
 - (b) retain it for production in evidence; or
 - (c) dispose of it in any manner he deems expedient:

Provided that, if such disposal is effected by way of sale, the net proceeds thereof shall be paid into the revenues of the Islands.
4. (1) The badges and insignia prescribed in the First Schedule shall be worn and displayed by Fisheries Officers whenever they are performing their duties as such. Badges, insignia and identification cards

(2) The Board shall issue to each Fisheries Officer an identification card in the form set out in the Second Schedule, which card shall remain the property of the Board. Each Fisheries Officer shall carry his identification card with him whenever performing his duties as such and shall, on reasonable demand being made by any person, produce such card for the inspection of that person.
5. Letters of appointment of Fisheries Officers and the forms to be used in the application for and granting of licences and authorisation under the Law are prescribed in the Third and Fourth Schedules respectively. Forms
6. Fees to be charged in connection with licences and authorisation under the Law are prescribed in the Fifth Schedule. Fees
7. Whoever resists or obstructs a Fisheries Officer in the discharge of any duty under the Law is guilty of an offence. Penal
8. (1) The areas described in the Sixth Schedule are designated as no-diving zones. No-diving zones

(2) Scuba diving in a no-diving zone is prohibited.

Damage to coral reef

9. (1) Whoever anchors any vessel exceeding twenty feet in length or a commercial vessel, or allows any of such vessels to be anchored, in such a manner that damage is caused to the coral by an anchor, chain or any similar contrivance, is guilty of an offence.

(2) In this regulation-

“commercial vessel” means a vessel which is for hire for the carriage of passengers or which is carrying passengers as part of a charter or other commercial venture.

FIRST SCHEDULE

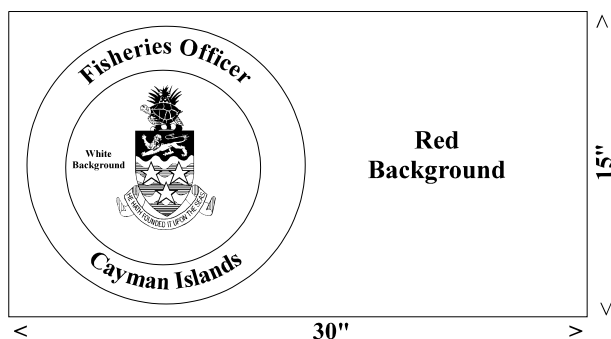
(Regulation 4)

Badges and Insignia

The following are the prescribed badges and insignia for the purpose of regulation 4-

- (a) badges or insignia prescribed to be displayed or worn by game wardens under the Animals Law (2003 Revision); and
- (b) flags of the dimensions and colour indicated below when displayed on any vessel or vehicle.

Flag



SECOND SCHEDULE

Cayman Islands Government

Identification Card



Name

Address

Board

Signature of officer

Chairman

THIRD SCHEDULE

Letter of Appointment

(Regulation 5)

MARINE CONSERVATION LAW (2003 Revision)

LETTER OF APPOINTMENT

In exercise of the power conferred upon the Marine Conservation Board under section 5 of the Marine Conservation Law (2003 Revision) the Board hereby appoints -

(name and designation of person appointed)

to be a Fisheries Officer to perform any duty he is required to perform under the Marine Conservation Law (2003 Revision).

(Note: Section 5 of the Marine Conservation Law (2003 Revision) is printed, for general information, on the back of this Letter of Appointment)

FOURTH SCHEDULE

Forms

Form MC 1

MARINE CONSERVATION LAW (2003 Revision)

(Regulation 5)

APPLICATION TO THE MARINE CONSERVATION BOARD

(Section 10 (2))

I,----- of-----, hereby
apply to the Board for a licence to carry out research and development in
restricted marine areas as follows -

Particulars of research and development-

Particulars of restricted marine areas-

Names of all persons in respect of whom the licence is requested-

Description of vehicles, vessels and gear proposed to be used for the above purposes-

Times and dates when the proposed project is to be carried out-

Signature and address of applicant-

Signature

Address

Date-----

Form MC 2

**MARINE CONSERVATION LAW
(2003 Revision)**

LICENCE FOR THE PURPOSE OF SECTION 10 (2)

This is to certify that -----of-----, is
licensed under section 10 (2) for the purposes and subject to the conditions and
restrictions to the marine areas set forth below-

This licence is valid until-

Chairman of the Marine Conservation Board

Date -----

Form MC 3

**MARINE CONSERVATION LAW
(2003 Revision)**

To-----

of-----

AUTHORITY UNDER SECTION 15

This is to certify that-----

of-----

is authorised to take the following -

at the places and times and upon the conditions given below-

Receipt of the application fee of \$-----is acknowledged.

Chairman of the Board

Date -----

Form MC 4

MARINE CONSERVATION LAW

(2003 Revision)

APPLICATION FOR A LICENCE UNDER SECTION 18

TO THE MARINE CONSERVATION BOARD

I-----
of-----,

hereby apply for a licence to take-

at the following places-

from *(date)* -----until ----- *(date of expiry)*.

The prescribed application fee of \$----- is enclosed herewith.

Signed -----

Date -----

Form MC 5

MARINE CONSERVATION LAW

(2003 Revision)

(Section 18)

THIS IS TO CERTIFY THAT-----

of -----

is hereby licensed under the above Law to take-

upon the following terms and conditions-

This licence expires on -----

Receipt of the prescribed application fee of \$-----is hereby acknowledged.

Note: Where a licence is refused \$10 of the application fee will be retained against administrative expenses.

Form MC 6

MARINE CONSERVATION LAW

(2003 Revision)

(Section 16)

Application to Use a Seine Net in Cayman Waters

I,----- of-----,

hereby apply for a licence to use a seine net in Cayman Waters.

Please complete the following information-

1. Number of years you have been fishing with seines in Cayman waters-

2. Do you own a seine?-----

3. Types of fish caught -----jacks; -----joggle eyes; -----reef fish;

-----other (describe)-----

4. How often do you fish?-----

Signature -----Date-----.

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Form MC 8

MARINE CONSERVATION LAW

(2003 Revision)

MARINE CONSERVATION (TURTLE PROTECTION) REGULATIONS

(1996 Revision)

(Regulation 6)

Application to Take Turtles in Cayman Waters

I,-----
of -----, hereby
apply for a licence to take turtles in Cayman Waters.

Please complete the following information-

1. Number of years you have been fishing turtles in Cayman Waters-

2. Size of boat to be used-----

3. Average size and number of turtles caught per year-

Green turtle: Size -----Number-----

Loggerhead Turtle: Size -----Number-----

Hawksbill turtle: Size -----Number-----

4. Fishing method: Net----- Trap net----- Harpoon -----

Other (describe)-----

Signature -----Date-----

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Form MC 10

MARINE CONSERVATION LAW

(2003 Revision)

(Section 15)

APPLICATION FOR A SPEAR GUN OWNER'S LICENCE

Please complete this form and return it along with a recent (6 months or less) POLICE RECORD to:

**The Secretary, Marine Conservation Board, P.O. Box 486GT Marco Giglioli
Centre, 580 North Sound Rd., George Town, Grand Cayman.**

This application will be considered by the Board at its next meeting possible. If approved, you will be notified and may pick up your license after paying a fee of CI\$50.00 at the Department of Environment. ***Police record and all information below are required. Incomplete applications WILL NOT be processed.***

* FULL NAME: _____ / _____ / _____
First Middle Last

*RESIDENTIAL ADDRESS: _____ / _____ / _____
District Island House No. Road

*MAILING ADDRESS: _____ / _____
P.O. Box District

* TELEPHONE: _____ / _____
Work Home

*DATE OF BIRTH: _____ / _____ / _____
Day Month Year

TYPE OF GUN: () Mechanical () Pneumatic () Hawaiian Sling () Pole Spear
() Other

DESCRIPTION:

_____/_____/_____/_____/_____
Make Model Colour No. of Rubbers Rod
(Ss or Galv)

*ID TAG #: _____

* ON AVERAGE, HOW OFTEN DO YOU SPEAR FISH?

Once per: ()Day ()Week ()Month () Less

* HAVE YOU EVER BEEN CONVICTED OF ANY VIOLATION OF THE
MARINE CONSERVATION LAW? () No () Yes

*IF YES, EXPLAIN: _____

*ARE YOU FAMILIAR WITH THE MARINE CONSERVATION LAWS?

() Yes () No

Please sign below indication that all the information provided in this application is true and complete. Any falsification or with holding of relevant information will result in denial or withdraw; of a spear gun license.

SIGNED,

Signature

Date

Form MC 11

MARINE CONSERVATION LAW

(2003 Revision)

(Section 15)

SPEAR GUN OWNER'S LICENCE

Name-----

Address-----

Expiration date -----

The above-named person is hereby licensed to own and use a spear gun within the Cayman Islands and its waters, subject to the following conditions-

1. All Marine Conservation Laws must be obeyed.
2. The person holding this licence shall not permit any other person to use his spear gun.
3. The person holding this licence may possess no more than one spear gun.
4. The person holding this licence shall not remove or tamper with the identification tag affixed to the spear gun.
5. No more than three fish in total may be taken in any day using a spear gun.
6. Spear guns may not be used-
 - (a) in any of the Marine Parks Zones, i.e. Replenishment Zones, Marine Park Zones and Environmental Zones;
 - (b) in any lagoon, sound or any body of water less than 20 feet in depth;
 - (c) within two hundred yards of any dive or snorkel boats flying a dive flag indicating that there are divers in the water; or
 - (d) within one mile of any of the designated grouper spawning areas

during the months of November to March inclusive .

7. Importation of spear guns or spear gun parts is not permitted.
8. This licence is not transferable to any other person.
9. Violation of any of these conditions shall be cause for revocation of this licence.

Chairman, Marine Conservation Board.

Form MC 12

MARINE CONSERVATION LAW

(2003 Revision)

(Section 17)

APPLICATION FOR A FISH POT LICENCE

Please complete this form and return it along with a recent (6 months or less) POLICE RECORD to:

**The Secretary, Marine Conservation Board, P.O. Box 486GT
Marco Giglioli Centre, 580 North Sound Rd., George Town.**

This application will be considered by the Board at its next meeting possible. If approved, you will be notified and may pick up your license after paying a fee of C\$10.00 at the Department of Environment. ***Police record and all information below are required. Incomplete applications WILL NOT be processed.***

* FULL NAME: _____ / _____ / _____
First Middle Last

*RESIDENTIAL ADDRESS: _____ / _____ / _____
House No. Road
District Island

*MAILING ADDRESS: _____ / _____
P.O. Box District

* TELEPHONE: _____ / _____
Work Home

*DATE OF BIRTH: _____ / _____ / _____
Day Month Year

*ID TAG #: _____

*WHERE DO YOU USUALLY SET YOUR FISH POT:
_____/_____/_____/_____
District In Sound <50ft. >50ft.

*HOW OFTEN DO YOU CHECK YOUR FISH TRAP:
Once per: () Day () Week

* HAVE YOU EVER BEEN CONVICTED OF ANY VIOLATION OF THE
MARINE CONSERVATION LAWS? () No () Yes

*IF YES, EXPLAIN: _____

*ARE YOU FAMILIAR WITH THE MARINE CONSERVATION LAWS?

() Yes () No

Please sign below indication that all the information provided in this application is true and complete. Any falsification or with holding of relevant information will result in denial or withdraw; of a spear gun license.

SIGNED,

Signature

Date

FIFTH SCHEDULE

Fees

The scale of fees chargeable for applications, authorisations and licences are upon the following scale and are payable upon application-

Authorisation under section 15	per person per day	\$10
Licence under section 18		\$10
Licence for the use of seine net, under section 16		\$25
Licence to take turtle, under regulation 6 of the Marine Conservation (Turtle Protection) Regulations (1996 Revision)		\$25
Spear gun licence under section 15		\$50
Licence for the use of fish pot, under section 17	per pot	\$10

SIXTH SCHEDULE

No-diving Zones

(Regulation 8)

1. North Side

A line drawn from latitude 19° 21'06" north longitude 81°14'24" west along the ironshore to latitude 19°21'10" north longitude 81°12'48" west thence to latitude 19°21'30" north longitude 81°12'48" west thence to latitude 19°21'20" north longitude 81°14'28" west thence to latitude 19°21'06" north longitude 81°14'24" west.

2. North Side

A line drawn from latitude 19°20'52" north longitude 81°11'42" west along the ironshore to latitude 19°20'50" north longitude 81°10'00" west thence to latitude 19°21'06" north longitude 81°10'00" west thence to latitude 19°21'20" north longitude 81°11'42" west thence to latitude 19°20'52" north longitude 81°11'42" west.

Publication in consolidated and revised form authorised by the Governor in Cabinet this 6th day of July, 2004.

Carmena Watler
Clerk of Cabinet

(Price \$ 4.80)