

**CONSULTATION DRAFT  
FOR DISCUSSION PURPOSES ONLY  
DATED JUNE 17, 2015**

**FISHERIES RESOURCES (JURISDICTION AND  
CONSERVATION) (AMENDMENT) BILL, 2015**

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## **FISHERIES RESOURCES (JURISDICTION AND CONSERVATION) (AMENDMENT) BILL, 2015**

### **A BILL FOR AN ACT TO AMEND THE FISHERIES RESOURCES (JURISDICTION AND CONSERVATION) ACT TO ENABLE A REGULATORY FRAMEWORK FOR FLATS FISHING IN THE BAHAMAS AND FOR CONNECTED MATTERS**

**Enacted by the Parliament of The Bahamas**

#### **1. Short title and commencement.**

- (1) This Act, which amends the Fisheries Resources (Jurisdiction and Conservation) Act<sup>1</sup>, may be cited as the Fisheries Resources (Jurisdiction and Conservation) (Amendment) Act, 2015.
- (2) This Act shall come into force on a date to be appointed by the Minister by notice published in the Gazette.

#### **2. Amendment of section 2 of the principal Act.**

Section 2 of the principal Act is amended by —

- (a) the insertion in the appropriate alphabetical order of the following words and definitions —

““flats” means the areas of waters within the exclusive fishery zone, including inland, coastal and offshore areas, where —

- (i) water levels are between one to six feet deep;
- (ii) bottoms are muddy, sandy or covered by sea grasses;

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<sup>1</sup>*Vol. V, (Ch. 244)*

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“flats fishing” or “fishing in the flats” means the fishing for any fishery resource within the flats for sporting, or other non-commercial, purposes;

- (b) the deletion of the words “foreign fishing” together with its definition and the substitution of the following —

“foreign fishing” means fishing by —

- (a) a vessel, other than a vessel owned by a Bahamian; and  
(b) a person, other than a Bahamian, whether or not by means of a vessel owned by a Bahamian;”.

**3. Amendment of section 7 of the principal Act.**

Section 7 of the principal Act is amended by the insertion immediately after paragraph (d) of a new paragraph (e) as follows —

- “(e) when conducted by means of a vessel under paragraph (d) for the purpose of fishing in the flats, is engaged in by individuals holding personal permits in accordance with and subject to the regulations.

**OBJECTS AND REASONS**

The purpose of the amendment Bill is to enable the institution of a regulatory framework for flats fishing in The Bahamas.

Clause 1 of the Bill empowers the Minister to appoint a date for the amendment to come into operation.

Clause 2 amends section 2 of the Act to (A) provide definitions for “flats” and “flats fishing” and (B) expand the definition of “foreign fishing” to include, in addition to fishing conducted by means of a foreign-owned vessel, fishing carried out by any means by a non-Bahamian person.

Clause 3 amends section 7 of the Act to introduce the requirement that a non-Bahamian who fishes in the flats by means of a sports fishing vessel must, in addition to the vessel having a sports fishing licence, be in possession of a personal permit to flats fish.