

The Fisheries Act of Maldives 1987

Law No. 5/87 Unofficial Translation

Name

1- This law shall be cited as the “The Fisheries Law of Maldives”

Fisheries

2- In this law “Fisheries” means the fishing, capturing, or the taking of any living resources from the seas of the Exclusive Economic Zone of the Maldives, or any activity related thereto.

(Note: “Seas” in this law means the high seas and the waters inside the atolls and includes lagoons, shallow water areas and reefs.)

Formulation of Fisheries Regulations and fisheries Management and Development

3- (a) The Ministry of Fisheries is hereby empowered to formulate and administer regulations on matters relating to fisheries

(b) The Ministry of Fisheries shall oversee all fisheries activities in the country. It shall be the obligation of the Ministry of Fisheries to explore the possibilities for the development of fisheries, to carry out the research needed for such development and to develop fisheries.

Fisheries Information

4- (a) The Ministry of Fisheries shall collect compile and analyze statistical and other information necessary for the management and development of fisheries.

(b) Persons conducting fisheries in the country shall provide the Ministry of Fisheries with all fisheries data the Ministry may require.

Fishing by Foreigners in the Exclusive Economic Zone of the Country.

5- Commercial fishing in the Exclusive Economic Zone of the Maldives by foreigners, or Maldivians jointly with foreigners shall require the permission of the Ministry of Trade and Industries.

Licensing

6- (a) Fishing export or any other commercial purpose in the waters of the Exclusive Economic Zone of the Maldives beyond the area most commonly used by Maldivians for fishing shall be conducted under the authority of a license form the Ministry of Trade and Industries, and after the payment of a fee of such amount as may be specified by the said Ministry. Any party so fishing, shall be required to have a written agreement with the Ministry of Trade and Industries.

(b) The agreement referred to in paragraph (a) above shall include the following:-

- i) The amount of the license fees and the royalty payable to the Government.
- ii) The Government shall have the right to suspend or cancel the license of any party contravening this Law.
- iii) The Government shall have the right to send a person or persons aboard fishing vessels and inspect them whenever necessary.
- iv) If the baitfish required for the fishing vessel is to be caught in the country, it shall be done using vessels and methods traditionally used in the country.
- v) Any person contravening this agreement shall be tried in the courts of the Maldives and in accordance with the Laws of the Maldives.

Procedure fro entering the Exclusive Economic Zone of the country by fishing vessels without a license.

7- A fishing vessel not licensed under this Law, entering the Exclusive Economic Zone of the country, for whatever reason, is hereby required to obtain the prior permission of the Ministry of Fisheries, and every such entry shall be made as directed by the said Ministry.

Cancellation of License.

8- The Government of the Maldives shall have the right to cancel the license issued to a vessel under the provision of Article 6 of this Law, or to cancel the entire agreement with the party concerned, based on the magnitude of the offense, if such a vessel or any person on board such a vessel has been found to have acted, or to be acting or planning to act in a manner that might endanger the peace or security of the country.

Research fisheries

9- Permission for research fisheries shall be granted by the Ministry of Fisheries under specified conditions.

Conservation of living marine resources for a special purpose.

10- In the event of a special need for the conservation of any species of the living marine resources, the Ministry of Fisheries shall have the right to prohibit , for a specified period, the fishing, capturing or the taking of such species or the right to establish special sanctuaries from where such species may not be fished, captured or taken.

Steps to be taken in case of suspected illegal activities.

11- The Ministry of Defence and National Security shall have the right to stop any vessel suspected of contravening this Law, and to check such vessel including everything in it. Further, the Ministry shall have the right to apprehend such vessel and objects used in carrying out such offences as well as the proceeds obtained from it. The Ministry of Defence and National Security shall also have the right to arrest any person or persons suspected of committing an offence under this Law, if it be decided that such person or persons may be required for investigations or for trial in court.

What is done with apprehended vessels or articles.

12- Any vessel or article apprehended under the provisions of Article II of this Law shall be under the care of the Ministry of Defence and National Security until the completion of legal proceedings, and the Ministry shall have the right to sell by auction any perishable articles thus held and to hold the proceeds of such sale.

Penalties

13- 1. The penalty for fishing or attempting to fish without the license specified in Article 6 of this Law in the area specified in the said Article, or fishing in the Exclusive Economic Zone of the Maldives without the permission specified in Article 5 of this Law, shall be a fine, the sum of which shall be between 100,000/- Rufiyaa and 1,000,000/- Rufiyaa or a sum of money not exceeding the cost of the vessel employed in the contravention of this Law. Such fine shall be paid in a foreign currency acceptable to the Government of Maldives. The articles used, together with any gains from such contravention shall be confiscated.

13-2. The penalty for a vessel contravening this Law while fishing under license as stipulated in Article 6 of this Law is a fine, the sum of which shall be between 1,000/- Rufiyaa and 1,000,000/- Rufiyaa or a sum not exceeding the cost of the vessel employed in the contravention. This fine shall be paid in a foreign currency acceptable to the Government of Maldives. The articles used in the contravention together with any gains from such contravention shall be confiscated.

13.3. The penalty for contravening this Law by a person having the right to fish in the fishing grounds most commonly used by Maldivians within the Exclusive Economic Zone of the Maldives without a license shall be a fine of a sum of between 100/- Rufiyaa and 10,000/- Rufiyaa or imprisonment or banishment or house arrest for a period of between 3 months and 1 year.

Fishing grounds most commonly used by Maldivians

14. in this Law the fishing grounds most commonly used by Maldivians within the Exclusive Economic Zone of the country means and area of the sea extending to a distance of 75 miles from the outer reef of the atolls, including the sea bottom, which is inside the geographical co-ordination given below.

Latitudes	Longitudes
7 51 30 N	74 56 09 E
7 48 30 N	74 29 45 E
7 41 50 N	73 38 34 E
7 40 52 N	73 19 38 E
7 40 52 N	73 03 23 E
7 42 19 N	72 49 30 E
7 42 54 N	72 42 26 E
7 49 05 N	72 03 45 E
7 56 00 N	71 17 00 E
1 57 20 S	71 17 00 E
1 57 20 S	75 00 30 E
7 43 24 N	75 00 30 E