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PART II

Statutory Notifications (S. R. O.)

GOVERNMENT OF PAKISTAN

MINISTRY OF MARITIME AFFAIRS

NOTIFICATION

Islamabad, the 26th July, 2021

S.R.O. 981(I)/2021.—In exercise of the powers conferred by section 16 of the Exclusive Fishery Zone (Regulation of Fishing) Act, 1975 (XXXII of 1975), the Federal Government is pleased to make the following amendments in the Exclusive Fishery Zone (Regulation of Fishing) Rules, 1990, namely:—

In the aforesaid rules,—

(a) for rule 2, the following shall be substituted, namely:—

“2. Definitions.— In these rules, unless there is anything repugnant in the subject or context,—

- (a) “Act” means the Exclusive Fishery Zone (Regulation of Fishing) Act, 1975 (XXXII of 1975);
- (b) “Catch per unit effort” or “CPUE” means an index of stock abundance expressed in weight of marine product caught per unit of effort (CPUE = Catch (Biomass)/Effort);

1615 (1—13)

Price : Rs. 20.00

[1124(2021)/Ex. Gaz.]

- (c) "Electronic logbook" or "e-log" means electronic data which the master of a fishing vessel keeps as a record of quantity of all fish catches, landed by species depicting length and weight, quantity of fish discarded by weight, fishing gear, fishing operations, duration of fishing and name of port where caught fish is landed;
- (d) "Fishing permit" means of fishing permit granted under these rules;
- (e) "Fisheries sector advisory body" or "FSAB" means a body to frame policies and to regulate fisheries sector;
- (f) "Foreign joint venture" includes any company registered in Pakistan having shareholding, wholly or partially by a foreign national;
- (g) "Foreign vessel" means a vessel owned wholly or partially by a foreign national;
- (h) "Form" means a form appended to these rules;
- (i) "Identity card" means an identity card issued under these rules;
- (j) "Inter Ministerial Scrutiny Committee" or "IMSC" means a committee to scrutinize application on Form-A and thereon to recommend to the License Authority for issuance of fishing licenses in Exclusive Economic Zone;
- (k) "Licence" means a licence granted under these rules;
- (l) "Maximum Sustainable Yield" or "MSY" means the highest theoretically equilibrium yield that can be taken from a species stock under existing environmental conditions without affecting significantly the reproduction process over an indefinite period;
- (m) "Schedule" means a schedule to these rules;
- (n) "Vessel Monitoring Systems" or "VMS" means a device installed in fishing vessel for locating the position of fishing vessel; and
- (o) "Zone" means the Exclusive Economic Zone as defined in the Territorial Waters and Maritime Zone Act, 1976 (LXXXII of 1976).

(b) for rule 3, the following shall be substituted, namely:—

“3. License to operate a fishing craft.— (1) Any person operating or intending to operate a fishing craft in the Zone shall make an application in form “A” to the licensing authority for the grant of licence.

(2) The licensing authority may, after it is satisfied that the applicant had complied with the provisions of the Act and these rules, and is fit to operate fishing craft, issue a licence in Form “B” on payment of the fee or auction money, as the case may be, and the security deposit specified in the First Schedule.

(3) If an applicant intends to operate more than one fishing craft, he shall make separate application in respect of each fishing craft and there shall be issued a separate licence for each such craft.

(4) The person applying for a licence shall provide following, equipment and documents to the licensing authority for inspection by Mercantile Marine Department and Pakistan Maritime Security Agency. Licensing Authority shall forward respective documents to—

(i) Pakistan Marine Security Agency—

- (a) the craft and the equipment on board available; and
- (b) number and type of electronic and wireless equipment for fish finding, navigation and communication as per rule 32A; and

(ii) Mercantile Marine Department—

- (a) photostat copy of the registration of the vessel (or a translation thereof if the same is not in English);
- (b) the proof of the ownership of the vessel; and
- (c) number and type of fishing gear:

Provided that the inspection shall be completed by the concerned departments within seven working days and approval of the same shall be communicated to the Marine Fisheries Department.

(5) It shall be mandatory upon the applicant for fishing license to produce valid certificate of inspection in pursuance of the Merchant Shipping Ordinance, 2001 (LII of 2001) issued by the Marine Mercantile Department.

(6) Fisheries Sector Advisory Body (FSAB) shall comprise of-

TABLE

S. No.	Department	Status
(1)	(2)	(3)
1.	Secretary, Ministry of Maritime Affairs, Government of Pakistan	Chairman
2.	Secretary, Livestock and Fisheries Department, Government of Sindh	Member
3.	Secretary, Coastal Development and Fisheries Department, Government of Balochistan	Member
4.	Fisheries Development Commissioner, Ministry of Maritime Affairs, Government of Pakistan	Member
5.	Director General, Marine Fisheries Department, Government of Pakistan	Member
6.	Director General, Pakistan Maritime Security Agency, Government of Pakistan	Member
7.	Director General, Agro and Food Division, TDAP	Member
8.	Representative of Pakistan Fisheries Export Association (PAKFEA)	Member
9.	Representative of Ministry of National Food Security and Research	Member
10.	Representative of Ministry of Climate Change	Member
11.	Any Other Member not exceeding three, as may be, co-opted by the Federal Government	Member
12.	Joint Secretary, Ministry of Maritime Affairs, Government of Pakistan	Member/ Secretary

(7) (FSAB) shall—

- (a) determine number of fishing licenses, on year-to-year basis which shall be valid for one financial year starting from 1st day of July every year, to be issued for different gears in various categories based on the MSY and CPUE of each species, for Exclusive Economic Zone as defined in the Territorial Waters and Maritime Zones Act, 1976 (LXXXII of 1976);
- (b) sensitize respective provincial governments for issuance of fishing license based on the MSY and CPUE of each species;
- (c) determine MSY and CPUE in the month of June, every year. MSY and CPUE shall be based on data received up to 31st May every year;

- (d) determine duration of fishing trip for various categories of vessels; and
- (e) deliberate on any other policy matter and make decisions accordingly.
- (8) IMSC shall comprise of—

TABLE

S. No.	Department	Status
(1)	(2)	(3)
1.	Fisheries Development Commissioner, Ministry of Maritime Affairs, Government of Pakistan	Chairman
2.	Director General, Marine Fisheries Department, Government of Pakistan	Member
3.	Managing Director, Korangi Fisheries Harbor Authority	Member
4.	Chairman, Gwadar Port Authority	Member
5.	Deputy Financial Advisor, Ministry of Finance, Government of Pakistan	Member
6.	Assistant Fisheries Development Commissioner	Member/ Secretary

- (9) IMSC shall-
- (a) scrutinize applications for fishing licence;
- (b) recommend issuance of fishing license before 30th June every year, in pursuance of clause 3 of these rules;
- (c) conduct open auction, if the number of applications for fishing license are more than the required number as determined vide clause 3 of these rules. In case, number of applications are less than the required number, then fishing license shall be issued as per rule 3 of these rules;
- (d) license fee mentioned in the first schedule shall be base price for initiating auction for each category of fishing craft; and
- (e) forward names of highest bidders as determined through open auction process to the Licensing Authority for award of license.

(c) In rule 4, after sub-rule (4), the followings shall be added, namely:—

“(5) The fishing gears are categorized as under—

- (a) long Liners; and
- (b) gillnetters-The length of the gillnet, used by any licensee for fishing shall not be greater than 2.5 kilometres with mesh size not less than thirty millimetres and not more than three hundred millimetres; and
- (6) Foreign vessels and foreign joint venture shall not be allowed.”
- (d) In rule 6, the following shall be substituted, namely:—

“6. **Validity of licence, fishing permit and Identity Cards.**— Any licence, and fishing permit, shall be valid for a period of one financial year starting from First July every year. However, identity card shall be valid for a period of three years from the date mentioned therein.”

- (e) rule 8 shall be omitted.
- (f) In rule 9, for the table, the following shall be substituted, namely:—

S. No.	Craft	Fishing Licence	Fishing Permit	Identity Card
(1)	(2)	(3)	(4)	(5)
1.	Category A	Rs.2,000/-	Rs.400/-	Rs.200/-
2.	Category B	Rs.5,000/-	Rs.500/-	Rs.400/-
3.	Category C	Rs.7,000/-	Rs.1,500/-	Rs.800/-

- (g) In rule 10; for sub-rule (1), after the word “transferable” the words “and shall not sublet to any other person” shall be inserted; and in rule 10, in sub-rule (2), after the word “revoked”, the words “and be transferred” shall be omitted;
- (h) for rule 11, after the word “holder”, the word “for” shall be inserted.
- (i) In rule 12, the following shall be substituted, namely:—

“12. **Departmental representative on board the fishing craft.**—(1) Twenty percent fishing craft proceeding to the fishing ground for fishing shall carry a senior research assistant of marine fisheries department on board.

(2) Twenty percent fishing craft shall be selected through random ballot at the time of award of license.

(3) senior research assistant shall-

(a) independently collect data as mentioned in rule 13 and rule 18 along-with photographic evidence and geo-location; and

(b) camera with global positioning system coordinates shall be provided by the Marine Fisheries Department to each Senior Research Assistant.”

(j) In rule 14,—

(i) in the marginal heading, for the word “Production”, the word “Protection” shall be substituted; and

(ii) for the word “licensing”, the word “licensee” shall be substituted;

(k) In rule 17; for sub-rule (2), the following shall be substituted; namely:—

“(2) No fishing shall be allowed in the Contiguous Zone as defined in the Territorial Waters and Maritime Zone Act, 1976 (LXXXII of 1976).”

(l) In rule 18, the following shall be substituted, namely:—

“**18. Information regarding catches etc.**—Every licensee shall provide information to the licensing authority concerning the catch by delivering immediately after the completion of each trip or cruise in Form-I. Every licensee shall maintain e-logbook on board.”

(m) for rule 20, the following shall be substituted, namely:—

“**20. Area of landing of fish.**— (1) All fish and shrimp taken or caught in the zone shall, unless specifically permitted otherwise by the licensing authority, be landed only at designated ports *i.e.*, Korangi Fish Harbour Authority (KoFHA), Karachi and Gawader Port, Balochistan both having customs check post.

(2) Defaulting vessel shall pay non-Utilization fee as prescribed in the First Schedule.

- (n) for rule 29, the following shall be substituted, namely:—

“29. Transhipment of fish on high seas prohibited.— The licensee shall not tranship the fish or supply the fish on high seas, to any other vessel whether Pakistani registered fishing vessel or belonging to any other country.”

- (o) for rule 30, the following shall be substituted, namely:—

“30. Local crew and their training.—(1) The licensee shall take on each cruise shall have local crew as per following proportion, namely:—

(a) Fishing Craft, Category “A” and “B” 90%

(b) Fishing Craft, Category “C” 80%

(2) The licensee shall impart necessary training to such local crew.

- (p) for rule 31, the following shall be substituted, namely:—

“31. Penalty for violating the conditions of licence.— A licensee violating any condition of the rules shall, as a part of conditions of the licence, be liable to be prosecuted and punished under the provision of the Act.”

- (q) In rule 32, the expression “Assistant Director, Naval Intelligence, Karachi”, shall be omitted.

- (r) After rule 32, the following new rule shall be inserted, namely:—

“32(A). Installation of Vessel Monitoring System.— (1) All fishing vessels intended for fishing within the exclusive economic zone shall have VMS installed on board.

(2) The master, skipper, owner or licensee of the fishing vessel shall take steps to ensure that the VMS on board is activated at all times irrespective of their geographical location allowing four hourly automatic transmission of required information or any time intervals decided by Director General as he may deem fit to the FMC. Such data shall include—

- (a) the identification of the fishing vessel indicating registration number of the vessel and name of the Vessel;
- (b) the current geographical location of the fishing boat (longitude, latitude) with a position error of less than five hundred meters, at a confidence level of ninety nine percent;
- (c) the date and time for the fixing of the position of the vessel; and
- (d) the speed and course of the fishing vessel. The cost of vessel-based unit and its operation expenses shall be borne by the licensee.

(3) The cost of VMS and its operation expenses shall be borne by the licensee.

- (s) for rule 33, the following shall be substituted, namely:—

“33. Repeal.— The Deep-Sea Fishing Policy, 1995 is hereby repealed.”

[F. No. 1(48)/2018-Fish.]

RIZWAN AHMED,
Secretary.

(t) for First and Second Schedule, the following shall be substituted, namely:—

**FIRST
SCHEDULE**

[See Rule 3(2)]

1. Licence Fees and Security Deposits:

Category of Fishing Craft	Fee	Security Deposits
(1)	(2)	(3)
Category 'A'	Rs. 2,000/-	-
Category 'B'	Rs. 5,000/-	Rs. 50,000.00
Category 'C'	Rs. 500,000/-	Rs. 200,000.00

2. Fee for Fishing Permits: [See Rule 5(2)]

Nakhuda of Fishing Craft:	
(i) Category 'A'	Rs.400.00
(ii) Category 'B'	Rs.500.00
Skipper	Rs.1,500.00

3. Fee for Identity Cards:

[See Rule 5(3)]

Crew members of:	
(i) Category 'A'	Rs.200.00
(ii) Category 'B'	Rs.400.00
(iii) Category 'C'	Rs.800.00

4. A non-utilization fee for landing of fish at a place other than at ports having customs check post in violation of rule 20 shall be paid as following:

- | | |
|--------------------|--------------|
| (i) Category 'A' | Rs.100,000/- |
| (ii) Category 'B' | Rs.200,000/- |
| (iii) Category 'C' | Rs.500,000/- |

(u) for Form A, the following shall be substituted, namely: -

FORM "A"

[See Rule 3(1)]

**GOVERNMENT OF PAKISTAN
MARINE FISHERIES DEPARTMENT**

Application form for obtaining a license to operate a fishing craft in the Exclusive Fishery Zone of Pakistan.

1. Name of applicant _____
2. National Identity Card No. _____
3. Branded No. and name of fishing craft _____
4. Mercantile Marine Department Registration (Kole No.) with date and place of issue _____
5. Type of fishing craft:
(a) Mechanized boat
(Mention whether Long-liner Boat, Gillnetter Launch).
6. Fishing gear to be used and their quantity.
(Mention whether Long-liner and Gillnetter).
7. Total crew strength.
(Give details of those qualified or certified).

Fishing craft	Length (Keel), Breadth Depth.
Overall length	Type of fish hold capacity Engine make.
Engine BHP	Engine RPM Engine Room Space Engine Cost
Fuel capacity	Fresh water capacity. Total cost of fishing craft. Cost of fishing gear.
Station	Signature of LTI owner of fishing Craft.
Date	National Identity Card No. Date.

(v) for form "C", the following shall be substituted, namely:—

FORM "C"

[See Rule 5(2)]

GOVERNMENT OF PAKISTAN

MARINE FISHERIES DEPARTMENT

APPLICATION FROM FOR ISSUE OF A FISHING PERMIT

This application form shall be accompanied by 3 photographs of the applicant who requires a fishing permit.

1. Full name of applicant.....
2. Full address of applicant.....
3. Fishing craft's branded No. & name on which the applicant desires to work.....
4. Mercantile Marine Department Registration (Kole No.).....
5. Date and place of issue.....
6. Registration No. of fishing craft allotted by the Marine Fisheries Department.....
7. Type of craft:—
 - (a) Mechanized boat - (Mention Long-liner Boat and Gillnetter Launch).
8. Fishing gear to be used and their quality (Mention Long-liner and Gillnetter).
9. Total crew strength (give details of those qualified certificate)
10. Fishing craft length (overall) length (keel) breadth, depth, tonnage, type of fish hold, engine BHP and full capacity engine make.

Signature of applicant

Date

National Identity Card No.

Signature of LTI of Tindal

Date of issue.

National Identity Card No.

(w) In form "G", for the Table, the following shall be substituted, namely:—

Trip No	Date and time of departure	Date and time of arrival	Gear used Gillnet, Long-liner.	Area fished	Duration in hours	Local name of fish caught	Total catch in Kgs.	Location of fish Landing (i.e. Port/ Harbour/ Jetty)
1	2	3	4	5	6	7	8	9

(x) In form "H", for the Table, the following shall be substituted, namely:—

Sl.No.	Name of Fish	Local Name	No. of fish	Total wt. in kg	For Office Use	Location of Fish Landing (i.e. Port/ Harbour/ Jetty)
					Catch/ kg/ hr %	

In Form "J", for the alphabet "J", the alphabet "I" shall be substituted.