

Supplement No. 8 published with Gazette No. 12 of 18th. June, 2002.

MARINE CONSERVATION LAW

(2002 Revision)

MARINE CONSERVATION REGULATIONS

(2002 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.

Consolidated and revised this 30th. day of April, 2002.

Note (not forming part of the regulations): This revision replaces the 1996 Revision which should now be discarded.

**MARINE CONSERVATION REGULATIONS
(2002 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

Fourth Schedule: Forms

Fifth Schedule: Fees

Sixth Schedule: No-diving zones

MARINE CONSERVATION REGULATIONS

(2002 Revision)

1. These regulations may be cited as the Marine Conservation Regulations (2002 Revision). Citation

2. In these regulations - Definition
“Law” means the Marine Conservation Law (2002 Revision) and its subordinate legislation;

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

Marine Conservation Regulations (2002 Revision)

(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

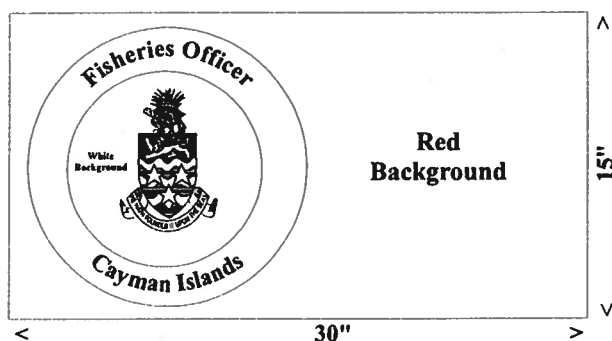
(Regulation 4)

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 (1999 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

(2002 Revision)

LETTER OF APPOINTMENT

In exercise of the power conferred upon the Marine Conservation Board under section 5 of the Marine Conservation Law (2002 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 (1995 Revision).

(Note: Section 5 of the Marine Conservation Law (2002 Revision) is printed, for general information, on the back of this Letter of Appointment)

FOURTH SCHEDULE

Forms

Form MC 1

MARINE CONSERVATION LAW

(2002 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 -

Marine Conservation Regulations (2002 Revision)

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
(2002 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
(2002 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-

Marine Conservation Regulations (2002 Revision)

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

Chairman of the Board
Date -----

Form MC 4

**MARINE CONSERVATION LAW
(2002 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
(2002 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
(2002 Revision)
(Section 17)**

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-----

Form MC 7

MARINE CONSERVATION LAW

(2002 Revision)

(Section 17)

LICENCE

This is to certify that -----
of-----, is
licensed by the Marine Conservation Board under section 15 to use a seine net in
Cayman Waters subject to the following conditions-

Secretary/Chairman
Marine Conservation Board

Date

Form MC 8

MARINE CONSERVATION LAW
(2002 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_____

Form MC9

**MARINE CONSERVATION LAW
(2002 Revision)**

**MARINE CONSERVATION (TURTLE PROTECTION) REGULATIONS
(1996 Revision)**

LICENCE

This is to certify that-----
of ----- is
licensed by the Marine Conservation Board under regulation 6(1) of the Marine
Conservation (Turtle Protection) Regulations (1996 Revision) to take turtles
within the Cayman Fisheries Zone subject to the following conditions-

Secretary/Chairman
Marine Conservation Board

Date

Form MC 10

APPLICATION FOR SPEAR GUN RETAIL LICENCE

Please complete this application in full. It will be considered by the Marine Conservation Board at the first meeting possible. If approved, you will be notified

Marine Conservation Regulations (2002 Revision)

by the Ministry of Agriculture, Environment, Communications and Works and may collect your licence from the Ministry after paying the \$25.00 fee to the Treasury Department.

Name of applicant-----

Name of business-----

Address -----

Telephone-----

Are you Caymanian? -----

If not, how long have you been in Cayman and what is your status?

Do you hold a current licence under the Trade and Business Licensing Law (2002 Revision) for a business which includes the sale of spear guns?

If so, what is the category of your business licence? -----

What is the nature of your business? -----

For how many spear guns do you want a licence? -----

How many spear guns do you presently possess? -----

(Note: Number of permitted spear guns is limited to no more than are currently in your possession.)

At what location(s) do you plan to maintain and/or sell spear guns?

Have you ever been convicted of any criminal offence involving violence or violation of the Marine Conservation Laws? -----

If yes, please explain: -----

Are you familiar with the Marine Conservation Laws?-----

Please sign below indicating that all information in this application is true and complete. Any falsification or withholding of relevant information will result in denial or withdrawal of a spear gun licence.

Signature

Date

Form MC 11

**MARINE CONSERVATION LAW
(2002 Revision)**

(Section 15)

RETAIL SPEAR GUN LICENCE

Name-----

Name of business-----

Address -----

Expiration date -----

Number of spear guns permitted -----

Location(s) where spear guns may be maintained and sold-

The above-named person is hereby licensed to possess and sell spear guns within the Cayman Islands, subject to the following conditions-

1. All Marine Conservation Laws must be obeyed.
2. The person holding this licence is permitted to sell spear guns only to persons holding a valid speargun licence.
3. The person holding this licence may possess no more spear guns than the number permitted above.
4. Importation of spear guns or spear gun parts is not permitted.
5. This licence is not transferable to any other person.
6. Violation of any of these conditions shall be cause for revocation of this licence.

Chairman, Marine Conservation Board

Form MC 12

APPLICATION FOR SPEAR GUN USER'S LICENCE

Please complete this application in full. It will be considered by the Marine Conservation Board at the first meeting possible. If approved, you will be notified by the Department of Environment, and may collect your licence from the Department after paying the appropriate fee.

Name-----

Address -----

Telephone -----Age-----

Are you Caymanian?-----

If not, how long have you been in Cayman and what is your status?

For what purpose do you want a spear gun licence?

For how many spear guns do you want a licence?-----

(Note: Normally, licences will be given for only one spear gun.)

If you want a licence for more than one spear gun, please state your reasons:

Have you ever been convicted of any criminal offence involving violence or violation of the Marine Conservation Laws?-----

If yes, please explain:

Are you familiar with the Marine Conservation Laws?-----

Please sign below indicating that all information in this application is true and complete. Any falsification or withholding of relevant information will result in denial or withdrawal of a spear gun licence.

Signature

Date

Form MC 13

**MARINE CONSERVATION LAW
(2002 Revision)**

(Section 15)

SPEAR GUN USER'S LICENCE

Name-----

Address-----

Expiration date -----

Number of spear guns permitted -----

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 person not so licensed to use his spear gun.
3. The person holding this licence may possess no more spear guns than the number permitted above.
4. No more than three fish of any one species, and no more than six fish in total may be taken in any day using a spear gun.
5. 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) within two hundred yards of any dive or snorkel boats flying a dive flag indicating that there are divers in the water; or
 - (c) in any of the designated grouper spawning areas.
6. Importation of spear guns or spear gun parts is not permitted.
7. Spear guns may be sold only to those holding a valid spear gun licence.
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

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 14	per person per day	\$10
Licence under section 16		\$10
Licence for the use of seine net, under section 15		\$25
Licence to take turtle, under regulation 6 of the Marine Conservation (Turtle Protection) Regulations (1996 Revision)		\$25
Speargun licence under section 14		\$50

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.

Marine Conservation Regulations (2002 Revision)

Publication in consolidated and revised form authorised by the Governor in Council this 30th. day of April, 2002.

Carmena Watler
Clerk of Executive Council