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THE DEEP SEA FISHERIES MANAGEMENT AND DEVELOPMENTACT,
(NO. 5 OF 2020)

REGULATIONS

(Made under section 101)

THE DEEP SEA FISHERIES MANAGEMENT AND DEVELOPMENT REGULATIONS, 2021

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THE DEEP SEA FISHERIES MANAGEMENT AND DEVELOPMENT ACT NO. 5 OF 2020

REGULATIONS

(Made under section 101)

THE DEEP SEA FISHERIES MANAGEMENT AND DEVELOPMENT REGULATIONS, 2021

PART I
PRELIMINARY PROVISIONS

Short title

1. These Regulations may be cited as the Deep Sea Fisheries Management and Development Regulations, 2021.

Interpretation

2. In these Regulations, unless the context otherwise requires-

No. 5 of 2020

"Act" means the Deep Sea Fisheries Management and Development Act;

"agent" means a person designated by the operator of a foreign fishing vessel and accredited under these Regulations to represent that operator;

"Authority" means the Deep Sea Fishing Authority established under section 5 of the Act;

"authorized officer" has the meaning ascribed to it under the Act;

"bioprospecting" means the exploration for plant and animal species from which medicinal drugs and other commercially valuable compounds can be obtained;

"cetaceans" means marine mammals including whale's dolphins and porpoises;

"electronic logbook" means a computerized record of information and data relating to fishing or related activities, and in such template, as may be required, including pursuant to any international conservation and management measure,

required to be transmitted by the operator of a fishing vessel to the Director General;

"exploratory fishing" means fishing for scientific purposes excluding commercial fishing, and is normally carried out to explore and identify new stocks of fish or those that were previously unexploited in order to assess the potential for management and development of commercial fisheries;

"fish product" means any part or product derived from aquatic species, intended for human consumption and other uses, exported from a nation, whether or not taken by fishing vessels of that nation or packed, processed, or otherwise prepared for export in that nation or within the jurisdiction thereof;

"fishery inspector" means any person appointed as inspector under section 16(1)(n) of the Act;

"fishery observer" means any person appointed as observer under section 16(1)(n) of the Act;

"International Conservation and Management Measure" which is also known by its acronym as "ICMM" means any measure to conserve and manage fish or fisheries that are adopted and applied consistently with the relevant rules of international law, including those reflected in the 1982 United Nations Convention on the Law of the Sea and the 1995 United Nations Fish Stocks Agreement, by any regional fisheries management organization, treaty, agreement or arrangement applicable to the United Republic;

"large-scale driftnets" means gillnets or other nets or a combination of nets that are more than two and a half kilometers in length whose purpose is to enmesh, entrap or entangle fish by drifting on the surface of, or in the water column;

"licensing officer" means a person appointed under section 16(1)(n) of the Act;

"marine scientific research" shall include bioprospecting and exploratory fishing operations;

"Regional Fisheries Management Organization" which is also known by its acronym as "RFMO" means an inter-governmental fisheries organization or arrangement, as appropriate, that has the competence to establish international conservation and management measures;

"shark finning" means the taking of a shark, removing its fin or fins, whether or not including the tail, and returning the remainder of the shark to the sea;

"tuna" refers to bigeye tuna (*Thunnus obesus*), skipjack tuna (*Katsuwonus pelamis*), albacore tuna (*Thunnus alalunga*); and yellow fin tuna (*Thunnus albacares*);

"tuna-like species" refers to kawakawa (*Euthynnus affinis*), frigate tuna (*Auxis thazard*), bullet tuna (*Auxis rochei*), Narrow barred Spanish Mackerel (*Scomberomorus commerson*), Indo-Pacific king mackerel (*Scomberomorus guttatus*), Blue Marlin (*Makaira nigricans*), Black Marlin (*Makaira indica*), Striped Marlin (*Tetrapturus audax*), Indo-Pacific Sailfish (*Istiophorus platypterus*) and Swordfish (*Xiphias gladius*);

"unfit for human consumption" means any fish meshed or crushed in the purse seine, damaged due to depredation or has died and spoiled in the net where a gear failure has prevented both the normal retrieval of the net and catch, and efforts to release the fish alive, provided that it does not include any fish considered undesirable in terms of size, marketability, or species composition; or is spoiled or contaminated as the result of an act or omission of the crew of the fishing vessel.

PART TWO
FISHERIES CONSERVATION, MANAGEMENT AND DEVELOPMENT

Principles of sustainable fishery management and development

3.-(1) The Authority shall, in performing the functions and exercising powers under these Regulations, observe the principles of sustainable fishery management and development, the principles shall include-

(a) precautionary principle;

(b) polluter pays principle;

(c) principle of ecosystem integrity;

(d) principle of public participation; and

(e) principle of international and regional cooperation in management of fishery resources.

Conservation and management

4. The conservation and management measures may, pursuant to section 21(2) of the Act,-

t measures

(a) provide for allocations, areas, gear, closures, effort limitation, fishing capacity, quotas, participatory rights and reporting;

(b) prohibit the landing, transporting, transshipping, receiving or possession of fish, and any activity within the scope of these Regulations;

(c) provide for the restoration of fish stocks;

(d) provide positive incentives for the sustainable business development of the fishing industry and for full compliance; and

(e) provide for any other measure consistent with international agreement to which the United Republic is a part.

Retention on board of albacore, bigeye tuna, skipjack tuna and yellowfin tuna

5.-(1) The operator of any fishing vessel in the Exclusive Economic Zone or Tanzanian fishing vessel in any area beyond national jurisdiction or that is within the area of competence of a relevant RFMO equipped with purse seine gear shall-

(a) retain on board and then land all albacore tuna, bigeye tuna, skipjack tuna and yellowfin tuna caught, except tuna considered unfit for human consumption; and

(b) retain on board and then land, to the extent practicable, non-targeted species including other tunas or species group, except fish considered unfit for human consumption.

(2) The operator of a fishing vessel shall not discard or cause or allow to be discarded, tuna caught after the point in the set when the net is fully pursed and more than one half of the net has been retrieved.

(3) Where equipment malfunctions affect the process of pursing and retrieving the purse seine net in such a way that the requirement in sub regulation (2) cannot be complied with, the operator shall ensure that the tuna caught are released as soon as possible.

Conservation of sharks

6.-(1) The operator of any fishing vessel in the Exclusive Economic Zone, or Tanzanian fishing vessel in any area beyond national jurisdiction or that is within the area of competence of a relevant RFMO shall not-

(a) engage in commercial fishing of sharks;

(b) engage in shark finning in the course of fishing;

(c) possess, store, transship or land, or attempt to transship, land, buy or sell any-

(i) shark fin including the tail that is not naturally attached to the whole corresponding carcass or as otherwise provided under the Act or these Regulations; or

(ii) species of shark, in whole or in part, that is prohibited by an ICMMs to be retained on board, transshipped, stored or otherwise; or

(d) possess, use or caused to be used a trace wire or J-hook for the purpose of fishing.

(2) The operator of a fishing vessel shall release or cause to be released any species of shark which is caught as soon as possible after the shark is brought alongside the vessel, and to do so in a manner that results in as little harm to the shark as possible.

Conservation of sharks caught in association with fisheries

7. The operator of any fishing vessel in the Exclusive Economic Zone, or of any Tanzanian fishing vessel in any area beyond national jurisdiction or that is within the area of competence of a relevant RFMO in relation to sharks that have been caught in association with fisheries managed under the Act or by a relevant RFMO shall:

(a) not land, retain on board, tranship or carry shark fins which are not naturally attached to the shark carcass until the first point of landing where sharks landed are fresh;

(b) not cause or allow at any time on board the fishing vessel shark fins that total more than 5 per cent of the weight of sharks on board, up to the first point of landing where sharks are landed frozen;

(c) ensure compliance with any requirement made by the Director General to verify compliance with paragraph (b) through certification, monitoring by an observer or other measures;

(d) not cause or allow any shark fins harvested in contravention of this regulation to be retained on board, transhipped or landed; and

(e) cause the release of live sharks, especially juveniles and pregnant sharks, to the extent possible, that are caught incidentally and are not used for food or

subsistence.

Conservation of thresher sharks family *alopiidae* and oceanic whitetip sharks *carcharhinus longimanus*

8.-(1) The operator of any fishing vessel in the Exclusive Economic Zone, or Tanzanian fishing vessel in any area beyond national jurisdiction or that is within the area of competence of a relevant RFMO shall-

(a) not engage in or allow fishing for thresher sharks and oceanic whitetip sharks;

(b) not allow or cause to be retained onboard, tranship, land or store any part or whole carcass of thresher sharks and oceanic whitetip sharks with the exception of subregulation (2);

(c) promptly release unharmed, to the extent practicable, thresher sharks and oceanic whitetip sharks when brought alongside the fishing vessel for the purpose of taking onboard, including where they are identified on the line before bringing them onboard; and

(d) keep full, complete and accurate records of all catches, incidental catches and live releases of thresher sharks and oceanic whitetip sharks, including in the fishing logbook of the relevant fishing vessel.

(2) Where a fishing vessel described in subregulation (1)(b) is involved in fishing activities that result in the taking of thresher sharks or oceanic whitetip sharks that are dead when the fishing gear is hauled back to the vessel, the operator shall allow and assist any observer on board to collect biological samples from thresher sharks or oceanic whitetip sharks taken in the area of competence of a relevant RFMO, provided that the samples are part of a research project of such RFMO.

Conservation of cetacean and whale sharks *rhincodon typus*

9.-(1) The operator of any fishing vessel in the Exclusive Economic Zone or Tanzanian fishing vessel in any area beyond national jurisdiction or that is within the area of competence of a relevant RFMO shall not intentionally cause or allow a purse seine net to be set around any protected, threatened or endangered cetacean or whale shark if it is sighted prior to the commencement of the set.

(2) Where any cetacean or whale shark is unintentionally encircled in a purse seine net, the operator referred to in sub regulation (1) shall-

(a) take all reasonable steps to ensure the safe release of any cetacean or whale shark, while taking into consideration the safety of the crew, in accordance with best practice guidelines for the safe release and

handling of cetacean or whale shark developed by the subsidiary scientific body of a Scientific Committee of a relevant RFMO; and

(b) report the incident to the Director General with the following information-

(i) in respect of a cetacean, the species if known;

(ii) the number of individuals;

(iii) a short description of the interaction, including details of how and why the interaction occurred, if possible;

(iv) the location of the encirclement;

(v) the steps taken to ensure safe release; and

(vi) an assessment of the life status of the animal on release, including whether the cetacean or whale shark was released alive but subsequently died.

(3) An operator who uses gear types other than purse seiners for fishing tuna and tuna-like species associated with cetacean or whale shark shall report all interactions with cetacean or whale shark to the Director General.

(4) The report under sub regulation (3) shall include information as provided under subregulation (2)(b)(i) to–(vi).

Conservation of marine turtles

10.-(1) The operator of any fishing vessel in the Exclusive Economic Zone, or of any Tanzanian fishing vessel in any area beyond national jurisdiction or that is within the area of competence of a relevant RFMO shall-

(a) ensure that any captured marine turtle that is comatose or inactive is brought aboard, where practicable, as soon as possible and foster its recovery, including aiding in its resuscitation, before safely returning it to the water;

(b) where such fishing vessel is equipped with gillnet gear, record or caused to be recorded all incidents involving marine turtles during fishing operations in their logbooks and report such incidents to the Director General;

(c) where such fishing vessel is equipped with longline gear-

(i) carry line cutters and de-hookers on board the fishing vessel in order to facilitate the appropriate handling and prompt release of marine turtles caught or entangled;

(ii) where appropriate, encourage the use of whole finfish bait; and

(iii) record all incidents involving marine turtles during fishing operations in their logbooks, including the species of the marine turtle, and report such incidents to the Director General;

(d) where such fishing vessel is equipped with purse seine gear-

(i) to the extent practicable, avoid encirclement of marine turtles, and if a marine turtle is encircled or entangled, take practicable measures to safely release the turtle;

(ii) to the extent practicable, release all marine turtles observed entangled in Fish Aggregating Devices or other fishing gear;

(iii) if a marine turtle is entangled in the net, stop net roll as soon as the turtle comes out of the water, disentangle the turtle without injuring it before resuming the net roll and, to the extent practicable, assist the recovery of the turtle before returning it to the water;

(iv) carry and employ dip nets, when appropriate, to handle marine turtles; and

(v) record all incidents involving marine turtles during fishing operations in their logbooks and report such incidents to the Director General.

Incidental by catch of seabirds in longline fisheries

11.-(1) The operator of any fishing vessel in the Exclusive Economic Zone or of any Tanzanian fishing vessel in any area beyond national jurisdiction or that is within the area of competence of a relevant RFMO shall make such reports of incidental bycatch of seabirds as may be required by the Director General.

(2) Where a Tanzania fishing vessel is in an area of competence of a relevant RFMO, including the Exclusive Economic Zone, and is in south of 25 degrees' south latitude, the operator shall use and comply with mitigation measures and technical standards.

GN NO, 437 (Contd.)

Fishing vessel and gear set marking

12-(1) The operator of a fishing vessel in the Exclusive Economic, or of any Tanzanian fishing vessel in any area beyond national jurisdiction or that is within the area of competence of a relevant RFMO shall ensure that-

(a) the fishing gear set marking of a licensed fishing vessel are as follows-

(i) the ends of nets, lines and gear in the sea, shall be fitted with flag or radar reflector buoys by day and light buoys by night sufficient to indicate their position and extent;

(ii) marker buoys and similar objects floating on the surface, and intended to indicate the location of fixed fishing gear, shall be clearly marked at all times with the letter or number of the vessel to which they belong;

(iii) each and every buoy used for setting gill nets, long lines and set nets shall be marked with the license number or local identification mark assigned to the vessel utilizing the gear;

(iv) the identification marks shall be in block letters and numbers;

(v) letters and numbers shall be as large as the surface
of the buoy permits;

(vi) the identification mark shall be in either white or black, whichever colour gives the higher contrast to the colour of the buoy;

(vii) good quality marine paint shall be used in writing the identification marks; and

(viii) the identification marks and the surrounding background shall be maintained in a good condition all times;

(b) the fishing vessel marking requirements or conditions.

(2) The operator of a fishing vessel shall, while in an unauthorized fishing area in the United Republic, ensure that fishing gear and any other equipment on board used for fishing are covered and secured in such a manner that they cannot be used in fishing.

Fish Aggregating Devices

13.-(1) The operator of a fishing vessel in the Exclusive Economic Zone, or Tanzanian fishing vessel in any area beyond national jurisdiction or that is within the area of competence of a

relevant RFMO equipped with purse seine gear or used as a bait boat that uses Fish Aggregating Devices equipped with instrumented buoys for the purpose of aggregating tuna target species shall-

(a) maintain and keep current on board the fishing vessel at all times a Fish Aggregating Devices logbook;

(b) mark all artificial Fish Aggregating Devices deployed or modified by the fishing vessels in the area of competence of a relevant RFMO;

(c) ensure that the Fish Aggregating Devices are designed and deployed in accordance with the following principles-

(i) the surface structure of the Fish Aggregating Devices is not covered, or only covered with non-meshed material;

(ii) if a sub-surface component is used, it is not made from netting but from non-meshed materials such as ropes or canvas sheets; and

(iii) to reduce the amount of synthetic marine debris, natural or biodegradable materials such as hessian canvas, hemp ropes and others for drifting Fish Aggregating Device is used.

Prohibition to use artificial lights to attract tuna or tuna-like species

14.-(1) An operator of a fishing vessel in the Exclusive Economic Zone, or Tanzanian fishing vessel in any area beyond national jurisdiction or that is within the area of competence of a relevant RFMO, shall not use, install or operate surface or submerged artificial lights, including on drifting Fish Aggregating Devices, for the purpose of aggregating any tuna or tuna-like species.

(2) For the purpose of this regulation "fishing vessel" includes support, supply and auxiliary vessels, in the Exclusive Economic Zone or any Tanzanian fishing vessel within the area of competence of a relevant RFMO.

Prohibition to fish on data buoys

15.-(1) A person, including the operator of any fishing vessel in the Exclusive Economic Zone, or Tanzanian fishing vessel in any area beyond national jurisdiction or that is within the

area of competence of a relevant RFMO, shall not deploy a data buoy unless the Director General has been notified of such deployment and provided with such information as may require.

(2) The operator of any fishing vessel in the Exclusive Economic Zone, or of any Tanzanian fishing vessel in any area beyond national jurisdiction or that is within the area of competence of a relevant RFMO shall not cause or allow fishing within one nautical mile of or interactions with a data buoy, which includes-

(a) encircling the buoy with fishing gear;

(b) tying up to or attaching the vessel, or any fishing gear, part or portion of the vessel, to a data buoy or its mooring; or

(c) cutting a data buoy anchor line.

(3) Notwithstanding subregulation (2), fishing vessels operating under scientific research programs notified to a relevant RFMO may operate within one nautical mile of a data buoy on the condition that they do not fish or interact with those data buoys.

(4) The operator of any fishing vessel in the Exclusive Economic Zone, or of any Tanzanian fishing vessel within the area of competence of a relevant RFMO, shall-

(a) not cause to be taken on board a data buoy while engaged in fishing in the area of competence of a relevant RFMO, unless specifically authorized or requested to do so by the Director General or the owner responsible for that buoy;

(b) keep watch for moored data buoys at sea and take all reasonable measures to avoid fishing gear entanglement or directly interacting in any way with such data buoys; and

(c) where the fishing vessel or gear becomes entangled with a data buoy, remove the entangled fishing gear without damage to the data buoy.

GN NO, 437 (Contd.)

Prohibition to use large-scale driftnets

16.-(1) The operator of a fishing vessel in the Exclusive Economic Zone, or of any Tanzanian fishing vessel in any area beyond national jurisdiction or that is within the area of competence of a relevant RFMO or otherwise beyond areas of national jurisdiction shall not use large-scale driftnets.

(2) An operator of a fishing vessel shall be presumed to have used large-scale driftnets if it is found operating in the Exclusive Economic Zone or in the area of competence of a relevant RFMO and the vessel is configured to use large-scale driftnets.

(3) For the purpose of this regulation "configured to use large-scale driftnets" means having on board assembled gear that collectively would allow the vessel to deploy and retrieve large-scale driftnets.

Prohibition to use aircraft

17.-An operator of a fishing vessel including support, supply and auxiliary vessels, in the Exclusive Economic Zone, or of any Tanzanian fishing vessel in any area beyond national jurisdiction or that is within the area of competence of a relevant RFMO, shall not use aircraft or unmanned aerial vehicles, as fishing aids, unless with authorization made under regulation 35(1)(c).

Surface or midwater trawl and other fishing methods

18.-(1) A person shall not, unless with the valid license issued under this regulation, undertake surface or midwater trawling fishing in the Exclusive Economic Zone.

(2) An applicant for a license to undertake fishing under subregulation (1), shall comply with the following requirements-

(a) be a Tanzanian national;

(b) where the applicant is a company, be registered under the company laws of the United Republic and the majority of shares owned by Tanzanian nationals;

(c) the fishing vessel is registered under the laws of the United Republic; and;

(d) the applicant lands all fish caught in the Exclusive Economic Zone at designated ports prior to exiting waters under the jurisdiction of the United Republic.

General punishment

19.-(1) Any operator who fails to comply with the

requirements under regulations 5, 6, 7, 8, 9, 10 or 11 commits an offence and upon conviction shall be liable to a fine not exceeding two hundred thousand USD.

(2) Any operator who fails to comply with the requirement under regulations 10, 12, 13, 14, 15, 16, 17 or 18, commits an offence and shall, upon conviction be liable to a fine not exceeding seven hundred and fifty thousand USD.

PART THREE
LICENSES, AUTHORIZATIONS AND PERMISSIONS

Licensing Officers

20-(1) There shall be a licensing officer appointed by Director General as provided under section 16(1)(n) of the Act.

(2) A licensing officer shall be a person with knowledge and at least three years' experience in fisheries or nautical sciences.

Duties of licensing officer

21.-(1) The licensing officer shall-

(a) keep and maintain records for applications received, vessels inspected and licenses, authorizations or other forms of permission issued, including details of each;

(b) process applications for consideration;

(c) maintain records of the issuance, denial, suspension and cancellation or revocation of licenses, authorizations or other forms of permission; and

(d) input information and data as may be necessary to the information system of the Authority.

(2) The licensing officer shall, when discharging his duties, be responsible to the Director General.

Fishing licenses

22.-(1) There shall be fishing licenses in the format as the Director General may determine.

(2) A fishing license shall be issued in respect of -

(a) foreign fishing vessel; or

(b) national fishing vessel.

Application for license, authorization or permission

23.-(1) An application for a license, authorization or permission shall, be accompanied with all information stated in the application form for license, authorization or permission as prescribed in Form 1 and 2 of the First Schedule to these

Regulations.

(2) The applicant for a license, authorization or permission shall be required to-

(a) pay application fees to be determined from time to time by the Director General;

(b) provide any other information as the Director General may require.

(3) The Director General shall, if satisfies that-

(a) the applicant has complied with the requirements, notify the applicant in writing to proceed with the licensing process; or

(b) the applicant has not complied with the requirement, refuse the application and notify the applicant stating reasons for such refusal.

Pre-licensing inspection requirements

24.-(1) The operator of a fishing vessel whose application has complied with the requirement for a license, authorization or permission shall avail the vessel intended to be used for fishing or related activities for pre-licesing inspection either at designated ports or any other port outside the United Republic.

(2) Where the applicant has nominated a port other than designated ports and approved by the Director General, he shall bear all costs for pre-licesing inspection of the vessel in the nominated port at a rates determined by the Director General from time to time.

(3) The licensing officer shall verify the pre-licensing inspection of a vessel in accordance with submitted information and standard prescribed under regulation 62.

Grant or refusal of licenses, authorizations or permissions

25.-(1) The Director General may, within seven days after pre-licensing inspection process has completed, grant or refuse to grant a fishing license, authorization or permission as the case may be.

(2) In granting or refusing licenses, authorizations or permissions, the Director General shall take into account the requirements provided under the Act and these Regulations.

(3) The Director General shall, if satisfies that-

(a) the intended fishing vessel has complied with pre-licensing inspection, grant the licenses, authorizations

or permissions; or

(b) the intended fishing vessel has not complied with pre-licensing inspection, refuse to grant the licenses, authorizations or permissions and notify the applicant in writing stating reasons for refusal.

(4) The license, authorization or permission shall be in the form as prescribed and issued by the Director General.

Grounds for refusal to grant licenses, authorizations or permissions

26. The Director General may refuse to grant a license, authorization or permission, where he determines that-

(a) the standards of pre-licensing inspection have not been met;

(b) the exploitation of the fisheries is unsustainable;

(c) the operator has been convicted of an offence involving dishonesty or fraud;

(d) the operator has been involved in an organized criminal group or transnational crime;

(e) the operator has committed an offence in the Exclusive Economic Zone, or the vessel has been used for such an offence and any consequent process has not been concluded;

(f) the operator is associated with a fishing vessel that is on a list of a relevant RFMO that designates fishing vessels that have engaged in illegal, unreported or unregulated fishing;

(g) the fishing vessel flies a flag that is considered to be a "flag of non-compliance" because of the failure of the flag State to exercise effective flag State responsibility based on criteria set out in FAO Guidelines for Flag State Performance;

(h) the fishing vessel is not fit for the purpose for which application has been made;

(i) port State measures have not been taken against the fishing vessel under an applicable conservation and management measure; or

(j) the applicant has not:

(i) complied with the terms of an existing or previous license or any other requirement under the Act and these Regulations; and

(ii) submitted to due process under these Regulations in respect of the non-compliance or satisfied any applicable determination.

(2) The Director General shall not grant a license or permission in relation to any foreign fishing vessel previously licensed for fishing or related activities by a foreign State if that vessel undermined the effectiveness of applicable ICMMs and the foreign State suspended or cancelled the previous license.

(3) The restriction under subregulation (2) shall not apply if-

(a) the ownership of the vessel has changed since the vessel undermined the effectiveness of applicable ICMMs; or

(b) the new owner has provided evidence to the Director General that, in his opinion, demonstrates that the previous owner has no further legal, beneficial or financial interest in the vessel.

(4) The Director General shall, in writing, notify the applicant the refusal to grant a license, authorization or permission and the reasons for such refusal.

Fees or charges

27.-(1) The license, authorization or permission granted under these Regulations shall be subject to payment of a fee or charge at such amount based on the fishing method, size of vessel and duration as prescribed in the Second Schedule of these Regulations.

(2) Notwithstanding subregulation (1), a special purpose license shall be issued upon payment of a fee as prescribed in the Second Schedule of these Regulations.

(3) Nothing in these Regulations shall impede the Director General from the issuance of a special purpose license issued in terms of regulation 32(2)(e)

(4) The license, authorization or permission granted under these Regulations shall be subject to payment of-

(a) application fee;

(b) license, authorization or permit fee;

(c) fishing related activities administrative fee; and

(d) any other fees or charges as may be prescribed by

the Director General after consultation with the Executive Committee.

Terms and conditions of license, authorization or permission

28.-(1) The operator of a fishing vessel holding a license, authorization or permission issued under these Regulations shall ensure that the original license, authorization or permission or a certified scanned electronic version or certified copy of it is on board the fishing vessel in the wheelhouse at all times during the period of validity and the master shall, upon request, produce it to a fishery inspector or other person authorized under these Regulations.

(2) The operator of a fishing vessel holding a license, authorization or permission issued under these Regulations shall-

(a) ensure that the fishing vessel is marked with such identification marks as may be required, including a local identification number in relation to fishing or related activities in the Exclusive Economic Zone, in accordance with requirements prescribed under guideline for description for fishing vessel marking prior to license issuance and at all times during the period of validity of the license, authorization or permission;

(b) ensure that fishing gear, including any Fish Aggregating Devices, are marked during the period of validity of the license, authorization or permission in accordance with regulation 12 and as prescribed under the guideline for Fish Aggregating Devices marking requirement;

(c) not engage in fishing in the territorial sea of the United Republic;

(d) fly the flag of the State in which the vessel is registered;

(e) comply with all applicable ICMMs in areas including the area of competence of the relevant RFMO;

(f) comply with such requirements for keeping and maintaining a logbook as prescribed or required by the Director General or an applicable ICMMs;

(g) comply with the requirements for the Mobile Transceiver Unit as provided under regulation 66 and

67, including ensuring fully functioning linkages between the fishing vessel and the Authority at all times during the period of validity;

(h) comply with the requirements of authorized officer, fishery inspector, observer and licensing officer;

(i) not discard any bycatch at sea;

(j) not catch any protected, threatened or endangered species of fish, marine turtle, or seabird as stated in these Regulations and international agreement to which the United Republic is party, and which the Director General has identified by notice, and in case of incidental catch shall be recorded in the logbook and release such species to the sea as soon as possible;

(k) at any time that the fishing vessel is in the Exclusive Economic Zone, allow to board and remain on board an officer of the Authority who shall oversee compliance with national and international laws and applicable ICMMs and standards adopted and implemented by relevant RFMO, and assist such officers in their duties; and

(l) at any time that the fishing vessel is in the Exclusive Economic Zone, ensure that there is a chart on board of the Exclusive Economic Zone.

(3) The operator of a foreign fishing vessel shall, before applying for license or permission, have an agent who is accredited by the Authority under regulation 45.

(4) The operator of a Tanzanian fishing vessel shall at all times keep a national fishing logbook or electronic logbook to record information and data as prescribed by the Director General or other information applicable ICMMs as may require.

(5) All licenses, authorizations and permissions granted under these Regulations are not transferable.

(6) The Director General may attach to any license, permission or authorization issued under these Regulations conditions which are necessary or expedient the carrying into effect the objectives and purposes of these Regulations.

(7) An operator who contravenes the provisions of this regulation commits an offence and upon conviction shall be liable

to a fine provided under section 36(2) of the Act.

Loss, damage or alter of license, authorization or permission

29.-(1) Where the operator satisfies the Director General that the license, authorization or permission has been lost, destroyed or defaced, the Director General may, on payment of a fee of thirty percent of the value of the license, authorization or permission, issue a duplicate license, authorization or permission.

(2) A person shall not be allowed to alter a license, authorization or permission in any circumstances.

(3) A person who contravenes the provisions of sub regulation (2) commits an offence and upon conviction shall be liable to a fine not exceeding Five Hundred Thousands USD.

Duration of licenses, authorizations and permissions

30.-(1) A license under these Regulations shall, upon application, be issued for period of three months, six months or one year.

(2) An authorization or permission under these Regulations shall, upon application, be issued for a period for which the authorization or permission is sought, but shall not exceed one year.

Suspension and cancellation of a license, authorization or permission

31.-(1) The Director General may suspend or cancel a license, authorization or permission, in accordance with such procedures as may be prescribed, for any of the following reasons-

(a) the holder has contravened-
  (i) the terms and conditions specified in the license, authorization or permission;
  (ii) any applicable Access Agreement; or
  (iii) any applicable ICMMs;
(b) the holder had provided false, misleading or incomplete information in the application;
(c) the holder has not submitted to the required legal or administrative process, discharged an applicable fine or penalty or complied with the requirements of an applicable determination;
(d) another State suspends or cancels the license or permission of a Tanzanian fishing vessel that has been issued an authorization to fish in that State's

waters;

(e) there has been a change in material or circumstances affecting the eligibility criteria required for the license, authorization or permission;

(f) it is necessary to do so to ensure the sustainable use of the fisheries resource or to implement any ICMMs;

(g) such seaworthiness and safety standards as may be required are not met at all times; and

(h) for such other reasons as may be prescribed by the Director General subject to the law.

(2) The Director General shall, where the operator contravenes any provision of subregulation (1), in writing require the operator within seven days to show cause why the license, authorization or permission should not be suspended or cancelled.

(3) The Director General shall, after the expiry of the period referred to in subregulation (2) suspend, cancel or allow the operator to proceed under the terms and conditions of the license, authorization or permission as the case may be.

(4) Where the Director General decides to cancel the license, authorization or permission, shall immediately notify the operator in writing.

Special purpose license

32.-(1) There shall be special purpose license in the format as the Director General may from time to time determine.

(2) The special purpose license may be issued for:

(a) marine scientific research;

(b) exploratory fishing

(c) collection of fish specimens for museum;

(d) educational purposes;

(e) the supply of food in case of an emergency where no other adequate food supply is available;

(f) sports fishing; or

(g) any other purpose as may be determined by the Director General.

Requirements for special

33. An application for special purpose license in the Exclusive Economic Zone shall be made to the Director General

purpose license

and be accompanied with the following-

(a) name, tonnage, type and class of vessels and a description of equipment;

(b) project plan including nature and objectives of the project;

(c) the method and means to be used;

(d) the precise geographical areas in which the project is to be conducted;

(e) the expected date of first appearance and final departure of the vessels, or deployment of the equipment and its removal, as appropriate;

(f) the name of the sponsoring institution and the person in charge of the project; and

(g) the extent to which it is considered that the Authority will be able to participate or to be represented in the project.

Conditions for special purpose license for marine scientific research

34.-(1) A holder of special purpose license for marine scientific research shall ensure that:

(a) the Authority participates or is represented in the marine project and has full access to all data and samples derived from the project;

(b) he provides the Authority with preliminary reports as soon as practicable and with the final results and conclusions after the completion of the research;

(c) he provides the Authority with an assessment of such data, samples and research results or provide assistance in their assessment or interpretation;

(d) the research results are made internationally available through appropriate national or international channels, as soon as practicable;

(e) he informs the Authority immediately of any change in the programme;

(f) unless otherwise agreed, the researcher removes the installations or equipment once the project is completed; and

(g) he complies with any other condition as the

Director General may determine.

Permissio n

35.-(1) The operator of a fishing vessel in the Exclusive Economic Zone or, being a Tanzanian fishing vessel, in areas beyond national jurisdiction or in the area of competence of a relevant RFMO shall not engage in any of the following activities without permission to be issued by the Authority, in the form and manner to be determined by the Director General.

(a) use a fishing vessel for fishing or related activities including:

(i) landing or transshipment;

(ii) bunkering at sea; and

(iii) supply of spare parts to fishing vessels;

(b) have on board, deploy, maintain or retrieve any fish aggregating device; or

(c) use aircraft for the purpose of fishing.

(2) Without prejudice to subregulation (1), the operator of a fishing vessel shall not be given a permission to engage in fishing or related activities, unless a mobile transceiver unit is installed and maintained on the fishing vessel.

(3) An operator who fails to comply with any requirement of subregulation (1) or (2) commits an offence and upon conviction shall be liable to a fine provided under section 36 (2) of the Act.

Logbooks and reporting

36.-(1) The operator of a fishing vessel in the Exclusive Economic Zone, or of any Tanzanian fishing vessel in any area beyond national jurisdiction or that is within the area of competence of a relevant RFMO shall as a condition of license or authorization maintain a bounded log books on board and make such reports relating to fishing or related activities at such times, containing such information and in such format as prescribed by the Director General.

(2) The operator of a fishing vessel shall provide the following reports to the Director General:

(a) prior to entering the Exclusive Economic Zone, the last port of call and fishing area;

(b) upon the vessel's entry into or departure from the Exclusive Economic Zone, information specifying:

(i) position of the vessel by latitudes and longitudes;

(ii) date and time;

(iii) quantity and species of fish on board; and

(iv) weight by species of fish caught;

(3) The information referred under sub regulation (2), shall be made daily by facsimile, Mobile Transceiver Unit or electronic mail in English language.

(4) The operator of a licensed or an authorized fishing vessel shall, while the vessel is in the Exclusive Economic Zone or in areas beyond national jurisdiction or within the area of competence of a relevant RFMO, provide such information relating to fishing or related activities in such form that the Director General may require to give effect to any applicable ICMMs.

(5) An operator who contravenes any of the provisions of this regulation commits an offence and upon conviction shall be liable to a fine provided under section 36(2) of the Act.

Permission for fish aggregating device

37.-(1) The operator of a fishing vessel:

(a) shall not have on board, deploy or maintain any Fish Aggregating Device in the Exclusive Economic Zone;

(b) shall not deploy any drifting Fish Aggregating Device equipped with an instrumented buoy in areas beyond national jurisdiction that drifts into the Exclusive Economic Zone; or

(c) being a Tanzanian fishing vessel, shall not deploy any drifting Fish Aggregating Device equipped with an instrumented buoy in the area of competence of a relevant RFMO,

except under permission issued by the Director General and in accordance with such conditions as may be specified subject to relevant RFMO and ICMMs.

(2) In granting permission under subregulation (l), the Director General may require other conditions relating to any Fish Aggregating Device.

(3) The operator of each fishing vessel in the Exclusive Economic Zone shall ensure that each Fish Aggregating Device:

(a) is clearly marked with the name of the owner and of the vessel from which such a device was placed;

(b) is equipped with a radar reflector and such lights as shall be clearly visible at night from a distance of one nautical mile; and

(c) has such other equipment or markings as may be prescribed by the Director General or an applicable RFMO and ICMMs as may from time to time requires.

(4) The operator of a fishing vessel that carries Fish Aggregating Device shall make such reports as may be required by the Director General under these Regulations or any applicable RFMO and ICMMs.

(5) A Fish Aggregating Device shall not be placed in such a way as to hinder or block marine traffic or be hazardous to navigation at sea.

(6) The permission under this regulation shall be in writing or in electronic form whether as a condition of a license or otherwise.

(7) The permission to place a Fish Aggregating Device shall not confer any exclusive right to fish in the vicinity of the device.

(8) The operator of a vessel placing a Fish Aggregating Device shall notify the Director General within twenty-four hours of such placement and of the nature and location of the device.

(9) An operator who contravenes any of the provisions of this regulation commits an offence and upon conviction shall be liable to the fine provided under section 36(2) of the Act and each Fish Aggregating Device that is used or found in the Exclusive Economic Zone in contravention of this regulation shall be confiscated and any permission to deploy Fish Aggregating Devices may be revoked.

Conditions for landing and transshipment

38.-(1) In addition to any requirements under these Regulations, and unless otherwise provided as a condition of the authorization for transshipment required under the Act, the operator of any foreign or Tanzanian fishing vessel wishing to land or transship part or all of the fish or fish products on board, shall submit a written request to the Director General not less than forty-eight hours.

(2) Subject to subregulation (1), contents of the request of landing or transshipment shall include the following information-

(a) manifest of fish on board;

(b) place and position of landing or transshipment;

(c) date and time of landing or transshipment;

(d) duration of landing or transshipment;

(e) points of export; and

(f) any other information that may be required by the Director General or an applicable RFMO and ICMMs.

(3) In requesting permission to transship at sea, the operator of carrier vessel shall submit the following information to the Director General-

(a) the flag of the vessel;
(b) name of vessel and register number;
(c) IMO number;
(d) previous name, if any;
(e) previous flag, if any;
(f) previous details of deletion from other registries, if any;
(g) international radio call sign;
(h) type of vessel, length, Gross Tonnage (GT) and carrying capacity;
(i) name and address of owner and operator;
(j) duration requested for transshipping;
(k) identification of vessel monitoring system; and
(l) any other information as may be required by the Director General.

(4) The carrier vessel shall not be permitted for transshipment unless a Mobile Transceiver Unit has been installed and is maintained and continuously in working order.

(5) The operator of each fishing vessel shall carry out landing and transshipment at any designated port, and shall comply with such procedures of applicable regional or international conservation and management measures including placement of any fishery inspector or observer on board prior to and during landing or transshipment.

(6) The costs of transport, accommodation and subsistence for fishery inspector or observer to conduct supervision of a transshipment of fishery resources outside a port in the United Republic shall be borne by the operator of the fishing vessel.

(7) The shark fins shall not be transshipped without the carcass and vice versa.

(8) The operator of a fishing vessel-

(a) shall not transship at sea in the Exclusive Economic Zone, except where the Director General declares exceptional circumstances, and the transshipment operations shall be monitored by fishery inspector or observer;
(b) being a Tanzanian large scale tuna fishing vessel in areas beyond the Exclusive Economic Zone but

within the area of competence of a relevant RFMO or other areas shall not transship at sea except in accordance with a programme for transshipment at sea provided under an applicable RFMO and ICMMs; and

(c) shall submit a report on landing in a manner as may be prescribed by Director General, and in cases of transshipment shall submit a completed Transshipment Declaration Form as prescribed by the Director General.

(9) The operator of a Tanzanian large scale tuna fishing vessel shall be required to provide to the Director General at least twenty-four hours in advance of an intended transshipment the following information-

(a) the name of the fishing vessel, its number on a record of vessels maintained by a relevant RFMO and its IMO number;

(b) the name of the carrier vessel, its number on a record of carrier vessels maintained by a relevant RFMO; and its IMO number, and the product to be transshipped;

(c) the tonnage by product to be transshipped;

(d) the date and location of transshipment; and

(e) the geographic location of the catches.

(10) During transshipment, the operator of a Tanzanian fishing vessel shall comply with the requirement concerning in-port transshipment and observer programme by a relevant RFMO and applicable laws relating to protection of the marine environment.

(11) The landing and transshipment shall be subject to such further conditions as may be determined by Director General and shall be incompliance with any applicable regional or international conservation management measures.

(12) An operator who contravenes any of the provisions of this regulation commits an offence and upon conviction shall be liable for the fine provided under section 39(2) of the Act.

Mobile Transceiver Unit registration.

39.-(1) The operator of a fishing vessel licensed to carry out fishing or related activities in the Exclusive Economic Zone or of any Tanzanian fishing vessel authorized to carry out fishing or related activities in any area beyond national jurisdiction or area of competence of a relevant RFMO shall register with the Authority the Mobile Transceiver Unit required to be carried on

board.

(2) The operator of each fishing vessel shall be required to register the Mobile Transceiver Unit, through Form 1 or 2 as prescribed in the First Schedule to these Regulations.

(3) Where the Director General is satisfied that the conditions required under regulations 66 and 67 are met, he shall issue a registration in such form as may be prescribed.

Clearance for registration of fishing vessels in the United Republic

40.-(1) An operator who intends to register a fishing vessel in the United Republic shall be required to submit application for clearance to the Director General pursuant to section 40 of the Act, accompanied with the documents showing-

(a) name of vessel and previous register number;

(b) previous name and flag, if any;

(c) previous details of deletion from other registries, if any;

(d) international radio call sign;

(e) IMO number;

(f) type of vessel, length, gross tonnage and carrying capacity;

(g) name and address of owner and operator;

(h) type of gear used, if any;

(i) photography of the vessel showing astern, top and inside of the vessel;

(j) identification of vessel monitoring system; and

(k) any other information as may be required by the Director General.

(2) The Director General shall, within seven days from the date of receiving application for clearance letter, issue or refuse he to issue clearance and if refused shall give notice to the

applicant in writing stating reason for such refusal.

(3) The clearance letter applied for, shall be issued upon payment of fees as provided in the Second Schedule to these Regulations.

PART FOUR
REQUIREMENTS FOR FISHING VESSELS AND FISHERIES ACCESS

Fisheries access agreement terms and conditions

41. The terms or conditions for fisheries access agreement entered into by the Director General shall require that-

(a) the other party to the agreement and the operator of any vessels subject to the agreement shall comply with these Regulations and all other legislation of the United Republic;

(b) the operator of any vessel subject to the agreement shall hold authorization from the State in which the vessel is registered to carry out fishing or related activities in the Exclusive Economic Zone;

(c) all vessels subject to the agreement must have good standing on an authorized vessel list of an applicable RFMO, and the agreement will automatically terminate if the vessel's good standing on any such register be withdrawn;

(d) no vessel subject to the agreement is on a list of illegal, unreported or unregulated fishing vessels maintained by applicable RFMO, and the agreement and license issued thereunder will automatically terminate if a vessel be included on any such list;

(e) in the case of an agreement entered into with a corporation, association or other body acting on behalf of its members or other persons, that the corporation, association or other body is liable for un-discharged liabilities of its members or other persons arising out of any operations under the agreement and the agreement itself, including fees;

(f) fees and other charges be fully paid at the

required time, and the agreement will automatically terminate on non-payment or late payment;

(g) the other party to the agreement shall ensure minimum specified benefits to nationals of the United Republic in terms of training and employing such level of qualified nationals as crew members as may be specified by the Director General; and

(h) in the case of an agreement with a term of more than one year, the agreement is subject to an annual review and termination or suspension, in accordance with these Regulations.

Review of fisheries access agreement

42.-(1) Where the term of an agreement is more than one year, the Executive Committee shall review the agreement annually to assess compliance with the terms and conditions of the agreement, including-

(a) the compliance by the other party with the laws of the United Republic and the terms of the agreement;

(b) the realized benefits to the United Republic under the agreement for the preceding year;

(c) the estimated value of the continuing fisheries access provided under the agreement; and

(d) such other matters as may be prescribed by the Executive Committee in accordance with these Regulations.

(2) The Director General shall, on the directives of the Executive Committee, terminate or suspend an agreement at any time according to its terms or upon material non-compliance by the other party with these Regulations or any other condition of the agreement.

(3) The Director General shall upon directives of the Executive Committee suspend or otherwise limit an agreement-

(a) that continued fishing at current levels would pose a risk to any fish stocks based on a precautionary approach; or

(b) on such other ground as may be specified in these

Regulations.

(4) Suspension of an agreement under subregulation (2) or (3) may be for such period or until such conditions are met, as the Director General may require and based on the recommendation of the Executive Committee.

(5) Where an agreement is suspended or limited under subregulation (3)(a), such portion of the access fees as may be determined by the Executive Committee, on a proportional basis for suspended fishing opportunities, may be refunded.

Reporting of fishing vessel operation upon entry and exit

43.-(1) The operator of a fishing vessel shall, upon entry into and exit from the Exclusive Economic Zone, transmit prescribed information referred under regulation 36 to the Director General at least within twenty-four hours.

(2) Data from the Mobile Transceiver Unit and Automatic Identification System shall always be operational and transmitted to the Authority when operating within Exclusive Economic Zone.

(3) Without prejudice the requirements of subregulations (1) and (2), in the event that either system is not operational, the operator shall report to the Authority using other means of communication as may be required by the Director General.

(4) The operator of every foreign fishing vessel shall ensure that the vessel does not engage in fishing in the Territorial Sea of the United Republic, except with applicable license or permission issued by competent authority in the United Republic.

(5) The operator of any vessel fails to comply with sub regulation (1) or (2) commits an offence and upon conviction shall be liable to the fine provided for under section 36(2) of the Act.

Condition of Foreign fishing to have Agent

44.-(1) A person shall not have legal authority as an agent to represent any foreign fishing vessel unless he was been granted accreditation by the Authority.

(2) A license or permission shall not be issued to operator of foreign fishing vessel unless the operator has a designated agent accredited in accordance with these Regulations.

Accreditation of an Agent

45.-(1) A person shall not operate as an agent of operator unless such person is accredited by the Authority upon application

in the form and manner prescribed in Form 3 of the First Schedule to these Regulations.

(2) A person shall be eligible for accreditation as an agent if-

(a) it is a company registered by the laws of the United Republic of Tanzania and majority of shares owned by Tanzanian;

(b) shareholders of the Company have no previous records of conviction relating to fishing activities under the Act or these Regulations;

(c) has no record of association with illegal, unreported or unregulated fishing activities that take place within or beyond areas under the national jurisdiction of the United Republic; and

(d) carries out duties as required pursuant to the relevant laws in the United Republic.

(3) An accredited agent shall comply with the terms and conditions of an accredited agent as may be determined by the Director General.

(4) A person who contravenes any requirement prescribed under sub regulation (1) or (2) commits an offence and upon conviction shall be liable to a fine not exceeding Two Hundred Thousands USD and the accreditation may be cancelled.

Proof of engagement of accredited agent

46. An operator of foreign fishing vessel shall be required to provide to the Director General document showing proof of engagement of an accredited agent.

Application for incentives

47.-(1) A company in which all shareholders are Tanzanian or more than fifty percent of shares owned by Tanzanians intends to invest in the Exclusive Economic Zone fishery industry may apply to the Director General for incentive.

(2) The application made under subregulation (1) shall be accompanied with the followings-

(a) three years' feasibility study of the investment;

(b) business expectance or existence annual income;

(c) the prove of the existence of business; and

(d) any other information as may be required by Director General.

(3) The Director General shall, upon receipt the application under sub regulation (1), if satisfied with the application, write to the relevant authority requesting the incentives made by the applicant.

(4) The Director General shall, if satisfies that the granted incentives sought was used contrary to the intended purpose, inform the relevant authority on the contrary usage of such incentives.

PART FIVE
MONITORING CONTROL AND SURVEILLANCE

Identification of fishery inspectors, authorized officers, licensing officers or observers

48. A fishery inspector, authorized officer, licensing officer or observer shall, when exercising the powers and performing the functions under the Act and these Regulations, have an identity card issued by the Authority and, upon request, produce the identity card.

Mechanism for coordination and corporation

49. The Authority shall, in consultation with other agencies or ministries in Mainland Tanzania and Tanzania Zanzibar as appropriate, establish a mechanism for coordination and cooperation on operations and procedures in matters within the scope of these Regulations in relation to authorized officers who are designated and empowered by such other Government agencies or ministries.

Powers of authorized officers

50.-(1) An authorized officer may do such acts and things and give such directives as are reasonably necessary for the purposes of performing or exercising his functions, powers and duties under these Regulations.

(2) An authorized officer may use such force as is reasonably necessary to exercise powers and duties under these Regulations.

(3) An authorized officer may, except for the power of arrest, require any person to assist to bring a vessel to a place in the

United Republic in accordance with the Act and these Regulations.

(4) Where an authorized officer is required to undertake duties in areas beyond the Exclusive Economic Zone, except in the territorial waters of another State or as provided otherwise in an international agreement, the provisions of this regulation shall applicable as if the duties were performed within areas under national jurisdiction of the United Republic.

(5) An authorized officer, while discharging his duties and responsibilities under these Regulations, shall report to, and be subject to the overall direction of the Director General.

Power of entry and search

51.-(1) An authorized officer may, for purposes and activities falling within the scope of the Act and these Regulations, without a warrant-

(a) stop, board, stay on board, enter and search any vessel, vehicle or aircraft, including-

(i) any vessel which the authorized officer has reason to believe has been used, is being used or is intended to be used for fishing or a related activity;

(ii) any Tanzanian fishing vessel beyond the Exclusive Economic Zone; and

(iii) any other vessel to which these Regulations and any international law, international agreement or applicable regional or international conservation management measures, and such search may include the breaking open of any hold or compartment, container or other receptacle upon a boarded vessel that the authorized officer has reasonable grounds to believe may contain evidence of an offence under these Regulations;

(b) enter, examine and search any premises or place, other than premises used exclusively as a dwelling house, including premises that are part of or attached to a dwelling house which the authorized officer reasonably suspects that evidence of an offence under the Act aor these Regulations may be found;

(c) stop any person and examine any record, article, container, gear, apparatus, device or fish in the possession of that person;

(d) monitor landing and transshipment operations and take samples, photographs and relevant documentation;

(e) require a person engaged or apparently engaged in any activity for which a license, authorization or permission is required under these Regulations or an applicable international agreement or ICMMs to-

(i) give information about the relevant activity;

(ii) state whether that person holds a license, endorsement or other authorization under these Regulations and, if so, to produce the license, authorization or permission;

(iii) state that person's name, date of birth and place of abode;

(f) make an entry dated and signed by the authorized officer in a vessel's log, and require the master to sign the entry, or to indicate on a chart or other document the position of the vessel at that time and initial such chart or other document accordingly;

(g) require any person associated or apparently associated with a vessel, vehicle, aircraft, premises, facility, or other place or activity falling within the scope of the Act, to provide such information as may be reasonably required for the enforcement of these Regulations;

(h) examine any gear, equipment, record or other document that is found in or on any vessel, vehicle, aircraft, premises, facility or place, that he has reason to believe has been used, is being used or is intended to be used for or in relation to any activity requiring a license, authorization or permission under these Regulations;

(i) examine or test or cause to be examined or tested any electronic equipment required to be on board or used for any purpose that falls within the scope of the Act; and

(j) examine and search any document, record, article, gear, equipment, apparatus, device, container, fish and contents of any kind found therein or thereon.

(2) An authorized officer may, with warrant of search in respect of premises used exclusively as a dwelling house, conduct searches and seizures in accordance with these Regulations and the provisions of this regulation shall apply mutatis mutandis.

Power to take, detain, remove and secure information and evidence

52.-(1) An authorized officer may, for purposes and activities falling within the scope of the Act-

(a) inspect, take, retrieve, detain and secure samples, documents, logbooks, electronic information or other information, or copies thereof, from any vessel, premises, facilities or other place, other than premises used exclusively as a dwelling house, but including premises that are part of or attached to a dwelling house used for activities falling within the scope of the Act;

(b) make or take copies of any record, and for this purpose may take possession of and remove any records from the place where they are kept, for such period of time as reasonable in the circumstances;

(c) where necessary, require a person to reproduce, or assist the authorized officer to produce in a useable form, information recorded or stored in a document; and

(d) require any person associated or apparently associated with a vessel, premises, facilities or other place or activity falling within the scope of the Act to provide such information as may be reasonably required for the monitoring or enforcement of these Regulations.

(2) Where a person is questioned for the purposes of subregulation (1)(d), the authorized officer may:

(a) require the person being questioned to provide answers including any explanation or information concerning any vessel or any place or thing or fishing method, gear, apparatus, record, document, article, device, or thing relating to the taking, sale, purchase,

or possession of any fish; or

(b) require that person or any other person to produce any permit, authority, approval, permission, license, certificate or other document issued in respect of any vessel or person.

Power to detain persons, or seizure vessels or gear

53.-(1) An authorized officer may detain any person, or seizure vessel, vehicle, parcel, package, record, document, article, gear, equipment, apparatus, device, container, fish or thing for such period as is reasonably necessary to enable an examination or search under these Regulations.

(2) Where a vessel or vehicle is seized, including any of its gear and equipment, a Notice of Seizure as prescribed in the form 4 of the First Schedule to these Regulation shall be provided to the operator and a copy of such notice shall be promptly transmitted to any relevant government Authorities of Mainland Tanzania and Tanzania Zanzibar.

(3) Where a vessel or vehicle is detained, including any of its gear and equipment, the Director General shall ensure the detained object is secured adequately and provided with a security guard until the responsibility for the detained object is handed over to another relevant organisation.

(4) Where a foreign fishing vessel is detained, the Director General shall notify or arrange to notify the flag State.

Power to arrest

54. An authorized officer may, if he believes on reasonable grounds that a person is committing or has committed an offence under the Act or these Regulations-

(a) order that person to immediately cease and desist;

(b) request that person to supply to the authorized officer his name, date of birth, residential address and occupation and request such verification of those details as it is reasonable in the circumstances; and

(c) arrest that person without warrant.

Removal of parts from seized vessels

55.-(1) An authorized officer may remove any part from the vessel seized pursuant to the provisions of the Act or these Regulations for the purpose of immobilising that vessel.

(2) Any part removed under subregulation (1) shall be kept safely and returned to the vessel upon its release.

(3) A person shall not, otherwise than acting in

accordance with a written directive from the Director General-

(a) possess or arrange to obtain any part removed under subregulation (1);

(b) possess or arrange to obtain or make any replacement or substitute part for those removed under subregulation (1); or

(c) fit or attempt to fit any part or any replacement or substitute part to a vessel immobilised pursuant to the provisions of the Act or these Regulations.

(4) A person who contravenes subregulation (3) commits an offence and upon conviction shall be liable to a fine not exceeding one million USD and to any other penalty provided under the Act.

Fishery observer

56.-(1) The fishery observer appointed under section 16(1)(n) of the Act, shall:

(a) collect, record and report reliable and accurate information for scientific, conservation, management and compliance purposes including-

(i) observe and record the harvesting, handling and processing of fish and fish products and related operations;

(ii) collect and record scientific, fisheries, biological and other information related to activities within the scope of the Act;

(iii) the species, quantity, size, age and condition of fish taken;

(iv) the methods, areas and the depths at which fish are taken;

(v) the effects of fishing methods on fish and the environment;

(vi) all aspects of the operation of any vessel;

(vii) transportation, transshipment, storage or disposal of any fish or fish products; and

(viii) take samples or photographs of fish harvested or anything on board of a

fishing vessel;

(b) monitor the implementation of conservation and management measures taken pursuant to the Act, applicable international conservation and management measures and international agreements; and

(c) discharge such other duties as may be assigned by the Director General.

(2) The fishery observers may be deployed, as may be directed by the Director General in accordance with the provisions of these Regulations, any international agreement or applicable regional or international conservation and management measure, on any fishing vessel used for fishing, transshipment, transportation or landing of fish within and beyond the Exclusive Economic Zone or any other activity as may fall within the scope of the Act.

(3) Where fishery observers exercise functions beyond areas of national jurisdiction pursuant to sub regulation (2), the requirements of these Regulations are applicable as if the duties were performed in areas under national jurisdiction and all responsibilities and duties under the provisions of the Act and these Regulations, of operators, crew members or other relevant persons to such observer shall be fully applicable.

Costs for Observer

57. The costs for fishery observers discharging duties pursuant to the provisions of the Act or these Regulations shall be charged as a separate "observers fee" in addition to the fee for all license, authorizations or permission issued to fishing vessels, in such amount and manner as prescribed in the Second Schedule to these Regulations.

Duty of operator to assist fishery observers

58.-(1) The operator and crew of a fishing vessel shall be responsible for the placed fishery observer's safety allow and assist the fishery observer in discharging his duties, to-

(a) board such fishing vessel at the designated port or any other port outside the United Republic approved by the Director General;

(b) provide the fishery observer with appropriate working space, access to all spaces and communication equipment;

(c) receive and transmit messages and communicate

with the shore and other vessels by means of the vessel's communications equipment;

(d) ensure that accommodation, meals and treatment of the fishery observer is at the same standard as officers on board the vessel;

(e) take photographs of the fishing operations, including fish, gear, equipment, documents, GPS plotter, charts and records, and remove from the vessel such photographs or film as the fishery observer may have taken or used on board the vessel;

(f) gather such other information relating to fisheries as may be required for purposes of carrying out the objectives of the Act, these Regulations and any applicable conservation and management measure; and

(g) disembark at such time and place as the Director General may require, provided that such disembarkation is in accordance with the safe operation of the vessel.

(2) The requirements of subregulation (1)-

(a) shall be when the fishing vessel is in the Exclusive Economic Zone or at any place where fish taken from the Exclusive Economic Zone is:

(i) offloaded; or

(ii) transshipped as required by or authorized under the applicable license, authorization, permission or any applicable regional or international conservation and management measures; and

(b) in the case of a Tanzanian fishing vessel operating on the high seas under an authorization to fish in the high seas in any area subject to applicable regional or international conservation and management measures shall apply ;

(i) in any area subject to such measures; or

(ii) otherwise in accordance with such measures or the applicable license.

(3) An operator of any vessel on which a fishery observer

is placed in accordance with this regulation, commits an offence if such operator contravenes any part of subregulation (1), and each part shall be considered as a separate offence, and upon conviction shall be liable to a fine not exceeding one million. USD.

Notice of intention to place fishery observer

59.-(1) Before placing any fishery observer on a vessel, the Director General shall give the operator a notice of the intention to place a fishery observer on the vessel and shall agree with the operator the point and time of deploy the fishery observers.

(2) Any operator who fails to act on Director General notification required under subregulation (1) commits an offence and upon conviction shall be liable to a fine not exceeding two hundred thousands USD.

Obstruction of failure to comply with authorized persons

60. An operator or other person who obstructs or hinders fishery inspectors, authorized officers, licensing officers or observers to perform functions or exercise powers under the provisions of the Act or these Regulations or subject to international conservation and management measures, commits an offence and upon conviction shall be liable to a fine not exceeding Seven Hundred Thousands and Fifty USD.

Duties of fishery inspector

61.-(1) The fishery inspector shall have such authorities and duties as provided in regulations 62, 63 and 64.

(2) The fishery inspector in performing his function or exercising powers under these Regulations, shall carry out such procedures and apply such standards that may be prescribed or required by applicable RFMO and ICMMs, or international agreement.

Procedures for pre-licensing inspection.

62.-(1) The fishery inspector shall be required, for the purpose of pre-licensing inspection do the following-

(a) verify a vessel identification documentation onboard and information relating to ownership;

(b) verify the vessel's flag and markings such as name, external registration number, International Maritime Organization ship identification number, international radio call sign and other markings;

(c) inspect all gear onboard, including any gear stowed out of sight and to the extent possible verify that it is in conformity with the conditions of the license;

(d) evaluate whether there is reasonable evidence for believing that a vessel has engaged in, or supported illegal, unreported and unregulated fishing;

(e) provide the report containing the result of the inspection to the captain of the vessel, to be signed by the inspector and the captain;

(f) provide an opportunity to the captain to add any document to the report;

(g) where necessary, arrange for an official translation of relevant documentation; and

(h) do any other act as may be assigned by the Director General subject to the provisions of the Act, these Regulations or international conservation and management measures.

(2) In the course of implementing subregulation (1), fishery inspector shall carry out such inspections and implement applicable standards adopted by United Republic, under international agreements and fisheries instruments, RFMO and submit a report to the Director General in the form prescribed.

Landing or off-loading inspection procedures

63. The fishery inspector shall be required, for the purpose of landing or off-loading inspection do the following-

(a) verify the license, authorizations or permissions for fishing and related activities;

(b) review and verify all relevant documentation and records, including documents in electronic format and vessel monitoring system data;

(c) examine whether the fish on board was harvested in accordance with the applicable license, authorizations or permissions;

(d) examine the catch in the hold during or after the landing to determine the quantity and composition of all onboard, including by sampling;

(e) evaluate whether there is reasonable evidence for

believing that a vessel has engaged in, or supported illegal, unreported and unregulated fishing;

(f) provide the report containing the result of the inspection to the master of the vessel, to be signed by the inspector and the captain;

(g) where necessary, arrange for an official translation of relevant documentation; and

(h) perform any other act as may be assigned by the Director General subject to the provisions of the Act, these Regulations or applicable regional or international conservation and management measures.

Sea inspection procedures

64.-(1) The fishery inspector shall, for the purpose of at-sea inspection-

(a) board the fishing vessel after prior notification by radio or appropriate signal using the International Code of Signals sent to the vessel;

(b) not require a fishing vessel to stop or maneuver while fishing, shooting or hauling;

(c) notwithstanding paragraph (b), order the interruption or delay in the hauling of the fishing gear if he has boarded the fishing vessel and that process cannot take more than thirty minutes after receiving the signal.

(2) In the course of implementing subregulation (1), fishery inspector shall carry out such inspections and implement applicable standards adopted by United Republic, under international agreements and fisheries instruments, RFMO, and submit a report the Director General in the form prescribed.

Vessel Monitoring Operation Center.

65. The Director General shall establish a Vessel Monitoring Operation Center for the purposes of monitoring the activities of fishing vessels by receiving and recording information through Mobile Transceiver Units and Automatic Identification System.

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Technical requirements for Mobile Transceiver Units

66.-(1) In determining the technical requirements for Mobile Transceiver Units, the Director General shall implement requirements in applicable ICMMs, including requirements which relates to-

(a) the frequency at which mobile transceiver unit shall transmit;

(b) the manner in which the data shall be modulated on the frequency concerned;

(c) the duty to transmit the data through a specified third party, which may use any system and further relaying the signal, including the use of satellite;

(d) the format of the data that shall be transmitted by the mobile transceiver unit; and

(e) the encoding, encryption, transformation or addition of checksums that must be applied or added to data in order to ensure the accuracy, validity and integrity of the transmitted data.

(2) An operator who fails to comply with the technical requirements prescribed under subregulation (1) shall not be issued with the license, authorization or permission.

Mobile Transceiver Unit, requirements for operators

67.-(1) The operator of a fishing vessel holding a license, authorization or permission pursuant to these Regulations shall, unless otherwise prescribed by Director General-

(a) install and maintain a mobile transceiver unit, registered in accordance with these Regulations on board the fishing vessel and ensure it is fully operational at all times;

(b) ensure that the mobile transceiver unit is tamper resistant and of a type and configuration that prevent the input or output of false positions, and not capable of being over-ridden, whether manually, electronically or otherwise, and is-

(i) located within a sealed unit; and

(ii) protected by official seals or mechanisms of a type that will indicate whether the unit has been accessed or tampered with;

(c) transmit to the Vessel Monitoring Operation

Center at least once every hour, or such other time as may be prescribed the following information the following information-

(i) the vessel identification;

(ii) the current geographical position of the vessel; and

(iii) the date and time expressed in Universal Time Coordinated of the fixing of the said position of the vessel.

(2) In the event of technical failure or non-functioning of the Mobile Transceiver Unit, the operator shall cause the vessel to come to a port approved by the Director General within twenty-four hours and during that period shall report every half hour, and shall otherwise comply with the requirements in the guideline for Mobile Transceiver Unit, requirement for operator.

(3) The operator shall comply with any conditions that may be prescribed or required by the Director General or any applicable ICMMs, including-

(a) the type of Mobile Transceiver Unit, equipment to be used;

(b) installation procedures;

(c) operational requirements;

(d) information requirements;

(e) confidentiality; and

(f) declaration reports.

(4) Where the power supply to the Mobile Transceiver Unit, in the Vessel Monitoring Operations Center is interrupted, or the Mobile Transceiver Unit fails to operate, the requirements of subregulation (2) shall apply except that the Director General may allow the vessel to continue fishing under special arrangements that shall include the following-

(a) reporting by any means of communication every three hours of the information required under subregulation (1)(c);

(b) estimated time and port of arrival;

(c) inspection at port of the vessel and catch by an authorized officer;

(d) the operator shall provide a copy of the fishing vessel's track for verification:

Provided that such special arrangements may only be made once in respect of each fishing vessel, and the Director General shall maintain a record of the frequency of breakdown of Mobile Transceiver Units to ensure that there are no repeated uses or abuses of such arrangements.

(5) An operator who fails to comply with the requirements of subregulations (1), (2), (3) or (4) commits an offence and upon conviction shall be liable to a fine provided for under section 55(3) of the Act.

(6) An operator who, without lawful excuse, renders inoperative or otherwise interferes or tampers with a Mobile Transceiver Unit so that it fails to operate automatically or accurately or in accordance with any license conditions or otherwise in accordance with these Regulations, commits an offence and upon conviction shall be liable to a fine provided for under section 36 (2) of the Act.

Automatic Identification System

68.-(1) The operator of a fishing vessel shall be required to maintain an Automatic Identification System on board in accordance with the specifications in Chapter V, Regulation 19 of the International Convention for the Safety of Life at Sea, and that the vessel continually reports to the Authority's Vessel Monitoring Operation Center.

(2) In the event of technical failure or non-functioning of the Automatic Identification System, the operator shall notify Director General within twenty-four hours.

(3) An operator who contravenes subregulations (1) and (2) commits an offence and upon conviction shall be liable to the fine not exceeding two hundred and fifty thousands USD.

Application and implementation of Port State Measures.

69.-(1) The operator of a foreign fishing vessel shall, pursuant to section 62 of the Act, at least forty-eight hours prior to the proposed time of entry into port, provide to the Director General all information as prescribed by the Director General together with a request to enter port.

(2) The Director General shall ensure that an electronic Port State Measures system of a relevant RFMO is used to the greatest extent possible in implementing these Regulations.

(3) The provisions in regulations 70 to 77 shall be applied in a fair, transparent and non-discriminatory manner, consistent with international law.

GN NO, 437 (Contd.)

Port State measures applied by other States to Tanzanian fishing vessels.

70.-(1) Where there are clear grounds to believe that a Tanzanian fishing vessel has engaged in illegal unreported and unregulated fishing or fishing related activities in support of such fishing and is seeking entry to or is in the port of another State, the Director General shall, as appropriate request such State to inspect the vessel or take other measures consistent with applicable regional or international instruments.

(2) Where, following port State inspection in another State, there are clear grounds to believe that a Tanzanian fishing vessel has engaged in illegal unreported and unregulated fishing or fishing related activities in support of such fishing, the Director General shall cause the matter to be immediately and fully investigated and, upon sufficient evidence enforcement action to be taken without delay in accordance with the Act and these Regulations.

Prerequisites for entry or use of port.

71. The operator of a foreign fishing vessel shall not enter or use a port in the United Republic unless-

(a) ports have been designated and publicised in accordance with section 63 of the Act;

(b) the operator has requested entry into port and provided such information as may be prescribed or required by the Director General at least forty-eight hours in advance of port entry, including for purposes of landing or transshipment of any fish or fish product;

(c) the Director General has authorized entry of such vessel into port and communicated such authorization to the master of the vessel and any agent of the vessel in Tanzania; and

(d) upon the vessel's arrival at port, the master or agent of the vessel has presented the authorization for entry into the port to a person authorized to receive it on behalf of the Authority.

Denial of entry into port and use of port

72.-(1) The Director General shall, where there is sufficient proof that a fishing vessel seeking entry into a port of the United Republic has engaged in illegal unreported and

unregulated fishing or fishing related activities in support of such fishing, in particular where it is an illegal unreported and unregulated listed vessel-

(a) not authorize such vessel to enter port; or

(b) notwithstanding paragraph (a), allow such vessel to enter a port exclusively for the purpose of inspecting it and taking other appropriate actions in conformity with international law; and

(c) communicate any decision taken pursuant to paragraphs (a) or (b) to-

(i) the vessel or its agent; and

(ii) to the relevant authority in United Republic, which shall implement the Director General's decision taken under these Regulations.

(2) Where entry or use of port is denied under subsection (1)(a) or (b), the Director General shall notify the decision to the operator, flag State of the vessel and, as appropriate, to each relevant coastal State, relevant fisheries management organization and other international organization.

Force majeure or distress

73.-(1) Nothing in these Regulations affects the entry of a fishing vessel to port in accordance with the laws of the United Republic for reasons of *force majeure* or distress, provided that a claim of force majeure or distress shall not apply where-

(a) it is contrived, untrue or otherwise intentionally created; or

(b) its objective is to avoid liability.

(2) The burden of proof that a claim of force majeure or distress is valid and does not fall within prohibitions in sub regulation (1) shall be on the vessel operator.

(3) The fishery inspector may board and inspect the fishing vessel at any time for the purpose of verifying the claim of force majeure or distress.

(4) The Director General may grant a fishing vessel that falls within the scope of these Regulations entry into port for reasons of *force majeure* or distress, provided that:

(a) the vessel may enter port under its claim of force majeure or distress for such period of time necessary to remedy such claim; and

(b) the vessel is permitted entry exclusively for the purpose of rendering assistance to persons or vessels in danger or distress.

(5) The operator of a foreign fishing vessel that is authorized to enter port pursuant to subregulation (2) (a) or (b) shall not allow or cause such vessel to engage in the use of port.

(6) The operator of a fishing vessel in respect of which an inapplicable claim described in sub regulation (1) was made, commits an offence and upon conviction shall be liable to a fine not exceeding seven hundred and fifty thousands USD.

Denial of use of port after entry

74.-(1) Where a fishing vessel that has been authorized to enter port pursuant to regulation 71(c) has entered a port, the Director General shall deny such vessel the use of port if-

(a) the vessel does not have a valid and applicable authorization or license to engage in fishing or fishing related activities required by-

(i) its flag state; or

(ii) a coastal state in respect of areas under its national jurisdiction;

(b) there is clear evidence that the fish on board was taken in contravention of applicable requirements of a coastal state in respect of areas under the national jurisdiction of that state;

(c) the flag State does not confirm within a reasonable period of time, on the request of the Director General, that the fish on board was taken in accordance with applicable requirements of a relevant RFMO; or

(d) there are reasonable grounds to believe that the vessel was otherwise engaged in illegal unreported unregulated fishing or fishing related activities in support of illegal unreported unregulated fishing unless the operator or charterer of the vessel can establish-

(i) that it was acting in a manner consistent with relevant conservation and management measures, including ICMMs; or

(ii) in the case of provision of personnel, fuel, gear and other supplies at sea, that the vessel that

was provisioned was not, at the time of provisioning, a vessel that had engaged in IUU fishing.

(2) Notwithstanding subregulations (1), the Director General shall:

(a) not deny a fishing vessel the use of port services-

(i) where such services are essential to the safety and health of the crew or the safety of the vessel, provided these needs are duly proven; or

(ii) as appropriate, for the scrapping of the vessel; and

(b) where the use of port has been denied, notify the decision to the flag State of the fishing vessel and, as appropriate, to each relevant coastal State, any relevant RFMO and other international organization.

(3) Where the use of port has been denied pursuant to this regulation, the Director General, as appropriate, taking into account any relevant legal advice from the Attorney General responsible for Mainland Tanzania or Tanzania Zanzibar shall-

(a) withdraw such denial in respect of a fishing vessel only if there is sufficient proof that the grounds on which use was denied were inadequate or erroneous or that such grounds no longer apply; and

(b) promptly notify the withdrawal to each person that was notified pursuant to this regulation.

Inspections of vessels in port

75.-(1) The Director General shall ensure that fishing vessel inspections are conducted as necessary to achieve the objectives of these Regulations and at a level that may be agreed pursuant to applicable national, regional or ICMMs.

(2) The Director General shall prioritize fishing vessel inspections based on-

(a) vessels that have been denied entry or use of a port in accordance with an applicable conservation and management measure;

(b) a request from another State or RFMO to inspect a vessel, particularly where the request is supported by evidence of illegal unreported

unregulated fishing or fishing-related activities in support of illegal unreported unregulated fishing by the vessel in question; and

(c) whether there are clear grounds for suspecting that a vessel has engaged in illegal unreported unregulated fishing or fishing related activities in support of such fishing.

(3) The Director General shall transmit the results of an inspection under this regulation to-

(a) the flag State of the inspected fishing vessel;

(b) as appropriate, parties to a relevant international agreement;

(c) relevant coastal State and the State of which the vessel master is a national; and

(d) any relevant national institutions, RFMO or international organizations.

Denial of use of port after inspection

76.-(1) Where, following an inspection, there are clear grounds for believing that a fishing vessel has been used for engaging in illegal unreported unregulated fishing or fishing related activities in support of such fishing, the Director General shall deny the vessel the use of port, if these actions have not already been taken in respect of the vessel.

(2) Notwithstanding subregulation (1), the Director General shall not deny a vessel the use of port services, where such services are essential to the safety and health of the crew or the safety of the vessel, provided these needs are duly proven.

Prohibition to use or assist in the use of port in absence of authorization or after denial

77.-(1) Where a fishing vessel-

(a) is in port in contravention of-

(i) requirements for entry specified in regulation 71; or

(ii) an applicable denial of authorization to enter port pursuant to regulation 72 (1)(a) or (2);

(b) has been permitted to enter port exclusively for the purpose of:

(i) inspection pursuant to regulation 72 (1)(b); or

(ii) rendering assistance to persons or vessels in danger or distress pursuant to regulation 73; or

(c) has been denied the use of port pursuant to regulations 71, 72 (2), 74 or 76 (1), a person shall not:

(i) cause or allow the fishing vessel to enter such port;

(ii) engage in the use of such port or cause such port to be used; or

(iii) allow or assist, directly or indirectly, the use of port by such vessel,

unless the Director General permits in writing port services to be used for the safety or health of the crew or the safety of the vessel in accordance with this regulation and port is used exclusively for such purposes.

(2) A person who contravenes sub regulation (1) (d), (e) or (f) commits an offence and upon conviction shall be liable to a fine not exceed one million USD.

PART SIX
INFORMATION, DATA AND STATISTICS

Collection of information

78.-(1) The Director General may, in implementing the function and power under section 16 of the Act, require any person to provide information in relation to activities under these Regulations.

(2) A person carrying out activities under the scope of the Act and these Regulations shall keep such records and furnish such information in such form and manner as the Authority may require.

(3) The Director General may, for the purposes of verifying accounts, records, documents and other information required to be kept, furnished or communicated under subregulation (2)-

(a) audit or inspect any accounts, records, documents, data and other information or place where such information may be kept;

(b) audit or inspect any vessel, processing plant or other facility to which these Regulations applies; and

(c) require from any person further information regarding any accounts, records, documents, data and other information kept, furnished or communicated under these Regulations in accordance with such time limits as may be prescribed.

(4) A person who-

(a) fails to keep, furnish or communicate any accounts, records, documents, data and other information as required under sub regulation (3); or

(b) does not facilitate, assist or comply with the requirements for an audit or inspection undertaken under subregulation (4),

commits an offence and upon conviction shall be liable to a fine not exceeding two hundred and fifty thousands USD.

Tuna and tuna like -species neritic data

79. The Director General may, in collaboration with ministries responsible for fisheries for Tanzania Zanzibar and Mainland Tanzania, and for the purposes of implementing conservation and management measures, collect data on neritic tuna and tuna-like species according to national, regional and international requirements and shall-

(a) ensure any information and data to be stored under the Authority's fisheries information system; and

(b) ensure all neritic data be collected, stored, processing and analyzing according to national, regional and international requirements;

Record keeping

80.-(1) A person shall keep records and provide information, data or statistics as required pursuant to these Regulations and such records, information, data and statistics shall at all times be true, complete, correct and accurate and shall not be false, misleading or inaccurate.

(2) A person shall not alter, destroy, erase or obliterate any-

(a) declaration, certificate, or other documents, information, data or statistics made or required to

be made or issued under these Regulations;

(b) label subject to these Regulations; or

(c) required markings on fishing vessels or gear.

(3) A person shall not submit to the Authority any information or documents that are fraudulent or, in the case of written information or documents, forged.

(4) A person who Contravenes any requirement in subsection (1), (2) or (3) commits an offence and upon conviction shall be liable to a fine not exceeding one million USD and any other penalty provided under the Act.

Confidential Information

81.-(1) The Director General may by written notice-

(a) declare any information to be confidential information; and

(b) declare that certain general summaries of such information are not confidential information.

(2) The Director General may in writing authorize any person to-

(a) receive or access confidential information;

(b) access such premises holding confidential information as the Director General may designate or restrict access to such premises.

(3) The following information is confidential information unless the Director General otherwise directs by notice-

(a) any information or data of a commercial nature provided in records, returns, or other documents required to be kept, furnished or communicated under regulation 78;

(b) any information or other data supplied by a Mobile Transceiver Unit in accordance with these Regulations; and

(c) raw data from scientific research.

(4) Confidential information may be disclosed-

(a) to the extent-

(i) that disclosure is authorized or required under these Regulations or any other law; or

(ii) that the person providing the confidential

information authorized its disclosure; or

(b) as may be necessary to-

(i) enable the Director General to publish statistical information relating to the fisheries sector;

(ii) enable other agencies of the Government to enforce laws of Mainland Tanzania and Tanzania Zanzibar;

(iii) promote regional and international cooperation or coordination in monitoring, control and surveillance of fisheries-related and other relevant activities; or

(iv) enable advice to be given to the Minister consistent with the objective of the Act.

(5) The Director General may authorize the release of confidential information-

(a) relating to the real time or other position of any vessel, upon request, to any authority for the purposes of assisting with surveillance, search and rescue and other emergency responses; and

(b) for purposes the Director General believes are supportive of the objective and enforcement of the Act and these Regulations, including reasonable transparency in decision-making.

(6) Any confidential information shall maintain its classification for a period of three years from the date that it is declared to be confidential information under sub regulation (3)(a).

(7) The Director General may extend the classification of confidential information at the expiry of the three year period referred to in sub regulation (8);

(8) The extension of the classification of confidential information under subsection (9) may be effected for one or more periods of up to three years, as the Director General may deem necessary to achieve the objectives of these Regulations and assist with its enforcement.

(9) A person who receives confidential information pursuant to these Regulations shall not use or disclose such information except for the purposes of these Regulations and in

accordance with any international conservation and management measure.

(10) A person who does not comply with any requirement in sub regulation (2) or (9) commits an offence and upon conviction shall be liable to a fine provided in section 54(3) of the Act.

Information system of Authority

82.-(1) The information system shall be available on the website of the Authority and subject to designated confidentiality requirements.

(2) The information system of the Authority shall include-

(a) applications for and issuance of license s, authorizations and other permissions;

(b) particulars of fishing vessels issued with licenses, authorizations or other permissions under these Regulations and their owners, operators and masters;

(c) activities in relation to monitoring, control, surveillance and enforcement;

(d) transshipment activities;

(e) catch data;

(f) neritic tuna tuna-like species data;

(g) data submitted by observers;

(h) information on projects and their implementation;

(i) legal or administrative actions taken under these Regulations, including appeals lodged and decisions made by the Minister, and

(j) any other information that the Director General reasonably requires consistent with the objective and principles of the Act for the purposes of an information management system.

(3) The Director General shall ensure that the information on each license, authorization and permission in the database is sufficient for purposes of fisheries management and monitoring, control and surveillance, and for the implementation of applicable ICMMs.

(4) The Director General shall ensure that, as

appropriate, information is released from the database and communicated to other national agencies, states and regional and international organizations in a timely manner to ensure the discharge of national, regional and international obligations of United Republic, including as a flag state and as a member of any relevant RFMO.

(5) The Director General shall make publicly available a record of the outcome of any legal or administrative action taken in respect of any violation against these Regulations those results in a determination or administrative action.

Documentation for tuna import and export or re-export

83.-(1) Any fishing vessels equipped with purse seine or pole line gears which are destined principally for the canneries in the area of competence or of relevant RFMO, shall not apply for statistical documentation requirements for tuna and other species caught.

(2) A person who intends to import tuna into Tanzania shall submit to the Director General and with the shipment a complete and valid Tuna Statistical Document as prescribed by the Director General.

(3) The Tuna Statistical Document shall be validated by a government official or other authorized individual or institution of the flag state of the vessel that harvested the tuna, or, if the vessel is operating under a charter arrangement, by a government official or other authorized individual of the exporting state.

(4) The Tuna Re-export Certificate of a relevant RFMO shall be validated by the relevant competent authority.

(5) The entry into Tanzania of any illegitimate shipment of tuna shall be-

(a) suspended pending receipt of a properly completed document; or

(b) subject to the fines and penalties or administrative or other sanctions as may be determined pursuant to the provisions of the Act.

(6) The operator of any fishing vessel or any person who imports or causes to be imported an illegitimate shipment of tuna described in sub regulation (5) commits an offence and

upon conviction shall be liable to the fine provided under section 60(2) of the Act.

Sharing of information

84.-(1) Subject to section 57 of the Act, the Director General shall share information in the form and manner as may be required pursuant to applicable ICMMs.

(2) The Director General shall, on annual basis, share appropriate information collected pursuant to regulation 78 with the relevant RFMOs.

PART SEVEN
APPEALS AND THE MANNER OF LODGING APPEAL

Appeals

85.-(1) A person aggrieved by the decision of the Director General may, within seven days from the date of receiving the decision of the Director General, appeal to the Minister.

(2) An appeal lodged under these Regulations shall be in writing and the appellant shall-

(a) prepare the appeal in triplicate;

(b) adequately describe the manner to which the appeal relates;

(c) set forth concisely the grounds of objection; and

(d) sign the appeal.

(3) The appellant shall serve the copy of the appeal to the Director General.

(4) The Director General shall, on receipt of the copy referred to under subregulation (3), forward to the Minister a written statement setting out particulars relating to the subject matter of the appeal together with his own comments as in his opinion useful towards a just determination of appeal.

Decision of Minister

86.-(1) The Minister shall, after consultation with the Minister responsible for fisheries in Tanzania Zanzibar, make decision on the appeal and shall communicate the decision in writing to the Director General and appellant within fourteen days from the date of receiving the appeal.

(2) An appeal to the Minister shall not be entertained unless the petitioner has paid fee prescribed as prescribed by the Director General.

Register of appeal and decision made by the Minister.

87. The Director General shall keep the register of appeals lodged and the decisions made by the Minister.

PART EIGHT
FORM, MANNER AND PROCEDURES FOR COMPOUNDING OF OFFENCE

Notification of offence

88.-(1) Where a person has committed an offence und Regulations, the Director General shall notify such person in the the Notification Form 1 set out in the Third Schedule.

(2) The notification referred to under this regulation shall·

(a) specify the offence committed or the relevant provisic

(b) specify the relevant penalty for the offence committ amount for the offence; and

(c) be dated and signed by the Director General.

Procedures after offence notification

89.-(1) A person who receives a notification under regula seven days from the date of receipt of such notification, either state his intention to answer charge against an offence, except tha on reasonable grounds, accept admission of commission of an off of seven days.

(2) A person who admits the offence shall be required to Form 2 an set out in the Third Schedule.

Procedures upon disputes of offences

90.-(1) Where the person intends to answer charge agai person shall be required to fill in the Intention to Answer Charge the Third Schedule.

(2) Where a person intends to answer a charge agai Authority shall submit the Notification Form together with the Charge Form 3 to the Director of Public Prosecution together wit information for further action.

(3) A person who fails or refuses to sign a Notification Fc to have disputed commission of an offence, and the Authority sha

of Public Prosecution and submit any other relevant information f

Payment and Default

91.- (1) A person who admits the commission of an of compounded amount to the Authority in such manner as the D direct, and within the time to be specified in the Admission Form.

(2) Pursuant to sub regulation (1), payment of amount c deposited into Authority`s account within the time stated in the co

(3) On payment of the compounding amount, the compou under proceedings in connection with the commission of the offer shall be noted as compounded and the offender shall absolutely be d applicable, any vessel or article seized be released.

(4) Where a person fails to pay the compounded amou commitment period, the person shall be liable to pay an interes each day of delay accrued from the principal amount agreed in and the Authority shall proceeds with the court proceedings.

(5) subject to the provisions of section 95 (3) of the Act, required to pay the amount stated in the notification not more thar

Issue of official receipt

92. The Authority shall issue an official receipt for any payment received under these Regulations.

Compounding order not appealable

93. Any compounding order made by the Authority under the Act or these Regulations and signed by an offender shall not be appealable.

Report to Director of Public Prosecutions

94 Subject to the provisions of section 95 (4) of the Act to the respective authorities responsible for public prosecution Republic shall contain the following information-

(a) name and particulars of the offender;

(b) offence committed and the relevant provision;

(c) date and place in which the offence was committed;

(d) compounded amount; and

(e) any other relevant information.

PART NINE
GENERAL PROVISIONS

General penalties

95.-(1) Where a regulation refers to a provision of the Act under which it is made, the applicable fines and other penalties for that provision in the Second Schedule of the Act shall apply, as indicated in each regulation.

(2) A person who commits any offence under these Regulations other than those described in subregulation (1) and where no specific fine has been provided in these Regulations, the fine for a general offence stated under section 89 of the Act shall apply.

(3) All other relevant penalties as provided under the Act shall be applicable to offences under these Regulations.

FIRST SCHUDULE

Form No. 1

THE UNITED REPUBLIC OF TANZANIA
DEEP SEA FISHING AUTHORITY

APPLICATION FORM FOR FISHING LICENSE IN THE EXCLUSIVE ECONOMIC ZONE OF THE UNITED REPUBLIC OF TANZANIA

(Made under regulation 23(1) and 39(2))

A. APPLICANT:
Name of applicant: ……
Postal address …… Telephone:
Facsimile:……email:……..…Business or residential address:……..
Occupation.....
Name and address of an accredited agent (for foreign fishing vessel)
.....
Telephone number: ……
Facsimile: …..... email: .....
Name of Captain……
Postal address: ……
Business or residential address ……
Telephone number: ……
Facsimile ……
Number of crew.....

B. VESSEL:
Type of vessel.....……
Name of vessel:
……
Registration number:
.....
IMO number……
Date and place of construction.....
Current port and country of registry:
……
Previous registration:
.....

Flag
State.....
Length of vessel.....
Gross tonnage..... Net tonnage.....
Beam.....
Engine HP / Number of engines (specify).....
Engine make .....
engine model.....
Speed of vessel (max).....
Propeller: fixed [ ], variable [ ] or ducted [ ]
International Call Sign.....
Call frequency. ……...

C. SOUNDING, NAVIGATIONAL AND TRANSMISSION INSTRUMENTS
Radar [ ], Sonar [ ], Net sounder [ ], VHF [ ], SSB [ ], Net sounder satellite navigation [ ]
Others:
……

D. MOBILE TRANSCEIVER UNIT REGISTRATION DETAILS
Manufacture: .....
Model: .....
Serial Number: .....
Date purchased: .....

E. AUTOMATIC IDENTIFICATION SYSTEM DETAILS
Manufacture: .....
Model: .....
Serial Number:.....Date purchased: .....

F. FISHING INFORMATION
Type or method of fishing ....……
Type and number of gears……
Size (length and depth) of each gear.....
Number and size of hooks (if applicable).....
Mesh size (if fishing net will be used).....
Any other specifications of gear to be used:.....
Any other specifications of gear carried and stowed on board not to be used: .....
……
Targeted area of fishing: surface [ ], mid-water [ ] or bottom [ ]
Targeted fish species……
Tonnage of fish applied to catch.....
Expected market and price.....

G. FISHING AGGREGATING DEVICES
Number of FADs: Anchored [ ] or Drifting [ ]

H. PRESERVATIONS
Number of wet fish holds ……../total capacity ……. M^3
Number of freezer holds ……/ total capacity ……. M^3
Packed in ice [ ], ice and refrigeration [ ], freezing in brine [ ], dry [ ] or refrigerated sea water [ ]

Total refrigeration power.....
Freezing capacity.....
.

.

Total fish hold capacity.....kg

I. SHORE BASED FISH PROCESSING FACILITY
Name of firm.....
Main activities.....
Type and number of wholesale fish trade licence.....
Any description of processing and preservation plant including type of construction material Used:
……
……..…
.....
.....
.....
.....
.....

I ..... the undersigned, hereby apply for a licence to use the fishing vessel indicated above and declare that the particulars furnished are to the best of my knowledge and belief correct in all respects.

_____	_____	_____
Signature	Place	Date

GN NO, 437 (Contd.)

ATTACHMENTS:

An application shall be accompanied with the following documents

1. copy of vessel certificate of registration
2. copy of vessel surveyor's Certificate,
3. copy of certificate of vessel Seaworthiness,
4. list of names of crew showing citizenship,
5. coloured photograph, A6 format, showing vessel from stern, bow, starboard and portside,
6. proof of insurance for a vessel and crews,
7. fishing plan,
8. proof of availability of English speaker on board a fishing vessel, and
9. proof of having an accredited Agent (for foreign fishing vessel).

Form No.2

THE UNITED REPUBLIC OF TANZANIA
DEEP SEA FISHING AUTHORITY

APPLICATION FORM FOR AUTHORISATION TO FISH BEYOND THE EXCLUSIVE ECONOMIC ZONE OF TANZANIA

(Made under Regulation 23(1) and(39(2))

A. APPLICANT DETAILS
Name of the Applicant:
…….
Postal Address: ……Telephone number: .....
Facsimile.....
Email: ……
Nationality: …….....
Business or residential address: ……
Occupation.....
Vessel owner or chartering entity if different from above: ….....
.....

B. CAPTAIN DETAILS:
Name of Captain……
Postal address: …….
Business or residential Address.....……
Telephone numbers …… Fax ……
Number of crew.....

C. VESSEL IDENTIFICATION DETAILS:
Name of vessel ……
Vessel type.....
External Marks.....
MMSI.....
International Radio Call Sign
(IRCS).....
IMO No.....
RFMO No.....
Country and port registry.....
Registration number.....
Date and place of construction.....
Previous registration (if any): .....
Call frequency.....

GN NO, 437 (Contd.)

D. MOBILE TRANSCEIVER UNIT REGISTRATION DETAILS:
Manufacture:..... Model: .....
Serial Number: ..... Date purchased: .....
E. AUTOMATIC IDENTIFICATION SYSTEM DETAILS:
Manufacture:..... Model:.....
Serial Number: ..... Date purchased:.....

F. VESSEL TECHNICAL DETAILS:
Length of vessel..... Gross tonnage.....
Net Tonnage.....
Beam.....
Engine Type: .....
Engine HP.....
Engine Manufacture.....
Speed of vessel (max).....
Propeller: fixed [ ], variable [ ] or ducted
[Sounding, navigational and transmission instruments:
Radar [ ], Sonar [ ], Net sounder [ ], VHF [ ], SSB [ ], Net sounder satellite navigation [ ] others……

G. FISHING INFORMATION
Fishing Area……
Type Fishing Gear to be Used: ..……
Number of Gears……
Size (length and depth) of each gear.....
Number and size of hooks (if applicable).....
Mesh size (if fishing net will be used).....
Any other specifications of gear to be used:
.....……
Any other specifications of gear carried and stowed on board not to be used:
.....
.....
.....
Targeted fish Species.....
……
……
……

H. FISHING AGGREGATING DEVICES
Number of FADs: Anchored [ ] or Drifting [ ]

I. PRESERVATIONS:

Number of wet fish holds ……../total capacity …….. M^3
Number of freezer holds ……/ total capacity ……. M^3
Packed in ice [ ], ice and refrigeration [ ], freezing in brine [ ], dry [ ] or refrigerated sea water [ ].
Total refrigeration power.....
Freezing capacity.....
Total fish hold capacity.....Kg

The undersigned, here certify that the information provided in this application is true and correct

_____	_____	_____
Signature	Place	Date

ATTACHMENTS:

An application shall be accompanied with the following documents

1. Copy of the vessel certificate of registration
2. Copy of ship surveyor's Certificate,
3. Copy of certificate of Seaworthiness,
4. List of names of crew showing Citizenship,
5. Colored photograph, A6 format, showing vessel from starboard or portside,
6. Proof of insurance for a vessel and crew, and
7. Fishing plan.

Form No.3

THE UNITED REPUBLIC OF TANZANIA
DEEP SEA FISHING AUTHORITY

APPLICATION FORM FOR ACCREDITATION OF AN AGENT FOR FISHING VESSEL

(Made under regulation 45(1))

Name of Applicant….....
Physical address:
……..……
……..……
P.O. Box: ……
Telephone number: ……facsimile
Email: ……..… Date: …….. / ……. / ……

Affix recent photo

To
The Director General
P.O. Box 56
Fumba - Zanzibar
TANZANIA

1. I,……..
Apply for accreditation as an Agent for foreign fishing vessel(s) that intend to fish in the Tanzania Exclusive Economic Zone.

2. The registered office of the Company is located……

.....
.....

3. The head office of the Company is located at……..…
.....

4. List of shareholders, of the company

GN NO, 437 (Contd.)

	Name	Nationality	Number of shares
a)	……		
	……	……	……
b)	……		
	……	……	.....
c)	……		
	……	……	……
d)	……		
	……	……	……
e)	……		
	……	……	……

5. Name(s) and address of persons managing the Company business

……

……

……

……

Yours faithfully,

.....

(Authorized Signature)

Please attach the following documents:

a) Certified Certificate of Incorporation;

b) Certified Copy of Memorandum and Article of Association of the Company;

c) Copy of valid business license issued by a relevant authority;

d) Audited financial statements for the previous 3 years (if applicable) and

e) Any other relevant information.

Form 4

THE UNITED REPUBLIC OF TANZANIA
DEEP SEA FISHING AUTHORITY NOTICE OF SEIZURE

(Made under regulation 53 (2))
(To be filled in triplicate)

1. Place of commission of Offence ……..……..

    a) Position (latitude and longitude)……

    b) Region (RFMO)……

    c) Date……Time……

2. Full name and address: of person(s) found in illegal possession of fish, fishery product(s), vessel/vehicle/ gear or other article(s) or thing(s) which was/were used in commission of Offence……

    ……

    ……

    ……

3. Description of fish and fishery products: ……

……

4. Common/Commercial/Scientific name of fish ……

……

5. Weight/number of fish.……

……

6. Description of vessel/vehicle/receptacle

a) Name……

b) Registration number……

c) Dimensions/tonnage……..……

7. Description in case of fishing gear

a) Type……

b) Number……

c) Size (hook or net) ……

8. Declaration of person whose item is being seized:

(A) I (three names),……..…
of……nationality……Age(years).……
…sex…… witness the seizure of ……which belong to me.

Signature……
Date……...…

Full name and Designation of Authorised/Enforcement

Officer……

Signature……Date…….

……

Official Stamp

Full name(s) of Witness (es) (if any):

a) Signature…… Date ……

b) Signature…….Date……

c) Signature……..Date……

Delete which ever is not applicable

GN NO, 437 (Contd.)

SECOND SCHEDULE

FEES PAYABLE UNDER THESE REGULATIONS

(Made under regulation 27(1))

	Description of fishing method	Duration of fishing license	Size of the Vessel (m)	Tanzania Fishing Vessel (USD)	Foreign Fishing Vessel (USD)
1	Purse seining	Three months	Below 50	6,000	
			Above 50	7,500	
		Six months	Below 50	10,500	35,000
			Above 50	13,500	45,000
		One year	Below 50	16,500	64,000
			Above 50	21,000	70,000
2	Long lining	Three months	Below 24	3,000	
			Above 24	3,000	
		Six months	Below 24	4,000	25,000
			Above 24	5,000	31,000
		One year	Below 24	6,500	40,000
			Above 24	8,000	50,000

GN NO, 437 (Contd.)

3	Pole and lines	Three months	Below 24	1,000	-
			Above 24	1,500	-
		Six months	Below 24	2,000	10,000
			Above 24	2,500	10,000
		One year	Below 24	3,000	15,000
			Above 24	4,000	20,000
4	Trolling	Three months	Below 24	1,000	-
			Above 24	1,500	-
		Six months	Below 24	2,000	6,000
			Above 24	2,500	8,000
		One year			
			Below 24	3,000	12,000
			Above 24	4,000	15,000
5	Gill netting	Three months	Below 24	1,500	-
			Above 24	1,500	-
		Six months	Below 24	2,400	15,000
			Above 24	3,000	19,000
		One year	Below 24	3,800	24,000
			Above 24	4,800	30,000

GN NO, 437 (Contd.)

6	Trawling (Pelagic and Mid-water)	Three months	Below 24	3,000	-
			Above 24	3,000	-
		Six months	Below 24	4,000	-
			Above 24	4,000	-
		One year	Below 24	7,000	-
			Above 24	12,000	-
7	Sport fishing permit fees	One month	below	200	300
			Above 24	300	500
		Three months	Below 24	400	1,000
			Above 24	600	1,500
		Six months	Below 24	800	2,000
			Above 24	1,200	2,500
		One year	Below 24	1,600	3,000
			Above 24	2,400	4,000
8	Authorization to Fish (ATF) for Tanzania fishing vessel operating beyond EEZ				
		Three months	Below 24	600	
			Above 24	800	
		Six months	Below 24	700	
			Above 24	1,000	
		One year	Below 24	800	
			Above 24	1,100	

	OTHER FEES AND CHARGES
	A. Fee for application form:
	(i) Foreign Fishing Vessel USD 100
	(ii) Tanzania Fishing Vessel USD 20
	B. Fee for one Observer per vessel: USD 350 per month
	C. Fishing related activities administrative fee for Foreign Fishing Vessel USD 1,000
	D. Fee for clearance for registration of fishing vessel in the United Republic USD 500
	E. Fee for Agent Accreditation USD 1,000 per year
	F. Fee for lodging appeals: USD 500
	G. Fee to access information USD 500
	H. Fee for Supporting Vessel:
	(i) Tanzania fishing vessel USD 2,000 per year;
	(ii) Foreign fishing vessel USD 5,000 per year.
	I. Fee for Transshipment/ Landing
	• Ship to ship transshipment at port
	(i) Less than 30 tons fee is USD 3/ton
	(ii) 30 – 60 tons, fees is USD 2/ton
	(iii) More than 60 tons, fee is USD 1/ton
	J. Fee for Fish Aggregating Devices (FADs**):**
	(i) Number FADs from 1 to 100 USD 500 per vessel

	(ii) Number FADs from 101 to 200 USD 1,000 per vessel
	(iii) Number FADs above 201 to 300 USD 1,500 per vessel

THIRD SCHEDULE

Form 1

NOTIFICATION OF OFFENCE

(Made under regulation 88(1))

To..... Address.....

1. You are charged with the following offence (s):
   a) .....contrary to.....… of ….....
   b) .....contrary to..……..of.....
   c) .....contrary to.....of.….....
2. If you WISH to admit commission of the offence (s) you should complete "ADMISSION FORM" attached hereto and return it together with this notification to the Director General within seven (7) days from the date of service of this notification.
3. If you DO NOT WISH to admit to have committed the offence (s) you are required to complete "INTENTION TO ANSWER CHARGE FORM" attached hereto and return it together with this notification to the Director General together with answers, in writing, to the charges mentioned above, within seven (7) days from the date of service of this notification.
4. In the event you admit to the offence(s) listed under paragraph 1 you shall be liable to pay a compoundable amount as follows:

S/N	Offence	Prescribed Fine under the Law (USD)	Compounded Amount (USD)

*In case of delay to pay the stated amount, the person shall be liable to pay an interest of three percent in each day of delay accrued from the principal amount agreed.

……
Director General
Signature

Date: .....

Received by:……Signature:……Date:……

Form 2

ADMISSION FORM

(Made under regulation 89(2))

I ..... of..... (residential or business address) being the (owner/director/manager/representative) of..... (name of company/firm, etc) plead guilty to the charge (s) Nos.....set out in the Notification Form.

I request that the offence(s) be compounded as per regulation/section……..of the …….Regulations/Act

I undertake to pay the requisite compoundable amount of USD ..... within a period of ……..days from the date hereof.

I understand that an interest at a commercial rate will be charged upon failure to pay the compounded amount within the period specified above.

Signature: .....

Date: .....

Signature of the Director General .....

Form 3

INTENTION TO ANSWER CHARGE FORM
(Made under Regulation 90 (1))

I ..... of..... (residential or business address) being the (owner/director/manager/representative) of..... (name of company/firm, etc) intend to answer charge (s) Nos.....set out in the Notification Form.

I further provide my explanation attached hereto in writing in response to the charges.

Signature: .....

Date: .....

Dodoma,
20th May, 2021

MASHIMBA MASHAURI NDAKI
Minister for Livestock and Fisheries