

Fisheries and Aquatic Resources (Amendment)

AN ACT TO AMEND THE FISHERIES AND AQUATIC RESOURCES ACT, NO. 2 OF 1996

BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows: -

[Date, 2015]

Short title.

1. This Act may be cited as the Fisheries and Aquatic Resources (Amendment) Act, No. ... of 2015.

Insertion of new sections.

2. The following new section is hereby inserted immediately after section 28 of the Fisheries and Aquatic Resources Act, No. 2 of 1996 (hereinafter referred to as the “principal enactment”) and shall have effect as section 28A of that enactment.

Prohibition of Trawling Operations.

28A (1) No person shall engage in or cause any other person to engage in fishing operations carried out by Trawl Nets, including those using nets without two wings but using vertical poles at the two free ends of the net.

(2) No person shall use, possess, import, transport, purchase or sell Trawl Nets for the purpose of carrying out trawling operations in Sri Lanka waters.

(3) No license shall be issued under Part II of the principal enactment for fishing operations carried out by Trawl Nets in Sri Lanka waters.

(4) Any license, which has already been issued under the principal enactment for fishing operations carried out by Trawl Nets in Sri Lanka waters, shall not be renewed, and applications for the renewal of such a license shall not be entertained.

Provided that a license already issued for the use of Trawl Nets and which is still in force on the day preceding the date of commencement of this Act, shall notwithstanding this Act, continue to be valid for the purpose in respect of which the license has been issued, for the period specified in the license.

3. The following new section is hereby inserted immediately after section 49(6) of the principal enactment and shall have effect as section 49(7) of that enactment.

Offences. **49** (7) Any person who contravenes or fails to comply with the provisions of section 28A of this Act shall commit an offence and shall on conviction after summary trial before a Magistrate be liable to an imprisonment for a term not exceeding two years or to a fine not less than **fifty thousand rupees**.

Amendment of section 66 of the principal enactment.

4. Section 66 of the principal enactment is hereby amended by the insertion, immediately after the definition of the expression "Sri Lanka Waters", of the following new definitions:

"Trawl Net" means towing nets having a cone shaped body and a bag or cod end (madiya) connected to the apex with or without two wings connected to the other end.

"Trawling" means any fishing operation carried out by dragging a Trawl Net mechanically along the bed or in mid water.

Sinhala text to prevail in case of inconsistency.

5. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.