

CAP. 135.

CYPRUS

FISHERIES

CHAPTER 135 OF THE LAWS

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1959

CHAPTER 135.

FISHERIES.

ARRANGEMENT OF SECTIONS.

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A LAW TO REGULATE FISHING IN THE WATERS OF THE COLONY.

[15th May, 1931.]

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tation.

2 of 21/51

No vessel to
be used for
fishing
without
a licence.

1. This Law may be cited as the Fisheries Law.

2. In this Law—

“ fish ” means any aquatic animal whether mam-
malian or not and shell fish, but does not include
sponge ;

“ trawler ” means a vessel which, for the purpose
of taking fish, draws a net or other apparatus along
the bottom of the sea ;

“ vessel ” includes ship, boat, lighter and craft
of every kind whether navigated by steam or otherwise,
but shall not include a vessel used for catching fish
otherwise than for profit.

3. (1) No vessel shall be used for the purpose of taking
fish in the Colony unless a licence has been issued in respect
thereof under the provisions of this Law.

(2) Any person using a vessel in contravention of
subsection (1) hereof and the owner of such vessel shall
be guilty of an offence and shall on summary conviction

be liable to imprisonment for any term not exceeding three months or to a fine not exceeding twenty-five pounds or to both such imprisonment and fine. 3 of 21 51.

4. (1) Licences required under the provisions of section 3 hereof shall be issued by the Comptroller or any officer duly authorised by him. No payment shall be made therefor. Issue and expiration of licence.

(2) All licences issued under the provisions of this section shall expire on the thirty-first day of December next following the issue thereof.

5. Any person who—

(a) takes, stupefies or kills or attempts to take, stupefy or kill any fish by the use of dynamite or other explosive substance or by the use of any noxious or poisonous matter ; or Use of explosives or poisons. 2 of 46/44.

(b) is found in possession of dynamite or other explosive substance or of noxious or poisonous matter in such circumstances as to satisfy the Court before which he is tried that he intended to use the dynamite or other explosive substance or the noxious or poisonous matter for the purpose of taking, stupefying or killing fish ; or

(c) sells, exposes for sale or hawks, or knowingly possesses or transports, fish which has been taken by the use of dynamite or any other explosive substance or by the use of any noxious or poisonous matter,

shall be guilty of an offence and shall on summary conviction be liable to imprisonment for any term not exceeding two years or to a fine not exceeding one hundred pounds or to both such imprisonment and fine.

6. (1) The Governor in Council may by Order make Regulations to be published in the *Gazette* for carrying out the purposes of this Law. Regulations.

(2) In particular and without prejudice to the generality of the foregoing power, such Regulations may—

(a) prescribe the areas and seasons within which the taking of fish is prohibited or restricted ;

- (b) restrict the size of fish which may be taken, landed or sold ;
- (c) prohibit or regulate any practices or methods or the employment of equipment, instrument or any other device or material for taking fish ;
- (d) prescribe the size of nets or of the mesh of nets which may be used for taking fish in the Colony or in any specified part thereof ;
- (e) regulate the licensing of, and the conditions to be observed by, vessels licensed under the provisions of this Law ;
- 4(e) of 21/51. (f) provide for the limitation by the Comptroller of the number of licences to be issued in any year to trawlers, and the selection of applicants to whom such licences may be issued where the number of applications exceed the limited number of the licences and prescribe the conditions to be attached to such licences;
- 4(e) of 21/51. (g) regulate any other matter relating to the conservation, protection and maintenance of a stock of fish which may be deemed requisite.

(3) Any person contravening any Regulations made under the provisions of subsections (1) and (2) hereof shall be guilty of an offence and shall on summary conviction be liable to a fine not exceeding ten pounds.

Powers to
peace officers
or officers of
Customs and
Excise.

7. Any peace officer or officer of Customs and Excise may, where he has reasonable grounds to suspect that an offence has been or is likely to be committed under the provisions of this Law or any Regulation made thereunder, without warrant;

- (a) enter any premises during the hours of daylight or board any vessel and search such premises or vessel and examine any catch, equipment, instrument or other device or material which may be used for taking fish and measure any fishing net therein ;
- (b) seize and detain, pending a decision thereon, any vessel, catch, equipment, instrument or other device or material which may be used for taking fish in contravention of this Law or any Regulations made thereunder ;

Provided that the catch may be sold and the proceeds thereof be detained pending the decision.

8. In addition to or in substitution for any punishment for any contravention of this Law or any Regulations made thereunder, upon conviction of the offender—

Forfeiture
and
cancellation
of licence.

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- (a) any vessel, equipment, instrument or any other device or material, which in the opinion of the Court was used or was intended to be used by him for taking, stupefying, killing or poisoning fish, shall, when the person concerned has been convicted of an offence against section 5 of this Law, and may in any other case be adjudged by the Court to be forfeited ;
- (b) any fish in his possession seized under the provisions of this Law, which in the opinion of the Court was taken, stupefied, killed or poisoned, or the proceeds of the sale thereof, shall be adjudged by the Court to be forfeited ;
- (c) any licence issued to him under the provisions of this Law may be cancelled by the issuing authority.

9. The Comptroller may compromise and compound any action or proceeding which shall at any time hereafter be necessary or commenced by his authority or under his control against any person for the recovery of penalties incurred under the provisions of this Law on such terms and conditions as he shall in his absolute discretion think proper with full power for him or any of his officers or agents by him duly authorised, in that behalf to accept the penalties so incurred or alleged to have been incurred or any part thereof without action or proceedings brought or commenced for the recovery thereof.

Compound-
ing offences.