

GOVERNMENT OF FIJI GAZETTE SUPPLEMENT

 No. 20

FRIDAY, 22nd AUGUST

2014

[LEGAL NOTICE No. 40]

FIJI NATIONAL PROVIDENT FUND DECREE 2011
(DECREE No. 52 OF 2011)

Fiji National Provident Fund Regulations 2014

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[LEGAL NOTICE NO. 41]

FISHERIES ACT
(CAP. 158)

**Fisheries (Shark Reef Marine Reserve) (Serua)
Regulations 2014**

IN exercise of the powers conferred upon me by section 9 of the Fisheries Act (Cap. 158), I hereby make these Regulations—

Short title and commencement

1. These Regulations may be cited as the Fisheries (Shark Reef Marine Reserve) (Serua) Regulations 2014 and shall come into force on the date of its publication in the *Gazette*.

Interpretation

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

“Act” means the Fisheries Act (Cap. 158);

“Buffer Zone” means the Buffer Zone declared under regulation 4;

“Coastal Zone” for the purposes of these Regulations means the area within 2 kilometres inland from the high water mark and includes areas from the high water mark up to the Marine Reserve;

“development activity or undertaking” means any activity or undertaking likely to alter the physical nature of the land in any way, and includes the construction of buildings or works, the deposit of wastes or other material from outfalls, vessels or by other means, the removal of sand, coral, shells, natural vegetation, sea grass or other substances, dredging, filling, land reclamation, mining or drilling for minerals, but does not include fishing;

“indiscriminate fishing gear” means any fishing gear deployed that indiscriminately catches sharks, fish or any marine organism such as gillnets and handlines with steel wire leaders and even poison fishing where derris root extracts, chemicals or dynamite are used; and

“Marine Reserve” means the Shark Reef Marine Reserve-Serua declared under regulation 3.

Shark Reef Marine Reserve-Serua

3.—(1) The area marked in blue on the map set out in the Schedule is hereby declared a Marine Reserve to be known as the Shark Reef Marine Reserve-Serua for the purpose of conserving, protecting and maintaining shark species and marine organisms including coral within the area.

(2) Any person operating a vessel within the Marine Reserve shall use only the mooring provided within the Marine Reserve.

(3) A person shall not dispose of or throw rubbish or any other waste material within the Marine Reserve area.

(4) Any development activity or undertaking within the Coastal Zone of the Marine Reserve is prohibited except with the approval of the Department of Fisheries.

(5) Any fishing activity or activity consisting of the collection of any species of shark and marine organisms including coral within the Marine Reserve is prohibited.

(6) Any person who contravenes this regulation commits an offence and is liable upon conviction to a fine of not less than \$500 and not exceeding \$10,000 or imprisonment to a term not exceeding 6 months, or both.

(7) The Department of Fisheries may seize any marine organism, fishing equipment, conveyance including vehicles and vessels used for their transport, or other property involved in a breach of sub-regulation (5).

Buffer Zone

4.—(1) The area marked in green on the map set out in the Schedule is hereby declared a Buffer Zone for the Marine Reserve.

(2) The use of any form of indiscriminate fishing gear and any fishing equipment used to specifically target sharks within the Buffer Zone is prohibited.

(3) Any person who contravenes sub-regulation (2) commits an offence and is liable upon conviction to a fine of not less than \$500 and not exceeding \$5,000 or imprisonment to a term not exceeding 6 months, or both.

(4) The Department of Fisheries may seize any shark species or marine organism captured or any fishing equipment involved in a breach of sub-regulation (2).

Scientific Research

5. Notwithstanding regulations 3 and 4, the Minister may authorise activities otherwise prohibited under these Regulations for the purpose of scientific research.

Management guidelines

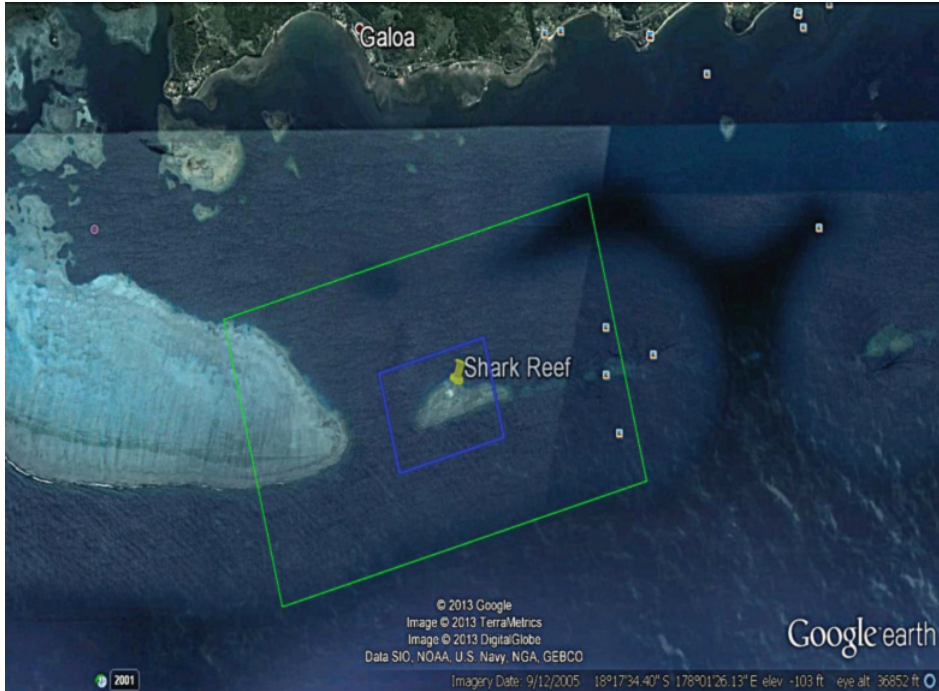
6. The Minister may, by notice in the *Gazette*, issue guidelines for the proper management and monitoring of the areas within the Marine Reserve and the Buffer Zone.

Made this 13th day of August 2014.

I. B. SERUIRATU
Minister for Agriculture, Fisheries and Forests,
Rural & Maritime Development and
National Disaster Management

SCHEDULE

SHARK REEF MARINE RESERVE-SERUA



Co-ordinates of boundaries of the Shark Reef Marine Reserve-Serua—marked in blue

NE Corner: 18° 17' 41.80" S ; 178° 00' 42.53" E

SE Corner: 18° 18' 20.00" S ; 178° 00' 52.04" E

NW Corner: 18° 17' 27.31" S ; 178° 01' 30.61" E

SW Corner: 18° 18' 06.80" S ; 178° 01' 41.31" E

Co-ordinates of boundaries of the Buffer Zone—marked in green

NE Corner: 18° 17' 27.61" S ; 177° 59' 27.29" E

SE Corner: 18° 19' 04.70" S ; 177° 59' 58.63" E

NW Corner: 18° 16' 37.47" S ; 178° 02' 15.79" E

SW Corner: 18° 18' 21.01" S ; 178° 02' 59.72" E