



REPUBLIC OF NAURU

# COASTAL FISHERIES AND AQUACULTURE BILL 2020

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No. of 2020

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A Bill for an Act to provide for the sustainable and efficient management of the coastal and aquaculture resources of the Republic, to develop the coastal fisheries and aquaculture sectors and for other related purposes

Certified: [ ]

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Enacted by the Parliament of Nauru as follows:

## PART 1 - PRELIMINARY

### 1 Short title

This Act may be cited as the *Coastal Fisheries and Aquaculture Act 2020*.

### 2 Commencement

This Act commences upon certification by the Speaker.

### 3 Definitions

In this Act:

**'Advisory Council'** means the Coastal Fisheries Advisory Council established under Section 10;

**'aquaculture'** means the cultivation, propagation or farming of aquatic organisms whether from eggs, spawn, spat or seed, or by rearing aquatic organisms lawfully taken from the wild or lawfully imported into the Republic, or any similar process;

**'artisanal fishing'** means small-scale fishing whether subsistence or commercial providing for local consumption but does not include export, such as gleaning, use of small boats and canoes;

**'authorised officers'** means authorised officers appointed under Section 40;

**'Authority'** means the Nauru Fisheries and Marine Resources Authority;

**'coastal fisheries'** means fishing activities targeting marine resources occurring within the coastal fisheries waters of the Republic;

**'coastal fisheries waters'** means the internal waters and the territorial sea of the Republic;

**'Community fisheries management areas'** means coastal fishing areas that have been declared by the Minister to be managed by district communities for the purpose of protecting the coastal fisheries and marine resources to ensure its long-term sustainability;

**'Chief Executive Officer'** means the Chief Executive Officer of the Authority;

**'fishery' or 'fisheries'** means one or more stocks of fish or any fishing operation based on those stocks which can be treated as a unit for the purposes of conservation, development and management, taking into

account geographical, scientific, social, technical, recreational, economic and other relevant characteristics;

**'fishing vessel'** means any vessel, ship or other craft which is used, equipped to be used or of a type that is normally used for fishing or related activities;

**'Forum'** means the Community Fisheries Stakeholder Forum established under Section 15;

**'Minister'** means the Minister responsible for Fisheries;

**'subsistence fishing'** means any fishing activity carried out primarily for personal consumption, excluding game fishing.

#### **4 Application**

This Act applies to:

- (a) all coastal fisheries waters and areas over which Nauru exercises jurisdiction or sovereign rights;
- (b) fisheries resources and related habitats in coastal fisheries waters;
- (c) coastal fisheries;
- (d) aquaculture and related activities;
- (e) persons, vessels, vehicles, aircraft, export facilities or other vessels or place engaged in or otherwise connected with any activity falling within the scope of this Act; and
- (f) persons and vessels in coastal fisheries waters.

#### **5 Objectives**

The objectives of this Act include:

- (a) preservation, protection and development of coastal fisheries waters of the Republic;
- (b) ensuring the sustainability of coastal fisheries waters and aquaculture management and development;
- (c) protection of livelihood and food security;
- (d) managing, developing and using fishery resources taking into consideration traditional knowledge, best available scientific information and in accordance with best management practices;
- (e) ensuring community participation in coastal fisheries and aquaculture management; and