

TITLE 51 – MANAGEMENT OF MARINE RESOURCES
CHAPTER 2 - FISHERIES



Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

FISHERIES ACT

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**TITLE 51 – MANAGEMENT OF MARINE RESOURCES
CHAPTER 2 - FISHERIES**



Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

FISHERIES ACT

AN ACT to exclusively manage and control living and non-living resources within the Fishery Waters of the Republic of the Marshall Islands.

<i>Commencement:</i>	<i>October 13, 1997</i>
<i>Source:</i>	<i>P.L. 1997-60</i>
<i>Amended By:</i>	<i>P.L. 2011-63</i>
<i>P.L. 2017-49</i>	

**PART I- FISHERIES CONSERVATION, MANAGEMENT AND
DEVELOPMENT**

§201. Short Title.

This Chapter may be cited as the Fisheries Act. [Short title supplied by Commissioner during codification. This Chapter codifies Parts III and V of P.L. 1997-60]

§202. Management.

Exclusive management and control over living and non-living resources within the Fishery Waters is vested in the Government. [P.L. 1997-60, §20.]

§203. Conservation, management and sustainable use of the fishery resources.

- (1) The Authority shall ensure the long term conservation and sustainable use of the fishery resources, and to this end shall adopt

management measures which promote the objective of optimum utilization.

- (2) The Authority shall ensure that such management measures are based on the best scientific evidence available and designed to maintain or restore stocks at levels capable of producing maximum sustainable yield, as qualified by relevant environmental and economic factors, and taking into account fishing patterns, the interdependence of stocks and generally recommended international minimum standards.
- (3) The Authority shall apply the precautionary approach at no less standard than set by criteria in the United Nations Agreement or any other fisheries management agreement.
- (4) The Authority shall as appropriate adopt and apply the following general principles in relation to fisheries management:
 - (a) assess the impacts of fishing, other human activities and environmental factors on target stocks and species belonging to the same ecosystem or associated with or dependent upon the target stocks;
 - (b) adopt, where necessary, conservation and management measures for species belonging to the same ecosystem or associated with or dependent upon the target stocks, with a view to maintaining or restoring populations of such species above levels at which their reproduction may become seriously threatened;
 - (c) minimize pollution, waste, discards, catch by lost or abandoned gear, catch of non-target species and impacts on associated or dependent species, in particular endangered species, through measures including, to the extent practicable, the development and use of selective, environmentally safe and cost effective fishing gear and techniques;
 - (d) protect bio-diversity in the marine environment;
 - (e) take measures to prevent or eliminate over-fishing and excess fishing capacity and to ensure that levels of fishing effort do not exceed those commensurate with the sustainable use of fishery resources;

- (f) take into account the interests of artisanal and subsistence fishers;
- (g) collect and share, in a timely manner and in accordance with fisheries management agreements and international law, complete and accurate data concerning fishing activities on, inter alia, vessel position, catch of target and non-target species and fishing effort, as well as information from national and international research programs;
- (h) promote and conduct scientific research and develop appropriate technologies in support of fishery conservation and management: and
- (i) implement and enforce conservation and management measures through effective monitoring, control and surveillance. [P.L. 1997-60, §21.]

§204. Objectives and purposes for fisheries management and development.

The Authority shall take into account the following objectives and purposes management decisions, including the approval of fisheries management and development plans in accordance with this Title:

- (a) establish priorities for the utilization of the fisheries resources which will provide the greatest overall benefits to the country;
- (b) ensure the proper conservation of the fishery resource through the prevention of over-fishing and the taking of a precautionary approach toward harvesting when information and data about the fishery resource are lacking;
- (c) base management practices on sound management principles and the best scientific information available, to be gained through national and international research programs;
- (d) minimize, to the extent practicable, fishing gear conflicts among users; and
- (e) develop the fisheries sector in accordance with the best interests of the country. [P.L. 1997-60, §22.]