



Tonga

AQUACULTURE MANAGEMENT ACT

Chapter 18.01

2020 Revised Edition



AQUACULTURE MANAGEMENT ACT

Arrangement of Sections

Section

PART I - PRELIMINARY	5
1 Short title.....	5
2 Interpretation and application	5
PART II - GENERAL AQUACULTURE MANAGEMENT	7
3 Responsibility of the Minister.....	7
4 Aquaculture management and development plan	7
5 Aquaculture areas	7
6 Buffer zones	7
7 Identification and demarcation	7
8 Designated Communities responsible for aquaculture areas and buffer zones	7
9 Authorisation of potentially harmful activities	8
10 Codes of practice	8
11 Aquaculture Advisory Committee	8
PART III - AUTHORISATIONS FOR AQUACULTURE	9
12 Aquaculture to be conducted in accordance with this Act.....	9
13 Application for licence or authorisation	9
14 Renewal of a licence or authorisation	10
15 Issue or refusal	10
16 Aquaculture development licences	12
17 Licence conditions	12
18 Variation of licences	13
19 Payment of a fee	13

20	Register of licences and authorisations	13
21	Record keeping and provision of information by licence holders	13
22	Cessation of aquaculture	14
23	Seizure for non-compliance	14
24	Cancellation and non-renewal	15
25	Disqualification of persons from holding an aquaculture development licence or authorisation	15

PART IV - PROTECTION OF THE ENVIRONMENT 16

26	Environmental impact assessment	16
27	Licence holders to minimise environmental impacts	16
28	Exotic fish	17
29	Genetically modified fish	17
29A	Fish which are living modified organisms	17
30	Movement of live fish or aquaculture products	18

PART V - ENFORCEMENT 18

31	Aquaculture officers	18
32	Disposal of perishable aquaculture products and other goods seized	19
33	Offences and penalties	19

PART VI - MISCELLANEOUS 21

34	Administrative penalties for fisheries offences	21
35	Right to require that offence be dealt with by court	22
36	Admission of an offence	22
37	Amount of administrative penalty	23
38	Immunity of person acting in pursuance of powers	23
39	Three months to apply for licence	23
40	Use of pharmaceutical drugs	23
41	Regulations	24



AQUACULTURE MANAGEMENT ACT

AN ACT TO PROVIDE FOR THE MANAGEMENT AND DEVELOPMENT OF AQUACULTURE IN THE KINGDOM AND OTHER MATTERS INCIDENTAL THERETO¹

Commencement [18th November, 2003]

PART I - PRELIMINARY

1 Short title

This Act may be cited as the Aquaculture Management Act.

2 Interpretation and application

(1) In this Act, unless the context otherwise requires —

“**aquaculture**” means any operation involving the husbandry, cultivation, propagation or farming of fish, during the whole or part of its life cycle and includes any operation in preparation for any aquaculture or other related activity;

“**aquaculture development licence**” means a licence, issued by the Chief Executive Officer under this Act or any regulations made under this Act, for the purposes of aquaculture;

“**aquaculture officer**” means a person designated by the Minister under section 31;