

Fisheries (Turtle, Lobster and Fish Protection) Regulations

SAINT LUCIA

STATUTORY INSTRUMENTS, 1987, No. 67.

[12th December, 1987.]

1. **Citation.** These Regulations may be cited as the Fisheries (Turtle, Lobster and Fish Protection) Regulations, 1987.

2. **Interpretation.** In these Regulations :

“ the Act ” means the Fisheries Act, 1984 (No. 10 of 1984) ;

“ fishery waters ” means the waters of the exclusive economic zone, territorial sea, and internal waters as defined in the Maritime Areas Act, 1984 and any other waters over which Saint Lucia claims fisheries jurisdiction ;

“ Minister ” means the Minister charged with responsibility for fisheries.

3. **Prohibition against removing from the fishery waters or being in possession of lobsters.**—(1) No person shall harm, give, receive, from anyone, or at any time have in his possession, expose for sale, sell or purchase :

(a) any lobster that is undersized ;

(b) any lobster carrying eggs ; or

(c) any lobster which is moulting.

(2) No person shall :

(a) remove the eggs from a lobster, or have in his possession, or sell, or purchase a lobster from which the eggs have been removed ;

(b) spear or attempt to spear a lobster ;

(c) fish for, remove from the fishery waters, give, or at any time have in his possession, expose for sale, sell or purchase any lobster between the 30th day of April to the 1st day of September in every year, or as otherwise stated by the Minister by notice published in the **Gazette** and in a newspaper which is printed or circulated in the State.

(3) In this Regulation “ undersized ” means in relation to lobsters :

(a) less than 25 centimetres (10 ins.) in length measured from immediately behind the rostral horns to the near edge of the telson or less than 680 grammes (1.5 lbs.) in weight ;

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- (b) less than 9.5 centimetres (3.75 ins.) in carapace length measured from the ridge at the base of the horns to the end of the carapace (back shell) ; or
- (c) if the tail has been removed, a tail weight of 340 grammes (12 oz.).

4. Prohibition against disturbing, removing from the fishery waters or being in possession of turtles.—(1) No person shall :

- (a) disturb, remove from the fishery waters, expose for sale, sell, purchase, or at any time have in his possession any turtle eggs ;
- (b) interfere with any turtle nest, or turtle that is nesting ;
- (c) remove from the fishery waters, expose for sale, sell, purchase, or at any time have in his possession any undersized turtle ;
- (d) set within 100 metres of the shores of Saint Lucia any net or seine or any other artifice for the purpose of or with the intention of fishing for, catching, or taking any turtle ; or
- (e) fish for, remove from the fishery waters, or at any time have in his possession, expose for sale, sell or purchase any turtle or part thereof between the 28th day of February to the 1st day of October in every year, or as otherwise stated by the Minister by notice published in the **Gazette** and in a newspaper which is printed or circulated in the State.

(2) In this Regulation “undersized” means a weight less than :

- (a) 30 pounds for Hawksbill (**Eretmochelys imbricata**), Green (**Chelonia mydas**) and loggerhead (**Caretta caretta**) turtles ; or
- (b) 120 pounds for leatherback (**Dermochelys coriacea**) turtles.

5. Prohibition against taking possession of corals and sponges. No person shall take, collect, have in his possession or damage any coral or sponges from or in the fishery waters except with the written permission of the Chief Fisheries Officer, and in accordance with any such conditions as the Chief Fisheries Officer may specify.

6. Prohibition against the sale of or taking in possession of any conch.—

(1) No person shall :

- (a) take from the fishery waters, sell, purchase, or at any time have in his possession any immature conch ; or
- (b) take from the fishery waters, expose for sale, sell, purchase or at any time have in his possession any conch during the closed season for conch as specified by the Minister by notice published in the **Gazette** and in a newspaper which is printed or circulated in the State.

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- (2) In this Regulation, "immature conch" means a conch with :
- (a) a total weight of less than one kilogramme (2.24 lbs.) ;
 - (b) meat weight of less than 280 grammes after removal of the digestive gland ; or
 - (c) a shell which does not have a flared lip.

7. **Prohibition against the disturbance of sea urchins.** No person shall disturb, take from the fishery waters, have in his possession, purchase, expose for sale, or sell any sea urchins of the species (*Tripneustes esculentes* (white sea egg)) or *Diadema antillarum* (black sea egg), except with the written permission of the Chief Fisheries Officer, and in accordance with any such conditions as the Chief Fisheries Officer may specify.

8. **Scientific Research.**—(1) The Minister may authorize any person or class of persons to perform such acts, for the purpose of engaging in scientific research, which would otherwise constitute an offence under these Regulations.

(2) An authorization given under this Regulation may be subject to such terms and conditions as the Minister thinks fit.

(3) It shall be a defence to a prosecution for a breach of a Regulation that the person charged was authorized under sub-regulation (1) at the time of the alleged offence to perform such acts in respect of which the charge was preferred.

9. **Offences and penalties.** Any person who contravenes any of the provisions of these Regulations shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five thousand dollars.

Made by the Minister under section 39 (2) of the Fisheries Act, 1984 (No. 10 of 1984), this 3rd day of December, 1987.

FERDINAND HENRY,
Minister.