

Rodrigues Regional Assembly (Octopus Closed Season) Regulations 2012

RodriguesGN No. 2 of 2012

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THE RODRIGUES REGIONAL ASSEMBLY (OCTOPUS CLOSED SEASON) REGULATIONS 2012

Regulations made by the Rodrigues Regional Assembly under Sections 26(1), 31, and item (16) of the Fourth Schedule of the Rodrigues Regional Assembly Act 2001.

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PART I - PRELIMINARY

1. Short Title

These Regulations may be cited as **The Rodrigues Regional Assembly (Octopus Closed Season) Regulations 2012.**

2. Interpretation

In these regulations:

“Commission” means the Commission of the Rodrigues Regional Assembly responsible for the subject of fisheries;

“Commissioner” means the Commissioner responsible for the subject of Fisheries;

“Departmental Head” means the Departmental Head of the Commission responsible for the subject of fisheries;

“Licence” means any licence issued by the Departmental Head of the Commission responsible for the subject of fisheries;

“Octopus” means an aquatic organism, of the cephalopod family with two eyes and which normally possesses four pairs of sucker-bearing arms.

PART II- GENERAL PROVISIONS

3. Principles

These regulations shall enhance the effectiveness of the management of octopus fishery.

PART III - MANAGEMENT OF OCTOPUS FISHERY

4. Closed Period

(1) The Commissioner shall set a specific period for the closure of octopus fishing by way of notice in at least two local newspapers.

(2) No person shall collect, kill, fish, land or have in his possession any octopus by any means during the closed period as set out under this regulation, except for research purposes and subject to the written authorisation of the Commissioner.

(3) Any person who, on the first day, at latest, of the closed season, has in his possession a stock of at least 5 kilograms of fresh/ frozen/dried octopus shall declare same to the Departmental Head.

(4) No person shall export or import octopus during the closed season without a licence for that purpose from the Departmental Head.

PART IV - OFFENCES AND PENALTIES

5. Offences and Penalties

(1) Any person who contravenes regulations 4(2), (3) and (4) shall commit an offence and shall, on conviction, be liable:

- (a) in the case of a first conviction, to a fine of not less than rupees three thousand (Rs 3,000) and not more than rupees five thousand (Rs 5,000); and
- (b) in the case of a second and subsequent convictions, to a fine of not less than rupees five thousand (Rs 5,000) and not more than rupees ten thousand (Rs 10,000) and to imprisonment for a term not exceeding two years.

Passed by the Rodrigues Regional Assembly on 03 July 2012.