

Thirteenth Kerala Legislative Assembly
Bill No. 219

THE KERALA MARINE FISHING REGULATION
(AMENDMENT) BILL, 2013

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further to amend the Kerala Marine Fishing Regulation Act, 1980.

Preamble.—WHEREAS, it is expedient further to amend the Kerala Marine Fishing Regulation Act, 1980 for the purposes hereinafter appearing;

Be it enacted in the Sixty-fourth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Marine Fishing Regulation (Amendment) Act, 2013.

(2) It shall come into force at once.

2. *Amendment of section 2.*—In the Kerala Marine Fishing Regulation Act, 1980 (10 of 1981), (hereinafter referred to as the principal Act), in section 2,—

(i) in clause (a), for the words “an Assistant Director of Fisheries”, the words “a Joint Director of Fisheries” shall be substituted;

(ii) for sub-clause (i) of clause (g), the following sub-clause shall be substituted, namely:—

“(i) a fishing vessel registered under section 435-C of the Merchant Shipping Act, 1958 (Central Act 44 of 1958).”.

3. *Amendment of section 9.*— In section 9 of the principal Act,—

(i) in sub-section (1), for the words, figures and brackets “section 11 of the Marine Products Export Development Authority Act, 1972 (Central Act 13 of 1972)”, the words, figures and brackets “section 435-C of the Merchant Shipping Act, 1958 (Central Act 44 of 1958)” shall be substituted;

(ii) in sub-section (3), for the words “shall enter in a register to be kept by him, in such form as may be prescribed, the particulars of such certificate”,

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the words “the applicant shall acknowledge the receipt of the certificate in a true copy thereof which shall be kept by the authorised officer.” shall be substituted;

(iii) after sub-section (6), the following sub-section shall be inserted, namely:—

“(7) All alterations made in a fishing vessel shall be reported to the authorised officer by whom the fishing vessel was registered and necessary entries regarding the alterations shall be got entered by him in the certificate of registration.”.

STATEMENT OF OBJECTS AND REASONS

Registration of fishing vessels are being done under the provisions of the Marine Products Export Development Authority Act, 1972 (Central Act 13 of 1972) and the Kerala Marine Fishing Regulation Act, 1980 (10 of 1981). Now the Central Government have amended the Merchant Shipping Act, 1958 (Central Act 44 of 1958) making it mandatory to register all Fishing Vessels under the Merchant Shipping Act, 1958. Thus a streamlined system of registration of fishing boats become a necessity. For this, fishing vessels has to be registered in a uniform pattern. The Government of India have revised the format for registration of fishing vessels under the Merchant Shipping Act, 1958 and directed the State Government that all fresh registration of fishing vessels should be undertaken using the revised registration format.

Government have also decided to authorise an officer not below the rank of a Joint Director of Fisheries instead of an Assistant Director of Fisheries as adjudicating officer. Therefore, the Government have decided to make suitable amendments to the Kerala Marine Fishing Regulation Act, 1980 for the above purposes.

This Bill seeks to achieve the above object.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any additional expenditure from the Consolidated Fund of the State.

K. BABU.

EXTRACT OF THE RELEVANT PORTIONS FROM THE
KERALA MARINE FISHING REGULATION ACT, 1980
(10 OF 1981)

** ** ** **

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) “adjudicating officer” means any officer of the Fisheries Department, not below the rank of an Assistant Director of Fisheries, authorised by the Government, by notification in the Gazette, to exercise the powers conferred on and discharge the duties imposed upon, the adjudicating officer by this Act for such area as may be specified in the notification;

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(g) “registered fishing vessel” means—

(i) a fishing vessel registered under S.11 of the Marine Products Export Development Authority Act, 1972 (Central Act 13 of 1972); or

(ii) a fishing vessel registered under S.9;

** ** ** **

9. *Registration of vessels.*—(1) The owner of every vessel used or intended to be used for purposes of fishing and kept in the State, not being a fishing vessel registered under S.11 of the Marine Products Export Development Authority Act, 1972 (Central Act 13 of 1972), shall register such vessel under this Act.

** ** ** **

(3) The authorised officer shall issue to the owner of the vessel registered by him a certificate of registration in the prescribed form and shall enter in a register to be kept by him, in such form as may be prescribed, the particulars of such certificate.

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(6) No vessel, other than a registered fishing vessel, shall be entitled to a licence under S.6.

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