

Thirteenth Kerala Legislative Assembly
Bill No. 249

**THE KERALA MARINE FISHING REGULATION
(SECOND AMENDMENT) BILL, 2013**

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

Preamble.—WHEREAS, it is expedient 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 (Second 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 (d) in item (ii), the words “and” shall be omitted and in item (iii), after the words ‘a canoe’ the words and figures “and (iv) freezer vessels” shall be inserted.

(ii) after clause (d) the following explanation shall be inserted, namely:—

Explanation:—For the purpose of this section, “freezer vessels” means type of fishing vessels equipped with freezers to preserve fish by freezing them on board of the vessel;

3. *Insertion of new sections 9A and 9B.*—In the principal Act, after section 9, the following sections shall be inserted, namely:—

“9A. *General conditions of hygiene to be complied with by a fishing vessel registered under the Act.*—(1) Equipments, containers and all the surfaces in contact with fish in and out of the vessels shall be kept clean by periodical washing with potable water or clean sea water and disinfected in such manner as may be prescribed.

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(2) Fishery products taken on board shall be protected from contamination, sunlight or any other source of heat.

(3) Fishery products shall be preserved and stored in such a manner to prevent bruising.

(4) Fishery products other than those kept alive shall undergo cold treatment as soon as possible after procurement, especially when the fishery products are to be stored for more than eight hours on board.

(5) Ice used for chilling of products shall be made from potable water or clean sea water.

(6) Where fish is headed or gutted on board, such operations shall be carried out hygienically.

(7) Equipments used for gutting, heading etc. and also the container used for storing fishery products shall be made of or coated with waterproof material, which is resistant to decay, smooth and easy to clean and disinfect.

(8) Staff assigned for handling of fishery products shall be required to maintain a high standard of cleanliness.

(9) Cleaning products, disinfectants, insecticides and all potentially toxic substances shall be stored in locked premises or cupboards.

9B. *Requirements for fishing and freezer vessels.*—(1) Vessels shall be designed and constructed so as to avoid contamination of the products with bilge water, sewage, smoke, fuel, oil, grease or other objectionable substances.

(2) Surface of the vessels in contact with fishery products shall be of suitable corrosion-resistant material.

(3) Vessels designed and equipped to preserve fresh fishery products for more than twenty four hours shall be equipped with holds, tanks or containers for its storage at a temperature required for melting ice.

(4) The holds shall be separated from the machinery space and the crew quarters by partitions which are sufficient to prevent any contamination of the stored fishery products.

(5) Containers used in the vessels for the storage of products shall be such as to ensure their preservation under satisfactory conditions of hygiene and allow drainage of melt water.

(6) Equipments and materials used in the vessels for handling fishery products shall be made of or coated with corrosion-resistant material, easy to clean and disinfect.

(7) In vessels equipped for chilling fishery products in cooled clean sea water, tanks shall incorporate devices to maintain a uniform temperature throughout the tanks.

(8) The freezer vessels shall have equipments with sufficient capacity to lower the temperature of the products rapidly so as to achieve a core temperature of not more than minus eighteen degree Celsius and have refrigeration equipment with sufficient capacity to maintain fishery products in the storage holds at not more than minus 18 degree Celsius. Storage holds shall be equipped with a temperature recording device in a place where it can be easily read. The temperature sensor of the reader shall be situated in the warmest area of the cold store.

STATEMENT OF OBJECTS AND REASONS

Sea food export is a key factor to the growth of our economy. Sea food quality and assurance are important to ensure that the product has been prepared from quality raw material processed under ideal conditions and that the products are absolutely free from pathogen and toxins.

Marine products when they reach processing plants, undergo considerable changes due to deterioration in quality owing to lack of proper handling due to poor hygiene conditions in boats. Thus an enforcement machinery seemed necessary to see that the fishing boats comply with certain requirements of hygiene. In order to ensure proper hygiene in fishing vessels, the standards of hygiene and the requirements for maintaining such hygiene may be incorporated as conditions of registration of fishing vessels under the Kerala Marine Fishing Regulation Act, 1980.

Therefore, the Government have decided to make suitable amendments to the Kerala Marine Fishing Regulation Act, 1980 to ensure the quality of fish products by applying various measures.

The Bill is intended 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 FROM THE RELEVANT PORTIONS OF THE KERALA MARINE
FISHING REGULATION ACT, 1980

(10 of 1981)

** ** * *

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

** ** * *

(d) “fishing vessel” means a ship or boat, whether or not fitted with mechanical means of propulsion, which is engaged in sea-fishing for profit and includes—

- (i) a catamaran,
- (ii) a country craft, and
- (iii) a canoe,

engaged in sea fishing;

** ** * *

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 section 11 of the Marine Products Export Development Authority Act, 1972 (Central Act 13 of 1972), shall register such vessel under this Act.

** ** * *

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

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