

Statutory Document No. 2023/0313

*Fisheries Act 2012*

SEA FISHERIES (RESTRICTIONS) (ICCAT) REGULATIONS 2023¹

Laid before Tynwald: 16 January 2024

Coming into Operation: in accordance with regulation 2

The Department of Environment, Food and Agriculture makes the following Regulations under section 36 of the Fisheries Act 2012, having —

- (a) consulted in accordance with section 83(2) and (5)(a) of the Act; and
- (b) satisfied itself as required under section 83(5)(b) of the Act.

1 Title

These Regulations are the Sea Fisheries (Restrictions) (ICCAT) Regulations 2023.

2 Commencement

These Regulations come into operation on the day after they are made¹.

3 Interpretation

In these Regulations —

“**the Act**” means the Fisheries Act 2012;

“**ICCAT**” means the International Convention for the Conservation of Atlantic Tuna;

“**protected species**” means any of the species listed in the Schedule;

“**territorial sea**” means the area between —

- (a) the mean high water mark; and
- (b) the seaward boundary of the Isle of Man’s territorial sea (as defined by section 1 of the Territorial Sea (Consequential Provisions) Act 1991); and

“**unauthorised person**” means a person who does not hold either —

¹ Tynwald procedure—negative, in accordance with section 83(3) of the Act.

- (a) a sea fishing licence or is serving as a crew member of a fishing vessel which does not hold a sea fishing licence, issued in accordance with regulations made under section 37 of the Act; or
- (b) a scientific permit which permits any of the activities prescribed in regulation 4, issued by the Department in accordance with section 75 of the Act.

4 Prohibition on fishing protected species

It is prohibited for an unauthorised person fishing within the Island's territorial sea to take, catch, kill or land any protected species, by any method.

5 Incidental capture of protected species

In the event of a protected species being caught by an unauthorised person, the unauthorised person must take every reasonable step to ensure that the protected species is released alive and unharmed immediately in the territorial sea.

6 Offence

An unauthorised person is guilty of an offence if they capture a protected species and they do not comply with the duty prescribed in regulation 5.

MADE 18 DECEMBER 2023

SCHEDULE

[Regulation 3]

PROTECTED SPECIES

For the purposes of these Regulations, the protected species of fish is any of the fish listed in this table –

Common name	Species name
Bluefin Tuna	<i>Thunnus Thynnus</i>
Southern Bluefin tuna	<i>Thunnus maccoyii</i>
Yellowfin tuna	<i>Thunnus albacares</i>
Albacore tuna	<i>Thunnus alalunga</i>
Bigeye tuna	<i>Thunnus obesus</i>
Blackfin tuna	<i>Thunnus atlanticus</i>
Little tunny	<i>Euthynnus alletteratus</i>
Skipjack	<i>Katsuwonus pelamis</i>
Atlantic Bonito	<i>Sarda sarda</i>
Frigate tuna	<i>Auxis thazard</i>
Bullet tuna	<i>Auxis rochei</i>
Plain Bonito	<i>Orcynopsis unicolor</i>
Wahoo	<i>Acanthocybium solandri</i>
Atlantic Spanish Mackerel	<i>Scomberomorus maculatus</i>
West African Spanish Mackerel	<i>Scombermoreus tritor</i>
Atlantic sailfish	<i>Istophorus albicans</i>
Black Marlin	<i>Makaira indica</i>
Blue Marlin	<i>Makaira nigricans</i>
Atlantic White Marlin	<i>Tetrapturus albidus</i>
Swordfish	<i>Xiphias gladius</i>
Longbill spearfish	<i>Tetrapturus pfluegeri</i>

ENDNOTES

Table of Endnote References

¹ The format of this legislation has been changed as provided for under section 75 of, and paragraph 2 of Schedule 1 to, the Legislation Act 2015. The changes have been approved by the Attorney General after consultation with the Clerk of Tynwald as required by section 76 of the Legislation Act 2015.