Commencement: 5 August 1991

FISHERIES (COCONUT CRABS) REGULATIONS

Order 13 of 1991

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1. Interpretation

In these regulations, unless the context otherwise requires –

"close season" has the meaning assigned to it in regulation 6;

"coconut crab" means a crustacean of the species Birgus latro;

"Director" means the Director of Fisheries.

2. Prohibition to take, etc. coconut crabs during close season

No person shall kill, injure or take any coconut crab during the close season.

3. Sale of certain coconut crabs prohibited

(1) No person shall kill, injure, take, have in his possession, sell, offer or expose for sale:

(a) any coconut crab carrying eggs; or

(b) any coconut crab which is less than 98 centimetres in length when measured along the carapace from immediately behind the rostral horn to the rear edge of the carapace in the mid-line, as shown in Schedule 1 to this regulation.

(2) No person shall remove the eggs from a coconut crab or have in his possession, sell, offer or expose for sale any coconut crab from which the eggs have been removed.

4. Quota of coconut crabs that may be taken, etc. on certain islands

(1) No person shall take or catch, in each year, coconut crabs in excess of the quota specified in the second column of Schedule 2 to these regulations on the islands specified in the first column of the said Schedule.

(2) The Minister may, after consultation with each Local Government Council, by notice in writing published in the Gazette, subdivide the quota further in respect of islands in each region.

5. Permission to catch or take coconut crabs during close season

(1) Coconut crabs may be taken or caught during the close season provided written permission has previously been obtained from the Director.

(2) The Director may, upon application made by any person and for the purposes of scientific research, grant permission in writing to that person to take or catch any coconut crabs, during the close season.

6. Close season

For the purpose of these regulations –

(a) in respect of the islands in the Banks/Torres Local Government Region, the close season shall be the period between the 30th day of August and the 1st day of November in each year;

(b) in respect of the islands in the Santo/Malo Local Government Region, the close season shall be the period between the 31st day of October and the 1st day of April in each year.

7. Officers' right of entry with regard to enforcement of the regulation

It shall be lawful for any fisheries officer, police officer or an inspector appointed under regulation 8 to enter and remain in or to visit and inspect any island or other place where coconut crabs inhabit or are kept for the purpose of enforcing the provisions in these regulations.

8. Inspectors

(1) The Director may, in consultation with a Local Government Council, appoint any fit person by name or office to be inspectors for the better enforcement of these regulations in that Local Government Council Region.

(2) An inspector shall keep and maintain a register of all coconut crabs caught and sold. The inspector shall enter in the register the following particulars:

(a) the name of the seller;

(b) the area and island where the coconut crabs were caught;

(c) the number of crabs being sold;

(d) date of shipment;

(e) the weight of coconut crabs or estimate if unknown;

(f) name and number of flight/ship;

(g) the name and address of the buyer.

(3) The inspector shall –

(a) prior to each shipment of coconut crabs certify that –

(i) the number does not exceed the quota allocated to the region as set out in Schedule 2;

(ii) the crabs were not killed or taken during the close season;

(iii) the crabs do not carry eggs;

(iv) no eggs from all or any of the crabs have been removed; and

(v) the crabs are all 9 centimeters in length as provided in regulation 3(1)(b);

(b) within 14 days of the end of each calendar month, forward to the Director, a copy of the particulars referred to in subregulation (2);

(c) remove any coconut crabs caught and turn them loose if the number exceeds, or if permitted to be taken would exceed, the quota allocated to the region.

9. General penalty

Any person who contravenes or fails to comply with any of the provisions of these regulations shall be guilty of an offence and shall be liable on conviction to a fine not exceeding VT 100,000.

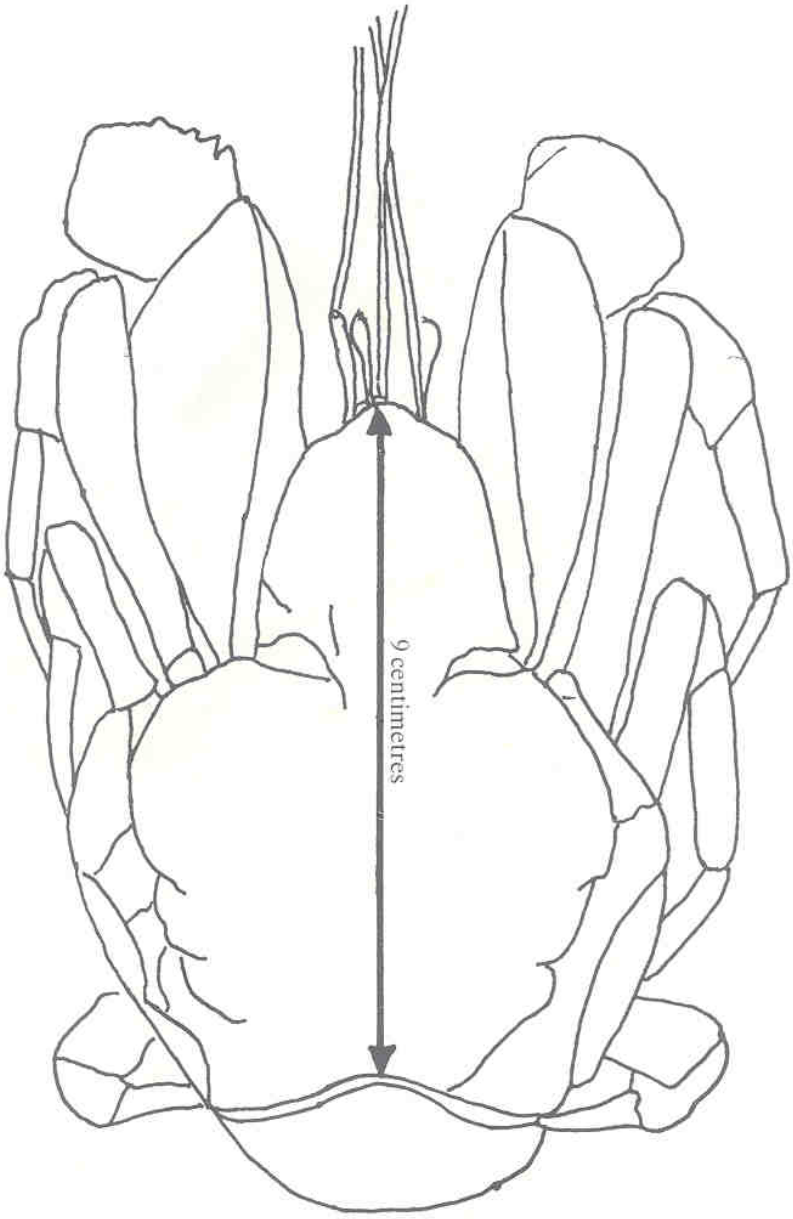
10. Application

These regulations shall apply to the Santo/Malo and Banks/Torres islands.

SCHEDULE 1

(Regulation 3(1)(b))

Coconut Crab – Minimum Size



SCHEDULE 2

(Regulation 4)

ISLAND	QUOTA PER YEAR
All islands in the Banks/Torres region	5,000
All islands in the Santo/Malo region	2,000