



# FALKLAND ISLANDS GAZETTE

## Supplement

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The following are published in this Supplement —

**Fishing, Trans-shipment and Export (Licence Fees etc) (Amendment) Regulations 2023  
(SR&O No 9 of 2023).**

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## SUBSIDIARY LEGISLATION

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### **Fishing, Trans-shipment and Export (Licence Fees etc) (Amendment) Regulations 2023**

**(No. 9 OF 2023)**

#### ARRANGEMENT OF PROVISIONS

##### Regulation

1. Title
2. Commencement
3. Regulations amended
4. Regulation 2 amended (commencement and term)
5. Regulation 5 amended (application for fishing licences)
6. Regulation 8 amended (payment of licence fees)
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8. Regulation 13 amended (trans-shipment and export licences)
9. Regulation 14 amended (trans-shipment and export licence fees)
10. Schedule 2 amended (2022 fishing licence fees refund policy)

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## SUBSIDIARY LEGISLATION

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### **Fishing, Trans-shipment and Export (Licence Fees etc) (Amendment) Regulations 2023**

(made: 2 November 2023)

(coming into force: on publication)

(published: 3 November 2023)

I make these Regulations under sections 41(1), 46, 223(1) and (2)(p) of the Fisheries (Conservation and Management) Ordinance 2005 on the advice of Executive Council.

#### **1. Title**

These Regulations are the Fishing, Trans-shipment and Export (Licence Fees etc) (Amendment) Regulations 2023.

#### **2. Commencement**

These Regulations come into force on publication in the *Gazette*.

#### **3. Regulations amended**

These Regulations amend the Fishing, Trans-shipment and Export (Licence Fees etc) Regulations 2022.

#### **4. Regulation 2 amended (commencement and term)**

Repeal regulation 2(3).

#### **5. Regulation 5 amended (application for fishing licences)**

In regulation 5(1)(b), replace “28 October 2022 to midday 16 November 2022” with “30 October 2023 to midday 10 November 2023”.

#### **6. Regulation 8 amended (payment of licence fees)**

(1) In regulation 8(1) and (2), replace “13 January 2023” with “12 January 2024”.

(2) In regulation 8(3) and (4), replace “2023” with “2024”.

#### **7. Regulation 9 amended (prompt payment discount)**

In regulation 9, replace “13 January 2023” with “12 January 2024”.

#### **8. Regulation 13 amended (trans-shipment and export licences)**

After regulation 13(3), add —

“(4) An export licence is not required for the export of fish packed in a shipping container.”.

## **9. Regulation 14 amended (trans-shipment and export licence fees)**

After regulation 14(1)(a), insert —

“(aa) if a fishing licence in respect of a fishing vessel for a fishing season has been offered by the Director but not yet granted, trans-shipment or export by that vessel before the start of that season;”.

## **10. Schedule 2 amended (2022 fishing licence fees refund policy)**

In the Schedule 2 heading, delete “2022”.

Made 2 November 2023

A. M. BLAKE C.M.G.,  
*Governor.*

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### EXPLANATORY NOTE *(not part of the regulations)*

These regulations amend the Fishing, Trans-shipment and Export (Licence Fees etc) Regulations 2022 in respect of fishing licences for the 2024 Squid – JIG or Trawl fishery, Licence Code B, (Illex) fishing season. These regulations come into force on publication in the *Gazette*.

The amendments set the dates for the application period and for payment of the annual fee for fishing licences for the 2024 Ilex fishing season. The amount of the fees and rates of discounts allowed under the regulations are not changed from those applying for the 2023 fishing season.

Section 46 of the Fisheries (Conservation and Management) Ordinance 2005 requires a person exporting fish to have a licence unless the regulations provide otherwise. Containerised fish is routinely exported from the Falkland Islands. To allow the export of containerised fish to continue without a licence, new regulation 13(4) will exempt containerised fish from the export licence requirement.

Regulation 14 of the principal Regulations sets the licence fee for export and trans-shipment licences and provides a number of exemptions. The fee is not being changed but a new exemption is added.

One of the exemptions is for trans-shipment or export by a fishing vessel that holds a current fishing licence. New regulation 14(1)(aa) will extend this exemption to a vessel that has applied for, and been offered a licence, for the upcoming fishing season. A vessel that has been fishing outside Falkland Islands waters may want to trans-ship their catch before the start of the Falkland Islands season. The new exemption is to encourage those vessels to trans-ship those fish in port when they come in for inspection (which is preferable for crew health and safety reasons) rather than doing so at sea before coming in to port.

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