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THE FISHERIES MANAGEMENT AND DEVELOPMENT ACT

(Cap. 378)

THE FISHERIES MANAGEMENT AND DEVELOPMENT
(MARINE FISHERIES) REGULATIONS, 2024

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THE FISHERIES MANAGEMENT AND DEVELOPMENT ACT

(Cap. 378)

IN EXERCISE of the powers conferred by section 208 of the Fisheries Management and Development Act, Cap 378, the Cabinet Secretary for Mining, Blue Economy and Maritime Affairs makes the following Regulations—

THE FISHERIES MANAGEMENT AND DEVELOPMENT
(MARINE FISHERIES) REGULATIONS, 2024

PART I—PRELIMINARY

1. These Regulations may be cited as the Fisheries Management and Development (Marine Fisheries) Regulations, 2024. Citation.

2. In these Regulations, unless the context otherwise requires— Interpretation.

“Act” means the Fisheries Management and Development Act; Cap. 378.

“authorization” means permission granted to fishers to access a marine fisheries resource in accordance with the Act;

“authorized officer” has the meaning assigned to it under the Act;

“beach management unit” has the meaning assigned to it under the Act;

“catch data” means the data in respect of any species taken for which the licence was granted;

“Council” means the Kenya Fisheries Advisory Council established under section 6 of the Act;

“County Executive Committee Member” means the County Executive Committee Member responsible for matters relating to fisheries in the respective county;

“crew member” means a worker who is part of a team working on a fishing vessel, towards a common function, whether paid or unpaid, other than the master, a pilot or shore-based persons carrying out work aboard a fishing vessel and fisheries observers;

“Director-General” has the meaning assigned to it under the Act;

“fisher” has the meaning assigned to it under the Act;

“Kenya marine fishery waters” means internal waters, the territorial sea and the exclusive economic zone as declared in the Maritime Zones Act; Cap. 371.

“licensed fisher” means a person authorized to undertake fishing in accordance with this regulation;

“master” has the meaning assigned to it under the Act;

“ornamental fishing” means commercial fishing for aesthetic purposes including aquarium fishing; and

“subsistence fishing” has the meaning assigned to it under the Act.

<p>3. The purpose of these Regulations is to provide for—</p> <p>(a) modalities for accessing Kenya marine fishery resources;</p> <p>(b) terms and conditions for harvesting marine fishery resources;</p> <p>(c) the realization of economic benefits from marine fishery resources;</p> <p>(d) the promotion of food and nutrition security;</p> <p>(e) levies for promoting development of artisanal fishers;</p> <p>(f) management and conservation of marine fishery resources; and</p> <p>(g) monitoring, control and surveillance mechanisms to eradicate illegal, unreported and unregulated fishing within Kenya marine fishery waters.</p>	Objects and purpose of Regulations.
<p>4. These Regulations shall apply to persons, vessels or other crafts undertaking any marine fishing falling within the scope of the Act.</p>	Application.
<p>PART II—PROCEDURES FOR REGISTRATION AND LICENSING OF FISHERS AND FISHING CREW</p>	
<p>5. A person who intends to undertake subsistence fishing in Kenya marine fishery waters shall apply for registration to the County Executive Committee Member in Form 1 set out in the First Schedule.</p>	Registration for subsistence fishing.
<p>6. (1) A person who intends to undertake artisanal, ornamental, semi-industrial, industrial or foreign industrial fishing in Kenya marine fishery waters shall apply for a licence to the Director-General in Form 2 set out in the First Schedule.</p> <p>(2) The application under sub-regulation (1) shall specify all the crew members on board the intended fishing vessel.</p>	Application for a fishing license
<p>7. (1) The Director-General and the County Executive Committee Member shall maintain a register of fishers which shall be available for inspection by any member of the public during official working hours.</p> <p>(2) The register shall be updated regularly and shall be maintained for the duration of the licence.</p> <p>(3) The County Executive Committee Member and the respective beach management units shall maintain a register of—</p> <p>(a) registered subsistence fishers; and</p> <p>(b) daily landing for all subsistence fishers.</p>	Register.
<p>PART III—REQUIREMENTS FOR MARINE FISHING</p>	
<p>8. (1) A person qualifies to undertake subsistence fishing if the person—</p> <p>(a) is citizen of Kenya;</p>	Qualification for subsistence, artisanal and ornamental fishing.

- (b) is a member of a beach management unit; and
- (c) is a holder of valid fisher registration certificate issued by the respective county government.
- (2) A person qualifies to undertake artisanal fishing or ornamental fishing if the person—
- (a) is a citizen of Kenya;
- (b) is a member of a beach management unit; and
- (c) is a holder of a valid fishing licence issued by the Director-General.
9. (1) A person who undertakes subsistence fishing shall—
- (a) be a member of a beach management unit;
- (b) use a hook and line, a trap or foot fishing;
- (c) report all catch data at a designated landing station; and
- (d) not engage in commercial fishing or commercial fish trade activities.
- (2) Any person who contravenes the provisions of this regulation shall, on conviction, be liable to the penalties provided under section 24(5) of the Statutory Instruments Act.
10. (1) A person who undertakes artisanal fishing shall—
- (a) be a member of a beach management unit;
- (b) use a recommended fishing method and gear;
- (c) comply with section 103 of the Act;
- (d) be a holder of a valid licence for artisanal fishing vessel issued under section 84 (1) (c) of the Act; and
- (e) report all catch data at a designated landing station;
- (2) Any person who contravenes the provisions of this regulation shall, on conviction, be liable to the penalties provided under section 24(5) of the Statutory Instruments Act.
11. A licence or authorization shall be issued and renewed in accordance with the provisions of section 87 of the Act.
12. A licence or authorization shall be rejected in accordance with the provisions of section 88 of the Act.
13. A licence or authorization shall be suspended or cancelled in accordance with the provisions of section 94 of the Act.
14. A licence or authorization shall be terminated in accordance with the provisions of section 95 of the Act.
- Conditions for subsistence fishing.
- Cap. 2A.
- Conditions for artisanal and ornamental fishing.
- Cap. 2A.
- Conditions for issuance of licences and authorizations.
- Requirements for rejection of licences and authorizations.
- Suspension or cancellation of a licence.
- Termination of licences and authorizations.

15. (1) A person qualifies to be granted a semi-industrial or industrial fishing licence if the person—
- (a) is a citizen of Kenya or is a company incorporated in Kenya; and
 - (b) meets the conditions for semi-industrial and industrial fishing set out in section 98 of the Act.
- (2) In addition to the requirements in sub-regulation (1), the person shall submit proposals for—
- (a) landing, storage and arrangements for value addition in Kenya;
 - (b) skills transfer, training opportunities and preference for employment of citizens of Kenyans in accordance with the provisions of section 91 (1) of the Act; and
 - (c) ensuring compliance with fisheries management and conservation measures as provided for in relevant laws.
16. (1) A foreign industrial fisher qualifies to undertake fishing in Kenya marine fishery waters if the foreign industrial fisher—
- (a) is a registered foreign company;
 - (b) demonstrates the ability to exercise the authorization evidenced by the following—
 - (i) access to a fishing vessel or vessels and other relevant fishing equipment; and
 - (ii) human resource capacity to fulfil fishing obligations for the intended fishing licence; and
 - (c) upon issuance of a fishing licence, registers a company in accordance with the Companies Act, before commencing fishing;
- (2) In addition to the requirements in sub-regulation (1), the company shall submit proposals for—
- (a) landing, storage and arrangements for value addition in Kenya;
 - (b) skills transfer, training opportunities and preference for employment of citizens of Kenya;
 - (c) ensure compliance to fisheries management and conservation measures as provided for in relevant laws.

Qualifications for semi-industrial fishing and industrial fishing.

Qualifications for a foreign industrial fisher.

Cap. 486.

PART IV—LANDING REQUIREMENTS AND TRANSHIPMENT

17. A licensed fisher shall—
- (a) land all or part of the fish at a designated fish landing station or fish landing port in accordance with section 99(1)(k) and 101(1)(d) of the Act; and
 - (b) keep the fish in a manner to ensure that it remains fit for human consumption.

Obligations to landing.

18. An authorized officer at a designated fish landing station or fish landing port shall—
- (a) keep a record of the fish including the weight, name of the species and size; and
 - (b) compute the amount of levies payable per value of fish landed and collect the levies payable.
19. (1) Pursuant to the provisions of section 107 of the Act, a person may make an application for transshipment to the Director-General in Form 3 set out in the First Schedule.
- (2) Upon receipt of the application under sub-regulation (1), the Director-General shall consider the application and may prepare an authorization to transship in Form 4 set out in the First Schedule and recommend to the Cabinet Secretary for endorsement.
- (3) An application under sub-regulation (1) maybe approved for—
- (a) live fish trade; and
 - (b) sashimi grade tuna:
- Provided that an application for transshipment of live fish shall be approved in consultation with the Director of Veterinary Services.
- (4) Where transshipment is authorized, the provisions of section 99(1)(k) of the Act shall apply.
- (5) This regulation shall not apply to fishing vessels not licensed to fish in Kenya Marine fishery waters.
20. (1) The owner or operator of a fishing vessel in Kenya marine fishery waters shall not transfer any fish from one vessel to another unless the vessel is in distress and such transfer is authorized and supervised by an authorized officer.
- (2) Any person who intentionally transships in the Kenya marine fishery waters, without authorization and supervision by an authorized officer commits an offence and shall, on conviction, be liable to a penalty provided for under section 107(8) of the Act.
- PART V AUTHORIZATION TO FISH IN THE HIGH SEAS**
21. (1) The operator of a Kenyan fishing vessel who intends to carry out fishing in the high seas shall apply for a written authorization to fish to the Director-General in Form 5 set out in the First Schedule.
- (2) Any fish caught pursuant to sub-regulation (1) shall be landed in accordance with the landing obligations provided in regulation 17.
- (3) The Director-General shall consider the application in sub-regulation (1) within seven days and may issue the applicant with a certificate of authorization to carry out fishing in Form 6 set out in the First Schedule.
22. The Director-General may refuse to issue or renew an authorization to fish in the high seas to an operator of a Kenyan fishing vessel where—

Duty of an authorized officer.

Application for transshipment.

Exemption to transshipment.

Application for authorization to fish in the high seas.

Refusal to grant or renew authorization to fish in the high seas.

- (a) the fishing vessel is on the illegal, unreported and unregulated fishing list maintained by a regional fisheries management organization; or
- (b) the Director-General determines that the responsibilities of the Republic of Kenya cannot be exercised effectively under the applicable international conservation and management measures in respect of the fishing vessel.

23. (1) Any operator of a fishing vessel wishing to enter or exit Kenya marine fishery waters shall notify the Director-General within twenty-four hours before such entry or exit.

Authority to enter or exit Kenya marine fishery waters.

(2) The notification referred to in sub-regulation (1), may be made in electronic form and shall specify—

- (a) the data on the catch on board the vessel;
- (b) the co-ordinates at which the vessel intends to exit or enter;
- (c) the expected time of entry or exit; and
- (d) where applicable, the name of the observer on board appointed in accordance with the Act.

(3) The Director-General may direct an authorized officer to inspect all catch on board any vessel intending to enter or exit Kenya marine fishery waters.

24. The operator of a Kenyan fishing vessel which has been granted an authorization to fish in the high seas shall—

Conditions for authorization to fish in the high seas.

- (a) not use the fishing vessel to engage in any fishing activity which undermines international fishing conservation and management measures;
- (b) comply with the laws of a foreign State in respect of which any foreign licence was obtained;
- (c) report to the Director-General on the area of fishing or fishing related activities, vessel position and catch returns, if any; and
- (d) land all catch on shore in Kenya for value addition activities in accordance with section 150 of the Act.

PART VI - REGISTRATION AND LICENCING OF FISHING VESSELS

25. (1) A licensed fisher shall apply to the Director-General for registration of a fishing vessel, whether local or foreign flagged in Form 7 set out in the First Schedule.

Registration and placement of identification marks on fishing vessels.

(2) The Director-General shall evaluate the application in sub-regulation (1) and make a recommendation to the Board for approval.

(3) Where the Board approves the application, the Director-General shall issue a fishing vessel registration certificate in Form 8 set out in the First Schedule and allot an identification mark which shall be embossed on the fishing vessel in accordance with the Third Schedule.

26. (1) A person shall apply for a fishing vessel licence to the Director-General in Form 9 set out in the First Schedule.

Application for licensing of fishing vessels.

(2) The Director-General shall evaluate the application under sub-regulation (1) and make a recommendation to the Board for approval.

(3) Where the Board approves the application, the Director-General shall prepare a fishing vessel licence to be endorsed by the Cabinet Secretary in Form 10 set out in the First Schedule.

(4) The Director-General shall, after the endorsement by the Cabinet Secretary, issue a fishing vessel licence.

PART VII—FEES, CHARGES AND LEVIES

27. (1) All fees, levies and charges payable under these Regulations shall be as prescribed in the Second Schedule.

Fees.

(2) All fees, levies and charges payable under sub-regulation (1) shall be paid into the Consolidated Fund.

(3) The Cabinet Secretary may review levies and landed values payable from time to time.

28. (1) Every fisher shall ensure that any bycatch caught in the course of fishing in Kenya's marine fishery waters shall not exceed two percent of the total landings.

Bycatch levies.

(2) Bycatch in excess of twenty percent of the total landings shall be charged a levy of fifteen percent of the landed value.

PART VIII—GENERAL PROVISIONS

29. (1) A licensed fisher shall—

Discards.

- (a) not discard fish during fishing operations except where the fishing vessel is in distress; and
- (b) retain on board the vessel, all fish caught and land the fish at a designated fish landing station.

(2) In the event of a distress, the licensed fisher shall—

- (a) notify the search and rescue center of such distress; and
- (b) make a report to the Director-General of such discard as soon as practicable.

(3) Upon notification under sub-regulation (2), the Director-General shall prepare and share the incidence report with other relevant agencies for appropriate action.

30. (1) A person shall not use trawl nets or ring nets within five nautical miles off the coastline of the Republic of Kenya.

Prawn trawl and ring net fishing.

(2) A person who contravenes this regulation commits an offence and shall, on conviction, be liable to a penalty provided under section 42 (7) of the Act.

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31. (1) The owner or operator of any fishing vessel shall maintain in English or Kiswahili language, a bound fishing logbook. Requirements of a fishing logbook.
- (2) A fishing logbook shall be kept in a place where it is protected from damage and where it is readily available for inspection at any time upon the request of an authorized officer.
- (3) A fishing logbook shall be filled in a legible manner, in block capitals and shall be signed by the master of the vessel.
- (4) The master shall be responsible for the accuracy of the data recorded in the fishing logbook.
- (5) The master of a Kenyan fishing vessel shall, upon returning from each fishing trip, cause every consignment caught to be inspected, weighed, and the sizes and species verified and recorded by a fisheries officer.
- (6) A master of a fishing vessel operating in Kenya fishery waters shall, upon returning from each fishing trip, after completion of the landing of the fish, hand over the original of the fishing logbook to the Director- General before leaving the fish landing point.
- (7) A person who owns or operates a fishing vessel and knowingly fails to hand over a log book to an authorized officer commits an offence and shall be liable on conviction to the penalty provided under section 99(2) of the Act.
32. A person aggrieved by any decision made in accordance with these Regulations shall appeal the decision in accordance with the provisions of section 97 of the Act. Appeals.
33. (1) The Fisheries Management and Development (Marine Fisheries) Regulations, 2024 are revoked. Revocation of L.N. 59 of 2024.
- (2) Notwithstanding the provisions of sub-regulation (1)—
- (a) all licences issued under the revoked Regulations shall, at the commencement of these Regulations, be deemed to be licences under these Regulations; and
- (b) all administrative and legal proceedings undertaken under the revoked Regulations shall, at the commencement of these Regulations, be deemed to be administrative and legal proceedings under these Regulations.

FIRST SCHEDULE
Form 1 (r.5)Passport
photo

Application No.....



REPUBLIC OF KENYA

Date

COUNTY GOVERNMENT OF

APPLICATION FOR REGISTRATION AS A SUBSISTENCE FISHER

Category of Fisher: (Subsistence fisher)

- (3) Name:.....
- (4) National Identification (ID) / Passport Number:.....
- (5) Telephone Number:
- (6) Email address (optional):
- (7) Postal address:.....
- (8) Residential address:.....
- (9) Beach Management Unitand membership number
.....Fish landing station
- (10) Ward..... Sub County.....
- (11) Number of persons in the household.
- (12) Average income per month (Kshs)

Declaration:

I do hereby declare that the particulars and information made herein above is correct, complete and truly stated. I understand clearly that any false information provided by me will render this application invalid.

Signed Date

FORM 2 (r.6(1))

Application No.....



REPUBLIC OF KENYA

Date

APPLICATION FOR ARTISANAL/ ORNAMENTAL/ SEMI- INDUSTRIAL/
INDUSTRIAL /FOREIGN INDUSTRIAL FISHING LICENSE

Category of Fishing (Artisanal/ Ornamental/ Semi- Industrial/ Industrial / Foreign Industrial)

1. Name.....
2. Nationality.....
3. Identification: ID Number/ Passport number.....
4. Telephone Number.....
5. Email address.....
6. Postal address:
7. Residential address:
8. Vessel details: Name:.....IMO number.....
9. Vessel licence number:
10. Applicant's license number:
11. Position/Role of the fisher on-board the fishing vessel:
 - (a) Captain / Master
 - (b) First mate
 - (c) Deck officer
 - (d) Engineer
 - (e) Deckhands (general crew)
 - (f) Other (specify)

If a company

- (a) Name of company
- (b) Certificate of incorporation number (Please attach copy)

Shareholders:

<i>Name</i>	<i>Citizenship</i>	<i>Passport or ID/No.</i>	<i>No. of Shares Held</i>

Particulars of the vessel to be used

1. Name of vessel:
2. Fishing vessel registration number:
3. Date of construction
4. Country of construction:
- (b) Length Overall (m)
- (c) Gross Registered Tonnage (G.R.T.)
- (d) Type of hull
- (e) Vessel Hold capacity
- (f) Number of wet fish holds:.....Total capacity (M³).....
- (g) Number of freezer holds:.....Total capacity (M³).....
- (h) Landing station:.....

Vessel master / skipper

1. Name:.....
2. Nationality
3. Postal address:
4. Business or residential address:
5. Telephone number:
6. Email.....

Crew

1. Total number of crew
2. Number of Kenyan crew
3. Specifications of gears to be used:.....

If a joint venture

Name of the company:

- (a) Certificate of incorporation(Please attach copy)
- (b) Postal address:
- (c) Physical address:
- (d) Telephone number:
- Email:.....

Ownership Details of Applicant Company

<i>Shareholder Name</i>	<i>Citizenship</i>	<i>Passport ID/No.</i>	<i>No. of Shares Held (Attach CR12)</i>

Company Management details

<i>Name</i>	<i>Nationality/ Citizenship</i>	<i>Passport No. ID/No.</i>

Fishing vessel to be used in fishing:

Name and IMO number of vessel	Type of vessel	No. of crew		Type of hull	Overall Length (m)	Date of Construction	G.R.T./N.R.T	Joint venture/ Charter/ Personally owned	Flag State
		Kenyans	Non-Kenyans						

(e) Fishery species that the applicant wishes to harvest

(f) Fishing areas targeted by the applicant

Declaration:

I declare that the information provided in this form is correct. Any information that is false will lead to a cancellation of the licence.

Signed Date

*If Semi-industrial/ Industrial/ Foreign Industrial fishing vessel**Declaration:*

I/We the undersigned, being directors of the applicant company, do hereby declare that the particulars and information made herein above is correct, complete and truly stated. We understand clearly that any false information provided by us will render this application invalid.

Signed (Director).....Date

Signed (Director) Date

FORM 3 (r. 19(1))

Application for Authorization for Onshore Transshipment of Fish No.....

Date.....



REPUBLIC OF KENYA

APPLICATION FOR AUTHORIZATION FOR ONSHORE TRANSSHIPMENT

1. Name of Right holder
2. Name of the vessel
3. Proposed port of transshipment:
4. Destination of fish to be transshipped:
5. Date and time for which the transshipment is requested:
6. Full details of all catch on board the vessel:

Reasons for transshipment:
.....

Name of Master.....

Details of recipient (vessel/reefer/containers).....

Species name	Common name	Quantities on board the vessel (MT)	Quantities intended to be transshipped (MT)

Signature

Date.....

Official Stamp

For official use only

Recommendation

This application for transshipment is hereby recommended /not recommended for authorization.

Director General

Name

Signature

Date.....

Official Stamp

FORM 4

(r. 19(2))

Authorization for Onshore Transshipment of Fish No.....

Date.....



REPUBLIC OF KENYA

AUTHORIZATION FOR ONSHORE FISH TRANSSHIPMENT

The vessel (Name).....number.....is authorized to transship fish onshore under the following conditions.

1. Name of Right holder
2. Name of the vessel
3. Proposed port of transshipment:
4. Destination of fish to be transshipped:
5. Date and time for which the transshipment is requested:
6. Full details of all catch on board the vessel:

Reasons for transshipment:

Name of Master.....

Details of recipient (vessel/reefer/containers)

Species name	Common name	Quantities on board the vessel (MT)	Quantities intended to be transshipped (MT)

Conditions

This transshipment is hereby authorized subject to the following conditions:

1. The Transshipment shall only take place at the date and place authorized.
2. An authorized officer shall be present at all times during the transshipment.
3. The authorized officer shall ensure that the fish being transshipped is accurately weighed and recorded by species.
4. The authorized officer shall furnish the Director-General with copies of these records.
5. Upon completion of the transshipment operation, the operator of each fishing vessel shall submit to the Director General a full transshipment report before the fishing vessel leaves the port.

Authorization

In accordance with the Fisheries Management and Development Act, the transshipment of the consignment indicated in this application is hereby granted.

Cabinet Secretary

Signature

Date.....

Official Stamp

FORM 5
(r. 21(1))

Application for an Authorization to Fish (ATF) No.....

Date.....



REPUBLIC OF KENYA
APPLICATION FOR AN AUTHORIZATION TO FISH (ATF) IN THE HIGH SEAS

1. Name of licensed fisher

Name of fishing vessel	
IRCS/ International Radio Call Sign	
IMO No.	
National Vessel registration No.	
Fishing Vessel registration No.	
RMFO number	
Country and Port of Registration	
Type of vessel	
The length overall of the vessel:	
Authorized fishing area(s)	
Operator and address	
Owner and address	
Number of crew	
Gross registered tonnage	
Type and specifications of the vessel monitoring system(s)	
Fish holding capacity, including the number of holds	
Intended area of operation and intended port(s) of discharge	
Targeted species	

Attach copies of any foreign fishing license obtained.

Signature.....

Date.....

FORM 6 (r. 21(3))

Authorization to Fish No.....

Date.....

REPUBLIC OF KENYA
AUTHORIZATION TO FISH (ATF) IN THE HIGH SEAS

1. Name of licensed fisher

Name of fishing vessel	
IRCS/ International Radio Call Sign	
IMO No.	
National Vessel registration No.	
Fishing Vessel registration No.	
RMFO number	
Country and Port of Registration	
Type of vessel	
The length overall of the vessel:	
Authorized fishing area(s)	
Operator and address	
Owner and address	
Number of crew	
Gross registered tonnage	
Type and specifications of the vessel monitoring system(s)	
Fish holding capacity, including the number of holds	
Intended area of operation and intended port(s) of discharge	
Targeted species	

The holder of this Authorization is required to comply with International fisheries management and conservation measures.

Validity: From To

DateSignature.....

Director General
Kenya Fisheries Service
Official Stamp

FORM 7 (r. 25(1))

Application for a Fishing Vessel Licence No.....

Passport
photo

Date.....



REPUBLIC OF KENYA

APPLICATION FOR REGISTRATION OF ARTISANAL/SEMI-INDUSTRIAL/
INDUSTRIAL FISHING VESSEL

1. Name of person :.....
2. Type, category and registration number of vessel:
3. Certificate of incorporation (Please attach copy)
4. Postal address:
5. Physical address:
6. Telephone number:Email.....
- Details of the vessel
7. The flag state: and previous flag state if any:
8. Current registration number:
9. Previous owner:.....
10. The nameand any previous name of the vessel:
11. Year: and place of manufacture:

<i>Shareholder Name</i>	<i>Citizenship</i>	<i>Passport ID/No.</i>	<i>No. of Shares Held (Attach CR12)</i>

Company Management details

<i>Name</i>	<i>Nationality/ Citizenship</i>	<i>Passport No. ID/No.</i>

Ownership structure of the operating company:

<i>Shareholder Name</i>	<i>Citizenship</i>	<i>Passport ID/No.</i>	<i>No. of Shares Held</i>

Directors of the Operating company

<i>Name</i>	<i>Nationality/ Citizenship</i>	<i>Passport No. ID/No.</i>

12. International Radio call sign number (IRCS)
13. Vessel tonnage:
14. Vessel length:
15. Fish hold volume:
16. Fish carrying capacity:
17. International Maritime Organization (IMO) number as applicable:
18. Vessel identifier issued by an RFMO as applicable:
19. Flag State Authorization To Fish (ATF) No (attach copy)
20. Maritime Mobile Service Identity No.....
21. Type of hull:
22. Length Overall (m)Width (m).....Draft (m).....Air draft (m).....
23. G.R.T.N.R.T.....
24. Date of Construction:
25. Type of Vessel Monitoring System (VMS):.....
26. Vessel Hold capacity
 - (i) Number of wet fish holds:.....Total capacity (M³).....
 - (ii) Number of freezer holds:.....Total capacity (M³)
27. Vessel Master
 - a) Name of the Master
 - b) Nationality
 - c) Postal address:
 - d) Business or residential address:
 - e) Telephone number:
 - f) Email.....

28. Crew

- a) Total number of crew
- b) Number of Kenyan crew
- c) Crew facilities (sanitary, accommodation and catering facilities):.....

29. Fishing areas

.....
.....

Declaration

I, the undersigned hereby apply for a licence to use the fishing vessel indicated above to fish in Kenyan fishery waters and declare that the information provided is to the best of my knowledge is correct

Signature Place
Date.....

FORM 8 (r. 25(3))

Certificate of a Fishing Vessel Registration No.....

Date.....



REPUBLIC OF KENYA

CERTIFICATE OF REGISTRATION OF FISHING VESSEL

The vessel (Name).....number.....is registered as
an fishing vessel. The particulars of the vessel are as follows: -

1. Name of vessel owner:
2. Type, category and license number :
3. Certificate of incorporation (Please attach copy)
4. Postal address:
5. Physical address:
6. Telephone number:Email.....
7. The flag state: and previous flag state if any:
8. Current registration number:.....
9. Previous owner:.....
10. The nameand any previous name of the vessel:
11. Year: and place of manufacture:
12. International Radio call sign number (IRCS)
13. Vessel tonnage:
14. Vessel length:
15. Fish hold volume:
16. Fish carrying capacity:
17. International Maritime Organization (IMO) number as applicable:
18. Vessel identifier issued by an RFMO as applicable:
19. Flag State Authorization To Fish (ATF) No (attach copy)
20. Maritime Mobile Service Identity No.....
21. Type of hull:
22. Length Overall (m)Width (m).....Draft (m).....Air draft (m).....
23. G.R.T.N.R.T.....

24. Date of Construction:
25. Type of Vessel Monitoring System (VMS):.....
26. Vessel Hold capacity
- (iii) Number of wet fish holds:.....Total capacity (M³).....
- (iv) Number of freezer holds:.....Total capacity (M³)
27. Vessel Master
- g) Name of the Master
- h) Nationality
- i) Postal address:
- j) Business or residential address:
- k) Telephone number:
- l) Email.....
28. Crew
- d) Total number of crew
- e) Number of Kenyan crew
- f) Crew facilities (sanitary, accommodation and catering facilities):
-
29. Fishing areas
-
-

Director General – Kenya Fisheries Service

Name:..... Signature

Place Date.....

FORM 9 (r. 26(1))

Application for a Fishing Vessel Licence No.....

Passport
photo

Date.....



REPUBLIC OF KENYA

APPLICATION FOR FISHING VESSEL LICENCE

1. Name of licensed fisher:
2. Type, category —
 - (a) artisanal
 - (b) semi-industrial
 - (c) industrial
3. number of fishing right:
4. Postal address:
5. Physical address:
6. Telephone number:Email.....
Details of the vessel
7. The flag state:
8. Vessel registration number:
9. International Radio call sign number (IRCS)
10. International Maritime Organization (IMO) number:
11. Vessel identifier issued by an RFMO as applicable:
12. Flag State Authorization To Fish (ATF) No(attach copy)
13. Maritime Mobile Service Identity No.....
14. G.R.T.N.R.T.....
15. Type of Vessel Monitoring System (VMS):.....
16. Vessel Hold capacity

(v) Number of wet fish holds:.....Total capacity (M³)

(vi) Number of freezer holds:.....Total capacity (M³)

17. Vessel Master

m) Name of the Master

n) Nationality

o) Postal address:

p) Business or residential address:

q) Telephone number:

r) Email.....

18. Crew

g) Total number of crew

h) Number of Kenyan crew

i) Crew facilities (sanitary, accommodation and catering facilities).....

19. Fishing areas

.....
.....

Declaration

I, the undersigned hereby apply for a licence to use the fishing vessel indicated above to fish in Kenyan fishery waters and declare that the information provided is to the best of my knowledge is correct

Signature Place

Date.....

FORM 10 (r. 26(3))

Fishing Vessel License No.....

Date.....



REPUBLIC OF KENYA

ARTISANAL/SEMI-INDUSTRIAL /INDUSTRIAL/FOREIGN INDUSTRIAL
FISHING VESSEL LICENSE

The vessel (Name).....number.....is licensed as a
.....fishing vessel. The particulars of the license are as follows:-

1. Name of Right holder:
2. Type, category and number of fishing right:
3. The name of vessel:.....
4. Vessel Registration number:
5. Postal address:
6. Physical address:
7. Telephone number:Email.....
8. The flag state:
9. International Radio call sign number (IRCS)
10. International Maritime Organization (IMO) number as applicable:
11. Vessel identifier issued by an RFMO as applicable:
12. Flag State Authorization To Fish (ATF) No (attach copy)
13. Maritime Mobile Service Identity No.....
14. Length Overall (m) Width (m).....Draft (m).....Air draft (m).....
15. G.R.T.N.R.T.....
16. Type of Vessel Monitoring System (VMS):.....
17. Vessel Hold capacity
 - (vii) Number of wet fish holds:.....Total capacity (M³)
 - (viii) Number of freezer holds:.....Total capacity (M³)
18. Vessel Master
 - a) Name of the Master
 - b) Nationality

- c) Postal address:
- d) Business or residential address:
- e) Telephone number:
- f) Email.....

19. Crew

- a) Total number of crew
- b) Number of Kenyan crew
- c) Crew facilities (sanitary, accommodation and catering facilities):

.....

20. Fishing areas

.....

.....

Director-General, Kenya Fisheries Service

Name:.....Signature

Place Date.....

SECOND SCHEDULE

(r. 27(1))

FEES, LEVIES AND CHARGES

Application fees for fishing vessel licence

No.	Type of fishing vessel	Fee (kshs)
1	Artisanal fisherman boat	500 <i>p.a</i>
2	Semi-industrial vessel	100,000 <i>p.a</i>
3	Registration of Kenyan Fishing Industrial Vessel	200,000 <i>p.a</i>
4	Renewal of Registration of Kenyan Industrial Vessel	100,000 <i>p.a</i>
5	Foreign Industrial: a) Purse seiners b) Long liners	USD 50,000 <i>p.a</i> USD 30,000 <i>p.a</i>

Application fees for fisherman's licence

No.	Type of fishing vessel	Fee (kshs)
1	Artisanal fisherman license	500 <i>p.a</i>
2	Industrial fisherman's license Foreign crew Local crew	10,000 <i>p.a</i> 1,000 <i>p.a</i>

THIRD SCHEDULE

(r. 25(3))

IDENTIFICATION MARKS FOR FISHING VESSELS

1. All fishing vessels operating in Kenyan marine waters shall be required to display identification marks as follows—
 - (a) the name and registration number of the vessel;
 - (b) block letters and numbers at all times;
 - (c) the height of letters and numbers shall be in proportion to the size of the vessel in accordance with the following criteria—
 - (i) for identification marks to be displayed on the side or the superstructure of the vessel—

Vessel length:	Minimum height of letters and numbers:
25m and over	1.0 m
20 m but less than 25 m	0.8 m
15 m but less than 20 m	0.6 m
12m but less than 15m	0.4 m
5 m but less than 12m	0.3 m
under 5 m	0.1 m

- (ii) Identification marks to be displayed on horizontal surfaces of vessels with an overall length of five metres and above shall have a minimum height of 0.3 metres.

Made on the 10th July, 2024.

SALIM MVURYA,
*Cabinet Secretary,
Ministry of Mining, Blue Economy and Maritime Affairs.*

LEGAL NOTICE NO. 126

THE FISHERIES MANAGEMENT AND DEVELOPMENT ACT

(Cap. 378)

THE FISHERIES MANAGEMENT AND DEVELOPMENT
(AQUACULTURE) REGULATIONS, 2024

ARRANGEMENT OF REGULATIONS

Regulation

PART I—PRELIMINARY

1. Citation.
2. Interpretation.
3. Application.
4. Objective.

PART II— PROTECTION AND MANAGEMENT OF
AQUACULTURE ACTIVITIES

5. Aquaculture development plan.
6. National aquatic animal health and welfare.
7. Aquaculture information system.

PART III— LICENSING AND REGISTRATION OF
AQUACULTURE OPERATIONS

8. Conditions for aquaculture licences.
9. Application for a licence.
10. Renewal of a licence.
11. Ownership of aquaculture organisms and products.
12. Application for an aquaculture permit.
13. Conditions of a permit.
14. Requirements for seed and feed production facility.
15. Cessation of aquaculture operations.

PART IV — REGISTERS AND INFORMATION

16. Register of permits.
17. Inspection of register.
18. Maintenance of records by licensees.

PART V — WATER QUALITY MANAGEMENT

19. Management of water resources.
20. Control of pollution and waste.

PART VI — CONTROL OF DISEASES

21. General obligation.
22. Pathogens and pest affecting aquatic organisms, humans or animals.
23. Aquatic disease zones.

- 24. Contingency measures for notifiable aquaculture diseases.
- 25. Restrictions on movement of aquaculture organisms.

PART IV—MISCELLANEOUS

- 26. Powers of aquaculture inspectors.
- 27. Disposal of aquaculture products and seized items.
- 28. Appeals.
- 29. Revocation of L.N. No. 62 of 2024.
 - First Schedule—Forms.
 - Second Schedule—Aquaculture Licence.
 - Third Schedule—Application for Commercial Aquaculture Licence.
 - Fourth Schedule—Aquaculture permit.
 - Fifth Schedule—Records to be maintained and made available for inspection.
 - Sixth Schedule—Aquaculture fees.

THE FISHERIES MANAGEMENT AND DEVELOPMENT ACT

(Cap. 378)

IN EXERCISE of the powers conferred by section 74 (1) and (2) of the Fisheries Management and Development Act, the Cabinet Secretary for Mining, Blue Economy and Maritime Affairs, makes the following Regulations—

THE FISHERIES MANAGEMENT AND DEVELOPMENT
(AQUACULTURE) REGULATIONS, 2024

PART I – PRELIMINARY

1. These Regulations may be cited as the Fisheries Management and Development (Aquaculture) Regulations, 2024. Citation.
2. In these Regulations, unless the context otherwise requires— Interpretation.
 - “Act” means the Fisheries Management and Development Act; Cap. 378.
 - “aquaculture” has the meaning assigned to it under the Act;
 - “aquaculture activity” includes —
 - (a) engaging in aquaculture, including the holding of brood stock and operating a hatchery;
 - (b) the operation of an aquaculture processing facility;
 - (c) the transportation of live aquaculture organisms;
 - (d) the collection of brood stock for aquaculture;
 - (e) the import of aquaculture products or aquaculture organisms;
 - (f) the import of formulated feed for use in aquaculture;
 - (g) the manufacturing of locally formulated feed for use in aquaculture;
 - (h) the export of aquaculture products; and
 - (i) seeding and harvesting for ranching purposes;
 - “aquaculture development zone” means an area declared for dedicated aquaculture use in terms of Part III;
 - “aquaculture disease zone” means an area declared by the designated officer as such;
 - “aquaculture drug” means a substance or mixture of substances intended or offered to be used, or purporting to be suitable for use or manufactured or sold for use in connection with aquaculture organisms for the diagnosis, prevention, treatment or cure of any disease, infection or other unhealthy condition, or for the maintenance or improvement of health, growth or production, or for curing, correcting or modifying any somatic or organic function or for correcting or modifying behaviour;
 - “aquaculture equipment” means —
 - (a) a farming structure;

- (b) equipment used to anchor or indicate the presence of farming structures;
- (c) a barge used to feed aquatic organisms;
- (d) equipment used to mark-off or indicate the boundaries of an aquaculture development zone; or
- (e) other equipment used for the purposes of aquaculture;

“aquaculture facility” means a purpose-built structure in a geographically defined area of water or land, whether or not submerged, used for aquaculture, and includes all buildings, structures and equipment within that area that are used for aquaculture;

“aquaculture feed” means any solid or liquid substance or product, whether processed, partially processed or unprocessed, which is intended to be used to feed aquaculture organisms;

“aquaculture foods” means any aquaculture product which is used or intended to be used for human consumption;

“aquaculture inspector” means a person designated as such by the competent authority;

“aquaculture licence” means a licence issued under section 122 of the Act;

“aquaculture operations” includes fishing, supply of provisions to fishing vessels, and the handling and processing of fish up to the time it is first landed;

“aquaculture organism” means any aquatic organism in or coming from an aquaculture facility or which has been captured in the wild and is intended for use in undertaking an aquaculture activity;

“aquaculture permit” means a permit issued under section 118 of the Act;

“aquaculture processing” means any process that adds value to or preserves aquaculture fish and includes the cutting up, dismembering, cleaning, sorting, icing, freezing, drying, chilling, salting, gutting, smoking, canning or any other action taken to alter the shape, appearance or form of aquaculture fish from that in which the fish is when first taken from its natural habitat;

“aquaculture processing establishment” means any place other than a licensed fishing vessel where aquaculture fish are canned, dried, gutted, salted, iced, chilled, frozen, smoked or otherwise processed or stored but does not include a restaurant, eating place, hotel, or place where fish is prepared for immediate retail sale or consumption;

“aquaculture processing facility” means any location where an aquaculture product is produced from an aquaculture organism by any specified method;

“aquaculture product” means any product or part thereof (including oil) obtained by aquaculture processing, and intended for use as human food, animal feed or raw material ingredient in the manufacture of other commodities of commercial or ornamental value;

“aquaculture related activity” means any activity in support of, or in preparation for aquaculture including the —

- (a) transshipping of aquaculture products to or from any vessel;
- (b) landing, packaging, processing, handling or transporting of aquaculture products that have not been previously landed at port;
- (c) provision of personnel, fuel and other supplies at sea or performing other activities in support of aquaculture operations;
- (d) exporting aquaculture products from the country; and
- (e) attempting or preparing to do any of the above;

“aquaculture research” means a systematic investigation into the field of aquaculture for the advancement of existing information, to ascertain facts, seek solutions and benefit society as a whole;

“aquaculture research facility” means a facility dedicated to the undertaking of aquaculture research;

“aquaculture sector” means aquaculture and all of the associated activities in the aquaculture value chain, including feed manufacture and supply, stock supply, processing and marketing of aquaculture products, trade in aquaculture products and aquaculture research institutions;

“Cabinet Secretary” means Cabinet Secretary for the time being responsible for aquaculture activities;

“commercial aquaculture” includes any aquaculture operation resulting or intending or appearing to result in the sale or trade of any fish which is a product of such aquaculture operation, including semi-commercial aquaculture;

“competent authority” in accordance with section 58 (1) of the Act, means the Ministry responsible for official control of the safety of fish, fish products and fish seed;

“dealing in aquaculture” includes collecting, transporting, storing, trans-shipping, buying or selling aquaculture products for purposes of trade;

“designated agency” means an institution mandated to carry out that function;

“designated officer” means an officer or employee responsible for fisheries management, research, development, conservation, veterinary services and policies regulation delegated to carry out specific functions as such;

“designated landing” means fishing port established under section 50(1) (b) of the Act;

“escape” means accidental or unintentional release or movement of live aquaculture products from an aquaculture facility so that they

are no longer subject to the control of the owner or operator of that aquaculture facility;

“fish farmer” means a person who does the breeding, cultivating and rearing of any such aquaculture product;

“farming of aquatic organisms” means an organised rearing process involving propagation, breeding, regular stocking, feeding or protection from predators and harvesting of cultured aquatic organisms and plants or other similar intervention in the organisms' natural life cycles;

“farming structures” means structures used for the farming of aquatic organisms and includes sea cages and racks, long lines and submerged lines used for aquaculture, together with their associated baskets, barrels, lanterns and other culture units;

“hatchery” means a facility for the artificial and controlled breeding, hatching and rearing of aquatic organisms through their early life stages;

“illegal aquaculture” includes activities carried out in violation of national laws or international laws or international obligations, including those undertaken by co-operating states to a relevant regional aquaculture management organization;

“OIE-listed”, in relation to agents pathogenic to aquatic animals, means a disease or pathogen listed in the World Organization for Animal Health Aquatic Animal Health Code for the purposes of preventing their transfer via international trade in aquatic animals and their products, while avoiding unjustified sanitary barriers to trade;

“pilot scale aquaculture” means a preliminary study conducted in order to evaluate the feasibility of a new aquaculture activity;

“ranching” means aquaculture activity in which a person intentionally releases aquatic organisms into an aquatic environment including marine, brackish or freshwater in which the aquatic organisms, owned by the ranching licence holder, are not controlled or confined;

“release” in relation to live aquaculture organisms, means intentionally freeing the aquaculture organism from confinement in an aquaculture facility so that it can enter the external environment;

“responsible aquaculture development” means aquaculture development that—

- (a) protects the environment by avoiding significant adverse environmental impacts, including impacts on wild fish populations, or where these cannot be avoided, minimising and rectifying them;
- (b) allows access to land, water and other aquaculture resources on a fair basis;
- (c) does not negatively affect the livelihoods of local communities;

- (d) promotes the health and welfare of aquaculture animals during husbandry, including good practice regarding the types of substances, feeds and drugs used in aquaculture;
- (e) ensures the safety and quality of aquaculture products; and
- (f) promotes sound labour practices;

“stock enhancement” means the release of aquatic organisms into the aquatic environment without the intention to benefit an exclusive user and with the aim of supplementing or sustaining the recruitment of one or more aquatic species and raising the total production or the production of selected elements of a fishery beyond a level which is sustainable through existing natural processes;

3. These Regulations apply to any person engaged in any aquaculture activity, the sustainable use, protection, conservation, management and development of inland, coastal and marine, lake and river basin aquaculture operations, whether occurring on private, public or community land, both natural and man-made. Application.

4. The objectives of these Regulations shall be to— Objective.

- (a) provide for participatory conservation of aquaculture resources in Kenya;
- (b) promote the integration of wise-use of aquaculture resources and operations in the local, county, and national management for ecological, aesthetic, cultural and socio-economic development;
- (c) ensure the protection of the diversity of aquaculture habitats, flora and fauna;
- (d) promote awareness creation, education, research, indigenous knowledge and partnerships with other relevant institutions in the management of aquaculture systems;
- (e) prepare and maintain an up-to-date inventory and database of aquaculture operations, for prioritization of relevant interventions; and
- (f) protect aquaculture operations on land, in river basins, lakes and coastal zones from pollution including siltation, agricultural and infrastructural developments, overexploitation, alien and invasive species, and other activities likely to degrade such ecosystems.

PART II – PROTECTION AND MANAGEMENT OF AQUACULTURE ACTIVITIES

5. (1) The aquaculture development plan shall, in addition to the requirements under section 62 of the Act, include the following— Aquaculture development plan.

- (a) provide a national vision for the development and management of the aquaculture sector; and
- (b) provide for an integrated and coordinated approach to the development and management of the aquaculture sector by

the National Government, counties, representative non-governmental organisations, the private sector, local communities, individuals and the youth.

(2) The Cabinet Secretary shall, within sixty days of the adoption of the national aquaculture development plan or of any amendment to it, issue notice to the public—

- (a) of the adoption of the plan; and
- (b) that copies of, or extracts from, the plan are available for public inspection at specified places; and
- (c) publish a summary of the final development plan in the Gazette.

(3) The aquaculture development plan shall take into account the following—

- (a) principles of the Constitution;
- (b) international standards and the international agreements to which Kenya is a party;
- (c) provide a national vision for the development and management of the aquaculture sector;
- (d) provide for an integrated and coordinated approach to the development and management of the aquaculture sector by the National Government, counties, representative non-governmental organisations, the private sector, local communities, individuals and the youth; and
- (e) a strategy for monitoring progress at least on an annual basis, and as appropriate an evaluation of the implementation of the aquaculture plan that preceded it.

6. The Director-General shall, in consultation with the Director of Veterinary Services, implement a national aquatic animal health and welfare monitoring plan which shall—

National aquatic animal health and welfare.

- (a) guide the management, control and regulation of aquatic animal health, welfare and disease guide other national departments, county departments, research institutions and private sectors on matters related to aquatic animals;
- (b) provide for health and disease management; and
- (c) ensure that Kenya fulfils the commitments it has made in regional and international agreements relating to aquatic animal health and welfare to which it is a party.

7. (1) There is established a national aquaculture information system pursuant to section 75(1) of the Act which shall facilitate the effective management and development of the aquaculture sector.

Aquaculture information system.

(2) The national aquaculture information system shall –

- (a) store, verify, analyse and evaluate data and information and its sources; and

- (b) provide information to—
 - (i) government for the development and implementation of the national aquaculture development plans and county aquaculture development plans and the implementation of this Act;
 - (ii) persons undertaking aquaculture activities; and
 - (iii) the public.
- (3) The system shall be administered by the Director- General.
- (4) The national aquaculture information system shall include an electronic and manual register of, and information related to—
 - (a) the holders of aquaculture licences;
 - (b) the holders of aquaculture permits;
 - (c) aquaculture development zones and buffer zones;
 - (d) relevant research findings and recommendations incorporated from recognized national institutions;
 - (e) aquaculture production data and information;
 - (f) registered aquaculture drugs registered in accordance with the Act or any other relevant law; and
 - (g) registered aquaculture feeds registered in accordance with the Act and any other relevant law.
- (5) The national aquaculture information system may include—
 - (a) the results of aquaculture research undertaken using public funds;
 - (b) the results of water quality monitoring undertaken by the recognized national institutions and other relevant organs of state;
 - (c) information about disease notification, surveillance and control;
 - (d) records regarding the use of aquaculture feeds and drugs;
 - (e) movement control records of aquaculture activities for traceability purposes;
 - (f) records of the movement of aquaculture organisms and aquaculture products within, into and out of the Republic;
 - (g) information about trade in or marketing of aquaculture products; and
 - (h) records regarding compliance with the Act.
- (6) The Director-General shall, in coordination with the county governments, implement an information communication technology infrastructure to host a national aquaculture data base to enhance information sharing and access pursuant to section 75(1) of the Act.

(7) Counties shall, pursuant to the provisions of sub-regulation (6), collaborate jointly with the national government in maintaining and updating the national aquaculture data base.

PART III—LICENSING AND REGISTRATION OF AQUACULTURE OPERATIONS

8. A person engaged in aquaculture activities shall, in addition to meeting the conditions provided under section 122 of the Act, take all reasonable practical measures to avoid or minimise any harmful environmental impact caused by aquaculture, including—

Conditions for
aquaculture
licences.

- (a) harm to the environment by alien and invasive species;
- (b) contamination of the environment by genetically modified organisms; and
- (c) prevention of the escape of live aquaculture organisms into the aquatic environment of the Republic.

9. (1) A person who wishes to operate a commercial aquaculture establishment shall apply for an aquaculture licence to the Director-General in accordance with section 119 of the Act and in the Form set out in the First Schedule.

Application for a
licence.

(2) When considering an application under sub-regulation (1), the Director-General shall, in addition to the standards of approval provided under section 120 of the Act, consider—

- (a) whether granting the licence is consistent with—
 - (i) the objects of the Act and these Regulations;
 - (ii) responsible aquaculture development; and
 - (iii) any mandatory standards, guidelines or requirements that have been set in terms of the Act and these Regulations;
- (b) if the applicant is the holder of a pilot scale aquaculture licence, any reports on the activities conducted by the applicant under that licence;
- (c) the applicant's submissions;
- (d) any submissions received from a county and any interested and affected persons; and
- (e) any relevant Guidelines, Code of Practice or other requirements published by the competent authority.

(3) Where the Director-General approves the application under sub-regulation (1), the Director-General shall—

- (a) issue an aquaculture licence within thirty working days of the decision to approve the application in the Form set out in the Second Schedule; or
- (b) reject the application.

(4) Where the Director-General refuses the application for an aquaculture licence, Director-General shall inform the applicant with written reasons for the refusal and the applicant shall be given an opportunity to appeal within seven working days.

(5) The Director-General shall constitute an evaluation committee within twenty-one days of receiving the application to review and submit recommendations on the appeal.

(6) Upon receiving the recommendations, the Director-General shall within fourteen days of receiving the evaluation report inform the applicant of the decision within fourteen days.

(7) A person aggrieved by the decision under sub-regulations (5) and (6) shall appeal in accordance with section 97 of the Act.

(8) Any person who contravenes the provisions of this section shall, on conviction, be liable to the penalties provided under section 116(2) of the Act.

10. (1) An application for renewal of a licence, shall —

Renewal of a licence.

- (a) be made in accordance with regulation 12;
- (b) be accompanied by the fee specified in the Sixth Schedule which shall be reviewed from time to time by the Cabinet Secretary;
- (c) be accompanied by a site suitability report sourced from designated agency depending on the type of an aquaculture system, describing the overall location of the proposed site and the specific deployment of facilities and structures;
- (d) include such other information as may be specified in the guidelines referred to in regulation 12(2)(e) depending on the type of an aquaculture system;
- (e) be accompanied by a no objection letter from the community management unit associated with the potential space or area for aquaculture operations as may be appropriate depending on the type of an aquaculture system;
- (f) be accompanied by a no objection or approval letter from the County Department responsible for aquaculture; and
- (g) a concession letter from the National Land Commission depending on the aquaculture system.

(2) The requirements referred to in sub regulation (1) shall demonstrate that the applicant is able to comply with all applicable regulatory requirements, including those contained in—

- (a) the Act and these Regulations;
- (b) any code of practice or standards applicable to the proposed aquaculture activities;
- (c) an environmental management plan indicating the Environmental and Social Impact Assessment finalized

report pursuant to the Environmental Management and Coordination Act, in accordance with regulation 36; and

Cap. 387.

- (d) any other regulatory requirements applicable to the proposed aquaculture activities, arising under other enactments.

(3) Sub-regulations (1) and (2) shall apply to aquaculture establishments such as hatcheries, and any other aquaculture production facility provided for under the Act.

11. Unless otherwise provided, aquaculture organisms and aquaculture products—

Ownership of aquaculture organisms and products.

- (a) specified in a licence, permit or exemption relating to commercial aquaculture are owned by the holder of that licence, permit or exemption;
- (b) farmed or produced by a person lawfully engaged in subsistence aquaculture, are owned by that person; and
- (c) farmed or produced by a person lawfully engaged in semi-commercial aquaculture for which a licence, permit or exemption is not required, are owned jointly by the persons undertaking that enterprise.

12. (1) A person who wishes to harvest the products in an aquaculture establishment shall apply for an aquaculture permit to the Director-General in the Form set out in the Third Schedule.

Application for an aquaculture permit.

(2) Upon receipt of the application to the Director-General, and where a designated officer is satisfied with requirements in regulation 11, the applicant shall submit recommendations to the Director-General for inspection of the proposed site for issuance of an aquaculture permit in accordance with section 121 of the Act.

(3) The Director-General may require an authorized officer to inspect any site proposed by a permit applicant for the establishment of an aquaculture establishment to determine the suitability or otherwise of such site for use as an aquaculture establishment.

(4) After receipt of an application pursuant to sub-regulation (2) and (3), the Director-General shall ensure that any relevant environmental standards for the proposed aquaculture project are being met, including requirements for siting, emissions and other relevant matters under the Environment Management and Coordination Act, and may, in consultation with the relevant County, determine whether the applicant is required to submit an environmental assessment of the proposed aquaculture project;

Cap. 387.

(5) If the applicant is required to undertake an environmental impact assessment under the Environmental Management and Coordination Act, the application shall be accompanied by a copy of any environmental impact assessment report and the recommendations of any person responsible for reviewing the environmental impact assessment report.

Cap. 387.

(6) The applicant shall issue notice of the application, in such manner as may be specified and at the applicant's expense, to such person or persons, including the public in general, as the designated officer may determine, and such notice shall invite all those to whom it is addressed to submit in writing to the designated officer, within thirty days from the date of the notice, any objections to or representations in connection with the application;

(7) The Director-General shall permit the applicant an opportunity to make representations on any objections to the application.

(8) The Director-General may by written notice require an applicant, at the applicant's cost, to obtain and provide within a specified period any other information reasonably required to make a decision on the application;

(9) If, before a permit is issued, there is any change in the particulars submitted under sub-regulation (2) or, where an environmental assessment is required, any change in the information on which the environmental assessment is based, the applicant shall immediately communicate such change or changes in writing to the Director-General;

(10) An aquaculture permit may authorise the undertaking of one or more aquaculture activities involving one or more species of aquaculture organisms on a single site; or on more than one site provided that the sites are within the same aquaculture development zone or catchment;

(11) A person who contravenes any of these Regulations commits an offence and shall be liable the penalties provided under sections 119 and 88 of the Act and section 58 of the Environment Management and Coordination Act, and any licence issued pursuant to this Act which is held by such person shall be revoked.

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13. Subject to the Director-General approval, an aquaculture permit to undertake any of the following activities may be issued per consignment as shall be provided for in the permit for -

Conditions of a permit.

- (a) transporting live aquaculture organisms;
- (b) collecting brood-stock for aquaculture;
- (c) importing live aquaculture organisms or aquaculture products;
- (d) importing formulated feed for use in aquaculture; and
- (e) exporting aquaculture organisms or aquaculture products.

14. (1) Any person who establishes an aquaculture seed production facility, including the hatchery, fish management and fish husbandry, shall apply to the Director-General for a permit in the form set out in the Fourth Schedule.

Requirements for seed and feed production facility.

(2) The application in sub-regulation (1) shall be accompanied by proof of the following—

- (a) approved statutory documents as required by the competent authority;
- (b) approved layout plan of the production establishment as specified in the Physical and Land Use Planning Act;
- (c) good quality and adequate water supply all year round;
- (d) brood stock of known origins for traceability;
- (e) documented methods to monitor and maintain good water quality;
- (f) qualified hatchery manager, fish management and fish husbandry competent staff and a management plan;
- (g) adequate technology and reliable production facilities;
- (h) use of only approved hormones and gonadotropins for sex reversal and propagation;
- (i) production and handling materials and equipment such as; aerators, graders, digital balances, fish handling nets, water quality meters, incubators, seine nets, hapa nets, packaging containers, oxygen facilities and trays;
- (j) adequate and safe storage facilities for biological and chemical agents;
- (k) equipment for handling fish seed that should be maintained clean and stored safely in designated areas;
- (l) designated areas for storage of general packaging material and for packing fish seed and feed;
- (m) experience in conditioning and transportation of live fish for high survival rates;
- (n) records of origin of inputs;
- (o) adequate biosecurity and biosafety measures in place;
- (p) appropriate personal protective gear for personnel and visitors;
- (q) a well-documented personal and visitor's hygiene procedure;
- (r) well-designed inlet and drainage system equipped to screen water into and out of the hatchery;
- (s) documented procedures for waste disposal and management;
- (t) documented standard operating procedures displayed at all designated areas;
- (u) arrangements in place for routine inspections and monitoring by the designated officers; and
- (v) an optional business plan to assist in profitability assessment.

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(3) The Director-General shall, in consultation with other relevant agencies, operationalize the best management practices for quality brood stock in any production facility, including a hatchery, fish management and fish husbandry, with the following components—

- (a) utilize brood-stock from known published authenticated sources in a manner specified by the competent authority;
- (b) keep different species and strains in secure and separate holding facilities while maintaining systematic records;
- (c) prevent any deliberate or accidental introduction of inferior fish species, which may crossbreed with the desired fish species; and
- (d) manage brood-stock properly to prevent disease outbreaks.

(4) The Director-General shall specify measures for compliance of packaging, labelling and traceability of fish seed from a production facility, including a hatchery, fish management and fish husbandry which may comprise—

- (a) fish handling in a manner that minimizes injury or stress;
- (b) packaging of fish seed in oxygenated, aerated and suitable weather-resistant material;
- (c) clean and durable packaging materials and containers consisting of aerated tanks and inflated oxygenated bags that are durable for transportation;
- (d) the number of fish seed in a package to be determined by the species of fish, the volume of oxygen, the average weight of the fish packed, the volume of the container, duration of transportation and the distance to be covered;
- (e) each package for fish seed to be of correct water temperature that favours survival of the fish; packaging materials to be adequately labelled and contain the information of name of the product including species name; size, age and quantity of the fish seed; batch number; name and physical address of the hatchery, fish management and fish husbandry; instructions for handling; and name and address of the consignee.

(5) Every person who operates an aquaculture establishment, including a production facility, and not limited to a hatchery, fish management and fish husbandry, shall be required by the Director-General to maintain and furnish documentation that may not be limited to the following—

- (a) reporting of the feed safety incidents to the designated officer;
- (b) approved hazard analysis of critical control points manual and the sanitary standard operation procedures;
- (c) compliance of any feed additives and veterinary drugs used;

- (d) a protocol for customer complaints and redress;
- (e) undertake periodical external audit for compliance through inspection and control procedures;
- (f) allow for periodical sampling and testing of the facilities and records of such an activity kept for a period not exceeding three years;
- (g) have a documented recall procedure; and
- (h) undertake authentication procedures specified by the competent authority.

(6) Upon application to the Director-General, and where a designated officer is satisfied with the requirements in sub-regulation (2), shall submit recommendations to the Director-General for inspection of the proposed site for issuance of an aquaculture permit.

(7) The Director-General may require an authorized officer to inspect any site proposed by a permit applicant for the establishment of an aquaculture establishment to determine the suitability or otherwise of such site for use as an aquaculture establishment.

15. (1) The licence holder shall inform the Director-General in writing not less than thirty days prior to the planned cessation of aquaculture activities at an aquaculture facility.

Cessation of aquaculture operations.

(2) On receiving the notification, the Director-General shall—

- (a) respond to the application by specifying the date for decommissioning of the aquaculture facilities;
- (b) provide a record of documentation of the equipment, live specimen and quantities of materials to be removed from the site; and
- (c) supervise the decommissioning of the facilities.

PART IV — REGISTERS AND INFORMATION

16. The Director-General shall maintain a national register of all licences and permits issued under the Act and these Regulations in accordance with section 81 of the Act.

Register of permits.

17. Any person may access the register in accordance with section 81(8) of the Act during official working hours.

Inspection of register.

18. (1) A licence holder shall maintain accurate records as set out in the Fifth Schedule with respect to the aquaculture facility relating to—

Maintenance of records by licensees.

- (a) the type and amount of food used in relation to the aquatic organisms at the site or aquaculture facility;
- (b) the type of any medication, including drugs, antibiotics or other chemicals used in relation to aquatic organisms, including the dosage and treatment date and the duration of any veterinarian treatments;

- (c) the source, number and specific location of all aquatic organisms; and
- (d) a record of all disposals and sales of aquaculture products, including the date, number or weight and destination of each disposal and sale.

(2) Every person who operates an aquaculture establishment, including a production facility, a hatchery, fish management and fish husbandry, shall be required by the Director-General to maintain and furnish documentation containing the following—

- (a) reports of feed safety incidents to the designated officer;
- (b) have approved Hazard Analysis of Critical Control Points manual and the Sanitary Standard Operation;
- (c) standard operating procedures;
- (d) compliance of any feed additives and veterinary drugs used;
- (e) a protocol for customer complaints and redress;
- (f) periodical external audit for compliance through inspection and control procedures;
- (g) periodical sampling and testing of the facilities and records of such an activity kept for a period not exceeding three years;
- (h) recall procedure; and
- (i) authentication procedures specified by the competent authority.

PART V — WATER QUALITY MANAGEMENT

19. Any person engaged in aquaculture activities who—

Management of water resources.

- (a) takes water from a water resource without a water abstraction permit;
- (b) alters the beds, banks or course or characteristics of a water course;
- (c) impedes or divert the flow of water in a water course without authorization; and
- (d) disposes of waste in a manner which may detrimentally impact on a water resources without a licence, permit or authorization as required under the Act, these Regulations or any other enactment,

commits an offence and shall be liable to a penalty under section 122 (4) of the Act.

20. (1) Each person engaged in commercial aquaculture in Kenya shall—

Control of pollution and waste.

- (a) comply with the provisions of the Sixth Schedule of the Environmental Management and Coordination Act; and

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- (b) comply with the specific terms and conditions relating to control of pollution and waste set out in the commercial aquaculture licence and or permit as the case may be.

(2) Where any person fails or apparently fails to fulfil the conditions set out in sub-regulation (1), the Director-General may, in consultation with relevant agencies, notify such person in writing of the requirement to take measures to restore the applicable facility or area to such standard as the designated officer may specify, within a stated period of time, and may upon inspection require such person to redesign the applicable area;

(3) Each person who is notified by the Director-General under sub-regulation (2) shall fulfil the requirements set out in the notification.

(4) A person who contravenes sub-regulations (1), (2) or (3) commits an offence and shall, on conviction, be liable to the penalty under section 122(4) of the Act and in addition shall be responsible for compensation for the costs of restoring the applicable area as required.

(5) Subject to applicable regional and international law, the Director-General shall, in consultation with the Cabinet Secretary, initiate dialogue with other riparian States to ensure that governments and aquaculture farmers are obliged to protect transboundary aquatic ecosystems from—

- (a) waste from aquaculture activities; and
- (b) effluent that might affect transboundary aquatic ecosystems.

PART VI — CONTROL OF DISEASES

21. (1) Any person engaged in aquaculture shall take all possible measures to prevent the spread of a pathogen or pest in or from an aquaculture facility, including the destruction of infected or infested aquatic organisms or aquaculture products and the disinfection of aquaculture facilities.

General
obligation.

(2) Any person who suspects that any aquatic animal or aquaculture product is infected with a notifiable pathogen, shall not—

- (a) sell the aquaculture product or aquatic organism, whether alive or dead;
- (b) transport or translocate it;
- (c) allow it to be eaten by humans or animals; or
- (d) deposit it, whether alive or dead, in any waters or land in a place where it may enter or contaminate any water.

(3) Any person suspecting that any aquatic animal product is infected shall notify the authorized officer as soon as is practicable.

(4) Any person who contravenes sub-regulations (1),(2) or (3) commits an offence and shall be liable to the penalty under section 122(4) of the Act and in addition such a person shall be liable to pay compensation in respect of any resulting loss or damage as well as full cost of restoring the affected environment to its previous state.

22. (1) The Director-General shall collaborate with relevant stakeholders where any pest or pathogen has been listed to be of national significance and poses a significant risk to any aquatic organism or the aquaculture industry or the aquatic environment or that kills or causes illness in humans or animals who eat the infected organism, to be a notifiable pest or pathogen.

Pathogens and pest affecting aquatic organisms, humans or animals.

(2) If the pest control product is registered, the owner or operator of the aquaculture establishment shall use it in accordance with any conditions specified under the Pest Control Products Act, including any conditions relating to the place where it may be used and the quantity and concentration that may be used.

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(3) The owner or the operator shall consider, before depositing the pest control product, whether there are alternatives to the deposit of that pest control product and make a record of that consideration.

(4) Any person engaged in aquaculture or any veterinarian providing veterinary services to an aquaculture facility shall report the presence of a notifiable pathogen or pest to the designated officer or to an aquaculture inspector immediately after becoming aware of its presence.

(5) A person who contravenes the provisions of this regulation shall, on conviction, be liable to a penalty set out in section 12(1) of the Pest Control Products Act, and in addition such a person shall be liable to pay compensation in respect of any resulting loss or damage as well as full cost of restoring the affected habitat to its previous state.

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23. (1) The designated officer may declare a specific geographic area as an aquaculture disease zone for the purpose of prescribing measures for the prevention, management and control of diseases affecting aquaculture.

Aquatic disease zones.

(2) If a catchment in an aquaculture disease zone extends beyond the borders of the Republic, the Director-General may, through the Ministry responsible for fisheries, for the purposes of specifying disease prevention, management or control measures that apply to the movement of aquaculture organisms or aquaculture products into, out of or through an aquaculture disease zone, initiate international collaboration in specifying the aquaculture disease zone to include those areas of the catchment situated outside the borders of the Republic.

24. (1) If the designated officer reasonably believes that a pest or pathogen that is OIE-listed or is of national significance and poses a significant risk to any aquatic organism, to the aquaculture industry or to the aquatic environment or that kills or causes illness in humans or animals who eat the infected organism, the Cabinet Secretary responsible for foreign affairs, in consultation with the Cabinet Secretary responsible for fisheries, may order the isolation, quarantine or treatment of any aquatic organism infected or thought to be infected with such a pathogen or pest—

Contingency measures for notifiable aquaculture diseases.

- (a) destroy and safely dispose of, or restrict the movement of, any aquatic organisms infected or thought to be infected with such a pathogen or pest;

- (b) quarantine all or part of any aquaculture facility in which the designated officer on reasonable grounds suspects that such a pathogen or pest is present; or
- (c) take any other measures that the designated officer on reasonable grounds believes are necessary to prevent the spread of such a pathogen or pest; and
- (d) immediately comply with any measures that the designated officer may order for that purpose.

(2) The designated officer may designate quarantine areas for aquatic organisms in any suitable place including at border posts and ports within the Republic.

(3) Each quarantine area shall be under the control of an aquatic animal health authority which shall take appropriate measures to ensure that aquatic organisms in the quarantine area are properly contained and monitored and that the spread of pathogens and pests is prevented.

(4) Where any aquaculture animal imported into Kenya is intended for quarantine, it is an offence for the person importing the animal to fail to transport it directly to a quarantine facility;

(5) Where quarantine is a condition for the placing on the market of any aquaculture animal, it is an offence for the operator of a quarantine facility to release the animal from quarantine without the prior written consent of a veterinary officer.

(6) Any person who contravenes any of the provisions of these Regulations commits an offence and shall, on conviction, be liable to the penalty under section 122 of the Act.

25. (1) If an aquaculture inspector detects in a consignment of aquaculture organisms or aquaculture products exhibiting clinical signs for a disease that is OIE-listed or of national significance and poses a significant risk to any aquatic organism or the aquaculture industry or the aquatic environment or that kills or causes illness in human or animals who eat the infected organism, the inspector shall issue a directive to the person in charge of the consignment prohibiting the movement of the consignment and specifying measures to be taken in order to reduce or prevent the risk to human or animal health.

Restrictions on movement of aquaculture organisms.

(2) Subject to sub-regulation (1), the aquaculture inspector may order further tests to be conducted on the consignment.

(3) The designated officer may order the destruction of the consignment if the measures referred to in sub-regulation (1) are not complied with or if a positive disease or a contaminant has been detected and it is necessary to protect human or animal health.

(4) The Cabinet Secretary may, by notice in the Gazette, establish aquatic animal health and product movement protocols or requirements for the aquaculture sector in the Republic.

(5) Any person who violates any provisions of these Regulations commits an offence and shall be liable to a penalty under section 122(4) of the Act.

PART IV — MISCELLANEOUS

26. (1) An aquaculture inspector may —
- Powers of aquaculture inspectors.
- (a) enter any aquaculture facility and inspect that aquaculture facility, its human resource, infrastructure, equipment, any aquaculture product and any document or record required under these Regulations;
 - (b) stop, enter and inspect any vehicle, vessel or aircraft which may be transporting aquaculture products; question any person who, in the reasonable opinion of the inspector, may be capable of furnishing any information which the inspector may require;
 - (c) require any person employed or present at any aquaculture facility to assist in the examination of such aquaculture facility or any document in order to ascertain whether the Act and these Regulations have been complied with;
 - (d) seize any aquatic organism or aquaculture product or any sample of an aquatic organism or aquaculture product, which the inspector has reasonable grounds for suspecting has disease or is not safe for human consumption; has not been farmed in accordance with a licence issued under this Act; or has been removed or transported from any site in contravention of this Act;
 - (e) require any licensee or any person responsible for an aquaculture facility to treat or humanely destroy any aquatic organism that has disease or is not safe for human or animal consumption and dispose of it safely;
 - (f) issue directives in a specified manner to enforce the provisions of this Act and these Regulations; and
 - (g) conduct routine inspections, in a specified manner, and inspect any vehicle, vessel, building or premises for the purposes of ascertaining compliance with this Act and these Regulations or condition of a licence, permit or other instrument issued in terms of the Act and these Regulations.
- (2) Where an aquaculture inspector suspects that an offence under the Act and these Regulations has been committed, upon obtaining a warrant the inspector may —
- (a) seize any vehicle, vessel, equipment or any other article which the inspector has reasonable grounds for suspecting has been used in the commission of that offence or where such seizure is reasonably necessary to preserve evidence; or
 - (b) require any person who may have information concerning a possible offence to submit their name and address.
27. (1) When an item is seized in terms of these Regulations, an aquaculture inspector may request the person who was in control of the item immediately before the seizure of the item, to take it to a place
- Disposal of aquaculture products and seized items.

designated by the aquaculture inspector, and if the person refuses to take the item to the designated place, the aquaculture inspector may do so.

(2) In order to secure a vehicle or vessel that has been seized, the aquaculture inspector may take such steps as are reasonably necessary to secure that vehicle or vessel.

(3) An item seized in terms of the Act and these Regulations including a part of a vehicle or vessel shall be kept in such a way that it is secured against damage.

(4) Any aquaculture product seized under this regulation that is likely to perish may be disposed of in such a manner as the circumstances may require.

28. A person aggrieved by any decision made in accordance with these Regulations shall apply for an appeal in accordance with section 97 of the Act.

Appeals.

29. (1) The Fisheries Management and Development (Aquaculture) Regulations, 2024 are revoked.

Revocation of
L.N. No. 62 of
2024.

(2) Notwithstanding the provisions of sub-regulation (1), a person who was carrying out any activity involving access to aquaculture resources in accordance with the revoked Regulations shall, within six months of the commencement of these Regulations, comply with the requirements of these Regulations.

FIRST SCHEDULE (*r. 9(1)*)

APPLICATION FORM FOR COMMERCIAL AQUACULTURE LICENCE

Official Use Only
File #:
Date received:

Proposed site
Amendment to licence

[Existing site]

Applicant Information: (*Please identify appropriate names and addresses below*)

Name of applicant:

Postal address: _____

County

Postal

If a business, name of contact person and position:

Work telephone: _____ Home _____ Fax #: _____
E-mail: _____

If applicable, name of agent: _____

Postal address: _____

P.O. Box / Street name / Town _____

County

Postal code

Work telephone: _____ Fax #: _____
Home telephone: _____ E-mail: _____

1.2 License class and Aquaculture activities: *(Please*

1.2. ☐ Community ☐ Commercial ☐ Institutional/Research
Specify purpose: _____

1.2. For commercial applications: *(Specify existing aquaculture*

☐ Hatchery ☐ Intensive culture for retail
☐ ☐ Intensive culture supplier of live fish
☐ Other (Please Specify) ☐ Brood stock

1.3 Existing / Previous approvals for the aquaculture installations				
Department of Environment	Yes	No	Permit #	Expiry Date
Water Permit				
Other Permits				

1. 4. Location of aquaculture site & property ownership status: *(Please provide the following information)*

1.4.1 Location of site (town/village/community): _____ Street: _ County: _
 _____ Property Identification Number (PID): _____

Name of road/street that is used to access the aquaculture site: _____

1.4.2 Survey / Topographic map no.: _____

A copy of the applicable section of the topographic map (1:50 000) identifying the location of the site shall be included.

Are you the owner or lessee of the property where the proposed / existing aquaculture activity is / will be located? *(Please provide copies of ownership or lease/rental documents).*

1.6.3 Are there any other users (including aquaculture facilities) within 1km of the water system you propose to use? If yes, identify the distance and the operator/use. If space provided is insufficient, please provide information as an attachment.

Downstream Distance _____ Operator/User _____

Upstream Distance _____ Operator/ User _____

Use: _____

- b) Please identify the nature of the use of the groundwater source of other users noted in (a) above.
- a) For operations processing to use a groundwater resource (a well), please identify other users of a ground water source within 250m

Stock identification: *(Please provide the following information)*

- 1.7.1 Identify the species you wish to culture, including the development stage at the time of purchase and supplier.
- 1.7.2. What is the maximum number and average size of all your classes that will be held at the site?
- 1.7.3 What is the maximum daily amount of feed in kilograms: kg

Number	Size
<i>Example:</i> 2000	300 grams (3/4 lb)

1.8 Applicant's signature: *(Please sign your name in the space below)*

Signature:

Dated:

Applicant

For Official Use Only	
Aquaculture application fee received:	Receipt #:
Received by:	Dated:

Applications for aquaculture licenses should be submitted to the State Department of Fisheries & Blue Economy

Application Fees

Please enclose your KES xxx [discuss with stakeholders] application fee

Species	Supplier(s) and Address(s)	Development stage
	<i>XYZ Fish Hatchery Ltd. Sussex, NB</i>	<i>7.6 cm (3) feeding fry</i>

SECOND SCHEDULE

(r. 9(3)(a))

AQUACULTURE LICENCE

Serial No:

Identification No:

LICENCE is hereby granted to

to carry on the following regulated Aquaculture activity:

Designated area of business

.....

on condition that the licensee shall—

(a) adhere to the provisions of the Act and the Regulations.

(b) Meet the conditions attached to this licence.

(c)

(d)

Fees Paid:

This Licence is valid up to

Date of issue:

.....

*Director General,
Kenya Fisheries Service.*

Signature/Seal stamp

(*r. 12(1)*)

1. Name of applicant:
2. Name of group, co-operative, business, partnership or company associated with the application. In the case of a company, attach a statement of the shareholding of the company, the register of directors and the beneficial ownership of shares in such company.
3. Business address, telephone number, facsimile number and e-mail address:

This application form is used for licence and renewals

Type	Brief Description (Pond; Pen; Cage; Other Systems)
Freshwater Land Land & Freshwater	
Lake	
Marine	
Hatchery	
Broodstock	

5. Approval from NEMA:
6. Trade licence where applicable:
7. KEBS certification:
8. Production technology used:
9. Aquatic species to be cultivated:
10. Characteristics of broodstock:
11. Seed production features:
12. Disease control mechanisms:
13. Packaging, labelling and traceability features:
14. Fish seed transportation features:

-
15. Location, size and description of the site at which it is proposed to undertake aquaculture:
 16. Source of the stock of aquatic organisms for cultivation:
 17. Maximum annual production intended, in quantity or weight per year:
 18. Brief description of the type and size of aquaculture facilities to be used:
 19. Source of water supply, indicating whether it is fresh water, and if appropriate, the flow rate:
 20. Brief statement as to whether effluent is to be discharged to waters and, if so the annual quantity and composition of such discharge:
 21. Other information, including such other information as the applicant considers relevant to this application (*use attachments if necessary*):

FOURTH SCHEDULE

(r. 14(1))

AQUACULTURE PERMIT

Serial No:

Identification No:

PERMIT is hereby granted to

to harvest the following products in an aquaculture establishment:

.....
.....
.....

on condition that the licensee shall—

(a) adhere to the provisions of the Act and the Regulations.

(b) Meet the conditions attached to this permit.

(c)

(d)

Fees Paid:

This permit is valid up to

Date of issue:

.....

*Director General,
Kenya Fisheries Service.*

Signature/Seal stamp

FIFTH SCHEDULE

(r. 18)

RECORDS TO BE MAINTAINED AND MADE AVAILABLE FOR INSPECTION

A licence holder shall enter in their books or registers the information concerning

- (1) the aquatic organisms cultivated, raised or kept in captivity
- (2) the feeding of the aquatic organisms
- (3) the health of the aquatic organisms
- (4) the non-prescription products used to treat the aquatic organisms
- (5) The water processing products and the cleaning products for the equipment and facilities in contact with the aquatic organisms

B. Information and records on aquatic organisms cultivated, raised or kept in captivity

Information concerning the aquatic organisms cultivated, raised or kept in captivity shall be entered for each species according to number or weight and size or age category, and pertains to

- (1) all the supplies, stating for each of them: (a) the genetic line or strain; (b) the name and address of the supplier; (c) the date of receipt; and (d) the name and address of the carrier;
- (2) the production of seeds, eggs, spats, cuttings, rhizomes, stolons or tubers and the eggs or spats harvested or the number of collectors used for that purpose and the date on which they were put into or removed from the water;
- (3) the inventories of the aquatic organisms, including each inventory date;
- (4) in the case of an aquaculture licence, the sales, including their date and, for wholesale sales, the name and address of each purchaser, the shipping date and the intended purposes for which the aquatic organisms are to be used;
- (5) in the case of a fishing pond licence, the fish caught by fishers on each day of operation; and
- (6) Any massive loss of the aquatic organisms, including the date and cause of the event and the disposal method and site.

A. Feeding

Information concerning the feeding of the aquatic organisms shall be entered by food type, whether as dry or semi-moist food, live products or fertilizers, and pertains to:

- (1) supplies, including the product name and quantity, the supplier's name and address and the date of receipt; and
- (2) In the case of food prepared by the licence holder information ON each ingredient used in the preparation.

B. Health

Information concerning the health of the aquatic organisms pertains to:

- (1) consultations with veterinarians or specialists, including their name and professional address, the date and purpose of the consultation, the diagnostic and, where applicable, the proposed treatment and its duration;
- (2) the date of the various analyses and their results and the name and professional address of the persons who made them;
- (3) the purchase of prescription products such as drugs, vaccines or medicinal foods, including the product name and quantity, the supplier's name and address and the date of receipt; and
- (4) If a treatment is administered, the chemicals/drugs used, the dates on which it begins and ends, the method of administration and, if a waiting period is required, the daily water temperature of each cultivation or raising unit, or fishing pond basin, containing the treated aquatic organisms.

C. Non-prescription products

Information concerning non-prescription products used to treat aquatic organisms pertains to

- (1) supplies, including the product name and quantity, the supplier's name and address and the date of receipt; and
- (2) The use of the products, including the date and method of administration and the quantity or concentration used.

D. Water processing Information of relevance relates to the water processing products and the cleaning products for the equipment and facilities in contact with the aquatic organisms is to specify the name of the product used, the date and method of use, and the quantity or concentration used.

A licence holder's invoices, veterinary prescriptions, analysis reports and other supporting documents may stand in lieu of the books or registers if they contain the information required.

H. Duration

A licence holder shall keep in chronological order the invoices, veterinary prescriptions, analysis reports and other supporting documents throughout the duration of a production cycle, plus 3 years. The licence holder shall also keep, for the same duration as of the last entry, the books, registers and other documents used in the aquaculture activities.

SIXTH SCHEDULE

(r. 10(1)(b))

Aquaculture Fee

<i>Particulars of fees</i>	<i>Amount (Kshs)</i>
Application for commercial aquaculture license	50,000
Application for commercial aquaculture permit (for aquaculture establishments in public water bodies)	5% <i>ad valorem</i> the value of fish landed

Made on the 10th July, 2024.

SALIM MVURYA,
*Cabinet Secretary, Ministry of Mining,
Blue Economy and Maritime Affairs.*

LEGAL NOTICE NO. 127

THE FISHERIES MANAGEMENT AND DEVELOPMENT ACT

(Cap. 378)

THE FISHERIES MANAGEMENT AND DEVELOPMENT
(RECREATIONAL FISHERIES) REGULATIONS, 2024

ARRANGEMENT OF REGULATIONS

Regulation

PART I — PRELIMINARY

- 1—Citation.
- 2—Interpretation.
- 3—Application.

PART II- REGISTRATION AND LICENSING

- 4—Application for a recreational fishing licence.
- 5—Conditions for recreational fishing.
- 6—Validity of recreational fishing licence.
- 7—Recreational fishing vessels registration.
- 8—Transfer of recreational fishing.
- 9—Recreational fishing vessel.
- 10—Register of recreational fishing vessel licences.
- 11—Registration of sport fishing club.
- 12—Reporting requirements.

PART III-CONSERVATION AND MANAGEMENT MEASURES

- 13—Prohibitions.
- 14—Register of recreational fishing catch data.
- 15—Fishing gear.
- 16—Area restrictions.
- 17—Species restrictions.
- 18—Appeals.
- 19—Transition.
- 20—Revocation.

SCHEDULES

THE FISHERIES MANAGEMENT AND DEVELOPMENT ACT

(Cap. 378)

IN EXERCISE of the powers conferred by section 208(2)(m) of the Fisheries Management and Development Act, the Cabinet Secretary for Mining, Blue Economy and Maritime Affairs makes the following Regulations—

THE FISHERIES MANAGEMENT AND DEVELOPMENT
(RECREATIONAL FISHERIES) REGULATIONS, 2024

PART I – PRELIMINARY

1. These Regulations may be cited as the Fisheries Management and Development (Recreational Fisheries) Regulations, 2024. Citation.

2. In these Regulations, unless the context otherwise requires— Interpretation.

“Act” means the Fisheries Management and Development Act;

Cap 378.

“angling” means the taking of fish by hook-and-line by manually operating a rod, reel and line or one or more separate lines to which a number of hooks are attached per line;

“artificial fly” means a single hook dressed with conventional natural or artificial fly tying materials only, to which no additional fly, spoon, spinning head or other similar device or any edible matter is attached and may be incorporated only in the dressing in the form of metal wire or ribbing, or foil or beads;

“county executive committee member” means the county executive committee member for the time being responsible for fisheries in a county;

“fishing camp” means an established area or a building designated by county government purposes of fisheries;

“protected area” means a marine protected area declared as such pursuant to section 47 of the Act;

“recreational fishing” has the meaning assigned to it under section 2 of the Act;

“sport fishing” means recreational fishing;

“sport fishing club” means an institution that offers, on a commercial basis, for let or hire a vessel or fishing gear and includes a private members’ club or fishing association; and

“trolling” means a method of fishing where one or more fishing lines, baited with lures or bait fish are drawn through the water at a consistent low speed.

3. These Regulations shall apply to recreational fishing and recreational fishing related activities in Kenya fishery waters. Application.

PART II- REGISTRATION AND LICENSING

4. (1) Subject to section 84(2) of the Act, any person who wishes to engage in recreational fishing in Kenya fishery waters shall apply for a recreational fishing licence to the respective county government in which recreational fishing is intended to take place in Form RFR/A1 as set out in the First Schedule.

Application for a recreational fishing licence.

(2) Upon receipt of the application under sub-regulation (1), and upon payment of the fees set out in the Second Schedule, the county executive committee member shall issue a recreational licence in Form RFR/A2 set out in the First Schedule within fourteen days.

(3) A person who engages in recreational fishing without a licence commits an offence and shall be liable, on conviction, to the penalty provided in section 24(5) of the Statutory Instruments Act.

Cap. 2A.

5. (1) A person undertaking recreational fishing shall —

Conditions for recreational fishing.

- (a) where necessary, be a member of a sport fishing club or a fishing camp;
- (b) use a hook and line or trolling line;
- (c) not engage in buying or selling fish caught in the course of recreational fishing;
- (d) practise catch-and-release fishing to the extent possible, except where the fish are injured or killed during recreational fishing operations;
- (e) not land more than three pieces, per permit, per fishing day, in case where the fish is injured or killed during recreational fishing;
- (f) pay a fee of seven percent of landed value to the respective county government; and
- (g) use artificial fly as bait.

(2) A person who contravenes this regulation shall, on conviction, be liable to the fine prescribed under section 106(2) of the Act.

6. (1) A recreational fishing licence shall be valid for the area specified in the licence and issued under the following categories —

Validity of recreational fishing licence.

- (a) an annual licence which shall be valid up to the 31st December of the year in which it is issued;
- (b) a monthly licence which shall be valid for a period of thirty consecutive days from the date of issue;
- (c) a weekly licence which shall be valid for seven consecutive days from the date of issue; or
- (d) a daily licence which is valid for the day specified in the licence.

7. (1) A person shall not use a recreational fishing vessel for fishing in Kenya fishery waters without a registration certificate.

Recreational
fishing vessels
registration.

(2) Prior to making an application for registration of a recreational fishing vessel, the owner of a recreational fishing vessel shall ensure that the vessel—

- (a) has been evaluated by the beach management unit to which the owner of the recreational fishing vessel is a member in accordance with the rules of the beach management unit; and
- (b) has been inspected by a fisheries officer.

(3) An application for registration of a recreational fishing vessel shall be made to the county executive committee member in Form RFR/CR4 set out in the First Schedule and the applicant shall provide the following information—

- (a) the number of recreational fishing vessels operated by that person;
- (b) the technical characteristics of the recreational fishing vessel, including length and engine power;
- (c) the location of the vessel; and
- (d) the area of operation.

(4) The application in sub-regulation (3) shall be accompanied by a certificate of sea worthiness of the vessel from the Kenya Maritime Authority;

(5) Within seven days of receipt of an application under sub-regulation (3), the county executive committee member shall consider the application and notify the applicant of the decision.

(6) Where the application is approved, the county executive committee member shall issue a recreational fishing vessel certificate to the applicant in Form RFR/CR5 upon payment of the fee specified in the Second Schedule.

(7) Where the application is not approved, the county executive committee member shall indicate the reasons for refusal in the notice under sub regulation (5).

(8) Upon issuance of the registration certificate under this regulation, the county executive committee member shall—

- (a) allot an identification mark to the vessel in respect of which a recreational fishing vessel certificate is issued; and
- (b) cause an entry of the allotted identification mark to be made in the register of recreational fishing vessels.

(9) A person who contravenes sub-regulation (1) commits an offence and shall be liable, on conviction, to the penalty prescribed under section 106(2) of the Act.

8. (1) Where there is a transfer in ownership of a registered recreational fishing vessel, the transferor and the transferee shall jointly

Transfer of
recreational

submit to the county executive committee member, an application seeking the transfer of the recreational fishing vessel certificate in the Form RFR/CR6 set out in the First Schedule.

fishing
vessel registration
certificate.

(2) Where an application for transfer under sub regulation (1) is approved, the county executive committee member shall —

- (a) cancel the name of the owner of the fishing vessel from the register; and
- (b) enter in the register the change of particulars.

9. (1) Pursuant to section 84 of the Act, a person shall not use any vessel for recreational fishing without a valid recreational fishing vessel licence in relation to that vessel.

Recreational
fishing vessel
licence.

(2) An application for a recreational fishing vessel licence shall be made to county executive committee member in the Form RFR/CR7 set out in the First Schedule.

(3) Within seven days of receipt of the application under sub-regulation (2), the county executive committee member shall consider the application and notify the applicant of the decision.

(4) Where the application is approved, the county executive committee member shall issue a recreational fishing vessel licence to the applicant in Form RFR/CR8 upon payment of the fee specified in the Second Schedule.

(5) Where the application is not approved, the county executive committee member shall indicate the reasons for refusal in the notice under sub-regulation (3).

(6) A person who uses a vessel for recreational fishing without a licence commits an offence and shall, on conviction, be liable the penalty provided in section 106(2) of the Act.

10. The county executive committee member shall maintain a register of all licences issued for recreational fishing vessel in that county.

Register all
recreational
fishing
vessel licences.

11. (1) A holder of a recreational fishing licence may become a member of a sport fishing club or a fishing camp.

Registration of
sport fishing club.

(2) An application for registration of a sports fishing club shall be made to the county executive committee member by a holder of a recreational fishing licence in Form RFR/A3 set out in the First Schedule and accompanied by the fee specified in the Second Schedule.

(3) Within seven days of receipt of the application under sub-regulation (2), the county executive committee member shall consider the application and notify the applicant of the decision.

(4) Where the application under sub-regulation (2) is approved, the county executive committee member shall issue a certificate of registration of sport fishing club in Form RFR/CR3 set out in the First Schedule.

12. Pursuant to section 75 of the Act, a sport fishing club registered under regulation 3 shall maintain a log of their activities and shall submit a quarterly catch report to the Director-General in the Form RFR/RF/1 set out in the First Schedule.

Reporting requirements.

PART III—CONSERVATION AND MANAGEMENT MEASURES

13. (1) A holder of a recreational fishing licence shall—

Prohibitions.

- (a) not engage in buying or selling fish caught in the course of recreational fishing;
- (b) practise catch-and-release fishing to the extent possible, except where the fish is injured or killed during recreational fishing operations;
- (c) not engage in fishing for, or be in possession of, any prohibited fish species; and
- (d) not engage in fishing for, or be in possession of any fish smaller than, or of a mass less than the size limits listed in a management plan.

(2) A person who contravenes the provisions of this regulation commits an offence and shall, on conviction, be liable to the penalty provided in section 24(5) of the Statutory Instruments Act.

Cap. 2A.

14. (1) Without prejudice to section 75 of the Act, the Director-General shall cause to be kept a register of recreational fishing catch data in a county.

Register of recreational fishing catch data.

(2) The holder of a recreational fishing licence shall submit a catch data report in the Form RFR/RF/1 set out in the First Schedule.

(3) Any person who contravenes sub-regulation (2) commits an offence and shall on conviction, be liable to the penalty provided in section 75(4) of the Act.

15. (1) A person engaging in recreational fishing shall only use the following methods—

Fishing gear restrictions.

- (a) angling;
 - (i) hook and line;
 - (ii) trolling line; or
 - (iii) rod and reel; or
- (b) fly fishing.

(2) A person who contravenes sub-regulation (1) commits an offence and shall, on conviction, be liable to the penalty provided in section 106 (2) of the Act.

16. (1) A person shall not engage in recreational fishing in an area that is declared as a protected area or prohibited as per the management plan of that area.

Area restrictions.

(2) A person who contravenes this regulation commits an offence and shall be liable, on conviction to the penalty provided in section 24(5) of the Statutory Instruments Act.

Cap. 2A.

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17. (1) A person shall not engage in recreational fishing of a species that has been declared a protected species by the Cabinet Secretary pursuant to section 47 of the Act. Species restrictions.
- (2) Any person who contravenes this regulation commits an offence and shall be liable, on conviction, to a fine not exceeding twenty thousand shillings or to a term of imprisonment not exceeding three months, or to both.
18. A person aggrieved by a decision made pursuant to the provisions of these Regulations may lodge an appeal in accordance with section 97 of the Act. Appeals.
19. The licences, certificates and permits issued under the Fisheries Management and Development (Recreational Fisheries) Regulations, 2024 shall be deemed to be issued under these Regulations subject to the conditions attached. Transition.
L.N. No. 57 of 2024.
20. The Fisheries Management and Development (Recreational Fisheries) Regulations, 2024 are revoked. Revocation.
L.N. No. 57 of 2024.

FIRST SCHEDULE

FORM RFR/A1

r. 4(1)

Application No.....

Passport
photo



REPUBLIC OF KENYA

Date.....

COUNTY GOVERNMENT OF

APPLICATION FOR A RECREATIONAL FISHING LICENCE

1. Name of applicant:
2. ID Number / Passport: (Please attach copy)
3. Postal address:
4. Residential address:
5. Telephone number:
6. Email:
7. Recreational fish landing station Ward
Sub-County
8. Fishing gears
9. Fishing permit periodDate of expiry:.....

Declaration:

I do hereby declare that the particulars and information submitted is correct, complete and truly stated. I understand clearly that discovery of any false information provided by me will render this application invalid.

Signed Date

FORM RFR/A2

(r.4(2))

RECREATIONAL FISHING LICENCE

No.....

Passport
photo

Date.....

REPUBLIC OF KENYA



COUNTY GOVERNMENT OF

This Recreational / Sport fishing licence is hereby issued to:

Name of applicant:

ID / Passport Number

Nationality

Fishing gears to be used

Recreational fish species targetted

Name of sport fishing club or fishing camp (where applicable)

Physical address in Kenya:

Class of licence: Yearly. / Monthly. /. Fortnightly. /. Weekly. /.
Daily).....*Conditions:*

A recreational fisher shall—

- (i) Where necessary, be a member of a sport fishing club or a fishing camp.
- (ii) use a hook and line or trolling line.
- (iii) not engage in buying or selling fish caught in the course of recreational fishing.
- (iv) practise catch-and-release fishing to the extent possible, except where the fish is injured or killed during recreational fishing operations.
- (v) not land more than three pieces, per permit, per fishing day, in case where the fish is injured or killed during recreational fishing.

- (vi) pay a fee of 7% of landed value to the respective county government.
- (vii) use artificial fly as bait.

Fees paid

Date of issue.....Date of expiry

Sign:.....

County Executive Committee Member

Official Stamp

NOTE:

- (a) A yearly Recreational Fishing Licence expires on the 31st December.
- (b) A monthly Recreational Fishing Licence is valid for 30 consecutive days from the date of issue.
- (c) A fortnightly Recreational Fishing Licence is valid for 14 consecutive days from the date of issue.
- (d) A weekly Recreational Fishing Licence is valid for seven (7) consecutive days, from the date of issue.

Form RFR/CR4

(r. 7(3))

APPLICATION FOR A RECREATIONAL FISHING VESSEL CERTIFICATE

Type of Vessel

Name of Vessel

Name of Owner/ Operator

Address of owner/Operator

Name of Captain/ Master (where applicable)

Proposed type of fishing gear (s)

has been registered in the local fishing vessels Register at (office and address of licensing officer)

For the purpose of fishing in accordance with the Fisheries Management and Development Act and the vessel has been allotted the following identification number for the purpose of complying with the provisions of the Fisheries Management and Development (Recreational Fisheries) Regulations, 2024

No..... (Insert Application No.)

Length (Overall) Beam (greatest width)

Depth (greatest depth) Tonnage (if known)

Port/ County of Registration

Proposed fish landing station/ landing port

Other identifiers (IRCS/ MMSI/ IMO No. etc.)

Method of propulsion (State whether paddle/ sail/inboard or outboard/Horse Power)

Fees paid in words..... Date of issue

Sign.....

County Executive Committee Member

Official Stamp

FORM RFR/CR5

(r. 7(6))

THIS RECREATIONAL FISHING VESSEL CERTIFICATE

Date.....

REPUBLIC OF KENYA

Passport
photo



COUNTY GOVERNMENT OF

This recreational fishing vessel certificate issue to:

Name of applicant:

ID / Passport Number

Nationality

Fishing gears to be used

Recreational fish species targetted

Name of sport fishing club (where applicable)

Physical address in Kenya:

Conditions

A recreational fisher shall —

1. Use a hook and line or trolling line.
2. Not engage in buying or selling fish caught in the course of recreational fishing.
3. Practice catch-and-release fishing to the extent possible, except where the fish is injured or killed during recreational fishing operations.
4. Not land more than three pieces, per permit, during one day of recreational fishing.

Fees paid

Date of issue.....Date of expiry

Sign:.....

County Executive Committee Member

Official

FORM RFR/CR6

(r. 8(1))

APPLICATION FOR TRANSFER OF RECREATIONAL FISHING VESSEL
REGISTRATION CERTIFICATE

I/Weof address
..... hereby authorize the transfer of ownership of
certificate of registration of local fishing vessel/private mark No.
..... to of address

Reasons for transfer

Signed

Witness

Date

FOR OFFICIAL USE ONLY

Comment/Decision of Licensing Officer

Note—This application must be submitted together with appropriate application for certificate or registration duly completed by a person or institution to whom the transfer is to be made.

FORM RFR/CR7

(r. 9(2))

Application No.....

Date



REPUBLIC OF KENYA

COUNTY GOVERNMENT OF

APPLICATION FOR A RECREATIONAL FISHING VESSEL LICENCE

New Applicant Yes/No..... Renewal Yes/No.....

Details of Applicant (Natural person):

1. Name of the vessel owner:
2. ID Number /Passport/:
3. Postal address:
4. Residential address:
5. Telephone number:
6. Email:.....
7. WardSub County:.....

In case of a company

(b) Name of company

(c) Certificate of incorporation number (Please attach copy)

Shareholders:

<i>Name</i>	<i>Citizenship</i>	<i>Passport or ID/No.</i>	<i>No. of Shares Held</i>

Particulars of the vessel to be used

1. Name of vessel:
2. Fishing vessel registration number:
3. Date of construction
4. Country of construction:

- (i) Length Overall (m)
- (j) Gross Registered Tonnage (G.R.T.)
- (k) Type of hull
- (l) Vessel Hold capacity
- (m) Number of wet fish holds:.....Total capacity (M³).....
- (n) Number of freezer holds:.....Total capacity (M³).....
- (o) Landing station:.....

Vessel master / skipper

- 1. Name:.....
- 2. Nationality
- 3. Postal address:
- 4. Business or residential address:
- 5. Telephone number:
- 6. Email.....

Crew

- 4. Total number of crew.....
- 5. Number of Kenyan crew.....
- 6. Specifications of gears to be used:.....
- 7. Fishing areas.....
- 8. Target species.....

Conditions

A master or skipper of a recreational fishing vessel shall—

- (a) Abide by the provision of the Fisheries Management and Development Act (Cap. 378) and other applicable laws.
- (b) Abide by all the instructions of the Kenya authorities regarding safety instructions on voyage or while engaged in fishing.
- (c) Not carry any unauthorised persons on board.
- (d) Not carry out any illegal activity on board the fishing vessel.
- (e) Take full responsibility for the crew on board.

Declaration:

I do hereby declare that the particulars and information submitted herein is correct, complete and truly stated. I understand clearly that discovery of any false information provided by me will render this application invalid.

Signed Date

Company Management details

<i>Name</i>	<i>Nationality/ Citizenship</i>	<i>Passport No. ID/No.</i>

Fishing vessel to be used in exercising the fishing right:

Name and IMO number of vessel	Type of vessel	No. of crew		Type of hull	Overall Length (m)	Date of Construction	G.R.T./N.R.T	Joint venture/ Charter/ Personally owned	Flag State
		Kenyans	Non- Kenyans						

(g) Fishery species that the applicant wishes to harvest;.....

(h) Fishing areas targeted by the applicant

I/We hereby attach a detailed document demonstrating fulfillment of conditions as prescribed in Regulation 15 of MFAR.

Declaration:

I/We the undersigned, being directors of the applicant company, do hereby declare that the particulars and information provided above is correct, complete and truly stated. We understand clearly that any false information provided by us will render this application invalid.

Signed (Director)..... Date

Signed (Director) Date

FORM RFR/CR8

(r. 9(4))

RECREATIONAL FISHING VESSEL LICENCE NO.....

Date.....

REPUBLIC OF KENYA

Passport
photo

COUNTY GOVERNMENT OF

This recreational / Sport fishing vessel licence is hereby issued to:

Name of applicant:

ID / Passport Number

Nationality

Type of Vessel

Fishing gears to be used

Recreational fish species targetted

Name of sport fishing club (where applicable)

Physical address in Kenya:

Class of Permit: Yearly. / Monthly. /. Fortnightly. /. Weekly. /. Daily

Conditions.

A recreational fisher shall —

5. Use a hook and line or trolling line;
6. Not engage in buying or selling fish caught in the course of recreational fishing;
7. Practice catch-and-release fishing to the extent possible, except where the fish is injured or killed during recreational fishing operations; and
8. Not land more than three pieces, per permit, during one day of recreational fishing.

Fees paid

Date of issue.....Date of expiry

Sign:.....

County Executive Committee Member

Official Stamp

NOTE:

- (a) A yearly Recreational Fishing Licence expires on the 31st December.....
- (b) A monthly Recreational Fishing Permit is valid for 30 consecutive days from the date of issue.
- (c) A fortnightly Recreational Fishing Permit is valid for 14 consecutive days from the date of issue.
- (d) A weekly Recreational Fishing Permit is valid for seven (7) consecutive days, from the date of issue.

AFFIX PHOTO OF
THE APPLICANT

FORM RFR/A3:

(r.11(2))

REGISTRATION OF A SPORT FISHING CLUB

Application No.

1. I/We hereby apply for
..... (specify the licence,
certificate of registration or permit for which the application is made). (Refer to notes
below this form)

2. (a) Name of applicant

(b) Nationality

ID/No./Passport No.

(c) (i) Mailing address

(ii) Telephone/Fax No.

(iii) Email

(d) Business Location: Name of Building/Place

L.R. No. Street/Road

Town County Sub-County

3. (a) Other than the business for which this application is made, are you involved in any
other fisheries related activities?

YES/NO

.....

(b) If answer to (a) above is yes, please specify nature or type of business(es)/activities

.....
(c) Please list any gainful occupations other than the ones mentioned in (a) and (b) above
you are engaged in

.....
4. Details of vessel:

(a) (i) Name of vessel

(ii) Type of vessel (Hori/Ngalawa/Ssesse/Canoe/Mtaruma/Jahazi/Others).

(iii) Type of hull Overall Length (m)
..... G.R.T. N.R.T.....

(iv) Date of Construction Port of Reg.
Reg. No.County of Reg.

(v) Prime mover: Paddle/Sail/Outboard/Inboard Engine.

(vi) Engine type (fuel)

Make

HP

Date installed

Engine Serial No.

(vii) Intended fishing area

(viii) Proposed fishing methods

.....
.....
*Delete whichever is inapplicable.

(b) (i) Will the fishing vessel be exclusively used by you or will it be shared by the other
licenced fishers

.....
Will/Will not be shared.

(ii) If fishing vessel will be shared with other licenced fishers, please state the number of
those fishers

(c) Details of crew:

(i) Total Number of Crew

(ii) Name of Master of Vessel

(iii) Nationality of Master of Vessel

(iv) ID or Passport No. of Master of Vessel

(v) Number of Crew who are not Kenyan Citizens

5. Details to be supplied by corporate body applicants

(a) (i) Name of company

(ii) Number of certificate of incorporation or registration of business

..... (Please attach copy)

(b) State:

(i) Nominal Share of the Company

(ii) Issued Shares

<i>Name/Nationality</i>	<i>Citizenship</i>	<i>Passport ID/No.</i>	<i>No. of Shares Held</i>

(c) Details of directors

<i>Name</i>	<i>Nationality/Citizenship</i>	<i>Passport ID/No.</i>
Chairman		
Vice-Chairman		
Secretary		
Asst. Secretary		
Treasurer		

6. I/We declare that the particulars and information as supplied by me/us herein are true, accurate and correct in every respect. I/We understand clearly that discovery of any false information provided by me/us will render this application invalid.

Signature Date

NAME (of Signatory)

POSITION (in the business)

FORM RFR/CR3

(r.11(4))

CERTIFICATE OF REGISTRATION OF SPORTS FISHING CLUB

1. (a) Name of Club/Association

(b) Address

(c) Registrar's of Societies Registration Certificate No.

2. Location of Club/Association:

District Division/Town

Location Village

has been registered as Sport Fishing Club/Association for the purpose of hiring boats or fishing gear in accordance with the provisions of the Fisheries Management and Development Act and Regulations made thereunder and contingent to conditions specified hereunder:

.....
Fees paid

Date of issue

Date of expiry: 31st December.....

County Executive Committee Member

Form RFR/RF/1

(r. 12(1), r.14(2))

RECREATIONAL LOGBOOK/ CATCH REPORT FORM

Name of Captain Date (DD/MM/YR)

County Fish Landing Site. Date Fished (DD/MM/YR)

Vessel Name	Vessel Length(m)	Engine Capacity	No. of Crew
Licence Number			
Area Fished:	No of fishers on board		No. of Crew
Primary fishing method	Other fishing method		Time out
			Time in
Were any fish retained or released	Target Species		No. of hours fished
Retained			
Species	FAO CODE	No	Individual weights (kg)
Released (ALIVE)			
Species	FAO CODE	No	Individual weights (kg)
Discarded			
Species	FAO CODE	No	Individual weights (kg)

Tagged Individuals									
Species	FAO CODE	Weight (kg)	Length (kg)	Length type	Tag identifier	Released	Alive	Already tagged	Comments

SECOND SCHEDULE

FEES

(r. 4(2)), 11(2))

No.	Item	Marine	Amount of Fees (Kshs.) Inland
1.	Registration of a sports fishing club		10,000
2.	Registration of recreational fishing vessel		20,000
3.	Recreational fishing licence		
	Annual Licence		1500
	Monthly Licence		600
	Weekly licence		400
	Daily licence		50

Made on the 10th July, 2024.

SALIM MVURYA,
*Cabinet Secretary, Ministry of Mining,
 Blue Economy and Maritime Affairs.*