

**THE GAZETTE OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA**

Part II of February 17, 2017

SUPPLEMENT

(Issued on 20. 02. 2017)



**FISHERIES AND AQUATIC RESOURCES
(AMENDMENT)**

A

BILL

to amend the Fisheries and Aquatic Resources Act, No. 2 of 1996

*Ordered to be Published by the Minister of Fisheries and
Aquatic Resources Development*

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STATEMENT OF LEGAL EFFECT

Clause 2: This clause amends section 28 of the Fisheries and Aquatic Resources Act, No. 2 of 1996 (hereinafter referred to as the “principal enactment”) by the introduction of new section 28A and the legal effect of the new section is to prohibit, fishing operations utilizing Trawl Nets towed by motorized or mechanized fishing boats and the sale, import and transport of such nets and the issuance of license relating to utilization of such nets.

Clause 3: This clause amends section 49 of the principal enactment by the addition of a new subsection which makes it an offence to contravene the provisions of section 28A.

Clause 4: This clause amends section 66 of the principal enactment by the introduction of a definition for the expression “Trawl Net”.

Clause 5: This clause amends all the laws which are contrary to the content of the provisions of section 28A, making section 28A to prevail over such laws.

L.D.—O. 21/2016.

BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows:—

5 2. The following new section is hereby inserted immediately after section 28 of the Fisheries and Aquatic Resources Act, No. 2 of 1996 (hereinafter referred to as the “principal enactment”) and shall have effect as section 28A of that enactment:—

Insertion of new section 28A in the principal enactment.

(b) No person shall use, possess, import, transport, purchase or sell any Trawl Net, to be towed by a motorized or mechanized fishing boat for the purpose of carrying out fishing operations in Sri Lanka Waters.

25 (2) No license shall be issued by the
Director-General under Part II of this Act for
fishing operations carried out by Trawl Nets to
be towed by a motorized or mechanized fishing
boat in Sri Lanka Waters.

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5 (3) Any license, issued under this Act for fishing operations carried out utilizing Trawl Nets towed by motorized or mechanized fishing boats in Sri Lanka Waters, shall not be renewed:

10 Provided that, a license already issued for the use of Trawl Nets and which is still in force on the day preceding the date of commencement of this Act, shall notwithstanding anything to the contrary in this Act, continue to be valid for the purpose and in respect of which the license has been issued, for the period specified therein.”.

15 3. Section 49 of the principal enactment is hereby amended by the insertion immediately after subsection (2A) thereof, of the following new subsection:—

Amendment of section 49 of the principal enactment.

20 “(2AA) Any person who contravenes or fails to comply with the provisions of section 28A of this Act shall be guilty of an offence and shall on conviction after summary trial before a Magistrate, be liable to an imprisonment for a term not exceeding two years or to a fine not less than fifty thousand rupees.”.

25 4. Section 66 of the principal enactment is hereby amended by the insertion, immediately after the definition of the expression “Sri Lanka Waters”, of the following new definition:—

Amendment of section 66 of the principal enactment.

30 ““Trawl Net” means a towing net having a cone shaped body and a bag or cod end (madiya) connected to the apex with or without two wings connected to the other end and towed by motorized or mechanized fishing boats.”.

5. The provisions of section 28A of this Act, shall have effect notwithstanding anything to the contrary in any other written law, and accordingly, in the event of any conflict or inconsistency between the provisions of section 28A of this Act and such other law, the provisions of section 28A of this Act shall prevail.
6. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

Section 28A of this Act to prevail over other written law.

Sinhala text to prevail in case of any inconsistency.

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