

BRITISH INDIAN OCEAN TERRITORY



FISHING VESSEL LICENCE

Issued by

the Director of Fisheries

on behalf of the

Commissioner for the British Indian Ocean Territory

I, Anthony Humphries, Director of Fisheries, hereby authorise the tuna fishing vessel:

"VIA MISTRAL"[BIOT Notification No: FR-027]

to fish within the British Indian Ocean Territory fishing waters under the terms and conditions attached to this licence.

FISHING VESSEL LICENCE NUMBER:

1593

DATES OF VALIDITY OF THIS LICENCE: From

01/11/2007

To

31/10/2008Anthony HumphriesDATE 25/10/07

Director of Fisheries

All communications concerning this licence should be addressed to:

The Director of Fisheries
c/o Marine Resources Assessment Group Limited
18 Queen Street, LONDON W1J 5PN, UK
Tel: +44 (0)207 255 7755 Fax: +44 (0)207 499 5388

The following are the terms and conditions subject to which this licence is granted. Failure to comply with these terms and conditions applied to the licence is an offence under the Fisheries (Conservation and Management) Ordinance 1991 and may result in the withdrawal of the licence and further restrictions in relation to the issue of licences for future fishing activities in the British Indian Ocean Territory.

The master, owner and charterer of the vessel in respect of which the licence is granted shall :

COMPLIANCE WITH LEGISLATION

- # comply with the Fisheries Ordinance and Fishing Regulations 1993;

COMPLIANCE WITH ADMINISTRATION DOCUMENTATION AND GUIDANCE

- # comply with any requirement imposed by or under the Administration Documentation and Guidance issued by or on behalf of the Director of Fisheries, as amended from time to time;

VESSEL REPORTING

- # provide the required reports in the prescribed manner and according to the prescribed schedule to the Director of Fisheries;
- # complete fishing logsheets in English on a daily basis and on the prescribed forms and certify that this information is true, complete and accurate; Reporting catches of sharks and shark products must be completed;
- # provide biological and other details of fish taken on board during fishing operations when required to do so by the Director of Fisheries;
- # submit fishing operations reports in the prescribed format and schedule to the BIOT Director of Fisheries.

FISHERIES PROTECTION OFFICERS AND OBSERVERS

- # allow and assist any person identified as a Fisheries Protection Officer or as an observer to:
 - (i) board the vessel for scientific, compliance, monitoring or other functions;
 - (ii) embark and disembark at a place and time agreed to;
 - (iii) have full access to and use of all information, facilities and equipment on board which the observer may determine is necessary to carry out his or her duties; without prejudice to the generality of the foregoing, this includes access to the fish on board and facilities for their inspection and measurement and the removal of samples; access to vessel records and logs; access to navigation equipment, charts and communications equipment; and access to any other information related to fishing;
- # not assault or obstruct a Fisheries Protection Officer or an observer in the performance of his or her duties;
- # provide the Fisheries Protection Officer and/or Fisheries Observer, while on board the vessel, with officer level accommodation, food and medical facilities at no cost to the Fisheries Protection Officer, Fisheries Observer or the BIOT Authorities;

AGENTS

- # appoint and maintain an agent, in a country agreed by the Director of Fisheries, who shall have authority to receive and respond to any legal process. It shall be deemed that any communication, information, document, request or response that is made or given to that agent is made or given to the owners and operators, and that any communication, information, document, request or response that is made or given by that agent is made or given with the knowledge and approval of the owners and operators;

TRANSIT

- # ensure that while the fishing vessel is navigating through ("transiting") the BIOT fishing waters during periods when the vessel is not fishing, or is transiting closed areas, all fishing gear on board is stowed or secured in such a manner that it is not readily available to use for fishing;

FISHERIES INSPECTION

- # ensure that he and his crew immediately comply with every instruction and direction given by an authorised Fisheries Protection Officer or observer, including to stop, to move to a prescribed location, to facilitate safe boarding and inspection of the vessel, its licence, fishing gear and equipment, records, fish and fish products;
- # assist in any action by an authorised Fisheries Protection Officer or observer and shall not assault, obstruct, delay, intimidate or interfere in the performance of his or her duties;
- # ensure that the HF radio frequency currently used for communications with the BIOT Fisheries Protection Vessel is monitored during the prescribed time schedule;
- # ensure the continuous monitoring of the international maritime distress and calling frequency 2182 KHz (HF) and the international safety and calling frequency 156.8 MHz (channel 16, VHF-FM);
- # ensure that a current copy of the International Code of Signals is on board at all times;
- # ensure that his vessel has identification marks in accordance with the FAO approved Standard Specifications for the Marking and Identification of Fishing Vessels. (Summary details of these standard specifications are in Annex 12);

LICENCE

- # ensure that the Fishing Licence for the current period of licensed operation is prominently displayed in the bridge of the vessel, except that if the vessel has put to sea prior to receipt of the licence a record shall be kept of the Licence Number and shall be produced to an authorised officer or communicated through radio on demand;

CLOSED AREAS

- # ensure that the fishing vessel does not operate less than 12 nautical miles from the nearest point of land, nor that the fishing gear when deployed is allowed to drift within that boundary;
- # ensure that the vessel does not operate in any closed area as may be specified from time to time by the Director of Fisheries in writing or through radio communications with the BIOT authorities;

FISH SPECIES

- # ensure that all fishing gear is deployed in a manner that targets only tunas, tuna like species and those species that are generally caught incidentally thereto; and
- # ensure that all fishing gear is deployed in a manner that avoids or minimises the catching or damage to species of fish or other marine creatures that are not the target species of the tuna fishing operations;

CONSERVATION

- # ensure that neither he nor any member of his crew, otherwise than in the proper course of fishing as authorised by the licence, takes damages or otherwise interferes with any wildlife (as defined in the Protection and Preservation of Wild Life Ordinance 1970, as from time to time amended) within BIOT (including its fishing waters) and in particular that he and every member complies with that Ordinance (as so amended), with any Regulations or other instrument made thereunder as for the time being in force and with any other law for the time being in force in BIOT regulating the protection or preservation of wildlife in BIOT.

SHARKS

- # the removal of shark fins is not permitted;
- # the retention or transhipment of shark fins is prohibited
- # the release of all sharks is recommended
- # all sharks retained must be recorded in BIOT logbooks
- # when entering or exiting the zone, shark or any shark products onboard must be reported in the prescribed manner and according to the prescribed schedule to the Director of Fisheries

OUTSTANDING FEES

- # ensure prompt payment, after the expiry of this licence, of any fees then due for this licence;

SPECIAL CONDITIONS

- # ensure that any special terms and conditions attached to the licence have been read, understood, and are complied with.