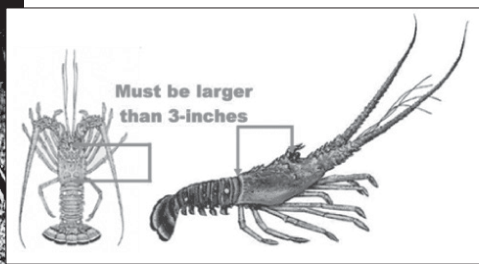




Ministry of Industry, Commerce, Agriculture & Fisheries

Granting of Industrial Motor Fishing Vessel Licences to Fish for Spiny Lobster, and Vessel Licences to Receive, Temporarily Store and Transport Spiny Lobster



The Ministry of Industry, Commerce, Agriculture and Fisheries through the Fisheries Division will be receiving applications for Industrial Motor Fishing Vessel Licences to Fish for Spiny Lobster, and for Vessel Licences to Receive, Temporarily Store and Transport Spiny Lobster for the 2017/18 and 2018/19 spiny lobster fishing seasons (hereinafter referred to collectively as "the Licences"). The deadline for receiving applications for the Licences with all supporting documentation is **NO LATER THAN March 14, 2017 at 5:00 p.m.** at the Fisheries Division's Head Office at the address given below. **The Licensing Authority WILL NOT BE ACCEPTING any Application after March 14, 2017.**

Interested persons are required to contact the Licensing Authority at:

Fisheries Division
2c Newport East, Kingston 11
Phone: (876) 410-9981 or (876) 458-4434
E-mail: fisheries_jamaica@live.com

For the relevant application forms, to obtain further information about the New Lobster Licensing Regime and other details about the application process.

All Applicants **MUST** note that:

- Industrial Motor Fishing vessels are defined as decked vessels of 50 feet or more length overall.
- only vessels that are less than 50 feet length overall are eligible for a licence to receive, temporarily store and transport spiny lobster.
- the new licensing regime for the grant of every category of licences related to spiny lobsters including, licences to fish for spiny lobster and to receive, temporarily store and transport spiny lobster, will commence in the 2017/18 spiny lobster fishing season.
- each category of licences related to spiny lobsters including, Industrial Motor Fishing Vessel Licence to fish for spiny lobster and vessel licence to receive, temporarily store and transport spiny lobster will be granted for two (2) consecutive spiny lobster fishing seasons.

All Applicants **MUST** observe the following conditions for the granting of the **Industrial Motor Fishing Vessel Licences to Fish for SPINY LOBSTER**:

CONDITIONS FOR THE GRANTING OF INDUSTRIAL MOTOR FISHING VESSEL LICENCES TO FISH FOR SPINY LOBSTER ARE AS FOLLOWS:

- Every person or registered Jamaican company who requires an Industrial Motor Fishing Vessel Licence to fish for spiny lobster shall apply to the Licensing Authority under the Fishing Industry Act for an Industrial Motor Fishing Vessel Licence to fish for spiny lobster in the prescribed form which must be submitted with the sum of \$125,000 representing the fees for the processing of the application.
- The Licensing Authority in the granting of an Industrial Motor Fishing Vessel Licence to fish for spiny lobster is empowered under Section 5 (2) of the Fishing Industry Act to attach such conditions as are necessary. Accordingly the Licensing Authority will have regard to conditions of hygiene in compliance with the Aquaculture, Inland and Marine Products and By-Products (Inspection and Licensing) Act.
- All applications for a licence under item (a) above shall be submitted to the Licensing Authority along with the following:
 - In respect of the Applicant, a valid licence to fish under the Fishing Industry Act.
 - Written Authorization from the Veterinary Services Division (VSD) verifying that the vessel meets hygiene conditions under the Aquaculture, Inland and Marine Products and By-Products (Inspection and Licensing) Act.
 - A Certified copy of licence(s) under the Aquaculture, Inland and Marine Products and By-Products (Inspection, and Licensing) Act, issued by the VSD.
 - Official documentation (e.g. licences, certificates, permits, letters of authorization) verifying that all the vessels that the applicant proposes to use to fish for spiny lobsters, have satisfied all the necessary requirements under: (i) the Fishing Industry Act; (ii) Aquaculture, Inland and Marine Products and By-Products (Inspection and Licensing) Act; (iii) the Shipping Act; and (iv) any other relevant Act and/or Regulation.
 - Documentary evidence of all fishers that the applicant proposes to use. All fishers must have valid licences to fish under the Fishing Industry Act and a valid food handler's certification under the Public Health Act.
 - Any other document(s) that may be required by the Licensing Authority to facilitate deliberations and to assist in the exercise of the statutory powers and/or in the performance of the statutory duties under the Fishing Industry Act.
- In the determination of the eligibility of an applicant for an Industrial Motor Fishing Vessel Licence to fish for spiny lobster, the Licensing Authority shall give consideration to the following matters:-
 - That the applicant:
 - is a citizen of Jamaica or a registered Jamaican company.
 - is duly licensed to fish under the Fishing Industry Act.
 - is able to demonstrate a history of involvement in the spiny lobster industry.
 - is able to demonstrate that he/she has an investment in the spiny lobster industry.
 - complies with the requirements of Section 6 of the Fishing Industry Act.
 - is duly licensed under the Aquaculture, Inland and Marine Products and By-Products (Inspection and Licensing) Act, or having provided documentary evidence of collaboration with a licensed processing establishment, where said applicant is not a licensed processing establishment owner/operator.
 - All of the following Four (4) criteria listed below:

1. Motor Fishing Vessel

All applicants must on the date of application show ownership or charter agreement of a local motor fishing vessel that has been in Jamaica, registered as a Jamaican company owner or the number of years that he/she has been owner/operator/charterer of a local vessel. The following documentation is also required:

- A valid Certificate of Registry and a Small Vessel Safety Inspection Certificate issued by the Maritime Authority of Jamaica (MAJ) in respect of each motor vessel that the applicant proposes to use for the fishing of spiny lobster.

1. Motor Fishing Vessel (cont'd)

- Documentary evidence verifying that each vessel has satisfied all the relevant requirements under:
 - the Fishing Industry Act;
 - Aquaculture, Inland and Marine Products and By-Products (Inspection and Licensing) Act;
 - the Shipping Act; and
 - any other relevant Act and/or Regulation.
- Provide documentary evidence of reliable access to a decked vessel including a charter agreement with a Jamaican registered vessel.

2. Number of Years in Lobster Fishery

An Industrial Motor Fishing Vessel Licence to fish for spiny lobster shall be granted only to Jamaican nationals or Jamaican registered companies. Where an applicant was licensed as an individual and subsequently forms a company, in which he is the majority shareholder, then his history as an individual licensee shall be carried over to the new company's history as an individual licensee.

The start year for this Regime shall be 1995.

- Number of years in spiny lobster industry
 - Documentary evidence verifying the total number of years that the applicant has been involved in the spiny lobster industry.
- Historical Landings
 - Documentary evidence verifying the quantity of spiny lobster exported or sold by the applicant from 1995 to present.
 - Documentary evidence of historical landings (i.e., total quantity of spiny lobster landed by the applicant from 1995 to present).
- Historical Performance (Individual utilization of Spiny Lobster Licence)
Documentary evidence (e.g. bill of lading/airway bill) verifying the total quantity of spiny lobster exported or sold locally from 1995 to present. For every shipment, a copy of the airway bill or bill of lading and a commercial invoice with the official stamp of the Customs Department affixed to it must be submitted as proof of exportation.
- Support with respect to the research of the spiny lobster fishery towards the benefit of the growth and development of the industry.

3. Traps and associated gear

- Present for inspection and verification to the Licensing Authority a maximum of 2,000 clearly marked and sequenced traps to harvest spiny lobsters for the upcoming 2017/18 spiny lobster fishing season. Notwithstanding the foregoing, Industrial Spiny Lobster Fishers may have up to 10% additional traps to facilitate necessary repairs or replacement throughout the season.

4. Investment: Verified, specific and relevant lobster industry investment – boat, plant, live lobster tank, and refrigerated truck.

A verified valuation must be presented for all relevant investments involved in the harvesting of spiny lobster. Valuations of assets will be applicable for twenty-four (24) months from the date of issue.

- Only valuations or a letter of indication of value from valuers/appraisers approved by the Licensing Authority will be accepted.
- Ownership of relevant investments including plant, live lobster tank and motor fishing vessels, must be verified by the submission of an authentic certificate of title/ownership (for example, duplicate certificate of title or lease Agreement for real estate or Maritime Authority Certificate of Registry).
- Where two (2) or more applicants, who submit separate and individual application for a spiny Lobster Licence, have joint ownership of a relevant property which is characterized as a spiny lobster industry investment; for example motor fishing vessel, plant, live lobster tank, and refrigerated truck, the value of such property will be apportioned to each applicant based on the percentage of shares each holds within the individual property. It is the responsibility of the applicants to provide the necessary legal documentary evidence to facilitate the apportionment process upon submission of their initial application for the licence.

CONDITIONS FOR THE GRANTING OF SPINY LOBSTER CARRIER VESSEL (THAT IS, VESSELS BELOW 50 FEET LENGTH OVERALL) LICENCE TO RECEIVE, TEMPORARILY STORE AND TRANSPORT SPINY LOBSTER ARE AS FOLLOWS:

- Every person or registered Jamaican company who requires a licence for a vessel to receive, temporarily store and transport spiny lobster shall apply to the Licensing Authority under the Fishing Industry Act for a Spiny Lobster Carrier Vessel Licence in the prescribed form and shall be accompanied by the payment of the application fee in the sum \$75,000.
- Granting of a Spiny Lobster Carrier Vessel Licence pursuant to Section 5 (1) of the Fishing Industry Act by the Licensing Authority shall be subject to, among other things, hygiene conditions in compliance with the Aquaculture, Inland and Marine Products and By-Products (Inspection and Licensing) Act.
- Every application for a licence pursuant to item (a) above shall contain:
 - In respect of the Applicant, a valid licence to fish under the Fishing Industry Act.
 - Authorization from the Veterinary Services Division verifying that the vessel meets hygiene conditions under the Aquaculture, Inland and Marine Products and By-Products (Inspection and Licensing) Act.
 - a certified copy of licence(s) under the Aquaculture, Inland and Marine Products and By-Products (Inspection, and Licensing) Act.
 - Official documentation (e.g. licences, certificates, permits, letters of authorization) verifying all the vessels supplying the Spiny Lobster Carrier Vessel with spiny lobster, and satisfying all the necessary requirements under: (i) the Fishing Industry Act; (ii) Aquaculture, Inland and Marine Products and By-Products (Inspection and Licensing) Act; (iii) the Shipping Act; and (iv) any other relevant Act and/or Regulation.
 - Documentary evidence of all fishers that the applicant proposes to use. Every fisher must have a valid licence to fish under the Fishing Industry Act and a valid food handler's certification issued under the Public Health Act.
 - Any other document(s) that may be required by the Licensing Authority.
- In the determination of the eligibility of an applicant for a Spiny Lobster Carrier Vessel, the Licensing Authority shall give consideration to the following:-
 - That the applicant:
 - is a citizen of Jamaica or a registered Jamaican company.
 - is duly licensed to fish under the Fishing Industry Act.
 - conforms to the requirements of Section 6 of the Fishing Industry Act.
 - is duly licensed under the Aquaculture, Inland and Marine Products and By-Products (Inspection and Licensing) Act.
 - Any other matter deemed necessary by the Licensing Authority.