



VANUATU NATIONAL MARINE AQUARIUM TRADE MANAGEMENT PLAN



SPC
Secretariat
of the Pacific
Community



FFA





VANUATU NATIONAL MARINE AQUARIUM TRADE MANAGEMENT PLAN

produced by the
Vanuatu Department of Fisheries



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APPROVAL OF THE NATIONAL MARINE AQUARIUM TRADE MANAGEMENT PLAN

The Vanuatu National Marine Aquarium Trade Management Plan is made in accordance with Part 2, Section 3 of the Fisheries Act, No. 55 of 2005.

By virtue of powers conferred upon the Minister for Fisheries, under Section 2(2) of the Fisheries Act, No. 55 of 2005, I hereby give notice of the Vanuatu National Marine Aquarium Trade Management Plan 2008.

COMMENCEMENT DATE

This notice commences on the date on which it is approved by the Minister, according to Section 3(5) of the Fisheries Act, No. 55 of 2005.

Made at Port Vila this.....14th..... day ofMay..... 2008



.....
Honourable Donna Brownie
Minister Responsible for Fisheries)





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DEFINITIONS

In this Plan, the following terms shall, unless the context otherwise admits or requires, have the following meanings:

“Act” means the Fisheries Act, No. 55 of 2005 as amended from time to time.

“Area management guidelines” means fishery management guidelines that shall be enforced for the specific fishery management area.

“Fishery management area” means the specific area, with boundaries clearly demarcated, in which the fishery is to operate.

“Closed area” means specific areas where no fishing shall take place. This may include tourist dive sites, sites of archaeological importance, established reserves, parks, sanctuaries or community managed areas.

“Base station” means the land area where the company holding facility is located.

“Ornamentals” is used interchangeably with “aquarium” and has the same meaning as aquarium fish, corals, rocks and invertebrates.

“Buyer” means all purchasers of marine aquarium organisms at any stage of the chain of custody e.g. middleman/woman, exporter, transshipper, retailer or consumer.

“Collector(s)” means an individual or individuals engaged in removing marine aquarium organisms from their natural habitat for commercial purposes.

“Traditional fishing right owner” means an individual, family or clan who is known or recognised by the village community as an owner of traditional rights to fish in a reef or an area by tradition.

“Company collection permit” means a special aquarium collection permit, especially for local ni-Vanuatu wishing to collect, buy or gather products for sale to the export company. Such a permit shall be owned by a company but issued by the Vanuatu Department of Fisheries.

CITATION

The Vanuatu Marine Aquarium Fishery Management Plan shall be cited throughout this report as the Plan”. The Plan shall cover all aspects of fishing, transporting, holding, processing and exporting of marine ornamental fish, invertebrates, live rock, live corals, giant clams and associated products in Vanuatu.

COMMENCEMENT

This Plan shall take effect upon approval by the Minister of Agriculture, Quarantine, Forestry and Fisheries, and publication in the National Gazette.

APPLICATION

- 1) This Plan applies to the managed fishery relating to the species of fish, invertebrates, corals (dead or live), giant clams and other related organisms known as marine aquarium products.
- 2) This Plan applies to all activities under the definition of “fishing” as defined in the Fisheries Act, No. 55 of 2005, including netting, scuba diving, snorkelling, collecting, using cages and traps, storage and handling of caught fish, and transporting live aquarium species.



1. DESCRIPTION OF THE MARINE AQUARIUM TRADE FISHERY

Marine ornamentals are marine fish, corals, rocks and invertebrates that are kept alive in aquariums. The marine aquarium trade is the fastest growing sector of the ornamental industry, which comprises both freshwater and marine organisms. (Marine ornamentals command higher prices than freshwater ornamentals.) The marine aquarium trade continues to command high prices from all sectors of the chain of custody. In the Pacific region, the marine aquarium trade fishery is a growing commercial inshore fishery that provides valuable economic opportunities for coastal communities, a source of employment, and a successful export industry. Furthermore, it is an industry in which Pacific Island countries (PICs), large and small, can participate.

Globally, the marine aquarium trade involves over 50 fish families and over 1000 fish species, and has an estimated value of USD 250 million (which amounts to about 20 million individual fish). In 2003, PICs' contribution to the global trade was estimated as 10%, representing a value of USD 25 million and involving 150 fish species and more than 50 coral species. Live rock is currently the most important marine aquarium product, contributing just over 70% (USD 18 million) to the value of the trade in the Pacific. Live corals contribute USD 5 million and fish USD 2 million. These values break down to roughly 700 metric tonnes of live rock, 200,000 pieces of live corals and 400,000 individual fish. The marine aquarium trade has, therefore, become a very important source of income and revenue for PICs, especially for those where income earning opportunities are limited.

The marine aquarium trade fishery has been established in many PICs, including Cook Islands, Fiji, Kiribati, Palau, Solomon Islands, Tonga and Vanuatu, and is proving to be economically beneficial for these countries. For instance, in Fiji, the industry was worth FJD 20 million annually in export earnings in 2001, and is the only source of foreign exchange for Christmas Island in Kiribati.

Vanuatu's marine aquarium trade fishery has been in existence for the last 15 years, and has survived despite high airfreight and local investment costs (as compared with other fisheries). Although Vanuatu's reefs are not extensive, they provide sufficient habitat for ornamental resources that can maintain a small, but sustainable industry. In Vanuatu, about 300 species of non-food reef fish are important ornamental species out of a total of 543 species currently recorded for Vanuatu (FishBase, 2004)¹, including many species of invertebrates, clams, soft corals, and cultured hard corals. It is, therefore, a fishery with a significant diversity of target species of marine organisms, including plants and algae, and abiotic resources such as rocks.

Currently, there are three companies in Vanuatu that are involved in the marine aquarium trade fishery. All are located in Port Vila and their collection areas are concentrated

¹ Froese, R. and D. Pauly. Editors. 2004. FishBase. World Wide Web electronic publication. www.fishbase.org, version (12/2004).

around Efate. In 2006, one operator started exporting cultured clams, following successful culturing. This has been a significant milestone for the marine aquarium trade in Vanuatu because export has predominantly involved wild-harvested species. The initiative to culture clams was a result of a strict fisheries policy banning the export of wild-harvested clams. The marine aquarium trade export industry started in the early 1990s with small-scale exports, but has increased dramatically since 2000 (Figure 1).

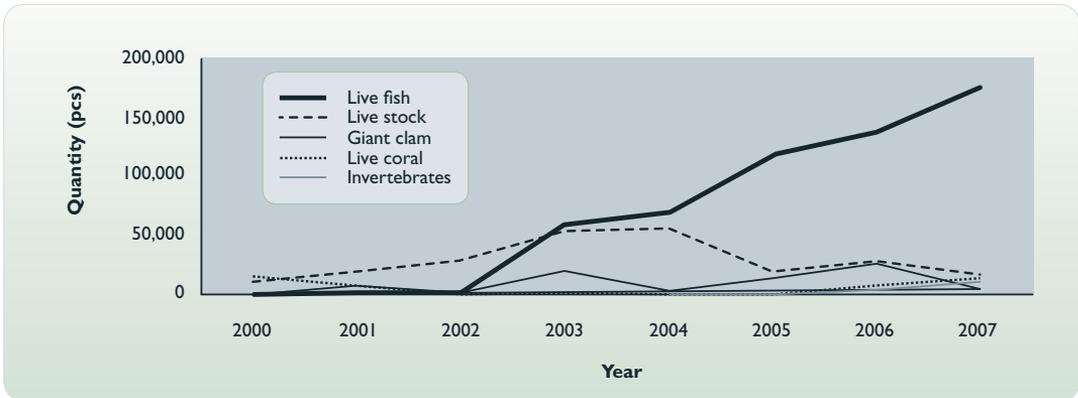


Figure 1. Aquarium export production (Source: Vanuatu Department of Fisheries 2007).

The six fish groups most commonly targeted by the marine aquarium trade are the angelfish (Pomacanthidae), gobies (Gobiidae), tangs (Acanthuridae), damselfish (Pomacentridae), groupers (Serranidae) and wrasses (Labridae) (Figure 2). Of the Pomacanthidae, the flame angel (*Centropyge loriculus*) has been the most exported fish species, representing 12.5% of Vanuatu's average total annual fish exports.

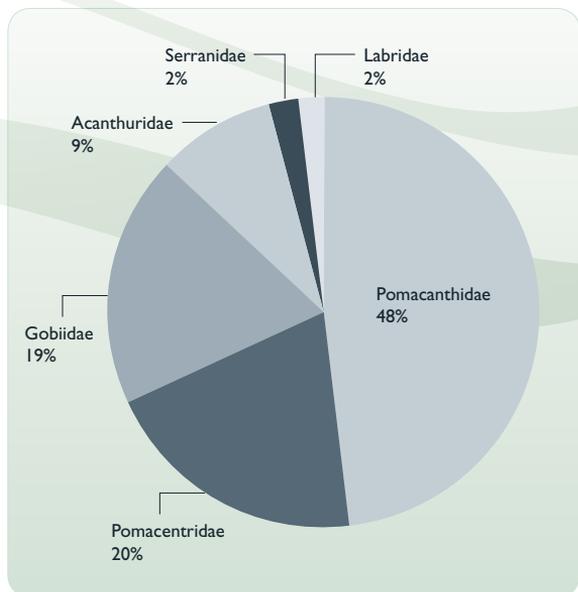


Figure 2. Composition of the main fish groups targeted by the marine aquarium trade (Source: Vanuatu Department of Fisheries 2007).

Fish represent the bulk of Vanuatu’s marine aquarium exports, contributing about 66% of the total annual average export volume, followed by invertebrates (18%) and live rock (10%). In terms of value, fish contribute about 29% of the total value, followed by invertebrates (20%) and live rock (19%). Corals, which constitute only 2% of the total export volume, represent a significant portion (19%) of the total annual average value (see Figures 3 and 4).

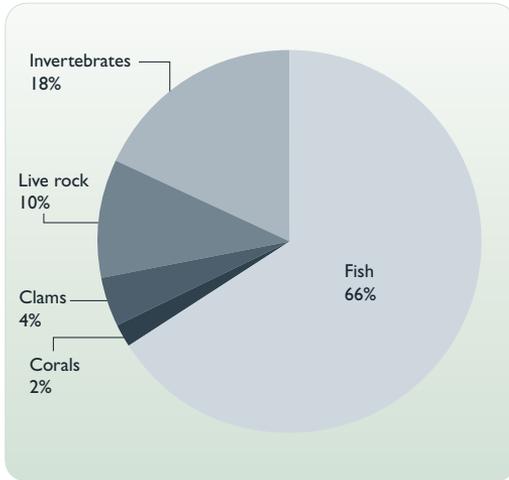


Figure 3. Average annual export volume of aquarium products.

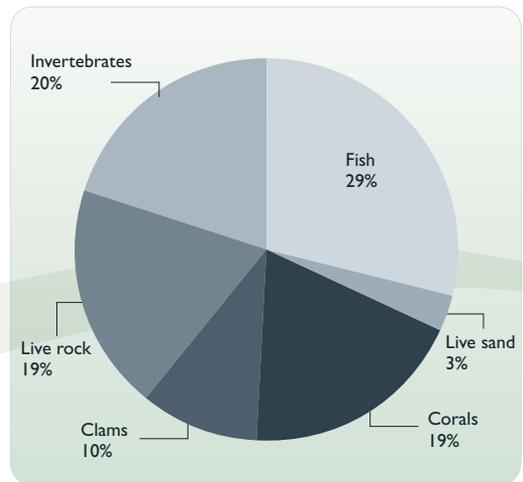


Figure 4. Average annual export value of aquarium products.

The direct social and economic impact of the marine aquarium trade, and contribution to the national economy, are significant. Currently, the trade brings in over USD 500,000 annually in export earnings, and contributes about USD 1 million to local economies. In addition, about USD 19,000 per year is paid directly to resource owners (for access to fishing grounds) around Efate’s west coast, especially the three main villages of Pango, Mele, and Lelepa/Mangaliliu.

Therefore, to maintain long-term maximum social and economic benefits, the industry requires better and more efficient management. This can be achieved by implementing national policies to ensure: 1) sustainability of resources, 2) community income earning opportunities, and 3) a source of foreign exchange for the country.

2. PRECAUTIONARY APPROACH

The precautionary approach will be applied to managing the marine aquarium trade fishery, non-target species, and associated and dependent species, taking into account the best scientific information available on the fishery, and the existing uncertainties or lack of understanding about the fishery.

3. MANAGEMENT MEASURES

3.1 Limitations

- a) A national quota of only four export operators will be applied. Of the four, three must be based in and operate from Efate, and one must be based in and operate from Luganville, Santo.
- b) Of the total quota of four operators, two spaces will be reserved for local ni-Vanuatu, while the other two will be open. Local ni-Vanuatu interests could be either 100% fully owned, or be a joint venture arrangement with foreign investors.
- c) Operators of the marine aquarium trade fishery should be of high international repute with a proven record in the trade, cooperate with the Vanuatu Department of Fisheries, and be certified by other relevant authorities.
- d) All operators engaged in fishing, collecting, buying and exporting aquarium products should be properly licensed.
- e) A “one operator, one area policy” will be applied. The operator may be required to give a 12-month grace period for that area.
- f) Effort must be made by the operator or licensee to ensure that fishing for or collecting aquarium products anywhere in the country does not conflict with other users.
- g) The Vanuatu Department of Fisheries reserves the right to cease operation in an area if it considers it necessary for maintaining a healthy stock of resources.

3.2 Quota allocation

- a) An annual total allowable catch (TAC) or quota allocation of 12,250 fish will be enforced for Efate and surrounding islands for the flame angelfish, *Centropyge loriculus*. About 80% of the TAC will be allocated to Sustainable Reef Suppliers Ltd and the remaining 20% will be allocated to Reef Life (Vanuatu) Ltd.

3.3 Licensing

The following licenses are applicable:

- a) **Fishing License:** Applicable to all operators (companies) wishing to conduct their own fishing and collecting activities. (A standardized copy of the Fishing License form is found in Schedule I attached to this report.)
- b) **Fish Export Processing Establishment License:** Applicable to operators of land-based and ocean-based holding and exporting facilities, and exporting activity. (A standardized application form is attached in Schedule II). A 2% levy will be charged on the estimated consignment value.
- c) **Local Collection Permit:** Applicable to ni-Vanuatu collectors and suppliers. A Local Collection Permit is owned by export operators (i.e. Collection Permit Owners), and middlemen counterparts (also Collection Permit Holders). (A standardized application form is attached in Schedule III.) This permit allows local participation and the development of skills, but also controls supply, maintains quality, and minimizes losses. The Local Collection Permit fee will be standardized at VUV 5000 per permit holder and one Local Collection Permit per area, village or community.
- d) **Provincial Aquarium Permit:** To be issued by the administration of the province in which an operator is based or to which they have access. This fee is currently charged by provincial authorities as a “provincial fishing license”, but the name has been changed to avoid confusion.
- e) **Reef Owner Contract:** A contract signed between the collector/company and the reef owner to allow access to fishing/collecting areas. The agreement shall have the consensus of village councils, Vanuatu Department of Fisheries, and the responsible provincial council. A standardized amount should be included for access to a site after a Reef Owner Contract has been signed by both parties (see Schedule IVA & IVB).
- f) **Underwater Breathing Apparatus License:** A company, group or individual wishing to use underwater breathing apparatus (UBA) for commercial fishing or collecting of any live specimens for ornamental purposes shall do so under a valid Underwater Breathing Apparatus License issued by the Vanuatu Department of Fisheries (see Schedule V).

3.4 Fishing methods and collecting practices

- a) Fishing for live ornamental fish, corals, invertebrates and rocks shall be restricted to snorkelling and hand collection, and using traps, hand nets, barrier nets, scuba or hookah. (Use of any UBA to be bound by a special license, see 3.3 f.).
- b) Decompression of fish shall be done using the recommended best practice to avoid losses and poor fish health.

- c) Collection by resource owners should be allowed, and necessary training on collecting and handling techniques should be organised by the Vanuatu Department of Fisheries.
- d) Live rejected fish, corals, invertebrates, rocks and any other aquarium products should be returned to the sea. Likewise, dead aquarium products must be disposed of in a proper manner (see 7.6 h) and should not be returned to the sea.

3.5 Prohibitions

- a) Fishing or collecting live aquarium fish, rock, invertebrates and corals, and any other related aquarium activities within or close to a known tourist diving spot, are prohibited. A buffer zone of 1 km or more must be observed.
- b) Fishing or collecting live fish, rock, invertebrates and corals is prohibited within any marine reserve, park, sanctuary or any community-protected area, and is restricted to 1 km or more away from protected areas.
- c) The Vanuatu Department of Fisheries shall provide maps of such areas.
- d) The use, storage and transport of explosives and noxious substances (including cyanide, and any naturally derived substances in any form) for the purpose of killing, stunning, rendering, disabling or capturing fish are prohibited.
- e) The export of wild live corals (i.e. hard corals) is prohibited, except for farmed specimens. Farmed specimens should clearly show growth around their base and must come from known sources.
- f) The export of wild giant clams (*Tridacna* sp. and *Hippopus* sp.) is prohibited, except for cultured specimens. Cultured specimens must come from known sources.
- g) Collecting any food fish for the marine aquarium trade fishery is prohibited.
- h) Collecting any food fish or other marine products for personal consumption while collecting for the marine aquarium trade is prohibited.

3.6 Facilities and husbandry

- a) Operators are required to maintain a facility that ensures optimal health and survival of any species collected. Any type of facility other than that recommended will be considered unacceptable.
- b) Operators must also ensure that they meet Vanuatu's occupational health and safety standards as outlined in the Labour Act on health and safety at work (CAP 195 of 1986, revised edition 1987. Note Section 2, duties of employers to their employees).

- c) Operators must maintain written records of water quality (for land-based facilities) and mortality at all times. This information should be readily available to the Vanuatu Department of Fisheries.
- d) In-house (facility) mortality shall not exceed 3%.
- e) Land-based facilities must be clean, good water quality standards maintained, and tanks sheltered from debris, heat and cold, strong wind or rain.
- f) Land-based fish holding systems must: 1) be closed circuit (i.e. recirculating) to ensure optimum control over water quality, 2) have adequate biological filtration, 3) operate at a controlled temperature, 4) be parasite free, and 5) keep aggressive species separate from each other.
- g) Open ocean keeping of fish and invertebrates must be done using the highest recommended practices with minimal losses.
- h) Deceased fish shall be cremated or buried.
- i) A fisheries inspector will inspect facilities (including export consignments) from time to time to ensure that high standards are maintained.
- j) Vanuatu Department of Fisheries reserves the right to reject, or order, an improvement of a facility, if the facility's state is unsatisfactory.
- k) Any development for the purposes of land-based holding facilities that may cause adverse impacts to the surrounding environment shall require an environmental impact assessment approval prior to development, in accordance with the Environmental Management and Conservation Act of 2000. There should be continuous monitoring during the operation.

3.7 Employing foreign workers

- a) A total of four foreign workers (experienced fish collectors only) shall be allowed to be employed in the industry to train local divers in collecting techniques.
- b) Companies shall promote and facilitate counterpart training by allocating a local counterpart for each foreign diver to ensure skill transfer.
- c) A two-year contract shall be allowed for all foreign workers in any aquarium company, and shall be subject to extension pending a needs assessment to be conducted by Vanuatu Department of Fisheries, Department of Labour, and Vanuatu Investment Promotion Authority at the end of every two-year term.
- d) Vanuatu Department of Fisheries reserves the right to place restrictions on all foreign workers in collaboration with the Department of Labour and Vanuatu Investment Promotion Authority.

3.8 Use of underwater breathing apparatus

- a) The use of a UBA for fishing or collecting aquarium products shall be controlled by a license to be called “Underwater Breathing Apparatus Fishing License” or “UBA Fishing License”, which shall be restricted to Collection Permit Owners and Collection Permit Holders.
- b) All divers (or UBA users) shall be certified divers, possessing a minimum of an “open water” (or higher) diver certification card.
- c) All copies of personal dive certificates and information shall be made available to the Vanuatu Department of Fisheries, and copies kept at the company office.

3.9 Areas of operation (access agreements)

- a) For operators wishing to fish themselves, the operator—in consultation with the resource owner(s)—shall agree on a specific fishing area and shall submit a written approval (access agreement) from the resource owners to the Fisheries Department. The approval shall have the consent of the Village Council, Vanuatu Department of Fisheries, and the relevant provincial government. (A copy of such an agreement is in Schedule IV.)
- b) The Vanuatu Department of Fisheries shall work with communities and be a facilitator in all community/company arrangements in order to avoid conflicts and help communities in zoning their fishing areas.
- c) Resource owners wishing to collect, buy, gather or sell direct to the company, shall be required to possess a “Company Collection Permit” as a “Permit Holder”, which will be issued by the Vanuatu Department of Fisheries.
- d) A standard amount of money per month shall be set nationally as a monthly lease or royalty fee to be paid directly to the reef owner(s) by any operators for reef areas granted by the owner for fishing and collecting.
- e) An operator must hold at least five access agreements or Reef Owner Contracts annually. This is to prevent concentration and possible overexploitation of a fishing area, and ensure rotation of fishing areas by companies.

3.10 Conservation

- a) In the event that an operator wishes to cease operation in an area, all fishing gear and equipment used for fishing and other related activities shall be taken away or disposed off in a manner that will not cause adverse impacts on the surrounding environment.

- b) Operators must be encouraged to rotate collection areas within a management area.
- c) Operators must contribute to the development of mariculture of ornamental products.
- d) Operators are encouraged to participate in any other conservation activities they see necessary.
- e) Companies and landowners must rotate collection areas within a management area.
- f) Companies must keep a comprehensive record of rare and endemic species collected. The record must include the following information:
 - species or family name;
 - species distribution;
 - quantity collected; and
 - depth and type of habitat where collected.

3.11 Reporting

- a) Companies shall report to the Vanuatu Department of Fisheries each time an export is made. This report shall be in the form of an “export permit invoice”, which details the species/products fit for exporting, quantity (in kg or pieces) and value (in USD), and the product’s destination.
- b) Each company shall maintain a comprehensive database that includes:
 - catch records by species;
 - quantity (kg or pieces);
 - location where species are collected;
 - local price of fish if they are purchased;
 - export price; and
 - importer and country.
- c) The data compiled in (b) must be in the form of a “quarterly report” and must be submitted to the Vanuatu Department of Fisheries and the respective provincial government(s) (hard copy and/or digital copy), and a copy retained by the operator. The quarterly report must also contain all data relating to exports during that period, and must be submitted within 30 days of the end of the quarter.

- d) The quarterly report must include a section on rare and endemic species collected, and shall also include the information in 3.10 f, including photos.
- e) Companies shall keep a logbook of daily fish mortality and possible causes of deaths. Companies shall also comply with any monitoring that may be required by the Fisheries Department from time to time. This information is important to enable the Fisheries Department to assess the level of losses.
- f) Failure to submit any of the data or reports under this section, or cooperate in submitting any reports as required by the Fisheries Department, will result in the temporary suspension of the operator's license until such time as the data or reports are submitted in a complete and satisfactory manner.

3.12 Observers

- a) Fisheries and provincial observers will carry out normal observer activities at landing and holding facilities, and conduct observer activities onboard fishing vessels.
- b) Each operator will be required to pay an "observer fee" to the Fisheries Department or the respective provincial government for observer trips and landing inspections. The observer fee is VUV 40,000 per month.
- c) Vanuatu's Environment Unit may also carry out regular monitoring of fishery operation impacts on the surrounding environment, as required under the Environmental Management and Conservation Act. Likewise, Vanuatu's Labour Department will carry out regular monitoring as required under occupational health and safety standards for the work place.

4. MONITORING

The Vanuatu Department of Fisheries will, as needed to effectively implement the strategies prescribed in this section, seek and work with partners such as other national and local government agencies, non-governmental organizations, academic and research institutions, industry and communities to monitor the marine aquarium trade fishery.

In line with managing the marine aquarium trade fishery, the Fisheries Department will prepare sub-plans for the purpose of guiding its monitoring and research activities. These sub-plans will be for operational purposes only, and will not necessarily require endorsement by the Minister as part of this Plan.

- a) Routine monitoring will be undertaken or commissioned by the Fisheries Department for the purpose of assessing the degree of achievement of each of the objectives and the overall goal of this Plan. To that end, suitable indicators will, through appropriate research, be identified, incorporated into this Plan, and subsequently monitored according to prescribed protocols. If found to be appropriate, benchmarks or reference points associated with those indicators will also be identified and incorporated into this Plan.
- b) As part of the monitoring program, data from fishery-dependent and fishery-independent sources will be gathered, managed, analyzed and summarized on a quarterly basis, and interpreted in biannual reports produced by the Fisheries Department for submission to the Marine Aquarium Trade Management Committee for review of the status of the marine aquarium trade fishery. Data sources will include mandatory reporting requirements, including the marine aquarium trade license holders' logsheets, and data recorded on Live Fish Export Permits. These reporting requirements are designed to account for all fish captured and produced in the marine aquarium trade fishery, including discarded fish, and to account for the disposition of all such fish, including their movement among license holders and aquaculture facilities, and their ultimate fate, including whether they were exported or otherwise disposed off. In addition to data collected through mandatory reporting requirements, the Fisheries Department will also compile, manage, analyze, interpret, and report on any relevant data collected by observers and enforcement officers, as well as any relevant data obtained independently from the fishery. The Fisheries Department will also seek, interpret, and report on relevant information collected by other parties, including other government agencies, non-governmental organizations, and independent researchers.

5. TRAINING

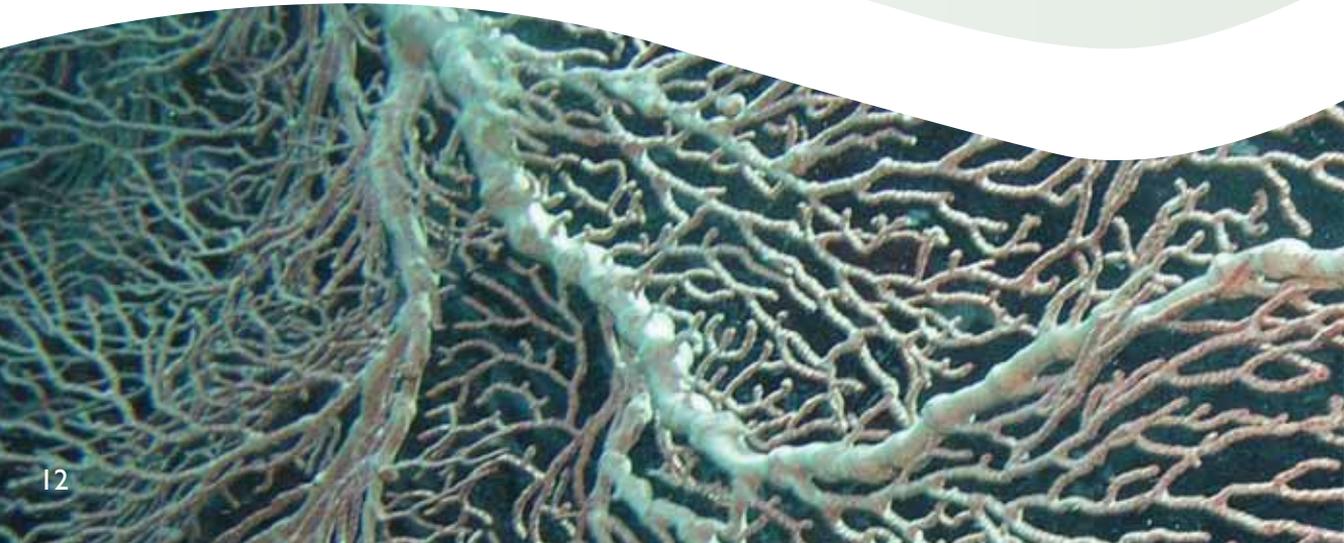
- a) The Vanuatu Department of Fisheries will provide technical training to provincial observers.
- b) Snorkel divers must be trained in fish collecting techniques.

6. AMENDMENTS

The Marine Aquarium Trade Management Plan shall be reviewed from time to time when necessary.

7. RESEARCH

- a) The Vanuatu Department of Fisheries shall conduct monitoring activities in collection areas in collaboration with provincial councils and tourist operators in order to assess catch per unit of effort, size structure, and species abundance in management areas.
- b) The Vanuatu Department of Fisheries will continue to collaborate with the Secretariat of the Pacific Community, Secretariat of the Pacific Regional Environment Programme, Marine Aquarium Council, and other regional management bodies and NGOs on the monitoring of aquarium fishery and socioeconomic community assessments.



SCHEDULES TO THE MANAGEMENT PLAN



FISHING LICENSE FORM

- Instructions**
- Underline surnames
 - For “address”, provide as much detail as possible
 - Leave no question blank
 - If not applicable, write NA
 - Specify units of measurement.

Address to
 Director of Fisheries
 Fisheries Department
 VMB 045
 Port Vila, Vanuatu.

I hereby apply for a fishing license for the vessel described below.

Name of vessel			
Number of crew			
	Vessel owner	Vessel charterer	
Name			
Address	----- ----- -----		----- ----- -----
Country of registration	Country of registration number	International radio call sign	
	Vessel master	Fishing master	
Name			
Address	----- ----- -----		----- ----- -----
Nature of fishing operation to be undertaken: _____ _____			
Hull material	Steel <input type="checkbox"/>	Wood <input type="checkbox"/>	FRP <input type="checkbox"/> Other <input type="checkbox"/>
If other, specify: -----			
Year built		Place built	
Gross tonnage		Overall length	metres
Main engine(s) power (specify units)		Fuel carrying capacity	kilolitres
History of use: ----- -----			
Fish storage capacity for each storage method: ----- ----- -----			

I declare that the vessel described above is wholly owned by [tick a, b, c or d],

- a) the government of Vanuatu
- b) a public corporation established by or under a law of Vanuatu
- c) one or more persons who are citizens of Vanuatu
- d) a company, society or other association of persons incorporated or established under the laws of Vanuatu,

and that the full name(s) and address(es) of the owner(s) are:

I understand that I am required to report any changes in the information contained in this form to the Director of Fisheries, Port Vila, Vanuatu, within seven days of the change.

Applicant's signature _____

Owner

Charterer

Duly authorized agent

Applicant's address _____

FISH EXPORT PROCESSING ESTABLISHMENT LICENSE

- Instructions**
- Underline surnames
 - For “address”, provide as much detail as possible
 - Leave no question blank
 - If not applicable, write NA
 - Specify units of measurement.

Address to
 Director of Fisheries
 Fisheries Department
 VMB 045
 Port Vila, Vanuatu.

I hereby apply for a license to operate a **Fish Export Processing Establishment** at the place and in the manner described below.

1. Address of establishment

2. Name and address of owner of establishment

3. Name and address of lessee (if leased)

4. Products to be processed, including sources of supply (attach full description)

5. Nature of processing operation (attach full description)

6. Cleanliness and sanitation (attach full description of construction and maintenance standards)

I understand that I am required to report any changes in the information contained in this form to the Director of Fisheries, Port Vila, within seven days of the change.

Applicant's signature _____

Date _____

Specify whether owner or lessee _____



Schedule III

LOCAL COLLECTION PERMIT

Permit number

In exercising the powers under Section 3(2)(d) of the Fisheries Act No. 55 of 2005, I hereby permit the following company/individual as described below.

Name of company

Address/contact details

Description (please tick <input type="checkbox"/>)	Collection permit owner (company)	Collection permit holder (middleman)
	<input type="checkbox"/>	<input type="checkbox"/>

Collection site

This permit is in accordance with clause 7.3(c) of the National Aquarium Trade Management Plan of the Vanuatu Department of Fisheries.

ENDORSEMENT BY THE DIRECTOR:

Date

Signature

REEF OWNER CONTRACT (ROC) / ACCESS AGREEMENT

AGREEMENT TO SEARCH FOR, CATCH AND TAKE AQUARIUM FISH, INVERTEBRATES, LIVE ROCK AND OTHER MARINE SPECIES FOR AQUARIUM TRADE PURPOSES

(In accordance with Clause 3.3(e) of the National
Marine Aquarium Trade Management Plan)

This agreement is made on [date] day of [month], [year],

Between: [Name/ address/contacts of company]
(lessee)

and: [Name/address/contacts of landowner]
(lessor)

For access to: [State and describe areas of access]

It is agreed as follows:

I. Interpretation and definitions

In this Agreement, and any schedules to it, the following terms shall, unless the context otherwise admits or requires, have the following meanings:

“access area” means the area of sea that is adjoining the land owned by the lessor.

“agreement” means an understanding between the two parties that the lessee is allowed to search for, catch and take aquarium fish, invertebrates and live rocks for the purposes of the aquarium trade, in the sea area that adjoins the land owned by the lessor.

“aquarium trade” means the business by which an individual or a company engages in collecting, buying and selling marine species used for aquariums.

“commencement” means the date that this agreement was signed and made on.

“marine species” means aquarium fish, invertebrates, live corals, live rocks and any other species taken from the sea that is used for aquarium trade purposes.

“parties” means the lessee and the lessor stated in the agreement.

2. Commencement

The agreement shall commence on the date that the agreement was signed by the parties.

3. Approval for access areas

- 3.1 Any area that will be used for the purposes of the aquarium trade must have the approval of the Chief or Village Council prior to the access agreement or any operation being carried out by the lessee in the area.
- 3.2 The lessor must explain to the Chief or Village Council the operation that will be carried out by the lessee, prior to the signing of the access agreements.
- 3.3 The approval of the Chief or Village Council must be in the form provided in Schedule IVB, and attached with the agreement.

4. Access fee

- 4.1 The lessee shall pay a fee to access the area that will be used to search for, catch and take any marine species for the business of the aquarium trade.
- 4.2 The access fee shall not be less than VUV10,000 per unit area per month.
- 4.3 The access fee shall be paid directly to the lessor, in the form of payment agreed by the lessor.

5. Collecting marine species

- 5.1 The lessee shall search for, catch and take only those marine species that are used for the aquarium trade.
- 5.2 The lessee shall use fishing methods and techniques as specified in this Plan (Section 3.4 a).

6. Renewing agreement

The agreement shall be applicable upon renewing the fishing license granted to the lessee.

7. Termination of agreement

- 7.1 The agreement shall automatically terminate upon the expiry of the license period.
- 7.2 The agreement may be terminated by the lessor by giving one month's notice to the lessee.
- 7.3 The agreement may be terminated, by either party, if it is believed that the agreement has been breached in any way.
- 7.4 Upon termination of the agreement, neither party may claim for any expenses incurred by the other.

8. Settlement of disputes

All disputes and questions that arise, during the term of the agreement or afterwards, between the parties or their representatives concerning the construction or application of this agreement, or concerning any act, deed or omission of a party, shall be settled amicably out of court.

9. Miscellaneous

9.1 Any schedules that are constructed during the time of an agreement shall be attached to the agreement and be part of the agreement, after it has been approved by both parties. Any schedules attached to the agreement shall be numbered in the order of the date that it occurs.

9.2 Any amendments to the agreement shall be made upon the approval of both parties.

In witness of which this agreement is duly executed.

Dated in Port Vila on this [date] day of [month], [year].

[Name of lessee]

[Name of lessor]



APPROVAL FORM

(In accordance with Clause 3.3 (e) of the National
Marine Aquarium Trade Management Plan)

**Approval
by the Village Chief/Village Council**

Name of Chief/
Representative of
Village Council

.....

Village

.....

Area/island

.....

.....

.....

Province

Shefa

Tafea

Malampa

Penama

Sanma

Torba

Signature of approval

.....

Date of approval

.....

Witness

.....

Date

.....

UNDERWATER BREATHING APPARATUS FISHING LICENSE

(In accordance with Clause 3.8(a) of the National
Marine Aquarium Trade Management Plan)

- Instructions**
- Underline surnames
 - For “address”, provide as much detail as possible
 - Leave no question blank
 - If not applicable, write NA
 - Specify units of measurement.

Address to
 Director of Fisheries
 Fisheries Department
 VMB 045
 Port Vila, Vanuatu.

I hereby apply for an Underwater Breathing Apparatus License for the purposes of marine aquarium product collection. The aquarium products include marine aquarium fish, live rock, various invertebrate species, farmed corals and cultured giant clams.

Company Name

Address

Telephone

Fax

Email

Company Owner

Address

Telephone

Fax

Email

I understand that I am required to report any changes in the information contained in this form to the Director of Fisheries, Port Vila, within 7 days of the change.

Applicant’s signature

Date

Owner’s name



Republic of Vanuatu
Department of Fisheries
Private Mail Bag 9045
Port Vila

Tel: +678 231 19
Fax: +678 236 41



SPC
Secretariat
of the Pacific
Community



FFA