

Kenya Gazette Supplement No. 53

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(Legislative Supplement No. 34)

LEGAL NOTICE NO. 133

THE FISH INDUSTRY ACT, 1968

(No. 24 of 1968)

IN EXERCISE of the powers conferred by section 7 of the Fish Industry Act, 1968, the Minister for Tourism and Wildlife hereby makes the following Regulations:—

THE FISH INDUSTRY (CRUSTACEA) REGULATIONS, 1971

1. These Regulations may be cited as the Fish Industry (Crustacea) Regulations, 1971, and shall apply throughout Kenya.

2. In these Regulations, except where the context otherwise requires—

“crustacea” shall include all species of shrimps, prawns, lobsters, crawfish and crabs, including the brood, spawn, ova and young thereof;

“marketing” means the purchase, sale or barter, exposing for sale or barter or possession for the purpose of sale or barter of any crustacea;

“processing” means any process (including filleting, canning, freezing and fish meal production) whereby the shape, appearance or form of any crustacea is altered from that in which it was when originally caught and before it is consumed or sold to the public.

3. (1) A crustacea licence in the form shown in the First Schedule to these Regulations may, on application and on payment of appropriate fees set out in the Second Schedule to these Regulations be issued by the Minister.

(2) Any licence, issued under this regulation shall expire on the 31st December of each year unless the Minister otherwise directs.

4. The holder of a licence issued under these Regulations shall submit to the Director of Fisheries a monthly return in respect of his business in the form shown in the Third Schedule to these Regulations.

5. Any person who delivers, sells, purchases, disposes, markets or processes crustacea otherwise than under and in accordance with the terms of a licence issued to him by the Minister, shall be guilty of an offence and liable—

(a) in the case of a first conviction to a fine not exceeding three thousand shillings, or imprisonment for a term not exceeding three months, or to both such fine and imprisonment;

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(b) in the case of a second or subsequent conviction to a fine not exceeding ten thousand shillings or imprisonment for a term not exceeding one year or to both such fine and imprisonment.

6. Nothing in these Regulations shall apply to—

- (a) any person who purchases any crustacea, not exceeding two kilograms weight in quantity from a fisherman for his own immediate consumption;
- (b) any person who purchases any quantity of crustacea from any person issued with a licence for the purpose of resale to the public;
- (c) any employee of a person issued with a licence whilst acting in the course of such employment.

7. The Fish Protection (Crustacea) Rules are hereby revoked.

FIRST SCHEDULE (reg. 3 (1))

THE FISH INDUSTRY (CRUSTACEA) REGULATIONS, 1971
CRUSTACEA DEALER'S LICENCE

This licence is issued to
of (address)

who is entitled to trade in lobsters, prawns, and crabs, for the period from
19....., to 31st December, 19.....

Date of issue

Category

Fees paid

The holder is required to furnish a monthly return in respect of his business in the form in the Third Schedule to the Regulations.

.....
Signature of Holder

.....
Signature of Issuing Officer

SECOND SCHEDULE (reg. 3 (1))

CRUSTACEA LICENCE FEE

CATEGORY

<i>A</i>	<i>B</i>
<i>Resident</i> Sh. 100 per annum	<i>Non-resident</i> Sh. 500 per annum

