

VIRGIN ISLANDS
FISHERIES (PROTECTED SPECIES) ORDER, 2014

ARRANGEMENT OF SECTIONS

Section

1. Citation.
2. Prohibition of selling, etc. of sharks.
3. Prohibition of selling, etc. of rays.
4. Offence and penalty.

VIRGIN ISLANDS

STATUTORY INSTRUMENT 2014 NO. 28

**FISHERIES ACT, 1997
(No. 4 of 1997)**

[Gazetted 22nd May, 2014]

The Minister in exercise of the powers conferred by section 14(1) of the Fisheries Act (No. 4 of 1997), makes the following Order:

- Citation.
- Prohibition of fishing for, selling, mutilating, etc. of sharks.
1. This Order may be cited as the Fisheries (Protected Species) Order, 2014.
 2. (1) No person shall
 - (a) remove from the fishery waters or intentionally engage in the fishing for sharks or any of their parts;
 - (b) intentionally remove the fins, tail or mutilate any shark;
 - (c) sell, purchase or have in his or her possession any shark, shark parts or shark products;
 - (d) export or import any shark, shark parts or shark products;
 - (e) feed, attempt to feed, provide or use food to attract any shark in the fishery waters.
 - (2) Where a shark is inadvertently caught or captured dead or alive, it shall immediately be released into the fishery waters.
 - (3) Notwithstanding subsection (1), a person
 - (a) may fish for shark for private subsistence except for those sharks listed as endangered (EN) or critically endangered (CR) under the International Union for the Conservation of Nature (IUCN) Red List of Threatened Species if he or she is a licenced local fisherman;

- (b) may fish for shark, or have in his or her possession, or export any shark, or shark parts for educational, scientific or research purposes if he or she is the holder of a marine scientific research permit.
- (c) shall fish for and remove from the fishery waters
 - (i) any alien or non-native shark species determined as an invasive species;
 - (ii) any alien or non-native shark species that may pose a threat to human life.

Prohibition of fishing **3.**
for, selling,
mutilating, etc. of
rays.

- (1) No person shall
 - (a) remove from the fishery waters or intentionally engage in the fishing for rays or any of their parts;
 - (b) intentionally mutilate any ray;
 - (c) sell, purchase or have in his or her possession any ray, ray parts or ray products;
 - (d) export or import any ray, ray parts or ray products;
 - (e) feed, attempt to feed, provide or use food to attract any ray in the fishery waters.
- (2) Notwithstanding subsection (1), a person
 - (a) may fish for rays, have in his or her possession, or export any ray, or ray parts for educational, scientific or research purposes if he or she is the holder of a valid marine scientific research permit;
 - (b) shall fish for and remove from the fishery waters
 - (i) any alien or non-native ray species determined as an invasive species;

- (ii) any alien or non-native ray species that may pose a threat to human life.

Offence and
Penalty.

4. Any person who contravenes sections 2 or 3 commits an offence and is liable on summary conviction to a fine not exceeding one thousand dollars.

Made by the Minister this 19th day of May, 2014.

**(Sgd.)Dr. the Honourable Kedrick Pickering,
Minister for Natural Resources & Labour.**