

13 Annex - Fisheries

50. RULEBOOK ON TERMS, RESTRICTIONS AND ORDER IN FISHING OPERATIONS IN SPECIFIC FISHING AREAS OR ZONES

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Pursuant to the Article 6 paragraph 2 of the Law on Marine Fisheries (Official Gazette of the Republic of Montenegro 55/2003) the Ministry of Agriculture, Forestry and Water Management has issued

RULEBOOK ON TERMS, RESTRICTIONS AND ORDER IN FISHING OPERATIONS IN SPECIFIC FISHING AREAS OR ZONES

*Rulebook was published in the Official Gazette
Of the Republic of Montenegro 10/2004 and 9/2006*

Article 1

Companies, entrepreneurs and natural persons engaged in fishing shall abide by the fishing regulations and must not hinder each other.

In case commercial and sport-recreational fishing operations are conducted in the same fishing grounds at the same time, the commercial fishing has precedence over sport-recreational fishing.

In case more than one company and entrepreneurs are conducting fishing operations in the fishing grounds at the same time, then fishing operations shall be conducted by the order agreed by companies and entrepreneurs involved. In case of joint fishing operations, the companies and entrepreneurs are entitled to a share of the catch commensurate with the capacity of fishing means they used in fishing.

In case the agreement referred to in the paragraph 3 of this Article is not reached, the company or entrepreneur with larger capacity of fishing means has the precedence over others, and in case they have identical capacities, then the precedence belongs to the company or entrepreneur engaged in commercially more significant fishing.

Provisions of the paragraphs 2 and 4 of this Article also apply in cases when a number of citizens conduct commercial fishing operations at the same time in the same fishing grounds.

Capacity of fishing means is defined by the motor power, gross capacity and type of the vessel, size and number of nets, fishing-hooks, number and power of the lanterns etc.

The significance of commercial fishing is established according to the species and commercial value of fish and other marine organisms.

Article 2

Fishing of small pelagic fish by entangling net has precedence over all other fishing categories.

Other fishing categories can be conducted at the distance of at least 500 meters away from the fishing grounds of small pelagic fish.

Notwithstanding the provision referred to in the paragraph 1 of this Article, if big pelagic fish appears in fishing grounds of small pelagic fish, fishing of big pelagic fish has the precedence.

Fishing by trawl nets has the precedence over the fishing by long-lines and gill-nets.

Fishing by gill-nets has precedence over the fishing by long-lines.

Fishing by encircling nets of up to 70 m in height and 350 – 400 m in length is permitted in the Bay of Boka Kotorska.

Fishing of squids using lanterns shall be prohibited in the area of the Bay of Boka Kotorska from the village Rose to the cape Arza along the entire eastern shore at the distance of up to 1000

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m as well as in the area around the island Lastavica – Mamula, for the purpose of fishing small pelagic fish by encircling nets.

Fishing by entangling nets and trawl nets and marketing of pelagic fish four days prior to the full moon and four days after the full moon shall be prohibited.

Article 3

For the purpose of unhindered fishing of small pelagic fish, it is prohibited to approach fishing vessels with artificial lights with any kind of vessel to a distance less than 300 meters.

In fishing small pelagic fish with artificial lights, each of the vessels with artificial lights of two neighbouring teams may be situated at the distance of at least 300 meters or at least 500 meters when electric power generator is used for lights.

Notwithstanding the provision referred to in the paragraph 2 of this Article, the distance between the fishing vessels with artificial lights may be smaller, but not less than 100 meters in case fishing of small pelagic fish is done in fishing grounds of smaller surfaces due to configuration of the area.

Article 4

It is prohibited to leave on the sea, in the fishing grounds, the floating marks, vessels, etc. in order to take possession of a fishing ground or in order to prevent its use.

Article 5

After harvesting or collecting the allowed quota of a specific fish species or other marine organisms, fishing of that specific fish species or other marine organisms shall be prohibited.

Article 6

This Rulebook shall enter into force on the eighth day from the day of its publishing in the Official Gazette of the Republic of Montenegro.

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