

## **13 Annex - Fisheries**

**55. RULEBOOK ON CONSTRUCTION AND TECHNICAL BASIS, MESH SIZE, METHOD OF USE AND PURPOSE OF SOME TYPES OF NET AND OTHER TOOLS FOR COMMERCIAL AND SPORT-RECREATIONAL FISHING, TAKING OF SHELLFISH, CORALS, SPONGES AND MARINE VEGETATION**

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Pursuant to the Article 38 paragraph 1 item 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 CONSTRUCTION AND TECHNICAL BASIS, MESH SIZE, METHOD OF USE AND PURPOSE OF SOME TYPES OF NET AND OTHER TOOLS FOR COMMERCIAL AND SPORT-RECREATIONAL FISHING, TAKING OF SHELLFISH, CORALS, SPONGES AND MARINE VEGETATION**

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

**I COMMERCIAL FISHING OPERATIONS**

**1. Fishing with trawls**

**Article 1**

Trawls are classified into:

- a. Bottom trawls
- b. Floating trawls

Bottom trawls are used exclusively in fishing fish species that rarely leave the bottom of the sea, while floating trawls are used for fishing operations in the pelagial.

**Article 2**

Mesh size in nets referred to in Article 1 of this Rulebook must not be smaller than 20 mm in the cod-end and 40 mm in the wings of the trawl.

**2. Fishing of small pelagic fish**

**Article 3**

Fishing of small pelagic fish is done by entangling nets, seines, beach seines, beach seines for bottom dwelling or semi pelagic fish, beach seines for sardine, gillnets, small pelagic drift nets, with or without the use of light and with floating trawls.

Fishing of small pelagic fish is done, as a rule, in all fishing areas where small pelagic fish appears.

The mesh size in an entangling net, seine (beach seine for sardine, beach seines for bottom dwelling or semi pelagic fish when used for fishing small pelagic fish) as well as in floating trawl must not be less than 10 mm in any part of the net, while its length may be maximum 800 meters and vertical drop 120 meters.

**Article 4**

Fishing of small pelagic fish has precedence over all other marine fishing operations.

**3. Fishing with coastal trawls**

**Article 5**

Mesh size in coastal trawls (coastal trawl nets or 'tartana' nets) must not be less than 12 mm in any part of the net.

55. RULEBOOK ON CONSTRUCTION AND TECHNICAL BASIS, MESH SIZE, METHOD OF USE AND PURPOSE OF SOME TYPES OF NET AND OTHER TOOLS FOR COMMERCIAL AND SPORT-RECREATIONAL FISHING, TAKING OF SHELLFISH, CORALS, SPONGES AND MARINE VEGETATION

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**Article 6**

Fishing with coastal trawls is allowed in the period November 1 – March 1.

**Article 7**

Fishing with coastal trawls is not allowed by daylight from the sunrise till the sunset or in coves designated by authority competent for marine fisheries.

**4. Fishing of big pelagic fish**

**Article 8**

Fishing of big pelagic fish (Tunidae) is done with encircling tuna nets, beach seines for bonito and tuna 'sabakuni' type, gillnet for bonito 'polandara', net trap for tuna type 'tunara' or 'cekalica', longline and fishing lines with baits.

Mesh size in any part of nets referred to in paragraph 1 of this Article must not be less than:

- 40 mm in encircling tuna nets,
- 28 mm in beach seines 'sabakuni',
- 100 mm in net traps 'tunara' or 'cekalica'.

Fishing of big pelagic fish with tuna-boats is done with one or several boats.

Fishing of big pelagic fish is done not only by the tuna-boat that finds the fish, but also tuna-boats that approach it and request taking part in fishing.

**5. Catch of spiny lobsters, lobsters and other crustaceans**

**Article 9**

Catch of spiny lobsters, lobsters and other crustaceans is done by gillnets, gillnets for lobsters or 'tonota', and traps for catching these crustaceans made of net weights and they must not be caught by other fishing gear.

Use of baits in catch with gillnets for lobsters is prohibited.

For the purpose of protecting big crustaceans referred to in paragraph 1 of this Article from excessive catch or destruction, the Republic competent authority in charge of marine fisheries may, on the basis of an opinion previously obtained from the competent scientific institution, divide the fishing area in two or more zones where catch is done in turns.

Mesh size in nets for catching spiny lobsters, lobsters and other crustaceans must not be less than 120 mm and mesh size in traps for catching the said crustaceans must not be less than 60 mm.

**6. Fishing with gillnets**

**Article 10**

Gillnets may be grouped into: triple gillnets, single gillnets, nets for fishing mullets and nets for catching eels.

The nets referred to in paragraph 1 of this Article are used without any devices for scaring the fish.

The drop of nets referred to in paragraph 1 of this Article cannot be higher than 4 meters, regardless of the mesh size, except for the nets for European pilchard and the gillnet for bonito, drop of which may not be above 22 m.

Length of nets referred to in paragraph 1 of this Article cannot be longer than 160 meters in the Bay of Boka Kotorska and 500 meters in the open sea, except for the nets for sardine and the gillnet for bonito, length of which must not be above 400 m.

55. RULEBOOK ON CONSTRUCTION AND TECHNICAL BASIS, MESH SIZE, METHOD OF USE AND PURPOSE OF SOME TYPES OF NET AND OTHER TOOLS FOR COMMERCIAL AND SPORT-RECREATIONAL FISHING, TAKING OF SHELLFISH, CORALS, SPONGES AND MARINE VEGETATION

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### Article 11

Triple gillnets are divided into:

- trammel nets for fishing demersal fish species and other marine organisms that may be used only by fixing them to the bottom, without use of any devices for scaring the fish;

Net drop must not be larger than 5.5 meshes of the outer layer and 60 meshes of inner layer, while mesh size in the middle layer must not be less than 28 mm.

- trammel nets 'listarica' type for fishing sole in sites suitable for catching them;

Net drop must not be larger than 2.5 meshes of the outer layer and 25 meshes of the inner layer, while hang-in coefficient of the net weight may be higher than 1/3.

Mesh size in the middle layer must not be less than 36 mm;

- double bottomed and triple bottomed gillnets 'salpara' type intended for catch of salema and other demersal fish species may be used by fixing them to the bottom or by encircling the fish shoal.

Double bottomed nets of 'salpara' type are made of triple net weight placed in the lower part of the net, net drop of which must not be larger than 7.5 meshes of the outer layer and 60 meshes of the inner layer and single net weight which is placed in the upper part of the net.

Triple bottomed nets of 'salpara' type are made of the triple net weight placed in the upper and lower part of the net, net drop of which must not be larger than 5 meshes of the outer layer, 40 meshes of the inner layer and single net weight placed in the middle of the net, whose drop must not be larger than 50 meshes.

Mesh size in the middle layer in triple net weight and single net weight must not be less than 40 mm.

### Article 12

Fishing with trammel nets is allowed in the period August 15 – April 30.

Fishing with double and triple bottomed nets of 'salpara' type is allowed in the period November 1 - April 30.

Fishing with nets for catching sole is allowed in the period September 15 – April 30.

### Article 13

Single gillnets include:

1. Nets of 'bukvara' type for catching bogue, which may be used only by fixing them to the bottom. Net drop must not be larger than 300 meshes.

Mesh size in nets of 'bukvara' type may range from 20 – 26 mm.

2. Nets of 'gavunara' type for catching Mediterranean sand smelt may be used by fixing them to the bottom, and by partitioning adequate areas.

Net drop must not be larger than 400 meshes, while mesh size in 'gavunara' nets must not be less than 10 mm.

3. Nets of 'girara' or 'buskavica' type for catching picarel that may be used by fixing them to the bottom.

Net drop of 'girara' net must not be higher than 200 meshes, while mesh size in 'girara' nets must not be less than 15 mm.

4. Nets of 'menulara' type intended for catching blotched picarel that are used by fixing them to the bottom.

55. RULEBOOK ON CONSTRUCTION AND TECHNICAL BASIS, MESH SIZE, METHOD OF USE AND PURPOSE OF SOME TYPES OF NET AND OTHER TOOLS FOR COMMERCIAL AND SPORT-RECREATIONAL FISHING, TAKING OF SHELLFISH, CORALS, SPONGES AND MARINE VEGETATION

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Net drop must not be higher than 200 meshes and mesh size in nets for catching blotched picarel may range from 16 – 20 mm.

5. Net drop of nets of 'rakovica' type for catching spiny spider crab must not be higher than 4.5 meshes and hang-in coefficient of the net weight may not be higher than 1/3.

Mesh size in nets of 'rakovica' type for catching spiny spider crab must not be less than 150 mm.

6. Gillnets of 'prostrica' or 'sanadisa' type for catching demersal fish species and other marine organisms that may be used by fixing them to the bottom and by partitioning or encircling the area suitable for catching these fish species.

Net drop must not be higher than 200 meshes, while mesh size in gillnets of 'prostrica' type must not be less than 28 mm.

7. Small pelagic drift nets of 'vojga' type for catching small pelagic fish, which are allowed to be used by fixing them to the bottom with use of light by encircling the fish aggregated under the light.

Net drop must not be higher than 450 meshes, while mesh size must not be less than 16 mm.

8. Nets of 'sklatara' type for catching angle shark, torpedo, rays, turbot and common eagle ray.

Net drop must not be higher than 4 meshes, while mesh size must not be less than 40 mm.

9. Nets intended for catching sharks.

Net drop must not be less than 20 meshes, while mesh size must not be less than 60 mm.

10. Gillnet of 'polandara' type for catching bonito, frigate tuna, hake and other big fish used by fixing them to the bottom.

Net drop must not be higher than 400 meshes, while mesh size in 'polandara' nets must not be less than 40 mm.

11. Nets of 'srdelara' type for catching European pilchard, which are used by fixing them to the bottom.

Net drop must not be higher than 700 meshes, while mesh size must not be less than 15 mm.

#### **Article 14**

Fishing with 'gavunara' nets for catching smelts is allowed in the period May 1 – January 1, fishing with 'oliznica' nets for sand smelt is allowed in the period August 1 – April 30, while nets 'girara' for catching picarel may be used in the period October 1 – April 30.

Fishing with 'rakovica' nets for catching spiny spider crab is allowed in the period July 1 – April 30.

Fishing with nets referred to in the items 1, 4, 6 and 10 of the Article 13 of this Rulebook is allowed throughout the year.

#### **Article 15**

Use of light is prohibited in fishing with all types of gillnets, except in fishing small pelagic fish by 'vojga' small pelagic drift nets.

#### **Article 16**

The entangling nets for mullets of 'ciplarica' type, the nets for mullets of 'ciplara' type and the net traps – 'tavani' may be used for catching mullets:

55. RULEBOOK ON CONSTRUCTION AND TECHNICAL BASIS, MESH SIZE, METHOD OF USE AND PURPOSE OF SOME TYPES OF NET AND OTHER TOOLS FOR COMMERCIAL AND SPORT-RECREATIONAL FISHING, TAKING OF SHELLFISH, CORALS, SPONGES AND MARINE VEGETATION

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1. The entangling nets 'ciplarica' are used by encircling or partitioning of a fish shoal with or without the use of triple gillnets, the so-called 'skakala'.

'Skakala' are stretched on poles and are floating on the surface of the sea so they partly cover the floating 'ciplarica' nets and they serve exclusively for harvesting mullets that jump out of the encircling net.

Mesh size must not be less than 26 mm in any part of the encircling 'ciplarica' net.

Mesh size of the inner layer of the triple gillnet 'skakala' must not be less than 28 mm.

2. The 'ciplara' net may be used only for partitioning fish and it consists of one large vertical net which is stretched in the water from the surface to the bottom of the sea and another, smaller net, which is stretched on poles and it floats on the surface of the sea, partly covering the big floating net. Harvesting of fish within the space partitioned by the vertical net is done by gillnets and mesh size of these gillnets must not be less than 28 mm.

Mesh size in 'ciplara' must not be less than 26 mm in any part of the net.

3. net traps 'tavani' are used with triple gillnets that are above the sea surface so they partly cover the floating underwater nets and are used solely for harvesting mullets that jump out of the sea.

Only single gillnets may be used for underwater nets for when using 'tavani'.

Mesh size in gillnets under and below the surface of the sea must not be less than 28 mm.

Nets referred to in items 1, 2 and 3 of this Article may be used only without the use of light, while use of trident is allowed.

#### **Article 17**

Lagunar eel traps may be used for catching eel in waters of the river Bojana (in its backwater, channels, etc.) during migration from freshwater into the sea as well as traps made from net weight, mesh size of which must not be less than 12 mm.

Catching eel with gear referred to in paragraph 1 of this Article is allowed in the period June 1 – March 1.

Catching other fish species with gear referred to in paragraph 1 of this Article is prohibited.

### **7. Fishing with small fishing gear**

#### **Article 18**

Mesh size in traps for catching fish must not be less than 26 mm, while mesh size in pots for catching small crustaceans (Norway lobster) must not be less than 18 mm.

#### **Article 19**

Daytime fishing with longline or hand troll is allowed with fishhooks whose curve width must not be less than 9 mm.

Nighttime fishing with longline is allowed with fishhooks whose curve width must not be less than 14 mm.

Maximal length of bottom longlines that may be used is 1,500 m, and of floating ones 24 km.

### **8. Collecting of shellfish, sponges, corals and marine vegetation**

#### **Article 20**

Hand tools and adequate gear is used for collecting of shellfish, sponges, corals and marine vegetation, as follows:

55. RULEBOOK ON CONSTRUCTION AND TECHNICAL BASIS, MESH SIZE, METHOD OF USE AND PURPOSE OF SOME TYPES OF NET AND OTHER TOOLS FOR COMMERCIAL AND SPORT-RECREATIONAL FISHING, TAKING OF SHELLFISH, CORALS, SPONGES AND MARINE VEGETATION

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1. Hand tools for harvesting shellfish are rakes, pliers and divers' knife;
2. For collecting corals, low pressure motor compressor may be used as well as diving suit and helmet (classical and heavy equipment);
3. For collecting corals, high pressure motor compressor, air containers, regulators, diving suits and other small gear (autonomous or light gear) may be used;
4. For collecting of corals, the combination of light and heavy equipment referred to in the items 2 and 3 of this article ('norgila') may be used with adequate low pressure or high pressure compressor as well as other equipment;
5. Hydraulic dredge ('vongolara') for collecting shellfish with the system for rinsing the catch;
6. A dredge with a metal frame and rake ('ranpon') of the maximum transversal length of 4 m.

Use of gear referred to in the items 2, 3 and 4 as well as appliances referred to in items 5 and 6 of this Article which are also used by pulling or trawling from a boat or ship, may be used only with permission of the competent authority of the Republic on the basis of opinion previously obtained from the competent scientific institution.

#### **Article 21**

The Institute for Marine Biology is obliged to establish a commission, which is assigned the duty of checking once a year that the gear and tools of companies, entrepreneurs and natural persons engaged in marine fishing is in good repair and order and issue the approval for fishing activities on those grounds.

The expert commission referred to in paragraph 1 of this Article has the duty of checking once a year whether divers who collect shellfish, sponges, corals and marine vegetation possess the annual health certificate issued by a medical institution employing medical experts for examination of divers as well as the proof that the equipment is in good repair and order (attest).

#### **Article 22**

Mesh size in nets, or net weights, as appropriate, in fishing gear referred to in this Rulebook, is measured when wet from knot to knot along the length of the mesh side.

Mesh size in traps knit from metal, plastic or twigs is measured by the shortest width of the mesh aperture.

#### **Article 23**

Hang-in coefficient of the net, or net weight, as appropriate, is the proportion of wrinkled and fully stretched net or net weight, when meshes are fully stretched, i.e. closed, and it is presented in percentage, fraction or decimal figure.

#### **Article 24**

It is prohibited to change the construction of nets laid down by this Rulebook by increasing their drop, by attaching two or more nets of the same or different types of nets by height, and to knit in the middle net weight.

#### **Article 25**

In fishing with nets, longlines and traps, their position in the sea must be marked visibly.

The position of every net, longline and trap must be marked with a visible floating sign at the beginning and at the end of the net placed.

The floating signs at the beginning and end of the net, longline and trap placed must be equal by size and colour.

55. RULEBOOK ON CONSTRUCTION AND TECHNICAL BASIS, MESH SIZE, METHOD OF USE AND PURPOSE OF SOME TYPES OF NET AND OTHER TOOLS FOR COMMERCIAL AND SPORT-RECREATIONAL FISHING, TAKING OF SHELLFISH, CORALS, SPONGES AND MARINE VEGETATION

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Visible floating sign referred to in paragraphs 2 and 3 of this Article means a floating sign made from floats of light colour.

Register number of the ship and number of the fishing permit must be clearly written on the floating sign referred to in paragraphs 2, 3 and 4 of this Article.

The size of letters and numbers referred to in paragraph 5 of this Article must be at least 5 cm.

## **II TRANSITIONAL AND FINAL PROVISIONS**

### **Article 26**

The day this Rulebook enters into force the Rulebook on construction and technical basis, mesh size, method of use and purpose of some types of net and other tools for commercial and sport-recreational fishing, taking of shellfish, corals, sponges and marine vegetation (Official Gazette of the Republic of Montenegro 53/92) shall be repealed.

### **Article 27**

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

No. 325/04-0505-700/05

Podgorica, February 10, 2004

**Minister, Milutin Simovic, MSc,**  
**manu propria**