

13 Annex - Fisheries

57. RULEBOOK ON PRICELIST FOR COMPENSATION OF DAMAGE CAUSED BY UNLAWFUL FISHING

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Pursuant to Article 38 item 1 of the Law on Marine Fisheries (Official Gazette of the Republic of Montenegro 55/03), the Ministry of Agriculture, Forestry and Water Management has issued the

R U L E B O O K **ON PRICELIST FOR COMPENSATION OF DAMAGE CAUSED BY UNLAWFUL FISHING**

Rulebook was published in the Official Gazette of the Republic of Montenegro

10/2004 of 19 February 2004

Article 1

For fish and other marine organisms caught unlawfully or destroyed in the period of time when fishing is permitted, the perpetrators shall compensate the damage as follows:

1. for: gilthead bream, common pandora, conger, dusky grouper, St.Pierre, sole, largescaled scorpionfish, thinlip mullet, hake, dentex, chub mackerel, European seabass, black scorpionfish, bluefin tuna, swordfish, anglerfish, salema, spiny lobster, lobster, Norway lobster, Mediterranean mussel, flat oyster, clam, warty venus and grooved carpet shell, EUR 20 per kilogram;
2. for: Atlantic mackerel, black seabream, flounder, red porgy, white seabram, sharpsnout sea bream, whiting, blotched picarel, brown meager, striped red mullet, red mullet, and saddled seabream, EUR 15 per kilogram;
3. for: European pilchard, anchovy, sand smelt, horse mackerel, picarel, blotched picarel, ray, sponge and sea cucumber, EUR 10 per kilogram.

Article 2

For fish and other marine organisms caught below the minimum measure set during the period of time when fishing is permitted, the perpetrators shall compensate the damage as follows:

1. for: gilthead bream, common pandora, conger, dusky grouper, St.Pierre, sole, largescaled scorpionfish, thinlip mullet, hake, dentex, chub mackerel, European seabass, black scorpionfish, bluefin tuna, swordfish, anglerfish, salema, spiny lobster, lobster, Norway lobster, Mediterranean mussel, flat oyster, clam, warty venus and grooved carpet shell, EUR 10 per piece;
2. for: Atlantic mackerel, black seabream, flounder, red porgy, white seabram, sharpsnout sea bream, whiting, blotched picarel, brown meager, striped red mullet, red mullet, and saddled seabream, EUR 8 per piece;
3. for: European pilchard, anchovy, sand smelt, horse mackerel, picarel, blotched picarel, ray, sponge and sea cucumber, EUR 5 per piece.

Article 3

For fish and other marine organisms, referred to in Articles 1 and 2 of this Rulebook, caught unlawfully during the closed season, the compensation of the damage shall be increased by 100 per cent.

Article 4

The compensation of damage for fish and other marine organisms destroyed by explosives, poisons or in a manner harmful to their spawning amounts to EUR 2,000 per every single throwing.

Where damage of larger scale (destruction of fish juveniles and flora) is caused in the manner referred to in paragraph 1 of this Article, the compensation of the damage shall be made in accordance with the findings of an expert commission consisting of:

- a representative of a municipality on the territory of which the damage was done;
- a representative of the Institute for Marine Biology from Kotor;
- an Inspector for Fisheries in charge of the area where the damage was done.

Article 5

The day this Rulebook enters into force, the Rulebook on pricelist for compensation of damage caused by unlawful fishing (Official Gazette of the Republic of Montenegro 53/92) shall be repealed.

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.

No. 325/04-0506-70/04

Podgorica, February 10, 2004

Minister, Milutin Simovic,
manu propria