

13 Annex - Fisheries

58. ORDER ON PROHIBITION OF CATCH AND TRADE IN FISH JUVENILES, UNDERSIZED FISH AND OTHER MARINE ORGANISMS

58. ORDER ON PROHIBITION OF CATCH AND TRADE IN FISH JUVENILES, UNDERSIZED FISH AND OTHER MARINE ORGANISMS

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

ORDER
ON PROHIBITION OF CATCH AND TRADE IN FISH JUVENILES, UNDERSIZED FISH AND OTHER MARINE ORGANISMS

Order was published in the Official Gazette of the Republic of Montenegro 10/2004 of February 19, 2004, last amended by Official Gazette of the Republic of Montenegro 9/2006 of 14 February 2006

1. It is prohibited to catch and trade fish juveniles, undersized fish and other undersized marine organisms.
2. The term undersized fish and other undersized marine organisms means not fully grown fish, crustaceans, shellfish and sponges of commercial significance, size of which in certain species is below the size as laid down by this Order, as follows:

For fish:

Common pandora (<i>Pagellus erythrinus</i>)	15 cm
axillary seabream (<i>Pagellus acarne</i>)	15 cm
Stargazer (<i>Uranoscopus scaber</i>)	16 cm
Bogue (<i>Boops boops</i>)	15 cm
Thinlip mullet (<i>Liza ramada</i>)	30 cm
Flathead gray mullet (<i>Mugil cephalus</i>)	40 cm
Leaping mullet (<i>Liza saliens</i>)	28 cm
Thicklip gray mullet (<i>Chelon labrosus</i>)	35 cm
Golden grey mullet (<i>Liza aurata</i>)	28 cm
Mediterranean chromis (<i>Chromis chromis</i>)	8 cm
Common two-banded seabream (<i>Diplodus vulgaris</i>)	15 cm
Mediterranean sand smelt (<i>Atherina hepsetus</i>)	8 cm

58. ORDER ON PROHIBITION OF CATCH AND TRADE IN FISH JUVENILES, UNDERSIZED FISH AND OTHER MARINE ORGANISMS

Big-scale sand smelt (<i>Atherina boyeri</i>)	6 cm
Picarel (<i>Spicara smaris</i>)	12 cm
Blotched picarel (<i>Spicara flexuosa</i>)	12 cm
Giant goby (<i>Gobius cobitis</i>)	13 cm
Grass goby (<i>Zosterisessor ophiocephalus</i>)	11 cm
Greater amberjack (<i>Seriola dumerili</i>)	80 cm
Anglerfish (<i>Lophius piscatorius</i>)	60 cm
Black-bellied angler (<i>Lophius budegassa</i>)	45 cm
Mediterranean spearfish (<i>Tetrapturus belone</i>)	120 cm
Anchovy (<i>Engraulis encrasicolus</i>)	11 cm
Flounder (<i>Platichthys flesus luscus</i>)	25 cm
Common eel (<i>Anguilla anguilla</i>)	30 cm
Black sea bream (<i>Spondyliosoma cantharus</i>)	25 cm
Comber (<i>Serranus cabrilla</i>)	16 cm
Brown meagre (<i>Sciaena umbra</i>)	30 cm
Dusky grouper (<i>Epinephelus marginatus</i>)	60 cm
Streaked gurnard (<i>Trigloporus lastoviza</i>)	24 cm
Gilthead bream (<i>Sparus aurata</i>)	20 cm
St.Pierre (<i>Zeus faber</i>)	25 cm
Common sole (<i>Solea vulgaris</i>)	25 cm
Chub mackerel (<i>Scomber japonicus</i>)	25 cm

58. ORDER ON PROHIBITION OF CATCH AND TRADE IN FISH JUVENILES, UNDERSIZED FISH AND OTHER MARINE ORGANISMS

European seabass (<i>Dicentrarchus labrax</i>)	25 cm
Blotched pickarel (<i>Spicara maena</i>)	14 cm
Hake (<i>Merluccius merluccius</i>)	22 cm
Striped seabream (<i>Lithognathus mormyrus</i>)	18 cm
Red porgy (<i>Pagrus pagrus pagrus</i>)	36 cm
Atlantic bonito (<i>Sarda sarda</i>)	45 cm
Common smooth hound (<i>Mustelus mustelus</i>)	75 cm
Spiny dogfish (<i>Squalus acanthias</i>)	65 cm
Black spotted smooth hound (<i>Mustelus punctulatus</i>)	60 cm
Sharpsnout sea bream (<i>Diplodus puntazzo</i>)	22 cm
Whiting (<i>Merlangius merlangus euxinus</i>)	12 cm
Painted comber (<i>Serranus scriba</i>)	15 cm
Thornback ray (<i>Raja clavata</i>)	73 cm
Brown ray (<i>Raja miraletus</i>)	37 cm
Swordfish (<i>Xiphias gladius</i>)	120 cm
Salema (<i>Sarpa salpa</i>)	25 cm
Atlantic mackerel (<i>Scomber scombrus</i>)	20 cm
Cuckoo wrasse (<i>Labrus bimaculatus</i>)	18 cm
European pilchard (<i>Sardina pilchardus sardina</i>)	12 cm
White seabream (<i>Diplodus sargus sargus</i>)	21 cm
Largescaled scorpionfish (<i>Scorpaena scrofa</i>)	25 cm

58. ORDER ON PROHIBITION OF CATCH AND TRADE IN FISH JUVENILES, UNDERSIZED FISH AND OTHER MARINE ORGANISMS

Black scorpionfish (<i>Scorpaena porcus</i>)	14 cm
Horse mackerel (<i>Trachurus trachurus</i>)	20 cm
Mediterranean horse mackerel (<i>Trachurus mediterraneus</i>)	20 cm
Annular sea bream (<i>Diplodus annularis</i>)	10 cm
Striped red mullet (<i>Mullus surmeletus</i>)	20 cm
Red mullet (<i>Mullus barbatus</i>)	20 cm
Bullet tuna (<i>Auxis rochei</i>)	32 cm
Bluefin tuna (<i>Thunnus thynnus</i>)	70 cm/6.4 kg
Conger (<i>Conger conger</i>)	40 cm
Saddled seabream (<i>Oblada melanura</i>)	17 cm
Brown wrasse (<i>Labrus merula</i>)	22 cm
Common dentex (<i>Dentex dentex</i>)	30 cm
For crustaceans (CRUSTACEA)	
Lobster (<i>Homarus gammarus</i>)	28 cm
Spiny lobster (<i>Palinurus elaphas</i>)	28 cm
Spiny spider crab (<i>Maja squinado</i>)	10 cm
Norway lobster (<i>Nephrops norvegicus</i>)	10 cm
Caramote prawn (<i>Penaeus kerathurus</i>)	10 cm
Deepwater pink shrimp (<i>Parapenaeus longirostris</i>)	9 cm

For cephalopods (CEPHALOPODA)

58. ORDER ON PROHIBITION OF CATCH AND TRADE IN FISH JUVENILES, UNDERSIZED FISH AND OTHER MARINE ORGANISMS

Common cuttlefish (<i>Sepia officinalis</i>)	12 cm
Octopus (<i>Octopus vulgaris</i>)	1 kg
Musky octopus (<i>Eledone moschata</i>)	0.2 kg

For bivalve molluscs (BIVALVIA)

Mediterranean mussel (<i>Mytilus galloprovincialis</i>)	5 cm
Pilgrim's scallop (<i>Pecten jacobaeus</i>)	9 cm
Flat oyster (<i>Ostrea edulis</i>)	6 cm
Clam (<i>Venus gallina</i>)	2.5 cm
Grooved carpet shell (<i>Ruditapes decussatus</i>)	2.5 cm
Noah's Ark (<i>Arca noae</i>)	5 cm
Warty venus (<i>Venus verrucosa</i>)	3 cm

For other bivalve molluscs

2 cm

For sponges (SPONGIA)

Adriatic sponge (<i>Spongia officinalis adriatica</i>)	10 cm
--	-------

For sea cucumbers:

Sea cucumber (<i>Holothuria sp.</i>)	14 cm
--	-------

3. Fish is measured by length from the top of the head (snout) to the extreme end of the tailfin. Bluefin tuna is measured from the tip of the snout till the shortest length of the tailfin, while swordfish is measured from the top of the lower jaw till the shortest length of the tailfin.

Crustaceans are measured from the eye till the top of the stretched tail. Female crustaceans laying eggs must be returned into water immediately, regardless of their length.

Cephalopods with ten arms (squids and common cuttlefish) are measured from the top of the top of the cranial side of the dorsal part of the body till the end of the dorsal part of the

58. ORDER ON PROHIBITION OF CATCH AND TRADE IN FISH JUVENILES, UNDERSIZED FISH AND OTHER MARINE ORGANISMS

body. Cephalopods with eight arms (octopus and musky octopus) are measured only by weight.

Bivalve molluscs and sponges are measured by their greatest length or diameter, as appropriate.

Sea cucumbers are measured strengthened from the most prominent part of the front end till the most prominent part of the back end.

4. Where in certain fishing area the catch of undersized fish and other marine organisms in fishing operations with bottom and floating trawls, seines or tow nets in one towing is more than 50 per cent of the total catch weight, then fishing in that area should stop.
5. Catch of undersized fish and other undersized marine organisms can be up to 20 per cent of the total weight of the catch.
6. It is prohibited to catch, marine mammals (whales, dolphins, seals, etc.) sea birds and sea turtles and in case they are caught accidentally, they must be returned into the sea.
7. Companies, entrepreneurs and natural persons catching fish juveniles, undersized fish or other undersized marine organisms, shall be penalized in compliance with the Article 55 item 3 of the Law on Marine Fisheries, while for catching marine mammals, birds and sea turtles they will be penalized in compliance with the Article 55 item 3, with exception of catch laid down by the Article 37 paragraph 3.
8. The day this Order enters into force, the Order on prohibition of catch and trade in fish juveniles, undersized fish and other marine animals (Official Gazette of the Republic of Montenegro 53/92) shall be repealed.
9. This Order shall enter into force on the eighth day from the day of its publishing in the Official Gazette of the Republic of Montenegro.

No. 325/04-0506-07/02

Podgorica, February 10, 2004

**Minister, Milutin Simovic,
manu propria**