



REPUBLIC OF THE MARSHALL ISLANDS
MARSHALL ISLANDS MARINE RESOURCES AUTHORITY
PO BOX 860 MAJURO, MARSHALL ISLANDS 96960

MARSHALL ISLANDS MARINE RESOURCES AUTHORITY

AQUACULTURE REGULATIONS 2019

PART I – AUTHORITY, PURPOSE, AND DEFINITIONS

1. Authority.

The Aquaculture Regulations 2019 ('The Regulations') are made and promulgated pursuant to the *Marshall Islands Marine Resources Act, 1997*, 51 MIRC Part 1, Section 120.1.

2. Purpose.

These Regulations are intended to enable the Authority to regulate aquaculture management and development activities in the Republic of the Marshall Islands; to regulate the aquaculture licensing in the Republic of the Marshall Islands; to regulate the movement of live fish and live feed for aquaculture purposes in the Republic of the Marshall Islands.

3. Citation

These Regulations may be cited as the '*Aquaculture Regulations 2019*.'

4. Definitions.

(1) In these Regulations, unless the contrary intention appears in the Marshall Islands Marine Resources Act (51 MIRC Ch.1):

- (a) 'the Act' means the Acts in Title 51 of the Marshall Islands Revised Code;

- (b) ‘Aquaculture’ means the farming of live fish and live feed involving human interventions in the rearing process to enhance production. Ocean ranching, capture-based aquaculture, seaweed farming and mariculture are included in this definition;
- (c) ‘Aquaculture operator’ means the holder of a valid aquaculture license.
- (d) ‘Authority’ means the Marshall Islands Marine Resources Authority;
- (e) ‘Board’ means the Board of Directors for the Marshall Islands Resources Authority;
- (f) ‘Capture-based aquaculture’ means a type of aquaculture based on harvesting of wild individuals from very early stages in the life cycle to large mature adults for on growing under confined and controlled conditions;
- (g) ‘CITES’ means the Convention on International Trade of Endangered Species of Wild Fauna and Flora;
- (h) ‘Commercial aquaculture’ means any of the following categories of aquaculture activities involving the generation of income:
 - a. Small-scale Aquaculture;
 - b. Specialized Aquaculture; and
 - c. Industrial Aquaculture.
- (i) ‘Director’ means the Director of the Marshall Islands Marine Resources Authority;
- (j) ‘Exotic species’ means any aquatic species that is not found in the fishery waters of the Republic of the Marshall Islands;
- (k) ‘Feed’ means any edible materials (including live feed) that are consumed by fish and contribute energy and/or nutrients to their diet;
- (l) ‘Fish’ means any aquatic plant, animal or aquatic organism, whether piscine or not, and includes any oyster or other mollusk, crustacean, coral, sponge, holothurian (sea cucumber), or other echinoderm, turtle and marine mammal, and includes their eggs, spawn, spat and all juvenile stages and any of their parts;
- (m) ‘Import Risk Analysis’ means the process by which importing authorities determine whether live fish imports or their products pose a threat to the aquatic resources of their country;
- (n) ‘Industrial Aquaculture’ means intensive and/or semi-intensive aquaculture implying a high level of inputs and technology;

- (o) 'Introduction' means the first import of an exotic species in the Republic of Marshall Islands for aquaculture purposes;
- (p) 'Juvenile fish' means a specimen of any aquatic species that has not reached sexual maturity;
- (q) 'Minister' means the Minister of Natural Resources and Commerce;
- (r) 'Ocean ranching' means a type of aquaculture in which juvenile fish are released into the wild for grow out at a specific site to be subsequently harvested;
- (s) 'Person' means any natural person or business enterprise and includes but is not limited to a corporation. Partnership, cooperative, association, the government of the Republic of the Marshall Islands, or any subdivision or agency thereof, and any foreign government, subdivision or agency of such government or other entity;
- (t) 'Seaweed farming' means a type of aquaculture that is dedicated to the practice of cultivating seaweed;
- (u) 'Small-scale Aquaculture' means extensive and/or semi-extensive aquaculture implemented at family level with low level of inputs and technology, for generating income;
- (v) 'Specialized Aquaculture' means semi-extensive and/or semi-intensive aquaculture with medium level of inputs and technology, involving rural communities in the grow-out process;
- (w) 'Species' means a group of living organisms consisting of similar specimens capable of exchanging genes or interbreeding. The species is the principal natural taxonomic unit, ranking below a genus and denoted by a Latin binomial, e.g. *Homo sapiens*.
- (x) 'Traditional Leaders' means the Chief (Iroij), Landowner (Alap) and Worker (Dri-Jerbal) of any relevant plot of land to be acquired and used under these Regulations;
- (y) 'Translocation' means domestic movement of fish between atolls in commercial aquaculture operations; and
- (z) 'Vessel' means any boat, ship, canoe or other water going craft.

PART II – AQUACULTURE PLANNING

5. Aquaculture Management and Development Plans.

- (1) The Authority may, on the recommendation of the Director, prepare aquaculture management and development plans in accordance with section 119(1)(b) of the Act.
- (2) When preparing an aquaculture plan, the Director must consult with:
 - (a) Appropriate Local Government Council, Government Ministries and Agencies;
 - (b) Aquaculture farmers, fishers, and other persons likely to be affected by the plan; and
 - (c) Council of Chiefs (Iroj) and any relevant Traditional Leaders likely to be affected by the plan.

6. Content.

- (1) An aquaculture management and development plan shall contain at least the following information:
 - (a) Background information;
 - (b) Status of the aquaculture sector in RMI;
 - (c) Zoning arrangements for aquaculture;
 - (d) Prioritization of species;
 - (e) Regulatory framework;
 - (f) Objectives of the plan;
 - (g) Logical framework, including expected outcomes and outputs;
 - (h) Activities and timeframe;
 - (i) Implementing strategies;
 - (j) Management strategies;
 - (k) Monitoring and evaluation, including means of verification and indicators;
 - (l) Relevant stakeholders; and
 - (m) Other information, as necessary.
- (2) An aquaculture plan may identify suitable areas for aquaculture development, based on the most reliable scientific and socio-economic information available and taking into consideration other existing and potential activities in the coastal area; and

(3) An aquaculture plan shall be revised every five (5) years, following the same procedure as for its adoption.

PART III – AQUACULTURE LICENSING

7. Requirement of an Aquaculture Establishment License.

(1) A person who intends to conduct commercial aquaculture operations, as defined in Section 4 of this Regulation, must obtain a license from the Director, subject to the approval of the Board, in accordance with Section 411 of the Act and to the provisions set out in these Regulations.

(2) A person who intends to conduct aquaculture operations for scientific research purposes must obtain a license in accordance with Section 421 of the Act and to the provisions set out in these Regulations.

8. Application for Aquaculture Establishment License.

(1) Applications must be lodged with the Director in the form prescribed in Schedule 1.1 of these Regulations.

(2) The application shall indicate at least the following information:

- (a) Name and qualification of the applicant;
- (b) Intended location of the farm;
- (c) Exact map of the site;
- (d) Species to be farmed and their origin;
- (e) Type/s of aquaculture;
- (f) Farming strategies and operations;
- (g) Primary market, in the case of commercial aquaculture;
- (h) Type and origin of feed to be used;
- (i) Harvesting and processing procedures; and
- (j) Number of staffs involved and their qualifications, including the manager.

(3) All applications must be accompanied with the following documentation in accordance with Section 422(2) of the Act:

- (a) Any applicable evidence of entitlement to the intended site or ownership, a lease or signed agreement of any relevant Local Government and Traditional Leaders, for the area to be used for aquaculture activity;
 - (b) Evidence of payment of the prescribed application fee;
 - (c) Environmental clearance issued by RMI Environmental Protection Authority, as applicable; and
 - (d) Any other relevant documentation that may be required by the Director.
- (4) In addition to the requirements in subsection (3), applications relating to Industrial Aquaculture or Specialized Aquaculture operations must be accompanied by the following additional documentation:
- (a) A technical feasibility study;
 - (b) A business plan (including socio-economic viability study); and
 - (c) A document outlining aquatic biosecurity considerations, including a contingency plan and information regarding hygiene practices, control of vectors, waste management, wastewater/effluent management, disposal of mortalities, and use of chemicals and veterinary drugs.
- (5) Applications must be complete in order to be accepted for review.

9. Review and Consideration of Application.

- (1) The Director shall review the applications and, subject to the approval of the Board in the case of Industrial Aquaculture or Specialized Aquaculture, shall make a determination and notify the successful applicants within ninety (90) days of receipt of the complete application, together with any requirements to be complied with before a license is issued.
- (2) When reviewing an application for an Aquaculture Establishment License, the Director shall consider the following criteria:
- (a) Any applicable evidence of entitlement to the intended site or ownership, a lease or signed agreement of any relevant Local Government and Traditional Leaders, for the area to be used for aquaculture activity;
 - (b) Site suitability depending on type of aquaculture;
 - (c) Existing aquaculture activities in the area;
 - (d) Relevance to the current aquaculture plan;

- (e) Alignment of the aquaculture project with national priorities;
- (f) Contribution of the aquaculture project to national food security;
- (g) Engagement of coastal communities in the aquaculture project; and
- (e) Any other relevant matter.

10. Obligations of the License Holder.

- (1) The license holder must keep the aquaculture license available for inspection by MIMRA officers at any time.
- (2) The license holder must pay an annual license fee prescribed in Schedule 2 of the Regulations and submit an annual report every twelve (12) months from the date of issuance.
- (3) In addition to the general conditions set out in these Regulations, the license holder must adhere to such special conditions as may be required by the Director, pursuant to Section 423 of the Act.
- (4) The license holder must keep reliable and complete production records for the duration of the license pursuant to Section 23 of these Regulations and shall produce such records upon demand to the Authority.
- (5) The license holder must report annually to MIMRA the following minimum information:
 - (a) Annual production volume in pieces or weight, as appropriate;
 - (b) Annual production value in USD;
 - (c) Annual production of juveniles of farmed species in the case of a hatchery; and
 - (d) Any relevant additional information as requested by the Authority.

11. Approval of Aquaculture Establishment License.

- (1) Where the Director is satisfied upon consideration of an application that the applicant has fulfilled all the requirements of the Act and these Regulations, the Director, subject to the approval of the Board as appropriate, may issue an Aquaculture Establishment License in the form prescribed under Schedule 1.2 of these Regulations, upon payment of the fee prescribed in Schedule 2 of these Regulations.
- (2) An aquaculture license shall have a maximum duration of five (5) years renewable in accordance with Section 12 of these Regulations.

(4) Licenses issued under this Part may be renewed upon application to the Director, in accordance with the provisions of this Regulations, and upon the payment of the application fee prescribed in Schedule 2 of these Regulations.

(5) An aquaculture license is not transferrable except under such circumstances as may be approved by the Authority.

12. Renewal of Aquaculture Establishment License.

An aquaculture operator shall apply for renewal of the Aquaculture Establishment License at least ninety (90) days before expiration in the form prescribed in Schedule 1.3 of these Regulations. If the Authority does not make a determination before the expiration date, the applicant may continue to operate the aquaculture facility under the conditions established in the original license.

13. Denial of Aquaculture Establishment License.

(1) The Director may deny issuance or renewal of Aquaculture Establishment License having regard to grounds specified under Section 414 of the Act and to the criteria set out under Section 9(2) of these Regulations.

(2) Without prejudice to the provisions of subsection (1), the Director may deny an application for renewal of an Aquaculture Establishment License if the aquaculture operator has failed to provide the prescribed production records or has otherwise breached the license conditions.

14. Aquaculture Establishment License Amendment Request.

If a license holder wishes to request an amendment to certain conditions set forth in the approved license, the license holder must fill out a license amendment request form prescribed under Schedule 1.4 of these Regulations.

15. Registry of Aquaculture Establishment Licenses.

The Authority shall keep a registry of all Aquaculture Establishment Licenses issued under these Regulations.

PART IV – IMPORT AND EXPORT OF LIVE FISH AND LIVE FEED

16. Import of Live Fish and Live Feed

- (1) The import of live fish and live feed in the Republic of Marshall Islands is subject to the requirements of any and all applicable domestic legislation and regulations.
- (2) A person who intends to import live fish or live feed for aquaculture purposes must obtain an annual permit from the Director and pay the prescribed fee.
- (3) Applications for an annual import permit must be lodged with the Director in the prescribed form to be provided by the Authority.
- (4) The Director will consider the need to require an Import Risk Analysis for the importation of live fish and live feed intended for use in aquaculture, on a case-by-case basis.
- (5) Each consignment of live fish or live feed to be imported for aquaculture purposes must be accompanied with the following minimum documentation:
 - (a) Export permit from the competent authority of the country of origin, duly stamped by MIMRA;
 - (b) Sanitary or phytosanitary certificate issued by the competent authorities of the country of origin, as applicable;
 - (c) Declaration of goods and invoice;
 - (d) Any other documentation that may be required by the Director.
- (6) The Authority shall notify licensed importers, as soon as practicable, of any disease outbreak occurring in the country of origin of the live fish and live feed to be imported.

17. Export of Live Fish and Live Feed.

- (1) The export of live fish and live feed from the Republic of Marshall Islands is subject to the requirements of any and all applicable domestic legislation.
- (2) Each consignment of live fish or live feed to be exported for aquaculture purposes must be accompanied with the following minimum documentation:
 - (a) Export or re-export permit issued by the Director;
 - (b) Certification of origin issued by the Director;
 - (c) CITES certificate, as necessary;
 - (d) Sanitary or phytosanitary certificate(s) issued by the Director and by the country of origin in case of re-export.

18. Introduction of Exotic Live Fish and Live Feed.

(1) Notwithstanding the provisions of Section 219 of the Act, a person who intends to introduce an exotic species of live fish or live feed for aquaculture purposes must obtain approval from the Director, in addition to the import permit required under Section 16 of these Regulations.

(2) Requests for approval of an introduction pursuant to subsection (1) shall be lodged with the Director, who shall make a determination in consultation with the competent authority in charge of quarantine and biosecurity and the Environment Protection Authority. The Director may require additional information or documentation to be provided in order to justify the introduction, including an Import Risk Analysis and an Environmental Impact Assessment, as appropriate.

(3) A daily fee prescribed in Schedule 2 of these Regulations shall be charged to the applicant for the duration of the quarantine procedures and operations required for the introduction as set out in the approval document.

(4) The Minister may adopt biosecurity guidelines for the introduction of exotic live fish and live feed for aquaculture purposes, in consultation with the competent authority in charge of quarantine and biosecurity and the Environment Protection Authority.

(5) Such biosecurity guidelines may include the following:

- (a) List of authorized live fish and live feed for introduction;
- (b) List of authorized countries of origin;
- (c) List of aquatic pathogens to be monitored;
- (d) Quarantine procedures and operations;
- (e) Minimum information for an Import Risk Analysis; and
- (f) Any other relevant guidance.

19. Translocation and Transport of Live Fish

(1) A person who intends to perform the translocation of live fish to and from commercial aquaculture farms must make a declaration to the Director 48 hours in advance in the form prescribed in Schedule 1.5.

(2) The Director shall promptly notify the relevant Local Government of the intended translocation.

(3) Each translocation must be provided in a separate form.

(4) The Director may recommend, subject to the approval of the Board, translocation and transport standards and practices for live fish.

20. Record of Movements of Live Fish and Live Feed.

The Authority shall keep a record of all permits, approvals and declarations issued under these Regulations.

PART V – SAFETY OF AQUACULTURE PRODUCTS

21. Product Safety.

(1) An aquaculture operator must ensure that the aquaculture product marketed from his or her farm is suitable for the intended use.

(2) Without prejudice to the provisions of subsection (1), aquaculture products intended for human consumption are subject to the requirements of any and all applicable domestic legislation.

22. Quality Certification.

(1) The Authority shall be the certification body for aquaculture operations, as the designated Competent Authority in accordance with Section 119(1)(g) of the Act.

(2) Without prejudice to sub-regulation (1), internationally recognized certification bodies may certify aquaculture operations and farmed fish processing establishments, as applicable.

(3) All costs related to quality certification of farmed fish products shall be borne by the requesting aquaculture operator or farmed fish processor.

23. Traceability.

(1) An aquaculture operator has the duty to keep production records for a minimum period of five (5) years for traceability purposes.

(2) Aquaculture operators must collect and compile the following productions records for each aquaculture establishment they operate:

- (a) Annual production volume in pieces or weight, as appropriate;
- (b) Annual production value in USD;
- (c) Annual mortality;

- (d) Annual feed consumption;
 - (e) Annual market data for domestic sales and export;
 - (f) Import and export permits; and
 - (g) Any other information demonstrating adherence to farming strategies, as necessary.
- (3) Such records must be available for monitoring by the Authority, upon request.

PART VI – AQUACULTURE FARM MANAGEMENT

24. Farming Strategies

- (1) The Director may adopt voluntary standards defining farming strategies and best practices for the management of the national aquaculture sector, for the management of an aquaculture farm or for the management of a specific fish species.
- (2) The Voluntary Standards referred to in sub-section (1) above may address the following aspects:
- (a) Site selection: zoning arrangements for specific commodities;
 - (b) Species: farmed species and origin;
 - (c) Stocking densities: maximum carrying capacity meaning the number of live fish and live feed per production area/volume;
 - (d) Feeding: type and origin of recommended feeds for specific farmed species during their life cycle;
 - (e) Drugs: recommended chemicals and veterinary drugs;
 - (f) Waste management: specific mechanisms and strategies to manage waste (e.g. mortality, feed wastes, etc.) generated during the farming activity;
 - (g) Water and land use:
 - Land tenure arrangements.
 - Water tenure arrangements.
 - (h) Water treatment protocols; and
 - (i) Water quality parameters: optimum water quality parameters for specific commodities including pH, dissolved oxygen, temperature, salinity; pollution and organic matter should be monitored periodically, and data should be available for inspection at any time.
- (3) The Authority may prohibit the use of certain types of feeds and drugs in aquaculture.

25. Sanitary Protocols.

- (1) An aquaculture operator must constantly monitor the level mortality of the aquatic specimen being farmed in order to detect the onset of any disease outbreak on the farm.
- (2) In case of a disease outbreak in an aquaculture establishment, the aquaculture operator must take all necessary measures to contain the disease and isolate the affected specimen.
- (2) The aquaculture operator shall promptly notify the Director of the disease outbreak and comply with any instructions in order to avoid the spread of the disease within and outside the farm.
- (3) The Director may approve sanitary protocols to be applied in case of a disease outbreak in an aquaculture establishment.

PART VII – OFFENSES AND PENALTIES

26. Revocation and Suspension of License or Permit.

- (1) The Authority may revoke or suspend a license or permit where the license or permit holder:
 - (a) Has been convicted of violating these Regulations or condition of license;
 - (b) Has been convicted of an offence under the fisheries legislation; or
 - (c) Has not started operations within one (1) year after license approval.
- (2) Pursuant to Section 415 of the Act, in case of breach of any conditions imposed under these Regulations or under a license or permit issued under these Regulations, or if any fee or civil penalty, criminal fine or other determination imposed under these Regulations has not been paid within thirty (30) days of the due date, the Director shall:
 - (a) Revoke such license or permit with or without prejudice to the right of any party involved to be issued a license or permit for such aquaculture establishment in any subsequent licensing period;
 - (b) Suspend such license or permit for a period of time it may deem appropriate; or
 - (c) Impose additional conditions or restrictions on any such license or permit.

27. General Offenses and Penalties.

(1) A person who violates any provision of these Regulations or the conditions of a license or permit issued thereunder commits an offense and shall be subject to enforcement action by the Authority, unless the person wishes to have the matter determined by a court.

(2) The enforcement action referred to in Sub-section (1) above may consist in any or all of the following:

(a) the making of a cease and desist order in relation to the subject matter of the violation;

(b) the issuance of a Notice of Violation for any person that continues to operate despite the cease and desist order being served and received;

(b) the imposition of a civil penalty, fixed by the Authority, not exceeding \$10,000.00 for each day on which the violation continues;

(c) the institution of civil proceedings to restrain the violation; and

(d) any other action authorized by the Act or any other law.

(2) If the offender is operating under a license or permit issued under these Regulations, Section 26 above applies.

(3) Any person engaged in an activity without a license or permit prescribed under these Regulations shall be subject to a civil penalty of \$100.00 per day for each day the activity is conducted without a license or permit.

28. Public Hearing on Enforcement Action

(a) When the Authority revokes or suspends a license or a permit under Section 26 of these Regulations or makes a cease and desist order or imposes a civil penalty under Section 27, a public hearing shall be conducted by the Authority to determine the authenticity of the facts upon which the order was made.

(b) Adequate notice of the hearing, and an adequate opportunity to appear and be heard at the hearing, shall be given to all interested persons.

29. Forfeiture of Property and Fish

(1) If a person is convicted of an offense under the provisions of these Regulations, any premises, vessel, vehicle, together with its equipment, harvest, stores, cargo and fuel, used in the commission of the offence or in relation to which the offence was committed must be forfeited to the Republic or to the Local Government Council or as decided by the Court.

(2) Subject to sub-section (1) above, if a person is convicted of an offence against the provisions of these Regulations, the Court may forfeit:

(a) any farmed fish or fish product used in the commission of the offence;

(b) any material, instruments or appliances used in the commission of the offence.

(3) The proceeds from the sale of any farmed fish, fish products or other perishables in nature are liable to forfeiture in the same manner as in sub-section (1) above.

(4) Forfeiture shall occur when a person convicted of an offense under the provision of these Regulations has demonstrated non-compliance to the penalties issued against the person by the Courts.

30. Summary Administrative Proceedings.

In accordance with Chapter 5 of the Act, the Director may, after consultation with and the consent of the Attorney-General, proceed administratively against any person in violation of these Regulations. The decision to proceed administratively for any violation of this Title shall be made within forty-eight (48) hours of the issuance of a notice of violation by the Director or his designee in consultation with the Attorney-General.

(1) Subject to Subsection (4), the Director may initiate Summary Administrative Proceedings, where:

(a) he or she has determined that any person has violated this Title; and

(b) such person has, in writing:

(i) admitted to having committed such violation; and

(ii) consented to summary administrative proceedings after being fully informed about these proceedings, dispose of such violation by accepting on behalf of the Government from such person an Administrative Penalty, the amount of which shall not exceed the maximum fine or penalty required under these Regulations.

(2) Where Summary Administrative Proceedings have been initiated under the Act, the person who admits to having committed the offense under Subsection (1)(b), shall:

(a) not engage in aquaculture or carry out any other activity related to aquaculture until the amount of the penalty has been paid in full;

- (b) be deemed to have consented to any seizure which took place in accordance with this Title in relation to the offense subject to the Summary Administrative Proceedings, and to have waived any right to a probable cause hearing.
- (3) Summary Administrative Proceedings shall be null and void if the full amount of the penalty as determined by the Director under Subsection (1) or (2) is not paid within 3 days of notification of such penalty assessment to the person subject to the proceedings, and the matter shall immediately revert to a court of competent jurisdiction.
- (4) In Summary Administrative Proceedings for any violation, the Director shall take into account any report which may be prepared by the Attorney-General as to the details of the offense or offenses and applicable fine or penalty levels.
- (5) On payment of the penalty in full under this Section, the Director may order the release of any article seized under these Regulations or the proceeds of sale of such article on such conditions as he or she may determine.
- (6) Summary Administrative Proceedings for any violation shall, except as provided in the Act for subsequent offenses, be satisfied upon the payment of one half of the maximum fine set for such violation, and notified in writing, under the signature of all parties, to the Court.
- (7) The Director may order that any item used or involved in respect of the offense be seized, confiscated or forfeited, but shall not impose a term of imprisonment in Summary Administrative Proceedings.
- (8) Any decision taken or order given by the Director pursuant to this Section is final and binding.
- (9) Any person who engages in fishing or other activity proscribed by Subsection (2) while prohibited from so doing commits an offense.
- (10) Any person who violates a valid order pursuant to the terms of this Chapter commits an offense. [P.L. 1997-60, §103.]

PART VIII – MISCELLANEOUS

30. Consideration of Applications Within a Reasonable Period of Time.

Unless the delay in the consideration of an application is occasioned by the failure of an applicant to produce information requested by the Director, the Director shall take the necessary steps to ensure that an application is considered and the outcome of such consideration is communicated

to an applicant within a reasonable period of time, which in no case shall exceed a period of ninety (90) days.

31. Information to be True and Correct in Every Particular.

(1) All information required under these Regulations to be recorded, notified, communicated, or reported to the Director, shall be so recorded, notified, communicated or reported, in their true, complete and correct form.

(2) Any changes in the circumstances which has the effect of rendering any such information false, incomplete or misleading, shall be communicated to the Authority promptly.

PART IX – PROMULGATION AND EFFECTIVE DATE

32. Promulgation.

The Aquaculture Regulations 2019 are hereby promulgated on the date of approval by the Cabinet.

33. Effective Date.

Pursuant to the powers vested in the Authority by the Act, these Regulations shall come into force on the date of approval by Cabinet or, at the latest, twenty-one (21) days after receipt of a certified copy of the Regulations by the Clerk of Cabinet pursuant to Section 106 of the *Marshall Islands Administrative Procedure Act 1979*.

34. Effect of Prior Regulations.

Subject to the provisions of these Regulations, all prior regulations in force on the effective date of these Regulations and any provisions in previous regulations that contradict the provisions of these Regulations are hereby superseded.

34. Transitional Provisions.

(1) Known operators and farmers that have been operating with the approval of the Authority before <1 January 2019> must apply for an Aquaculture Establishment License within one (1) month of entry into force of these Regulations.

(2) Applications must be lodged with the Director in the form prescribed under Schedule 1.1. Any accompanying documentation required under Section 8 may be submitted to the Director within one (1) year of issuance of the license.

Schedules

1. Forms

1.1. Application for an Aquaculture Establishment License.

1.2. Aquaculture Establishment License.

1.3. Renewal of Aquaculture Establishment License.

1.4. License Amendment Request.

1.5. Translocation Declaration.

2. Fees

2.1 Application Fees

2.2 Annual License Fees

2.3 Quarantine Fees

2.4 Import/Export Permit Fees

**MARSHALL ISLANDS MARINE RESOURCES
AUTHORITY**

**APPLICATION FOR AN AQUACULTURE
ESTABLISHMENT LICENCE**

Operator of the Business	
Name:	
Nationality:	
Postal Address:	
Email Address:	
Phone Number:	

Details of the Application	
Physical Location of Establishment (attach map of site)	
Immediate Neighbouring Properties	
Land Tenure Arrangements	
Water Concession Arrangements	
Species Farmed	

Origin of the Animals	
Farming Strategies: Hatchery Nursery Grow-out Water origin Average water parameters Aqua feed to be used Harvest Strategies Processing Strategies	

Management of Wastes:	
<i>Item</i>	<i>Management measure</i>
Wastewater/effluents	
Mortalities	
Uneaten feeds	
Chemicals and drugs	

Manager	Employees
<i>Full Name:</i>	<i>Full Name(s):</i>

Qualifications:	Qualifications:

Targeted markets:	
Provide details of any joint ventures or contractual agreements with or in the RMI in connection with this application:	

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DECLARATION BY APPLICANT

I apply for an aquaculture establishment license in respect of the premises described above. I declare that the above information is true, complete and correct. I understand that I am required to report to the Director within seven (7) days of any changes to the information given on this form. I further understand that failure to do so may render me liable to prosecution.

I hereby verify that I understand fully the requirements and obligations set out for an aquaculture operator under the Aquaculture Regulations.

PRINT NAME:

Sign: _____
Applicant

Date

This application is to be forwarded to the Director of Marshall Islands Marine Resources Authority at the address shown below and is to be accompanied by the prescribed fee, a certified copy of registration and any additional documentation.

The Director Marshall Islands Marine Resources Authority P.O. Box 860
 Telephone: (692) 625-8262/5632 Majuro, Marshall Islands 96960 Fax: (692) 625-5447

Annexes

- (a) Any applicable evidence of entitlement to the intended site, including ownership, a lease or the agreement of any resource owner, for the area to be used for aquaculture activity;
- (b) Environmental clearance issued by RMI Environmental Protection Authority, as applicable;
- (c) Technical feasibility study;
- (e) Business plan (including socio-economic viability study); and
- (f) Document outlining aquatic biosecurity considerations, including contingency plan, hygiene practices, control of vectors, waste management, wastewater/effluent management, disposal of mortalities, and use of chemicals and veterinary drugs.

AQUACULTURE ESTABLISHMENT LICENCE



REPUBLIC OF THE MARSHALL ISLANDS

Marshall Islands Marine Resources Authority

P.O. BOX 860 Majuro, Marshall Islands 96960

The person named as the license holder below is licensed in accordance with section 411, 416 and 422 of the Fishing Access and Licensing Act (51 MIRC Ch. 4) to use the premises described below as an aquaculture establishment in accordance with the terms and conditions set out in this license and the conditions in the Act and as prescribed from time to time in the Regulations.

LICENSE NO:	AQUACULTURE OPERATOR:	
	Operator Name:	PHONE:
	Company Name:	FAX:
	Address of Premises:	EMAIL:

Specific Terms and Conditions of License

Authorized farming strategies.

Authorized species and origin of species.

Approved markets.

Special conditions.

Period of Validity

Subject to the requirements under the *Aquaculture Regulations 2019*, this License shall remain valid for a period of five (5) years from the date of signature.

MIMRA Director

Date

THIS LICENSE IS NOT TRANSFERABLE

**MARSHALL ISLANDS MARINE RESOURCES
AUTHORITY**

**APPLICATION FOR RENEWAL OF
AQUACULTURE ESTABLISHMENT LICENSE**

LICENSE NUMBER:

DATE OF ISSUE:

RENEWAL

Name of Applicant

Address of Premises

Telephone

Email

Fax

CURRENT FARMING STRATEGIES

--

TARGET SPECIES, SPECIES ORIGIN AND CURRENT STOCKS (APPROXIMATE NUMBERS BY SPECIES)

--

CURRENT MARKETS

--

DECLARATION BY APPLICANT

I apply for the renewal of an aquaculture establishment license in respect of the premises described above. I declare that the above information is true, complete and correct. I understand that I am required to report to the Director within seven (7) days of any changes to the information given on this form. I further understand that failure to do so may render me liable to prosecution.

SIGNATURE OF APPLICANT: _____ DATE: _____

FOR OFFICIAL INPUT ONLY:

SPECIAL CONDITIONS FOR LICENSE APPROVAL

**MARSHALL ISLANDS MARINE RESOURCES
AUTHORITY**

**AQUACULTURE ESTABLISHMENT
LICENSE AMENDMENT REQUEST**

AQUACULTURE ESTABLISHMENT

LICENSE NUMBER:

DATE OF ISSUE:

Name of License
Holder

Address of
Premises

Telephone

Email

Fax

Requested Amendment (Provide full details below).

DECLARATION BY APPLICANT

I hereby declare that all of the information provided is true, complete and correct to the best of my knowledge. I further understand that I am liable for prosecution for knowingly providing any false information in this form.

SIGNATURE OF APPLICANT: _____ DATE: _____

FOR OFFICIAL INPUT ONLY:

SPECIAL CONDITIONS FOR REGISTRATION APPROVAL

_____ Director Date

[For the Authority]

**MARSHALL ISLANDS MARINE RESOURCES
AUTHORITY**

TRANSLOCATION DECLARATION FORM

AQUACULTURE ESTABLISHMENT

LICENSE NUMBER:

DATE OF ISSUE:

Name of License
Holder

Address of
Premises

Telephone

Email

Fax

PROPOSED DATE(S) OF TRANSLOCATION

SPECIES TO BE TRANSLOCATED	LIFE STAGE AT DATE OF TRANSLOCATION

DETAILS OF TRANSLOCATION
<p><i>PURPOSE:</i></p> <p><i>DESTINATION:</i></p>

DECLARATION

I hereby declare that all of the information provided is true, complete and correct to the best of my knowledge. I further understand that I am liable for prosecution for knowingly providing any false information in this form.

SIGNATURE OF DECLARANT: _____ DATE: _____

FOR OFFICIAL INPUT ONLY:

SPECIAL CONDITIONS FOR REGISTRATION APPROVAL

_____ Director Date

[For the Authority]

MARSHALL ISLANDS MARINE RESOURCES AUTHORITY

FEES

2.1 – APPLICATION FEES

Application for License to Operate an Aquaculture Establishment	20 USD
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2.2 – ANNUAL LICENSE FEES

Small-scale Aquaculture Establishment	25 USD
Specialized Aquaculture Establishment	500 USD
Industrial Aquaculture Establishment	1000 USD

2.3 – QUARANTINE FEE

Fee per day for inspection by biosecurity officer in accordance with applicable regulations. This applies to importation of live fish and live feed.	50 USD
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2.4 – IMPORT/EXPORT LICENSE FEES

Import License Fee	10 USD
Export License Fee	10 USD