

CHAPTER 109 FISHERIES LOANS ACT

• Act • Subsidiary Legislation •

ACT

Amended by

SRO 15 of 1959

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CHAPTER 109 FISHERIES LOANS ACT

An Act to make provision for assisting the fishing industry by way of loans for the building of fishing boats and for the equipment thereof with engines and sails.

[Amended by SRO 15 of 1959.]

[12th September, 1956.]

1. Short title

This Act may be cited as the Fisheries Loans Act.

2. Interpretation

In this Act—

“chief officer” means the Chief Technical Officer (Extension) and includes any officer of the Ministry of Agriculture lawfully authorised by him or her to act on his or her behalf for the purposes of this Act;

“fishing boat” means any boat propelled by sail or engine which is used for the purpose of capturing fish for gain;

“prescribed” means prescribed by regulations.

3. Loans to owners of fishing boats

(1) It shall be lawful for the Minister, out of funds provided by Parliament, to make loans to *bona fide* fishermen and to the owners of fishing boats in accordance with the regulations contained in the subsidiary legislation to this Act.

(2) The regulations may, from time to time, be amended by regulations made by the Minister.

(3) All regulations made under this Act shall be laid before the House of Representatives at the next meeting after they are made and if within a period of forty days beginning with the day on which such regulations are laid before it the House of Representatives resolves that the regulations be annulled, they shall forthwith be void, but without prejudice to the validity of anything previously done thereunder or to the making of new regulations.

(4) In reckoning any such period of forty days no account shall be taken of any time during which the House of Representatives is dissolved or prorogued for more than seven days.

(5) All such loans shall be a first lien or charge against the fishing boat, materials, engine and sail in respect of which the debt was incurred.

(6) Where the total amount of the loan exceeds or is likely to exceed one hundred dollars the chief officer may require the owner to execute a bill of sale or to produce a guarantee executed by some person approved by the chief officer in respect of the boat and its accessories in favour of the chief officer.

4. Property subject to such lien not to be sold without consent

A person who, without the prior consent of the Minister, sells or otherwise disposes of, or attempts to sell or otherwise dispose of, any fishing boat or material, engine or sail which is subject to a lien or charge under this Act shall be guilty of an offence against this Act and liable, on summary conviction, to a fine of five hundred dollars and to imprisonment for six months.

5. Register of loans to be kept by the chief officer

(1) The chief officer shall keep a register of all fishing boats in respect of which loans have been granted under this Act and shall cause to be entered therein from time to time, in respect of such fishing boats, such particulars as may be prescribed.

(2) The chief officer shall issue to the owner of every such fishing boat a certificate of registration in such form as may be prescribed.

(3) Every fishing boat so registered shall be accorded a distinguishing number, and it shall be the duty of the owner of a fishing boat so registered to cause this number to be indelibly inscribed and maintained on the bow and stern of the boat in such a manner as to render it legible at a distance of not less than fifty yards, and if any such owner fails in such duty he or she shall be guilty of an offence in terms of this Act and liable, on summary conviction, to a fine of five hundred dollars and to imprisonment for three months.

6. Offence to obstruct officers in performance of duty

If any person shall hinder, obstruct, molest or attempt to hinder, obstruct or molest the chief officer in the performance of his or her duties under this Act, he or she shall be guilty of an offence against this Act and liable, on summary conviction, to a fine of five hundred dollars and to imprisonment for three months.

CHAPTER 109 FISHERIES LOANS ACT

SUBSIDIARY LEGISLATION

List of Subsidiary Legislation

1. Fisheries Loans Regulations

Fisheries Loans Regulations

ARRANGEMENT OF REGULATIONS

1. Citation.
 2. Terms and conditions of loans.
 3. Certificate of registration.
 4. Particulars of registration.
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FISHERIES LOANS REGULATIONS

[Section 3.]

1. Citation

These Regulations may be cited as the Fisheries Loans Regulations.

2. Terms and conditions of loans

(1) Applications for loans shall be in Form 1 of the Schedule to these Regulations.

(2) Applications shall be supported by two referees who shall be either members of the House of Representatives, duly qualified medical practitioners, magistrates, Justices of the Peace, barristers, solicitors, ministers of religion, or by the chairman and secretary of a registered Fishermen's Union.

(3) The boat shall be constructed or repaired in accordance with specifications approved by the chief officer.

(4) When the specifications have been approved in writing by the chief officer and a loan has been granted, credit shall be established in the name of the fisherman with that officer to whom the fisherman shall submit orders for materials as and when required. Payments for materials shall be made by that officer and the cost charged to the fisherman.

(5) During the continuance of the loan the chief officer shall have power to inspect the boat at all reasonable times.

(6) Any engine for which a loan has been granted shall be installed by a person approved by the chief officer.

(7) All loans shall be repayable in equal quarterly instalments over a period not exceeding five years, the first of such payments to be made three months after the completion of the boat and the installation of its equipment.

(8) The loan shall be free of interest if repaid within one year. Interest at the rate of three per cent per annum will be charged on all amounts outstanding after the first year of the loan.

(9) Payments shall be made at the office of the Ministry of Agriculture.

(10) In case the fisherman shall make default in payment of any instalment, the whole amount outstanding shall immediately become due and payable.

(11) The fisherman shall at all times during the continuance of the loan keep the boat and accessories insured against loss or damage in the joint names of the chief officer and of himself or herself in a sum of not less than the amount of the loan outstanding.

(12) All expenses incurred in the granting of a loan and the enforcement of the security in repayment thereof shall be borne by the fisherman.

(13) No loan shall be made to any person under the age of twenty-one years.

3. Certificate of registration

The certificate of registration shall be in Form 2 of the Schedule to these Regulations.

4. Particulars of registration

The particulars to be recorded in the register of fishing boats shall be those set forth in the certificate of registration.

Schedule

FORM 1

FISHERIES LOANS ACT

FISHERIES LOANS REGULATIONS

Application for Loan

[Regulation 2(1).]

I,, of do hereby declare that I am the owner of the fishing boat or that I intend to build or repair a fishing boat in accordance with specifications approved by the Chief Technical Officer (Extension) (*delete whichever alternative is inapplicable*) and I hereby apply to the Minister for a loan of \$.. for the purpose of constructing or repairing such a fishing boat and/or of equipping the said boat with a motor and a mast and sails (*delete any words that are inapplicable*). If the loan is granted to me I hereby undertake—

- (a) to make ready the said boat for fishing and to cause the same to be used for fishing within months from the date on which the said loan is granted;
- (b) during the continuance of the said loan, to keep the said boat and its accessories covered by marine insurance;
- (c) to repay the said loan by quarterly instalments as follows—
.....(*here set out proposals for repayment*).....
- (d) to pay interest at the rate of three per cent per annum on the balance of the loan outstanding at the end of the first year/commencing from the end of the first year (*delete if inapplicable*);
- (e) if requested by the Chief Technical Officer (Extension), to execute a bill of sale on the said boat and its accessories in favour of that officer or to produce a guarantee executed by some person approved by him or her.

Dated: etc.,

.....
Applicant

Witness:

Signature

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Certificate of Registration of a Grenada Fishing Boat

[Regulation 3.]

Name of boat

Class Letters No.

Place of mooring

} Description of boat Sail, motor or motor auxiliary

 How rigged

 What sails used

Mode of fishing

Principal dimensions } Length (bow to transom)

 Beam

 Approximate draught

Number of crew (Men Boys)

Owner

Address

.....

Date

*Signature of Chief Extension Officer
(Agriculture)*

This is to certify that the fishing boat has been registered.

Signed
Chief Technical Officer (Extension)
