

**FISHERIES (AMENDMENT) BILL, 2025**

**EXPLANATORY NOTES**

This Bill seeks to amend the Fisheries Act CAP. 108 (the “principal Act”) to enhance the regulation of the treatment of marine mammals within the waters of the State of Grenada.

This Bill contains **four (4) clauses**.

**Clause 1** provides for the short title.

**Clause 2** provides for the amendment of section 2 of the principal Act to insert new definitions of two terms – “observer” and “marine mammal”.

**Clause 3** provides for the insertion of a new section 28A of the principal Act, to establish the observer and monitoring system to improve the administration of the principal Act.

**Clause 4** provides for the amendment of section 40 of the principal Act to expressly empower the Minister to make regulations relating to marine mammals. Additionally, this amendment inserts a new subsection (4) to empower the Minister to create offences in the regulations to which penalties can be imposed. However, the penalties prescribed by the regulations cannot be greater than a fine of \$100,000 and imprisonment for 12 months.

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Sen. the Hon. Claudette Joseph  
**ATTORNEY-GENERAL**

# **FISHERIES (AMENDMENT) BILL, 2025**

## **ARRANGEMENT OF CLAUSES**

1. Short title
2. Amendment of section 2 of principal Act
3. Insertion of new section 28A to principal Act
4. Amendment of section 40 of principal Act

**FISHERIES (AMENDMENT) BILL, 2025**

**GRENADA**

**ACT NO.            OF 2025**

**AN ACT** to amend the Fisheries Act CAP. 108.

**BE IT ENACTED** by the King’s Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Representatives of Grenada, and by the authority of the same as follows—

**Short title**

1.     This Act may be cited as the

**FISHERIES (AMENDMENT) BILL, 2025,**

and shall be read as one with the Fisheries Act, Chapter 108, hereinafter referred to as the “principal Act”.

**Amendment of section 2 of principal Act**

2.     Section 2 of the principal Act is amended as follows—

- (a)    in the definition of “fish” by inserting after the word “eggs” a “Comma” and the words “and marine mammals”;
- (b)    by inserting in the appropriate alphabetic sequence, the following new definitions—

**“observer”** means a person authorised in accordance with section 28A, to—

- (a)    record monitoring, control and surveillance information on marine mammal interactions, fishing operations, marine mammal life history information and other scientific data;
- (b)    collect biological specimens, during fishing activities; and
- (c)    discharge any other function or duty of an observer, as may be designated or provided for under this Act;”;

**“marine mammal”** means any mammal morphologically adapted to the marine environment, including whales,

dolphins, porpoises, seals, sea lions, walruses, manatees, dugongs and any part or derivative thereof;”.

**Insertion of new section 28A to principal Act**

3. The principal Act is amended by inserting after section 28 the following new section—

**“Observer and monitoring programme**

28A. (1) The Chief Fisheries Officer shall establish, plan and manage an observer and monitoring programme for the purpose of collecting and reporting reliable and accurate information for scientific, management and compliance purposes under this Act.

(2) For the purposes of this section, an observer shall exercise scientific, monitoring and any other relevant functions that may be on a fishing vessel or facility related to fisheries that have been granted a licence, permit or authorisation under this Act.

(3) A person who desires to be certified as an observer may apply in writing to the Chief Fisheries Officer, demonstrating that he or she has acquired training as a fisheries biological technician, including skills in gathering data on the fish that is caught or discarded by a commercial fishing vessel.

(4) Upon the recommendation of the Chief Fisheries Officer, the Minister may appoint a person who applies under subsection (3) as an observer for the purposes of this Act.

(5) For the avoidance of doubt, the Chief Fisheries Officer may utilise electronic monitoring systems as an alternative, or in addition, to monitoring by observers.

(6) The Minister may make regulations to give effect to this section.”.

**Amendment of section 40 of principal Act**

4. Section 40 of the principal Act is amended as follows—

(a) in subsection (2), by inserting after paragraph (r) the following new paragraph—

“(rA) measures for the protection and conservation of marine mammals;”;

