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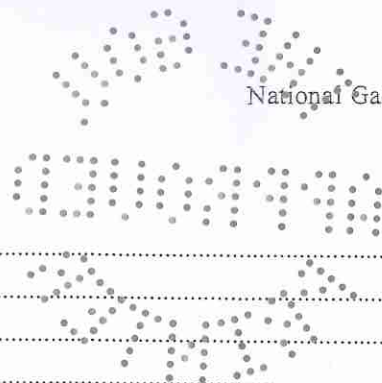
PORT MORESBY, THURSDAY, 4th AUGUST

[2022

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## National Marine Aquarium Fishery Management and Development Plan (2022)

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## Part 1: Introduction

The marine aquarium organism trade in Papua New Guinea (PNG) can provide a valuable economic opportunity for coastal and island communities that are within a certain range of an Aquarium Holding Facility. PNG has vast and extensive reef systems with numerous marine species of interest to the marine aquarium organism trade.

Previous attempts to establish a viable and sustainable marine aquarium organism trade in PNG were largely unsuccessful. The National Fisheries Authority (NFA) funded SEASmart program developed several collection areas within the National Capital District and Central Province and while less than successful demonstrated that the marine aquarium organism trade for export to Asian, European and North American markets is possible from PNG.

With the development of the National Marine Aquarium Fishery Management Plan, the further development of the marine aquarium organism industry is available, one that is sustainable, equitable and profitable.

### 1. Citation

The National Marine Aquarium Fishery Management and Development Plan shall be cited as the “Plan”.

### 2. Commencement

The Plan shall take effect after the endorsement by the National Fisheries Board and upon gazettal in the *National Gazette*. The management measures described in the Plan shall have the full force and effect of regulations promulgated under Part III of the *Fisheries Management Act* 1998 as amended, known hereafter as the “Act”, and the Fisheries Management Regulations 2000 as amended, known hereafter as the “Regulations”.

### 3. Application

The Plan has been prepared in accordance with Part III of the Act.

The Plan supplements and does not in any way override the provisions of the Act or Regulation. All activities subject to the Plan shall be subject to the applicable provisions of all Acts and Regulations of PNG:

- 1) The Plan applies to all species of fish, invertebrates, and substrates (known collectively as “marine aquarium organisms”) that are collected, aqua cultured, sold and/or exported live for the marine aquarium trade.
- 2) The Plan applies to all forms of collecting, holding, handling, packing, transporting and shipping of live marine aquarium organisms for sale and/or export as well as all practices involved in the aquaculture of marine aquarium organisms.
- 3) Schedules to the Plan form part of the Plan and shall be read together with the Plan.
- 4) The Plan was developed in accordance to Section 28 of the Act.
- 5) Where there is inconsistency between the Plan and the Act, the Act shall prevail.

### 4. Purpose

The purpose of the Plan is to provide social, economic and sustainable use, development and management of the marine aquarium organism trade and to establish an effective, beneficial and enforceable management framework for the marine aquarium organism trade in PNG.

### 5. Interpretations

In the Plan, unless stated otherwise, each word or group of words has the same meaning, as defined in the Act, except where this differs as provided below.

- |               |   |
|---------------|---|
| “Act”         | means the <i>Fisheries Management Act</i> 1998 as amended from time to time.  |
| “Aquaculture” | relates to all practices involved in the farming of aquatic organisms and substrates.   |
| “Board”       | means the National Fisheries Board for the NFA established under Section (4) of the Act.  |
| “Buyer”       | refers to any person who is employed by an Exporter or Domestic Retailer who is licensed to purchase marine aquarium organisms from Collectors. |



“CEPA”	means the Conservation and Environment Protection Authority.
“CITES”	means the Convention on International Trade in Endangered Species of Wild Fauna and Flora which is an international legal framework that aims to regulate international trade in endangered species.
“Closed area”	refers to a specific area where fishing or collecting or aquaculturing of marine organisms are prohibited.
“Community Collector”	refers to any person engaged in collecting or aquaculturing of marine aquarium organisms from a community.
“Company Collector”	refers to any person engaged in collecting or aquaculturing of marine aquarium organisms from a company.
“Collector Vessel”	refers to any vessel that has suitable holding and circulation systems to transport marine aquarium organisms.
“Customary tenure”	refers to traditional management regimes practiced by the people residing in a specific area.
“Domestic Retailer”	refers to any person, company or other business entity, who is licensed to sell marine aquarium organisms to domestic entities.
“EAFM”	means the Ecosystem Approach to Fisheries Management that ensures ecological sustainability, economic viability and effective management of marine resources.
“Exporter”	refers to any person, company or other business entity, who is licensed to export marine aquarium organisms from PNG to another country.
“Facility”	refers to an area selected by any person, company or other business entity for the purpose of holding (or aqua culturing) marine aquarium organisms in order to trade domestically or for export.
“FCA”	means the Fishery Collection Area in which the fishery for marine aquarium organisms is to operate and which has clearly demarcated boundaries and where management regulations detailed in this Plan are to be abided by.
“Holding cage”	refers to any manufactured structure used to hold marine aquarium organisms in the marine environment.
“IATA”	means the International Air Transport Association which regulates transportation requirements for specific cargoes.
“IPA”	means the Investment Promotion Authority which all companies in PNG must be registered with.
“Mariculture”	refers to the aquaculture of marine organisms and substrates.
“Marine aquarium organisms”	refers to all species of fish, invertebrates, and substrates known to be collected, aquacultured, sold and/or exported live for the marine aquarium industry.
“NAQIA”	means the National Agriculture Quarantine and Inspection Authority.
“NDF”	means the Non-Detrimental Finding which is a management requirement of CITES that ensures that the export of a specific species will not be detrimental to its survival.
“NFA”	means the National Fishery Authority of PNG.
“Precautionary approach”	refers to setting down restrictions to control collecting in absence of comprehensive scientific data.
“Regulations”	means the Fisheries Management Regulations 2000.
“Rotational collection”	refers to the process of a Collector harvesting marine aquarium organisms from one collection area for some time, before moving on to collect from another area within the same FCA, and considering the previous area as a “closed area” for some time.
“Sustainability”	refers to the capacity of a fishery to absorb shocks while still maintaining function, and to reorganize following disturbance.
	refers to the Total Allowable Catch which is the maximum

"TAC"

quantity of a marine aquarium organism that can be purchased from a FCA in any one year, season, or area.

"UBA"

means any Underwater Breathing Apparatus that supplies compressed air to the diver and includes but is not limited to SCUBA (Self-contained Underwater Breathing Apparatus) and hookah, and for which, the person using the apparatus has obtained relevant certification.

## Part 2: Strategies

### 6. Management Principles

The underlying objectives of this Plan are:

- (1) To improve the social and economic well-being of coastal and island communities in PNG through the development of a sustainable marine aquarium organism trade.
- (2) A precautionary approach will be applied to the management of all marine aquarium organisms, non-target, associated and dependent species to minimize the impact on the marine environment, taking into account the best scientific evidence available on the status of the stocks at the time and the uncertainties inherent in that data.
- (3) To integrate Ecosystem Approach to Fisheries Management (EAFM) principals into the Plan so as to ensure the ecological sustainability, economic viability and effective management of the marine aquarium organisms and their related habitats.
- (4) A consultative process is used to establish a management system and framework for the control and governance of all marine aquarium activities.
- (5) To control and monitor collection, aquaculture, sales and exports of marine aquarium organisms.
- (6) To avoid and help manage social and commercial conflicts among different users of areas where marine aquarium organisms are found.

### 7. Principal Ways to Achieve Objectives

The measures applied to achieve the objectives of the Plan include the following:

- a. Promoting operations conducive to the sustainable trade of PNG's marine aquarium organisms.
- b. Promoting aquaculture as a sustainable production method for marine aquarium organisms.
- c. Ensuring best practices are conducted in the marine aquarium organism trade.
- d. Monitoring the marine aquarium organism trade.

Specific activities will include:

- (1) Establishment of licensing conditions.
- (2) Imposition of restrictions on particular collection techniques or methods that are considered detrimental to the sustainability of marine aquarium organism populations.
- (3) Imposition of restrictions on the amount of collection activity that may be conducted in a Fishery Collection Area (FCA) to ensure sustainability of marine aquarium organism populations.
- (4) Imposition of a prohibited species list that cannot be collected or traded.
- (5) Establishment of an ongoing program of monitoring the trade as well as scientific information collection to support the sustainable management of the marine aquarium fishery.
- (6) Establishment where required of an ongoing system of biological field surveys to collect fishery independent data to assess the impact of collection methods employed, and provide advice on species specific Total Allowable Catches (TACs) where applicable for a given FCA.
- (7) Promote aquaculture of marine aquarium organisms.
- (8) Promote and encourage the use of community-based approaches to managing marine aquarium organisms and collecting activities.
- (9) Establishment of an effective public awareness, education, and outreach program to inform the wider community and stakeholders on the marine aquarium fishery.



### Part 3: Authority, Roles and Responsibilities

#### 8. Role of the National Fisheries Authority

The NFA's role in the sustainable management and development of the marine aquarium fishery and trade in PNG shall be to:

- (1) Regulate the marine aquarium fishery and trade through adequate policy and management measures to ensure the long-term sustainable development and economic benefits are maintained.
- (2) Ensure stakeholder participation in the sustainable management and development of the marine aquarium fishery and trade.
- (3) Provide the technical support necessary to plan, conduct, monitor and review efforts to support the sustainable development and management of the marine aquarium fishery and trade in PNG.
- (4) Establish and support an ongoing program for monitoring, surveillance and compliance of measures stipulated under the Plan and the Act.
- (5) Ensure the control and monitoring of marine aquarium organism trade and export including data collection through the provision of purchasing data including discards, facility holding data including mortalities and final export documentation.
- (6) Provide the link between other stakeholders such as other government agencies, non-governmental organizations, research institutions and developmental aid agencies.
- (7) Provide technical support in suitable resource survey and monitoring assessments, the review of scientific information and efforts to support the sustainable development and management of the marine aquarium fishery, the formulation of specific TACs where applicable, and conducting training and awareness programmes as required.
- (8) Assess and review all license applications for the aquarium industry through its License Advisory Committee.
- (9) Oversee the implementation and revision of the Plan as required.
- (10) Receive fees collected for licenses as well as penalties and recommend new regulations, fees and penalties for the Plan when and where necessary.
- (11) Provide annual reports on the status of marine aquarium resources to the National Fisheries Board.

#### 9. Role of Provincial Fisheries Agencies

Subject to the provisions of the Act, the role of the Provincial Fisheries Agencies in the management of the marine aquarium fishery of PNG shall be to:

- (1) Take a leading role in the conservation, management, development and sustainable use of marine aquarium organisms within their respective Provinces.
- (2) Provide assistance in the implementation and enforcement of the Plan where possible through existing resources at the Provincial level.
- (3) Assist Exporters and Domestic Retailers if required to consult with community level entities in the demarcation of FCAs.
- (4) Assist with effective public awareness, education, and outreach programmes to inform the wider community and stakeholders on the marine aquarium fishery and trade.
- (5) Provide assistance in the control and monitoring of marine aquarium organism fishery and trade in their waters including data collection and scientific research.
- (6) Maintain a register of marine aquarium organism Exporters and Domestic Retailers and enforce licensing conditions in their respective Provinces.

### Part 4: Management Measures

#### 10. Licenses and Permits

- (1) Licenses and permits will include:
  - a. Exporter License: Applicable to individuals who intend to employ Buyers and export marine aquarium organisms and will be subject to a fee as prescribed in the Regulation with the NFA reserving the right to cap the number of Exporter Licenses.

- b. Domestic Retailer License: Applicable to individuals who intend to employ Buyers and sell marine aquarium organisms to domestic entities only and not to Exporters and will be subject to a fee as under the Regulation with the NFA reserving the right to cap the number of Domestic Retailer Licenses. The Domestic Retail License is strictly reserved for Papua New Guinea nationals.
- c. Buyer License: Applicable to individuals employed by an Exporter or Domestic Retailer who intends to purchase marine aquarium organisms from Collectors on behalf of the Exporter or Domestic Retailer. The number of Buyer Licenses will be restricted to five for each Exporter or Domestic Retailer. Licensed Buyers can only purchase on behalf of the Exporter or Domestic Retailer that they are employed by and cannot supply marine aquarium organisms to any other Exporters or Domestic Retailers.
- d. Facility License: Applicable to individuals who will hold marine aquarium organisms at a land-based Facility prior to further domestic sale, export and/or aquaculture and will be subject to a fee as prescribed in the Regulation with the NFA reserving the right to cap the number of Facility Licenses. A Facility License holder will be required to submit a written expression of interest to the Conservation and Environment Protection Authority (CEPA) for the construction of a Facility to begin the process of obtaining an Environment Permit.
- e. Mariculture License: Applicable to individuals who intend to farm marine aquarium organisms in the ocean and/or at a licensed Facility for sale to Exporters and Domestic Retailers and will be subject to a fee as prescribed in the Regulation with the NFA reserving the right to cap the number of Mariculture Licenses.
- f. Collector Vessel License: Applicable to individuals who will operate a vessel to hold marine aquarium organisms prior to further domestic sale, export and/or aquaculture and will be subject to a fee as prescribed in the Regulation with the NFA reserving the right to cap the number of Collector Vessel Licenses.
- g. Export Permit: Applicable to Exporters who intend to export marine aquarium organisms that are not otherwise prohibited by the Plan. An Export Permit is required from the NFA for each consignment and must list all species and quantities, destination, and other information as requested by the IATA and the importing country.
- h. CITES Export Permit: Applicable to Exporters who intend to export marine aquarium organisms that are listed by CITES on Appendices I, II or III and not otherwise prohibited by the Plan. A separate CITES Export Permit is required from the CEPA for each species listed by CITES on Appendices I, II, or III that is in a consignment and can only be obtained after issuance of an Export Permit by the NFA.
- (2) All license holders will allow and assist any authorised Fisheries Officer to carry out their relevant duties such as boarding of Collector Vessels; entry of facilities; the inspection of practices (e.g., collecting, aquaculturing, purchasing, holding, handling, packing, transporting, and shipping), consignments destined for domestic sale or export, and reporting log forms; the taking of photographs; the collection and/or seizure of marine aquarium organisms as and when required.
- (3) Marine Aquarium Facility License, Marine Aquarium Exporter License, Marine Aquarium Mariculture License and Marine Aquarium Domestic Retail License shall be valid for one (1) year period and will be issued once the licensing requirements are met and required fees have been paid.
- (4) Buyers Licenses shall be valid for one (1) year period and will be issued once the licensing requirements are met and required fees have been paid.
- (5) The collection, aquaculture, purchase, holding, domestic sale and export of marine aquarium organisms for commercial purposes without authorization and the appropriate licenses and permits as indicated above, is hereby prohibited.
- (6) A person who contravenes this Plan, commits an offence.

## 11. License Applications

- (1) Applications shall be made in the standard NFA License Application Forms set out in Schedule 1: License Application Forms, with licensing conditions detailed in Schedule 2: Licensing Conditions.
- (2) The Applicant shall ensure that all forms are completed, and that all information requested are adequately provided.



- (3) No application shall be accepted from a person under the age of eighteen (18).
- (4) Applications must be accompanied by the application fees as allowed under the Regulation.
- (5) The payment and acceptance of the appropriate application fee does not constitute approval of the application; and the payment of application fees is non-refundable.
- (6) Upon receipt of applications for a specific license, the NFA shall review the application and make recommendations to the National Fisheries Board and the final determination will be communicated by the Managing Director within a thirty (30) day period from when the National Fisheries Board sat.
- (7) The NFA shall issue a license to successful applicants no later than thirty (30) days after the application was officially approved by the National Fisheries Board, and after payment of the applicable annual license fee.
- (8) License conditions will be used to monitor the collection, aquaculture, purchase, holding, domestic sale and export of marine aquarium organisms.
- (9) License fees shall be paid annually. Existing operators will have to re-apply for licenses annually.
- (10) Any person who fails to obtain the correct license or permit or contravenes any part or aspect of license conditions commits an offence.

## 12. Criteria for Issuance of Licenses

In determining whether or not to issue a specific license to an applicant, the NFA shall take into consideration matters, including but not limited to the following:

- (1) Valid Certificate of Incorporation of Company or Business Name from Investment Promotion Authority (IPA) registration and the date of registration.
- (2) Company Business Plan which detail management structure, training programmes, operations and future growth projections and investments.
- (3) Whether the Applicant will provide training for PNG citizens in FCAs in collecting, handling, holding, packing and transport of marine aquarium organisms.
- (4) Whether the Applicant will provide training for PNG citizens for employment purposes at the facility including handling, holding, packing and transport of marine aquarium organisms.
- (5) Purchasing prices the Applicant will be offering Collectors.
- (6) Proof that the Applicant has a suitable area to operate a Facility or vessel (if the Applicant intends to use one) and that these are adequate for the holding of marine aquarium organisms according to best practices and other regulatory requirements;
- (7) Whether the Applicant has a history of non-compliance with regulations, conservation and management measures imposed by the NFA and other government agencies;
- (8) Whether the Applicant has previous experience and knowledge of the marine aquarium industry and well-established connections with buyers at overseas markets
- (9) Whether the Applicant has complied with the relevant laws of PNG.
- (10) For domestic trading companies, whether the applicant is a PNG citizen.

## 13. Obligations of the License holder

- (1) It is the obligation of the License holder to comply with all conditions of their license.
- (2) It is the obligation of the License holder to ensure that the relevant Reporting Requirements using the Template Forms, available as Excel Files, are completed and that Reports are submitted to the NFA on a weekly basis as required by conditions stipulated on the License and the Plan.
- (3) It is the obligation of the License holder to allow and assist any authorized Fishery Officer to carry out their relevant duties safely, such as; boarding of Collector Vessels, entry of facilities, inspection of practices, consignments destined for domestic sale or export, and reporting Template Forms; the taking of photographs; the collection and/or seizure of marine aquarium organisms and any other lawful duty of the Fishery Officer.



**14. Fees and Penalties**

- (1) The fees for Licenses are provided in Schedule 3 and shall be receipted to the NFA.
- (2) In cases of breaches or violation to the provisions of the Plan or conditions of a License, the penalties shall be as prescribed in Schedule 4: Guidelines for Penalties.
- (3) Where there is a breach or violation to the provisions of the Plan or conditions of a License and no penalty has been prescribed, that person shall be liable upon conviction to a fine outlined in Schedule 4.

**15. Fishery Collection Areas**

- (1) Exporters and/or Domestic Retailers with the assistance of respective Provincial Fisheries Agencies shall consult with respective community level entities to clearly demarcate specific FCAs and submit a map of the proposed FCAs to the NFA for endorsement. FCAs should be at a scale that is approved by and known to all community members and be an area that will not cause dispute with neighbouring communities.
- (2) Exporters and/or Domestic Retailers must notify NFA of their intentions to develop and expand to other FCAs and provide confirmation from community level entities that they are willing to have a FCA established in their area.
- (3) Community level entities may close specific areas of a FCA to marine aquarium organism collection for cultural and sustainability reasons as a part of customary tenure or for cultural protection. These areas must be clearly demarcated on the FCA map and communicated to the Exporters and/or Domestic Retailers, NFA and the respective Provincial Fisheries Agency.
- (4) Community level entities may prohibit certain Collectors from collecting marine aquarium organisms in a FCA for cultural and sustainability reasons as a part of customary tenure arrangements or for cultural protection.
- (5) Community level entities may prohibit certain gears or methods of marine aquarium organism collection in a FCA for cultural and sustainability reasons as part of customary tenure or for cultural protection.
- (6) A royalty is to be negotiated with the community level entities in a FCA for marine aquarium organisms collected by Company Collectors.

**16. Prohibitions**

- (1) Collection of marine aquarium organisms outside of a FCA is prohibited.
- (2) Collection of marine aquarium organisms within or close to a registered tourist diving spot is prohibited; and a buffer zone of 100 m must be observed.
- (3) Collection of marine aquarium organisms within any closed area designated under appropriate government legislation or by community level entities is prohibited.
- (4) Collection of sedentary marine aquarium organisms by Collectors at night and the use of underwater lights is prohibited (Refer to G57 *National Gazette*, 4th April 2002).
- (5) Collection of marine aquarium organisms with nets exceeding ten (10) meters length, two (2) meters depth, and with a stretched mesh size exceeding thirty (30) mm is prohibited.
- (6) Collection, aquaculture, purchase, holding, domestic sale, and export of marine aquarium organisms listed under Schedule 5: List of Prohibited Marine Aquarium Organisms is prohibited.
- (7) The use, storage and transport of explosives, noxious substances (including cyanide and naturally derived substances in any form) for the purpose of killing, stunning, disabling or capturing marine aquarium organisms is prohibited.
- (8) Releasing marine aquarium organisms outside the FCA of origin is prohibited.
- (9) Releasing marine aquarium organisms which have been collected and subsequently held at a Facility is prohibited.
- (10) Export of marine aquarium organisms listed by CITES on Appendix I is prohibited (refer to [cites.org](http://cites.org) for species listed by CITES on Appendix I).
- (11) Export of marine aquarium organisms listed by CITES on Appendices II and III is prohibited; with the exception of consignments which the CEPA has issued a CITES Export Permit indicating a NDF (refer to [cites.org](http://cites.org) for species listed by CITES on Appendices II and III).

- a. The export of aquacultured live rock (*Scleractinia* spp.) and hard corals (*Scleractinia* spp.) have the following additional prohibitions:
- i. The export of aquacultured live rock (*Scleractinia* spp.) shall be prohibited, with the exception of specimens originating from terrestrial or artificial base rock.
  - ii. The export of aquacultured hard coral (*Scleractinia* spp.) shall be prohibited, with the exception of specimens encrusting an artificial substrate that were grown from a farmed brood stock colony (i.e., F2 – a fragment obtained from a colony that itself was reared from a clipping of a wild-harvested coral).

(12) Any person who contravenes the subsections above commits an offence and shall be liable upon conviction to a fine outlined in Schedule 4 or the Plan or an amount specified in Section 58 of the Act.

#### 17. Restrictions

- (1) Collection of marine aquarium organisms by Collectors shall be restricted to snorkeling, and/or hand collection; with the exception of Section 17 Item 2 where permitted.
- (2) Use of UBA shall be restricted to certified users who are affiliated under a contract arrangement with a specific Exporter or Domestic Retailer with the total number of UBA users per Exporter and/or Domestic Retailer to be restricted to a maximum of five (5).
- (3) All UBA users are prohibited from supplying another Exporter or Domestic Retailer and from collecting non-target marine aquarium organisms (e.g. sea cucumbers; refer to G57 *National Gazette*, 4th April 2002).
- (4) All UBA users are prohibited from collecting marine aquarium organisms in reef areas less than 5 meters in depth.
- (5) All UBA users must be suitably certified by a recognized agency.
- (6) If an Exporter or Domestic Retailer develops another Facility in another Province, the new operation will be allowed another maximum five (5) UBA users.
- (7) If an Exporter or Domestic Retailer develops another Facility in another Province, that Exporter or Domestic Retailer can only transship to the parent Exporter or Domestic Retailer and notify NFA of the transshipment.
- (8) The disposal of marine aquarium organisms that die at a Facility or onboard a Collector Vessel is restricted to cremation or burial at least 100 m from the shoreline.
- (9) Any person who contravenes the subsections above commits an offence and shall be liable upon conviction to a fine outlined in Schedule 4 of this Plan or an amount specified in Section 58 of the Act.

#### 18. Recommendations

- (1) Collectors are recommended to practice rotation of collection areas within a given FCA.
- (2) Collectors are recommended to “collect to order” to avoid unwanted catches.
- (3) Collectors are recommended to collect marine aquarium organisms in a sustainable manner that minimizes damage or dislodgement of non-target organisms and substrates.
- (4) All marine aquarium organisms held at a Facility or onboard a Collector Vessel and which have lost coloration, have become thin or diseased and/or are otherwise deemed unfit for export but alive, are recommended to be held and treated, if possible, before disposal.

#### 19. Total Allowable Catches

- (1) TACs will be set for a specific marine aquarium organism in any given FCA.
  - a. TACs will be set for the following species in all FCAs:
    - i. *Hemisyllium hallstromi* (Papuan epaulette shark)
  - b. TACs will be set for certain high-volume species in trade or species of endemism, rarity and of concern.



- (2) TACs set for a specific marine aquarium organism shall be set based on best available scientific information and results obtained from monitoring and survey activities.
- (3) The NFA shall review the TACs in consultation with the Exporter or Domestic Retailer for marine aquarium organisms on an annual basis or when:
  - a. the TAC for a specific marine aquarium organism has been reached;
  - b. new information on stock status shows a reduction in collection is needed due to signs of localised depletions or significant interaction with subsistence fishing; and
  - c. where a new species or phenotype originally not found and where a TAC may be required.
- (4) The NFA reserves the right to cease all collection operations in a FCA if it considers it necessary to maintain stocks of healthy marine aquarium organism populations.

## 20. Reporting Requirements

- (1) Exporter and Domestic Retailer License holders shall maintain and submit a Weekly Collection Summary Reports for Community Collectors and Company Collector to the NFA for any marine aquarium organisms purchased and/or received from Community Collectors and Company Collectors in the Template Form outlined in Schedule 6 which includes the:
  - a. Date
  - b. FCA
  - c. Collector (Community and Company Diver).
  - d. Species (using scientific names);
  - e. Quantity caught;
  - f. Quantity purchased;
  - g. Size (relative);
  - h. Purchase price per individual (PGK);
- (2) Domestic Retailer License holders shall maintain and submit a Weekly Sales Summary Report to the NFA for any marine aquarium organisms sold domestically in the Template Form outlined in Schedule 6 which include the:
  - a. Date
  - b. Species (using scientific name);
  - c. Quantity;
  - d. Size (relative);
  - e. Sale price per individual (PGK)
- (3) Facility License holders shall maintain and submit a Weekly Facility Holding Summary Report to the NFA for any marine aquarium organisms which die or are disposed in the Template Form outlined in Schedule 6 which includes the:
  - a. Date
  - b. Species (using scientific names);
  - c. Quantity disposed;
  - d. Size (relative);
  - e. Cause of death or reason for disposal
- (4) Exporter License holders shall maintain and submit a Weekly Export Summary Report to the NFA for any marine aquarium organisms exported from PNG in the Template Form outlined in Schedule 6 which includes the:
  - a. Date
  - b. Species (using scientific names);
  - c. Quantity exported;
  - d. Size (relative);
  - e. Sale price per individual (PGK)
  - f. Sale price per individual (USD)
  - g. Importer (company)
  - h. Country of import
- (5) All reports are to be filled as required according to the conditions of the License; these reports are to be submitted in the Template Form forms outlined in Schedule 6.

- (6) Failure to submit the required reports by more than one (1) week or submitting incorrect or false data may result in payment of a fine, suspension or cancellation of the Domestic Retailer, Exporter or Facility License under the Regulation.
- (7) The application and grant of a licence under the Plan will be taken as having provided extended consent for this information to be stored, analysed, and communicated as part of ethics-approved program of research undertaken by the NFA and collaborators.

#### Part 5: General

##### 21. Training Requirements

Any person who wishes to enter into the collection or handling of marine aquarium organisms will be issued a copy of the Plan by the Domestic Retailer or Exporter. Training of Collectors and personnel handling marine aquarium organisms will be provided, to ensure activities comply with the Plan, by an experienced Collector designated or contracted by a Domestic Retailer or Exporter.

##### 22. Sea Safety Requirements

Any person who is involved in the use of any boat or vessel for the collection of marine aquarium organisms is required to abide to recognised sea safety measures and minimum requirements as outlined in the Small Craft Safety Act 2009.

##### 23. Imports and Transshipments

An Import Risk Assessment must be carried out before approval is given by NFA, National Agriculture and Quarantine Inspection Authority (NAQIA) and CEPA for the import or trans-shipment of any marine aquarium organisms, including the water medium in which they are transported into PNG. Any imports for hobby purposes is not permitted.

##### 24. Certificate of Health

The Exporter is to liaise with NAQIA to obtain a Certificate of Health where an importing country requires the marine aquarium organisms intended for export to have undergone a formal assessment of health.

##### 25. Unique Marine Aquarium Organisms

- (1) In the event that a new species or unique variant, potentially representing a new species, not previously known to PNG with interest for the marine aquarium industry is found, the Exporter or Domestic Retailer will ensure:
  - a. NFA is notified of the discovery and NFA will assess the requirement for a TAC for the new species or unique variant.

##### 26. Research

NFA may in collaboration through appropriate agreements with reputable national, regional or international organizations, provide appropriate funding to carry out, a program of research on marine aquarium organism populations, aquaculture and trade dynamics.

##### 27. Review and Amendments

- (1) The Plan shall be reviewed every two (2) years but may be reviewed earlier where determined as necessary by the NFA.
- (2) Any review will follow necessary stakeholder consultation to address areas of concern or changes in the marine aquarium trade.
- (3) Any approved amendments will be notified in the Gazette.

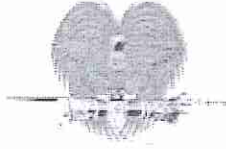
Approved this 1st day of August, 2022.

Hon Dr Lino Tom,  
Minister for Fisheries and Marine Resources.



SCHEDULE 1: License Application Forms

Marine Aquarium Buyer License Form  
NATIONAL FISHERIES AUTHORITY



*Fisheries Management Act 1998*

Date:

Application No:

I, \_\_\_\_\_ of \_\_\_\_\_ hereby apply for a **Marine Aquarium Buyer License** for the purpose of **buying marine aquarium organisms** from Collectors in accordance with the requirements of the *Fisheries Management Act, 1998*.

**A. General Information on Applicant:**

- Name of Applicant:
- Date of Birth:
- Residential Address:
- Postal Address:
- Telephone
- Mobile:
- Fax:
- Email address:

**B. Information on Activity:**

- Area of Operation:
- Type of fishery products purchased:
- Other related activity:
- Buying for Company:

**C. Declaration**

I hereby declare that the information provided is true and accurate to the best of my knowledge and belief. I understand that it is an offence under Section 58 (1) (s) of the *Fisheries Management Act 1998* to make any false or misleading statements in this application.

(Signature).....

**OFFICE USE ONLY**

- Buyers License Remittance Advice:
- Applicant No.:
- Applicant:
- Area:
- Buying For:
- Previous License Number (Renewals Only):

Marine Aquarium Exporter License Form



NATIONAL FISHERIES AUTHORITY  
Fisheries Management Act 1998

Date:

Application Number:

I, \_\_\_\_\_ of \_\_\_\_\_ hereby apply for a Marine Aquarium Exporter Licence for the purpose of exporting marine aquarium organisms in accordance with the requirements of the Fisheries Management Act, 1998.

**A. General Information on Applicant:**

- Name of Applicant:
- Date of Birth:
- Residential Address:
- Postal Address:
- Telephone
- Mobile:
- Fax:
- Email address:

**B. Information on the Premises:**

- Location:
- Province:
- Description:
- Registered Owner (if different from licensee):
- Kind of occupancy agreement (attach copy):

**C. Information on Activity:**

- Type of marine aquarium products stored:
- Manner of storing:
- Minimum daily processing capacity:
- Live Marine Aquarium products purchase and supplying arrangements:
- Method of packaging:
- Other related activity:

**D. Declaration**

I hereby declare that the information provided is true and accurate to the best of my knowledge and belief. I understand that it is an offence under Section 58 (1) (s) of the Fisheries Management Act 1998 to make any false or misleading statements in this application.

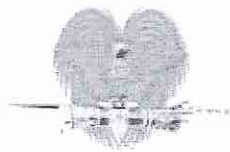
(Signature).....

**OFFICE USE ONLY**

- Buyers License Remittance Advice:
- Applicant No.:
- Applicant:
- Area:
- Buying For:
- Previous License Number (Renewals Only):



Marine Aquarium Domestic Retailer License Form



NATIONAL FISHERIES AUTHORITY

Fisheries Management Act 1998

Date:

Application Number:

I, \_\_\_\_\_ of \_\_\_\_\_ hereby apply for a Marine Aquarium Domestic Retailer License for the purpose of domestic sale of marine aquarium organisms in accordance with the requirements of the Fisheries Management Act, 1998.

A. General Information on Applicant:

Name of Applicant:

Date of Birth:

Residential Address:

Postal Address:

Telephone

Mobile:

Fax:

Email address:

B. Information on the Premises:

Location:

Province:

Description:

Registered Owner (if different from licensee):

Kind of occupancy agreement (attach copy):

C. Information on Activity:

Type of marine aquarium products traded:

Manner of trade (services provided):

Minimum daily holding capacity:

Live Marine Aquarium products purchase and supplying arrangements:

Method of holding, transport and handling:

Other related activity:

D. Declaration

I hereby declare that the information provided is true and accurate to the best of my knowledge and belief. I understand that it is an offence under Section 58 (1) (s) of the Fisheries Management Act 1998 to make any false or misleading statements in this application.

(Signature).....

OFFICE USE ONLY

Buyers License Remittance Advice:

Applicant No.:

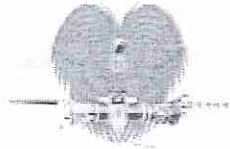
Applicant:

Area:

Buying For:

Previous License Number (Renewals Only):

Marine Aquarium Facility License Application Form



NATIONAL FISHERIES AUTHORITY

Fisheries Management Act 1998

Date:

Application number:

I, \_\_\_\_\_ of \_\_\_\_\_ hereby apply for a Marine Aquarium Facility License for the purpose of holding marine aquarium organisms prior to domestic sale, export, or for aquaculture purposes in accordance with the requirements of the Fisheries Management Act, 1998

A. General Information on Applicant:

- Name of Applicant:
- Date of Birth:
- Residential Address:
- Postal Address:
- Telephone
- Mobile:
- Fax:
- Email address:

B. Information on the Premises:

- Location:
- Province:
- Description:
- Registered Owner (if different from licensee):
- Kind of occupancy agreement (attach copy):

C. Information on Activity:

- Type of fishery products stored:
- Manner of storing:
- Minimum daily processing capacity:
- Live aquarium organism purchase and supplying arrangements:
- Method of packaging:
- Other related activity:

D. Declaration

I hereby declare that the information provided is true and accurate to the best of my knowledge and belief. I understand that it is an offence under Section 58 (1) (s) of the Fisheries Management Act 1998 to make any false or misleading statements in this application.

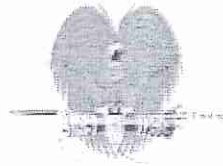
(Signature).....

OFFICE USE ONLY

- Buyers Licence Remittance Advice:
- Applicant No.:
- Applicant:
- Area:
- Buying For:
- Previous Licence Number (Renewals Only):



Marine Aquarium Mariculture License Application Form



NATIONAL FISHERIES AUTHORITY

Fisheries Management Act 1998

Date:

Application Number:

I, \_\_\_\_\_ of \_\_\_\_\_ hereby apply for a Marine Aquarium Mariculture License for the purpose of farming or culturing marine aquarium organisms in accordance with the requirements of the of the Fisheries Management Act, 1998.

A. General Information on Applicant:

- Name of Applicant:
Date of Birth:
Residential Address:
Postal Address:
Telephone
Mobile:
Fax:
Email address:

B. Information on Unit

- Cultured organisms:
Type of Mariculture:
Size of Mari-culture Unit:
Holding Tanks:
Capacity:
Number, type and function of any support craft used in association with Mari-culture unit:
Number: Type: Function:

C. Information on Activity

- Location of the Mari-culture Unit:
Activities the Mari-culture Unit intends to undertake:

D. Declaration

I hereby declare that the information provided is true and accurate to the best of my knowledge and belief. I understand that it is an offence under Section 58 (1) (s) of the Fisheries Management Act 1998 to make any false or misleading statements in this application.

(Signature).....

OFFICE USE ONLY

- Buyers Licence Remittance Advice:
Applicant No.:
Applicant:
Area:
Buying For:
Previous Licence Number (Renewals Only):

**SCHEDULE 2: Licensing Criteria****MARINE AQUARIUM BUYER LICENCE CONDITIONS**

1. The Buyer License holder shall comply with the provisions of the *Fisheries Management Act 1998*, *Fisheries Management Regulation 2000*, *National Marine Aquarium Fishery Management Plan*, and any other provisions, as in force from time to time.
2. The Buyer License will only be granted to an individual that is employed by an Exporter or Domestic Retailer and intends to purchase marine aquarium organisms from Collectors.
3. The Exporter or Domestic Retailer will be subject to a fee as under the Regulation to obtain a Buyer License.
4. The Buyer License holder can only act on behalf of the Exporter or Domestic Retailer that they are employed by and cannot supply marine aquarium organisms to other Exporters or Domestic Retailers.
5. The Buyer License is not valid for the purchase of any other marine products and operation or in any other province other than the species and the area of operations prescribed on this license.
6. The Buyer License holder shall abide by all prohibitions identified in Section 16 of the Plan.
7. The Buyer License holder shall adhere to all restrictions identified in Section 17 of the Plan.
8. The Buyer License holder will allow and assist any authorised Enforcement Officer to carry out their relevant duties safely as such boarding of Collector Vessels; entry of facilities; inspection of practices, consignments destined for domestic sale or export, and reporting Template Forms; the taking of photographs; the collection and/or seizure of marine aquarium organisms if and where necessary.
9. The Buyer License holder shall carry this license at all times while engaged in buying marine aquarium organisms and shall produce it on reasonable demand by any person from whom he/she is buying or offering to buy, or by a Fisheries Officer.
10. The Buyer license holder shall not interfere with traditional fishing activities as defined in Section 26 of the Act.
11. Failure to comply with any of the above conditions and other terms and conditions of the Buyer License, national laws and regulations may, in addition to any judicial penalties that may be incurred, result in the suspension or loss of the Buyer License either temporarily or permanently.

**MARINE AQUARIUM DOMESTIC RETAILER LICENSE CONDITIONS**

1. The Domestic Retailer License holder shall comply with the provisions of the *Fisheries Management Act 1998*, *Fisheries Management Regulation 2000*, *National Aquarium Fishery Management Plan* and any other provisions, as in force from time to time.
2. This Domestic Retailer License shall allow the license holder to employ Buyers and to sell marine aquarium organisms to domestic entities only and not to Exporters.
3. The Domestic Retailer License holder shall abide by all prohibitions identified in Section 16 of the Plan.
4. The Domestic Retailer License holder shall adhere to all restrictions identified in Section 17 of the Plan.
5. The Domestic Retailer License holder shall maintain and submit a Weekly Collection Summary Report to the NFA as per Section 20 of the Plan.
6. The Domestic Retailer License shall maintain and submit a Weekly Sales Summary Report to the NFA as per Section 20 of the Plan.
7. The Domestic Retailer License holder will allow and assist any authorised Enforcement Officer to carry out their relevant duties safely as such boarding of Collector Vessels; entry of facilities; inspection of practices, consignments destined for domestic sale or export, and reporting Template Forms; the taking of photographs; the collection and/or seizure of marine aquarium organisms if and where necessary.
8. Failure to comply with any of the above conditions and other terms and conditions of the Domestic Retail License, national laws and regulations may, in addition to any judicial penalties that may be incurred, result in the suspension or loss of the Domestic Retail License either temporarily or permanently.



**MARINE AQUARIUM EXPORTER LICENCE CONDITIONS**

1. The Exporter License holder shall comply with the provisions of the *Fisheries Management Act 1998*, Fisheries Management Regulation 2000, National Marine Aquarium Fishery Management Plan; and any other provisions, as in force from time to time.
2. This Exporter License shall only allow the license holder to employ Buyers and export marine aquarium organisms from PNG.
3. The Exporter License holder shall abide by all prohibitions identified in Section 16 of the Plan.
4. The Exporter License holder shall adhere to all restrictions identified in Section 17 of the Plan.
5. The Exporter License holder shall maintain and submit a Weekly Collection Summary Report to the NFA as per Section 20 of the Plan.
6. The Exporter License holder shall maintain and submit a Weekly Export Summary Report to the NFA as per Section 20 of the Plan.
7. The Exporter License holder will allow and assist any authorised Enforcement Officer to carry out their relevant duties safely as such boarding of Collector Vessels; entry of facilities; inspection of practices, consignments destined for domestic sale or export, and reporting Template Forms; the taking of photographs; the collection and/or seizure of marine aquarium organisms if and where necessary.
8. The Exporter License must submit a monthly summary of export remittance receipt back to NFA as proof of the real export value of the trade organism.
9. Failure to comply with any of the above conditions and other terms and conditions of the Exporter License, national laws and regulations may, in addition to any judicial penalties that may be incurred, result in the suspension or loss of the Exporter License either temporarily or permanently.

**MARINE AQUARIUM FACILITY LICENCE CONDITIONS**

1. The Facility License holder shall comply with the provisions of the *Fisheries Management Act 1998*, Fisheries Management Regulation 2000, National Marine Aquarium Fishery Management Plan, and any other provisions, as in force from time.
2. This Facility License shall only allow the license holder to hold marine aquarium organisms at a land-based Facility, and does not permit the sale of marine aquarium organisms.
3. The Facility License holder shall abide by all prohibitions identified in Section 16 of the Plan.
4. The Facility License holder shall adhere to all restrictions identified in Section 17 of the Plan.
5. The Facility License holder shall maintain and submit a Weekly Mortality Summary Report to the NFA as per Section 20 of the Plan.
6. The Facility License holder shall maintain and observe clean and hygienic conditions in the premise at all times.
7. The Facility License holder will allow and assist any authorised Enforcement Officer to carry out their relevant duties safely as such boarding of Collector Vessels; entry of facilities; inspection of practices, consignments destined for domestic sale or export, and reporting Template Forms; the taking of photographs; the collection and/or seizure of marine aquarium organisms if and where necessary.
8. Failure to comply with any of the above conditions and other terms and conditions of the Exporter License, national laws and regulations may, in addition to any judicial penalties that may be incurred, result in the suspension or loss of the Exporter License either temporarily or permanently.

**MARINE AQUARIUM MARICULTURE LICENSE CONDITION**

1. The Mariculture License holder shall comply with the provisions of the *Fisheries Management Act 1998*, Fisheries Management Regulation 2000, National Marine Aquarium Fishery Management Plan, and any other provisions, as in force from time.

2. This Mariculture License shall only allow the license holder to farm marine aquarium organisms for sale to Domestic Retailers and Exporters.
3. The Mariculture License holder shall abide by all prohibitions identified in Section 16 of the Plan.
4. The Mariculture License holder shall adhere to all restrictions identified in Section 17 of the Plan.
5. The Mariculture License holder will allow and assist any authorised Enforcement Officer to carry out their relevant duties safely as such boarding of Collector Vessels; entry of facilities; inspection of practices, consignments destined for domestic sale or export, and reporting Template Forms; the taking of photographs; the collection and/or seizure of marine aquarium specimens if and where necessary.
6. Failure to comply with any of the above conditions and other terms and conditions of the Exporter License, national laws and regulations may, in addition to any judicial penalties that may be incurred, result in the suspension or loss of the Exporter License either temporarily or permanently.



**SCHEDULE 3: Fees**

License fees shall be paid, with all license applications reviewed in accordance with the NFA's license review process.

Annual Fee costs are listed below:

- a) Marine Aquarium Buyer License Fee: K 500

Other License Fee costs for three years are listed below:

- b) Marine Aquarium Facility License Fee: K 3,000
- c) Marine Aquarium Exporter License Fee: K 6,000
- d) Marine Aquarium Mariculture License Fee: K 3,000
- e) Marine Aquarium Domestic Retail License Fee: K 3,000

## SCHEDULE 4: Guidelines for Penalties

Level of Severity	Paragraph of the Plan	Activity	Penalties
5	12 (10), 15(3)	Operating without a License or Permit	Monetary fine with a maximum of: PGK 20,000 – Aquarium Operator PGK 5,000 – Aquarium Export PGK 2,000 – Aquarium Mari-culture PGK 1,000- Domestic Aquarium Retail
5	12 (10), 15(3)	License and Permits are not transferable	First Offence: monetary fine with a maximum of: PGK 20,000 – Aquarium Operator PGK 5,000 – Aquarium Export PGK 2,000 – Aquarium mariculture Repeat offence: Termination of licence
4	17 (8)	Fishing gear and method restrictions	First Offence: monetary fine with a maximum of PGK 1,000 Repeat offence: Termination of license and confiscation of collecting gears
1	22 (3)	Reporting requirements	First Offence: monetary fine with a maximum of PGK1,000 Repeat offence: PGK500 for each week the log sheet are not submitted. Non submission of log sheet for six months: Termination of license

## SCHEDULE 5: List of Prohibited Marine Aquarium Organisms

Family	Common Name	Scientific Name
<i>Invertebrates</i>		
Aphanipathidae	Black corals	All species
Cladopathidae	Black corals	All species
Holothuriidae	Sea cucumbers	All species
Leiopathidae	Black corals	All species
Myriopathidae	Black corals	All species
Nautilidae	Nautiluses	All species
Schizopathidae	Black corals	All species
Stichodactylidae	Sebae anemone	<i>Heteractis crispa</i>
Stichodactylidae	Magnificent anemone	<i>Heteractis magnifica</i>
Stichodactylidae	Carpet anemones	<i>Stichodactyla spp.</i>
Stylopathidae	Black corals	All species
<i>Fish</i>		
Labridae	Humphead wrasse	<i>Cheilinus undulates</i>



**SCHEDULE 6: Operators Trade Reports**



**NATIONAL FISHERIES AUTHORITY**  
 PO Box 2016, Port Moresby, National Capital District, Papua New Guinea  
 Telephone: 3090444, 3202061; Facsimile: 3203069;

**Weekly Collection Summary Report – Community Collector**

This form should report all marine aquarium product purchased/received within a week.

Name of Operator: \_\_\_\_\_ Company: \_\_\_\_\_  
 Date: \_\_\_\_\_ Exporter/Domestic Retailer License No: \_\_\_\_\_  
 Fish Collection Area: \_\_\_\_\_

Collector	Species	Size (S,M,L,XL)	Quantity Caught (Tails)	Quantity Purchased (Tails)	Purchase Price (PGK)

Please attach following documents:  
 Invoices and other relevant documents necessary to validate the above information.



**NATIONAL FISHERIES AUTHORITY**  
 PO Box 2016, Port Moresby, National Capital District, Papua New Guinea  
 Telephone: 3090444, 3202061; Facsimile: 3203069;

**Weekly Collection Summary Report – Company Collector**

This form should report all marine aquarium product purchased/received within a week.

Name of Operator:

Company:

Date:

Exporter/Domestic Retailer License No:

Fish Collection Area:

Collector	Species	Quantity	Size	Purchased Price (PGK)	Discards

Please attach following documents:  
 Invoices and other relevant documents necessary to validate the above information.



**NATIONAL FISHERIES AUTHORITY**  
 PO Box 2016, Port Moresby, National Capital District, Papua New Guinea  
 Telephone: 3090444, 3202061; Facsimile: 3203069

**Weekly Domestic Retailer Sales Summary Report**

This form should report all marine aquarium product traded within a week.

Name of Operator:

Company:

Date:

Domestic Retailer License No:

Species	Quantity	Size	Price (PGK)

Please attach following documents:  
 Invoices and other relevant documents necessary to validate the above information.





**NATIONAL FISHERIES AUTHORITY**  
PO Box 2016, Port Moresby, National Capital District, Papua New Guinea  
Telephone: 3090444, 3202061; Facsimile: 3203069

**Weekly Facility Holding Summary Report**

This form should report all marine aquarium product traded within a week.

Name of Operator:

Company:

Date:

Domestic Retailer License No:

Species	Quantity	Size	Cause of death or reason for disposal

Please attach following documents:  
Invoices and other relevant documents necessary to validate the above information.



**NATIONAL FISHERIES AUTHORITY**  
 PO Box 2016, Port Moresby, National Capital District, Papua New Guinea  
 Telephone: 3090444, 3202061; Facsimile: 3203069

**Weekly Export Summary Report**

This form should report all marine aquarium product exported within a week.

Name of Operator:

Company:

Date:

Export License No:

Province:

Species	Quantity	Size	Price (PGK)	Price (USD)	Importer	Country

Please attach following documents:  
 Export invoices, packing list, Airway bill number, date of shipment, number of boxes, and other relevant documents necessary to validate the above information.