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**THE FRESHWATER FISHERIES ACT, 1954.**

## ARRANGEMENT OF SECTIONS

## Section

1. Title.
  2. Application.
  3. Interpretation.
  4. Introduction of non-idigenous fish prohibited.
  5. Use of poison and other indiscriminate means of killing prohibited.
  6. Power of Minister to prohibit certain traps and nets.
  7. Control of fishing by seine, gill or trammel net.
  8. Licences for boats.
  9. Fishing licences.
  10. Power to make regulations.
  11. Offences and Penalties.
- The Schedule— Fees.

[10.12.1954]

**THE FRESHWATER FISHERIES ACT, 1954**

An Act to protect the freshwater fisheries of the Sudan and to regulate and control fishing therein.

**Title.**

1. This Act may be cited as the Freshwater Fisheries Act, 1954.

**Application.**

2. This Act or any specified sections thereof shall apply to all freshwater rivers and lakes in such part or parts of the Sudan as the Minister of Agriculture, Food and Natural Resources may from time to time direct by notice published in the Gazette but shall not apply to any marine fisheries.<sup>1</sup>

**Interpretation**

3. In this Act, unless the context otherwise requires—<sup>2</sup>  
 “boat” includes “canoe”;  
 “to fish” means to capture or kill or to seek to capture or kill fish by any means other than a native spear or a native fish basket with a diameter not exceeding three feet or ninety centimetres or by a single hook

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1. 1974 Act No. 40; 1972 L.R.O. No. 53.

2. 1955 Act No. 2; 1960 Act No. 8.

attached to a line held by hand and "fishing" has a similar meaning.

4. No person shall introduce any non-indigenous fish into the Sudan except under, and in accordance with the conditions of, a permit issued by the Minister of Agriculture, Food and Natural Resources, who may in his absolute discretion refuse such permit.<sup>3</sup>

Introduction of non-indigenous fish prohibited.

5. No person shall use any poison, explosive, electric discharge or other similar indiscriminate means of fishing unless, and to the extent only to which, the use thereof has been expressly permitted by the Minister of Agriculture, Food and Natural Resources in each particular case.<sup>4</sup>

Use of poison and other indiscriminate means of killing prohibited.

6. The Minister of Agriculture, Food and Natural Resources may at any time either absolutely or subject to any conditions prohibit in freshwater rivers and lakes generally or in any specified freshwater river or lake or part thereof and either for fish in general or for any particular species of fish the use of any form of fish trap which in his opinion is likely to be injurious.<sup>5</sup>

Power of Minister to prohibit certain traps and nets.

7. No person shall use any seine, gill or trammel net in any freshwater river or lake unless such net conforms in all respects with any regulations in force for the time being governing the same.

Control of fishing by seine, gill or trammel net.

8. (1) No boat shall be used for fishing in any area specified by the Minister of Agriculture, Food and Natural Resources unless the same has been registered with him and bears a clearly displayed registration plate approved by him. The person applying for registration shall pay the fee prescribed therefor in the Schedule to this Act.<sup>6</sup>

Licences for boats.

(2) No registered boat may be so used unless there is in force a licence issued by the Minister of Agriculture, Food and Natural Resources in respect of such user by or on behalf of the person applying for a licence.<sup>7</sup>

3. 1960 Act No. 8; 1974 Act No. 40.

4. *Ibid.*

5. *Ibid.*

6. 1955 Act No. 2; 1960 Act No. 8; 1974 Act No. 40.

7. 1960 Act No. 8; 1974 Act No. 40.

(3) Every licence shall be valid for one year from the date of issue and the person applying for the same shall pay therefor the fee prescribed in the Schedule to this Act.

(4) Every licence shall specify the area in which and the purpose for which the user of the boat is licensed and the Minister of Agriculture, Food and Natural Resources may refuse to license a boat for any particular area if in his opinion on account of the number of boats already licensed for that area it would be prejudicial to the resources thereof to license more.<sup>8</sup>

Fishing  
licences.

9. (1) No person shall fish unless he holds a valid fishing licence issued by the Minister of Agriculture, Food and Natural Resources authorizing him to do so and has paid the fee therefor prescribed in the Schedule to this Act.<sup>9</sup>

(2) Every such licence shall remain in force up to the 31st. December of the year in which it was issued.

Power to  
make  
regulations.

10. (1) The Minister of Agriculture, Food and Natural Resources may make regulations—

(a) prescribing the types of nets that may or may not be used, the materials of which they may be made, their size and the size of their mesh, and the manner of their use;

(b) similar particulars of lines, traps and other means of fishing.

(2) The Minister of Agriculture, Food and Natural Resources may at any time by order declare a close season for all fishing or for any fishing for any particular species of fish either generally or for any particular area, and may by like order prohibit absolutely all fishing or the fishing for any particular species of fish either generally or in any particular area.<sup>10</sup>

(3) All regulations and orders made under this section shall be published in the Gazette.

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8. 1960 Act No. 8; 1974 Act No. 40.

9. *Ibid.*

10. *Ibid.*

11. (1) Any person contravening the provisions of this Act or of any regulations or orders made, or the conditions of any licence issued, thereunder shall be guilty of an offence and shall be liable to a fine not exceeding Ls. 100 or to imprisonment not exceeding six months or to both, and in addition to the forfeiture of his licence.

Offences and Penalties.

(2) Offences under this Act shall be triable by a Magistrate of the First Class either summarily or non-summarily.

THE SCHEDULE.

(See sections 8 and 9.)

FEES.	LS.m/ms
For registration of each fishing boat .. .. .	1 000
each fishing canoe .. .. .	- 250
For licence for each fishing boat .. .. .	1 000
each canoe .. .. .	- 100
For each fishing licence. .. .. .	- 250