SUBSIDIARY LEGISLATION 425.01

FISHERY REGULATIONS

25th May, 1934;
23rd April, 1935

GOVERNMENT NOTICE 206 of 1934, as amended by Legal Notices 48 of 1962, 19 of 1964, 80 of 1978, 58 of 1979 and 154 of 1993; and GOVERNMENT NOTICE 148 of 1935, as amended by Government Notice 481 of 1936 and Notice dated 23.02.1937, consolidated, and as amended by Legal Notice 407 of 2013, 157 of 2017, 76 of 2024 and 296 of 2025.

Title.

1. The title of these Regulations is the Fishery Regulations.

Interpretation. *Added by: L.N. 76 of 2024.*

1A. In these regulations, unless the context otherwise requires:

Cap. 425.

"Act" means the Fisheries Conservation and Management Act;

"Director" shall have the same meaning as assigned to it in the Act.

Fishing without licence.

2. Subject to the provisions of regulations 10 and 11, the use of the following fishing implements and methods is permitted without any licence at all times and in all localities:

(i) all methods of hook and line fishing, including jigging with *gulpara* and *ħiel*;

(ii) the fish spear or grains;

(iii) the basket traps called *drajna*, *nassi tal-granċ*, *nassi tal-qarnit*, and *nassi tal-imrejjen*;

(iv) the small hand nets called *kopp tal-gambli*, *kopp tal-wiċċ*, *kopp tal-laċċi*, and *kopp tal-lhud*;

(v) all other minor and recognised fishing implements not otherwise specified in these Regulations, such as *delfinara*, *ganċ*, or *gaffa*.

Licence to use fishing implements.

3. The use of any fishing implement which is not mentioned in regulation 2 is subject to a licence from the Director of Fisheries.

Prohibition of use of *lampara*. *G.N. 148 of 1935; as amended by G.N. 481 of 1936, and Notice dated 23.02.1937, consolidated.*

4. (*Revoked by Legal Notice 407 of 2013*).

Locality specified in the licence.

5. Unless provided for in these Regulations, the locality in which, and the period during which, the implement may be used shall be specified on the licence.

Licence for scientific purposes.

6. The Director may grant for scientific purposes a licence for the use of any implement in any locality except those localities indicated in regulation 12.

Special permits for fishponds.

7. The Director may grant, for the purposes of restocking fishponds, special permits to owners of fishponds to fish within prohibited areas, other than those indicated in regulations 11 and

12, for a specified number of times in a year under such conditions as may from time to time be imposed.

Withdrawal of licence.

8. It shall be lawful for the Director to grant or withdraw without compensation any licence, to order modifications in any implement or to prohibit its use, and to make any change in the demarcations of closed areas and in the periods established for the use of any implement.

Validity of licence.

9. Licences under these Regulations shall be personal and shall be valid up to the 31st December and renewable on the 1st January.

Number of licences.

10. The number of licences to be issued for each kind of implement shall be left to the discretion of the Director.

Prohibition of fishing.

11. Fishing is strictly prohibited in the proximity of the sewage outfall at Wied Għammieq within the area demarcated on the land side by two stone pillars painted red situated on the sides of the drainage outlet, one on Xgħajra shore in the vicinity of Ras il-Ġebel and the other under the Ricasoli Bastion and on the sea side by two range buoys. It is also prohibited to collect by any means from the same area any edible marine products.

Fishing not permitted in certain areas.

12. No fishing shall be permitted in the Dockyard Creek or in the French Creek, that is in those parts of the Grand Harbour to the south east of a line drawn from St.Angelo Point to Isola Point and thence to the northern end of Parlatorio Wharf and Corradino Hill without a special licence issued by the Director with the approval of the Prime Minister.

Fishing implements carried on boats.

13. Persons carrying in their boats any fishing implement shall be deemed, for the purposes of these Regulations, to have used such implements.

Trawling.

14. It shall not be lawful for any steam or motor propelled vessel or trawler, as well as for sailing vessels, to shoot or tow any kind of nets within the territorial waters of these Islands; neither may the method of towing a trawl between two power driven vessels (*paranze*) be practised within the said territorial waters.

The seine net (*tartarun*). *Amended by: L.N. 58 of 1979.*

15. It shall not be lawful to keep or use a seine net without a licence for its use. No mesh of this implement shall be less than eight point five millimetres long each side knot to knot, even when the net is wet and its weights shall not be so heavy as to cause the sinking of the floats.

Use of seine net in bays.

16. In all bays and creeks, the limit of the area within which the use of the seine net shall be lawful will be outwards of a line drawn between two stone pillars placed on opposite sides of such bays and creeks.

Turbid waters.

17. The use of the seine net shall not be permitted in any locality when the waters are turbid.

Forfeiture of licence.

18. Licences for the use of the seine net shall be forfeited upon a second conviction for contraventions of the provisions governing the use of the implement.

Special permits. *Amended by: L.N. 58 of 1979.*

19. The Director may grant special permits for stated periods for the use of the seine net within the prohibited areas for the

purpose of catching migratory fish, provided no mesh of the net is less than twenty-five point five millimetres square.

Shrimp dredge. *Amended by: L.N. 58 of 1979.*

20. It shall not be lawful to keep or use a shrimp dredge without a licence for its use. The net of this implement shall have no meshes less than six point five millimetres square, even when wet, and shall in no case be longer than three point one metres, whilst the iron bar at its mouth shall not exceed one point five metres in length and the weight of the implement shall not be greater than that of a sample dredge kept at the office of the Director.

Use of shrimp dredge.

21. The use of the shrimp dredge shall only be permitted -

(*a*) from the 1st November to the 31st January; and

(*b*) outside those localities where the use of the seine net is prohibited.

Long pole net (*kopp tal-lasta*). *Amended by: L.N. 58 of 1979.*

22. It shall not be lawful to keep or use a long pole net without a licence for its use. The net of this implement shall have no meshes less than six point five millimetres square. This implement shall be subject generally to the conditions laid down for the shrimp dredge.

Cast net (*terrieħa*). *Amended by: L.N. 58 of 1979.*

23. The use of the cast net shall not be permitted inside bays and harbours and none of its meshes shall be less than twenty-five point five millimetres square.

Trammels and gilling nets.

24. Trammels and gilling nets are not allowed to be used from the 15th February to the 15th July in those localities where the use of the seine net is prohibited. In the Grand and Marsamxett harbours, the use of these implements is prohibited at all times within the prohibited areas above mentioned.

Special permits.

25. The Director may grant special permits for the use of trammels and gilling nets within the prohibited areas in case of the appearance of shoals of mature anchovies, sardines, mackerel, bonitos or any other pelagic fish. The permit shall specify the exact type of the net to be used for this purpose.

The *kannizzati* fishery.

26. The fishing positions used in the *kannizzati* fishery shall be allocated each year by lot under such conditions as the Director may deem fit to impose and it shall not be lawful to lay any floats for this method of fishing without a licence.

Validity of licence. *Amended by: L.N. 48 of 1962; L.N. 19 of 1964; L.N. 80 of 1978; L.N. 58 of 1979.*

27. Notwithstanding the provision of regulation 9 of these Regulations, the licence referred to in regulation 26 shall be effective for the period beginning on the 1st August of the year of issue and ending on the 31st January immediately following such year, during which period no person other than the licensee shall be allowed to fish within a radius of one hundred and eighty metres from the floats of his own *kannizzati*.

Limitation of licences.

28. It shall be lawful for the Director to limit the issue of licences referred to in regulation 26 to *bona fide* fishermen only.

Tunny nets.

29. Permission may be granted for laying tunny nets round the coasts of these Islands under such conditions as the Director may deem fit to impose. The Director may also direct that no other kind of fishing shall be allowed in the locality where a tunny net is set.

Nun buoys. *Amended by: L.N. 58 of 1979.*

30. At each end of the seaward extremity of any tunny net, there shall be moored a nun buoy of such size that its diameter at the water line is not less than one metre and the vertical height from its apex to the water line is one point five metres. Such buoy is to be surmounted by a cage or ball three hundred millimetres in diameter fitted on a staff, the vertical height from the top of the cage or ball to the water line to be not less than two point seven five metres.

Mooring of boat by night. *Amended by: L.N. 58 of 1979.*

31. By night there shall be moored at the seaward shoot of every tunny net a boat showing in a vertical line one over the other one metre apart two bright lights so fixed that the upper light shall be not less than three point one metres from the water line and of such a character as to be visible on a dark night with a clear atmosphere all round the horizon at a distance of not less than two nautical miles.

Sites for laying tunny nets.

32. Subject to a licence from the Director, the following sites are available for the laying of tunny nets:

(*a*) Mellieħa;

(*b*) Ċirkewwa and Id-Delli; and

(*c*) Għajn Tuffieħa and Ġnejna.

Should anyone propose to lay a tunny net in any other locality, an application to that effect should be made to the Director who will decide as to whether the site may conveniently be leased for the purpose.

Ormeggios.

33. The Director is empowered to grant licences to fish on reserved sites (*irmiġġi*).

Such licences may only be granted for sites within areas where the use of the seine net is prohibited and shall be valid up to the end of the year during which they are issued.

Application for licence.

34. Applications for licences to fish on reserved sites shall be accompanied by a plan showing the site applied for and forwarded to the Director, who will decide as to whether the site applied for may conveniently be leased for the purpose.

Prohibition of fishing. *Amended by: L.N. 58 of 1979.*

35. It shall not be lawful for persons other than the relative licensee to fish within a radius of eighteen metres from the floats of any licensed ormeggio.

Basket traps. *Amended by: L.N. 58 of 1979.*

36. The use of basket traps other than those mentioned in regulation 2 shall not be permitted within bays and harbours if the size of any of the meshes is less than twenty-five point five millimetres wide.

Minimum size limits.

37. It shall not be lawful to sell or buy or be on land in possession of any fishes or cephalopods of a size less than is prescribed in regulation 38, with the exception of transparent goby (*makku*) and of whitebait (*srajdna* and *nemusa*), for which no size limit is prescribed.

Schedule of minimum sizes. *Substituted by: L.N. 58 of 1979.*

38. The minimum sizes of fishes, measured overall, shall be according to the following schedule:

	Minimum Size
Voparella and *Vopa* (Box boops)	90 millimetres
Arżnella and *Munqara* (Smaris vulgaris)	90 millimetres
Trilja or Red Mullets (Mullus barbatus and Mullus sarmuletus) including *Triljetta*	100 millimetres
All other fishes except those mentioned in regulation 37	115 millimetres
Cephalopods, measured from the anterior side of the eye to the posterior end of the body:	
Cuttlefish (*siċċ*)	75 millimetres
Squid (*klamari*)	100 millimetres

Ħanżir.

39. It shall not be lawful to keep or use the implement known as "*ħanżir*" without a licence for its use.

Ħġieġa.

40. It shall not be lawful to keep or use the implement known as *ħġieġa* without a licence for its use.

Dredge for molluscs.

41. It shall not be lawful to dredge for molluscs except in such sections of the Valletta harbours as will be indicated for specified periods by the Director, nor to use for such dredgings any implements except those of a type as established by the same Director.

Bivalves.

42. It shall not be lawful to land or expose for sale or otherwise be on land in possession of any bivalves, except stone borers (*tamar*), which shall be less than the gauge established for each species by the Director.

Gauges.

43. All fishers and sellers of molluscs shall be provided with the necessary gauges bearing the government mark.

Type of gauges.

44. The type of gauges mentioned in the preceding two regulations shall be in accordance with the specimen kept at the office of the Police at the Custom House, Valletta, and such species of bivalves landed or exposed for sale shall not be less than the size limit shown on the gauge and marked respectively 1, 2, 3 and 4, as hereunder specified, namely:

	No.
Ostrea lamellosa (*koċċli*)	4
Venus verrucosa (*gandoffli*)	3
Dosinia exoleta (*dajni*)	3
Tapes decussatus (*arzelli nigri*)	2
Cardium rusticum (*arzell tal-Marsa*)	1
Tapes aureus (*arzell trapanis*)	1
Cardita sulcata (*lewż*)	2
Cardiun paucicostatum (*lewż tal-qoxra rqiqa*)	2
Psanmobia vespartina (*imxat*)	1
Mytilus galloprovincialis (*maskli*)	3

Grappler.

45. The use of the grappler (*imqass*) for the use of raising bivalves will only be permitted under the same conditions as are imposed for the use of the dredge for molluscs.

Cultivation of shellfish and other fish.
Amended by: L.N. 154 of 1993.
Repealed by: L.N. 157 of 2017.

46. *Repealed by Legal Notice 157 of 2017.*

Sponge fishing.

47. Fishing for sponges shall only be allowed under such conditions as the Director may deem fit to impose and no operations may be conducted without a licence.

Lights for fishing.

48. *Repealed by Legal Notice 296 of 2025.*

Landing places.

49. No fish may be brought ashore except at specified landing places notified as such by the Director.

Imrejkba.
Added by: L.N. 76 of 2024.

49A. (1) The use of the fishing gear known as *imrejkba* shall be subject to this regulation and the following requirements:

(*a*) the *imrejkba* is a fishing gear that may only be used according to a valid licence issued by the Director;

(*b*) an *imrejkba* licence may authorise fishing with a maximum of forty (40) hooks in those areas intended for the fishing of pelagic fish and, or up to a maximum of eighty (80) hooks in those areas intended for the fishing of demersal fish;

(*c*) the *imrejkba* may only be lowered at sea from the coast by a natural person on land and only for fishing in those areas identified in the licence by the Director;

(*d*) when the *imrejkba* is lowered at sea it shall not occupy a space larger than two metres square and this shall be the maximum dimension for which a licence may be issued;

(*e*) an *imrejkba* lowered at sea shall not, except in cases of *force majeure*, be or be left more than two hundred and fifty metres away from the coast;

(*f*) without prejudice to other laws, the holder of a licence shall at all times be responsible according to law for any damage caused to persons or their things at sea, unless he proves that said damage was caused without his fault; and

(*g*) the use of the *imrejkba* shall be subject to the laws and notices on navigation and maritime activities as issued by all the competent authorities.

(2) A licence for the use of the *imrejkba* may be valid for the whole year or for such periods as the Director may prescribe in the licence.

(3) The *imrejkba* may only be authorised for recreational fishing and fish caught with it may only be held for consumption by the family members of the licence holder up to the second degree. In the eventuality that it is not the case, the catch or excess thereof shall be immediately released into the sea and any marketing of fish caught by the *imrejkba* shall be prohibited at all times.

(4) The licence holder for the use of the *imrejkba* shall at all times be responsible for compliance with this regulation and all applicable laws.

(5) An *imrejkba* licensed according to this regulation shall at all times:

(*a*) be of a triangular structure and made from wooden or plastic pipes held together with wooden or plastic bottles which lie on materials that float on the surface of the sea;

(*b*) have a sail fixed to its centre acting as its only method of propulsion at sea;

(*c*) have a bright coloured sail;

(*d*) have a flickering light at all times when lowered at sea; and

(*e*) the sail shall be marked with the registration number indicated on the licence in a manner which is readable and recognisable.

(6) Every holder of a licence issued accordance with this regulation shall hold a fishing logbook as may be ordered by the Director and he shall record his activities therein for each day, or part thereof, in which he used the *imrejkba* for fishing in accordance with this regulation.

Poisons and explosives.

50. It shall not be lawful to use, for fishing purposes, poisons or any other substance which acts as poison on fish; and it shall not be lawful knowingly to collect from the sea or to expose for sale, or otherwise to be in possession of, any fish killed or caught by means of explosives or poisons or by any substance which acts as poison on fish.

Offences. Cap. 9.

51. Besides the punishments established by the Criminal Code for contraventions, any person who, not being guilty of a more serious offence, contravenes the prohibition laid down in the regulation 50, shall, on conviction, have his fish confiscated.