

INLAND FISHERIES ACT (AMENDMENT) BILL, 2016

ARRANGEMENT OF CLAUSES

Clause:

1. Amendment of the Principal Act.
2. Substitution of the section 4 (2) of the Principal Act.
3. Substitution of the section 5 (3) of the Principal Act.
4. Substitution of the section 6 (2) of the Principal Act
5. Substitution of the section 7 (2) of the Principal Act
6. Substitution of the section 8 (2) of the Principal Act
7. Substitution of the section 9 (2) of the Principal Act
8. Substitution of the section 10 (2) of the Principal Act
9. Substitution of the section 11 (2) of the Principal Act
10. Substitution of the regulation 12 (C) of the subsidiary legislation to
the principal Act
11. Citation.

A BILL

FOR

AN ACT TO AMEND THE INLAND FISHERIES ACT CAP I 10 LAWS OF THE
FEDERATION OF NIGERIA, 2004

Sponsored by Hon. Abdussamad Dasuki

[] Commencement

ENACTED by the National Assembly of the Federal Republic of
Nigeria -

1 1. The Inland Fisheries Act Cap I10 Laws of the Federation of
2 Nigeria, 2004(in this Bill referred to as "the Principal Act") is amended as set
3 out in this Bill.

Amendment of
the Principal Act

4 2. Section 4 of the Principal Act is amended by substituting
5 existing subsection (2) for new subsection (2)-
6 "A person who fails to exhibit a registration number on his craft as required
7 under subsection (1) of this section commits an offence and is liable on
8 conviction to a fine of N 5,000 or imprisonment for a term of six months or to
9 both such fine and imprisonment."

Substitution of
the Section 4(2)
of the Principal
Act

10 3. Section 5 of the Principal Act is amended by substituting
11 existing subsection (3) for new subsection (3)-
12 "A person who contravenes a provision of subsection (1) or (2) of this
13 section commits an offence and is liable on conviction to a fine of N 5,000 or
14 imprisonment for a term of six months or to both such fine and
15 imprisonment and, in addition, the net and catch shall be fortified to the
16 government of the State in which the offence was committed."

Substitution of
the Section 5(3)
of the Principal
Act

17 4. Section 6 of the Act is amended by substituting existing
18 subsection (2) for new subsection (2)-
19 "A person who contravenes a provision of subsection(1) of this section
20 commits an offence and is liable on conviction to a fine of N50,000 or
21 imprisonment for a term of two years or to both such fine and

Substitution of
the Section 6(2)
of the Principal
Act

1 imprisonment."

Substitution of
the Section 7(2)
of the Principal
Act

2 5. Section 7 of the Act is amended by substituting existing subsection

3 (2) for new subsection (2)-

4 "A person who contravenes a provision of subsection (1) of this section is
5 guilty of an offence and is liable on conviction to a fine of N5,000 or to
6 Imprisonment for a term of three months or both such fine and imprisonment."

Substitution of
the Section 8(2)
of the Principal
Act

7 6. Section 8 of the Act is amended by substituting existing subsection

8 (2) for new subsection (2)-

9 "A person who contravenes a provision of subsection (1) of this section
10 commits an offence and is liable on conviction to a fine of N100,000 or
11 imprisonment for a term of five years or both such fine and imprisonment and,
12 in addition, the fish or aquatic animal shall be forfeited to the Federal
13 Government."

Substitution of
the Section 9(2)
of the Principal
Act

14 7. Section 9 of the Act is amended by substituting existing subsection

15 (2) for new subsection (2)-

16 "A person who fishes in a closed area or during a closed season in
17 contravention of subsection (1) of this section commits an offence and is
18 liable on conviction to a fine of N50,000 or imprisonment for a term of two
19 years or to both such fine and imprisonment."

Substitution of
the Section 10(2)
of the Principal
Act

20 8. Section 10 of the Act is amended by substituting existing

21 subsection (2) for new subsection (2)-

22 "A person who contravenes a provision of subsection (1) of this section
23 commits an offence and is liable on conviction to a fine of N250,000 or
24 imprisonment for a term of ten years or to both such fine and imprisonment
25 and, in addition, the dam, weir or other fixed barrier or obstruction, if any, shall
26 be destroyed."

Substitution of
the Section 11(2)
of the Principal
Act

27 9. Section 11 of the Act is amended by substituting existing

28 subsection (2) for new subsection (2)-

29 "A person who contravenes a provision of subsection (1) of this section
30 commits an offence and is liable on conviction to a fine of N 50,000 or

1 imprisonment for a term of 12 months or to both such fine and
 2 imprisonment and, in addition, the contaminated, infected or spoiled fish or
 3 fish product shall be destroyed.

4 **10.** Regulation 12 of the Subsidiary Legislation to the Principal
 5 Act is amended by substituting existing 12 (c) for new 12(c)-
 6 "Anybody convicted shall pay a fine not more than N20,000"

Substitution of
 the regulation
 12(c) of the
 subsidiary
 legislation to the
 Principal Act

7 **11.** This Bill is cited as the Inland Fisheries Act (Amendment) Bill,
 8 2016.

Citation

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Inland Fisheries Act Cap I10 Laws of the
 Federation of Nigeria, 2004, to review the penalties upward as they are
 grossly inadequate by present day standards.