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Analysis of procedure for the first introduction of novel fishing gear in Malaysia

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[Background & Purpose]

Currently in Sungai Sembilan, Malaysia, a trial for a small-scale environmentally friendly set-net is under operation before its use is introduced and extended nationwide. The reason for this is because set-nets are neither permitted nor licensed in Malaysia because stationary gears like them are classified as destructive fishing gear, and their definition of the policy is unclear. This project aims to clarify the procedure for requesting permission for new types of fishing gear that are tried for the first time and forbidden in Malaysia based on the analysis of the Fisheries Act 1985, and to obtain answers from the Department of Fisheries in Malaysia (DoF) to my questions resulting from analyses of the regulations.

[Activities]

The Fisheries Act 1985 and Fisheries Regulations 1980 were read and analyzed to clarify the procedures for allowing new fishing gear operations, the definition of destructive fishing gear and the conditions for issuance of special permits, and to clarify why stationary gear's use is prohibited. Questions regarding the contents of the Fisheries Act 1985 and the procedures for introducing new fishing gear caused by the analysis above mentioned were sent to the DoF, and the replies to the questions by the DoF are reflected in the discussion.

[Achievement]

The procedures for obtaining a new fishing gear permit, the definition of destructive fishing gear, and the conditions for issuance special permits were not clarified due to the few descriptions found in the Fisheries Act 1985. Though the prohibited fishing gears are listed in the Fisheries Regulation 1980, the stationary fishing gears were not described, and I was not able to clarify why stationary gear is prohibited. Thanks to the reply and answers from the DoF, the procedure for introducing new fishing gear was understood. This procedure requires approval by conducting reviews by task force groups from the DoF, and it is impossible to issue permission for new fishing gear as a special permit in Malaysia. Moreover, the government of Malaysia has a negative image of the small-scale set-net, therefore this requires additional explanations to fully make them understand what a real set-net is. In conclusion, in order to introduce new fishing gear for the first time in Malaysia, it is necessary to follow the procedure requested by the authorities and to explain in detail and clarify how to operate this gear while managing the fisheries resource by themselves.