



THE
JAMAICA GAZETTE
SUPPLEMENT

PROCLAMATIONS, RULES AND REGULATIONS

180L

Vol. CXXV

WEDNESDAY, JULY 24, 2002

No. 47E

No. 981

**THE AQUACULTURE, INLAND AND MARINE PRODUCTS AND BY-PRODUCTS
(INSPECTION, LICENSING AND EXPORT) ACT**

THE AQUACULTURE, INLAND AND MARINE PRODUCTS AND BY-PRODUCTS (INSPECTION,
LICENSING AND EXPORT) (AMENDMENT) REGULATIONS, 2002

In exercise of the power conferred upon the Minister by section 37 (1) of the Aquaculture, Inland and Marine Products and By Products (Inspection, Licensing and Export) Act the following Regulations are hereby made:—

1. These Regulations may be cited as the Aquaculture, Inland and Marine Products and By-Products (Inspection, Licensing and Export) (Amendment) Regulations, 2002 and shall be read and construed as one with the Aquaculture, Inland and Marine Products and By-Products (Inspection, Licensing and Export) Regulations, 2000, hereinafter referred to as the principal Regulations.

2. Regulation 9 (3) of the principal Regulations is amended by deleting all the words appearing after the words "scientific personnel".

3. Regulation 15 (1) (a) of the principal Regulations is amended by deleting all the words appearing after the words "a HACCP" and substituting therefor the words "plan or such other system or procedure which, in the opinion of the competent authority, is equivalent to a HACCP plan".

4. Regulation 66 (1) of the principal Regulations is amended by deleting the words "catcher boat" and substituting therefor the words "carrier vessel".

5. Regulation 93 of the principal Regulations is amended—

- (a) by inserting in paragraphs (2) (b) immediately after the word "plan" wherever it appears the words "or such other system or procedure which, in the opinion of the competent authority, is equivalent to a HACCP plan" and
- (b) by inserting in paragraphs (4) immediately after the word "plan" the words "or equivalent system or procedure".

6. Regulation 125 (1) of the principal Regulations is amended by deleting the words "export and export health certificates" and substituting therefor the words "an export licence and an export health certificate".

7. Regulation 156 of the principal Regulations is amended

- (a) by inserting immediately before the words "export health certificate" where they first appear the words "export licence or";
- (b) in paragraph (b) by inserting immediately before the words "export health certificate" wherever they appear the words "export licence and";

8. The principal Regulations are amended by inserting next after Regulation 156 the following—

"Withdrawal of export licence and health certificate". 156A.—(1) Paragraph (2) shall apply in any case where, after export, the competent authority becomes aware that—

- (a) an application for an export licence or an export health certificate contains or is based on false or misleading representation or on information which is false in a material particular;
- (b) an administrative error has occurred in relation to an export licence or an export health certificate and it is necessary to correct that error; and
- (c) an operator has failed to comply with the provisions of these Regulations.

(2) The competent authority—

- (a) may, as it thinks necessary, suspend for such period as it thinks fit, or withdraw, the export licence or export health certificate;

- (b) on the suspension or withdrawal of the export licence or export health certificate, shall immediately notify the operator in writing that certification and the export licence and export health certificate are withdrawn or suspended and the reasons therefor; and
- (ii) may take such steps as it deems necessary to prevent the acceptance of any prescribed products by the importing country."

9. The Third Schedule to the principal Regulations is amended—

- (a) under the entry entitled "issue of licence" by deleting the words—

"to export or enter for export

prescribed products \$20,000.00"

and substituting therefor the following—

"to export prescribed products \$20,000.00

to enter for export prescribed
products

\$5,000.00"

- (b) under the entry entitled "Renewal of license—"by deleting the words

"export or enter for export

prescribed products \$20,000.00"

and substituting therefor the following—

"to export prescribed products \$20,000.00

to enter for export prescribed
products

\$5,000.00."

Dated the 9th day of July, 2002.

ROGER CLARKE,
Minister of Agriculture.

