

**FISHERIES ACT
(CHAPTER 111, SECTION 7)**

FISHERIES (FISH CULTURE FARMS) RULES

ARRANGEMENT OF RULES

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[20th March 1981]

Citation

1. These Rules may be cited as the Fisheries (Fish Culture Farms) Rules.

Definitions

2. In these Rules, unless the context otherwise requires —

“fish culture” means any activity involving the maintenance, propagation and promotion of the growth of fish in captivity or upon the sea bed within the territorial waters of Singapore;

“fish culture farm” means any establishment or site in which fish culture is carried out and includes all structures and equipment within the establishment or site;

[S 955/2022 wef 15/12/2022]

“licence” means a fish culture farm licence issued by the Director-General under rule 4 and “licensee” is construed accordingly.

[S 955/2022 wef 15/12/2022]

Designated areas

3. The Director-General may designate areas within which fish culture may be carried out on fish culture farms and may specify the type of fish to be cultured in each fish culture farm.

[S 226/2019 wef 01/04/2019]

Licence

4.—(1) A person must not erect, operate or maintain a fish culture farm unless the person —

- (a) holds a valid licence in respect of that fish culture farm; and
- (b) erects, operates and maintains the fish culture farm in accordance with the valid licence and the conditions (if any) of that licence.

(2) An application for a licence must be made to the Director-General in such form or manner as the Director-General may require and must be accompanied by —

- (a) the licence fee specified in rule 5(1); and
- (b) any particulars, information and documents required by the Director-General.

(3) A separate application for a licence must be made for every fish culture farm that a person operates or intends to operate.

(4) On receipt of an application under paragraph (2), the Director-General may —

- (a) issue a licence to the applicant, whether unconditionally or subject to the conditions mentioned in rule 4A; or
 - (b) refuse to issue any licence to the applicant.
- (5) For the purpose of determining whether to issue a licence under paragraph (4) —
- (a) the Director-General may direct that an assessment (including an inspection) be conducted on the fish culture farm; and
 - (b) where such an assessment is conducted, the applicant must pay —
 - (i) the assessment fee mentioned in rule 5(2); and
 - (ii) any additional inspection fee mentioned in rule 5(3), where applicable.
- (6) Every licence issued under this rule —
- (a) is to be in such form as the Director-General may determine; and
 - (b) may be renewed upon its expiry.
- (7) Paragraphs (2) to (6) apply, with the necessary modifications, to an application for the renewal of a licence.

[S 955/2022 wef 15/12/2022]

Conditions of licence and revocation

4A.—(1) A fish culture farm licence is subject to —

- (a) the conditions set out in the Schedule, unless those conditions are expressly excluded in the licence by the Director-General; and
- (b) any other conditions imposed by the Director-General as the Director-General considers requisite or expedient for the purposes of the Act.

(2) The Director-General may, after giving reasonable notice to the licensee, vary the conditions of a licence or revoke any licence.

[S 955/2022 wef 15/12/2022]

Changes to operation of fish culture farm

4B.—(1) A licensee must not make any of the following changes to the operation of the fish culture farm, unless the licensee has first obtained the approval of the Director-General for the change:

- (a) a change of, or an addition to, the type or types of fish cultured in the fish culture farm;
- (b) a change to any process or practice of fish culture process that may impact food safety or biosecurity;
- (c) a change to any structure or the layout of the fish culture farm that may impact food safety or biosecurity.

(2) The licensee must make an application for the approval mentioned in paragraph (1) in the form and manner specified by the Director-General.

(3) For the purpose of determining whether an application under paragraph (2) is to be approved —

- (a) the Director-General may direct that an assessment (including an inspection) be conducted on the fish culture farm; and
- (b) where such an assessment is conducted, the licensee must pay —
 - (i) the assessment fee mentioned in rule 5(2); and
 - (ii) any additional inspection fee mentioned in rule 5(3), where applicable.

[S 955/2022 wef 15/12/2022]

Fees

5.—(1) The fee for a licence is \$145.

(2) The assessment fee for an assessment conducted on a fish culture farm is \$1,100.

(3) Where an inspection mentioned in rule 4(5)(a) or 4B(3)(a) is conducted on a fish culture farm, an additional inspection fee is payable as follows:

- (a) where the inspection exceeds 3 hours in duration (including travelling time), \$100 per hour or part thereof;
- (b) where the inspection takes place outside office hours or on an urgent basis, \$200 per hour or part thereof.

(4) The Director-General may, as he thinks fit, waive or refund the whole or any part of any fee payable under these Rules.

[S 955/2022 wef 15/12/2022]

Deposit

6. The Director-General may, before issuing a licence, require the applicant to furnish a deposit to ensure compliance with these Rules and the conditions of the licence. The amount of deposit shall be \$5,000 for each 5,000 square metres or part thereof of the fish culture farm.

[S 226/2019 wef 01/04/2019]

Description of fish

7. In the event of any doubt arising as to the correct description of the types of fish cultured under the licence, the name and description given by the Director-General shall be deemed to be correct.

[S 226/2019 wef 01/04/2019]

Control of areas and types of fish

8. The Director-General may in his discretion restrict the number of licences which may be issued in any area and in respect of any type of fish to be cultured.

[S 226/2019 wef 01/04/2019]

Removal of equipment

9.—(1) The licensee shall upon expiry or revocation of the licence or when he ceases to operate the fish culture farm, remove forthwith, or within such time as a fishery officer may direct, any structure, poles, anchors, floats and ancillary equipment used for fish culture.

(2) Where the licensee fails to comply with paragraph (1), the fishery officer may remove or demolish the structure and any expense

incurred thereby shall be deducted from the deposit made under rule 6.

Employees of fish culture farms

10.—(1) No person shall be employed on any fish culture farm or be engaged in any activity thereon unless he is registered for such employment by the Director-General.

[S 226/2019 wef 01/04/2019]

(2) An application for such registration shall be in such form as the Director-General may determine.

[S 226/2019 wef 01/04/2019]

(3) The Director-General may either refuse to register or register the applicant subject to such conditions as he may think fit to impose or revoke the registration of a person without assigning any reason.

[S 226/2019 wef 01/04/2019]

(4) *[Deleted by S 158/97]*

(5) A person registered under this rule shall observe all directives which the Director-General may issue from time to time.

[S 226/2019 wef 01/04/2019]

Exemption

11. The Director-General may if he thinks fit exempt any person from all or any of these Rules.

[S 226/2019 wef 01/04/2019]

THE SCHEDULE

Rule 4(3)

CONDITIONS

1. The licensee shall use the site allocated to him solely as a fish culture farm and for no other purpose.

2. All structures in the site allocated shall be constructed or installed only in accordance with plans approved by the Director-General and any directive which may be issued by the Director-General. Any addition or alteration to the structures shall only be carried out with the prior written approval of the Director-General.

[S 226/2019 wef 01/04/2019]

THE SCHEDULE — *continued*

3. The licensee shall maintain his fish culture farm in good condition and ensure that the waters in and around his farm are clean and pollution-free at all times.

4. The licensee shall display on the fish culture farm such identification marks as may be prescribed by the Director-General to denote that it is a licensed fish culture farm.

[S 226/2019 wef 01/04/2019]

5. The licensee shall ensure that his fish culture farm is lighted at night to the satisfaction of the Director-General.

[S 226/2019 wef 01/04/2019]

6. The Director-General or any person authorised by the Director-General shall have reasonable access to the fish culture farm for the purpose of inspection.

[S 226/2019 wef 01/04/2019]

7. If a structure or any part thereof at the fish culture farm is, in the opinion of the Director-General or any person authorised by the Director-General, causing obstruction or impediment to navigation or development of port and other facilities, the licensee shall, within one month of a written notice given by the Director-General, remove the structure or any part thereof. The removal shall be carried out at the licensee's expense.

[S 226/2019 wef 01/04/2019]

8. *[Deleted by S 955/2022 wef 15/12/2022]*

9. The licensee shall within 72 hours inform the Director-General if he ceases to carry out any fish culture.

[S 226/2019 wef 01/04/2019]

[S 955/2022 wef 15/12/2022]

10. The licensee shall surrender his expired licence before a new licence is issued to him.

11. The licensee shall observe all directives which the Director-General may issue from time to time.

[S 226/2019 wef 01/04/2019]

12. The licensee shall at all times carry with him the licence and shall on demand by a fishery officer produce it for inspection.

13. The licensee shall furnish such information on his fish culture farm and any other information relating to fish culture as may be required by a fishery officer.

LEGISLATIVE HISTORY
FISHERIES (FISH CULTURE FARMS) RULES
(CHAPTER 111, R 7)

This Legislative History is provided for the convenience of users of the Fisheries (Fish Culture Farms) Rules. It is not part of these Rules.

- 1. G. N. No. S 89/1981 — Fish Culture (Control and Licensing) Rules 1981**
Date of commencement : 20 March 1981
- 2. G. N. No. S 187/1991 — Fish Culture (Control and Licensing) (Amendment) Rules 1991**
Date of commencement : 1 May 1991
- 3. 1990 Revised Edition — Fisheries (Fish Culture Farms) Rules**
Date of operation : 25 March 1992
- 4. G. N. No. S 274/1992 — Fisheries (Fish Culture Farms) (Amendment) Rules 1992**
Date of commencement : 1 July 1992
- 5. G. N. No. S 239/1993 — Fisheries (Fish Culture Farms) (Amendment) Rules 1993**
Date of commencement : 1 July 1993
- 6. G. N. No. S 347/1994 — Fisheries (Fish Culture Farms) (Amendment) Rules 1994**
Date of commencement : 1 October 1994
- 7. G. N. No. S 158/1997 — Fisheries (Fish Culture Farms) (Amendment) Rules 1997**
Date of commencement : 1 April 1997
- 8. G. N. No. S 154/1998 — Fisheries (Fish Culture Farms) (Amendment) Rules 1998**
Date of commencement : 1 April 1998
- 9. G. N. No. S 101/2000 — Fisheries (Fish Culture Farms) (Amendment) Rules 2000**
Date of commencement : 3 March 2000
- 10. G. N. No. S 457/2006 — Fisheries (Fish Culture Farms) (Amendment) Rules 2006**
Date of commencement : 1 August 2006

11. G.N. No. S 226/2019 — Fisheries (Fish Culture Farms) (Amendment) Rules 2019

Date of commencement : 1 April 2019

12. G.N. No. S 955/2022 — Fisheries (Fish Culture Farms) (Amendment) Rules 2022

Date of commencement : 15 December 2022