



Review of Marine Turtles Legislation in Fiji

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PREFACE

The SPREP regional Marine Turtle Action Plan 2008-2012 places high priority to legislation as shown by the selection of the area "Policy and Legislation" as one of the nine themes of the Action Plan. The priority actions identified under this theme by member countries and territories as well as partners are:

- Action 5.1: Review and identify gaps and conflicts in current policies and legislation (in member countries and territories) that support / limit the RMTCP, including conventions, treaties, MOUs, agreements etc. [Priority: High].
- Action 5.2: Encourage the need to address gaps and conflicts found in the review of policies and legislation as described in action 5.1 where required. [Priority: High].
- Action 5.3: Encourage and support compliance mechanisms that are more effective at the community level, drawing upon and supporting existing laws and controls and conflict resolution systems, and using local community members. [Priority: High].
- Action: 5.4: Amend relevant policies and legislation regarding turtle size limits to better reflect the impact of removing mature females from populations and, where possible, to ensure that preference is given to using smaller-sized animals. [Priority: High].
- Action: 5.5: Incorporate relevant traditional knowledge, customary marine tenure and practices into policy, legislation management plans where appropriate. [Priority: Medium]
- Action 5.6: Ensure adequate protection is provided for nesting beaches and other known critical habitats for turtles through policy and legislation. [Priority: High].

This review then documents existing legislation and policies as well as the country's participation in international/regional agreements and conventions relevant to marine turtles. It attempts to identify gaps and then make recommendations for relevant legislation to improve and/or clarify existing ones and improve protection/management of marine turtles.

To help with the identification of legislation gaps, a team at SPREP constructed a matrix of legislation from existing legislation in the region dealing with turtles as well as creating new ones based on available information.

The involvement of national experts from relevant agencies is a vital component of this work.

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1. INTRODUCTION

Marine Turtle Species present in Fiji: Five species of marine turtles have been recorded to be found in Fiji waters. The most common species are: Green turtles [*Chelonia mydas*] and Hawksbill turtles [*Eretmochelys imbricata*] due to their nesting grounds being located at various sites throughout Fiji. The other species include: Loggerhead turtles [*Caretta caretta*], Leatherback turtle [*Dermochelys coriacea*], and the Olive Ridley turtle [*Lepidochelys olivacea*], with unconfirmed sporadic nesting incidences but mainly sightings.

Marine turtle nesting: Turtle nesting occurs at several isolated beaches through-out Fiji. The recorded nesting sites for the Green turtles are on the small islands of the Northern and Southern Lau Group, the Mamanuca Group, the islands off Vanua Levu like Yadua and Namena Lala Islands, also Kadavu and Rotuma. The annual Greenback turtles nesting population on these islands were estimated in 2003 to be 50-75 nests. The recorded nesting sites for the Hawksbill turtles are on the small islands off Northern Viti Levu like Nananu-i-Ra, islands off Vanua Levu like Yadua, Namena Lala and Laucala Islands, the islands of the Lomaviti Group and Mamanuca Group, and the Yasawa Islands. The annual Hawksbill turtles nesting population on these islands were estimated in 2003 to be 150-200 nests. For Loggerhead turtles, there have been unconfirmed nesting incidences but with mainly sightings on Aiwa Island (Lau), Taveuni, and islands off Vanua Levu like Yadua Taba. Sporadic nesting has been confirmed for the Leatherback turtles on the beaches of Savusavu, Qoma, Yasawas, Southern Vanua Levu, and Northern Lau. The annual Leatherback turtle nesting population has been estimated in 2003 to be 20-30 nests. In terms of marine turtle feeding areas, results from flipper and satellite tagging conducted in the region indicate Fiji as an important marine turtle foraging area for turtles nesting in other Pacific nations especially those to the east of Fiji.

Importance of marine turtles locally: The turtle or *vonu* or *ika bula* is an important part of Fiji's chiefly traditional ceremonies or functions such as chiefly installations and chiefly weddings. Turtles are a form of wealth in the category *i yau*, which includes property items such as the *tabua* (sperm whale tooth), the *masi* (cloth made from the bark of the Mulberry tree), and the *ibe* (mats woven from reeds). This indicates that the status of the turtles, as both a sacred item and special meat reserved for only a few people in a community. The art of fishing for turtles is confined to a select group known as the *gonedau* (traditional fishermen, headed by the *Tunidau*) who are obligated to supply their chiefs with turtles (amongst other marine species) during traditional ceremonies. Today, these traditions are disappearing, and turtle meat are being sought, whenever possible, for non-traditional celebrations also. This has declined turtle population. It is currently a major challenge for the relevant authorities, led by the Fisheries Department, to raise awareness and impose conservative measures for the protection of the turtles.

Review of current Fisheries Act for the new In-Shore Fisheries Management Decree: This review of Fiji's national marine turtle legislation is timely as the review of the Fisheries Act has begun by the Forum Fisheries Agency. The consultations on the draft are scheduled for July/August, 2010, with the aim to enact it in the November/December, 2010.

2. CURRENT MANAGEMENT/PROTECTION OF MARINE TURTLES IN FIJI

2.1 EXISTING LEGISLATIONS

(i) Fisheries Act 1985

An Act to make provision for the regulation of fishing.

Section 2 - Interpretation

- "fish" means any aquatic animal whether piscine or not, and includes shellfish, sponges, holothurians (beche-de-mer), sea-urchins, crustaceans and turtles and their eggs.

Section 3

- The Minister may appoint honorary fish wardens whose duties shall be the prevention and detection of offences under this Act and the enforcement of the provisions thereof.

Section 5

- A licensing officer may in his discretion grant licenses to take fish in Fiji fisheries waters.
- Every license granted under the Act shall terminate on the 31st December next after the day of issue. It shall be personal to the holder, shall not be transferable and shall be subject to such conditions as the licensing officer shall think fit to endorse thereon in accordance with the Act or any regulations made thereunder.
- No person shall take fish in Fiji fisheries waters by way of trade or business or as an employee of a person carrying on the trade or business of a fisherman unless such person is authorised by a license to take fish.

Section 7

- Any licensing officer, police officer, customs officer, honorary fish warden and any other officer empowered in that behalf by the Minister, may, for the purpose of enforcing the provisions of the Act, require any person engaged in fishing to exhibit his license, apparatus and catch.

Section 8

- A license to take fish may be cancelled by the court upon the conviction of the holder of any contravention of the terms of his license or for any breach of the provisions of the Act or of the regulations made thereunder.

Section 9

- The Minister may make regulations:
 - prescribing areas and seasons within which the taking of fish is prohibited or restricted, either entirely or with reference to a named species;
 - prescribing limits to the size and weight of fish of named species which may be taken;
 - regulating any other matter relating to the conservation, protection and maintenance of a stock of fish which may be deemed requisite.

(ii) Subsidiary Legislation (to Fisheries Act), Section 9: Fisheries Regulations 1992

Regulation 9

- No person shall harpoon any turtle unless the harpoon is armed with at least one barb of which the point projects not less than 9.5mm (3/8 inch) from the surface of the shaft, measured at right angles to the long axis of the shaft.

Part IV, Regulations 12-16

- Imposes limitation measurements of nets.

Regulation 20

This regulation has been amended through Regulation 20A of the Fisheries (Protection of Turtles) (Amendments) Regulations 2010 (refer to (iii) below).

Regulation 26

- No person shall export from Fiji turtle flesh; turtle shell unless worked into jewellery or otherwise processed into a form approved by the Permanent Secretary (for Fisheries).

(iii) Fisheries (Protection of Turtles) (Amendment) Regulations 2010

[Amendment to Regulation 20A made under Section 9(g) of the Fisheries Act].

1. (1) These Regulations may be cited as the Fisheries (Protection of Turtles) (Amendments) Regulations 2010.
(2) The Fisheries (Protection of Turtles) Regulations shall be referred to as the "Principal Regulations".
2. The Principal Regulation is amended in Regulation 20A –
 - i. sub regulation (1) by deleting paragraphs (a)-(c) and substituting -
 - (a) "in any way molest, take or kill turtles of any species; or
 - (b) sell, offer, or expose for sale or export any turtle shell, flesh or derivatives; or
 - (c) dig up, use, take or destroy turtle eggs of any turtle species; or
 - (d) use turtle, turtle derivatives, eggs or turtle shells for any purpose including education, research or tourism; or
 - (e) negatively impact turtle habitats."
 - ii. sub regulation (3) by deleting "31st December 2008" and substituting "31st December 2018".

And so the regulation reads as:

Moratorium on molesting, taking or killing of turtles

Regulation 20A – (1) Notwithstanding regulation 20, no person shall –

- (a) in any way molest, take or kill turtles of any species; or
- (b) sell, offer, or expose for sale or export any turtle shell, flesh or derivatives; or
- (c) dig up, use, take or destroy turtle eggs of any turtle species; or
- (d) use turtle, turtle derivatives, eggs or turtle shells for any purpose including education, research or tourism;
- (e) negatively impact turtle habitats.

- (2) The Minister may, upon a written request by any person, exempt that person by writing under his hand, from subregulation (1).
- (3) This regulation expires on 31st December 2018."

(iv) Endangered and Protected Species Act 2002

Section 3 (The Appendices mentioned make reference to the CITES Appendices I, II, III which mention turtles under Reptiles)

- in Appendix I, which lists all species threatened with extinction which are or may be affected by trade;
- in Appendix II, which lists all species that are not actually threatened with extinction but may become threatened with extinction if trade in those species is not regulated;
- in Appendix III, which lists all species identified by state parties that require regulation in their jurisdiction to prevent and restrict their exploitation which require the co-operations of other state parties to control trade in those species;

Section 9

- No person must export any specimen mentioned in section 3 except with an export permit.

Section 10

- No person must import any specimen mentioned in section 3 except with an import permit.

Section 17

- Any animal species listed in Appendix I that have been bred in captivity for commercial purposes, is deemed to be animal species listed in Appendix II.
- Any animal species listed in Appendix I or II (of CITES listing) that have been bred in captivity may not be traded unless the specimens originate from a breeding operation registered under this Act, and have been individually and permanently marked in a prescribed manner so as to render it difficult for any unauthorised person to alter, modify or erase the mark.
- The Minister may prescribe the conditions for registration of breeding operations.

Section 22

- No person must undertake any captive breeding of any special species or any artificial propagation of plant species...unless the person is registered with the (CITES) Management Authority.
- The Management Authority may register or refuse to register a person to undertake any captive breeding of animal species or any artificial propagation of plant species...
- The Management Authority may vary, suspend or revoke the registration of a person under this section.
- A person registered under this section must keep records of their stocks and of any other related transactions.
- The Management Authority may inspect the premises and records of persons registered under this Act.
- A person who contravenes subsection (1) commits an offence and is liable:
 - in the case of an individual person – to a fine of \$20,000 or to imprisonment for 4 years;
 - in the case of a company or association or body of persons, corporate or unincorporated – to a fine of \$100,000.

(v) Environment Management (EIA Process) Regulations 2007

[made under the Environment Management Act 2005]. There is no particular reference to turtles. These features are very general which can also take into consideration ecologically sensitive areas like turtle nesting areas. This is a gap that needs to be addressed, and is being recommended.

Regulation 14

- A site inspection must take into account factors affecting the relationship between the proposed development and the features of the site, including, but not limited to –
 - natural features such as topography, vegetation and watercourses;
 - adjacent uses, including –
 - people oriented activities;
 - other uses of the resources such as a river; etc

Regulation 23

- Persons carrying out an EIA study on a proposal are expected to conduct fieldwork to obtain accurate measurements of environmental values for use in making impact predictions and recommending appropriate environmental protection measures in respect of the proposal.
- A person carrying out an EIA study on a proposal must –
 - Inspect the site of the proposed development activity or undertaking, taking into account the factors set out in regulation 14 in relation to site inspections.

Regulation 25

- An EIA report on a proposal must, to the extent appropriate, include –
 - a description of the environmental setting of the site of the proposal, including a statement of environmental resources and conditions in the area before the implementation of the activity or undertaking, and a projection or estimation of changed environmental circumstances that may occur as a result of the activity or undertaking;
 - a description of the possible environmental and resource management impacts of the activity or undertaking, including any pollution or waste that may be generated, and impacts occurring during construction, operation, decommissioning, and abandonment phases of the of the activity or undertaking;
 - a statement of the various alternatives that have been considered for the activity or undertaking that are reasonably foreseeable and technically and economically appropriate, including the option of taking no action, and an outline of the reasons for choosing the proposed action;
 - a statement of the mitigation action proposed in respect of any adverse impacts identified.

2.2 OTHER MARINE TURTLE PROTECTION/MANAGEMENT MECHANISMS

(i) Local customary/traditional practices that protect/manage turtles

There is a traditional custom to conserve marine fisheries for the plentiful supply of fish for significant festive occasions. A high chief would demarcate a particular area of a river or stream or a marine fisheries area for no fish taking, including turtles, for a period of time before the occasion. This *tabu* would be observed by all members of the clan of the chief.

(ii) Regional arrangements

There is currently no specific regional MoU or agreement that deals specifically with the protection and conservation of marine turtles in the Pacific Islands region. However, Fiji is a member of SPREP that has a regional marine turtle action plan 2008-2012. Fiji is also a member of FFA that has an action plan for turtle by-catch mitigation.

(iii) International conventions/agreements

International species-specific conventions and agreements that involve protection or management of marine turtles to which Fiji is a party are:

- The Convention on the Conservation of Migratory Species of Wild Animals (also known as CMS or Bonn Convention), and
- The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

3. GAPS/CONFLICTS IN LEGISLATION

Fiji does not have a comprehensive legislation or a legislation with consolidated provisions for all aspects of the protection and management of marine turtles in its maritime zone. While existing legislations seem to adequately cover the protection and management of marine fisheries, in general, there are vast areas for improvement required for the specific references to the marine turtle. Furthermore, the imposition of policies for the various management strategies for turtle protection and conservation has been the alternative national mechanism whilst legislations are silent on those policy areas. The matrix of protection for turtles (Table 1) is in fact encompassing of all fisheries as stated in the legislations mentioned. The definition of fish in the Fisheries Act includes turtle and its eggs together with other aquatic animals. This generalises most provisions in the Fisheries Act when it refers to "fish" unless particular sections make references to a particular aquatic animal. The improvements are required for the following:

- *Protection for the breeding-size turtle population*, apart from nesting turtles: there is evidence that, for areas where harvesting is allowed, protecting the breeding-size turtle population is more beneficial than protecting immature turtles.
- *Prohibition of the use of certain fishing gear* to catch turtles: some countries have introduced prohibition of the use of certain gear (e.g. spear and nets) to catch turtles. This would result in likely lesser catches and a good means of managing any minimum/maximum size limit regulations in place.
- *Use of "turtle-friendly" fishing methods* such as circle hooks for long-line, TEDS for nets, de-hooking gear mandatory on long-line fishing vessels. It is now becoming a common practise through-out the world to use "turtle friendly" fishing equipment and gear and to have available on board equipment for the safe release of any hooked turtle.
- *Reporting indirect by-catches to relevant authorities*: There are minimal data available of any turtle by-catch, with captured information merely recording the types of animals caught. More detailed information necessary in order to understand the nature of the threat.

- *Export of turtles:* While Section 9 of the Endangered and Protected Species Act 2002 provides for a permit for the export of any marine wildlife or product of marine wildlife listed in Appendices I, II, or III of the Convention on International Trade in Endangered Species of Wild Animals and Plants (CITES) 1973, the Fisheries (Protection of Turtles)(Amendment) Regulations 2010 bans export up to 31st December, 2018. (This is a conflict of legislations whereby the EPS Act controls trade or export of turtles and its derivatives, and the Fisheries Regulations puts a total ban until 2018. It is a recommendation that the legislations to complement one another, unless it is mentioned that a legislation supersedes another).
- *Incorporation of relevant traditional knowledge, customary marine tenure and practises:* There has been the erosion of cultural and spiritual values which has contributed to the loss of traditional restrictions on whom, where and when turtles may be taken and are now largely being viewed as common property. Furthermore, there have been conflicts whereby traditional fishing rights owners presume they are paramount in the decision-making on the taking of marine resources like turtles in their fishing rights areas whereby the Fisheries Department is the legal authority.
- *Research methodologies:* While the Fisheries (Protection of Turtles)(Amendment) Regulations 2010 prohibits use of any turtle species for research, it would be necessary to include exceptions to accommodate the use of turtles stranded dead.
- *Euthanizing marine turtles:* No legislation exists to accommodate sick or injured stranded turtles that would better be euthanized.
- *Translocation of eggs:* There is currently no legislation that accommodates translocation of turtle eggs to more suitable areas to avoid turtle egg loss to tides, heat etc. This is particularly important with the increasing impacts of climate change/sea-level rise on areas used by turtles for nesting.
- *Sale/export of turtle eggs:* There is no particular mention of the prohibition of the sale/export of turtle eggs in the Fisheries (Protection of Turtles)(Amendment) Regulations 2010.
- *Tagged turtles:* The current legislations do not cover tagging activities currently undertaken by the Fisheries Department or organisations like WWF that coordinate tagging activities. There are national policies on tagging of turtles. SPREP is coordinating the regional turtle tagging programme and given the migratory nature of these animals, turtles tagged elsewhere and by other local projects agencies should be accommodated.
- *Nesting beaches considered in coastal development plans and EIAs:* The EIA regulations are very general on significant ecological sites to protect from new developments. The needs for protection of the various marine animals may vary. Specific references need to be made for the various marine and terrestrial resources that need to be protected, e.g. turtle nesting areas.
- *Marine sanctuary:* Cabinet had established a marine sanctuary in Fiji's EEZ for whales only. It appointed the Department of Fisheries to work together with other relevant Government Ministries, private sector and NGOs to develop a programme to action the initiative. Other marine animals may be allowed to be taken.
- *Enforcement:* Due to limited resources (manpower and funding) enforcement of legislation by Government agencies is very limited and difficult to conduct particularly in communities. Within traditional fisheries, fisheries wardens have been established under the Fisheries Act.

4. KEY RECOMMENDATIONS

The following are the major recommendations for consideration (especially in the current review of the Fisheries Act and the drafting of the new In-Shore Fisheries Management Decree:

- *Protection of the breeding-size turtle population* by incorporating in the Fisheries Act 1985 the maximum size limits to exclude catching of the large mature and breeding turtles.
- *Introduction of a means to manage minimum/maximum size limit:* regulations in the Fisheries Regulations 1992 incorporating a prohibition of the use of certain fishing gear to catch turtles, e.g. spear and net.
- *Requirement for a permit to export turtles, turtle meat or any part thereof for any purpose.* The Fisheries Act should recognise the provisions of the Endangered and Protected Species Act, and the articles of CITES which require permits for trade in endangered plants and animals including some marine animals like turtles.
- *Protection of turtle hatchlings and breeding-size turtles from been kept in captivity* by incorporating a minimum and maximum size limits in the Fisheries Act 1985. The minimum size limit applies to the size when the species enters foraging grounds from the "lost years" and the maximum size limit is the size at first sexual maturity.
- *Protection of turtle nesting areas on traditionally owned land:* It is impossible to legally render protection to turtle nesting areas as most are on traditionally owned land, unless agreed to by those landowners. However, this can

be done via community projects and with continuous monitoring and awareness. Furthermore, there is the need to strengthen the enforcement of the legal tenureship status of the resources landowners own and the resources the state owns in the foreshore areas. Areas of ownership should be clearly defined. The state owns all land below mean high water mark.

- *Provisions in the Fisheries Act 1985 incorporating the following exceptions concerning research methodologies and use of dead turtles for research purpose:*
 - Parts and samples from turtles legally harvested or dead stranded to be used for research purposes;
 - Hatchlings resulting from incubation under controlled conditions can be sacrificed for gonad histology etc under an approved project or research;
 - Hatchlings trapped in nests that would otherwise die may also be sacrificed for research into sex ratio etc.
- Provision in the Fisheries Act 1985 allowing *ethanizing of marine turtles* when determined by a veterinarian or other suitably qualified biologist that a sick or an injured stranded turtle should be euthanized and necropsied to determine the cause of the illness/disease or whatever is impact in the turtle internally.
- Provisions in the Fisheries Act for *translocation of eggs* to suitable areas by a suitably qualified biologist or trained personnel, upon approval, if the nest is on a high risk area, and the moving of eggs for incubation under controlled conditions requiring a permit/approval.
- *Nesting beaches considered in coastal development plans and EIAs:* The EIA regulations is too general on features to protect. It is important that particular mention is made on turtle nesting areas in the EIA regulations as features to take into consideration in a proposed development site.
- Provision in the Fisheries Act 1985 to cover any *tagging operation or tagged turtle*, whether tagged outside of Fiji and under any projects and by any other agencies whether under a regional or national programmer/project.
- *Marine sanctuary management plan and regulations:* The development of a sanctuary management plan for turtles also besides whales, including recommended regulations, need be provided for in the Fisheries Act 1985.
- Provision in the Fisheries (Protection of Turtles)(Amendment) Regulations 2010 to cover *the prohibition of sales/export of turtle eggs*.
- *Enforcement:* limited resources (manpower and funding) makes enforcement of legislation very limited and difficult. One way of improvement of enforcement is by empowering members of communities. Villages conduct enforcement through decisions of the village elders, and endorsement by the Fisheries Department. By-laws can make this process more formal and certain and makes it easier to gain support from external enforcement agencies.

CHECK-LIST OF RELEVANT LEGISLATION

Matrix of areas covered concerning marine turtle protection in current legislation of Fiji.

1. HARVEST / DIRECT TAKE	
• Minimum size limit	Fisheries Regulations, Part V, s.20(1) replaced by Fisheries (Protection of Turtles)(Amendment) Regulations 2010
• Maximum size limit	
• Egg taking prohibited	Fisheries (Protection of Turtles)(Amendment) Regulations 2010 (<i>replaces Fisheries Regulations, Part V, s.20(1)</i>)
• Taking of Nesting Turtle prohibited	Fisheries (Protection of Turtles)(Amendment) Regulations 2010 (<i>replaces Fisheries Regulations, Part V, s.20(1)</i>)
• Taking of turtles from within management area prohibited	Fisheries (Protection of Turtles)(Amendment) Regulations 2010 (<i>replaces Fisheries Regulations, Part V, s.20(1)</i>)
• Taking for traditional purposes only (permit required?)	Fisheries (Protection of Turtles)(Amendment) Regulations 2010
• Taking for research/educational purposes (permit required?)	P
• Taking of turtles prohibited	Fisheries (Protection of Turtles)(Amendment) Regulations 2010 (<i>replaces Fisheries Regulations, Part V, s.20(1)</i>)
• Quota/Limited number	P
• Taking of turtles during nesting (closed) season prohibited	Fisheries (Protection of Turtles)(Amendment) Regulations 2010 (<i>replaces Fisheries Regulations, Part V, s.20(1)</i>)
• Moratorium	Fisheries (Moratorium on Molesting, Taking or Killing of Turtles) Regulations, 1997 replaced by Fisheries (Protection of Turtles)(Amendment) Regulations 2010
• Taking prohibited in certain zones e.g. territorial seas, EEZs	Fisheries Act, s.4
2. FISHING GEAR (specifically for catching turtles where catching is allowed)	
• Spearing prohibited?	Fisheries Regulations, Part III, s.9
• Net prohibited?	Fisheries Regulations, Part IV, ss.12-14
• Other?	
3. TAGGED TURTLE	P
• Release when caught	
• Report to authorities when caught/seen	
4. INDIRECT TAKE (BY-CATCH)	P
• Release when accidentally caught and is alive	
• Reporting to relevant authorities	
• Use of turtle friendly gear (TEDs, circle hooks etc)	
• De-hooking gear mandatory on long-line fishing vessels	
5. KEEPING TURTLES IN CAPTIVITY	
• Not allowed at all	
• Not allowed except via permit (for research, educational, income generating, hobby, rehabilitation), with guidelines	Endangered & Protected Species Act, ss.17 & 22
• Minimum/maximum size of a turtle allowed to be kept	
6. TOURISM-RELATED ACTIVITIES	P
• In the wild-Permit required (nesting and foraging)	
• Guidelines for best practice available	
• Turtle kept in captivity requiring permit	Endangered & Protected Species Act, ss.17 & 22
• Guidelines available and enforced	
• Head-start requiring permit with conditions	

7. TRADE	
• Local sale of turtles prohibited	Fisheries (Protection of Turtles)(Amendment) Regulations 2010 (<i>replaces Fisheries Regulations, Part V, s.20(1)</i>) Endangered & Protected Species Act, ss.3, 9-12
• Local sales of turtle eggs prohibited	Fisheries (Protection of Turtles)(Amendment) Regulations 2010 (<i>replaces Fisheries Regulations, Part V, s.20(1)</i>) Endangered & Protected Species Act, ss.3, 9-12
• Export of turtles and eggs prohibited	Fisheries (Protection of Turtles)(Amendment) Regulations 2010 (<i>replaces Fisheries Regulations, Part V, s.20(1)</i>) Endangered & Protected Species Act, s.9
• Local sale of any products derived from turtles prohibited	Fisheries (Protection of Turtles)(Amendment) Regulations 2010 (<i>replaces Fisheries Regulations, Part V, s.20(1)</i>) Endangered & Protected Species Act, ss.3, 9-12
• Export of any products derived from turtles prohibited	Fisheries (Protection of Turtles)(Amendment) Regulations 2010 (<i>replaces Fisheries Regulations, Part V, s.20(1)</i>) Endangered & Protected Species Act, s.9
8. HABITAT PROTECTION	P
• Nesting beaches protected	
• Foraging grounds protected	
• Sanctuary for turtles	
• Nesting beaches considered in coastal development plans and EIAs	Environment Management (EIA Process) Regulations 2007: Regulations 14, 23, 25
9. RESEARCH METHODOLOGIES	P
• Only non-lethal collection of turtles for research allowed	
• Exceptions:	
o Parts and samples from turtles legally harvested or dead stranded can be used for research	
o Hatchlings resulting from incubation under controlled conditions can be sacrificed for gonad histology etc under an approved project or research	
o Hatchlings trapped in nests that would otherwise die may also be sacrificed for research into sex ratio etc	
10. EUTHENASING MARINE TURTLES	P
• Veterinarians or other suitably qualified biologists shall determine if a sick or an injured stranded turtle should be euthanased and necropsied to determine the cause of the illness/disease or whatever is impact in the turtle internally	
11. TRANSLOCATION OF TURTLE EGGS	P
• Turtle eggs can be translocated to suitable areas by suitably qualified biologist or trained personnel, upon approval, if the nest is on a high risk area	
• Moving of eggs for incubation under controlled conditions requires permit/approval	
12. COMMUNITY/CUSTOMARY	P
• Incorporates relevant traditional knowledge, customary marine tenure and practices	
• Effective at the community level, using local community members	
13. ENFORCEMENT	
• Enforcement provisions	Fisheries Act, ss.2, 7 Endangered & Protected Species Act, Part 7 ss.23-29
• Fine provisions	Fisheries Act, s.10(1)-(8) Endangered & Protected Species Act, Part 7 ss.23-29
14. AGREEMENT/CONVENTION AFFILIATIONS	
• Party to CITES	Fiji a Party
• Party to CMS	Fiji a Party
• Signatory to MoU for the conservation of marine turtles in the Pacific (hopefully in the next 5 years!!)	A Party hopefully in next 5 years

P – relevant legislated provisions will be drafted into new In-Shore Fisheries Management Decree