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(BEACH MANAGEMENT UNITS) REGULATIONS, 2024**

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Fisheries Management and Development Act

The Fisheries Management and Development (Beach Management Units) Regulations, 2024

Legal Notice 55 of 2024

Legislation as at 19 April 2024

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The Fisheries Management and Development (Beach Management Units) Regulations, 2024 (Legal Notice 55 of 2024)

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FISHERIES MANAGEMENT AND DEVELOPMENT ACT

THE FISHERIES MANAGEMENT AND DEVELOPMENT (BEACH MANAGEMENT UNITS) REGULATIONS, 2024

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Part I – PRELIMINARY

1. Citation

These Regulations may be cited as the Fisheries (Beach Management Units) Regulations, 2024.

2. Interpretation

In these Regulations, unless the context otherwise requires—

"**Act**" means Fisheries Management and Development Act ([Cap. 378](#));

"**assembly**" means a meeting of registered members of a beach management unit convened pursuant to the provisions of these Regulations;

"**authorized fisheries officer**" means a person of or above the rank of assistant fisheries officer appointed in the public service, having administrative jurisdiction over a beach management unit;

"**beach**" means the defined geographical area of jurisdiction of a beach management unit established under regulation [5](#);

"**beach management unit**" has the meaning assigned to it under the Act;

"**beach management unit network**" means an organization of beach management units at ward, sub-county, county, water body and national levels formed under regulation [53](#);

"**boat owners**" means the owners of registered fishing vessels;

"**by-laws**" means the internal administrative rules of a beach management unit or a beach management unit network approved by the assembly, committee members and authorized fisheries officer;

"**chairperson**" means the chairperson of the assembly or executive committee of a beach management unit or of the beach management unit network at the respective administrative level, elected in accordance with these Regulations;

"**co-management**" means a partnership arrangement that shares responsibilities between the government, beach management units and other stakeholders in the management of fisheries resources;

"**co-management plan**" means a plan for the co-management of a fishery or geographical area developed pursuant to regulation [13](#);

"**co-management area**" means an area in which a beach management unit undertakes fisheries management activities jointly with other stakeholders as provided under regulation [12](#);

"**constituent college**" means four bodies of electors of a beach management unit namely boat owners, crew members, fish traders and others;

"**county director of fisheries**" means the technical officer responsible for fisheries management in a county government;

"County Executive Committee Member" means county executive committee member responsible for matters relating to fisheries management in a respective county government;

"crew member" means a worker who is part of a team working on a fishing vessel, whether paid or unpaid, other than the master, or shore-based persons carrying out work aboard a fishing vessel and fisheries observers;

"Director-General" means the Director-General of Kenya Fisheries Service;

"executive committee" means the executive committee of beach management unit constituted in accordance with regulation [18](#);

"fish traders" means persons routinely involved in fish trading at a fish landing station;

"fisheries research institution" means research institution established under the Science, Technology and Innovation Act ([Cap. 511](#)) to undertake research on fisheries and other aquatic resources;

"member" means a member of a beach management unit and beach management unit network;

"joint co-management area" means a shared management area in which the Director-General, County Executive Committee Member and two or more beach management units collaborate to manage and undertake fisheries management activities;

"others" means net repairer, boat builder and repairer, engine repairer, menders, licensed fish transporters, cage farmers, mariculture farmers, artisanal beach-based fish processors, shell collectors and factory processing agents;

"presiding officer" means the County Director of Fisheries, Director-General or a fisheries officer nominated in writing to supervise or conduct beach management unit and beach management unit network elections; and

"sustainable fishing" means discriminate harvesting of fish devoid of juveniles and endangered, threatened and protected species or those without commercial value and also respects aquatic ecosystems and adapts to the fish stocks to maintain a balance and ensure the survival of all species.

Part II – ESTABLISHMENT OF BEACH MANAGEMENT UNITS

3. Establishment of a beach management unit

- (1) A County Executive Committee Member may establish a beach management unit for a designated fish landing station in accordance with regulation [7](#).
- (2) The beach management unit established under sub-regulation [\(1\)](#) shall be a non-political and non-religious body.

4. Objectives

The objectives of the beach management unit shall be to—

- (a) strengthen the management of fish landing stations, fishery resources and the aquatic environment;
- (b) support the sustainable development of the fisheries sector;
- (c) improve planning and resource management, good governance, democratic participation and self-reliance;
- (d) ensure production of safe and quality fish and fishery products;
- (e) build capacity of the members for the effective co-management of fisheries in collaboration with other stakeholders;

- (f) prevent, reduce or resolve conflicts in the fisheries sector; and
- (g) strengthen co-management through formation of beach management unit networks.

5. Functions of the unit

- (1) A beach management unit shall be responsible to its members and to the County Executive Committee Member for ensuring the orderly, safe and effective use, management and operation of the fish landing station over which it has jurisdiction.
- (2) Without prejudice to sub-regulation [\(1\)](#), the beach management unit shall—
 - (a) support collection, collation and submission of fishing and fisheries related data to the County Executive Committee Member and the Director-General;
 - (b) ensure that the fish landing station, together with any structures or buildings situated thereon, is kept in a clean, tidy and hygienic condition;
 - (c) ensure adequate security at the fish landing station and any fishing vessels, nets or other equipment or structures within its boundaries;
 - (d) ensure compliance with applicable hygiene standards in connection with the landing storage and safety of fish and fishery products;
 - (e) in conjunction with other relevant agencies, maintain safety and order at the fish landing station;
 - (f) maintain any building or structure on the fish landing station;
 - (g) promote the marketing of fish including the construction and supply of marketing facilities and organizing fish auctions;
 - (h) provide training to its members on climate resilient fishing practices and technologies, good and acceptable fishing techniques, marketing and processing of fish, financial management and other areas relevant to fisheries; and
 - (i) ensure the safety of its members by—
 - (i) monitoring the seaworthiness of fishing vessels;
 - (ii) taking measures to ensure the members comply with applicable safety regulations;
 - (iii) organising, in collaboration with other relevant stakeholders, rescue vessels or rescue services in case of accidents or incidents;
 - (iv) promoting compliance with national fisheries legislation relating to small-scale fishing activities in its area of jurisdiction; and
 - (v) promoting and improving the welfare and wellbeing of its members by supporting the activities of fisher cooperative societies and fishers' self-help groups within its jurisdiction.

6. Powers of the unit

In the performance of its functions under these Regulations, a beach management unit shall—

- (a) erect, with the written permission of the County Executive Committee Member, such structures or buildings as may be necessary for the discharge of its functions;
- (b) oversee and support the implementation of fisheries management plans for co-management areas or joint co-management areas, including reporting on management performance and results indicators;

- (c) gather, analyze, use, store and transmit information and data as may be specified in writing by the county director of fisheries or the Director-General, relating to the landing and sale of fish and fish products including—
 - (i) the quantities of fish and fish products landed;
 - (ii) the prices at which they are sold;
 - (iii) type and number of fishing crafts that landed fish and fish products;
 - (iv) issue by-laws which shall be binding upon its members; and
 - (v) any persons present at or using the beach.

7. Procedure for registration of a beach management unit

- (1) An application for registration of a beach management unit shall be made to the County Executive Committee Member through the county director of fisheries.
- (2) The application under sub-regulation (1), shall be made in Form BMU/F1 set out in the Schedule by a group of persons above the age of eighteen years who—
 - (i) meet the criteria set out under regulation 25;
 - (ii) intend to operate within the landing site; and
 - (iii) practice legal fishing and legal fisheries activities.
- (3) Upon receipt of an application under sub-regulation (1), the County Executive Committee Member shall, in consultation with other relevant agencies, cause the relevant land area of a fish landing station to be surveyed and the boundaries of the proposed fish landing station to be clearly delineated and marked.
- (4) Upon conclusion of the survey, delineation and marking under sub-regulation (3), the county director of fisheries shall cause to be placed in prominent places on and around the beach, notices inviting person to register their interest in becoming members of the beach management unit within a period of thirty days.
- (5) Following the expiry of the thirty days under sub-regulation (4), the county director of fisheries shall cause to be displayed at the beach, a list of persons seeking to be members of the beach management unit and shall invite comments on the list.
- (6) Upon receipt of the comments under sub-regulation (5), the county director of fisheries shall—
 - (a) finalize the list of members of the proposed beach management unit; and
 - (b) organize a meeting of the members from all membership categories to elect a minimum of five and a maximum of ten interim representatives.
- (7) The county director of fisheries shall work with the interim representatives to determine and develop the by-laws of the beach management unit.
- (8) Following the preparation of an agreed draft of the by-laws, the county director of fisheries shall cause a meeting to be held at which the potential members of the proposed beach management unit shall consider and approve the draft by-laws developed under sub-regulation (7).
- (9) Upon conclusion of the meeting under sub-regulation (8), the following documents shall be submitted to the county director of fisheries—
 - (a) minutes of the potential members' meeting;
 - (b) the approved draft by-laws; and
 - (c) the application made under regulation 7(2).

- (10) The county director of fisheries shall assess the documents submitted under sub-regulation (9), and may—
 - (a) approve the application, if satisfied that the application and supporting documents are in order; or
 - (b) reject the application and furnish the interim representatives with reasons for the rejection in writing.
- (11) On approval of an application under this regulation, the county executive committee member shall, establish the beach management unit and issue a certificate of registration in the Form BMU/F2 set out in the Schedule.

8. Area of jurisdiction

- (1) A beach management unit shall have jurisdiction over the area—
 - (a) for which it is established in accordance with regulation 3; and
 - (b) which corresponds with the respective administrative level where it is constituted.
- (2) For the purpose of ensuring safety of fish and fish products, a specific area of the fish landing station shall be delineated, marked and assigned for the exclusive purposes of landing and selling fish and fish products:

Provided that the provision of services for the purposes of tourism or recreation shall be assigned a separate area of the beach away from the specified area.
- (3) A beach management unit shall exercise its jurisdiction over a beach in a fair, equitable and non-discriminatory manner.
- (4) A beach management unit shall display in a prominent location on the beach—
 - (a) a notice stating that the beach is managed by the beach management unit, which shall be identified by name; and
 - (b) a copy of its by-laws.

9. By-laws

- (1) A beach management unit shall issue by-laws which shall be binding upon its members and any persons present at or using the beach.
- (2) The by-laws issued under sub-regulation (1) shall provide for the following—
 - (a) a description of the beach including a plan and a geo-reference description of any area identified for the exclusive purpose of landing or selling fish and fish products;
 - (b) the specific activities that may be undertaken at its beach by its members or by members of other beach management units in accordance with any applicable co-management plan;
 - (c) the specific activities at the fish landing station over which it has jurisdiction and that may only be done by its members;
 - (d) categories of its membership;
 - (e) movement of members from one beach management unit to another;
 - (f) nomination of members to the administrative structures of the beach management unit; and
 - (g) any other relevant information.

10. Amendments of by-laws

- (1) A beach management unit may amend its by-laws in the manner specified in these Regulations and in its by-laws.
- (2) Where a beach management unit seeks to amend its by-laws, it shall, within fourteen days of the date of adoption of the amendments, submit a copy of the proposed amendments to the county director of fisheries for approval.
- (3) Within twenty-one days of receipt of the proposed amendments under sub-regulation (2), the county director of fisheries shall, in writing, notify the beach management unit of his decision and specify the reasons thereof.
- (4) When making a determination under sub-regulation (3), the county director of fisheries shall consider—
 - (a) whether the proposed amendment complies with the Act, these Regulations and any other relevant legislation;
 - (b) whether the proposed amendment is in accordance with the objectives of the beach management unit; and
 - (c) any other relevant consideration.
- (5) Where the county director of fisheries does not respond within the timeline specified under sub-regulation (3), the by-laws shall be deemed to have been approved.
- (6) A beach management unit dissatisfied with the decision of the county director of fisheries under this regulation may appeal, in writing, to the County Executive Committee Member whose decision shall be final.

11. Register of beach management units

- (1) The county director shall establish and maintain an electronic and manual register of beach management units registered within the county which shall contain the following details—
 - (a) the name;
 - (b) the location of the head office;
 - (c) the number of members;
 - (d) the names, addresses and telephone numbers of the chairperson and the members of the executive committee; and
 - (e) the date of filing of the most recent annual return, together with a copy of the return.
- (2) An electronic and manual register under sub-regulation (1) shall be maintained for public examination.

12. Co-management areas

- (1) The County Executive Committee Member shall, following a consultative process pursuant to section 37 of the Act, designate an area as a co-management area where fisheries or fishing is done by the members of more than one beach management unit.
- (2) The Director-General shall, following a consultative process, designate a joint co-management area where fisheries or fishing is done by the members of more than one county.
- (3) Where a joint co-management area is declared under sub-regulation (2), the Director-General shall, in consultation with the County Executive Committee member, designate areas in which participating beach management units shall have specific responsibilities on undertaking of patrols.

- (4) A beach management unit shall constitute a patrol sub-committee in collaboration with the county director of fisheries or authorized fisheries officer, to undertake regular patrols within the co-management area, or within the designated patrol area in the case of a joint co-management area, to ensure compliance with the Act, and applicable.

13. Co-management plan

- (1) The County Executive Committee Member shall, upon designation of a co-management area and in consultation with the Director-General and relevant beach management units, develop a co-management plan for the respective co-management area.
- (2) The co-management plan developed under sub-regulation (1) shall specify—
 - (a) the fisheries management measures that are to be undertaken to ensure the sustainable utilization of fisheries in that area;
 - (b) the designation of closed areas in which all fishing activities or specified fishing activities are prohibited;
 - (c) the designation of fish breeding and nursery areas in which all fishing activities are prohibited;
 - (d) the designation of closed seasons either throughout the co-management area or in respect to specified areas;
 - (e) the marking of fishing vessels;
 - (f) demarcation and marking of the boundaries of fish breeding and nursery grounds; and
 - (g) restrictions on the number of fishing vessel licenses or fishing licenses that may be issued.
- (3) A co-management plan shall—
 - (a) give effect to applicable national and regional policies and plans;
 - (b) comply with the Constitution and the Act; and
 - (c) specify the roles and responsibilities of the beach management unit, the county director of fisheries, the Director-General, fisheries research institutions and relevant stakeholder in its implementation and enforcement.
- (4) The County Executive Committee Member shall transmit the co-management plan to the Director-General for concurrence and approval within fourteen days.
- (5) The county director of fisheries and the executive committee of the concerned beach management unit shall supervise the implementation of the co-management plan and shall periodically evaluate and review it.
- (6) Where the county director of fisheries is of the opinion that the relevant beach management unit has failed to take steps to give effect to the co-management plan, the county director of fisheries may serve a notice to show cause why that beach management unit should not be suspended.
- (7) The county director of fisheries may suspend the beach management unit committee members or dissolve the beach management unit where—
 - (a) the beach management unit fails to show cause within fourteen days of the date of receiving the notice; or
 - (b) where the county director of fisheries is not satisfied by the response of the beach management unit.
- (8) The county director of fisheries shall notify the beach management unit of the decision, in writing, and forward to the county executive committee member in case of one county and to the Director-

General in case of joint co-management plan, who shall within fourteen days approve or vary the decision.

- (9) A beach management unit or beach management network that is aggrieved by the decision made under sub-regulation (8) may, within fourteen days of the date of notification, appeal to
 - (a) the county executive committee member in the case of beach management unit, ward, sub-county and county level networks; or
 - (b) the Director-General in the case of water body and national level network, whose decision shall be final.
- (10) The executive committee of a beach management unit who fails to implement fisheries management measures in their co management plan shall stand suspended.

14. Environmental protection

- (1) A beach management unit shall apply applicable laws to protect the aquatic environment within its co-management area and shall co-operate with the responsible authorities to that effect.
- (2) A beach management unit shall include in its by-laws provisions concerning the protection of the aquatic environment in its co-management area.

Part III – ADMINISTRATION

15. Administrative structure

The administrative structure of a beach management unit shall consist of—

- (a) the assembly;
- (b) the executive committee; and
- (c) such other sub-committees as may be specified in these Regulations and the by-laws of the beach management unit.

16. The assembly

The assembly of a beach management unit shall consist of all the registered members.

17. Responsibility of the assembly

- (1) The assembly of the Beach Management Unit shall be responsible for the following—
 - (a) approval of the co-management plan;
 - (b) approval of the proposed budgets and work-plan;
 - (c) adoption of the annual report and accounts;
 - (d) approval of fees or charges payable by the members;
 - (e) adoption of by-laws and amendment of existing by-laws;
 - (f) election of the members of sub-committees;
 - (g) where necessary, removal from office, of the members of the executive committee;
 - (h) ensuring sustainable fishing in their area of jurisdiction; and
 - (i) undertaking such other tasks as may be specified in these Regulations or the by-laws.

- (2) The assembly of a beach management unit shall not seek, either directly or indirectly, to interfere in, re-order or otherwise modify economic relationships between members who are in different membership categories.

18. Executive committee

- (1) The executive committee shall consist of not more than fifteen members elected by the members of the beach management unit as follows—
 - (a) the chairperson;
 - (b) the vice chairperson;
 - (c) the secretary;
 - (d) the deputy secretary;
 - (e) the treasurer; and
 - (f) the committee members.
- (2) The composition of an executive committee shall be specified in the by-laws of each beach management unit which shall be representative of the following categories—
 - (a) thirty percent representing boat owners;
 - (b) thirty percent representing crew members;
 - (c) thirty percent representing traders; and
 - (d) ten percent representing others.
- (3) In the election and constitution of the executive committee, the members of the beach management unit shall ensure that its composition—
 - (a) reflects the interests of all categories of members;
 - (b) accords equal opportunities to the youth, persons with disabilities and other vulnerable and marginalized communities; and
 - (c) meets the gender requirement such that not more than two- thirds of the members shall be of the same gender.

19. Responsibilities of an executive committee

The responsibility of the executive committee shall be—

- (a) to supervise the general management of the activities of a beach management unit and the implementation of its by-laws;
- (b) to approve the minutes of the executive committee meetings;
- (c) to supervise and review the implementation of the co- management plans;
- (d) to represent the beach management unit to strengthen relationships with other beach management units;
- (e) to convene and prepare meetings of the assembly, including the preparation of the agenda;
- (f) to review applications for admission, resignation and expulsion of members and make recommendations to the assembly;
- (g) to vet applicants for fishing licence and fishing vessel licence and submit the list to the respective County directors who shall forward the list to the Director-General through the County Executive Committee Member;

- (h) to submit the draft of co-management plans and any rules to the assembly for approval;
- (i) to prepare and submit the proposed budget to the assembly for approval;
- (j) to conclude contracts in accordance with the approved budget and plans;
- (k) to employ and, where necessary, dismiss staff of the beach management unit;
- (l) to maintain accounts and registers as specified in these Regulations;
- (m) to exchange information with other beach management units and other relevant agencies in order to promote the fair and transparent pricing of fish and fish products;
- (n) formulate funding proposals, make financial reports and present them to the assembly for approval;
- (o) inspect and record visiting fishing vessels and give permission to land where appropriate;
- (p) supervise the financial management of the beach management unit;
- (q) to ensure that fishing boats within their areas of jurisdiction have certificates of seaworthiness and are equipped with life-saving equipment;
- (r) nominate representatives to the beach management unit network;
- (s) facilitate capacity building of members; and
- (t) undertake such other tasks as may be specified in these Regulations or the by-laws.

20. Sub-committee

- (1) Every beach management unit shall constitute at least the following sub-committees#
 - (a) a patrol sub-committee;
 - (b) environment, hygiene and sanitation sub-committee;
 - (c) finance sub-committee;
 - (d) resolution sub-committee; and
 - (e) such other sub-committees as may be prescribed in the by-laws.
- (2) Ordinary members of the executive committee shall be nominated by the executive committee to head the sub-committees so constituted.
- (3) The assembly shall elect five members to serve in the sub-committees.
- (4) The chairperson of the executive committee shall be an *ex-officio* member of all the sub-committees.

21. Employee of beach management units

- (1) A beach management unit may employ such number of staff as are necessary for the proper performance of its functions in accordance with its approved budget.
- (2) An employee of a beach management unit shall not be entitled to contest for an elective office in that beach management unit.

22. Responsibilities of the Chairperson

- (1) The responsibility of the chairperson of a beach management unit shall be—
 - (a) to chair meetings of the assembly and the executive committee;
 - (b) to act as the official spokesperson of the beach management unit with third parties;

- (c) to be a signatory on the beach management unit's fiduciary account;
 - (d) to ensure timely submission of data, information and financial reports by the committee to the assembly and the county director of fisheries;
 - (e) for purposes of implementing the Act and any regulations made thereunder, the chairperson shall have powers to arrest any person whom he has reason to believe has committed an offence under the Act or these Regulations;
 - (f) to hand over to the authorized fisheries officer and other disciplined officers as soon as is reasonably practicable, any person arrested or items seized under the provisions of this regulation; and
 - (g) to undertake such other tasks as may be specified in these Regulations or the by-laws.
- (2) Without prejudice to any provision in these Regulations, the chairperson's powers shall be limited to his areas of jurisdiction as guided by the County Executive Committee Member.

23. Responsibilities of the secretary

The responsibility of the secretary to the executive committee shall be to—

- (a) convene meetings of the executive committee in consultation with the chairperson;
- (b) take minutes of the assembly and at meetings of the executive committee;
- (c) maintain the correspondence of the beach management unit;
- (d) compile monthly, quarterly and annual performance reports for submission and presentation to the executive committee;
- (e) maintain and update all records of the beach management unit members, equipment, statistics and other records;
- (f) collect and submit all data and information as may be required by the county director of fisheries and other relevant institutions; and
- (g) undertake such other duties as may be assigned from time to time.

24. Duties of the treasurer

The responsibility of the treasurer of the executive committee shall be to—

- (a) prepare and make payments authorized by the executive committee;
- (b) maintain the records of financial transactions conducted by the beach management unit;
- (c) be a mandatory signatory on the beach management unit's fiduciary accounts;
- (d) receive and deposit funds to the beach management unit's fiduciary accounts;
- (e) keep records of assets and liabilities of the beach management unit;
- (f) prepare monthly, quarterly and annual financial reports;
- (g) submit and present financial reports to the executive committee and the assembly for scrutiny and approval; and
- (h) perform any other duty as may be assigned from time to time.

Part IV – MEMBERSHIP OF A BEACH MANAGEMENT UNIT

25. Membership

- (1) The membership of a beach management unit shall be open to a person who—
 - (a) directly or indirectly depends, for their income or livelihoods, on fisheries activities done at the beach within the jurisdiction of a beach management unit;
 - (b) would be directly adversely affected by the temporary or permanent closure of fisheries activities in that beach;
 - (c) falls within one of the membership categories specified in regulation [26](#); and
 - (d) is above the age of eighteen years.
- (2) A person shall not be a member of more than one beach management unit.
- (3) A body corporate that meets the requirements of sub-regulation [\(1\)\(a\)\(b\)](#) and [\(c\)](#) and acting through a representative may be a member of a beach management unit by application in writing to the beach management unit.
- (4) Where there are co-owners of a jointly owned fishing vessel, the co-owners shall determine who among them shall be a member of the beach management unit to represent their interests and shall jointly notify the executive committee.

26. Categories of members

- (1) A beach management unit shall have the following categories of members—
 - (a) boat owners;
 - (b) crew members;
 - (c) fish traders;
 - (d) foot fishers; and
 - (e) others as may be specified under the by-laws.
- (2) Where a person's membership in a beach management unit is dependent on that person holding a licence—
 - (a) a suspension of that licence shall have an effect of suspending the person's right to membership in the beach management unit for an equivalent period; or
 - (b) a revocation of that licence shall have the effect of revoking the person's right to membership in the beach management unit.

27. Joining procedure

- (1) A person seeking to be a member of a beach management unit shall apply in writing to the executive committee for vetting.
- (2) An applicant shall be vetted on—
 - (a) previous expulsion from a beach management unit;
 - (b) availability of space based on the maximum limit specified by relevant co-management plans on the number of licenses to be issued at that beach;
 - (c) criminal record; and

- (d) state of the mind.
- (3) Upon vetting by the executive committee under sub-regulation (1), the application shall be determined in a meeting of the assembly of the beach management unit.
- (4) Where the application is accepted by the assembly under sub-regulation (3), the executive committee shall transmit the application together with the minutes of the meeting to the county director of fisheries for approval.
- (5) Within fourteen days of receipt of the application under sub-regulation (4), the county director of fisheries shall consider the application and—
 - (a) approve the membership of the applicant through the inclusion of his name in the register of members and the allocation of a membership number; or
 - (b) reject the application and inform the beach management unit indicating the reasons for the decision.
- (6) A person aggrieved by the decision of the county director of fisheries under sub-regulation (5) may appeal to the county executive committee, whose decision shall be final.
- (7) The county director of fisheries shall not issue a licence to a person that relates to a particular beach unless that person is a member of the relevant beach management unit.

28. Resignation and expulsion of a member

- (1) A member of a beach management unit may, by notice in writing to the executive committee, resign from his membership at any time.
- (2) The resignation of a member in sub-regulation (1) shall not affect the liability of that person to pay any outstanding fees or charges to the beach management unit.
- (3) A person may be expelled from membership of a beach management unit by a decision of the assembly, on the proposal of the executive committee, if the person—
 - (a) is convicted in a court of law on a fisheries related offence;
 - (b) is convicted in a court of law on any other criminal offence and sentenced to imprisonment for a period exceeding six months; or
 - (c) is persistently engaged in behavior contrary to the objectives of the beach management unit or its by-laws and has ignored three written cautions issued by the executive committee.
- (4) The expulsion of a member shall be approved by a simple majority vote of the assembly in a duly convened meeting.
- (5) Upon expulsion of a person from a beach management unit, the county director of fisheries, authorized fisheries officer or the Director-General as the case may be, shall cancel any licence, registration or permit held by the person relating to the beach to which the beach management operates.
- (6) A person who has been expelled from a beach management unit shall not be readmitted to the membership of any beach management unit for a period of two years from the date of the expulsion.
- (7) A person who is aggrieved by a decision to be expelled from membership of a beach management unit under this regulation may, within fourteen days from the date of the expulsion and by notice in writing, appeal to the County Executive Committee Member whose decision shall be final.
- (8) Where a beach management unit is considering the suspension or expulsion of a member under this regulation, the member shall be accorded a fair hearing before the beach management unit makes a determination.

29. Rights and obligations of members

- (1) A member of a beach management unit may—
 - (a) participate in the decision-making processes of the beach management unit;
 - (b) vote in elections of the beach management unit;
 - (c) contest for a position in any of the administrative structures, where the member is not in arrears concerning fees or charges due to the beach management unit;
 - (d) benefit from any services provided by the beach management unit to its members, subject to any applicable conditions; and
 - (e) inspect the books and records maintained by the beach management unit.
- (2) A member of a beach management unit shall—
 - (a) comply with the by-laws;
 - (b) comply with the provisions of the Act and regulations;
 - (c) ensure that licences issued under the Act are valid;
 - (d) comply with instructions of the county director of fisheries or an official of the beach management unit to promptly pay fees or charges due to the beach management unit; and
 - (e) not damage property owned or used by the beach management unit;
 - (f) provide information to the beach management unit regarding the landing or sale of fish and fish products as required under section 39(8) of the Act.

Part V – ELECTIONS

30. General

The elections in a beach management unit shall be conducted in two rounds as follows—

- (a) election of representatives of the constituent colleges; and
- (b) election of the beach management unit executive office bearers.

31. Qualifications as a member of the executive committee

- (1) A member of a beach management unit who wishes to contest and referred to in regulation [30\(b\)](#), shall apply for nomination as a candidate to the presiding officer in the Form BMU/F3 set out in the Schedule.
- (2) A member of a beach management unit qualifies to be nominated under sub-regulation [\(1\)](#), if the member—
 - (a) is a citizen of Kenya and holds a national identity card, valid passport or driving licence;
 - (b) has been a member of the beach management unit for more than one year with the exception of candidates for the first elections, upon establishment of the beach management unit;
 - (c) is of sound mind;
 - (d) possesses a certificate of good conduct;
 - (e) has not contravened the laws relating to fisheries conservation and management;
 - (f) has not contravened the by-laws or rules of the beach management unit;

- (g) does not have any arrears of fees or charges to the beach management unit;
- (h) has been proposed and seconded by at least ten other members of the beach management unit who shall be in the same membership category;
- (i) is literate, except for the secretary and treasurer who shall be a holder of at least a secondary school education certificate; and
- (j) holds at least a secondary school education certificate or its equivalent if vying for the post of chairperson, but where no applicant qualifies, shall be a holder of a minimum of a primary school completion certificate.

32. Voting, announcing of results

- (1) The presiding officer shall announce the start of the campaign period at least seven days before the date of the election.
- (2) The voting at an election of the executive committee shall be by secret ballot.
- (3) Upon counting votes and announcing the election results, the presiding officer shall submit the election results to the county director of fisheries in the Form BMU/F4 set out in the Schedule.
- (4) The county director of fisheries shall issue an authority card after the election of officials.

33. Members not entitled to vote.

- (1) A new member who has joined the beach management unit during the year of elections shall not be eligible to vote in that year.
- (2) A member who has not renewed their membership for more than three consecutive years and does it in the year of elections shall be considered as a new member and shall not be eligible to vote in that year.

34. Term of office.

The members of the executive committee shall hold office for a term of four years and are eligible for re-appointment for a further term of three years.

Part VI – CONDUCT OF BUSINESS AND AFFAIRS

35. Meetings of the assembly

- (1) The assembly shall meet at least three times in a year.
- (2) A meeting of the assembly shall be convened by executive committee at the written request of at least one tenth of the members of the beach management unit.
- (3) The assembly shall be chaired by the chairperson of the executive committee or in his absence by the vice chairperson of the executive committee.
- (4) The county director of fisheries or any person delegated by county director of fisheries may attend a meeting of the assembly.
- (5) Unless two-thirds of the total members of the beach management unit otherwise agree, at least thirty days' written notice of every meeting of the assembly shall be given to members of the beach management unit.
- (6) The notice of a meeting under sub-regulation (5) shall—
 - (a) indicate the date, time and place of the assembly and the proposed agenda of the assembly;

- (b) be prominently displayed at—
 - (i) the beach;
 - (ii) the offices of the beach management unit; and
 - (iii) any other relevant public place within the jurisdiction of the beach management unit that shall notify the members of the meeting.

36. Quorum

The quorum for a meeting of an assembly shall be half of the total number of members of the assembly.

37. Decisions of the assembly

- (1) The decision making of an assembly shall be by simple majority vote.
- (2) The voting of the assembly shall be by show of hands or by secret ballot.

38. Meetings of the executive committee

- (1) The executive committee shall meet at least once a month.
- (2) The quorum for a meeting of the executive committee shall be two thirds of the members.
- (3) The chairperson may, through written request of at least one third of its members, convene a special meeting of the executive committee at any time for the discharge of the business of the executive committee.
- (4) The county director of fisheries or a person nominated by the county director of fisheries in writing, may attend the meeting of the executive committee.

39. Decisions of executive committee

- (1) The decisions of the executive committee shall be made by consensus.
- (2) Where decision making by consensus under sub-regulation (1) fails, the decision shall be by simple majority vote and each member shall hold one vote.

Part VII – SUPPORT AND CONTROL OF BEACH MANAGEMENT UNITS

40. Support by county director of fisheries

- (1) The county director of fisheries shall provide support to beach management units by supporting the operation of beach management units.
- (2) Without prejudice to the generality of sub-regulation (1), the county director of fisheries shall—
 - (a) facilitate the provision of technical and other assistance;
 - (b) provide general guidance and support;
 - (c) routinely attend the meetings of the executive committee;
 - (d) where necessary, routinely collect information on the discharge of the tasks by the beach management unit; and
 - (e) undertake such other tasks necessary for the proper support of a beach management unit.

41. Supervision by the county director of fisheries.

- (1) The county director of fisheries shall supervise beach management units by supervising their technical, legal and financial performance.
- (2) Without prejudice to the generality of sub-regulation (1), the county director of fisheries—
 - (a) shall be the presiding officer in a beach management unit's elections;
 - (b) shall cause the annual accounts of a beach management unit to be subjected to an annual audit by a qualified person;
 - (c) shall collect information and documentation on the implementation of co-management plans;
 - (d) may inspect the books of accounts and records maintained by a beach management unit; and
 - (e) may inquire into the conduct of the affairs of a beach management unit.

42. Inquiry into books of accounts and records.

- (1) The county director of fisheries may make inquiry into the conduct of the affairs of a beach management unit and inspect its books and records—
 - (a) on the credible evidence of three members of that beach management unit who allege misconduct;
 - (b) where having reviewed a copy of the annual returns and accounts of that beach management unit, there is evidence of financial malpractice or other irregularities; and
 - (c) where beach management unit has not been operating in accordance with the provisions of these Regulations.
- (2) Where, on inspection under sub-regulation (1), the county director of fisheries determines that there is financial malpractice, misconduct or contravention of these Regulations, the county director of fisheries may require the executive committee to convene the assembly to review the findings of the inquiry.
- (3) Where the assembly is not convened under sub-regulation (2), the county director of fisheries may suspend the executive committee and notify the County Executive Committee Member of the suspension.
- (4) Where the executive committee is suspended under sub-regulation (3), the county director of fisheries may appoint an interim committee for the beach management unit until fresh elections are held.
- (5) A person aggrieved by a decision of the county director of fisheries under this regulation may, within fourteen days of the decision and in writing, appeal to County Executive Committee Member whose decision shall be final.
- (6) The county director of fisheries shall call for fresh elections within ninety days of—
 - (a) the suspension of a member, where there is no appeal under sub-regulation (3); or
 - (b) the decision by the County Executive Committee Member under sub-regulation (5), where there is an appeal.

43. Dismissal by the assembly

- (1) A petition for the dismissal of a member of the executive committee or any sub-committee shall be made to the assembly—
 - (a) in the form of a written request signed by one-third of the members of the beach management unit; and
 - (b) specify the grounds for the request for dismissal as provided under subregulation (2).
- (2) A member of the executive committee or any sub-committee may be dismissed from office where the member—
 - (a) is of unsound mind;
 - (b) has failed, without reasonable cause, to attend three consecutive meetings of the executive committee or any sub-committee;
 - (c) has engaged in or condoned illegal fishing activities;
 - (d) has failed to perform the duties required of the office as specified in these Regulations or the by-laws;
 - (e) is convicted of a criminal offence; or
 - (f) is declared bankrupt.
- (3) The decision of the assembly under this regulation shall be by simple majority vote, through secret ballot, and shall be confirmed by the county director of fisheries in writing.
- (4) A member who is dissatisfied with the decision of the assembly under this regulation may, within fourteen days of receipt of the decision, appeal in writing to the County Executive Committee Member stating the grounds for the appeal.
- (5) Within fourteen days of receipt of the appeal under sub-regulation (3), the County Executive Committee Member shall make a determination and promptly inform the beach management unit and the county director of fisheries of the determination.
- (6) The decision of the County Executive Committee Member under sub-regulation (4) shall be final.
- (7) Where a member is dismissed under this regulation, the executive committee shall appoint an interim committee member to take over until elections are conducted within ninety days of the dismissal.
- (8) Where more than two-thirds of members of the executive committee are dismissed under this regulation, the executive committee shall stand dissolved.
- (9) Upon dissolution of an executive committee under sub-regulation (7), the county director of fisheries shall appoint an interim committee and call for fresh elections within ninety days of the dissolution.

44. Suspension by the county director of fisheries

- (1) The county director of fisheries may suspend an executive committee or any of its members or any sub-committee where he determines that the executive committee, its members or sub-committee is engaged in or condoning prohibited fishing practices.
- (2) Where the county director of fisheries suspends an executive committee, its members or any sub-committee under sub-regulation (1), the county director of fisheries shall—
 - (a) in writing, notify the executive committee, member or sub-committee of the suspension;

- (b) in writing, notify the County Executive Committee Member detailing reasons for the suspension;
 - (c) appoint an interim committee or an interim committee member or sub-committee pending election or selection, as the case may be, of the suspended executive committee, member or sub-committee.
- (3) Any person aggrieved by the suspension under this regulation may, within fourteen days of receipt of the notification of the suspension, appeal to the County Executive Committee Member whose decision shall be final.
- (4) Upon receipt of an appeal under sub-regulation (3), the County Executive Committee Member shall make a determination and may confirm, vary or reverse the decision of county director of fisheries.
- (5) The county director of fisheries shall call for fresh elections within ninety days of—
 - (a) the suspension of a member, where there is no appeal under sub-regulation (3); or
 - (b) the decision by the County Executive Committee Member under sub-regulation (4), where there is an appeal.
- (6) The executive committee, sub-committee or individual committee member dismissed under this regulation shall return the authority card issued under these Regulations to the issuing officer.

45. Dissolution of beach management units.

- (1) The County Executive Committee Member may dissolve a beach management unit on one or more of the following grounds—
 - (a) the tasks of the beach management unit no longer exist;
 - (b) the beach management unit is not able to practically fulfill its functions;
 - (c) the beach management unit is insolvent;
 - (d) the members of the beach management unit have repeatedly engaged in criminal activity; or
 - (e) the continued existence of the beach management unit is no longer required.
- (2) Upon dissolution under sub-regulation (1), a beach management unit shall be wound up in accordance with the applicable rules.

Part VIII – FINANCIAL PROVISIONS

46. Financial management

A beach management unit shall ensure proper management of its finances and assets by—

- (a) establishing a reserve fund to cover the costs of unforeseen events; and
- (b) under the guidance of the county executive committee member, establishing an appropriate financial management system to support its financial operations including withdrawal of beach management unit's funds.

47. Finances.

The finances of a beach management unit shall consist of—

- (a) revenue and fees collected for services rendered by the beach management unit;
- (b) any grants or donations given to the beach management unit; and

- (c) such monies that may accrue to a beach management unit in the discharge of its functions.

48. Fees and charges

- (1) Pursuant to section [37\(2\)\(c\)](#) of the Act, a beach management unit may, with the prior written approval of the county director of fisheries and the assembly, levy fees and charges in respect of the operation and management of the beach and its participation in co-management activities.
- (2) The fees and charges under sub-regulation [\(1\)](#) shall come into effect upon approval of the by-laws by the County Executive Committee Member.
- (3) The fees charged may include—
 - (a) membership fee payable by all members;
 - (b) an annual registration fee for fishing vessels;
 - (c) a registration fee for new members;
 - (d) landing fees payable by fishing vessels that land fish or fishery products at the fish landing station;
 - (e) charges for the use of facilities and services provided by the beach management unit;
 - (f) a rental fee in respect of buildings and constructions owned by beach management units on the fish landing station; and
 - (g) a marketing fee payable by persons involved in the trading of fish.

49. Registers

Every beach management unit shall maintain—

- (a) an electronic and manual register of its members containing the name, address and membership category of each member which shall be reviewed and updated every three months; and
- (b) an electronic and manual register of vessels owned by members of the beach management unit.

50. Records

A beach management unit shall maintain records of the following—

- (a) fees and charges owed and paid;
- (b) the minutes of the assembly;
- (c) the minutes of the meetings of the executive committee;
- (d) transactions and contracts;
- (e) assets owned or used by the beach management unit;
- (f) disposal of obsolete assets; and
- (g) financial accounts and quarterly financial reports.

51. Bank accounts

- (1) A beach management unit shall open such bank accounts for its finances as may be necessary for the proper management of the finances of the beach management unit.
- (2) The signatories of a fiduciary account opened under sub-regulation [\(1\)](#) shall be the chairperson, the treasurer and such other persons designated, in writing, by the executive committee.

52. Accounts and audit

- (1) A beach management unit shall maintain full accounts of receipts and expenditures and shall prepare an annual balance sheet and income and expenditure statement in the form specified by the county director of fisheries.
- (2) The accounts of a beach management unit shall be audited annually by accountants and auditors of the respective county government.
- (3) The assembly, on the proposal of the executive committee, shall adopt the annual balance sheet and income and expenditure statement annually.
- (4) Within one hundred and twenty days at the end of its financial year, the executive committee shall file, in the specified format, audited annual returns and a copy of its annual balance sheet and income and expenditure statement with the county director of fisheries.

Part IX – BEACH MANAGEMENT UNIT NETWORKS

53. Establishment of beach management unit networks

- (1) A beach management unit network may be established at the ward level, sub-county level, county level, water body level and national level.
- (2) A beach management unit network at —
 - (a) the ward level, sub-county level and county level shall be established by the County Executive Committee Member; and
 - (b) water body level and national level shall be established by the Director-General, in consultation with the respective County Executive Committee Member.
- (3) An application for establishment of a beach management unit network at any level shall be made—
 - (a) to the respective authority as provided under sub-regulation (2); and
 - (b) in the manner specified under sub-regulation 5.
- (4) The election of the chairperson, secretary or treasurer of any beach management unit network committee established in accordance with these Regulations shall be presided over by the respective authorized fisheries officers at each administrative level.
- (5) Where the County Executive Committee Member or the Director-General, as the case may be, is satisfied with the documentation submitted for establishment of a beach management network at any level, the County Executive Committee Member or the Director-General, as the case may be, shall approve the establishment of the respective beach management unit network and issue a certificate of registration in Form BMU/F5 set out in the Schedule.

54. Mandate of beach management unit network

- (1) A beach management unit network shall be responsible to the County Executive Committee Member, in case of a ward, sub-county and county level networks, and to the Director-General, in case of a water body network or national level network, for ensuring the orderly, safe and effective use and management of the administrative area over which it has jurisdiction.
- (2) A beach management unit network shall be responsible for the following—
 - (a) advocating for sustainable fisheries and environmental policies;
 - (b) developing and implementing a code of practice to strengthen self-policing and compliance;

- (c) supporting elimination of illegal, unreported and unregulated fishing in collaboration with government agencies and development partners;
- (d) representing beach management units at various relevant Government bodies and committees;
- (e) mobilization of funds for fisheries management;
- (f) resolving conflicts among fishers and beach management units;
- (g) in conjunction with fisheries authorities, developing and implementing co-management plans; and
- (h) promote partnerships and linkages with various stakeholders.

55. Standard operating procedures

- (1) A beach management unit network shall issue standard operating procedures which shall be binding upon members within its jurisdiction.
- (2) The standard operating procedures issued under sub-regulation (1) shall provide the specific activities in the defined geographical area that may be undertaken by its members or by members of other beach management unit networks in accordance with the applicable co-management plans.

56. Ward beach management unit network

- (1) Where there are two or more beach management units within a ward, the chairperson and one nominated member of the executive committee from each Beach Management Unit shall constitute a ward Beach Management Unit network committee.
- (2) The chairperson and one nominated member of the executive committee of the ward beach management unit network shall represent the ward beach management unit network at the sub-county beach management unit network committee.

57. Sub county beach management unit network

Where there are two or more ward beach management units within a sub-county, the chairperson and one nominated member of the executive committee from each ward beach management unit network shall constitute a sub-county beach management unit network committee.

58. County beach management unit network

Where there are two or more sub-county beach management units within a county, the chairperson and one nominated member of the executive committee from each sub-county beach management unit network shall constitute a county beach management unit network committee.

59. Water body beach management unit network

Where there are two or more county beach management units within a water-body, the chairperson and one nominated member of the executive committee from each county beach management unit network shall constitute a water body beach management unit network committee.

60. National beach management unit network

The chairperson and one nominated member of the executive committee shall represent each water body beach management unit network committee at the national beach management unit network committee.

61. Administrative structure

The administrative structure of a beach management unit network shall consist of beach management unit network committees at ward, sub-county, county, water body and national levels.

62. Network sub-committees

- (1) A beach management unit network at any level shall provide for the establishment of network sub-committees in its standard operating procedures.
- (2) The members of the network sub-committee constituted under this regulation shall be selected by the committee to head the sub-committees.
- (3) The chairperson of a beach management unit network at any level shall be an ex-officio member in the network sub-committee established under this regulation.

63. Qualifications as a member of the network sub-committee

A member of a beach management unit network at sub-county level, county level, water body level and national level may qualify for appointment as a member of the respective network sub-committee if they meet the requirements set out under regulation [31](#).

64. Voting

The voting at an election of a member of a network sub-committee at any level shall be by secret ballot.

65. Term of office

A member of the network committee at sub-county level, county level, water body level and national level

- (a) shall hold office for an initial term of four years;
- (b) may be re-elected for a second three year term; and
- (c) shall not vie for re-election immediately at the end of a second term but may vie again after passing over one term.

66. Restriction on leadership

- (1) A member of the network committee at sub-county level, county level, water body level and national level shall retain their leadership position at his or her beach and one other level and those who get elected at higher level shall forfeit the lower-level positions.
- (2) Sub-regulation [\(1\)](#) shall not apply to an official of a water body beach management unit network who is elected to a leadership position at the national beach management unit network.
- (3) A water body network official who gets elected to leadership position in the national level shall retain his or her water body position in addition to his or her position at the beach.

67. Meetings of network committees

- (1) A network committee at sub-county level, county level and water body level shall meet at least four times in a year.
- (2) The national beach management unit network committee shall meet twice in a year.
- (3) Additional meetings of the network committee may be called by the chairperson as necessary or shall be called at the request of one third of its members.

- (4) The county director of fisheries or a person nominated county director of fisheries in writing, shall have the right to attend meetings of the network committee but shall have no voting rights.
- (5) Where a network fails to hold the meetings as required under this regulation, the county director of fisheries in case of ward, sub-county and county level networks, or the Director-General, in the case of water body and national level networks, shall convene the meeting.

68. Quorum

The quorum of a meeting of a network committee at sub-county level, county level and the water body level shall be at least half of the members.

69. Decisions of network committees

- (1) The decision making of a network committee shall be by consensus.
- (2) Where decision making by consensus fails, the members may vote with each member holding one vote.

70. Finances

The finances of a beach management unit network shall include—

- (a) contributions from member beach management units; and
- (b) grants or donations from the government, private persons, non-Governmental organizations or other donor bodies.

71. Records

A beach management unit network shall maintain the following books and records—

- (a) an electronic and manual register of members;
- (b) a report on sub-committee activities;
- (c) a record of transactions and contracts;
- (d) a record of the meetings of the network committee;
- (e) financial accounts;
- (f) quarterly financial reports; and
- (g) annual independent audits undertaken by qualified auditors.

Part X – GENERAL PROVISIONS

72. Penalties

A person who contravenes the provisions of these Regulations commits an offence and shall, on conviction, be liable—

- (a) to a fine not exceeding twenty thousand shillings or to a term of imprisonment not exceeding six months or to both;
- (b) in the case of a repeat offender, to the penalty set out in section 194 of the Act; or
- (c) to suspension of a licence.

73. Obstruction

No person shall—

- (a) willfully obstruct an executive committee member or sub-committee member of a beach management unit from carrying out official duties within the area of jurisdiction and in accordance with the provisions of these Regulations;
 - (b) refuse or fail to answer any questions, furnish any information or produce any document relevant to the provisions of these Regulations when requested to do so by any member of the executive committee or an authorized fisheries officer; or
 - (c) interfere with any investigation concerning the violation of a management plan.
- (2) A person who contravenes subregulation (1) shall, be liable upon conviction to the penalty prescribed under section 39(10) of the Act.

74. Malicious damage of documents and assets

- (1) No person shall falsify or unlawfully alter, destroy, erase or obliterate any declaration, certificate, identification label, any other document made, or assets issued under these Regulations.
- (2) A person who contravenes sub-regulation (1) shall be liable to the penalty prescribed under section 79 (2) of the Act.

75. Revocation. LN. No. 402 of 2007.

The Fisheries (Beach Management Unit) Regulations, 2007 are revoked.

76. Savings and transition

Notwithstanding the provisions of regulation 75—

- (a) the beach management units established in accordance with the Fisheries (Beach Management Unit) Regulations (LN. No. 402 of 2007) shall, at the commencement of these Regulations, be deemed to be beach management units under these Regulations;
- (b) a person who was an official of a beach management unit under the Fisheries (Beach Management Unit) Regulations (LN. No. 402 of 2007) shall, at the commencement of these Regulations, be deemed to be an official of a beach management unit under these Regulations;
- (c) any proceedings taken against or by a beach management unit or pending against the beach management unit or any other person immediately before the commencement of these Regulations may be continued by or against the beach management unit as if instituted under these Regulations:

Provided that criminal proceedings shall be regarded as pending if the person concerned had pleaded to the charge in question;

- (d) any proceedings taken by a beach management unit in exercise of its functions under the Fisheries (Beach Management Unit) Regulations (LN. No. 402 of 2007) shall be deemed to be proceedings under these Regulations;
- (e) a licence, certificate or permit issued under the Fisheries (Beach Management Unit) Regulations (LN. No. 402 of 2007) shall be deemed to be a licence, certificate or permit under these Regulations;
- (f) any administrative investigation or inquiry instituted in terms of the Fisheries (Beach Management Unit) Regulations (LN. No. 402 of 2007) which was pending before the commencement of these Regulations shall be continued or disposed of as if instituted under these Regulations;

- (g) all disciplinary proceedings which immediately before the commencement of these Regulations were pending shall be continued or concluded as if instituted under these Regulations;
- (h) all appeal processes, which immediately before the commencement of these Regulations were pending, shall proceed as if instituted under these Regulations;
- (i) a contract subsisting between a beach management unit and another person before the commencement of these Regulations shall continue to exist as if it was a contract entered into between the beach management unit and that other person;
- (j) any proceeding taken in exercise of any of the powers under the Fisheries (Beach Management Unit) Regulations (LN. No. 402 of 2007) shall be deemed to be proceedings under these Regulations; and
- (k) any proceeding taken in exercise of any of the powers under the Fisheries (Beach Management Unit) Regulations (LN. No. 402 of 2007) shall be deemed to be proceedings under these Regulations.

SCHEDULE [r. 7(2)]

FORM BMU/F1

APPLICATION FOR REGISTRATION OF THE BEACH MANAGEMENT UNITS

PART I

1. We the undersigned hereby apply for registration of(Name)

Beach Management Unit and hereby attach the By-laws for the proposed Beach Management Unit.

2. List of applicants (at least 30 of the applicants shall be boat owners)

	Name of applicant	ID Number	Membership category	Address and residence	Signature
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					

3. Mailing address of the proposed Beach Management Unit

.....

Phone number

4. a) Other than fisheries and beach management activities, is the organization going to be involved in other activities? Yes/No

b) If the answer to a) above is yes, please list the activities:

.....

5. Does the applying organization own any movable or immovable assets? Yes/No

If the answer is Yes, please specify the assets here below and insert details of certificates of ownership, stating the nature of the person who is keeping the documents (i.e. the custodian)

Name or description of the asset	Official ownership number	Custodian

6. We whose signatures are appended against our names in paragraph 2 above, declare that the information and particulars supplied by us herein are true, accurate and correct in every respect. We clearly understand that discovery of any false information provided by us shall render this application invalid.

This declaration is herewith witnessed by;

Signature of representative Date

Name and address of the representative

ID Number

7. This is to certify that the above named persons are known to me and are residents of (Location) and the information given by them is true to the best of my knowledge and I hereby witness their declaration;

Signature of Chief

Name of Chief

Dated this Day of (Month) (Year)

Stamp

PART II

OFFICIAL USE ONLY

8. This is to certify that I have studied this application and I am satisfied/not satisfied with its content Signature of the Authorised Fisheries Officer.....

Name of the Authorised Fisheries Officer.....

Official Stamp

Date

9. I have studied this application, find it satisfactory/not satisfactory and therefore recommend/not recommend it for approval Signature of County Director of Fisheries

Name of County Director of Fisheries

Official Stamp

Date

10. I have studied the application for registration of Beach Management Unit and I am satisfied/not satisfied with this application and therefore approve/do not approve the application

Signature

Date

Name

FORM BMU/F2 [r. 7(11)]

CERTIFICATE OF REGISTRATION FOR THE FISHERIES BEACH MANAGEMENT UNIT

1. a) Name of the Beach Management Unit

.....

b) Name(s) of the landing site(s) covered by the Beach Management Unit

.....

c) Postal address of the Beach Management Unit

.....

2. Physical location of the offices of the Beach Management Unit;

Sub-County Ward

Location Village

This is to certify that Beach Management Unit is duly registered as a Beach Management Unit under these Regulations and for the purpose of management and development of fishery resources within its area(s) of jurisdiction in accordance with the provisions of these Regulations and contingent to the conditions specified hereunder

.....

Date of registration

Signature

Name

Stamp

County Executive Committee Member

FORM BMU/F3 [r. 31(1)]

NOMINATION FOR ELECTIONS FORM

We the undersigned, being registered members, nominate the under mentioned person as a candidate for the position of

.....

Candidate's Name	ID No.	Place of Residence	Occupation	Membership Number	Membership Category	Age	Sex	Marital Status	Signature

We the undersigned, being registered members, support foregoing nomination

	Name	BMU Registration No.	Membership Category	Licence No.	Sign
1.					
2.					
3.					

Comments of the Presiding Officer

.....

Name of the Presiding Officer

.....

Signature

FORM BMU/F4 [r. 32 (3)]

BMU EXECUTIVE COMMITTEE ELECTIONS RETURN FORM

Name of Beach Management Unit.....

Postal address of the BMU.....

Name of Water Body.....

Sub-County..... Ward.....

Location..... Village.....

Name of Main Landing Site.....

Name of Subsidiary Landing Sites (for each landing site, provide name and its village in brackets)

Date of BMU Executive Committee Election.....

Total Number of Fishing Vessels (includes main and subsidiary landing sites)

..... Total Number of Engines.....

Total Number of BMU Members..... Total Number of Men.....

Total Number of Women..... Total Number of Fish Processors

..... Total Number of Other.....

Details of Executive Committee Members

	Name (in CAPITAL LETTERS)	Sex (M/F)	Official Position	Category (boat owner, crew, fish trader, others)	ID Number	Signature
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						
11.						
12.						
13.						
14.						
15.						

FOR OFFICIAL USE ONLY

This is to certify that the election of the executive committee of.....

Beach Management Unit has been conducted in accordance with the provisions of these Regulations and the results are indicated above.

Name of the Presiding Officer.....

Signature..... Date.....

Approval by the County Director of Fisheries

Approved/Not approved..... Date.....

Name..... Signature.....

Stamp.....

FORM BMU/F5 [r. 53(5)]

CERTIFICATE OF REGISTRATION FOR THE FISHERIES BEACH MANAGEMENT UNIT NETWORKS

1. a) Name of the Beach Management Unit Network

.....

b) Name(s) of the landing site(s) covered by the Beach Management Unit Network

.....

.....

c) Postal address of the Beach Management Unit

.....

.....

2. Physical location of the offices of the Beach Management Unit Network;

Sub-County..... Ward.....

Location..... Village.....

This is to certify that..... Beach Management Unit Network is duly registered as a Beach Management Unit Network under these Regulations and for the purpose of management and development of fishery resources within its area(s) of jurisdiction in accordance with the provisions of these Regulations and contingent to the conditions specified hereunder

.....

.....

.....

.....

.....

.....

.....

Date of registration

Signature

Name

Stamp

County Executive Committee Member/Director-General