

IMPORTANT NOTE: This partial translation of Circular 02 is unofficial and was completed by Education for Nature – Vietnam (ENV), April 20, 2006

Ministry of Fisheries  
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No. 02/2006/TT-BTS

**SOCIALIST REPUBLIC OF VIETNAM**  
**Independence – Freedom – Happiness**

*Hanoi, March 20<sup>th</sup> 2006*

## **CIRCULAR 02**

**Guiding the implementation of the Decree 59/2005/ND-CP dated May 4<sup>th</sup> 2005 of the Government on conditions for a number of aquatic resource production and business**

### **I. General conditions**

Not translated (not relevant to wildlife protection)

### **II. Regulations related to permits of fisheries exploitation**

Not translated (not relevant to wildlife protection)

### **III. Implementing regulations regarding item 2 of Article 5 in Decree 59, organizations and individuals will not be granted permits for:**

a) Exploitation of aquatic resource in prohibited areas within marine protected areas, domestic water protection areas; restricted areas, or during closed seasons (bans) which are stipulated in Appendix 4 of the Circular and in regulations issued by the Provincial People's Committee and approved by the Ministry of Fisheries.

b) Exploitation of species that are prohibited or during closed season in accordance with Appendix 5 and Appendix 6 of the Circular and documents issued by the Provincial People's Committee and approved by the Ministry of Fisheries; exploitation of aquatic species on the list of those whose reserve resources are drastically reduced or threatened with extinction, as announced by the Ministry of Fisheries during the period in which the announcement is valid; exploitation of aquatic species inhabiting in the natural water areas to create breeds which are smaller than the permitted minimum size according to Appendix 7 of the Circular, excluding cases in which the Provincial Department of Aquatic Resources Protection has granted a permit.

c.) Regarding equipment and chemical use (not translated)

d.) Fishing methods (not translated)

### **IV. Examination, inspection of production and business conditions; Violation processing**

1. Responsibility assignments (not translated)

2. Violation processing

a. Organizations and individuals committing administrative violations to regulations of the Decree and Circular will be administratively sanctioned according to Decree No. 128/2002/ND-CP issued on October 11<sup>th</sup> 2005 providing for sanctioning of administrative violations in the fisheries domain.

b. Violations will not be administered if there is no legal basis to determine the level of violation.

### **V. Implementations (not translated)**

#### **Appendix 4: Restricted areas with closed seasons**

(Attached Circular 02/2006/TT-BTS issued on March 20<sup>th</sup> 2006 by the Ministry of Fisheries)

| Number | Prohibited area        | Province              | Co-ordinates                             | Prohibited duration   | Depth (m) |
|--------|------------------------|-----------------------|--|-----------------------|-----------|
| 1.     | Hon My – Hon Mieu      | Quang Ninh            | 21°18'N – 21°24'N<br>107°42'E – 107°50'E | April 15 - July 31    |           |
| 2.     | Co To islands          | Quang Ninh            | 20°56'N – 21°06'N<br>107°40'E – 107°30'E | February 15 – June 15 |           |
| 3.     | Cat Ba – Ba Lat        | Hai Phong – Thai Binh | 20°26'N – 21°00'N<br>106°30'E – 107°30'E | April 15 - July 31    |           |
| 4.     | Hon Ne – Lach Ghep     | Thanh Hoa             | 19°30'N – 21°15'N<br>105°35'E – 106°30'E | April 15 - July 31    |           |
| 5.     | Along Dien Chau Bay    | Nghe An               | 18°58'N – 19°01'N<br>105°35'E – 105°37'E | March 1 – April 30    |           |
| 6.     | Along Bac Lieu coast   | Bac Lieu              |  | April 1 – June 30     | 0 - 5     |
| 7.     | Along Ca Mau coast     | Ca Mau                |  | April 1 – June 30     | 0 – 5     |
| 8.     | Along Kien Giang coast | Kien Giang            |  | April 1 – June 30     | 0 - 5     |

#### Appendix 5: Prohibiting exploitation

(Attached Circular 02/2006/TT-BTS issued on March 20<sup>th</sup> 2006 by the Ministry of Fisheries)

| Number | English name            | Scientific name                  |
|--------|-------------------------|----------------------------------|
| 1.     |                         | <i>Pteria maxima</i>             |
| 2.     |                         | <i>Tenualosa toil</i>            |
| 3.     | Indonesian shortfin eel | <i>Anguilla bicolor pacifica</i> |
| 4.     | Albino Clown Knifefish  | <i>Chitala chitala</i>           |
| 5.     | Anh Vu                  | <i>Semilabeo notabilis</i>       |
| 6.     | Mekong giant catfish    | <i>Pangasianodon gigas</i>       |
| 7.     | Tam Dao warty newt      | <i>Paramesotriton deloustali</i> |
| 8.     | Saltwater crocodile     | <i>Crocodylus porosus</i>        |
| 9.     | Siamese crocodile       | <i>Crocodylus siamensis</i>      |

|     |                               |                                 |
|-----|-------------------------------|---------------------------------|
| 10. | Baiji (Chinese river dolphin) | <i>Lipotes vexillifer</i>       |
| 11. | Blue whale                    | <i>Balaenoptera musculus</i>    |
| 12. | Finless Porpoise              | <i>Neophocaena phocaenoides</i> |
| 13. | Dugong                        | <i>Dugong dugon</i>             |
| 14. | Giant Siamese Carp            | <i>Catlocarpio siamensis</i>    |
| 15. |                               | <i>Crenolens sarissophorus</i>  |
| 16. | Leatherback Sea Turtle        | <i>Dermochelis coriacea</i>     |
| 17. | Olive Ridley Sea Turtle       | <i>Lepidochelys olivacea</i>    |
| 18. | Hawksbill sea turtle          | <i>Eretmochelys imbricata</i>   |
| 19. | Green sea turtle              | <i>Chelonia mydas</i>           |
| 20. | Stony corals                  | <i>Scleractinia</i>             |
| 21. | Brown Sea Rod Gorgonian       | <i>Gorgonaceae</i>              |
| 22. | Sea pens                      | <i>Pennatulacea</i>             |

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