

Rwanda

## Ministerial Order regulating Aquaculture and Fisheries

Ministerial Order 1 of 2020

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# Ministerial Order regulating Aquaculture and Fisheries

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## Rwanda

# Ministerial Order regulating Aquaculture and Fisheries

## Ministerial Order 1 of 2020

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**Assented to on 11 December 2020**

**Commenced on 14 December 2020**

*[This is the version of this document from 14 December 2020.]*

### **The Minister of Agriculture and Animal Resources;**

Pursuant to the Constitution of the Republic of Rwanda of 2003 revised in 2015, especially in Articles 121, 122 and 176;

Pursuant to Law n° 58/2008 of 10/09/2008 determining the organisation and management of aquaculture and fishing in Rwanda, especially in Article 8, 10 and 16;

Having reviewed Ministerial Order n° 007/11.30 of 18/11/2010 determining the requirements for issuance of fishing licence and its period of validity;

Having reviewed Ministerial Order n° 010/11.30 of 18/11/2010 determining aquaculture and fishing zones;

Having reviewed Ministerial Order n° 011/11.30 of 18/11/2010 on the importation, marketing and distribution modalities of aquaculture and fisheries products, equipment and materials;

After consideration and approval by the Cabinet, in its meeting of 11/11/2020;

### **ORDERS**

## **Chapter One**

### **General provisions**

### **Article One – Purpose of this Order**

This Order regulates activities related to aquaculture, fishing, processing, transportation, conservation and commercialisation of aquaculture and fishery products, equipments and inputs.

### **Article 2 – Definitions**

In this Order, the following terms have the following meanings:

- 1° **Minister:** Minister in charge of aquaculture and fishing;
- 2° **retailer:** a seller of aquaculture and fishing products having in his or her stock less than five hundred kilograms (Kg 500) of aquaculture and fishing products and sells them in small quantities or one (1) by one (1);
- 3° **person:** an individual, a company, a non-governmental organisation or a cooperative.
- 4° **wholesaler:** a seller of aquaculture and fisheries products having in his or her stock five hundred kilograms (Kg 500) or more of aquaculture and fisheries products and who sells at least fifty (50) kilograms of these products.

## **Chapter II Aquaculture**

### **Article 3 – Possible areas to practice aquaculture**

The aquaculture can be practiced on uplands, marshlands, lakes, rivers, pond or dams.

### **Article 4 – Requirements for a person who intends to practice aquaculture**

A person who intends to practice aquaculture must indicate the following to the authority in charge of aquaculture and fisheries development:

- 1° the right to use the place where the aquaculture will be carried out;
- 2° the source of water to be used;
- 3° the aquaculture system to be practiced and all required inputs;
- 4° that he or she will practice the farming of native aquatic organisms or those whose adaptation to the Rwandan water bodies have been approved by research;
- 5° the composition of feed and their origin;
- 6° the knowledge in aquaculture or to be ready to hire personnel with the required knowledge;
- 7° the water treatment system before discharging;
- 8° that he or she has tools for measuring physico-chemical water parameters including temperature, oxygen, pH, depth, phosphorous, ammonia, nitrite, turbidity and conductivity;
- 9° water body and the surface area to be used;
- 10° equipments to use in aquaculture.

### **Article 5 – Aquaculture applied on dam**

Dam for water collected in an infrastructure for different purposes can be used in aquaculture activities in compliance with instructions established by beneficiaries of the dam.

### **Article 6 – License to practice aquaculture**

A person who wishes to establish an aquaculture farm must have a license from the authority in charge of aquaculture and fisheries development.

The application file for an aquaculture license consists of the following:

- 1° an application letter for a licence addressed to the authority in charge of aquaculture and fisheries development endorsed by the District authority where the applicant wishes to establish an aquaculture farm, with a copy to the Ministry in charge of aquaculture and fishery;
- 2° a detailed project plan indicating the budget, type of aquatic organisms intended to produce and their origin;
- 3° a list of equipments and inputs to use;
- 4° duration of the project;

5° proof of financial capacity from a recognised financial institution.

However, the application for aquaculture in marshlands or in public water is done in accordance with relevant laws.

### **Chapter III**

#### **Aquaculture inputs**

##### **Article 7 – Introduction or increasing aquatic organisms**

A person who wants to introduce or increase native or exotic aquatic organisms or to introduce their pupae in Rwandan water applies for an authorisation from the authority in charge of aquaculture and fisheries development.

##### **Article 8 – Importation or exportation of live aquatic organisms**

A person who intends to import or export of naturalised aquatic organisms in Rwandan water or their eggs intended for farming applies for an authorisation from the authority in charge of aquaculture and fisheries development. He or she presents official documents showing their species, origin, health status and their condition and behaviour in their inhabitant.

##### **Article 9 – Importation or introduction of new live exotic aquatic organisms in Rwandan waters**

The importation of new live exotic aquatic organisms in Rwandan waters is allowed only for research purpose, conducted by the authority in charge of aquaculture and fisheries development or in its partnership.

A person who intends to introduce new live exotic aquatic organisms in Rwandan waters for research purpose or who intends to introduce ornamental aquatic organisms in Rwandan waters applies for an authorisation to the Minister.

##### **Article 10 – Manufacture, importation or commercialisation of feeds for aquatic organisms**

A person who intends to do manufacturing, importation or commercialisation of feeds for aquatic organisms applies for an authorisation from the competent authority.

##### **Article 11 – Setting up a hatchery, importation and commercialisation of seed or aquaculture equipments**

A person who intends to setup a hatchery, to make importation and commercialisation of seed or aquaculture equipments applies for a license from the authority in charge for aquaculture and fisheries development.

The authority in charge for aquaculture and fisheries development determines the requirements to get a license.

The license referred to in this Article cannot be transferred to another person. When a person granted the license no longer using it, he or she returns it to the authority that issued it.

## **Chapter IV Fisheries**

### **Article 12 – Types of fishing**

The types of fishing are as follows:

- 1° sport fishing;
- 2° professional fishing;
- 3° research or scientific fishing.

A person who intends to practice the fishing referred to in this Article applies for a license from the authority in charge for aquaculture and fisheries development.

### **Article 13 – Sport fishing**

Sport fishing is the fishing which is practiced for recreation purpose in public water using not more than five (5) hooks.

A person who needs to do sport fishing must have a license. That licence is issued to hotels, guest houses or individuals.

### **Article 14 – Category of sport fishing license and modalities of its use**

The category of a sport fishing license is A.

The category of sport fishing license comprises of the following types of licenses:

- 1° category A1: a license of a sport fishing done by a Rwandan;
- 2° category A2: a license of a sport fishing done by a foreign resident or non-resident in Rwanda;

An individual who practices sport fishing uses one (1) hook.

A person who practices sport fishing may be accompanied by his or her spouse and not more than two (2) of his or her children who attained the age of at least eleven (11) years.

If the holder of license referred to in Paragraph One of this Article is a hotel or guest house, it must not exceed twenty (20) hooks and it complies with the provision of Paragraph 3 of this Article.

### **Article 15 – Professional fishing**

The professional fishing is the fishing which is practised for profit purpose and commercialisation of fishery products.

### **Article 16 – Category of a professional fishing license and its characteristics**

The category of a professional fishing license is B.

The category of professional fishing license comprises of the following types of licenses:

- 1° **license B1:**
  - a license for a fishing unit using a long line fishing nets not exceeding a length of five hundred meters (m 500) or a long line of more than five (5) hooks;



**2° license B2:**

a license for a fishing unit using fishing nets exceeding five hundred meters (m 500) but not exceeding one thousand five hundred meters (m 1500);

**3° license B3:**

a license for a fishing unit using a lift net of unit of six (6) rolls of one hundred meters (m 100) by ten meters (m 10);

**4° license B4:**

a license for a fishing unit using the purse seine or the lift net whose size exceeds one hundred meters (m 100) by ten meters (m 10).

The professional fishing license is valid for one year (1).

### **Article 17 – Requirements for research or scientific fishing**

A research or scientific fisher is an individual or an institution involved in any activity aimed at conducting research on aquatic environment or on aquatic organisms, with authorisation of the authority in charge of aquaculture and fishing.

The research or scientific activities is conducted based on the research plan, if possible, they can be prepared in collaboration with the institution in charge of aquaculture and fishing.

One or more experts appointed by the institution in charge of aquaculture and fishing based on research to be conducted are involved in the research or scientific activities and the license holder bears all the expenses.

All findings and the results of the research are communicated to the authority who issued the license.

### **Article 18 – Legal fishing gears**

The following gears are authorised for fishing:

**1° for limnothrissa miodon:**

lift nets of at least six millimetres (mm 6) mesh size fixed on trimaran boats and lamps. Monofilament nets are prohibited.

**2° for rastrineobola argentea:**

lift nets of at least five millimetres (mm 5) mesh size fixed on trimaran boats and lamps. Monofilament nets are prohibited.

**3° for haplochromis:**

gill nets of more than one point five inch (1.5) or three point eight one centimetres (cm 3.81). monofilament nets are prohibited.

**4° for tilapia and carp:**

gill nets of at least four inch (4) or ten point sixteen centimetres (cm 10.16) and more. Monofilament nets are prohibited.

**5° clarias and protopterus:**

gill nets of at least six centimetres (cm 6) or long line hooks. Monofilament nets are prohibited.

## Article 19 – Other fishing equipments

Other fishing equipments are as follows:

- 1° the fishing boat which is well constructed into wooden timbers and other stainless materials as to minimize any accident and contamination of fishery products, which is designed for its easy cleaning and efficient handling of fishery products, and which is engraved of the name of the cooperative and plate number. Dugout canoes are prohibited.
- 2° a life jacket for every fisher, showing the name of the cooperative and plate number of the fishing boat;
- 3° a service card for each fisher corresponding to the number of fishing boat.
- 4° lamps;
- 5° fish baskets or trays to carry fresh fishery products.

## Article 20 – Fishing and aquaculture zones

It is established the following eight (8) fishing and aquaculture zones:

- 1° **Muhazi Zone**  
comprises of Lake Muhazi surrounding Districts which are Gicumbi, Gatsibo, Gasabo, Rwamagana and Kayonza, the rivers of Nyabugogo, Nyabarongo and Akagera in the Districts of Nyarugenge and Kicukiro;
- 2° **Gisaka Zone**  
comprises of Districts surrounding Mugesera, Birira and Sake Lakes that includes Ngoma and Rwamagana, in Karenge and Rubona Sectors;
- 3° **Bugesera Zone**  
comprises of lakes found in Bugesera District that includes Cyohoha north, Cyohoha south, Rweru, Gaharwa, Kirimbi, Mirayi, Rumira, Kidogo na Gashanga;
- 4° **Akagera Zone**  
made up of thirteen lakes (13) located in Akagera National Park surrounding Districts of Nyagatare, Kayonza and Gatsibo;
- 5° **Nasho Zone**  
made up of lakes in the Nasho Basin, in the Districts and Sectors not surrounding with Lake Muhazi;
- 6° **Northern Region**  
comprises of Burera, Gicumbi, Musanze, Gakenke, Nyabihu and Rulindo Districts including two (2) lakes, rivers and other connected waters;
- 7° **Kivu Region**  
comprises of Rusizi, Nyamasheke, Karongi, Rutsiro and Rubavu Districts composed by one (1) lake, rivers and other connected waters;
- 8° **Southern Region**  
comprises of the Districts of the Southern Province and Ngororero District including rivers and other connected waters;

## Article 21 – Areas and hours for fishing

Areas for fishing are as follows:

1° **Lake Kivu:**

a) **limnothrissa miodon:**

their fishing area is at least in two hundred meters (m 200) from the shores for both trimarans and single boats using gill nets. It is prohibited to fish in bays.

b) **tilapia and clarias:**

their fishing area starts from at above fifty meters (m 50) from the shores.

c) **haplochromis:**

their fishing area starts from at above thirty meters (m 30) from the shores.

2° **Lakes Burera and Ruhondo**

a) **rastrineobola and limnothrissa:**

they are fished at above fifty meters (m 50) from the shore;

b) **haplochromis, tilapia and clarias:**

their fishing area starts from at above thirty meters (m 30) from the shores.

3° **Eastern Lakes:**

The fishing activities are carried out at above twenty-five meters (m 25) from the shores for all fished species.

Official fishing hours are the following:

1° **Lake Kivu and Lakes Burera and Ruhondo:**

between five in the evening (5 p.m.) up to seven in the morning (7 a.m.);

2° **Eastern Lakes:**

between four in the evening (4:00 p.m.) up to eight in the morning (8:00 a.m.).

## Article 22 – Prohibited acts in fishing

The following acts are prohibited in fishing:

- 1° using poisonous substances aimed at stunning, weakening or killing aquatic organisms;
- 2° applying explosives;
- 3° using electromagnetic procedures or electrocution;
- 4° beating water with an aim of capturing aquatic organisms;
- 5° fishing in the reproduction area;
- 6° fishing in aquaculture concession area, except for the research fishing licence holder.

### **Article 23 – Suspension or revocation of fishing license**

The authority who issued the fishing license, based on relevant laws may:

- 1° suspend the fishing license for a period equal to three (3) month for the first time, if the holder violates its usage;
- 2° suspend the fishing licence for a period of one (1) year, if the holder violates its use for the second time;
- 3° revoke the fishing license.

### **Article 24 – Requirements for landing sites of the aquaculture and fishery products**

The landing sites of the aquaculture and fishery products must fulfil the following conditions:

- 1° infrastructures well constructed preventing the entry of animals and unauthorized people;
- 2° shed to prevent the fresh aquaculture and fishery products from being exposed to direct sunlight until it is delivered to a designated warehouse;
- 3° waterproof basement flooring that is easy to clean, disinfect and facilitate water to flow;
- 4° enough lighting;
- 5° permanent clean water and soap;
- 6° cleaning and disinfection capacity for both equipment and infrastructures;
- 7° facility to clean and disinfect trucks for transport and other equipment used in aquaculture and fisheries;
- 8° adequate wastewater treatment and disposal system;
- 9° clean toilets facilities;
- 10° facilities to store chemicals used in cleaning and control of insects and rodents;
- 11° adequate equipment for collection of aquaculture and fishery products.

### **Article 25 – Biological break**

The biological break is the time dedicated to a suspension of fishing activities every year to allow the recovery of aquatic organisms' stock.

The break referred to in Paragraph One of this Article starts from two (2) months that can be extended depending on the assessment carried out by the authority in charge of aquaculture and fishery development.

The choice of the period of biological break depends on the particular biological characteristics of aquatic organisms of each lake.

## **Chapter V**

### **Handling, transportation, conservation and commercialisation of aquaculture and fishery products**

### **Article 26 – Handling of aquaculture and fishery products**

The aquaculture and fishery products must be gutted before issued to the market. This starts immediately after their arrival at the landing site.

The aquaculture and fishery products with signs of deterioration are rejected.

## **Article 27 – Transportation of aquaculture and fishery products**

The transporter of aquaculture and fishery products produced within the country must possess the invoice indicating the origin of the products and its destination.

The transporter of aquatic organism meant for production, whether eggs, fingerlings or broodstocks, must possess a certificate of origin and a movement permit issued by the authority in charge of aquaculture and fishery development.

The transporter of frozen, chilled, dried, smoked or salted aquatic organisms, whether produced within the country or imported, must possess a certificate of origin, movement permit, import, export and re-export license, issued by the institution in charge of inspection.

It is prohibited to carry aquaculture and fishery products in public transport vehicles when they are not in appropriate isothermic containers.

## **Article 28 – Request for license of import and export of aquaculture and fishery products**

Request for license of import or export of aquaculture or fishery products must be accompanied by the following documentations:

- 1° check list of importing country requirements delivered by the competent organ;
- 2° export license issued by the competent authority;
- 3° a certificate of origin;
- 4° import license issued by the competent authority.

## **Article 29 – Entry and exit of aquaculture and fishery products**

Import or export license of aquaculture and fishery products specifies the officially recognised entry or exit post.

At each entry or exit post, there must be qualified personnel to carry out an inspection of the aquaculture and fishery products. He or she may put suspected products in quarantine.

## **Article 30 – Conservation and commercialisation of aquaculture and fishery products**

Aquaculture and fishery fresh products are conserved and commercialised in appropriate isothermic equipment or refrigerated with temperatures range of 0-3° C or frozen in temperature up to -18° C.

Living aquatic products intended to be commercialised are kept in clean water with permanent supply of oxygen.

Aquaculture and fishery products dried, smoked, salted or fried are conserved and commercialised in equipments facilitating the aeration.

## **Article 31 – Conditions for transport of aquaculture and fishery products**

Aquaculture and fishery products must be transported in refrigerated vehicles or appropriate isothermic containers with ice.

Aquaculture and fishery products dried, smoked, salted or fried are transported in equipment facilitating the aeration.

## **Article 32 – Authorization to wholesale and retail aquaculture and fishery products**

Without prejudice to other legal provisions governing domestic trade in Rwanda, the wholesaler or retailer of aquaculture and fishery products must hold an authorisation issued by the authority in charge of aquaculture and fishery products development. The authority determines the content and validity of the authorisation.

The wholesaler or retailer conducts his or her business on a site approved by the competent authority and must always have invoices for products locally produced and a certificate of origin for imported products.

The wholesaler or retailer must fulfil the requirements of foodstuff hygiene. Especially, he or she must have a refrigerator, isothermal container for fresh products, well ventilated, and protected from moisture for smoked, salted and dried products.

## **Article 33 – Commercialisation of aquaculture and fishing gears, materials and other inputs**

Without prejudice to provisions governing the domestic trade in Rwanda, the commercialisation of aquaculture and fishing gears, materials and other inputs requires a license issued by the authority in charge of aquaculture and fisheries development. The authority determines the content and validity of the authorisation.

Import and export license of aquaculture and fishing gears, materials and other inputs is issued by the authority in charge of aquaculture and fisheries development. The authority determines the content of the license, entry and exit border post.

## **Chapter VI Final provisions**

### **Article 34 – Repealing provision**

The following Orders and all prior provisions contrary to this Order are repealed:

- 1° Ministerial Order n° 007/11.30 of 18/11/2010 determining the requirements for issuance of fishing license and its period of validity;
- 2° Ministerial Order n° 010/11.30 of 18/11/2010 determining aquaculture and fishing zones;
- 3° Ministerial Order n° 011/11.30 of 18/11/2010 on the importation, marketing and distribution modalities of aquaculture and fisheries products, equipment and materials.

### **Article 35 – Commencement**

This Order comes into force on the date of its publication in the *Official Gazette* of the Republic of Rwanda.