

II. The Chilean Fishing Industry

II. 1. Legislative Environment

Currently, the trend is toward a better resource management of the fisheries rather than expanding. There is a new legislation proposal under the consideration of the Parliament.

The current legislation dates from 1931, and it seems to be inadequate to meet the challenge of a tendency to overfish the resource base. The landings from the traditional fisheries are, according to the experts, near the maximum sustainable levels of exploitation.

The proposal under discussion is called "Ley de Pesca y Acuicultura" (Fishery and Aquaculture Act), and is a modification to an earlier legislation approved, but not enacted, in December of 1989 by the Military Government. Due to criticisms against that Act, the new Parliament accepted to discuss a new one, but there are still big differences among the interested parties.

The major differences are the "quotas", and the mechanisms for the "licensing". There are political negotiations under way, in order to obtain the new legislation within the shortest possible time, however the discussions could keep going for some time. Some groups are also questioning the "validity" of the concept of "overexploitation" of some species, making the situation even more complicated.