



Massachusetts Division of Marine Fisheries

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Policies, Procedures, and Guidelines

Minimum Age for Commercial Permits

Introduction:

This agency permit policy establishes 14 years of age as the minimum for a commercial fisherman permit.

Purpose:

Until this point, *Marine Fisheries* has not had a minimum age for commercial fisherman permits set by statute, regulation, or policy other than for the seasonal lobster permit. The minimum age for the seasonal lobster permit is 12 years of age and parental consent is required for applicants under the age of 17. On occasion, *Marine Fisheries* receives applications for other commercial fisherman permits from children that common sense dictates are not old enough to take on the responsibilities and hazards of a commercial fisherman. Typically these child applicants come from households where a parent presently holds a commercial permit.

In the case of commercial permits, applicants under the age of fourteen become problematic for a number of reasons depending on the type of permit issued and the activity for which the permit is sought. As a general matter it is unreasonable to believe that children can safely engage in a commercial fishery, are strong enough to operate commercial fishing gear types and disciplined enough to comply with complicated daily reporting requirements. Additionally, issuing a commercial permit to a child in the same household where one of the parents is presently the holder of a commercial permit may result in the unlawful activity of the parent attributing catches or trip limit overages to the child's permit.

In the case of commercial shellfish permits, a shellfish transaction card is issued with the permit. The shellfish transaction card is required when selling shellfish to a wholesale dealer and must be used in conjunction with either a Massachusetts driver's license or a Registry of Motor Vehicles identification card. In order to obtain an identification card from the Registry an applicant must be at least 14 years of age.

As a final matter, the minimum employment age set by Massachusetts child labor laws is 14.

Policy:

Until further notice, the minimum age of any applicant for a commercial fisherman permit is 14 years of age, with the exception of the seasonal lobster permit which remains at 12 years of age. When children reach the age of 14 they may apply for open-entry commercial permits or limited-entry permitted fisheries subject to other applicable permit criteria.

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