

## Law No. 11 of 2010 Amending Certain Provisions of Law No. 4 of 1983 on the Exploitation and Conservation of Living Aquatic Resources in Qatar

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Articles (1-4)



We, Tamim bin Hamad Al-Thani, Deputy Emir of Qatar;

Having perused the Constitution;

Law No. 4 of 1983 on the exploitation and conservation of living aquatic resources in Qatar, as amended;

The Environment Protection Law as promulgated by Decree-Law No. 30 of 2002,;

Emiri Resolution No. 16 of 2009 specifying the functions of the ministries,

Emiri Resolution No. 39 of 2009 concerning the organizational structure of the Ministry of Environment,

The proposal of the Minister of Environment,

The draft law submitted by the Cabinet;

And having consulted the *Shura* Council;

Hereby promulgate the following Law:

### **Articles**

Article 1

The texts of Articles 1, 4, 8, 17, 19, 19 (bis), 26/ 4 and 6, and 27 of Law No. 4 of 1983, referred to above, shall be replaced with the following texts:

#### **“Article 1**

In the application of the provisions of this Law, the following words and expressions shall have the meanings hereby assigned to them except where the context otherwise requires:

“Ministry” means the Ministry of Environment.

"Minister" means the Minister of Environment.

"Competent Department" means the Fisheries Department at the Ministry.

"Living aquatic resources" means marine animals, organisms or Benthos living in or on fishing waters, inland waters, the seabed or subsoil, and the product created within these living organisms (pearls) or after their death (coral reefs).

"Fishing vessel" means, *inter alia*, any fishing boat (Taradaat) or floating craft used for harvesting or processing living aquatic resources, irrespective of its means of operation or whether for amateur or professional purposes.

"Fishing" means the harvesting of living aquatic resources by any method and for any purpose.

"Fisherman" means any person who practices fishing, whether on land or from a fishing vessel, for trade purposes.

"Fishing waters" means the territorial waters surrounding the coasts of the mainland and isles of Qatar. The external limits of these territorial waters are those existing under bilateral agreements, or those to be concluded in future. Where there are no such agreements the external limits shall be either the external limits of the Qatar continental shelf or median line equidistant from the baseline from which the territorial waters of Qatar and other countries concerned shall be measured in conformity with international law.

"Water reserves" means areas where fishing is permanently prohibited.

"Inland waters" means water areas lying beyond the baselines from which the territorial waters are measured towards land.

"Seabed and subsoil of the sea" means that part of the seabed and subsoil flooded by fishing waters and inland waters.

#### **Article 4**

A committee named the Committee for Living Aquatic Resources (hereinafter “the Committee”) shall be established at the Ministry and shall comprise the Assistant Undersecretary of the Ministry of Environment for Agriculture and Animal and

Fisheries Resources as the chairperson, the Director of the Department of Fisheries at the Ministry as the vice-chairperson, and the following members:

A representative of the Ministry of Interior;

A representative of the Ministry of Business and Trade;

A representative of Qatar Petroleum;

A representative of the University of Qatar;

A representative of the Central Municipal Council;

A representative of Qatar Ports Management Company;

A representative of Hasad Food Company (QIA);

Four representatives of fishermen from fishing areas as selected by the Minister.

The Committee's composition may be amended by the Council of Ministers, upon the recommendation of the Minister.

Each body shall choose its representative on the Committee. The nomination of the chairperson, vice-chairperson and members shall be by a decision of the Minister. The membership duration shall be three years, renewable for a similar period or periods.

The Committee shall establish a system for its work and determine the manner and dates of its meetings and the necessary rules for exercising its competencies.

The Committee shall appoint from among the staff of the Ministry one or more Secretaries whose appointment, powers and remuneration shall be determined by a decision of the Minister.

The Committee may seek the assistance of any relevant and experienced person to undertake such task as may be assigned by the Committee or to provide advice, data or explanations as may be requested by it.

### **Article 8**

No fisherman may practice fishing without a licence from the competent department. Such licence shall define the fishing locations, seasons, species and quantities of living aquatic resources that he may catch, and the methods and fishing gear he may use.

Fishing terms and controls for amateur fishermen shall be decided by the Minister.

### **Article 17**

No dumping into fishing or inland waters or onto the seabed of any waste from plants, laboratories, factories, or sewers and polluted affluent, or otherwise of chemical and petroleum materials, vessel oils or any other liquids that may cause harm to living aquatic resources, shall be permitted without written approval from the competent bodies.

#### **Article 19**

Aquaculture or the establishment of aquatic breeding farms for any purpose shall be prohibited without a license from the competent department pursuant to the terms and conditions issued by a decision of the Minister.

The competent department shall determine the areas suitable for establishing breeding farms for living aquatic resources and shall promote and monitor their establishment.

#### **Article 19 (bis)**

The functions set out in Articles 5, 18 and 19 of this Law shall be coordinated with the departments concerned with environmental affairs at the Ministry.

#### **Article 26/ 4 and 6**

4- Any violation of Articles 8(1), 17, 18 (1), (2) and (3), 20, 21, and 22 of this Law shall be punishable by a fine not less than two thousand (2,000) Riyals and not more than twenty thousand (20,000) Riyals.

6- Any person convicted of one of the following violations shall be sentenced to a fine of not less than two thousand (2,000) Riyals and not more than ten thousand (10,000) Riyals:

Fishing in water reserves or endangering the conservation thereof.

Fished in prohibited locations or during closed seasons, or harvesting any prohibited living aquatic resources.

Conducting aquaculture or aquatic farming of living aquatic resources without a permit from the competent department.

#### **Article 27**

The officials of the Ministry, delegated by the Attorney General in collaboration with the Minister, shall have the powers of judicial enforcement officers to seize and ascertain violations of the provisions of this Law and its executive resolutions and to that end, they shall:

Enter vessels, fisheries, stores, businesses and other sites where living aquatic resources and fishing gear are kept;

Request and inspect the books and papers relating to their task;

Seize the vessels, living aquatic resources, and fishing gear and equipment involved in the violation of this Law or its executive resolutions.

The said officials shall submit reports on their work to competent investigating authorities and may, when necessary, seek assistance from the public police force. They may also, after obtaining the approval of the concerned authorities, sell any perishable living aquatic resources and deposit the proceeds with the Court treasury pending the final determination of the case.”

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## Article 2

Two Articles with numbers (4 bis) and (12 bis) shall be added to Law No. 4 of 1983, referred to above, to be read as follows:

**“Article 4 (bis)**

The Committee shall be competent in developing and promoting the marine fishing sector in order to contribute to realising food security and the conservation, development and rational exploitation of living aquatic resources. To that end, the Committee shall:

Pending the Minister's approval, adopt the general plan for the conservation and development of living aquatic resources;

Determine the financial support needed by governmental fisheries regulation agencies to obtain the necessary equipment and means of transport to monitor fishing vessels and fisheries in all fishing areas and in the State's territorial waters;

Establish a joint operations room comprising various marine monitoring parties, in order to coordinate the monitoring of fishing activities and fisheries, conserve fish stocks, and protect the marine environment against harmful practices and overfishing;

Propose the establishment of new fishing harbours, the development of existing harbours, and equipping them with basic fishing services and structures;

Examine the problems and difficulties faced by fishermen and propose appropriate solutions;

Examine proposals submitted by fishermen and owners of fishing vessels on fishing development;

Propose the terms and extent of annual support for fishermen to modernize fishing vessels and fishing gear, and the mechanism for providing such support;

Provide financial support to the owners of wooden vessels, according to the rules and conditions adopted by the Council of Ministers;

Propose the methods and equipment used in fishing operations so as to ensure the conservation of living aquatic resources and prohibited species, and the observation of fishing seasons, closed seasons, and temporarily or permanently prohibited areas;

Determine the number of licences allowed per year for fishermen or fishing vessels;

Identify and prevent the use of harmful substances that affect the growth, reproduction and migration of living aquatic resources;

Identify protected living aquatic resources for a specific period or indefinitely, in all or certain fishing waters, whether inland waters, the seabed or its subsoil, and identify seasons and locations for each species;

Determine the quantities, seasons and species of living aquatic resources allowed to be harvested;

Express an opinion on draft memoranda of understanding and agreements to be signed or concluded;

Express an opinion on the legislation concerning the conservation of living aquatic resources;

Perform any other functions for the conservation of living aquatic resources assigned by the Council of Ministers;

Perform any other tasks related to living aquatic resources assigned by the Minister.

The Committee shall submit its decisions and recommendations to the Minister for approval.

#### **Article 12 (bis)**

The owner of the fishing vessel shall insure the vessel and the crew working onboard, according to the terms and conditions established by a decision of the Minister. The captain of the vessel shall be responsible of all violations registered against the ship and its crew, during a fishing trip. Such terms and conditions shall be recorded in the license obtained from the competent department on the form prepared thereby for this purpose.”

Articles 3, 5/ Items 5, 8 and 10 and 13 of Law No. 4 of 1983, referred to above, shall be rescinded.

#### Article 4

All competent departments, each within their jurisdiction, shall enforce this Law which shall be published in the *Official Gazette*.