

REGULATIONS

Executive Regulations N° 2 of 1985 for the Law on the Exploitation and Conservation of Living Aquatic Resources in the State of Qatar

PART I - DEFINITIONS

Article 1. - All the words, expressions and terms used in these Regulations shall have the same meaning assigned to them in the Law of 1983 on the Exploitation and Conservation of Living Aquatic Resources.

PART II - REGULATION OF FISHING

Article 2. - Anyone who wants to practice fishing or diving on foot or by a fishing vessel should obtain a licence issued by the Fisheries Department at the Ministry of Industry and Agriculture.

Article 3. - The licensee should be of good conduct and behaviour and one who swims well.

Article 4. - The validity of the licence shall be for three years and may be renewed thereafter at the request of the licensee. It shall be invalidated if it is not renewed within fifteen days from the date of its expiry.

Article 5. - The licence shall contain the bearer's full name, passport or identity card number, profession, marital status, nationality, age, photograph and any other particulars required by the Fisheries Department which determines the necessary form and documents to be submitted to obtain the licence.

Article 6. - Fishing licence is personal and the bearer should have it with him during fishing operations and produce it upon request; it cannot be transferred to others. The Fisheries Department or the officials delegated to collaborate with it shall have the right to seize the licence not used by its owner and nullify it unless the Fisheries Department is satisfied by the licensee's explanations.

Article 7. - Prior to practising fishing, the vessel should have a licence issued by the Fisheries Department. The licence shall be valid for one year, and may be renewed at the request of the owner of the vessel within one month from the date of its expiry producing the instruments of ownership otherwise the licence shall be invalid.

Article 8. - The fishing vessel licence shall contain the following particulars:

- (a) the owner's full name, the vessel's name, make, material made of, specifications, date and place it was built;

- (b) fishing techniques and gear used on the vessel, minimum and maximum number of its crew;
- (c) type of the engine, if there is one, and specify whether it is external or internal, its horsepower and year it was made.

Article 9. - The name and number of the vessel should be well displayed on the vessel, and the same name and number should be clearly written in Arabic on both sides of the vessel.

Article 10. - The fisherman or the owner of the fishing vessel should report to the Fisheries Department in case the licence is lost or destroyed. Another licence may be granted in place of the lost one according to the rules laid down by the Department.

Article 11. - No foreign fishing or diving vessels shall practice fishing in the territorial waters specified by law except after obtaining a licence issued by the Minister of Industry and Agriculture, and a licence for the vessel and the crew from the Fisheries Department in conformity with the afore-mentioned clauses.

Article 12. - The Minister of Industry and Agriculture may grant fishing licences to bodies and individuals for the purpose of scientific studies and researches. The owner of such licences may be exempted from all or part of the provisions of this Law and its regulations.

Article 13. - The following fees shall be collected by the Fisheries Department for granting licences:

- (a) ten Qatar Riyals for granting or renewing a fishing licence valid for three years;
- (b) one-hundred Qatar Riyals for granting a licence for a fishing vessel, and ten Riyals for its renewal valid for one year;
- (c) fifty Qatar Riyals for the transfer of the ownership of the fishing vessel;
- (d) in case a licence is lost or destroyed it shall be substituted without any fees if the original licence was still valid;
- (e) the licensee shall prepare at his expense the plate with the name and number of the vessel.

Article 14. - If the owner of the fishing vessel wants to transform his vessel into a cargo or passenger vessel or for any other purpose he should apply to the Fisheries Department to nullify his fishing licence. No vessel shall have two licences at the same time.

Article 15. - Every vessel owner should have navigational lights on the vessel during night fishing operations as required by maritime navigation regulations. He should also ensure that the vessel has the necessary safety means and salvage equipment as required by the Ports Authority in consultation with the Fisheries Department.

Article 16. - The Fisheries Department shall determine the number of licences granted to fishermen and fishing vessels operating in any zone of the fishing waters.

PART III - CONSERVATION AND DEVELOPMENT OF LIVING AQUATIC RESOURCES

Article 17. - Fishermen whose catch of fish and shrimps is smaller than the size prescribed by law shall return them to the water.

Article 18. - Fishing of living aquatic resources shall not be allowed during reproduction and spawning seasons determined by the Fisheries Department.

Article 19. - The Fisheries Department shall determine:

- (a) areas where fishing is prohibited during certain seasons;
- (b) seasons during which fishing is banned and species prohibited to be fished;
- (c) species of living aquatic resources prohibited to be fished for a specified period or indefinitely in all or some fishing waters.

Article 20. - It shall be categorically unlawful to dispose into fishing waters or sea bottom any waste from plants, laboratories, factories, sewers, chemical and petroleum materials, vessel oils or any other liquids which are harmful to living aquatic resources.

Article 21. - Without permission from the Fisheries Department it shall be unlawful to:

- (a) use any kind of underwater fishing harpoon-guns;
- (b) erect or build any barriers or barricades that may hinder the free movement of living aquatic resources;
- (c) extricate or utilize any marine weeds and plants which are useful for living aquatic resources;
- (d) use gill nets and other fixed fishing gear in shallow waters; the Fisheries Department shall specify on the licence the location of such gear, its measurements and mesh size.

Article 22. - Fishing trawlers shall not be used at depths under 25 metres.

Article 23. - It shall be unlawful for unauthorized persons to fish in the waters determined by the Fisheries Department, which shall be the preserve of the Government and companies that are entitled to their exploitation under special contracts signed with the Ministry of Industry and Agriculture.

Article 24. - It shall be unlawful to fish near petroleum or military establishments or any other areas determined by the Fisheries Department.

Article 25. - Catching species of fishes under 15 cm. long shall be banned except those specified by the Fisheries Department.

Article 26. - The quantities of fish to be caught annually in the territorial waters of Qatar should be limited and distributed according to the four seasons, i.e. winter, spring, summer and autumn with a view to conserving the fisheries resources and increasing reproduction in future.

Article 27. - It shall be unlawful to fish by nets whose meshes are under:

- (a) seines under 40mm;
- (b) shrimp nets under 15 mm;
- (c) floating net, one layer, under 40 mm;
- (d) pelagic trawls under 20 mm;
- (e) bottom-set nets under 40 mm;
- (f) fish barriers under 40 mm;
- (g) drift nets under 40 mm;
- (h) trammel nets (2 exterior layers) under 80 mm;
- (i) fyke nets under 40 mm.

Article 28. - It is absolutely prohibited to use methods that cause mass extermination of living aquatic resources such as poisons, explosives, chemical substances, electrical means or any other like methods.

Article 29. - The Fisheries Department should determine the appropriate grounds for aquaculture of living aquatic resources and promote their establishment and provide necessary technical supervision.

PART IV - CONSERVATION, TRANSPORTATION AND MARKETING OF LIVING AQUATIC RESOURCES

Article 30. - Anyone who wants to exploit, process, handle or market aquatic resources and their products should obtain a licence from the Fisheries Department.

Article 31. - Fishing vessels and conveyances used for the transportation of living aquatic resources should be equipped with refrigerating units or with insulated ice-cooled containers; and the cleanliness and hygiene therein should fulfill the requirements specified by hygiene departments concerned.

Article 32. - It shall be unlawful to sell living aquatic resources except in markets and locations where hygienic and commercial requirements are satisfied, and the sellers should observe the following:

- (a) obtain a hygiene clearance certificate from the competent authority;
- (b) obtain a licence from the competent department;
- (c) secure a refrigerator satisfying hygienic conditions for the preservation of fish products;
- (d) sales should be done by kilogramme units.

Article 33. - Processing, drying and smoking of living aquatic resources should satisfy hygienic standards.

Article 34. - Domestic and foreign vessels carrying imported products of living aquatic resources, whether they are fresh, dried, canned, salted or smoked, should comply with the regulations of customs and quarantine.

Article 35. - Traders of living aquatic resources shall keep books to record the quantities by their species and prices, according to forms prepared by the Fisheries Department.

Article 36. - It is necessary to obtain the approval of the Fisheries Department prior to exporting living aquatic resources and their products.

Article 37. - Foreign vessels entering harbour shall not sell or market living aquatic resources without obtaining a licence for such purposes from the Fisheries Department.

PART V - PENALTIES

Article 38. - Without prejudice to any penalty under Article 36 of the Law of 1982 on Exploitation and Conservation of Living Aquatic Resources, any violation of the provisions of these Regulations shall be punishable by a fine of up to 1000 Qatar Riyals and a written warning for the first offence.

PART VI - GENERAL PROVISIONS

Article 39. - The owner of a fishing vessel shall not lease, lend or cede his vessel to others in any way without a written permission from the Fisheries Department.

Article 40. - Fishery companies and institutions in Qatar operating in territorial fishing zones shall not use vessels owned wholly or partially by foreigners unless permitted to do so by the Fisheries Department, which shall have the power to levy appropriate tolls on such use, and specify zones and duration of operation of these vessels.

Article 41. - All those engaged in fishing or diving shall immediately report to the authorities any infiltrators, smugglers, or suspicious marine floating or sunk objects they may have noticed; and they shall be rewarded by the competent authorities under pertinent regulations and laws.

Article 42. - All fishing and diving professionals shall comply with the instructions and regulations issued by the competent department determining sea inlets and outlets and prohibiting stationing at open coasts except in cases of emergency.

Article 43. - No fisherman should enter with his vessel into the operation areas or other fishermen using fixed or movable nets. Likewise, he shall not install his fishing gear inside those areas in such a way as would tear or damage others' fishing gear or deprive them from catch; he shall not harass other fishermen inside any operational area within the territorial waters.

Article 44. - In compliance with the regulations of the Fisheries Department owners of fishing vessels shall maintain on board a fishing logbook.

Article 45. - Anyone who reports or captures offenders violating the provisions of this Law and its Regulations shall be granted a reward to be determined by the Fisheries Department under local regulations.

Article 46. - Owners of vessels and their masters should respect the authorized number of fishermen and crew and workers as specified on their licences. They shall not sail with persons under or above the authorized number. Likewise, they shall not carry other persons, merchandise or equipment other than the fishing requirements.

Article 47. - Owners of fishing vessels after leaving the harbour to the open sea shall not load or unload merchandise or persons from vessels anchored in the open sea. They shall not carry aboard any prohibited material such as arms, explosives, narcotics, etc.

Article 48. - Owners of trucks that transport living aquatic resources and materials for their preservation should not carry any merchandise or persons if they were infiltrated from sea to land or vice versa.

Article 49. - Fishing professionals and owners of means of transportation of living aquatic resources shall undertake to furnish the Fisheries Department with the required data and statistics.

Article 50. - It shall be unlawful to fish or carry away eggs of marine birds and aquatic turtles from islands and coasts without the approval of the Fisheries Department.

Article 51. - Amateur fishermen, who do not practice fishing for lucrative purposes, shall not be subject to the provisions of these Regulations.