

SAU 3

2. BASIC FISHERIES LEGISLATION

- (a) Fishing Regulation, Exploitation and Conservation of Living Aquatic Resources Scheme

Practice of Fishing and Diving Professions

Article 1. - The Ministry of Agriculture and Water shall regulate and supervise all fishing and diving operations for the exploitation and conservation of living aquatic resources in the territorial waters of the Kingdom, and shall endeavour to develop them, provide their rational management and promote their activities, and also shall carry out the following:

1. determine the fishing grounds in the Kingdom;
2. specify the marine zones suitable for fish culture schemes;
3. specify the species of aquatic organisms which are prohibited to be fished or they may be fished during specific periods;
4. specify fishing techniques and gear which should not be utilized;
5. grant aids and loans to fishermen, encourage them to develop their gear and encourage them to form their cooperative societies;
6. stipulate agreements and contracts with commercial and scientific institutions specialized in the development and exploitation of living aquatic resources;
7. perform practical and statistical researches and other material and extension methods with a view to benefiting from living aquatic resources.

Article 2. - No one shall practice the profession of fishing or diving in the territorial waters of the Kingdom without a licence issued by the Ministry of Agriculture and Water under the conditions regulating granting and withdrawing licences.

Article 3. - In each fishing zone there shall be a head of fishermen who shall be elected, and his powers and stipend shall be determined by the Minister of Agriculture and Water.

Article 4. - There shall be in each fishing zone a local committee composed of the head of fishermen, a representative of the province and a representative of the Ministry of Agriculture and Water. The chairmanship of the committee shall not depend on the rank of the representatives; the committee may seek to consult any expert in this field.

Article 5. - The said committee shall examine any disputes arising among the fishermen in the field of fishing or diving, and its decisions shall be effective after the approval of the Emir of the district.

Article 6. - Fishing and diving professionals on the fishing vessels shall be subject to the Labour Regulations as regards their relationship with employers.

SAU 4

Article 7. - The Ministry of Agriculture and Water may send a number of Saudi nationals for training on the foreign vessels operating in the territorial waters during their licence period; the training shall include fishing, diving, management and operation of fishing gear.

Conservation of Living Aquatic Resources

Article 8. - Export of living aquatic products fished in the territorial waters shall not be permitted without previous approval of the Ministry of Commerce, and that approval shall be subject to the domestic needs for the said products.

Article 9. - The extraction of living aquatic resources from the territorial waters by foreign fishing and diving vessels shall not be allowed without a permit issued by the Minister of Agriculture and Water after the approval of the Prime Minister. The permit shall specify the species and the period they could be extracted. The foreign vessels operating for national companies shall be exempted from the said permit.

Article 10. - The companies and institutions engaged in fishing, extracting, processing or marketing living aquatic products should maintain books to record their production according to their weight, species and quantities exported or marketed in the Kingdom, and they should furnish the Ministry of Agriculture and Water and the Ministry of Commerce with copy of these particulars, and municipalities should secure the necessary scales.

Article 11. - It shall be unlawful to fell trees and cut weeds along the coasts of the Kingdom and its isles or transport any soil or organic materials therefrom without the approval of the Ministry of Agriculture and Water.

Offences and Penalties

Article 12. - The Ministry of Agriculture and Water shall examine offences against this Decree and its Regulations, and shall investigate them under the regulations issued by the Minister of Interior and the Minister of Agriculture and Water.

Article 13. - Without prejudice to any other stronger penalty under other laws, regulations and resolutions, any violation of the provisions of this Decree and its Regulations shall be punishable by imprisonment for a term up to six months or a fine to the amount of ten-thousand Riyals or both penalties for each offence.

Article 14. - The execution of the penalty cited in the previous Article shall be left to the discretion of the Minister of Agriculture and Water. If he deems that the offence is of such an enormity that the said penalty will not suffice he shall refer the matter to the Court to determine the case.

SAU 5

Final provisions

Article 15. - The Minister of Agriculture and Water shall issue the necessary regulations to regulate and implement the provisions of this Decree. They shall come into force ninety days after their publication in the official Gazette. Likewise, the Minister of Agriculture and Water may issue such regulations as he deems necessary for the enforcement of this Decree.

Article 16. - This Decree shall be effective on the date of its publication in the official Gazette.

Article 17. On the date this Decree comes into force all other laws, and instructions that contradict its provisions, shall be null and void.