

Decree N° 23 of 19 September 1985 concerning the conditions for the retirement and replacement of unserviceable fishing vessels

Article 1. - The retirement and replacement of unserviceable Kuwaiti fishing vessels shall be carried out in accordance with the following conditions and measures:

1. The owner of the vessel who wishes to retire and replace the vessel, must be a member of the Kuwaiti association of fishing vessel owners.

2. The vessel must hold a valid fishing licence issued in the name of the owner, and this must not have been the object of a transfer of property within the two years preceding the date of presentation of the application.

3. The owner of the vessel shall present to the Public Corporation for Agriculture and Fish Resources an application indicating his wish to retire and replace a vessel and demonstrating that the state of the vessel does not allow for it to be used for fishing operations in Kuwaiti waters.

4. The application shall be submitted to a technical committee appointed by the Director General of the Corporation. The Committee shall inspect the vessel and pronounce on its serviceability for fishing operations in Kuwaiti waters.

5. The licence shall be replaced if the owner proves that his vessel has sunk, burnt or has been involved in an accident that is so serious as to make it unserviceable for fishing operations in Kuwaiti waters.

6. The licence issued to a vessel which the owner wishes to retire and replace, shall be cancelled if it is shown that the vessel is unserviceable. A new licence will be issued to the replacement vessel in accordance with the conditions currently stipulated by the Corporation.

7. The ownership of a new vessel shall not be transferred for at least one year and then only with the authorization of the Public Corporation for Agriculture and Fish Resources.

8. It is prohibited to use for any purpose in Kuwaiti waters a vessel that has been retired.

9. Any person who contravenes the provisions of this Decree shall be liable to the penalties prescribed by Decree Law No 46 of 1980 on the conservation of Fisheries Resources. All previous orders whose provisions are inconsistent with the present order are repealed.

Article 2. - This Decree applies to all concerned persons; it shall be published in the Official Journal and shall enter into force on the date of its publication.