

Law No (2) of 2006
Concerning
Organization of catching, exploiting and protecting marine creatures

In the Name of the People,
President of the Republic,
After perusal on the Constitution of the Republic of Yemen,
And after the ratification of the Parliament,

(I promulgate the following Law)

Part One

Recitation, Definitions and Objectives

First Chapter

Recitation and Definitions

- Article (1):** This law shall be cited as (the Law of Organization of catching, exploiting and protecting marine creatures).
- Article (2):** In this Law the under mentioned words and expressions shall have the meanings accorded against each of them, unless the context otherwise requires:
- Republic:** The Republic of Yemen.
- Ministry:** The Ministry of Fish Wealth.
- Minister:** The Minister of Fish Wealth.
- Republican Sea Waters:** The regional sea, the adjacent zone, the Exclusive Economic Zone and the Continental Reef defined according to the laws in force.
- Marine Creatures:** Any animal or plant organisms that live in the sea waters of the Republic or at the bottom of these waters and sand, of which are fish, crustacea (shellfish) , mollusca, sea mammals, turtles, shells, sponges and coral reef, fish grazing grounds, fish ovules and seaweed.
- Fishing:** The lifting of marine creatures from the Republic sea waters by any means and for any purpose.
- Fisherman:** Any person practicing the fishing profession.
- Fishing Boat:** Any boat or floating sea ship operated by engines or sails etc. and is used for catching, processing, storing or transporting marine creatures.
- Artisanal Fishing Boat:** The boat that is using artisanal gear in looking for marine creatures and their capture. The specifications are defined in the regulations.

Coastal Fishing Boat:	The boat that uses technical and mechanical fishing facilities, implements and gears. The regulations shall define the technical specifications of the boat, its size, engine horse power, the method and fishing gear used.
Industrial Fishing Boat:	The boat that uses facilities, implements, gears, fishing technical and mechanical equipment for conservation or freezing.
Receiving Boat:	A particular boat that is designed to receive or transport marine creatures which is not provided with fishing gears.
Local Fishing Boat:	The boat that is registered in the Marine Academic Affairs, owned completely by a Yemeni whether a natural person or a corporate body.
Foreign Fishing Boat:	The boat that is owned completely to a foreign natural person or corporate body.
Fishing zones:	The zones defined for fishing within the sea waters of the Republic and interrelated waters.
License:	The document issued by the Ministry or its affiliates offices in the governorates to allow the fishing boat, the receiving boat to practice fishing activity, receiving or transportation of marine creatures.
Permission:	It is the card freely granted to the fisherman from the Ministry's offices in the coastal governorates and districts. The regulations shall define the conditions and procedures of its granting.
Research Boat:	The boat dedicated for fishing research purposes only.
Research Authority:	The authority which undertakes research work concerning marine creatures and its biodiversity.
Laboratory:	The establishment specialized in conducting sensational tests and laboratory analysis of the marine creatures.
Fishing Societies:	Socio-economic organization of an autonomous corporate body, whether being of productive nature or fishing service body, established in accordance with the Law of Cooperative societies and unions and the provisions of this Law
Fisheries Union:	The typical cooperative union established in accordance with the provisions of the Law of cooperative societies and unions.
Aquaculture & Fish Breeding:	The culturing or breeding of particular species of marine creatures in limited and defined areas whether in the sea or on land.
Inspector:	The person appointed by the Ministry who carries out the requirements of surveillance on the fishing boats and fisheries installations.
Monitor:	The person appointed by the Ministry who undertakes the collection of all data and information related to fishing on boats and landing centers.
Regulations:	The executive regulations of this Law.

Second Chapter Objectives

Article (3): This law aims at:

- 1- Protecting marine creatures and their marine environment from random fishing and detriment deeds and practices, the development and improvement of its types and quality in a manner that ensures its sustainability and increasing its stock.
- 2- Encouragement and organization of investment in the field of fishing and exploiting of marine creatures and their marketing in a manner that would strengthen the role and contribution of the cooperative fisheries sector, the private and mixed sector in increasing the national revenue and supporting the national economy
- 3- Encouragement of coastal investment of the fisheries service and industrial facilities at the level of production services for the purposes of local and foreign marketing (exportation) and in accordance with the scientific specifications and international criteria.
- 4- To lay down the appropriate conditions and criteria in order to organize artisanal, coastal and industrial fishing in a manner that would ensure the encouragement and development of artisanal and coastal fishing activities to replace foreign industrial fishing gradually, in a manner that would constitute the core of establishment of a national, distinct fleet.
- 5- Development of the implements and methods of utilization of marine creatures in a manner that would lead to optimum and rational exploitation of marine creatures, the demands of the local market from them and the development of their exports.
- 6- Encouragement of investments in the field of aquaculture and marine creatures breeding and providing the necessary privileges and facilities to the investors and the defining of the suitable places for aquaculture and breeding.
- 7- The concern with fisheries statistics and the laying out of a statistical system to be established in order to create an integrated information data base.
- 8- To activate and strengthen the role of marine control and surveillance so as to ensure the safeguard of fish wealth, the combating of smuggling, the prohibition of non organized and illegal fishing in coordination with the concerned authorities.
- 9- To support the research authorities in order to achieve the economical aims of the exploitation of marine creatures, the increase of production and the maintenance of the fish stock.
- 10- To develop the artisanal fishing implements and boats, so that they become more capable in fish production and maintenance of product quality.

Second Part
Organization of catching marine creatures
First Chapter
General Basis to Practice Fishing Activities

Article (4):

- a- Any fishing boat or receiving boat shall be prohibited from practicing any fishing or receiving activity or transportation of marine creatures unless provided with the necessary license in accordance with the provisions of this law and its executive regulations.
- b- An application for the obtainment of the license should be submitted in writing to the Ministry or its offices in the governorates or its offices in the coastal districts in accordance with the conditions and procedures defined by this law and its executive regulations.
- c- The license shall, in particular, show the following:
 - 1- The date of issuance of the license and the period of its validity.
 - 2- Name of the fishing or receiving boat, its type, number, harbor of its registration and the name of its owner.
 - 3- Particulars of the fishing or receiving boat.
 - 4- Methods and fishing gear allowed to be used.
 - 5- The maximum and minimum number of the crew of the fishing boat and receiving boat.
 - 6- The fishing zone or receiving site in which the practicing of this activity is allowed.
 - 7- Species of marine creatures allowable to be caught or received and the maximum quantity from them.
 - 8- Any other data defined by the executive regulation of this law.

Article (5): Each person practicing fishing profession shall be obliged with the following:

- a- To adhere to the resolutions of the Ministry in opening and closing the fishing seasons and the Ministry shall have to announce them in the mixed media aids.
- b- Should bear the fishing license and the practicing of this activity permanently in order to show it up when requested.

Article (6):

- a- Local and foreign companies shall be banned from fishing marine creatures except under an agreement to be concluded with the Ministry in accordance with this law and its executive regulations.
- b- Agreements concluded with foreign companies should stipulate conditions for the opening of offices for those companies in the Republic and bank guarantees with the full value of state (returns).

- c- A fishing agreement whose period does not exceed two years shall be subjected to Ministry's approval and that agreement whose period does not exceed three years shall be subjected to the approval of the council of ministers. Each agreement whose period exceeds three years shall be subjected to the ratification of the parliament.

Article (7):

- a- Local and foreign companies shall be banned to abdicate from the fishing agreements and exploitation of marine creatures or fishing licenses for others and in the case of abdication the agreement or the license to others. In case of abdication the agreement or license shall be considered abolished.
- b- Any local or foreign company shall be banned to work in the field of fishing and exploitation of marine creatures under a sub-contract or sub-agreement.

Article (8): The Ministry shall undertake the responsibility of supervising the organization of the fishing and exploitation of the marine creatures and their development in a manner that would ensure an increase in their returns and the supporting of the national economy. To this end it shall assume the following powers:

- 1- To define the implements, methods and gears allowed to be used in fishing and shall stipulate the technical conditions and specifications for each of them.
 - a. Fishing and receiving boats allowance to be used in fishing and transporting marine creatures.
 - b. Fishing gears (fishing nets, ropes, threads, and hooks) etc. allowed to be used in fishing.
 - c. Refrigerated conservation carriers to transport the marine creatures and other fishing requirements.
- 2- To define the implements, methods and materials those are harmful to the development and reproduction of marine creatures and to prohibit their use.
- 3- To define one or more particular zones within the sea waters of the Republic, in which fishing activity shall be allowed to be practiced either permanently or temporarily as necessitated by the common good.
- 4- To define one particular site or more in some or all fishing zones in which the practicing of fishing activity shall be prohibited permanently or temporarily if necessitated by the common good.
- 5- To define the types and species and of marine creatures whose catching shall be prohibited for a fixed period or non fixed period in all or some of the sea waters of the Republic.
- 6- To define the minimum limit of the size and length of the marine creatures allowable to be caught.
- 7- To define the elements of safety of the marine creatures and the materials that are not allowable to be discarded into the sea waters of the Republic and the allowable concentration of some or all of these materials in a manner that would not harm the marine creatures or human health directly or indirectly through coordinating with the competent authorities.

- 8- To prepare and fix the specimen of register books, forms, data and documents which the fishing and receiving boats have to keep.
- 9- To conclude agreements concerning fishing and exploitation of marine creatures with the local and foreign companies in accordance with this law and its executive regulations.
- 10- To keep registries, in which shall be recorded all details concerning all persons who have relationship with fishing operations and the different fishing boats permitted to carry out fishing and transportation of marine creatures.
- 11- To define and review the prices of exploited marine creatures under the agreements concluded with the Ministry.
- 12- To fix the marine traveling distances for the coastal fishing boats.
- 13- To define the fish stock, the average and quantities of fish caught and the number of boats allowed catching fish.
- 14- To fix the opening and closure seasons of fish catching.
- 15- To define and offer the suitable sites for the aquaculture and breeding of marine creatures in coordination with the authorities concerned.

Article (9): The local, foreign, receiving and research boats operating under an agreement concluded with the Ministry in the field of catching or receiving marine creatures shall be banned to:

- 1- Depart the sea waters of the Republic without obtaining the approval of the Ministry.
- 2- Practicing fishing activity in the sea waters of the Republic and breaching the rules that prohibit collision which are defined by the regulations in accordance with the rules of the International Law.
- 3- The offloading or loading or provision with fuel and other supplies inside the sea and outside the harbors defined in the fishing agreements. Industrial fishing boats shall be excluded in compulsory cases only, provided that all monitoring officers assigned with the task on the boat shall be available and a prior approval of the Ministry obtained.

Article (10): The Ministry or its offices in the coastal governorates shall, in accordance with the provisions of this law and its regulations and other rules and resolutions in force, collect the annual fees related to fishing or receiving licenses granted to operating boats of all types and sizes.

Article (11): The Minister shall have the right to issue licenses related to fisheries researches to any local or foreign research boat to undertake oceanic scientific researches, according to a timing research schedule to be approved by the Ministry, provided that the quantity of catch is not industrial.

Second Chapter

Organization of Artisanal and Coastal Fishing

- Article (12):** The government shall undertake the encouragement and the provision of available support to the fishermen, the development of their villages and communities as well as establishing the infrastructure.
- Article (13):** The Ministry, through its offices in the governorates and districts shall undertake the following tasks:
- a- Supervise and monitor the artisanal fishing activities in the sea waters of the Republic in accordance with the provisions of this law and its executive regulations.
 - b- To grant fishing licenses to the artisanal fishing boats as well as providing identity cards to the artisanal fishermen, in accordance with the conditions and procedures stipulated by the regulations.
- Article (14):** It is impermissible for any natural person or corporate body to practice fishing activity in the artisanal fishing zones in the sea waters of the Republic, except by the fishing implements and gears that are defined by the Ministry and after the obtainment of the necessary licenses for same.
- Article (15):** The ownership of artisanal fishing boats and the practicing of artisanal fishing shall be confined only to the fisheries societies and Yemeni fishermen only. Specialized institutions in artisanal fishing subordinated to the Ministry shall be excluded.
- Article (16):** For common good, the Minister shall have the right to ban the practicing of fishing by using a particular method or one implement or more of artisanal fishing or to ban the fishing of any particular type or specie or more from marine creatures. Any person practicing artisanal fishing shall abide to this prohibition.
- Article (17):** Any natural person or corporate body shall be banned from practicing fishing by coastal fishing boats except by a license and agreement with the Ministry. The special returns on coastal fishing boats shall be defined.
- Article (18):** The Ministry and its offices in the governorates shall be banned to grant any license to the commercial and industrial and coastal fishing boats to practice artisanal fishing.
- Article (19):**
- a- The Ministry shall undertake a calculation and classification of the artisanal fishing boats operating in the sea waters of the Republic in cooperation with the Fisheries Cooperative Union.
 - b- The Coast Guard Department shall undertake the numbering of the artisanal boats in coordination with the Ministry.
- Article (20):**
- a- The Cooperative Union and Fisheries societies shall be obliged to provide the Ministry and its offices with all required data and information periodically in

accordance with the prepared specimens by the Ministry. The fisheries societies shall also be obliged to allow the auditors of the Ministry to be perused of their records whenever required.

- b- Observing the classifications mentioned in Para (1) of article (19) of this law, the Ministry shall force everyone or some of the types of the artisanal fishing boats, whenever possible and necessary, to keep statistical records or books or forms for recording the production of the boat or marine creatures in accordance with the specimen prepared and approved by the Ministry. The regulations shall define the sizes of the boats which should oblige to.
- c- The fisheries societies and their members, as well as all individual artisanal fishermen shall be banned from landing their caught produce from marine creatures in other landing centers and auction halls defined by the Ministry. Unavoidable cases defined by the regulations shall be accepted.

Article (21): With the exception of the zones in which fishing for other parties is banned, the licensed artisanal fishing boats, by way of practicing their activity, shall have the right to shift from one governorate to another.

Article (22): The traveling distances of coastal fishing in the sea waters shall be fixed after (5) sea knots from the basic line.

Article (23): Without breaching the provisions of article (52) of this law, any person practicing the activity of artisanal fishing shall be banned from the following:

- a- To impede the movement of marine creatures from one zone to another by extending the nets or placing them in a closed circular shape or semi-circular or by any other implement contrary to the periods and the sites defined by the regulations.
- b- Taking off the numbers of the boats or their removal or scratching or disguising from the sides of the boat.
- c- The practicing of fishing activity without carrying the necessary licenses in accordance with the provisions of this law.

Article (24): Everyone practicing the activity of artisanal fishing should abide to the following:

- a- To follow up the guidelines and instructions issued by the Ministry or its offices in the coastal governorates.
- b- To report about the boats, nets and other fishing gears which it loses in the sea waters of the Republic.

Third Chapter

Organization of Industrial Fishing Operations

Article (25): Each person owing or hiring an industrial boat shall be banned from the following:

- 1- To fish in the sea waters of the Republic except by an agreement to be made with the Ministry and a license issued by it. No abdication of this license to others is allowed.
- 2- To practice the activity of fishing in the zones, in which he is not permitted to fish.

Article (26): Each person whether (natural or corporate body) owning/hiring an industrial fishing boat should be obliged to the following:

- 1- To obtain the navigation certificate and other relevant documents ensuring the soundness of the boat issued by the competent authorities in accordance with the laws and their executive rules.
- 2- To keep statistical and productive records and other records relating to the movement of the boat and its activity, providing the Ministry with all statistical data of caught product by those boats in accordance with the specimen prepared by the Ministry and adopted by it.
- 3- To show the registration number granted to him by the Ministry on both sides of the boat.

Article (27):

- 1- Each person (natural or corporate body) owning or hiring an industrial fishing boat or coastal boat shall be obliged to pay the complete compensations to the affected fishermen whose boats, gears or fishing implements have been trawled by him.
- 2- The Ministry and its offices in the coastal governorates shall undertake the collection and follow up the value of compensations indicated in Para (1) of this article and its distribution among the affected fishermen in coordination with the Union's branches in the governorates.
- 3- On proving the breaching and the non responding of the owning or hiring person who caused the damages, it should be deducted from the Bank guarantee.

Article (28): The Ministry shall, in accordance with the ceilings and efforts of the production allowed to be caught by the Research Authority, distribute the industrial and coastal fishing boats among the fishing zones in the sea waters of the Republic.

Article (29): The marine traveling distance of industrial fishing boats in the sea waters is fixed after a distance of (12) knots from the basic line.

Article (30): The fishing of small rocky lobster whose sizes are less than (19) cm as well as the fishing of the females bearing ovules and everybody practicing fishing shall be obliged to return them back to the sea as soon as discovered amongst the caught quantities.

Article (31): The fishing of rock lobster by nets shall be banned. The boxes known as (traps and named Sakhawi) is the only implement to be used for catching it.

Part Three

Breeding of marine creatures, their development, marketing and processing.

First Chapter

Breeding of Marine Creatures and the Development

- Article (32):** The Ministry shall identify the sites suitable for fish aquaculture and the supervision over the breeding and development of marine creatures in the sea waters and the coastal line of the Republic. For this purpose, it shall have the right to establish and install typical farms and basins for producing and breeding marine creatures on economical and scientific basis with the aim of encouraging the private sector to invest in the field of aquaculture, breeding and fattening of marine creatures.
- Article (33):** The Ministry should encourage, produce, import and breed the improved species from different marine creatures, ornamental fishes, their selling or setting free the larva in some of fishing zones with the aim of strengthening the sock of some marine creatures or improving their quality.
- Article (34):** The Ministry shall undertake the provision of support and guiding assistance to the fishermen and the sectors working in the field of breeding and aquaculture of the marine creatures in a manner that would guarantee the optimum exploitation of this resource and its protection as a vital renewal wealth.
- Article (35):** It is not permissible for any natural person or corporate body to undertake the breeding or aquaculture of the marine creatures without obtaining a license from the Ministry.

Second Chapter

Marketing and Processing of Marine Creatures

- Article (36):** The selling of marine creatures shall be banned, except at the landing centers or auction selling sites or at the markets and shops, observing that health and trading conditions are existing.
- Article (37)** The Ministry and its offices in the coastal governorates shall undertake the organization of selling and buying the marine creatures and their preparation and processing, and to this end, it shall have the right to:
- a- Agree to establish fisheries institutions equipped for the purposes of selling and buying marine creatures by wholesale, their marketing for local consumption or their preparation and processing for exportation.
 - b- The granting of annual private licenses for the practicing of the profession of purchasing and selling marine creatures by wholesale and their marketing locally and abroad in coordination with those concerned authorities.
 - c- Controlling and monitoring the plants for preparing and processing marine creatures assumed for local and foreign marketing.
 - d- Controlling and monitoring the retail sales and purchasing markets of marine creatures in coordination with the local councils in the districts.

- e- The establishment of laboratories for checking and controlling the quality of marine creatures dedicated for local and foreign marketing.

Article (38): It is not permissible for any natural person or corporate body to undertake the following:

- 1- To collect, receive and process rock lobster and its marketing locally and abroad without permission from the Ministry, according to the conditions and provisions of this law to be defined by a resolution from the Prime Minister on submission by the Minister and after approval of the council of ministers.
- 2- The selling and purchasing of marine creatures by wholesale or the undertaking of its marketing and exportation without obtaining a license from the Ministry or its offices in the governorates.
- 3- The establishment of fisheries institutions equipped for the purposes of selling and purchasing by wholesale of the marine creatures dedicated for local markets, as well as establishing the plants concerned with the preparation and processing of marine creatures dedicated for exportation without obtaining a prior approval from the Ministry or its offices in the governorates.
- 4- Importation of marine creatures and their products or allowing their entrance into the Republican territories except in accordance with the international criteria of standard specifications approved by the international corporation for specifications and standards and in coordination with the concerned ministry.

Article (39):

- a- State returns shall be collected at the rate of (3%) from the value of production of artisanal fish, crustacea (shellfish), mollusca caught in accordance with the prevailing prices at the time of selling at landing centers and auction sites.
- b- Service charges are collected at the rate of (5%) as a maximum rate from the value of sales of production of artisanal fish from fish, crustacea (shellfish), mollusca in accordance with the prevailing prices of sales at the landing centers and auction sites. The regulations shall define the authorities, the size, quality and cost of service offered at the landing centers and the ratio of each party of them.

Article (40): Marketing service fees shall be charged to the exporters of marine creatures and their products at the rate of (1%) from the value of the exported quantities.

Article (41): The Ministry, through its present existing institutions may trade with marine creatures by wholesale and as such, shall be entitled the right to establish plants to process or manufacture marine creatures and their products and the establishment of markets, stores, ice plants, means of transportation etcetera in a manner that would not breach the principle of competition between the sectors working in the field of fisheries.

Article (42): The fisheries cooperative societies shall be eligible to market their products locally and abroad and to establish the fisheries institutions equipped for the purposes of selling and purchasing marine creatures by wholesale and their marketing for local consumption or for their preparation and processing for exportation in accordance with the law.

Part Four

Control and Protection of Marine Creatures

- Article (43):** The Ministry and its offices in the coastal governorates shall undertake marine control and surveillance on all fishing activity in accordance with the provisions of this law, the regulations and the resolutions executing it.
- Article (44):** The Ministry shall appoint supervisors on each coastal, industrial or receiving boats operating in the sea waters of the Republic. The regulations shall define their assignments, powers and terms of their appointment, also the boats that are subjected to control, according to the type, capacity, size and nature of activity for each boat.
- Article (45)** It is not permissible to import or use fishing implements and gears and other accessories, except those that are in conformity with the technical specifications defined by the regulations in coordination with the concerned authorities.
- Article (46):** In order to make certain, the Ministry shall implement the technical conditions and specifications of the local and imported fishing implements and gears and their other accessories in periodical inspection and control of the fishing boats and other fishing gears.
- Article (47):** The Ministry shall undertake periodical monitoring and control over the factories and plants of processing, canning and storing marine creatures and the means of their transportation to make sure that they are sound and are in conformity with the specifications and in coordination with the concerned parties.
- Article (48)** The monitoring officers subordinated to the Ministry shall assume the nature of judicial control with relation to any breaching related to the implementation of the provisions of this law and the regulations. A resolution shall have to be issued by the Minister of Justice for their appointment on submission by the Minister and the regulations shall define their assignments, powers and the conditions of their appointment.
- Article (49)** The monitoring staff who are enjoying the nature of judicial officers shall have access to all institutions whose activity is related to fishing, aquaculture, breeding, manufacturing, marketing and processing of marine creatures and necessary affairs related thereto in accordance with a written assignment from the Ministry or its offices, in which it will be defined the time for monitoring and records which they will be perused of and the controlling of any breaching to the provisions of this law and its executive regulations.
- Article (50)** Observing the provisions of article (44) of this law, it is not permissible for any coastal, industrial or receiving boat to undertake fishing and receiving without presence of the monitoring officers assigned by the Ministry or to practice fishing in case of the existence of any defect in the navigation equipment of the boat.
- Article (51):** It is not permissible for the owners, hirers or users of coastal, industrial or receiving boats to hamper the work of the monitoring officers assigned by the Ministry or to

attack them by any means whatsoever, or not to abide to their orders or to force them out of board the ship.

Article (52) It is not permissible for any natural or corporate body to do the following:

- a- To use means of annihilation in fishing, like explosives, poisoned baits or chemical materials or electrical power etc.
- c- To uproot, cut or destroy sea weeds or coral reef of different types and species.
- d- To catch whales, sea mammals or turtles or to use their ovules, except those meant for scientific research by permission of the Ministry.
- e- To throw oils or fuel in the sea waters of the Republic.
- f- To throw caught marine creatures that are fit for food to the sea.
- g- To cast away marine creatures that are unfit for food as defined by the Ministry except after mincing.
- h- Selling, purchasing, importing, transporting and conveying those species from marine creatures that are dedicated for breeding without permission from the Ministry.
- i- Fishing, possessing, handling, landing, selling and marketing any type of the marine creatures, whose measurements and weights are lesser than those limits permitted.
- j- To exploit sea alga or sponges or any other types or species without obtaining a permission from the Ministry.

Article (53):

- a- It is not permissible for the different factories, plants, places of manufacturing and handling chemical and petroleum materials to dispose of their waste into the sea waters.
- b- It is not permissible to dispose of public polluted sewage water into the seawaters except after their treatment.
- c- It is not permissible for all types and sizes of marine floating ships to dispose of the waste containing fuel, oil, fats, poisoning or any other harmful materials directly into the sea.

Part Five

Penalties

Article (54): Without breaching any more severe penalty stipulated in any other law in force, everybody breaching the provisions of this law shall be punished by the penalties mentioned in this part.

Article (55): Anybody breaching any of the provisions of articles (6/a)(25/1)(52/ab)(53) shall be punished by imprisonment for a period no less than one year and not more than two years or by fine not less than fifty thousand U. S. Dollars and not more than five

hundred thousand U.S. Dollar or an equivalent of same in national currency of Yemen. The competent court shall, in addition to that, judge by the following:

- 1- Confiscation of the boat, equipment used, poisons or other detrimental materials or marine creatures caught or the revenue of their sale or any other materials, implements and equipments seized.
- 2- To abolish the agreement or license offered to the boat.

Article (56): Anyone breaching the provisions of the articles (7)(8/5)(9)(18)(25/2)(38)(52/c,d,e,f) shall be punished by imprisonment for a period not less than two months and not more than six months or by fine not less than ten thousand U.S.Dollars and not more than one hundred thousand U.S.Dollars or an equivalent in local currency with regard to Yemenis. The competent court shall judge by the following in addition to that:

- 1- Confiscation of marine creatures or the income of their sales or the caught implements and gears and the removal of the breaching facilities or institutions.
- 2- The abolishment of the agreement or license granted to the boat.

Article (57): Anyone breaching the provisions of any of articles (26)(52/f,h) shall be punished by imprisonment for a period not less than one month and not more than three months or by paying a fine not less than one thousand U.S. Dollars and not more than ten thousand U.S.Dollars or an equivalent in national currency with regard to Yemenies. The competent court, shall in addition to that, judge for the confiscation of marine creatures or the income of their selling or the abolition of the agreement or license granted to the boat.

Article (58): Anyone breaching the provisions of any of the articles (14)(21)(36) shall be punished by paying a fine not less than fifty thousand riyals and not more than one hundred thousand riyals, along with the confiscation of the fishing implements and gears in case of breaching article (14).

Article (59): Anyone breaching the provisions of any of articles (4)(5)(22)(24)(35)(45)(50) shall be punished by imprisonment for a period not less than a month and not more than three months or by paying a fine not less than fifty thousand riyals and not more than two hundred thousand riyals.

Article (60): Anyone breaching the provisions of article (51) shall be punished by payment of a fine not less than two thousand Dollars and not more than ten thousand dollars.

Article (61): The Ministry shall impose administrative detainment on the fishing boats breaching the provisions of this law, regulations or executive resolutions thereto or the agreements concluded with the Ministry for a period not more than fifteen days from the date of detainment, provided that the Ministry shall try during this period to arrive at a cordial settlement with the owner of the breaching boat, in accordance with article (64) of this law or refer it to judicature and the cases in this respect shall be decided by the courts who are specialized in taking prompt judicial actions.

Article (62): The Ministry shall carry out the selling of caught or received marine creatures by the breaching, or importing or exploiting boat, breaching the provisions of this law, if

there is fear that it may be exposed to deterioration, provided that he should not dispose of the value of the marine creatures sold, except by order of the competent court.

Article (63) In case of recurrence of any breaching by the fishing boat of the provisions of this law or the regulations of the agreement concluded with the Ministry, the Minister shall have the right to suspend the agreement or license of the boat for a period not exceeding one month and he shall have the right as well to prohibit either temporarily or permanently the practicing of the profession in the sea waters of the Republic by the captain or any individual of the crew of the boat which was used in committing this breach.

Article (64): With the exception of the provisions of article (52/a,b), the Ministry shall have the right to conclude cordial reconciliation with the breaching person of any provision of this law or the regulation or the concluded agreement with the Ministry, provided that the amount of the fine in case of settlement shall not be less than the minimum limit for fines usually imposed on a committed breaching by a breaching person, provided that it shall be settled in a period not exceeding thirty days from the date of settlement and its importation to the State's Treasury. The non payment of the fine shall lead to the abolition of the reconciliation and the submission of a case by the Ministry to the competent court.

Part Six

Final Provisions

Article (65): The provisions of this law shall be applied on the sea waters of the Republic in a manner that would not contravene with the laws, agreements, Arab and international conventions in force, in which our country is a participant.

Article (66): The Minister shall have the right to issue fishing licenses for experiment in order to know the quantity, types and species of marine creatures, fishing locations and other data. The regulations shall define the provisions and conditions of the issuance of these licenses and their periods.

Article (67): With the exception of the local revenues the returns from the exploitation of marine creature fishing, their investment and the fines imposed under this law shall be imported to the State's Treasury. A ratio of (10%) of the value of the returns obtained shall be appropriated for supporting the activity of the Ministry in the fields, which are defined by a resolution of the Prime Minister in accordance with the submission made by the Minister and after the ratification of the Council of Ministers.

Article (68): The Prime Minister, on a submission by the Minister and after the ratification of the Council of Ministers, shall issue the regulations relating to the organization of marine control and surveillance and the organization of fish exports, auction and artisanal fishing.

- Article (69):** The definition of the conditions related to the collection, receiving and processing of rock lobster and its marketing locally and abroad, shall be issued by a resolution of the Prime Minister on submission of the Minister and the ratification of the Council of Ministers, provided that there is no monopoly.
- Article (70):** The typical fishing agreements shall be issued by a resolution of the Prime Minister on submission by the Minister and after ratification of the Council of Ministers in a manner which does not contravene with the provisions of this law and the laws in force.
- Article (71):** The executive regulations of this law shall be issued by a resolution of Prime Minister on submission of the Minister and after the ratification of the Council of Ministers.
- Article (72):** The fish and marine creatures' exporters shall have to open an account in any accredited Bank in the Republic for the returns from exports prior to the issuance of the licenses of practicing exportation.
- Article (73):** The factories of the fishing boats, when manufacturing boats, shall be obliged to the technical specifications and measurements adopted by the Ministry.
- Article (74):** Any person controlling any breaching shall be rewarded by (10%) of the value of the controlled breach. In case it has been proved that there is no breaching, he shall be subjected to the punishment stipulated in article (56) of this law.
- Article (75):** The contracts and agreements in force, concluded between the Ministry and others under Law No. (42) of 1991 and its modification by Law No.(43) of 1997, shall remain in force until they expire according to the validity dates mentioned in such contracts and agreements.
- Article (76):** The Minister shall issue the resolutions, instructions and guidelines executing the provisions of this law.
- Article (77):** Law No.(42) of 1991 concerning the organization of fishing and exploitation of marine creatures and their protection and its modification shall be abolished by a Republican resolution under Law No.(43) of 1997.
- Article (78):** This law shall be in force since issuance and shall be published in the official gazette.

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Ali Abdulla Saleh,
President of the Republic