

**Resolution of Prime Minister No (296) for 2006**  
**Regarding Executive Regulations for Law No (2) of 2006**  
**Concerning Organization and Exploitation of Marine Creatures**  
**And their Conservation**

**Prime Minister,**

After perusal on the constitution of the Republic of Yemen,  
And on Law No. (3) Of 2004 concerning Council of Ministers,  
And on Law No. (2) Of 2006 concerning organization, catching and exploitation of marine creatures and their Conservation.

And on Republican Resolution No. (105) of 2003 concerning the formation of the Government and the naming of its members and its amendment.

And in accordance with the submission made by the Minister of Fish Wealth

And after the approval of the Council of Ministers,

//Resolve//

**Part One**

**Citation and Definitions**

**Article (1):** These regulations shall be cited as (the Executive Regulations of Law No. (2) For the year 2006 concerning organization, catching and exploitation of Marine Creatures and their conservation.

**Article (2):** For the purposes of execution of the provisions of these regulations, the words and phrases appearing hereunder shall have the meanings ascribed against each of them, unless the context otherwise requires.

- 1- **Republic:** The Republic of Yemen
- 2- **Ministry:** The Ministry of Fish Wealth.
- 3- **Minister:** The Minister of Fish Wealth.
- 4- **Ministry's Offices:** The Ministry's offices in the coastal governorates and districts.
- 5- **Concerned Ministry's office:** The Ministry's office supervising the activities of the artisanal, coastal, industrial and receiving boat.
- 6- **Law:** Law No (2) of 2006 concerning the organization of marine creatures catching, exploitation and their conservation.
- 7- **License:** The official document issued by the Ministry or its offices in the governorates to fishing, receiving or exporting of marine creatures' boat and the practicing of this profession.
- 8- **Auction Yard:** The installation existing at the landing centers or other coastal locations for selling and buying of marine creatures by auction.
- 9- **Landing Center:** These are the coastal locations dedicated for the landing of the catch from marine creatures, defined by a resolution of the Minister.
- 10- **Owner of the Yard:** A natural person or corporate body who owns the auction yard allocated for the processes of sales and purchases of marine creatures by auction at the auction yards or landing centers licensed by the Ministry's office.

- 11- **Auctioneer:** The person in charge of the processes of selling and purchasing the marine creatures by auction at the auction yards or landing centers licensed by the Ministry's office.
- 12- **Marine Observer:** The person appointed by the Ministry and its offices in the governorates in which he undertakes supervision work over the landing centers and on the coasts.
- 13- **Coastal Supervisor:** The person appointed by the Ministry and its offices in the governorates in which he undertakes supervision work over the landing centers and on the coasts.
- 14- **Quality Controller:** The person appointed by the Ministry and its offices who undertakes the controlling of the quality, the handling and transportation of marine creatures landed at the landing centers or auction yards, fish selling markets or in the laboratories.
- 15- **Marine Inspector:** The person appointed by the Ministry who undertakes the execution of the requirements of inspection over the fishing boats or in the harbors or landing centers.
- 16- **Quality Inspector:** The person nominated by the Ministry who carries out the requirements of inspection over the quality of marine creatures, their handling, processing, manufacturing, transportation and marketing.

**Part Two**  
**Organization of Catching and Receiving**  
**Marine Creatures**  
**Chapter One**  
**Common Basics of Practicing Fishing Activity**  
**Section One**  
**General Provisions**

- Article (3):** No fishing or receiving boat shall be allowed to practice fishing or receiving and transporting of marine creatures, except after obtainment of the necessary license in accordance with the provisions of the law and this regulations.
- Article (4):** Everybody practicing fishing shall abide to the following:
- a) To adhere to the resolutions of the Ministry regarding the opening and the closing of fishing seasons. The Ministry undertakes to announce that in the different audio visual media.
  - b) To carry the original fishing licenses when practicing this activity permanently to be produced on request.
- Article (5):** Local, foreign, receiving and research boats operating under the agreement concluded with the Ministry in the field of fishing or receiving marine creatures shall not be allowed to practice the following:
- 1- To depart the sea waters of the Republic without the approval of the Ministry.
  - 2- To practice fishing within the sea waters of the Republic contravening the rules of non collision. Coasts, industrial, receiving and research boats practicing their activities or sailing or anchoring at their anchorage hooks must show the following lights and shapes:
    - a) Those boats fishing by means of (trawl nets in the water or other means used as fishing gear) should show the following:
      1. Two lights at a single vertical line to be seen in all scopes of the horizon. The above light should be red and the lower light should be white or a shape consisting of two cones whose top points are opposite to each other and linked at a perpendicular line.
      2. The light of the mast abaft or above the green light to be seen in all scopes of the horizon and all boats, whose length is less than (50) meters are not bound to show such light, having, however, the right to show same.
      3. Lighten the two sides and the stern of the boats drifting into the water.
    - b) Those boats practicing fishing activity without (trawling net), must show the following:
      1. Two lights at a single vertical line to be seen in all scopes of the horizon. The above light should be red and the lower light should be white or a shape consisting of two cones, whose top points are opposite to each other and linked at a perpendicular line.
      2. A white light to be seen in all scopes of the horizon or a cone, whose top point is facing the outward fishing gear, when such gear is being extended horizontally for more than (150) meters from the boat.

3. Lighten the two sides and stern of the boats drifting into the water.
  - c) The boats occupied with fishing nearer to other boats engaged in fishing may show the additional signs explained in the second annex of the International Rule No.(26) issued by the International Marine Organization to avoid clashes at sea.
  - d) Boats not practicing fishing must not show up the lights or the shapes mentioned in paragraphs (a,b,c) of this article with the exception of the boats having their same length.
  - e) Fishing, receiving, and research boats shall all adhere to the international rules issued by the International Marine Organization in order to avoid collisions at sea, as well as the rules and guidelines issued by the Ministry in a manner that does not contravene with the international law and regulations.
- 3- Offloading or loading or taking supply with fuel or other supplies offshore and outside the defined harbors in the agreement of fishing and receiving, with the exception of industrial boats in compulsory cases only, provided that all assigned inspectors are available on the boat and the obtainment of a prior approval of the Ministry.

**Article (6):** The Ministry and its offices at the coastal governorates, in accordance with the law, this regulation, the rules and other resolutions shall collect the annual fees in lieu of operating fishing or receiving licensed boats of various types and sizes.

**Article (7):** The Ministry, in accordance with the ceilings and efforts of the allowable catch fixed by the Research Authority shall distribute the coastal and industrial fishing boats to the fishing zones in the sea waters of the Republic.

**Article (8):**

- a- The Research Authority shall define the ceiling of fish production and effort allowable in the sea waters of the Republic and submit the results and scientific recommendations prior to the opening of fishing season, to the Ministry for approval.
- b- The Ministry's offices shall provide the Research Authority with the basic information about fishing production and effort quarterly or annually to be used in the studies of estimating the fish stock.

## **Section Two**

### **Management of Fish Resources**

**Article (9):** Ministry shall undertake the supervision over the organization of catching and exploiting of the marine creatures, their development and conservation in a manner that would guarantee the increasing of their returns and the supporting of the national economy. To this end, it shall maintain the following powers:

- 1- To define the implements, styles and methods allowable to be used in fish catching and to establish the technical conditions and specifications for each of:-
  - a- Fishing receiving boats allowable to be used in catching and transporting marine creatures.
  - b- Fishing gear (Nets-ropes-lines- hooks) and other fishing gear allowable to be used in fishing.

- c- Insulators of conserving cooling system allocated for the conveyance of marine creatures and other implements which would guarantee the quality of the product.
- 2- To define the implements, methods and those material detrimental to the development and multiplication of marine creatures and disallowing their utilization.
- 3- To fix a definite zone or more of the sea waters of the Republic, in which fishing activity shall be allowed permanently or temporally, in accordance with the common interest.
- 4- To define a location or definite locations in all or some of the fishing zones, in which fishing activity shall be prohibited, permanently or temporally if once necessitated by common interest.
- 5- To define the types or species of marine creatures not allowed to be caught for a definite or non definite period in all or some of the sea waters of the Republic.
- 6- To define the minimum size and the length of marine creatures allowable to be caught.
- 7- To define the safety elements of marine creatures and the materials not allowable to be thrown into the sea waters of the Republic, and the allowable concentration of some or all of these materials in a manner that would not cause harm to marine creatures or human health directly or indirectly through coordinating with the competent authorities.
- 8- To prepare and define specimen of register books, forms, data and documents, which fishing and receiving boats have to hold.
- 9- To conclude fishing agreements and exploit marine creatures with the companies and coastal or industrial and receiving local and foreign boats in accordance with the law and this regulations.
- 10- To keep records, in which are to be recorded all information and data about persons having direct relationship with catching processes and the different fishing boats licensed to fish and transport the marine creatures.
- 11- To define and review the prices of marine creatures allowable to be caught under the concluded agreements with the Ministry in the light of the international price indicators.
- 12- To define the marine distances of the coastal fishing boats.
- 13- To define the fish stock and the average and quantities of the caught fish and the number of boats allowed catching fish.
- 14- To fix the dates of the opening and closing fishing seasons.
- 15- To define and grant the locations suitable for aquaculture and breeding of marine creatures in coordination with the concerned authorities.

### Section Three Agreements and Licenses

#### Article (10):

- a- Local or foreign companies as well as receiving, coastal and industrial boats shall not be allowed to catch or receive marine creatures, except under an agreement to be concluded with the Ministry in accordance with the provisions of the law and this regulations.
- b- Agreements concluded with foreign companies must include stipulations concerning the opening of office for such companies within the Republic and the presentation of Bank bonds for the full amount of the value of (returns) of the State from production.
- c- Fishing agreements whose periods do not exceed two years shall be approved by the Ministry and those whose period do not exceed three years to the approval of the Council of Ministers, while each agreement whose period exceeding three years to the approval of the Parliament.

#### Article (11):

- a- The request for the conclusion of catching or receiving marine creatures in order to obtain licenses for the coastal or industrial fishing or receiving boats shall be submitted in writing to the Ministry, provided the request includes the following:-
  - 1. Definition of the catching or receiving zone in which he wishes to practice such activity.
  - 2. To define the species and quantities of the marine creatures requested to be caught.
  - 3. To define the number and types of boats for which licenses are sought.
  - 4. To fix the period required for the agreement.
  - 5. To define the position of the applicant of the request and his relationship with the boats, for which the licenses are requested (owner, hirer, operator, supplier etc.)
- b- The applicant shall attach all the required documents for reviewing the request and making the decision regarding same, including the certificates of boats' registration as well as documents relating to the particulars and technical specifications containing details about type of boat, fishing gears, fishing methods, marine equipment and telecommunication equipment and other data related o the applicant or to the boat defined by the Ministry.
- c- The competent sector in he Ministry shall undertake the reviewing and shall give its opinion on the request after being referred by the Minister for the completion of the necessary measures for signing the agreement after the approval of the Minster. The applicant shall submit to the Ministry prior to the signing of the agreement the banking bonds as well as all required documents and papers from him in accordance with the law and this regulations.
- d- The Ministry shall prepare a guideline manual to help the applicants of licenses for fishing to know the details and procedures of granting licenses for coastal, industrial, receiving and research boats.

**Article (12):** The license for a fishing or receiving boat should include, in particular, the following details:-

- 1- Date of issuance of the license and the period of its validity.
- 2- Name of the fishing receiving boat, its type, number, the harbor of its registration and the name of its owner.
- 3- Specifications of the fishing or receiving boat.
- 4- Methods and fishing gears allowed to be used.
- 5- Both maximum and minimum limits of the crew of both fishing or receiving boats.
- 6- The fishing zone or the receiving location, in which it is allowable to practice its activity.
- 7- Species of marine creatures allowable to be caught or received and the maximum quantity of same.
- 8- Net tonnage as well as gross tonnage of the coast, industrial and receiving boats.
- 9- Type, mark and power of the engines of the boat.
- 10- Number of registration of the boat in the Ministry's registration book for the coastal, industrial and receiving boats.
- 11- Number of license and its type.
- 12- Number of agreement and its type, under which the issuance of the license for the fishing, industrial and receiving boats has taken place.
- 13- Name of beneficiary from the license, his position with regard to the licensed boat.

## Second Chapter Organization of Artisanal Fishing

**Article (13):** The Government shall undertake the encouragement, and the providing of available support to the fishermen, the development of their villages and committees as well as the installation and establishment of the infrastructures.

**Article (14):** An artisanal boat must have the following specifications.

- a- Its length should not exceed (20) meters.
- b- Its internal engine's power should not exceed (280) horses or (150) horse, in case of using a single or double external engines.
- c- Not to use Trawl winch.
- d- It should not contain freezers, but only cooling rooms with ice.
- e- Not to use the implements for downloading the hydraulic surrounding nets.

**Article (15):** The Ministry's offices at the coastal governorates and districts shall undertake supervision and control work on the activities of artisanal fishing in the sea waters of the Republic in accordance with the provisions of the law and the executing regulations thereto.

**Article (16):** With the observation of the conditions and specifications stipulated in the law and this regulations, the Ministry's offices in the governorates shall be granted fishing licenses to artisanal fishing boats, in accordance with the following conditions:-

- 1- The boat should be owned completely by a Yemeni fisherman or a fisheries cooperative.
- 2- The boat should be numbered and registered at the Coastal Guard's Department.
- 3- The boat should be in good condition to carry out fishing activities and possessing the minimum limit of safety conditions.

**Article (17):** The request for obtaining a license for the artisanal fishing boat by the owner of the boat or by a person authorized by him shall be made in writing and submitted to the directors of the Ministry's offices in the coastal governorates and districts and in accordance with the specimen prepared by the Ministry.

**Article (18):** Without prejudice to the provisions of article No. (12) of the regulations, the licenses for artisanal fishing boats should include the following data:-

- 1- The material from which the boat is being made.
- 2- The type and brand of the engine or engines of the boat.
- 3- Length of the boat.
- 4- Identity or Family Card Number of the owner or owners of the boat.
- 5- Number and name of the boat.



**Article (19):**

- a- The licenses of artisanal fishing boats are issued for three years viable for renewal according to the specimen prepared by the Ministry.
- b- The owner of the artisanal boat shall be obliged to renew the license of the boat at the competent Ministry's office prior to the expiry date of the valid license by two months.

**Article (20):**

- a- The Ministry's offices in the coastal governorates and districts shall undertake the granting of the license to the artisanal fisherman free of charge according to the following conditions:-
  - 1. He should bear the Yemeni nationality.
  - 2. He should not be less than 16 years old.
  - 3. He should be physically fit to practice fishing.
  - 4. He should obtain an introduction letter from the Society or the Aquil of fishermen in the area, in case of non existence of a society therein.
  - 5. To use the fishing profession as his living source.
- b- He should submit the request for the license in writing to the directors of the Ministry's office in the coastal governorates and districts in accordance with the specimen prepared by the Ministry.
- c- The license should be issued for three months viable to renewal in accordance with the specimen prepared by the Ministry.
- d- The request for a fishing license for an artisanal boat or a license for an artisanal fisherman shall be submitted in writing to the Ministry's office.

**Article (21):** The holder of the license has to inform the Ministry's office in case of the loss or the damage of the license. He may be issued a true copy instead, in accordance with the procedures defined by the Ministry.

**Article (22):** The Minister shall have the right, for common good, to ban the following:

- 1- The practicing of fishing through using a certain method or an implement or more of the implements of artisanal fishing.
- 2- The catching of a definite type or speci or more of marine creatures.

**Article (23):** The Ministry and its offices will not be allowed to grant any license to the coastal, commercial and industrial boats to practice their artisanal fishing

**Article (24):**

- a- The Ministry shall carry out an enumeration process and classification for the artisanal fishing boats operating in the sea waters of the Republic in cooperation with the Fisheries cooperative union.
- b- The Coastal Guards Authority shall in coordination with the Ministry undertake the numbering of the artisanal fishing boats owned by the cooperative societies, Yemeni fishermen and Yemeni fisheries institutions connected with artisanal fishing affiliated to the Ministry.

**Article (25):**

- a- The fisheries 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 specimen prepared by the Ministry.
- b- The fisheries societies shall be obliged to allow the auditors of the Ministry to check their records under an official Memo from the Ministry's office and the society shall simplify the task of the auditors.
- c- With the observation of the contents of Para (a) of article No.(24) of this regulations, the Ministry shall have the right to oblige either all or some types of the artisanal fishing boats wherever possible and necessary to keep forms and books or records for the boats whose length is exceeding (15 meters) "Al-Ibri/Al-Sambuq") in order to record the production of the boat from marine creatures and those boats whose length is less than (15) meters should be obliged to record their data at the landing centers.
- d- Fisheries societies and their members as well as all artisanal individual fishermen shall be prohibited to land their production from caught marine creatures in other places than landing centers and auction sale yards defined by the Ministry, the following emergency cases shall be excepted:-
  - 1. Exhaustion of fuel.
  - 2. Defect in the engine of the boat.
  - 3. Bad weather or bad marine conditions.
  - 4. At rescuing times.
- e- In case of landing in other locations than the auction yards or landing centers, the fisherman shall have to carry his production from marine creatures to the nearest auction yard and the Ministry shall have the right to make sure whether this has happened or not.

**Article (26):** With the exception of those areas, in which fishing is prohibited, licensed artisanal fishing boats, in the course of their practicing their activities to shift from one area to another in anyone of the coastal governorates of the Republic.

**Article (27):** Without prejudice to the provisions of article No. (52) From the law, any person practicing artisanal and fishing activity shall be disallowed to carry out the following:

- a- To impede the transfer of marine creatures from one area to another through extending the nets or putting them in a closed circular shape or semi-circular or by any other means other than following timing periods and locations:
  - 1. Sunrise and sun-set daily.
  - 2. Locations of the ends of bays and khors.
  - 3. The periods and locations defined by local regulations according to the nature of each zone approved by the Ministry in a manner not contravening the law.
- b- Taking off the numbers or their removing, or scratching or disguising from both sides of the boat.
- c- The practicing of fishing activity without carrying the necessary licenses according to this law and the regulations.

**Article (28):** The Ministry's office and the Coast Guard Authority must be notified in writing in case of renting or lending or selling or assigning an artisanal fishing boat.

**Article (29):** The owners of artisanal fishing boats and artisanal fishermen while practicing fishing must put the signs and lighting signals or prominent visible signals on the fishing gear, provided they shall be put clearly in accordance with the guidelines issued by the Ministry.

### **Chapter Three** **Organization of Coastal Fishing Operations**

**Article (30):** Coastal fishing boats must be provided with the following technical specifications, facilities, gears and fishing methods:

- a- Boat specifications.
  - 1. Its length should not exceed (40) meters.
  - 2. The strength of its engine should exceed (1100) horses.
- b- Technical facilities:
  - 1. To use the technical and mechanical fishing gears.
  - 2. To conserve in ice or by freezing.
  - 3. To render available a controlling system through satellites.
  - 4. To render available the navigational facilities and communication equipment.
  - 5. To render available fish chopper or fish cutting apparatus before discarding to the sea.
  - 6. To render available all safety measures.
- c- Fishing gear and fishing methods:
  - 1. Trawling nets of all kinds, provided the opening of the net's mesh in the bag is not less than (55) mm.
  - 2. None putting nets above each other or using other things to narrow the meshes at any part of the net.
  - 3. Al-Midwad" nets of all kinds.
  - 4. Bottom nets.
  - 5. Manual fishing line and stick.

**Article (31):** Any natural person or corporate body shall not be allowed to practice fishing with coastal fishing boats unless being provided with a license issued by the Ministry under a concluded agreement with it, in which financial returns to the State should be indicated.

**Article (32):** An applicant for concluding an agreement for a coastal fishing boat should present the following:

- 1- Specified bank bonds for concluding the agreement.
- 2- The documents affirming the opening of an office in the Republic of Yemen with regard to foreign companies.
- 3- Identity cards of the applicant for a conclusion of an agreement as well as documents affirming his status regarding ownership of the boat.

**Article (33):** Observing the conditions and specifications stipulated in the law and these regulations the Ministry shall award the license to the coastal fishing boat under an agreement after ensuring the following:

- 1- Presenting the documents related to affirming the relationship of the contractor with regard to the boats for which licenses should be obtained (owner, hirer, operator, supplier or any other relation).
- 2- To produce the navigation license in the sea waters of the Republic of Yemen issued by the competent administrative authority in the Republic.
- 3- Presentation of the report of the checking and inspection of the boat issued by the checking and inspection committee at the Ministry's office in the Yemeni harbor in accordance with the specimen prepared by the Ministry.
- 4- To install the controlling equipments via satellites approved by the Ministry onto the boat.
- 5- To pay the annual licensing fees.

**Article (34):** With the observation of the provisions of Para (3) from article (9) of the law, the captain of the boat shall inform the Ministry and its concerned office about the hour he has entered the harbor, indicating the harbor in which offloading and landing shall take place among the harbors indicated in the agreement.

**Article (35):** The owner of a coastal artisanal boat shall abide to the following:

- a- Place the registered number issued to him from the Ministry on both sides of the steering cabin in a lofty position and in a clear manner that could be seen.
- b- To show prominently the marks of his name, number and call sign and the of its registration in accordance with the international traditions.

**Article (36):**

- a- The captain of the coastal fishing boat shall abide to keeping the records and the statistical forms relating to the recording of the types, quantities, sizes of production, coordinates of its fishing and any other data in accordance with the specimens prepared and approved by the Ministry and issued to the captain of the boat at the beginning of each trip. He should also abide to enable the inspectors to perform their tasks defined in the regulations.
- b- The captain of the coastal fishing boat shall hand over at the end of each trip to the Ministry's office at the off-loading harbor a form showing the total productivity of the boat as well as submitting the approved statistical record so that it includes all data related to the productivity of the fishing trip signed by the captain and stamped by the boat's stamp. The Ministry's office shall hand over to the captain of the boat a statistical record and new data forms for the next trip.

**Article (37):**

- a- The captain of the licensed coastal fishing boat, shall in the course of practicing his activity in the sea waters, take all possible measures and caution to evade the occurrence of any damages to the implements, gears and tools of the artisanal fishermen and in the case of the occurrence of such damage, the owner of the boat or hirer shall undertake to pay full compensation.

- b- The Ministry or the offices subordinated to it shall undertake to collect the value of compensations and distribute them and hand them over to the affected fishermen in coordination with the union and its branches in the governorates.
- c- On proving the violation and the non response by the owner of the boat or hirer who caused the damages, the value of damages shall be deducted from the banking bonds.
- d- In case of the deduction of any amount from the banking bond in accordance with the law, the presenter of the banking bond shall be obliged to return it to its original value defined in the agreement during a period not exceeding two weeks from the date of deduction from the bond.

**Article (38):** The licensed coastal fishing boat shall abide and adhere to practice its activity within the defined zones mentioned in the license awarded to him.

## Chapter Four

### Organization of the Industrial Fishing

**Article (39):** The following conditions shall be stipulated in respect of the specifications of the industrial boat, the gear and fishing implements allowable to be used:

- a- Boat specifications: Its length should not exceed (70) meters and the power of the engine should not exceed (3000) horse.
- b- To use the following fishing gears and implements:
  - 1. Trawling nets (all kinds).
  - 2. Al-Midwad nets
  - 3. Al-Midwad lines
  - 4. Surrounding nets.
- c- The following technical and mechanical facilities shall have to be available:
  - 1. Technical and mechanical implements, gears and equipment for fishing, conservation and freezing.
  - 2. Controlling system through satellites.
  - 3. Navigation and communication equipment.
  - 4. Fish chopper or a cutting machine for the fish before discarding to the sea.
  - 5. All safety conditions.
- d- Any other fishing methods or gears for the defining of which a resolution shall be issued by the Minister.

**Article (40):** Each person owning or hiring an industrial boat shall not be allowed to practice the following:

- a- Fishing in the sea waters of the Republic unless he has concluded an agreement with the Ministry and a license is issued by the Ministry. Such license shall not be assigned to others.
- b- To practice fishing in the zones in which he is not licensed for.

**Article (41):** Each person (natural or corporate body) owner or hirer of an industrial boat shall adhere to the following conditions:

- a- To obtain a navigation certificate and other documents relating to the safety of the boat issued by the competent authorities in accordance with the laws and rules in force.
- b- To keep statistical and production records and other records relating to the movement of the boat and its activity, providing the Ministry with all statistical data concerning the marine creatures caught by such boats in accordance with the specimen prepared and approved by the Ministry.
- c- To show the registration number granted to him by the Ministry on both sides of the boat.

**Article (42):** The owner of the industrial fishing boat shall abide to the following:

- a- To place the registered number issued to him by the Ministry on both sides of the steering cabin at a lofty location and in an explicit manner which could be easily seen.
- b- To show the expressive marks of his name, number and the harbor of registration on both sides.

**Article (43):** The applicant for concluding an agreement in respect of an industrial boat shall forward the following:

- 1- The defined banking bonds for the conclusion of an agreement.
- 2- The documents affirming the opening of an office in the Republic of Yemen with regard to foreign or Yemeni companies.
- 3- The personal identity document of the applicant for the conclusion of an agreement, as well as affirming his relationship to the boats.

**Article (44):** Prior to the issuance of licenses for the industrial fishing boat, the following steps must be taken:

- 1- To produce the license for navigating in the sea waters of the Republic of Yemen issued by the competent administrative authority in Yemen.
- 2- The report of the checking and inspection committee of the boat issued from the checking and inspection committee in the Ministry's office at the Yemeni harbor, in accordance with the specimen prepared by the Ministry.
- 3- To install the controlling equipment via satellite approved by the Ministry on the boat.
- 4- To pay the annual fees for licensing.
- 5- To present the documents relating to affirmation of the relationship of the contracting person with regard to the boats, for which the licenses are asked for (owner, hirer, operator, ship chandler or any other relation).

**Article (45):** An industrial boat shall not be allowed to land or offload the whole or part of its production, except in the defined harbors within the agreement, an exception of this are the emergency cases approved by the Ministry in advance and the captain of the boat shall before entering the harbor by (48) hours inform the Ministry and its concerned office to define the harbor, in which landing and offloading shall take place.

**Article (46):**

- a- The captain of the industrial fishing boat shall be bound to keep statistical records relating to the recording of the species and quantities of production, their sizes and coordinates of their fishing and other data in accordance with the specimen prepared and approved by the Ministry. The captain shall be provided with such record and a statement of the production prior to the commencement of the trip. He undertakes to provide the Ministry and its concerned office through the Communication equipment with the production data daily qualitatively and quantitatively at the end of each voyage.
- b- The captain of an industrial fishing boat shall at the end of each fishing trip, hand over to the concerned office of the Ministry as well as to the office of the Ministry in the offloading harbor a data statement of the total production as well as the approved statistical record which would include all the data relating to production of the fishing trip both being signed by the captain and stamped with the stamp of the boat. The office of the Ministry shall hand over to the captain of the boat a new statistical record and data statement for the next journey.

**Article (47):**

- a- The captain of the licensed industrial fishing boat while practicing his activity in the sea waters, take all measures and possible caution to evade the occurrence of damages to the fishing implements, gear and tools belonging to the artisanal fishermen and in case of the occurrence of any damage, the captain or the owner of the boat or its hirer shall undertake to pay the full compensation.
- b- The Ministry or its subordinated offices shall undertake to collect the value of the compensation and distribute them and hand over same to the affected fishermen in coordination with the union and its branches in the governorates.
- c- On confirming the violence and the non response of the owner of the boat or its hirer who caused the damages, the value of compensation shall be deducted from the banking bond.
- d- In the case of deduction of any amount from the value of the banking bond, in accordance with the law, the applicant of the bond shall be obliged to bring back the bond to its original value defined within the agreement during a period not exceeding two weeks from the date of withdrawal from the bond.

**Chapter Five**  
**Fish Receiving and Research Boat**  
**First Section**  
**Receiving Boat**

**Article (48):** A receiving boat shall not be permitted to practice the receiving of marine creatures within the sea waters of the Republic except by a license issued under a special agreement to be concluded with the Ministry provided it contains particularly the following conditions:-

- a- To fix the quantities and species of marine creatures allowable to be caught.
- b- To define the zones and locations, in which the receiving shall take place in the sea waters of the Republic.
- c- To fix the value of the banking bond.
- d- To install and operate the control system via the satellites.
- e- To fix the State's returns from the agreement.
- f- To define the duration of the agreement in accordance with the provisions of the law.
- g- To collect the annual fees of the license.
- h- Any other stipulations to be fixed by the Ministry in a manner that would not contravene with the provisions of the law and these regulations.

**Article (49):** The following points shall be observed when granting a license to a receiving boat:-

- 1- The zones and locations in which there are no fisheries institutions to accommodate and receive the production of artisanal fishermen.
- 2- Effect of plenty seasons and increase of production of artisanal fishing on the storing capacity available on the land.
- 3- The migration periods of the yellow fin Tuna in the Economical Zone.
- 4- Any other case to be fixed by a resolution of the Minister in a manner that would not contravene with the provisions of the law and this regulation.

**Article (50):** The captain of the receiving boat shall abide to keep records and statistical forms, in which all data related to received marine creatures shall be recorded quantitatively and qualitatively and in a daily manner and to enable the inspector to inform through the communication's equipment, also to provide the concerned office of the Ministry or at the offloading harbor with the production recoding form received and the statistical record both signed and stamped by him.

**Article (51):** The concerned office of the Ministry shall abide to hand over to the captain prior to the commencement of each receiving trip the record book and the statistical forms of production in accordance with the specimen approved by the Ministry.

**Article (52):** Prior to the signing on the receiving agreement for the receiving boat, the following stipulations should be mentioned:

- 1- To produce the defined banking bonds for the conclusion of the agreement.



- 2- To produce the documents confirming the opening of an office in the Republic of Yemen with regard to foreign companies.

**Article (53):** With the observation of the conditions and specifications stipulated in the law and this regulation a license shall be awarded to the receiving boat by the Ministry under an agreement after ensuring the following:

- 1- To produce the documents relating to the confirmation of the relationship of the contracting person with regard to the boats, for which the licenses are required (owner, hirer, operator, ship chandler or any other relationship).
- 2- To produce the license for navigating in the sea waters of the Yemen Republic issued by the competent administrative authority in the Republic.
- 3- The report of the checking and inspection committee for the boat issued by the checking and inspection committee at the Ministry's office at the Yemeni harbor, in accordance with the specimen prepared by the Ministry.
- 4- The installation of the control equipments through satellite approved by the Ministry on the boat.

## **Second Section**

### **Fisheries Research**

**Article (54):** The Minister shall have the right to issue licenses related to fisheries researches to any local or foreign research boat undertaking scientific marine researches according to a research schedule to be approved by the Ministry, provided that the quantity of caught is a commercial one.

**Article (55):** A foreign research boat shall be not be permitted to undertake a research activity in the sea waters of the Republic except by a license from the Ministry in accordance with the agreements and protocols concluded between the Ministry and foreign authorities.

**Article (56):** A foreign research boat shall be obliged in the course of its research in the sea waters of the Republic to involve the Yemeni researchers proposed by the Authority and a resolution in respect of their appointment shall be issued by the Minister.

**Article (57):** The research boat shall inform the Ministry and the research authority of all the data information collected during the fishing operations for research purposes as well as the results achieved after revision and analyzation.

**Third Part**  
**Aquaculture, Marketing and Processing of**  
**Marine Creatures**  
**Chapter One**  
**Aquaculture**

**Article (58):**

- a- The Ministry undertakes the defining of the locations suitable for fisheries aquaculture and the supervision of same and developing marine creatures in the sea waters and the coastal line of the Republic, she therefore has the right to erect and establish typical farms and basins for the production and breeding of marine creatures on economical and scientific basis with the purpose of encouraging the private sector for investment in the field of aquaculture, breeding and fattening of the marine creatures.
- b- The Ministry shall undertake, through research utilities subordinated to it, the studying of the physical and chemical peculiarities of the coasts of the Republic and their ecological system in order to define the zones suitable for investment in the field of aquaculture, breeding and fattening of marine creatures.

**Article (59):**

- a- The Ministry shall have the right to encourage the production, importation and breeding of the improved species of different marine creatures and ornamental fishes, their selling and or to set free the larva in some of the fishing zones with the aim of consolidating the stock of certain marine creatures or improving their quality.
- b- The Ministry, through encouraging the production, importation and breeding marine creatures, shall endeavor to conserve the marine creatures of high quality species and those scarce and threatened with extinction under the supervision of the research authority and in coordination with the relevant authorities.

**Article (60):** The Ministry shall lay down effective measures dedicated for the breeding, development and fattening of marine creatures in order to carry out the processes of evaluation and ecological recording at the suitable manner with the aim of minimizing to the minimum possible the opposite ecological changes and the socio-economical results attached to it because of water extraction, land use and the disposal of residues in the manufacture of drugs and chemicals and other aspects of activities of the breeding of marine creatures.

**Second Chapter**  
**The Marketing and Processing of Marine Creatures**

**Article (61):**

- a- The selling of marine creatures shall be prohibited, except at the landing centers or auction locations, to define which a ministerial resolution will have to be issued and proposed by the offices of the Ministry in accordance with conditions and specifications to be defined in the regulations related to the selling of marine creatures by auction.

- b- In the case of non existence of auction locations adjacent to the landing centers, marine creatures will be sold at the landing center to be earmarked by a resolution from the Minister.
- c- The selling of marine creatures shall be prohibited except at markets and places providing the health and commercial stipulations defined in the legislations in force.

**Article (62):** The Ministry shall undertake to lay down criteria for safety and ensuring the quality and shall make certain of the application of such criteria in an effective manner in all stages of fish processing and shall consolidate the process of applying the internationally agreed upon quality criteria.

**Article (63):**

- a- The erection of the following fisheries institutions shall be subjected to the approval of the Ministry:-
  - 1- Canning plants of fisheries products
  - 2- Processing plants and preparation of the marine creatures dedicated for foreign exportation.
  - 3- Processing plants or other institutions dealing with fisheries products to be defined by a ministerial resolution.
- b- The establishment of the following fisheries institutions shall be subjected to the approval of the Ministry's offices:-
  - 1- Locations and yards of selling marine creatures by auction.
  - 2- Processing Plants and marketing of marine creatures meant for local market.
  - 3- Individual units, like ice plant or a freezing cold room and conservation of marine creatures.
  - 4- Wholesale markets of marine creatures.

**Article (64):** The Ministry and its offices in the governorates shall undertake the awarding of annual licenses relating to the practicing of the profession of buying and selling of the marine creatures by wholesale and their marketing locally and abroad in coordination with relevant authorities and in accordance with the following conditions:

- a- The Ministry's powers for awarding licenses shall be confined by the following conditions:-
  - 1- Exporting license to the exporters of marine creatures.
  - 2- To permit the purchasing and selling of marine creatures in the non coastal governorates.
- b- The Ministry's powers for awarding licenses shall be confined by the following conditions:-
  - 1- To permit the practicing of the profession of selling by auction.
  - 2- To permit the purchasing and selling of marine creatures by wholesale in the coastal governorates.
- c- The Minister shall authorize certain offices of the Ministry with powers to issue licenses for the exportation of marine creatures.

**Article (65):**

- a- The Ministry and its office shall undertake the control and inspection of the plants for preparation, processing and breeding of marine creatures dedicated for foreign marketing.
- b- The Ministry's offices shall undertake the controlling and inspection of the plants of preparing, processing and breeding of marine creatures dedicated for local marketing.

**Article (66):** Without prejudice to the provisions of the law and other legislations in force, the following checklists shall be observed when allowing the importation of marine creatures and their products.

- a- There should be a necessity and an actual need for the local market or fisheries factories which necessitate the importation of marine creatures and their products.
- b- To make sure that the country from which they are imported is free from wastes and nuclear and chemical radiation and environmental contamination.
- c- To ensure that the marine creatures required to be imported had been caught in a legal manner.
- d- The imported marine creatures and their products shall be subjected to the international criteria of specifications and quality adopted.
- e- They should not be entered into the Republican lands except after undergoing the laboratory checking and analyzation to make certain of the safety of their quality by the Ministry and the relevant authorities.

### **Chapter Three**

#### **Fees and Returns**

**Article (67):** The State's returns shall be collected at the rate of (3%) three per cent from the value of production of artisanal fishing from fish, mollusk fish and crustaceous fish caught in accordance with the prevailing prices on sale at the landing centers and auction yards, according to the following measures:

- a- The State's returns shall be collected from the price of production of artisanal fish directly under collection slips specimen (50) central accounts. They will be collected by official permanent staff to be appointed by the Ministry in coordination with the offices of the Ministry of Finance, provided they are charged to the financial bonds in accordance with the specimen prepared by the Ministry of Finance.
- b- Each collector shall have his own stamp issued by the Ministry's headquarters under a certain code for each office of the offices of the Ministry, in which the following data shall be defined:
  - 1- Ministry's office in the Governorate.
  - 2- Collection center.
  - 3- Name of collector
  - 4- Expression of "fixed fees collected".

- c- The fees collector shall stamp with his own stamp mentioned in Para (b) of this article on each selling invoice, from which State's returns are collected accordingly.
- d- The Ministry's offices must oblige the auctioneer to hold and use selling invoices on the selling of fish, mollusk fish or crustaceous fish. The invoice shall consist of an original and two copies in order to count the State's share in accordance with the specimen invoice prepared by the Ministry.
- e- All collected returns shall be imported under article (67) of the law to revenue's account of the Ministry of Fish Wealth (Central Revenues No.(9001) opened at the Central Bank of Yemen (Main Bank) or any other bank authorized by the Central Bank of Yemen to receive the returns. It is prohibited to keep cash amounts with the collectors. It is also prohibited to spend from such revenues or to keep aside a part of it. The Ministry's share from the returns at the rate of (10%) shall be transferred to the Ministry's open account at the Central Bank of Yemen.
- f- At each auction location and each landing center a "collection report" of the quantities sold daily shall be prepared and signed by the (person in charge of the auction or his representative + Inspector + collector) in accordance with the specimen prepared by the Ministry.
- g- The Ministry's offices must follow up the collection of returns from collectors at the same time and import them into the bank account. They will keep income safes for the returns and the collection slips specimen (50) Central accounts in coordination with the offices of the Ministry of Finance.
- h- The accounts department at the Ministry's offices shall undertake to release two cash money safes and hand them over to the collector, the first one to be used for the State's returns public revenue at the rate of (90%) of the returns to be imported into the Ministry's account at the Central Bank and the second safe: to be used for the Ministry's share of (10%) from the returns to be imported to the Ministry's current account opened at the Central Bank of Yemen at the same time, under statements to be prepared by each collector and approved by the General directors of the Ministry's offices attached to which shall be copies of the collection slips and copies of the sales invoices and hence entering in the cash account book under reconciliation and credit accounts under reconciliation with the collection of books belonging to the Ministry's offices opened there to confirm the collection.
- i- On arrival of the bank credit notes the entry in the books indicated in Para (h) of this article shall be reversed to confirm the crediting process and the submission of the position of collected returns imported into the account at the level of (day, month, year) which should be itemized (part, chapter, item, kind) in accordance with the specimen related thereto to the Ministry's headquarters enclosing copies of the credit notes after reconciliation with the bank account in a manner that does not contravene the provisions of the financial law, its executive regulations and the manual of governmental accounting system.
- j- The general department of financial affairs at the Ministry, after receiving the information about the financial position submitted from the Ministry's offices, shall undertake to enter the collected revenues in the accounting books and records and make the reconciliation timely. It will also undertake to enter the revenues coming from the Central Bank of Yemen and to ensure that the full importations of the collected amounts are entered in the revenues account.
- k- The general department for financial affairs and general department for internal control at the Ministry shall follow up the collection and entering of established

returns in accordance with the law and other relevant laws and these regulations and in force financial resolutions.

- 1- The Ministry shall notify the Ministry of Finance of informing the Central Bank to open an brokerage account in its branches at the coastal governorates in which will be deposited the returns of the State imported in favor of the Ministry and is closed at the end of each day in its open account at the Central Bank of Yemen number (9001) and brokerage account is opened for the share of the Ministry from he returns of the State accruing from artisanal fishing.

**Article (68):** Service wages shall be deducted at the rate of (5%) as a maximum from the price of the sales of artisanal fish production from fish, mollusk and crustaceous fish in accordance with the prevailing on selling at the landing centers and locations of sales of auction. The benefiting parties from service wages shall be defined and the rate of each of them, the size, nature and cost of services which such benefiting parties ought to submit at the landing centers and locations of auction in order to be eligible to receive the fixed rates against each one of them from the aforementioned total service wages in this article as follows:

- a- The benefiting parties and the rates fixed for each of them from the total service wages:-
  - 1- The owner of the auction yard deserves the rate of (1%) for his services.
  - 2- The auctioneer carrying out the “auction” deserves 2% in lieu of his services.
  - 3- The society, in which the fisherman is a member, deserves (2%).
- b- In order to be eligible to receive his fixed rate in para (a) of this article, the owner of the yard or location shall provide the following services:
  - 1- To erect suitable auction yards for auctioning according to the stipulations made by the Ministry.
  - 2- Periodical maintenance of the auction yards.
  - 3- To provide health utilities fully equipped.
  - 4- To ensure that the location is ready to receive the fish throughout the landing periods.
- c- In order to be eligible to receive his rate fixed for him in Para (a/2) of the article, the auctioneer doing the auction shall provide the following services:
  - 1- To carry out the auction processes during the different periods of landing at the location and provide the necessary persons to carry out this task.
  - 2- To provide and edit the sales invoices of the marine creatures sold by auction.
  - 3- To provide the necessary functions to ensure the progressing of auction.
  - 4- To provide the facilitations and stationery at the location.
  - 5- To undertake the crediting operations for the handling of funds accruing from the auction process.
  - 6- To distribute the rate of (5%) among the beneficiaries according to the sales invoices.
- d- In order for the society to be eligible to receive the defined rate for it in para a/3 of this article it has to provide the following services:
  - 1- To provide the weighing balances and criteria and handling implements at the location.

- 2- To oblige and follow up the member of the society fishermen to land their products at the landing centers and places of sales by auction defined by the Ministry.
  - 3- To follow up and collect the entitlements of the fishermen from the auctioneer at the location of sale by auction.
  - 4- To provide first aid facilities at the location.
  - 5- To intervene with possible implements to conserve or market the unsold production of the fisherman at the auctioning location.
  - 6- To provide the ice material for the fishermen at the landing centers.
- e- In case that any one the benefiting parties from the services wages breached its obligations related to the provision of the services which they ought to do or with their quality or the level of their quality or costs or the non renewal of the licenses issued to them from the Ministry's offices, the Minister shall have the right to take any one of the following actions against them:-
- 1- To reduce the rate of eligibility of the benefiting party than that fixed for it as per Para (a) of this article for a definite or non definite period and in such case, the deducted amount from the services wages shall go the party assigned with the coverage of the service or the completion of the service.
  - 2- To suspend the eligibility of the benefiting party for the total rate defined for it in Para (a) of this article for a definite or non definite period. In this case the portion of suspended services wages shall go to the artisanal fishermen which was going to be obtained from them if it were not suspended.
  - 3- To abolish the license granted to the party for practicing the profession and suspense the eligibility of the benefiting party from services wages and in this case the Ministry and its office in the governorate shall find a replacing person to take the place of that party to render available the demanded services.

#### **Part Four**

#### **Monitoring and Surveillance**

- Article (69):** The Ministry and its offices in the coastal governorates shall undertake the tasks of marine monitoring and surveillance on all fishing activities in accordance with the provisions of this law, the regulations and the executive resolutions thereto.
- Article (70):** The Ministry shall appoint monitors on each boat of the coastal, industrial and receiving boats operating in the sea waters of the Republic and any boats that are subjected to monitoring according to its type, size and the relationship of each of them.
- Article (71):** The marine monitor shall undertake the following tasks and powers:
- 1- He shall be available on board the boat continuously during the activity of the licensed boat for fishing or receiving or during on-loading and also during the availability of the cargo on board the boat prior to off-loading and during off-loading.
  - 2- To report about violence committed by the fishing or receiving boat to the Ministry and its concerned office.

- 3- To keep a record, in which he shall record the quantities of production, their species and the coordinates of their catching or receiving and the distance and depths with regard to fishing boats, the date and number of casts and number of violence committed, the general state of the boat, its activity and any other data defined by the Ministry.
- 4- To report about the catch data or quantities received from marine creatures daily through the communication equipment to the Ministry and its concerned offices.
- 5- He shall hand over all the documents that he holds having relationship to the boat during the voyage to the Ministry's office at the off-loading harbor as soon as he arrives at the off-loading harbor directly.
- 6- To use the facilities and equipment available on board the boat in a manner that would enable the monitor to perform his tasks.
- 7- To have access to the steering cabin on board the boat and the locations which could be used to conserve or treat or weigh and store the marine creatures.
- 8- To be fully perused on the records of the boat relating to fishing.
- 9- To take samples from any fish or marine creatures for the purposes of checking, weighing, researching or for any activity of the monitoring job.
- 10- To be perused on the navigational information having relationship to the activity of the boat, fishing and the using of communications equipment that are related to his duties.

**Article (72):** The following conditions shall be stipulated for the appointment of a marine monitor:-

- 1- He should be a Yemeni and he should not be less than eighteen years old and not more than fifty years.
- 2- He should be a graduate from one of the marine or navigation institutions or a holder of general secondary certificate.
- 3- He should enjoy health and physical fitness and should be a good swimmer.
- 4- He should know and be aware of fishing gears and tools and navigation equipment, fish species and marine creatures.
- 5- To be a permanent staff member and the Minister shall have the right to exclude whom he considers from such condition.
- 6- Priority should be given to graduates of the marine and navigation institutions and colleges and those given training courses in the field of marine monitoring and surveillance.

**Article (73):** The Coastal Monitoring Officer shall undertake the following tasks and powers:-

- 1- To report about any nets or implements or fishing gears made or contravening with the defined specifications by the Ministry.
- 2- To report about artisanal fishing boats which are not numbered or licensed.
- 3- To report about the cases of the landing of marine creatures in the time of non fishing season or those which are banned to be caught.
- 4- To ensure that the safety equipment and conditions are available onboard the artisanal fishing boats.



- 5- To report about cases of marine creatures landings at other centers than landing centers and auction yards defined by the Ministry.
- 6- To report about the transporting means of marine creatures from the landing centers, in which the conditions and specifications defined by the Ministry do not exist.
- 7- To report about violence of the provisions of the law, this regulations or other regulations, resolutions or orders in force which he may discover.

**Article (74):** The following shall be stipulated for the appointment of a coastal monitoring officer:

- 1- He should be of Yemeni nationality and his age not less than eighteen.
- 2- He should be holding a scientific degree not less than general secondary education or the equivalent from the graduates of the technical institute.
- 3- He should be enjoying health and physical fitness.
- 4- He should be knowing and aware of the fishing gears and tools, fish species and marine creatures.
- 5- He should be a permanent official employee. The Minister can exempt the one he considers from such condition.

**Article (75):** The monitoring officer shall keep an official record in accordance with the specimen prepared and approved by the Ministry, in which he will record all information and data which he has discovered or been perused on. He then must hand over to the competent Ministry's office after the completion of monitoring task or the completion of the recording book.

**Article (76):**

- a- The following fishing implements and gear and their other spare parts are not allowed to be imported or used:-
  - 1- Artisanal fishing boats whose length is more than (20) meters and the power of its internal engine more than (280) horses and its external engine more than (150) horses and do not contain any mechanical gear for fishing.
  - 2- Bowstring nets.
  - 3- Grapnel fishing gear.
  - 4- Electrical fields in fishing.
  - 5- Attractive lights for marine creatures.
  - 6- Sucking pumps of marine creatures.
  - 7- Spears
- b- The Ministry shall coordinate with all concerned authorities in the land, sea and aerial outlets to ensure their obligation to disallow the entrance of the banned implements and gears.

**Article (77):** The Ministry, in order to ensure the implementation of the conditions and technical specifications of the local fishing gears and those imported and their other spare parts, shall undertake periodical monitoring and inspection of the fishing boats and other fishing gears.

**Article (78):**

- a- The Ministry shall conduct periodical monitoring and inspection over the processing, canning marine creatures storing and transportation means of the factories and plants to make sure they are safe and conforming with the specifications in coordination with the concerned authorities.
- b- The Ministry and its offices in the governorates shall undertake monitoring and surveillance work on the landing centers marine creatures selling yards by auction to make sure that they conform with the conditions and specifications and make sure as well of the implementation of the laws and regulations and resolutions in force.

**Article (79):** The following conditions are to be stipulated for the appointment of the quality controller of marine creatures at the landing centers and auction locations:

- 1- He should be of a Yemeni nationality and his age not less than 18.
- 2- He should have a scientific certificate not less than secondary school certificate or an equivalent from technical institutes.
- 3- He should be enjoying health and physical fitness.
- 4- He should be knowing and be aware of fish species and marine creatures.
- 5- He should be a permanent official employee. The Minister may exempt a person whom he perceives suitable from this condition.
- 6- He should be aware of the sensuous checking measures of the marine creatures.

**Article (80):** The controller of quality of marine creatures at the landing centers and locations of auction sales and markets shall undertake the following tasks and competencies:-

- 1- To monitor the quality of marine creatures at the landing centers, auction yards and the extent of their suitability for human consumption.
- 2- To monitor the handling and presentation of the marine creatures and to deal with them at the landing centers and auction yards and markets.
- 3- To inspect the cleanness of the landing centers and the auction yards and the tools used therein.
- 4- To take samples for the purpose of checking them to ensure their quality and suitability for human consumption and their conformity with the allowable sizes to be caught in accordance with the law and the executed regulations.
- 5- To report about any violations to the provisions of the law and the executive regulations thereto at the landing centers, auction yards and the market selling marine creatures.

**Article (81):** The marine monitoring and surveillance officer shall exercise the following tasks and competencies:-

- 1- To board a local or foreign fishing or receiving boat in the sea waters of the Republic for the purpose of inspection.
- 2- To ask for the presenting and checking and obtainment of copies of the registration, license and recording and entering books and any other documents related to the fishing boat and its crew or with any other person on board the boat in accordance with the law and this regulations.

- 3- To take samples from the marine creatures from any boat in which they were caught or received by contravening the law and this regulations and agreement and in any other places where such boat has been inspected to confirm the violation.
- 4- To take care of any book or register or chart or any document having relationship with the confirmation of the contravention.
- 5- To check any contravention for the provisions of the law or this regulations or the other executive regulations and resolutions thereto.

**Article (82):** The controller may take the help of security bodies whenever it is necessary to practice his powers.

**Article (83):** The quality controller in the processing factories and plants, landing centers and locations of selling the marine creatures by wholesale and retail sales shall practice the following tasks and powers:

1. He shall inspect and investigate all documents and conduct necessary checking of the laborers, fisheries products and the water used in the plants.
2. He shall check and inspect the fishing boats and ensure the existence of health conditions on board the fishing boats in accordance with the adopted conditions by the Ministry.
3. To be perused on the HACCP system and all the documents related to it.
4. To control the progressing line of production in order to check the extent of their applying the specifications and standards of quality in practice internationally and locally.
5. To inspect the health utilities and the cleanness of the outer yard of the fisheries installation.
6. To monitor the dry stores with all the items supposed to be therein.
7. To inspect the equipment and facilitations.
8. To check the system of water treatment.
9. To hold any fisheries product this has been caught or owned through contravention of the law, these regulations and the executive regulations thereto.
10. To be perused on and check the registers and any document related to the processing and manufacturing of the marine creatures to ensure the application of the law and the executive regulations thereto.
11. To participate with the competent authorities in damaging any quantity of marine creatures which has been proved to be unsuitable for human consumption and writing a report on the case as per procedures adopted.
12. To seize any contravention for the provisions of the law and the executive regulation thereto and to confirm same in a report that would give a precise narration of the contravention and all the information relating to it.
13. To check the markets and shops selling marine creatures by wholesale or by retails in coordination with the local authority in the district.

**Article (84):** The following conditions shall be stipulated for the appointment of the marine inspector:-

1. He should be of a Yemeni nationality.
2. His age should not be less than (25) years and not more than (50) years.
3. He should possess a scientific certificate not less than a bachelor degree specialization (marine navigation, or fishing/fishing gears).
4. He should be enjoying health and physical fitness and should be able to swim well.
5. He should be a permanent official employee.
6. He should speak English well if possible.

7. He must be having working experience in the field of specialization for not less than three years.
8. He must not have been sentenced decisively in an indecent case or honesty unless he has been rehabilitated.

**Article (85):** The following conditions shall be stipulated for the appointment of the inspectors on fisheries installations, landing centers, locations of auctioning, factories and processing plants:-

1. He should be of a Yemeni nationality.
2. His age should not exceed (50) years.
3. He should be possessing a scientific certificate not less than a bachelor degree in one of the following fields (fisheries technology, food industry, refrigeration and marine science, fisheries science).
4. He should be an official permanent employee. It will be a merit if he speaks English well.
5. He should have a working experience in the field of his specialization for a period not less than five years.
6. He should enjoy health and physical fitness.

**Article (86):** The marine inspector may be accompanied wherever possible by an interpreter who speaks well the language of the captain of the foreign fishing boat under inspection.

**Article (87):** The marine inspector shall conduct inspection on board the fishing or receiving boat and the crew and shall peruse the captain on the results of the inspection when he has finished his report and got it signed by him and the captain and he should permit the captain to add any comments on the report.

**Article (88):** The Ministry has the right to coordinate with other relevant authorities for the purposes of organization of inspection operations and marine surveillance at sea within the sea waters of the Republic in accordance with the provisions of the law and other laws of relevance as well as executive regulations.

**Article (89):**

- a- Inspection officers who enjoy judicial checking nature may have access to all installations whose activity is related to fishing, aquaculture, breeding, manufacturing, marketing and processing of marine creatures and their requirements under a written assignment from the Ministry or its offices. It should define the inspection timing, the registers to be perused on and the holding of any contravention for the provisions of the law and this regulations and the regulations and executive resolutions thereto.
- b- The written assignment with inspection should include the following:
  1. To define the name of the inspector.
  2. To define the installation required to be inspected.
  3. To specify the aspects and topics of inspection or the registers which have to be inspected as well as the locations for inspection within the installation.
  4. To fix the time of inspection.
- c- The inspector shall have to produce his authorization and inspection card prior to having access to the fisheries installation and undertaking the inspection.

**Article (90):**

- a- With the observation of the provisions of articles (72 and 74) of this regulations, the coastal fishing, industrial and receiving boats shall not carry out any fishing or receiving in the absence of the inspectors assigned by the Ministry and shall not carry out any fishing if there is any defect in the navigational equipment of the boat.
- b- The concerned Ministry's office or the Ministry's office at the off-loading harbor shall not allow the coastal, industrial or receiving fishing boat to leave the harbor for the fishing zone, except after making sure that the concerned inspectors are available on board the boat and that the navigational equipment of the boat are in good condition and in case of the occurrence of any defect in the navigational or inspection equipment during departure of the harbor by the boat, or during practicing the activity, such defect shall be repaired at once, otherwise the boat shall return back to the harbor.

**Article (91):**

- a- The Ministry shall undertake the selling of caught or received marine creatures by the contravening boat or those imported or exploited by contravening the provisions of the law if it were felt that it is likely to deteriorate, provided that the Ministry shall not take action regarding the value of the sold marine creatures except by an order of the competent court.
- b- Without prejudice to the provisions of Para (a) of this article, the catch from marine creatures that is likely to deteriorate, will be sold by a committee to be constituted by the Minister with regard to the non-coastal governorates and from the general director of the Ministry's office in the coastal governorates to include in its membership two staff members from the Ministry or its offices, namely:
  - 1- Director of Legal Affairs.
  - 2- Director of quality control and technical affairs.
  - 3- Financial Director.

**Part Five**

**Concluding Provisions**

**Article (92) :** The Minister shall have the right to issue fishing licenses for trial in order to know the quantity, types and species of marine creatures, fishing locations and other data, in accordance with the following terms and conditions:-

- 1- That the quantities, types and species of marine creatures are not known, or not exploited before, or there are no sufficient data available about them.
- 2- That the types and species of marine creatures are from those that were exposed or are being exposed to a change in their stocks or to low productivity from time to time.
- 3- There shall be present researchers from the research authority on board the boat licensed to fish for experiment.
- 4- The license period shall not exceed three months.
- 5- The fishing zones and distances mentioned in the law shall be defined to which the boat shall abide and shall not exceed them.
- 6- The fishing methods, gears and implements allowable to be used will have to be defined.

- 7- A special agreement shall have to be concluded with the Ministry, in which the State's returns from the production of the boat shall be defined.
- 8- Any other conditions and provisions to be defined by the Minister.

**Article (93) :**

- a. With the exception of local revenues, the collected returns from the exploitation of marine creatures fishing and their investment and imposed fines under this law shall be imported to the Public Treasury of the State and a rate of (10%) from the value of the collected returns shall be allocated for supporting the Ministry activity in the fields that would be defined by a resolution of the Council of Ministers in accordance with the submission made by the Minister and after approval of the Council of Ministers.
- b. The State's financial returns accruing from the exploitation of marine creatures catching, investment and imposed fines under this law shall directly be imported by the collection slips specimen (50) Central Accounts and the Ministry and its offices shall undertake their collection.
- c. All collected returns shall be imported under article (67) of the law to the account of Ministry of Fish Wealth's revenues (central revenues No. (9001)) opened at the Central Bank of Yemen (Headquarters) or any other bank to be accredited by the Central Bank of Yemen for importation. Expenditure from such returns or keeping aside any part of the returns is prohibited. The Ministry's Share of (10%) from the returns shall be imported to the current account opened at the Central Bank of Yemen.
- d. The revenues department at the Ministry and the Accounts Department at the offices of the Ministry shall release a revenues safe and import same under the financial system adopted : the first one for the State's share general revenues at the rate of (90%) ninety percent from the revenues to be imported to the Ministry's account at the Central Bank of Yemen and the second safe for the Ministry's share at (10%) from the revenues to be imported to the special current account at the Ministry opened at the Central Bank of Yemen timely in accordance with the accounting procedures adopted by the Ministry.
- e. The Ministry shall notify the Ministry of Finance regarding the information of the Central Bank to open a broker account in its branches at the coastal governorates in which shall be deposited the State's returns imported in favor of the Ministry and shall be closed at the end of each day in its open account at the headquarters of the Central Bank of Yemen under No.(9001) as well as the Ministry's percentage into its special account from the returns of the State collected from the exploitation of marine creatures catch, its investment and the fines imposed thereto under the law.

**Article (94):**

- a. The catching of rock lobster by means of nets shall be prohibited. The cages known as Sakhawi traps) shall be the only means of catching rock lobster.
- b. The (Sakhawi) cages must contain sufficient opening at its bottom and sides which would allow small lobsters below (19) cm to go out easily if once they have entered the cages along with the catch contained in those Sakhawi cages.

**Article (95) :**

- a. The exporters of fish and marine creatures will have to open an account in any accredited bank in the Republic for the returns from exports before receiving the licenses for practicing the exporting process.
- b. The conditions of issuing the exportation licenses and their procedures shall be defined in the organization regulations for the Fishing exporting activity in coordination with the concerned authorities.

**Article (96):** The Minister shall issue the resolutions, instructions and guidelines for the execution of the provisions of the law and this regulation.

**Article (97):** This law shall be in force since issuance and shall be published in the official gazette.

**Issued at the Cabinet Ministers  
On 5 Du -Al-hajjah  
Corr: 25 December, 2006.**

**Eng. Mahmood Ibrahim Saghiri,  
Minister of Fish Wealth.**

**Abdul Qader Ba-Gammal  
Prime Minister.**