



Official Gazette Issue No. 1281

## Royal Decree 20/2019 Issuing the Living Aquatic Resources Law

We, **Qaboos bin Said**, the Sultan of Oman

- After perusal of the Basic Statute of the State promulgated by Royal Decree 101/96, Royal Decree 15/81 Concerning the Territorial Sea, Continental Shelf, and Exclusive Economic Zone.
- The Maritime Law promulgated by Royal Decree 35/81,
- The Law of Sea Fishing and Protection of Living Aquatic Resources promulgated by Royal Decree 53/81.
- The Law Governing Maritime Navigation in Territorial Waters promulgated by Royal Decree 98/81.
- The Environment Protection and Pollution Prevention Law promulgated by Royal Decree 114/2001.
- The Nature Reserves and Wildlife Conservation Law promulgated by Royal Decree 6/2003.
- And after presentation to Majlis Oman, and in pursuance of public interest,

Have decreed the following Law:

### Article 1

The attached Living Aquatic Resources Law shall apply.

### Article 2

The Minister of Agriculture and Fisheries shall issue the executive regulation for the provisions of this law within a period not exceeding one year from the date of its issuance, and shall issue the





decisions necessary to implement the provisions of this law, and until they are issued, the regulation and decisions in force shall continue to operate to the degree that they do not contradict with the provisions of this law.

### Article 3

The Law on Fishing and Protection of Marine Living Resources promulgated by Royal Decree 53/81 is hereby repealed, as well as every provision contrary to this law or in conflict with its provisions.

### Article 4

This decree shall be published in the Official Gazette, and comes into force after 90 (ninety) days from the date of its publication.

**Issued on: 8 Jumada Al-Thani 1440**

**Corresponding to: 13 February 2019**

**Qaboos bin Said**

**Sultan of Oman**





## The Living Aquatic Resources Law

### Chapter One

### Definitions and general provisions

#### Article (1)

In applying the provisions of this law, the following words and phrases shall have the meanings indicated next to each of them, unless the context requires otherwise:

<b>Ministry</b>	: Ministry of Agriculture and Fisheries.
<b>Minister</b>	: Minister of Agriculture and Fisheries
<b>Competent Authorities</b>	: Government units that must be consulted within the limits of their jurisdiction in accordance with the laws that implement them
<b>Regulations</b>	: The executive regulations for the provisions of this law.
<b>Oversight Authority</b>	: Employees authorized to act as judicial police officers to implement the provisions of this law and the regulations.
<b>Fishing waters</b>	: The marine area extending seaward to a distance of 200 (two hundred) nautical miles from the baselines from which the breadth of the territorial sea is measured, including internal waters and the exclusive economic zone, taking into account Omani laws and the agreements and treaties to which the Sultanate has acceded or ratified.
<b>Internal Waters</b>	: Waters on the landward side of the baselines from which the territorial sea is measured landward.
<b>Seabed</b>	: Lands covered by fishing waters, including subsoil and the continental shelf.







<b>Prohibited Fishing Areas</b>	: Locations within fishing waters or the seabed where fishing is permanently or temporarily prohibited.
<b>Living Aquatic Resources</b>	: All resident and migratory aquatic organisms living in fishing waters or the seabed. And what these living organisms produce and what is fossilized, including marine birds and aquatic organisms.
<b>Aquaculture</b>	: The breeding and propagation of aquatic organisms in a specific, controllable water area, whether at sea or on land.
<b>Fishing</b>	: Any act that leads to the extraction and possession of living aquatic resources from fishing waters or the seabed.
<b>Coastal Fishing</b>	: Any fishing operation conducted by fishing vessels licensed for coastal fishing.
<b>Commercial Fishing</b>	: Harvesting an annual quota of living aquatic resources by Omani companies and institutions.
<b>Artisanal Fisherman</b>	: Any Omani who engages in fishing as a profession in accordance with the provisions of this law.
<b>Artisanal Fisherman</b>	: Any fishing activity practiced by an artisanal fisherman.
<b>Sport/Amateur Fishing</b>	: Any fishing activity for the purpose of sport or hobby, not for professional or commercial purposes.
<b>Floating Vessel</b>	: Any marine unit licensed to engage in fishing and activities related to living aquatic resources, including (boats, ships, or floating factories).
<b>Artisanal Fishing Boat or Vessel</b>	: Any floating vessel used for fishing, regardless of its type, material, or navigation method, that is licensed for artisanal fishing.





<b>Coastal Fishing Vessel</b>	: Any floating vessel that meets the conditions and specifications of coastal fishing vessels and is licensed for coastal fishing
<b>Commercial Fishing Vessel</b>	: Any floating vessel that meets the conditions and specifications of commercial fishing vessels and is licensed for commercial fishing.
<b>Transport Vessel</b>	: Any floating vessel licensed to collect, transport, and unload live aquatic resources.
<b>Means of Transport</b>	: Any vehicle licensed to transport and market live aquatic resources.
<b>Factory</b>	: Any facility that converts live aquatic resources into fully manufactured products, including processing, refrigeration, freezing, and storage, with the aim of improving their quality and providing added value.
<b>Floating Factory</b>	: Any floating vessel licensed to manufacture, prepare, refrigerate, freeze, or store live aquatic resources.
<b>Skipper</b>	: The person assigned to command an artisanal fishing vessel or coastal, commercial, transport or floating factory vessel or actually took command of it for reasons justifying that.

## Article (2)

Living aquatic resources are a national resource owned by the State. The State shall work to protect, develop, and enhance oversight over them and related activities. The Ministry shall manage their exploitation, investment, and supervision in accordance with the provisions of this Law and the Regulations. No activity related to living aquatic resources may be authorized or licensed except after coordination with the Ministry and in accordance with what is specified in the Regulations.







## Article (3)

The Ministry shall cooperate with relevant authorities in neighboring countries and international organizations of which the Sultanate is a member to develop a joint plan for the optimal exploitation of living aquatic resources and rational measures for the management of fisheries in adjacent and opposite waters and the high seas.

## Article (4)

The Ministry encourages scientific bodies, centers, and researchers to conduct scientific research related to living aquatic resources and to conduct it in fishing waters, in accordance with the provisions of international, regional, and bilateral agreements that the Sultanate has joined or ratified. It also works to develop international cooperation in the field of scientific research in coordination with relevant authorities.

## Article (5)

The Ministry provides financial and technical support to the living aquatic resources sector with the aim of developing it and increasing its revenues, within the limits of the approved financial allocations and in accordance with the procedures specified in the regulations.

## Article (6)

The Ministry is responsible for establishing and managing marine fishing ports and setting the terms and conditions governing them. The Minister shall issue a decision specifying the procedures, conditions, and controls governing the leasing of lands, buildings, and facilities located therein. Determining the fees for services provided by these ports after coordination with the Ministry of Finance.





## Article (7)

The Ministry shall maintain a special register in which artisanal, coastal, and commercial fishing boats and vessels licensed to fish are recorded, along with the name of each owner, the fishing area where fishing is permitted, fishing equipment, tools, and methods, the number of fishermen and workers authorized to work on the boat or vessel, the date and country of manufacture, and technical specifications such as length, tonnage, and engine power; and any other data specified by the Ministry.

## Article (8)

The Ministry shall determine prohibited fishing areas. No entity may prohibit fishing in any fishing area except after coordination with the Ministry.

## Article (9)

Fishing or activities related to living aquatic resources, research, scientific studies, practical experiments, or experimental fishing may not be carried out in fishing waters or on the seabed without obtaining a license from the Ministry. Licenses issued in accordance with the provisions of this law and the regulations may not be waived.

## Article (10)

The use of fishing methods harmful to the marine environment is prohibited. Or in any way affect the marine flora and environmental balance. It is also prohibited to use or possess fishing methods, nets, equipment, and tools that are prohibited for fishing. It is also prohibited to possess, use, or trade in boats, ships, equipment, tools, or fishing methods whose use is restricted by a license unless the necessary license is obtained from the Ministry in accordance with the procedures and conditions specified in the regulations.







## Article (11)

Hunting turtles, collecting their eggs, and hunting whales, dolphins, mammals, and seabirds is prohibited except in accordance with the controls specified in the regulations. It is also prohibited to tamper with turtle habitats and breeding sites.

## Article (12)

It is prohibited to pollute or destroy the marine environment, or to dump waste from laboratories, factories, or untreated water, chemicals, petroleum, ship oils, or any other liquids or solutions that harm living aquatic resources, without prejudice to the provisions of the laws in force in the Sultanate regarding environmental protection and pollution control.

## Article (13)

The use of toxic substances, explosives, chemicals, electrical methods, or weapons in fishing is prohibited.

## Article (14)

It is prohibited to do any of the following in fishing waters and on the seabed except in accordance with the procedures and controls specified by the regulations:

- A- Backfilling, moving, or transporting rocks upon which living aquatic resources depend.
- B - Removing, cutting, or destroying natural or artificial coral reefs (shudud) and other marine plants and plants on which living aquatic resources depend or live.
- C - Using the method of fishing with scarabs or beams in the estuaries.
- D - Fishing in fishing ports, their entrances, and any other locations designated by the competent authorities, in coordination with the Ministry.

## Article (15)

Fishing or any other activity licensed in accordance with the provisions of this Law or the Regulations is prohibited after the expiration of the license period.







## Article (16)

Artisanal or coastal fishing boats or vessels may not be used to transport goods or persons, for recreational or tourism purposes, or for any other commercial purpose, except under conditions determined by the competent authorities, in coordination with the Ministry.

## Article (17)

Owners of artisanal, coastal, and commercial fishing boats and vessels must insure their boats and vessels in accordance with applicable laws and regulations.

## Article (18)

**The regulations must include, in particular, the following:**

- a) The conditions and procedures for granting, renewing, and transferring fishing licenses, licenses for activities related to living aquatic resources, research, studies, and scientific experiments, their duration, and the cases in which licenses may be suspended, withdrawn, or revoked administratively.
- b) The conditions and specifications required for artisanal fishing boats and vessels, the fishing equipment and tools authorized for use, and the number of workers on board; and the identification of marine safety equipment in coordination with the competent authorities.
- c) Conditions and specifications required for coastal and commercial fishing vessels, the types, equipment, tools, fishing methods, and machinery authorized for these vessels, and the number of sailors and technicians on board, in coordination with the relevant authorities.
- d) Conditions and specifications required for transport vessels, factories, floating factories, and other means of transport engaged in activities related to living aquatic resources, in coordination with the relevant authorities.
- e) Areas and sites for coastal fishing, commercial fishing, recreational fishing (sport/amateur fishing), and diving.
- f) Prohibited fishing seasons and areas, and controls for disposing of living aquatic resources caught during the prohibition period.





- g) The types and quantities of living aquatic resources and their products that may be imported or exported, in accordance with the agreements and laws regulating import and export operations.
- h) The types, sizes, and ages of living aquatic resources that may not be harvested; the methods of disposing of them if they are unintentionally caught in fishing gear, and the applicable fees.
- i) The types and quantities of living aquatic resources whose harvesting is permitted during specific seasons and in specific marine locations.
- j) Quality control conditions for living aquatic resources that are harvested or farmed and their products that are exported or imported; and the controls for their manufacture, transport, handling, marketing, and issuance of quality control certificates.
- k) Procedures for inspecting and seizing boats, ships, fishing equipment, tools, transportation means, factories, floating vessels, and warehouses, and procedures for selling seized items in accordance with the provisions of this law and the regulations.
- l) Data and information that fishermen, Skippers, companies, and institutions operating in the live aquatic resources sector must provide; and procedures and deadlines for submitting them.
- m) Areas and sites suitable for establishing aquaculture farms, their types, and means of supporting related scientific research, studies, and experiments.
- n) Conditions and procedures for licensing the establishment of aquaculture farms and licenses for importing and culturing aquatic organisms.
- o) Controls and procedures for the sale of live aquatic resources detected in violations stipulated in this law and the regulations.
- p) Procedures for destroying prohibited fishing nets and gear.
- q) Fishing equipment, tools, and methods that must be used to catch certain species of living aquatic resources.
- r) Measures and means necessary to protect prohibited living aquatic resources.







- s) Fees for issuing and renewing fishing licenses and activities related to living aquatic resources, and cases for exemption therefrom, after coordination with the Ministry of Finance.
- t) Conditions and procedures for registering fishing boat ownership with the Ministry, transferring ownership, exchanging ownership, and mortgaging it.
- u) Amounts due to the state for commercial and coastal fishing quotas, after coordination with the Ministry of Finance.
- v) Conditions and regulations governing the establishment of artificial reefs (shudud).
- w) Conditions, regulations, and procedures for scientific research, studies, and experiments.
- x) Controls and procedures regulating the work of survey and exploration vessels, in coordination with the relevant authorities.
- y) Forming marine surveillance committees, in coordination with the relevant authorities, defining their mandates and the rewards paid to their members.
- z) Conditions for sport/amateur fishing.

A A) – Conditions and controls regulating the operation of fishing vessels flying the Omani flag in international waters (high seas), taking into account international agreements and treaties that the Sultanate has joined or ratified.

B B) Determining prohibited fishing methods, equipment, tools, and means.

C C) – Determining the materials that are strictly prohibited from being thrown into fishing waters, inland waters, or into the seabed and subsoil; and determining the permissible concentration of some or all of these materials so as not to harm living aquatic resources or human health through living aquatic resources, directly or indirectly.

D D) – Establishing, regulating, and monitoring fish markets in coordination with the competent authorities, and setting the conditions and controls regulating the sale, marketing, and trading of aquatic resources.





## Chapter Two Artisanal Fishing

### Article (19)

The Ministry shall work to encourage and develop artisanal fishing, train and guide artisanal fishermen, and create job opportunities for Omani cadres in the fishing profession and activities related to living aquatic resources.

### Article (20)

Artisanal fishing or the establishment of artificial reefs (shudud) shall not be practiced unless a license is obtained from the Ministry.

### Article (21)

Subject to the provisions governing the administrative division of the Sultanate and the regulation of the work of governors, artisanal fishing areas shall be defined as follows:

- Muscat Governorate: Includes its coastal states.
- Dhofar Governorate: Includes its coastal states.
- Musandam Governorate: Includes its coastal states.
- Al Wusta Governorate: Includes the coastal states affiliated with it.
- South Al Sharqiyah Governorate: Includes the coastal states affiliated with it.
- North Al Batinah Governorate and South Al Batinah Governorate: Includes the coastal states affiliated with these two governorates.

### Article (22)

**Artisanal fishermen and artisanal fishing vessel Skippers are obligated to:**

- A. Carry the fishing license, boat license, or artisanal fishing vessel license, and other licenses and documents specified by the regulations, or copies thereof, while fishing, and submit them to the supervisory authority or competent authorities upon request.
- B. Land the caught live aquatic resources in fishing ports or landing sites specified by the Ministry.







- C. Observing the prevailing maritime customs and traditions in coastal states that do not conflict with the provisions of this law and the regulations.
- D. Providing available assistance to those in need while at sea.
- E. Providing suitable marine safety equipment and fishing trip supplies on their boat or vessel before the start of the trip and during sailing and fishing.
- F. Providing production data and any other information requested by the Ministry.
- G. Placing the license plate in a prominent location on both sides of the boat or vessel.
- H. Adhering to the control system specified in the regulations.

## Article (23)

**Artisanal fishermen and artisanal fishing vessel Skippers are prohibited from committing any of the following:**

- a) Fishing outside the artisanal fishing area in which they are licensed, unless the Ministry authorizes them to operate artisanal fishing boats or vessels in another area and under the conditions it specifies.
- b) Entering their boat or vessel into areas other than the fishing area in which they are licensed.
- c) Altering, modifying, or concealing the data or distinguishing marks of any artisanal fishing boat or vessel, or delaying the repair of any damaged ones.
- d) Causing damage to the boats, vessels, or equipment of other fishermen.
- e) Fishing with an unlicensed fishing boat or vessel or one whose license has expired.
- f) Waiving the license of an artisanal fishing boat or vessel or the ownership of any of them except after the approval of the Ministry and the competent authorities, as the case may be.

## Article (24)

Unregistered artisanal fishing boats are registered with the Ministry of Transport and Communications. The Ministry maintains a register in which all data related to each boat is recorded, in particular:





Owner's name; Length; Tonnage; Date and country of manufacture, type, and engine power.

## Chapter Three Coastal Fishing

### Article (25)

The Ministry shall encourage and develop the coastal fishing profession and supervise the establishment of a sophisticated Omani fishing fleet.

### Article (26)

Coastal fishing may only be practiced after obtaining a license from the Ministry in accordance with the conditions specified by the regulations, particularly the following:

- A. The license applicant must be an Omani company or institution registered with the competent authorities, whose primary purpose is to engage in fishing activities, and the capital of the company or institution must be fully owned by Omanis.
- B. The company or institution must have the necessary technical and financial capabilities.

### Article (27)

The Ministry shall determine annual quotas of living aquatic resources for companies and institutions based on the quantities available. For exploitation through coastal fishing, and in a manner that ensures the sustainability of this purchase, the Ministry may redefine the annual quotas based on the exploitable quantities.

### Article (28)

Companies and institutions that have obtained a coastal fishing license may not exceed the annual quota permitted for fishing, nor may they sell, assign, or lease it to another party. They







may not dispose of the coastal fishing license in any way except after obtaining written approval from the Ministry. Anyone who has disposed of or assigned a coastal fishing license may not obtain a new license until five years have passed.

## Article (29)

**Companies and institutions that have obtained coastal fishing licenses are obligated to:**

- A. Fishing in the locations specified in the vessel license.
- B. Using the permitted fishing equipment, tools, and methods, as determined by the regulations.
- C. Fishing the species of living aquatic resources authorized by the Ministry.
- D. Using the regulatory system under the terms and conditions determined by the Ministry.
- E- Submitting production reports on the quantities and types of living aquatic resources caught on each fishing trip, using the forms prepared by the Ministry for this purpose.
- F. Landing the quantities of living aquatic resources caught in fishing ports or landing sites designated by the Ministry.
- G - Providing the information and data requested by the Ministry in accordance with the procedures and deadlines it specifies.
- H - Paying fees in the categories and on the dates specified by the regulations.
- I - Any other conditions specified by the regulations.

## Chapter Four

### Commercial Fishing

## Article (30)

Commercial fishing companies, institutions, and vessels may not engage in fishing unless they have obtained a license from the Ministry.





## Article (31)

The following conditions must be met to grant a commercial fishing license:

- A- The applicant must be an Omani company or institution registered with the relevant authorities, whose primary purpose is to engage in fishing activities. The regulations shall specify the terms and conditions for granting the license.
- B- The company or institution must have the financial solvency, technical competence, and capabilities necessary for the type of fishing required.
- C- The fishing vessels owned or chartered by the company or institution must comply with the technical conditions and specifications for the type of fishing, as well as the Omani fish quality control specifications, and be registered with the relevant authorities.
- D - The company or establishment shall undertake to adhere to the regulatory system imposed by the Ministry on fishing vessels, including the presence of one or more observers and researchers on each vessel, providing them with accommodation throughout the fishing trip, and providing the necessary facilities for the use of available navigational equipment.
- E - Any other conditions specified by the regulations.

## Article (32)

The Ministry shall prepare a special register in which it shall record the names of companies and establishments licensed for commercial fishing, their addresses, and the legal representative of each; the types of fishing licensed to the company or establishment; and any other information specified by the regulations. This register shall also record Omani vessels that fish in international waters (the high seas) and their related information.

## Article (33)

The Ministry shall determine the quantities of living aquatic resources available for commercial exploitation in light of the available quantities, ensuring the sustainability of living aquatic







resources. This determines the annual fishing quotas allocated to licensed companies and institutions. The Ministry may redefine the quotas annually based on the exploitable quantities and in accordance with the performance of the company or institution.

## Article (34)

Upon obtaining a commercial fishing quota, companies and institutions must pay fees in the prescribed categories and on the dates specified by the regulations. They must also submit an unconditional bank guarantee issued by one of the approved banks in the Sultanate in favor of the Ministry in the amount of 40% (forty percent) of the amounts due to the Ministry for the annual fishing quota allocated to the company or institution. This guarantee shall be valid for a period of fourteen (14) months in accordance with the conditions specified by the regulations.

## Article (35)

Companies and institutions may not dispose of their allocated fishing quota, or any part thereof, by sale, barter, assignment, or leasing it to a third party, except after obtaining written approval from the Ministry and in accordance with the terms and procedures specified in the regulations. They may also not exceed the authorized annual fishing quota.

## Article (36)

**Companies and institutions to which the Ministry has allocated an annual fishing quota shall be jointly liable with the Skipper for the following:**

- a. Compensation for damages caused by the vessel, payment of applicable fishing violation fines, and implementation of confiscation provisions.





- b. Submitting production reports on the quantities and types of living aquatic resources caught from their allocated annual quota, on the forms prepared for this purpose. The Ministry shall unload this quantity, or any part thereof, at Omani ports.
- c- Providing the information and data requested by the Ministry in accordance with the procedures and deadlines it specifies.
- d- Notifying the Ministry and the Ministry of Environment and Climate Affairs of any marine environmental pollution, particularly oil spills from commercial fishing vessels into the marine environment. The regulations shall specify the controls governing the handling of the effects resulting from marine environmental pollution caused by oil spills, in coordination with the competent authorities, in accordance with the provisions of the laws in force in the Sultanate regarding environmental protection and pollution control.

## Article (37)

**Commercial fishing vessels and their Skippers are prohibited from engaging in any of the following:**

- a. Fishing in areas and locations not authorized for fishing, or in prohibited fishing areas.
- b. Unloading or transferring live aquatic resources from one vessel to another without a permit from the Ministry.
- c. Returning caught live aquatic resources to the sea, except for species permitted to be returned in accordance with the regulations.

## Article (38)

**The Ministry may, in the event that there are no Omani commercial fishing vessels capable of fishing the licensed annual quota, authorize Omani companies and institutions to use foreign fishing vessels to fish that quota or any part thereof, subject to the following conditions:**







- A. The company or institution must obtain preliminary approval from the Ministry before bringing in the vessel.
- B. The foreign fishing vessel must comply with Omani technical specifications and quality control requirements for the type of fishing and must obtain the necessary licenses from the relevant authorities.
- C. A charter contract for the foreign vessel must be signed between the company or institution and the owner of the fishing vessel or its authorized agent, in accordance with the conditions specified in the regulations.
- D. The Skipper, sailors, and technicians working on the vessel must all obtain approval from the relevant authorities.
- E. Ensuring that the vessel does not leave fishing waters without obtaining the necessary permit from the Ministry.
- F. The company or establishment shall undertake to adhere to the regulatory system imposed by the Ministry on fishing vessels, including the presence of one or more observers and researchers on each vessel, providing them with accommodation throughout the fishing trip, and providing the necessary facilities for the use of available navigational equipment.
- G. Employing a national workforce according to the professions and ratios determined by the competent authorities in coordination with the Ministry.

## Article (39)

Foreign vessels may not fish in fishing waters or on the seabed except after obtaining a license from the Ministry. They are also prohibited from selling, purchasing, or unloading live aquatic resources in fishing waters or Omani ports except after obtaining a permit to do so from the Ministry.





## Chapter Five

### Aquaculture

#### Article (40)

The Ministry shall encourage and promote the establishment of aquaculture farms, supervise them, provide technical assistance, and identify appropriate locations and areas for their establishment, in coordination with the relevant authorities.

The Minister or his authorized representative shall sign usufruct agreements for lands and marine sites suitable for aquaculture with investors, in coordination with the relevant authorities.

#### Article (41)

Aquaculture farms may not be established unless a license is obtained from the Ministry, in coordination with the relevant authorities.

#### Article (42)

Aquaculture may not be cultivated without obtaining a license. With a license from the Ministry, in coordination with the relevant authorities.

#### Article (43)

It is not permissible to import any type of aquatic life for the purpose of farming unless a license is obtained from the Ministry.

## **Chapter Six**

### **Activities Related to Living Aquatic Resources**

#### Article (44)

**The following activities are considered related to living aquatic resources:**

- A. Processing, manufacturing, drying, and smoking living aquatic resources.
- B. Transporting and marketing living aquatic resources.
- C. Refrigerating, freezing, and storing living aquatic resources.
- D. Exporting and importing living aquatic resources and their products.







E. Aquaculture.

F. Any other activity specified by the regulations and related to living aquatic resources.

## Article (45)

**None of the activities stipulated in Article 44 of this Law may be practiced except after obtaining a license from the Ministry. The following conditions must be met to grant a license:**

A. The activity for which the license is requested must be registered in the commercial register, provided that the license specifies the type of authorized activity. The regulations shall regulate the terms and conditions for granting the license.

B. The license applicant must possess the financial solvency, technical competence, and necessary capabilities to practice the activity.

C. The license applicant must undertake to adhere to the regulatory system specified for the activity and to provide relevant information and data to the Ministry upon request.

D. Any other conditions specified by the regulations.

## Article (46)

Exported, imported, and transit live aquatic resources and their products are subject to the veterinary quarantine procedures in force by law.

## **Chapter Seven**

### **Monitoring and Controlling Violations**

## Article (47)

The Ministry may seek assistance from competent authorities regarding monitoring fishing waters and the seabed, detecting any violation of this law or the regulations, and seizing fishing vessels flying the Omani flag and foreign fishing vessels – if proven to have committed a violation outside





fishing waters or entered them – in implementation of the Sultanate's obligations stipulated in the international agreements and treaties it has ratified or is party to.

## Article (48)

**The Supervisory Authority shall have the following powers with respect to violations within its jurisdiction related to the provisions of this Law or the Regulations:**

- A. Monitor and inspect artisanal, coastal, and commercial fishing boats and vessels, ensuring their compliance with the terms and specifications and that they hold the legally required documents and licenses.
- B. Monitor and inspect transport vessels and means of transporting living aquatic resources, factories, floating facilities, and places and shops where activities related to living aquatic resources are carried out, ensuring their compliance with the provisions of this Law and the Regulations.
- C. Monitor exported, imported, and transited living aquatic resources at airports, ports, and land borders.
- D – Issuing violation reports and seizing artisanal, coastal, and commercial fishing boats or vessels, transport vessels, factories, floating vessels, fishing equipment and tools, means of transportation, and live aquatic resources subject to the violation, at the violator's expense; ordering the sale of seized live aquatic resources in accordance with the rules specified in the regulations; and retaining the proceeds until a final ruling is issued on the violation.
- E – Monitoring landing and marketing sites for live aquatic resources.
- F – Monitoring and inspecting aquaculture farms and associated facilities.
- G – Monitoring and inspecting marine fishing port facilities and installations.
- H – Destroying prohibited fishing nets, equipment, and tools, in coordination with the Public Prosecution and the competent authorities.







1 – Taking the necessary procedures to prevent the violation or prevent its continuation, at the violator's expense.

## Article (49)

In the event of the seizure of a boat, artisanal, coastal, or commercial fishing vessel, transport vessel, means of transport, factory, or floating factory, the Ministry must notify the owner, company, or institution for whose account these seized items operate, or the flag state, as the case may be, of the seizure and its reasons within a period not exceeding 15 (fifteen) days from the date of the seizure. The vessel may be released in exchange for a financial guarantee determined by the Ministry.

## Chapter Eight

### Penalties

## Article (50)

Without prejudice to any more severe penalty in any other law, the crimes set forth in this Law shall be punishable by the penalties stipulated therein.

## Article (51)

Anyone who violates the provisions of Articles (9, 15, 16, 20, and 22) of this Law shall be punished by imprisonment for a period of no less than 10 days and no more than one month, and a fine of no less than 200 Omani Riyals and no more than 1,000 Omani Riyals, or by one of these two penalties. The penalty shall be increased by no more than double its maximum limit in the event of a repeat violation.

## Article (52)

Anyone who violates the provisions of Articles (10, 11, 14, 23, 26, 28, 29, and 45) of this Law shall be punished by imprisonment for a period of not less than (10) ten days and not more than





(2) two months, and a fine of not less than (500) (five hundred Omani Riyals) and not more than (2,000) (two thousand Omani Riyals), or by one of these two penalties. The penalty shall be increased by no more than double its maximum limit in the event of a repeat violation.

## Article (53)

Anyone who violates the provisions of Articles (41, 42, and 43) of this Law shall be punished by imprisonment for a period of not less than (10) ten days and not more than (2) two months, and a fine of not less than (500) (five hundred Omani Riyals) and not more than (5,000) (five thousand Omani riyals); or one of these two penalties. The penalty shall be increased by no more than double its maximum limit in the event of a repeat violation.

## Article (54)

Anyone who violates the provisions of Articles (30, 35, 37, and 38) of this law shall be punished by imprisonment for a period of no less than one month and no more than two (2) months, and a fine of no less than (5,000) (five thousand Omani riyals); and no more than (10,000) (Ten thousand Omani riyals); or one of these two penalties. In the event of a repeat violation, the penalty shall be imprisonment for a period of no less than (2) two months and no more than (3) three months, and a fine of no less than (10,000) (Ten thousand Omani riyals) and no more than (25,000) (Twenty-five thousand Omani riyals), or one of these two penalties.

## Article (55)

Anyone who violates the provisions of Articles (36) of this law shall be punished by a fine of no less than (5,000) (five thousand Omani riyals); and no more than (10,000) (Ten thousand Omani riyals). In the event of a repeat violation, the penalty shall be a fine of no less than (10,000) (Ten thousand Omani riyals) and no more than (25,000) (Twenty-five thousand Omani riyals) .







## Article (56)

Anyone who violates the provisions of Articles (39) of this law shall be punished by a fine of no less than (50,000) (fifty thousand Omani riyals); and no more than (500,000) (Five hundred thousand Omani riyals). The penalty shall be increased by no more than double its maximum limit in the event of a repeat violation.

## Article (57)

**Taking into account the procedures stipulated in Articles (48) and (49) of this Law in confronting fishing vessels engaged in illegal fishing, anyone caught in accordance with the provisions of Article (47) of this Law shall be punished with the following penalties:**

A – Imprisonment for a period of not less than one month and not more than three months; A fine of no less than 5,000 (five thousand Omani riyals) and no more than 100,000 (one hundred thousand Omani riyals), or one of these two penalties. The penalty shall be increased by no more than double its maximum limit in the event of a repeated violation with regard to fishing vessels flying the Omani flag, with the possibility of ruling to confiscate the vessel, nets, fishing equipment, and tools used in committing the violation. In all cases, the confiscation of the seized living aquatic wealth or its value shall be ruled.

B – A fine of no less than 100,000 (one hundred thousand Omani riyals) and no more than 500,000 (five hundred thousand Omani riyals). The penalty shall be increased by no more than double its maximum limit in the event of a repeated violation with regard to foreign fishing vessels, with the possibility of ruling to confiscate the vessel, nets, and fishing equipment. And the fishing tools used in committing the violation; in all cases, the confiscation of the seized living aquatic wealth or its value shall be ruled.

C– The Ministry may order the seizure of the violating foreign fishing vessel, its crew, nets, fishing equipment and tools used in committing the violation; and the sale of the seized living aquatic





resources and the retention of their price until a final ruling is issued on the violation; The vessel and its crew shall be released upon the submission of a bail or financial guarantee determined by the Ministry, commensurate with the financial penalties specified for the violation and any other obligations.

## Article (58)

**Anyone who violates the provisions of the regulations shall be subject to the following penalties:**

A – A fine of no less than (200) two hundred Omani riyals and no more than (1,000) one thousand Omani riyals; or imprisonment for a period not exceeding one month; or both penalties, for artisanal fishing violations. The penalty shall be increased by no more than double its maximum limit in the event of a repeat violation.

B – A fine of no less than (500) five hundred Omani riyals and no more than (2,000) two thousand Omani riyals; or imprisonment for a period not exceeding (2) two months; or both penalties, for coastal fishing violations. The penalty shall be increased by no more than double its maximum limit in the event of a repeat violation.

C– A fine of not less than (2,000) two thousand Omani riyals and not exceeding (10,000) ten thousand Omani riyals, or imprisonment for a period not exceeding three (3) months, or both penalties, for commercial fishing violations. The penalty shall be increased by no more than double its maximum limit in the event of a repeat violation.

D– A fine of not less than (300) three hundred Omani riyals and not more than (5,000) five thousand Omani riyals, or imprisonment for a period not exceeding two (2) months, or both penalties, for violations of activities related to living aquatic resources. The penalty shall be increased by no more than double its maximum limit in the event of a repeat violation.

E– A fine of not less than (100) one hundred riyals Omani; and not exceeding (500) five hundred Omani riyals; or imprisonment for a period not exceeding (10) ten days; or both penalties together;

