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**Legislative Decree No. (20) of 2002 regarding the Regulation of Fishing, Exploitation, and Protection of Marine Resources**

We, Hamad bin Isa Al Khalifa King of the Kingdom of Bahrain.

Having reviewed the Constitution;

Law No. (3) of 1975 regarding Public Health, and the laws that amend it;

Legislative Decree No. (5) of 1981 regarding the Regulation of Fishing;

Ship Registration and the Determination of Safety Conditions Law promulgated by Legislative Decree No. (14) of 1978;

Legislative Decree No. (20) of 1979 regarding the Rules of Registration, Safety, and Control of Small Ships amended by Legislative Decree No. (13) of 2000;

Legislative Decree No. (23) of 1982 regarding Maritime Law;

Legislative Decree No. (11) of 1991 regarding Sewage Disposal and Surface Water Drainage;

Legislative Decree No. (8) of 1993 regarding the Territorial Sea and Adjacent Area;

Legislative Decree No. (2) of 1995 regarding the Protection of Wildlife, amended by Legislative Decree No. (12) of 2000;

Legislative Decree No. (18) of 1996 ratifying the Biological Diversity Convention;

And Legislative Decree No. (21) of 1996 regarding the Environment, amended by Legislative Decree No. (8) of 1997;

And upon the submission of the Minister for Housing and Agriculture;

And after the approval of the Council of Ministers;

**Hereby Decree the following Law:**

**Chapter One**

**Definitions**

**Article - 1 -**

In applying the provisions of this Law, the following words and expressions shall have the meanings assigned to them below:

**Ministry: Ministry of Housing and Agriculture.**

**Minister: Minister of Housing and Agriculture.**

**Competent Directorate: The Fisheries and Marine Resources Directorate in the Ministry of Housing and Agriculture.**

**Relevant Authorities: Other government units, except for the Ministry, which shall be referred to within the limits of their competences and responsibilities in accordance with the laws they implement.**

**Marine Resources: Animal and plant organisms that live in the fishing waters, on the seabed, or in its sub-soil, and what is formed inside the bodies of these organisms (pearls), (coral reefs), or others, as well as the seabed and what it contains of sand and rocks.**

**Sub-soil: The portion of the seabed and its sub-soil that is inundated by fishing waters.**

**Fishing: The extraction of Marine Resources by any means and for any purpose whatsoever.**

**Fisherman: Anyone who practices fishing under a licence from the competent authority.**

**Marine Rifles: Any fishing gear that uses spears or the like and fires automatically.**

**Fishing Ship: Every floating installation used for the purposes of extracting or manufacturing Marine Resources, whatever its means of management or purpose.**

**Fishing Ship Owner: Whoever equips a fishing ship registered for his own account, whether he is the owner of this ship or its lessee.**

**National Ships: Ships registered in the Kingdom of Bahrain.**

**Foreign Ships: Ships registered in a State other than the Kingdom of Bahrain.**

**Fishing Waters: The marine area in which fishing is practised, and located within the territorial sea of the Kingdom of Bahrain, including coastal areas and deep waters.**

**Marine Protected Areas: Marine areas in which fishing is prohibited in accordance with the laws and regulations issued in their regard.**

**Inland Waters: The water areas located behind the baseline from which the territorial sea is measured, and towards the land.**

**Seabed and its Sub-soil: The portion of the seabed and sub-soil that is inundated by fishing and inland waters.**

**Chapter Two**

**Licences**

**Article - 2 -**

Taking into account the provisions of Legislative Decree No. (14) of 1978 promulgating the Ship Registration and the Determination of Safety Conditions Law which require the registration of ships in the Ports Administration, and the provisions of Legislative Decree No. (20) of 1979 regarding Rules of Registration, Safety, and Control of Small Ships which require the registration of such ships with the Relevant Authorities.

In addition, fishing ships shall be registered with the Competent Directorate in accordance with the procedures and regulations specified by a decision from the Minister.

The registration referred to in the preceding paragraph shall not prejudice the need to obtain the licence stipulated in this Law.

**Article - 3 -**

Without prejudice to the special provisions regarding nationals of the Gulf Cooperation Council States, non-nationals of the Kingdom of Bahrain shall be prohibited from practising commercial fishing, and it shall not be permitted, without a licence from the Competent Directorate, to practise commercial fishing in fishing waters. The licence shall have a definite period, and the licence of the fishing ships shall specify the specifications of the ship, the fishing methods and equipment used, as well as the number of crew members, provided that the maximum and minimum of the crew members shall be indicated according to their specialisation. All workers shall be registered with the employer, who shall bear legal responsibility in case they violate the provisions of the Law and the decisions implementing it.

The licence shall specify the ship’s work locations, the fishing seasons allowed, and the types and quantities of Marine Resources to be harvested in each area and during each season. When engaging in commercial fishing, the presence of a Bahraini captain (Nokhidha) on board the ship shall be required.

Furthermore, the licence shall detail the establishment of marine traps, the location of the trap, its dimensions, and the size of its openings.

**Article - 4 -**

The Minister shall have the right to grant scientific authorities and persons licences to practise fishing with the intention of conducting scientific research or studies, and it shall be permissible for the holders of such licences to be exempted from implementing some of the provisions of this Law or the decisions implementing it.

**Article - 5 -**

The Competent Directorate shall set the rules governing amateur fishing, which shall include individuals and clubs, and it shall have the right to request that they obtain licences in the necessary cases.

**Article - 6 -**

The request for a fishing licence shall be submitted to the Competent Directorate by the Fishing Ship Owner, the owner of the weir (barrier) or the enclosure, the diver, the fisherman or his representative, on the form prepared for this purpose as follows:

**First** **-** For the request for a fishing licence, it shall include the following data:

A - The owner of the ship’s name, nationality, CPR number, and address in the Kingdom of Bahrain.

B - The ship’s name, number, and the port of its registration.

C - The port in which the ship usually docks.

The request shall be accompanied by a true copy of the Certificate of Registration of the ship, its leasing contract if the ship is leased, as well as a copy of the CPR.

**Second -** For the request for obtaining a licence for the establishment or use of a weir (barrier) or an enclosure, it shall include the following:

A - The name of the owner of the weir (barrier) or enclosure as well as the name of the person who operates it for fishing, if any.

B - The location of the weir (barrier) or enclosure as well as its limits.

**Third -** For the request for a fishing or diving licence, the following shall be required:

A - Shall not be less than 18 Gregorian years old.

B - Shall prove his suitability to practice fishing or diving.

C - Shall not have been previously convicted of a felony or misdemeanour involving a breach of honour or trust, unless he has been rehabilitated.

In all cases, the concerned person shall submit any other data or information requested by the Competent Directorate.

**Article - 7 -**

The term of the licence shall be one year, and the Competent Directorate shall have the right to issue licences for a period of less than one year, in accordance with the terms and conditions for which a decision is issued by the Minister.

**Article - 8 -**

The licencee shall renew the licence within (15) days before the expiry date of its validity period, and it shall not be permitted for him to practise fishing or the licenced activity after the expiry of the licence validity period.

Licences shall only be issued or renewed after the prescribed fees are paid. In case of delay in submitting the renewal request for a period exceeding two months following the expiry of the licence period without an acceptable excuse, a fine of not less than half the value of the fees prescribed for the licence renewal and not more than twice the amount shall be imposed on the violator.

If the delay period exceeds two months, the Competent Directorate shall have the right to reject the renewal of the licence. In this case, the licence will be considered cancelled. The re-licence shall only be permitted through new procedures.

**Article - 9 -**

It shall not be permitted to possess more than three fishing licences for one person. The Minister shall have the right to reduce this number if the Competent Directorate deems that this constitutes harm to Marine Resources.

**Article - 10 -**

Fees shall be imposed on licences issued by the Competent Directorate. The determination of these fees and the procedures for collecting them shall be issued by a decision from the Minister after the approval of the Council of Ministers.

**Article - 11 -**

The Competent Directorate shall rule upon the request for a licence and its renewal within (15) days from the date of its submission. In case of rejection, the decision issued to reject the licence or reject its renewal shall be reasoned. The lapse of (15) days from submitting the request without being answered by the Competent Directorate shall be considered a rejection.

Those whose application was rejected or deemed rejected may file a grievance with the Minister within (15) days from the date of notification of the rejection decision or from the date it was deemed rejected. The Minister shall issue a decision on the grievance within (15) days from the date of its submission.

The lapse of (15) days from the date of submission of the grievance without a response shall be deemed a rejection thereof.

Those whose grievance has been rejected or deemed rejected shall have the right to appeal the decision issued in rejection of the grievance or in deeming it rejected before the High Civil Court within (30) days from the date of being notified of the rejection of the grievance or from the date it was deemed rejected.

**Article - 12 -**

The licences issued in accordance with the provisions of this Law shall be personal and shall not be assigned to third parties, and they shall be shown to the employees of the Competent Directorate or the Relevant Authority upon request.

**Article - 13 -**

Fishing licences shall be cancelled in the following cases:

A - If the fishing licence for Marine Resources is transferred from one person to another without obtaining the approval of the Competent Directorate.

B - If the registration of the ship is de-registered.

C - If any changes occurred on the ship, the weir (barrier), or the enclosure that would modify the data related to the licence of any of these, unless the licencee notifies the Competent Directorate in writing of such changes within thirty days from the date of their occurrence.

D - If the owner of the fishing ship sells it or converts it into a transport ship for goods, passengers, or any other purpose, he shall submit a request to the Competent Directorate to cancel the fishing ship licence. It shall not be permitted to carry two licences for the ship at the same time.

**Article - 14 -**

Owners of fishing ships shall be obliged to maintain a register of fishing operations data on board the ship, in accordance with the instructions of the Competent Directorate.

Whoever works in the field of fishing, marketing of Marine Resources, or in industries related to it, shall abide by the regulations and decisions issued protecting and regulating the fishing, extraction, and industrialization of Marine Resources, and shall submit to the Competent Directorate the data it requests at the specified times. This Directorate shall prepare and organise special registers to record and analyse the data.

**Article - 15 -**

The owner of the fishing ship, the fisherman, or the holder of any other licence issued under the provisions of this Law or the decisions implementing it shall, in case of its loss or damage, inform the Competent Directorate. It shall not be permitted for him to practise fishing except after obtaining another licence instead of the lost or damaged licence and after paying the prescribed fee, along with submitting proof of the loss or damage of the licence.

**Part Three**

**Protection of the Marine Resources**

**Article - 16 -**

It shall be permitted, by virtue of a decision issued by the Minister after coordination with the Relevant Authorities, to temporarily prohibit the fishing of Marine Resources of all kinds for the purpose of protecting these Resources.

**Article - 17 -**

It shall not be permitted for non-owners of fishing equipment and traps who have obtained a licence from the Competent Directorate to take or transfer fishing equipment and traps from marine life.

**Article - 18 -**

It shall not be permitted to dispose of waste from laboratories, factories, sewage, chemicals or petroleum substances, ship oils, or any liquids or solutions harmful to the marine environment or others in the territorial waters of the Kingdom or its adjacent area, provided that such waste shall be disposed of in accordance with the methods specified by Law.

**Article - 19 -**

It shall not be permitted to fish larvae or juvenile marine organisms whose lengths are less than the authorised size. It shall also not be permitted to fish for sea turtles, dugongs, and other mammals, or to tamper with their habitats and reproduction areas along the shores of the Kingdom or in fishing waters.

**Article - 20 -**

It shall be prohibited to have nets, machines, or tools that are unauthorised or prohibited for fishing – as listed – on board a fishing ship. It shall also be prohibited for any person to possess them at or near fishing sites, which are:

A) Bottom trawl nets for fishing with any type of fishing ship.

B) Drift nets (haul nets).

C) Marine Rifles for fishing for marine life.

D) Mono-filament synthetic (nylon) nets.

E) Nets made of three-layer nylon yarn.

F) Shrimp fishing net during the closed season.

G) Any nets, machines, or other tools specified by the Competent Directorate.

**Article - 21 -**

Without prejudice to the provisions of other laws and regulations, it shall not be permitted, without a licence from the Competent Directorate and after the approval of the Relevant Authorities, to carry out any of the following works:

A) Placing or constructing dams or barriers that limit the free movement of Marine Resources.

B) Removal or exploitation of aquatic plants, seaweed, coral reefs, or rocks of all kinds.

C) Dumping or placing solid, sharp, or other materials or objects that impede fishing and navigation operations. These solids, sharps, or other materials or objects shall not be used in the construction of artificial reefs.

D) Establishment of marine life farms, enclosures, pens, cages, and the like in fishing waters for the purpose of breeding marine organisms.

E) Conducting excavation and backfilling operations.

F) Fishing for ornamental fish and extracting pearls.

G) Holding fishing competitions and practising water sports.

**Article - 22 -**

The use of methods of mass extermination on Marine Resources, using poisons, explosives, chemicals, electric methods, and others, shall be prohibited.

**Article - 23 -**

It shall not be permitted to extract marine sand except after obtaining the necessary licence from the Competent Directorate, in accordance with the rules and controls prescribed in this regard. All shall be done in coordination with the Environment Agency and other concerned authorities. The Competent Directorate shall prepare a register in which it shall record the sites of marine sand extraction and the names of persons and companies operating in this field.

**Article - 24 -**

It shall be prohibited to import or trade devices and equipment prohibited from being used in fishing because of their danger to Marine Resources.

**Chapter Four**

**Trading, Marketing, and Manufacturing**

**Article - 25 -**

Fishing ships and means of transporting Marine Resources shall be equipped with refrigerators or ice-cooled insulating boxes.

It shall be taken into account the hygiene and the availability of health conditions and safety means in them, as determined by the Competent Directorate, and in coordination with the Relevant Authorities.

**Article - 26 -**

Marine Resources shall only be sold in markets or places specified by the Relevant Authorities, and in which health and commercial conditions specified by the laws and regulations in force shall be met.

**Article - 27 -**

The necessary health principles shall be observed in the industrialization, drying, smoking, and freezing of Marine Resources before being traded. All fishing ships carrying imported Marine Resources products, whether fresh, dried, canned, salted, smoked, or frozen, shall take into account the provisions of laws, regulations, and decisions related to customs and quarantine.

**Article - 28 -**

Whoever trades or industrialises Marine Resources shall maintain registers in which the quantities classified by kinds and prices shall be recorded in accordance with the forms prepared by the Competent Directorate.

**Article - 29 -**

Without prejudice to the special provisions regarding nationals of the Gulf Cooperation Council States, it shall be prohibited for foreign fishing ships arriving at ports to sell or trade Marine Resources and their products, except after obtaining a licence to do so from the Competent Directorate based on a decision from the Minister.

**Article - 30 -**

It shall not be permitted to export or import Marine Resources and their products in any form and for any purpose, except with the approval of the Competent Directorate.

**Chapter Five**

**General Provisions**

**Article - 31 -**

Competent employees entrusted with the implementation of the provisions of this Law, who are determined by a decision issued by the Minister, shall have the authority to control violations that occur in violation of the provisions of this Law or the decisions implementing it.

In order to achieve this purpose, they shall have the authority to intercept, stop, and inspect the fishing ship. They shall have the right to enter ships, fisheries, and places where marine life and fishing means and tools are located, at sea and on land. They shall have the right to view and examine licences, books, and documents related to the subject. They shall also have the authority to write the necessary minutes and refer them to the competent authority to initiate the criminal lawsuit.

**Article - 32 -**

Licensees in the field of fishing or related activities shall, at the time of the entry into force of the provisions of this Law, rectify their situations in accordance with the provisions of this Law within (six months) from the date of its entry into force.

**Chapter Six**

**Penalties**

**Article - 33 -**

Without prejudice to any more severe penalty provided for in the Penal Code or any other law:

A - Whoever violates the provisions of Articles (18), (21) Paragraph (D), (22), and (23) and the decisions issued in implementation thereof shall be punished with imprisonment for a period of no less than one month and no more than six months, and a fine of no less than one thousand dinars and no more than five thousand dinars, or with one of these two penalties.

B - Whoever violates the provisions of any of Articles (3), (16), (17), (19), (20), (21) Paragraphs (A, B, C, E, F), (24), (25), (27), (29), (30), and the decisions issued in implementation thereof shall be punished with imprisonment for a period not exceeding one month, and a fine of no less than three hundred dinars and no more than one thousand dinars, or with one of those two penalties.

C - Whoever violates the provisions of any of Articles (12), (13) paragraph (D), (14), (21) Paragraph (G), (26), and (28), and the decisions issued in implementation thereof, shall be punished with imprisonment for a period not exceeding fifteen days and a fine not less than one hundred dinars and not exceeding three hundred dinars, or with one of these two penalties.

D - In all the prior cases, the fine shall be doubled in case of recurrence within one year.

**Article - 34 -**

Taking into account the penalties stipulated in the previous Article, it shall be permitted to decide on the confiscation of the ship, tools, or machines used in the commission of the crime, as well as the trap or its value for the Competent Directorate, without the owner of the confiscated funds having the right to request compensation for them.

It shall also be permitted to decide on obliging the convict person to compensate for the damages he caused to Marine Resources and to decide on obliging him to remove the causes of the violation and restore the situation to its previous state, all at his own expense.

**Article - 35 -**

The Competent Directorate shall have the right, until the issuance of a ruling in the lawsuit, to seize the ships, tools, and machines used in the crime, as well as the objects obtained from the crime, and dispose of them if it is feared that they will be damaged.

The aforementioned directorate shall also have the right to oblige the violator to remove or correct the violating acts within the time limit it specifies; otherwise, they will be removed or corrected by administrative means and at the expense of the violator.

The Competent Directorate shall also have the right, in case of conviction, to suspend the licence issued in favour of the violator, in accordance with the provisions of this Law, for a period not exceeding six months, or revoke it permanently.

**Article - 36 -**

The Minister shall issue the necessary decisions to implement the provisions of this Law, particularly in the following matters:

A - Regulating the prohibition or restriction of fishing for Marine Resources of all kinds in any area within the fishing limits and for any period it deems appropriate to protect and preserve these Resources.

B - Prohibiting or restricting the use of any fishing tools or certain methods for fishing for Marine Resources that constitute harm to Marine Resources or marine life.

C - Determining the devices and equipment permitted to be used in fishing, indicating their specifications, and specifying the devices, equipment, and means prohibited for use because of the danger they represent to the crew of the ship or to Marine Resources.

D - Prohibiting the industrialization, trading, import, transfer, sale, or offer for sale of any of the Marine Resources whenever this harms the public interest, and after coordination with the Relevant Authorities in this regard.

E - Determining the minimum size of fish and other marine organisms, and determining the quantities authorised for fishing in the specified seasons and according to their kinds.

F - Determining the specifications of fishing ships and enclosures and what they shall have in terms of shape, size, durability, power (engine), fishing method, safety conditions, and ease of identification, by placing distinctive numbers and marks on both of their sides or setting any other specifications, and how to implement this before granting the licence.

G - Determining Marine Protected Areas and ways to preserve them, in coordination with the National Authority for the Protection of Wildlife.

H - Determining the health conditions that shall be observed to preserve Marine Resources.

I - Determining the data that those engaged in fishing for Marine Resources shall collect, providing the Competent Directorate and the Relevant Authorities, and organising the books and documents that they are obliged to maintain.

**Article - 37 -**

Legislative Decree No. (5) of 1981 regarding the Regulation of Fishing shall be repealed, along with any text that contradicts the provisions of this Law.

**Article - 38 -**

The Ministers - each within his jurisdiction- shall implement this Law, and it shall come into force following the lapse of one month from the date of its publication in the Official Gazette.

**King of the Kingdom of Bahrain**

**Hamad bin Isa Al Khalifa**

**Prime Minister**

**Khalifa bin Salman Al Khalifa**

**Minister of Housing and Agriculture**

**Khalid bin Abdullah Al Khalifa**

**Issued at Riffa Palace:**

**On 10 Jumada al-awwal 1423 A.H.**

**Corresponding to 20 July 2002**