

Cabinet Resolution No. (120) of 2023
Concerning the Regulation of Administrative Violations and Penalties
Concerning Living Aquatic Resources and Reconciliation Thereof

The Cabinet,

- Having reviewed the Constitution; and
- Federal Law No. (1) of 1972, Concerning the Competences of Ministries and the Capacities of Ministers, and its amendment thereof; and
- Federal Law No. (23) of 1999, Concerning the Exploitation, Protection, and Development of Living Aquatic Resources in the UAE, and its amendments thereof; and
- Cabinet Resolution No. (18) of 2012, Concerning the Application of Administrative Penalties Against Violators of the Regulatory Resolution concerning Living Aquatic Wealth and Fisheries; and
- Based upon the proposal submitted by the Minister of Climate Change and Environment, and the Cabinet’s approval,

Has resolved as follows:

Article (1)

Definitions

In application of the provisions of this Resolution, the words and expressions set forth herein shall bear the meanings ascribed to them, unless the context otherwise requires:

- State** : United Arab Emirates (UAE).
- Ministry** : : The Ministry of Climate Change and Environment.
- Competent Authority** : The federal and local government authorities that fall within its jurisdiction to implement any of the provisions of this Resolution.
- Living Aquatic Wealth** : All aquatic living organisms, including microscopic, small, large, migratory, and fishing waters sedentary or visiting

organisms such as birds, turtles, crustaceans, molluscs and mammals, and they also include species fossilised in advanced stages.

- Fishing** : Catching living aquatic resources out of its natural environment.
- Fishing Tools and Equipment** : Tools and equipment used in fishing, including nets, traps (Qaraqir), drag lines, hooks, and the like.
- Captain (Nukhadha)** : A person licensed and in charge of driving a fishing boat.
- Captain (Nukhadha) Card** : The card issued to the licensed person who is responsible for operating a fishing boat in order to authorize sailing.
- Fisherman** : Each person who practices fishing as a profession.
- Fishing waters** : Internal waters, including island and creek coasts, State beaches and coasts, territorial waters, and State exclusive economic zone waters.
- Boat Licence** : A licence issued by the Ministry for a fishing boat.
- Fishing Boat** : Any floating vessel used for fishing, regardless of the material it is made of.
- Pleasure Vessel** : Any vessel not exceeding 24 metres in length, used exclusively for pleasure purposes and not for any commercial activities.

Article (2)

Administrative Penalties

The Ministry or the competent authority—each within its jurisdiction—may impose the administrative penalties attached to this Resolution for the violations ascribed to each.

Article (3)

Cancellation or Suspension of the Boat Licence

1. The Ministry may cancel or suspend the boat license for up to one year if (3) three different violations are committed within the same year or if the same violation is repeated for the fourth time or more.
2. The competent authority may, based on a recommendation of the Ministry, cancel or suspend the pleasure vessel license for up to one year if (3) three different violations are committed within the same year or if the same violation is repeated for the fourth time or more.

Article (4)

Seizure of Administrative Violations

The authority that seizes any of the violations specified in this Resolution shall refer the violation to the Ministry or the competent authority—each within their jurisdiction—to take the necessary measures and impose the administrative penalties stipulated in this Resolution.

Article (5)

Conciliation

The violator may apply for a conciliation to the authority that imposed the administrative penalty with respect to non-financial penalties. This shall be made by paying the conciliation amount specified in the Table attached to the Resolution and handing over the seized items of the violation. Such authority shall document the conciliation and collect its amount according to its applicable procedures.

Article (6)

Payment of Conciliation Amount

The violator shall pay the conciliation amount within a period not exceeding one month as of the date on which conciliation is accepted.

Article (7)

Referral to Public Prosecution

If the violator fails to pay the conciliation amount within the period specified in Article (6) of this Resolution, the authority that imposed the administrative penalty shall, according to its applicable procedures, refer the violator to the competent Public Prosecution to take the legal actions in this respect.

Article (8)

Expiration of the Administrative Penalty

1. The administrative penalty expires one year as of the date the non-financial administrative penalty is imposed.
2. The administrative penalty expires one year as of the date the financial administrative fine is collected.

Article (9)

Collection of Administrative Fines

1. The Ministry shall collect the administrative fines imposed subject to this Resolution through the means determined by the Ministry of Finance and such fines shall be transferred to the unified treasury account in the federal government.
2. The local competent authority shall collect administrative fines imposed by the same authority subject to this Resolution to the treasury of the local government according to the mechanism applicable at every Emirate.
3. The Ministry of Energy & Infrastructure shall collect the administrative fines imposed subject to this Resolution with respect to the pleasure vessel through the means determined by the Ministry of Finance and such fines shall be transferred to the unified treasury account in the federal government.

Article (10)

Exemptions

Violators shall be exempted from administrative penalties that are currently under application, except for financial fines imposed pursuant to Cabinet Resolution No. (18) of 2012 Concerning the Application of Administrative Penalties against Violators of the Regulatory Resolution Concerning Living Aquatic Wealth and Fisheries.

Article (11)

Appealing the Administrative Penalties

1. The authority that imposed the administrative penalty according to the provisions of this Resolution shall notify the relevant parties of the administrative penalty within fifteen (15) days as of the date of its issuance.
2. Every party with an interest shall have the right to appeal the administrative penalty to the authority that imposed the penalty within (30) thirty days from the date of being notified of the appealed decision. The appeal shall be substantiated and accompanied by all supporting documents. The appeal shall be decided upon within (30) thirty days from the date of submission thereof, in accordance with the procedures followed by such authority. The expiration of this period without the issuance of a rejection decision shall be considered as a rejection of the appeal.
3. The decision issued on the appeal shall be final.
4. An appeal against the decision to impose the administrative penalty shall not be accepted after the expiration of the period specified in clause (2) of this Article.

Article (12)

Repeals

Cabinet Resolution No. (18) of 2012 Concerning the Application of Administrative Penalties against Violators of the Regulatory Resolution Concerning Living Aquatic Wealth and Fisheries shall be repealed. Any provision that violates or contradicts the provisions of this Resolution shall be repealed.

Article (13)

Publication and Entry into Force

This Resolution shall be published in the Official Gazette and shall enter into force as of the day following its publication date.

Mohammed Bin Rashid Al Maktoum

Prime Minister

Issued by Us:

On: 13 Jumada I 1445 A.H.

Corresponding to: 27 November 2023 AD

**Table Annexed to Cabinet Resolution No. (120) of 2023
Concerning the Regulation of Administrative Violations and Penalties
Concerning Living Aquatic Resources and Reconciliation Thereof**

No.	Violations	Penalty of the first-time violation	Penalty of the second time violation	Penalty of the third time violation
1	The captain (nawkhadha) violates the security instructions issued by the relevant security authorities in the State, including turning off the automatic identification system during navigation.	A fine of AED 1,000	A fine of AED 3,000	A fine of AED 5,000
2	Failure to number licensed fishing tools and equipment (nets, traps) with unified, clear numbers matching the vessel's number, including the Emirate code.	Issue a written warning	Confiscation of the boat license and the captain's card for a period not exceeding a month or conciliation with the payment of AED 5,000	Confiscation of the boat license and the captain's card for a period not exceeding two months or conciliation with the payment of AED 10,000
3	Fishing small-size fish that are below the permitted length or exceeding the permitted quantity, or catching marine organisms that are	A fine of AED 1,000	A fine of AED 2,000	A fine of AED 5,000

	completely or seasonally banned.			
4	Hunting sea turtles of all species, sizes, and ages, or collecting their eggs, disturbing their habitats and breeding grounds in fishing waters, or hunting dolphins, whales, dugongs (sea cows), or other marine mammals of any species and sizes, or for any purpose, or extracting its skin, fins, or for any other purposes.	A fine of AED 5,000 and releasing aquatic organisms back into their natural environment or delivering them to the authority in case of its death	A fine of AED 6,000 and releasing aquatic organisms back into their natural environment or delivering them to the competent authority in case of their death.	A fine of AED 7,000 and releasing aquatic organisms back into their natural environment or delivering them to the competent authority in case of their death.
5	Failure to report types of sea turtles, dolphins, whales, manatees, marine mammals, or prohibited shark species that were incidentally caught, or their disposal at sea in case of their death.	A fine of AED 1,000 and releasing aquatic organisms back into their natural environment or delivering them to the competent authority in case of their death.	A fine of AED 2,000 and releasing aquatic organisms back into their natural environment or delivering them to the competent authority in case of their death.	A fine of AED 3,000 and releasing aquatic organisms back into their natural environment or delivering them to the competent authority in case of their death.

6	Fishing with tools or equipment that violate the specifications or that exceed the specified length and quantity as per the regulatory resolutions.	A fine of AED 1,000	A fine of AED 2,000	A fine of AED 5,000
7	Fishing at areas where fishing is temporarily banned or at areas that are not designated for certain fishing tools, equipment and methods.	A fine of AED 2,000	A fine of AED 5,000 and confiscation of the boat license and the captain's card for a period not exceeding a month	A fine of AED 10,000 and confiscation of the boat license and the captain's card for a period not exceeding two months
8	Fishing at areas where fishing is permanently banned, including: - Natural and artificial marine reserves - Natural and artificial creeks - Areas of vital and military facilities	A fine of AED 2,000 and confiscation of the boat license and the captain's card for a period not exceeding a month	A fine of AED 5,000 and confiscation of the boat license and the captain's card for a period not exceeding (3) three months	A fine of AED 10,000 and confiscation of the boat license and the captain's card for a period not exceeding (6) six months
9	Fishing with tools, equipment or methods during times or seasons that violate applicable legislations in this regard.	A fine of AED 1,000	A fine of AED 2,000	A fine of AED 5,000

10	Fishing with prohibited tools, equipment, or fishing using banned methods.	A fine of AED 1,000 and confiscation of the boat license and the captain's card for one month, and the seized equipment and tools shall be handed over to the Ministry or the competent authority in order to dispose or destroy them according to the procedures in place.	A fine of AED 2,000 and confiscation of the boat license and the captain's card for two months, and the seized equipment and tools shall be handed over to the Ministry or the competent authority in order to dispose or destroy them according to the procedures in place.	A fine of AED 5,000 and confiscation of the boat license and the captain's card for (3) three months, and the seized equipment and tools shall be handed over to the Ministry or the competent authority in order to dispose or destroy them according to the procedures in place.
11	Possession of prohibited fishing tools and equipment at sea for fishing.	Sending a warning in writing and the seized equipment and tools shall be handed over to the Ministry or the competent	A fine of AED 1,000 and confiscation of the boat license and the captain's card for one week, and the seized equipment and	A fine of AED 2,000 and confiscation of the boat license and the captain's card for two weeks, and the seized equipment and

		authority in order to dispose or destroy them according to the procedures in place.	tools shall be handed over to the Ministry or the competent authority to dispose or destroy them according to the procedures in place	tools shall be handed over to the Ministry or the competent authority to dispose or destroy them according to the procedures in place
12	Dumping aquatic waste or any other pollutants, and causing contamination of the marine environment in fishing waters	A fine of AED 1,000	A fine of AED 2,000 and confiscation of the boat license and the captain's card for a week	A fine of AED 5,000 and confiscation of the boat license and the captain's card for a month
13	Practising diving activities for the purpose of fishing and exploiting living aquatic resources without a permit issued by the competent authority.	A fine of AED 1,000 and delivering the seized aquatic organisms to the competent authority to dispose or destroy them according to the	A fine of AED 3,000 and delivering the seized aquatic organisms to the competent authority to dispose or destroy them according to the	A fine of AED 5,000 and delivering the seized aquatic organisms to the competent authority to dispose or destroy them according to the

		procedures in place	procedures in place	procedures in place
14	Organizing fishing competitions without a permit issued by the competent authority.	A fine of AED 1,000 and delivering the seized aquatic organisms to the competent authority to dispose or destroy them according to the procedures in place	A fine of AED 3,000 and delivering the seized aquatic organisms to the competent authority to dispose or destroy them according to the procedures in place	A fine of AED 5,000 and delivering the seized aquatic organisms to the competent authority to dispose or destroy them according to the procedures in place
15	Selling or displaying for sale fishing tools or equipment that violate regulations and legislations.	A fine of AED 1,000	A fine of AED 3,000	A fine of AED 5,000
16	Selling or marketing that are banned to be fished completely or seasonally, or small-size fish that are below the permitted length (when seized at the possession of the fisherman/ a means of transport or a sale shop)	A fine of AED 1,000	A fine of AED 5,000	A fine of AED 10,000
17	Extracting shellfish, sponges, or coral without a permit	A fine of AED 1,000	A fine of AED 5,000	A fine of AED 10,000

	issued by the competent authority.			
18	Failing to provide fishing boats and live aquatic resource transport vessels with refrigeration units or insulated boxes cooled with ice.	A fine of AED 500	A fine of AED 1,000	A fine of AED 2,000
19	Practising fishing without a license obtained from the Ministry and the competent authority.	A fine of AED 1,000	A fine of AED 2,000	A fine of AED 3,000
20	The pleasure vessel committing any of the following violations: - Fishing at areas where fishing is permanently or temporarily banned. - Possessing fishing tools and equipment specified for banned or unauthorized fishing. - Fishing fish that are below the permitted length or exceeding the permitted quantity, or catching marine organisms that are completely or seasonally banned.	A fine of AED 5,000	Confiscation of the pleasure vessel for 3 months in case (similar or different) violation is committed or conciliation to pay AED 7,000	Confiscation of the pleasure vessel for 6 months in case (similar or different) violation is committed or conciliation to pay AED 10,000

	<ul style="list-style-type: none"> - Selling or marketing aquatic organisms - Number of persons on the pleasure vessel (practising fishing) exceeds the permitted number upon registration - Violating the property of fishermen. - Violation of the security instructions issued by the relevant security authorities, including turning off the automatic identification system during navigation. - Sailing outside territorial waters or entering the maritime borders of neighbouring countries - Existing at areas where proximity is prohibited or approaching commercial vessels 			
21	Chartering pleasure vessels to others for the purpose of organizing fishing trips	A fine of AED 5,000 and confiscation of the pleasure vessel's license for 3 months	A fine of AED 10,000 and confiscation of the pleasure vessel's license for 3 months	Cancellation of the pleasure vessel's license

22	Erecting or constructing artificial coral reefs (artificial reefs) without a licence from the competent authority.	Confiscation of the boat licence until necessary licenses are obtained	A fine of AED 5,000	Confiscation of the boat licence for a month or conciliation by paying AED 10,000
23	Deliberate concealment of the fishing boat number or failure to comply with the standards, measurements and requirements of the licensing authorities.	A fine of AED 5,000 and confiscation of the boat license and the captain's card for a month	A fine of AED 10,000 and confiscation of the boat license and the captain's card for (6) six months	A fine of AED 10,000 and cancellation of the license of the boat
24	Selling fish and aquatic organisms that were illegally fished.	A fine of AED 5,000 and confiscation of the boat license and the captain's card for a month	A fine of AED 10,000 and confiscation of the boat license and the captain's card for (6) six months	A fine of AED 10,000 and cancellation of the license of the boat