

" In the Name of God "

**Law of Protection and Exploitation of the
Fisheries Resources of
the Islamic Republic of Iran**

Article 1. The fisheries resources of the waters under the sovereignty and jurisdiction of the **Islamic Republic of Iran (I.R.of Iran)** are the national wealth of the country. Protection and exploitation of these resources are among the responsibilities of the government of the I.R.of Iran. Management, conservation and exploitation of these resources in line with the national interests of the country are carried out under the provisions of the present law and its executive regulations.

Article 2. Executive domains of the present law and its executive regulations, except to the cases specified in the present law , cover all the waters under the sovereignty and jurisdiction of the I.R.of Iran including inland and marine territorial waters.

Article 3. In order to enhance the quality and quantity of fish products , support the juridical and

natural entities involved in fisheries and aquatics sectors, and manage, utilize, and develop the existing resources, Iranian Fisheries Company (called Shilat) carries out the following activities :

1. Conducting scientific and applied research on the areas related to fisheries resources including : their life, exploitable resources, their living habitants, amount of stocks , protection and management of the resources in the waters subject of article 2 of the present law.
2. Conducting necessary research and activities on the fishing grounds , methods of exploitation, aquaculture, and processing of fish products.
3. Carrying out activities on fishing management and putting into force the related regulations, resource protection, rehabilitation of existing stocks , improvement of habitant and economic stocking of the waters subject of article 2 of the present law.
4. Establishment, development, monitor, and management of fishing ports while observing the domain of the authorities of other organizations.
5. Encouragement and support fishing, fish farming, fish production and storage industries through

making studies, offering training and promoting technico-advisory services.

Proviso : Duties and powers of Iranian Fisheries Company subject of the present law will not contradict those of the Environment Protection Organization.

Article 4. Catch as well as the processed products on board of fishing vessels in the waters under sovereignty and jurisdiction of the I.R.of Iran are taken as domestic products so that export of these products are subject to the country's import - export rules.

Article 5. Registry of any fishing vessel by the Ports and Shipping Organization is subject to the formal approval of Iranian Fisheries Company .

Article 6. No natural or juridical entity is outhorized to exploit fisheries resources of the waters subject to article 2 of the present law unless the valid license had already been obtained. Terms of issuance, suspension, cancellation, validity period, extension, full or partial transfer of license and tarrif rate of fishing vessel are subject to the excutive Code of Conduct of the present law.

Article 7. Tarrif rate of foreign fishing vessels operating fishing activities, in accordance with the rules of the present law, in the waters under the sovereignty and

jurisdiction of the I.R. of Iran shall be determined subject to the proposal and approval of the Cabinet.

Article 8. Establishment of the cooperatives, associations and companies involved in fishing and fish farming business would be possible subject to the observation of the rules and regulations of Ministry of Cooperation and the approval and supervision of Shilat.

Article 9. Fishing ports will be managed under the authority and supervision of Shilat.

Proviso 1 : Offering services or managing port facilities in some cases may be given over to cooperative or private companies.

Proviso 2 : Shilat is authorized to receive some charges as tariff for offering the right of entrance, anchorage, berth for the vessels in fishing ports in accordance with the tariffs approved by the members of the Cabinet.

Article 10. In order to support coastal fishermen, industrial fishing vessels are prohibited to fish in the coastal waters of the I.R. of Iran.

Article 11. In order to support fishery activities :
A. Shilat may oblige the owners of foreign or Iranian industrial fishing vessels to insure their own vessels to the Iranian insurers or to those who have representatives in

Iran, to compensate or any probable losses imposed by these vessels on coastal fishing vessels within the territory of coastal waters.

B. Agriculture Products Insurance Fund is required to insure the catch and other insurance companies have to do so with regard to the fishing gears.

C. Iranian Fisheries Company is obliged to determine the insurance policy of the vessel and the fishing gears before issuing the fishing license for all vessels.

Article 12. Carrying and applying illegal fishing gears and also explosive, toxic and or electric materials which may cause to weakness, illness and or mortality of fish are prohibited.

Article 13. Foreign fishing vessels are ~~not~~ forbidden to fish in the waters subject of article 2 of the present law unless there is a mutual agreement between the government of the I.R. of Iran and the flag state.

Those foreign fishing vessels operating on behalf of the Iranian companies that have signed an agreement, based on the approval of Shilat and the provisions of the present law and other statutes of the I.R. of Iran, with the owners of these vessels, are authorized to catch fish.

Article 14. Resource management plan for the waters subject of article 2 of the present law will be developed

on the basis of scientific research and studies by Shilat (experts) which aim at identifying and introducing exploitable resources. Such a plan should cover time, area, quantity, method, species and gear principles of fishing in a way that it could guarantee sustainable utilization of fisheries resources.

Proviso : Shilat is required to issue fishing license in accordance with the principles of the above-mentioned plan.

Article 15. Those fishing vessels permitted to fish in the waters subject of article 2 of the present law are obliged on the basis of the provisions of the executive regulations of the present law to expose the signs, names, letters and numbers to vision that make their identity known.

Article 16. Those fishing vessels which are permitted to fish in the waters subject of article 2 and those Iranian fishing vessels fishing out of the territory of the waters subject of the same article of the present law have to on the basis of the executive regulations transfer the statistic and information on catch in printed papers and within the determined time schedule to Iranian Fisheries Company.

Article 17. Carrying out any kinds of aquaculture

activities after obtaining the pertinent license from Iranian Fisheries Company by those natural and juridical persons who meet the determined provisions in the present law and its executive regulations is allowed.

Article 18. It will be prohibited to issue license for the establishment of aquaculture farms and facilities if they impose damages on fisheries resources. When these facilities are exposed to pollution or contagious diseases, Shilat shall be responsible to order the necessary preventive measures.

Article 19. Measures subject of article 3 of the present law due to be taken by Iranian Fisheries Company with respect to the inland waters (behind dams or rivers) should be taken through early coordination with Ministry of Energy in accordance with water utilization plan. Stocking the drinking or agriculture waters which should be done and used in accordance with water supply plan in the specified time- schedule would be possible only after making coordination with and obtaining license from Ministry of Energy.

Article 20. Rules on establishing the processing facilities and conducting any types of processing activity, controlling and monitoring the of these facilities shall be determined by Shilat.

Article 21. The discipline Forces would be the sole bailiff of judicature to inspect and deal with any detecting operations in the way of putting into force the present Law and its executive regulations.

Proviso : Domain of authority and terms of reference of the bailiffs of the Discipline Forces in implementing the present Law shall be specified with due regard to disciplinary force rules.

Article 22.

A. Any foreign fishing vessel which operates on fishing activities in the waters subject of article 2 of the present Law without obtaining the required license shall be convicted to the payment of from two to one hundred million rials cash penalty and confiscation of the catch. In addition, the court may confiscate the fishing vessel, fishing gears, and any other equipments on board of the vessel.

B. Criminals of the following crimes :

1. Fishing operations by the Iranians without without obtaining the required license determined in the present Law,
2. Illegal transfer of catch from the vessel to an unauthorized vessel,

3. Supply and transfer of fish in order to run aquaculture without having obtained the health,
4. Sale of illegal fishing gears,
5. Change the route , create physical barriers and establish any illegal facilities in the rivers which have been identified as the immigration route or natural hatching of fish,
6. Causing any kinds of pollution or spreading contagious diseases and evacuating industrial wastage or any other pollutants which impose damages on fisheries resources,

Shall be convicted based on the judgement of the judicial courts to pay cash penalty three times of the value of the catch (in accordance with the type of crime, capacity of the vessel, volume and species of the catch) for the cases 1,2, and 3 or from one to five million rials for other cases. In addition, the court may confiscate the fishing and farming products or the income received in return of their sales and fishing or other applied gears in committing the crimes and also prevent the operation of the pollutant unit until recovery of its deficiency.

In case, the above- mentioned crimes are repeated, the court, in addition to the prescribed penalties, may

confiscate the fishing and other gears used in committing the crimes.

C. Iranian Fisheries Company is the authorized body to identify those fishermen who have committed one or all of the following crimes. The court may convict the criminals on the basis of their crimes to the payment of from one to ten million rials cash penalties and confiscation of their catch and fishing gears :

1. Fishing in the forbidden areas or closed season,
2. Catch of the species which have been forbidden to be caught,
3. Catch of the species for which the required permission has not been obtained,
4. Fishing activities of industrial fishing vessels in coastal fishing grounds,
5. Fishing with illegal gears and materials or the maintenance of such of gears or materials on board of the vessel without having obtained permission from Shilat.
6. Carry and store illegal catch on board of the vessel,
7. Avoid to transfer the information related to article 2 of the present law or

transfer forged information on catch and fish farming activities and under provisions of the present law and its executive rules,

8. Non-Compliance with the rules with respect to expose the signs, names, letters, and numbers to vision which make the identity of the vessel known,

D. Catch , processing, supply , sale, transportation, maintenance, import and export of various species of sturgeon and caviar without the permission of Shilat are forbidden and the criminal/s will be convicted to pay cash penalty upto three times of the value of the product (in accordance with the type and quantity of catch) and to a sentence of from ninty-one days to six months punishment prison.

Article 23. The necessary executive rules for the present law will be prepared within three months following the proposal made by Ministry of Jihad-e-Sazandegi in coordination with the Environment Protection Organization, and will be adopted by the members of the Cabinet.

The present law includes twenty three articles and five provisos which were adapted in the public session of the Islamic Consultative Assembly on 14.6.1374 and confirmed by the Guardian Council on 22.6.1374.