

Republic Of Yemen
Ministry Of Transportation



Date : November 18th , 2020

Ref : WN \41\224\2020

A ministerial Resolution No. (224) \ 2020) regarding the regulations of imposition of Financial penalties on the vessels that violate the specifications and unloading operations of the YEMEN ARABIAN SEA PORTS CORPORATION (MUKALLA SEAPORT) .

Minister Of Transportation :

After checking and reviewing the law No. (3) for 2004 as regards the cabinet (Council of Ministers)

Upon the republican resolution No. (427) for 2002 related to the organizational regulations of the ministry of Transportation .

Upon the republican resolution No. (140) for 2004 for constituting the government .

Based upon the republican resolution No. (62) for 2007 meant for the establishment of THE YEMEN ARABIAN SEA PORTS CORPORATION .

In accordance with the report raised by the acting chairman of the administration of the YEMEN ARABIAN SEA PORTS CORPORATION in connection with the imposition of financial fines on the violated vessels that do not stick to the required specifications on which the seaport was designed in which the vessels will be permitted to moor exceeding such specifications due to the need of those dealing with the vessels in the seaport as well as in order to accelerate the unloading operations as this is highly required for the purpose of the public interest and as per the authorizations given for us to deal with situations as needed .

Thus , it has been decided ...

First chapter

Nomenclature , Definitions , objectives and scope of application

Item 1) These regulations are named (the regulations specified for the financial penalties on the vessels that violate the specifications of Yemeni Arabian Sea Ports Corporation as well as for the unloading operations of the vessels .

Item 2) The provisions of such regulations will be well-applied as each phrase or meaning will be interpreted as follows :

The republic : The republic Of Yemen

The corporation : THE YEMENI ARABIAN SEA PORTS CORPORATION .

The vessels : The commercial vessels that work specially for transporting cargo (Goods) of all types .

The wooden vessels : are those traditionally made vessels arriving to the seaport .

The specifications : the vessel anchoring specifications at Mukalla Seaport – The Yemeni Arabian Sea Ports Corporation in accordance with the following specifications :

The length : (160 meters) The tonnage : (20000 Tons) (D.W.T) Draft : 8.5 meters
Width : 20 meters .

The financial penalty : Any imposed penalty as per the regulations .

The shipment receiver : is any person deemed to be the official receiver of the merchandise (goods) that arrives to Mukalla Seaport either any ordinary person or an important figure .

The property of the Goods (The owner of the goods) : any ordinary person or an important figure who owns the merchandise (Goods) arriving to the seaport via the vessels or the wooden ones based upon the property documents .

The maritime agent : Any ordinary person or an important figure who is authorized by the authority of the Yemeni Arabian Seaports corporation to carry out any maritime actions or agencies on behalf of the owner of the vessel , its operator , its captain or on behalf of the owner of the goods .

Item 3) These regulations aim basically to reduce the level of violations and infringements of the vessels that contravene the specifications of the seaport in order to maintain the maritime work and activities as well as to properly maintain the rotational work inside the vessel's dock of the seaport but in some certain cases , such violations may not be avoided due to urgent circumstances such the need of accelerating the

unloading operations for the goods and such action will be stipulated in which the financial penalty due to this forced violation must be paid as per these prescribed regulations .

Item (4) : These regulations will be fully applied and strictly followed by the violated vessels that don't stick to the required specifications , the sailing vessels or the vessels that do not comply with the instructions of the Yemeni Arab Sea Ports Corporation .

Second Chapter

(The financial Penalties)

Item 5) The vessels of 20 , 000 tons (D.W.T) , length : 160 meters : 8.5 meters and Width : 20 meters are permitted to moor at the seaport dock with the usually paid fees on condition that they must strictly comply with the technical specifications required by the authority of the seaport .

Item 6) In case of any occurrence of violations by the vessels , as per Item (5) of these regulations , the following financial penalties will be imposed :

First : A financial penalty will be imposed for each extra meter (Beyond the specified length) which is an amount of (200 USD) for each extra meter with a minimum of 500 USD .

Second : A financial penalty will be imposed for each extra meter (Beyond the specified width) which is an amount of (200 USD) .

Third : A financial penalty will be imposed for extra tonnage (Beyond the specified tonnage) which is a lump sum of (5000 USD) in which the tonnage of the vessel must not exceed maximum (25, 000 tons)

Fourth : A financial penalty will be imposed in case of a violation by the vessels regarding the Draft in which the violated vessels have to pay 100 USD for each extra centimeter .

Item 7) All vessel carrying goods must pump at least 150 tons in one hour at a minimum rate after three hours of its anchorage in the dock .

Item 8) A financial penalty of 100 USD will be imposed for the extra tonnage , in case the vessel is not compliant with the above determined unloading out of the entire shipment .

Item 9) In case of moorage of the tankers at the dock of the seaport and the Oil company pipe was connected to the tanker and the tanker did not start pumping for any potential reason , thus the following financial fine will be imposed :

1) In case the tanker did not pump its content and remained at the dock , accordingly a fine of 2000 USD per day will be imposed .

2) Once the tanker is moored at the dock of the seaport , a time of three hours will be given for the vessel and after three hours a fine of 200 USD per hour will be imposed for the tankers as detailed below :

1) Diesel & Petrol Tankers have to unload not less than 250 tons per hour as a minimum rate .

2) Mazut Tankers have to unload not less than 150 tons per hour as a minimum rate .

3) Fines will be imposed for the excessive tons in case the tanker did not comply with the above determined unloading out of the total unloading of the shipment .

Item 10) In case of any delay of unloading the shipment or the containers from the vessel thus a financial penalty will be imposed , an amount of (1000 USD) after 5 hours from the moorage of the vessel in case the owner or the shipment receiver was not prepared to start unloading .

Item 11) In case of non –compliance with the instructions of the authority of the seaport by the traditional vessels (The wooden vessels) , thus a financial penalty will be imposed of an amount of 100 USD .

Item 12) In case of any delay by the maritime agent to make available the manifest for the shipment (The goods) or even the necessary information for the arrival of the vessel and been moored at the dock within 24 hours or 48 hours after its arrival at the dock , the financial penalties will be imposed as follows :

1) The vessels : 300 USD .

2) The wooden vessels : 100 USD .

Item 13) : The Yemen Arabian Sea ports Corporation is totally entitled to reject and expel any vessel from the seaport that is not compliant in terms of the unloading and the vessel will incur all costs of driving it and out plus its return .

Third Chapter

General Provisions

Item 14) Yemen Arabian Seaports corporation must not under any circumstances permit any vessel that is not meeting the seaport's features & specifications to moor at the seaport's berth unless there is a necessity for that or there is a great need for the governorate for the kind of tonnage after an official technical approval is issued via the seaport's captain and supervisor and approved basically by the chairman of the corporation .

Item 15) All wooden vessels must strictly stick to the instructions of the Yemen Arabian Seaports Corporation as well as the orders issued by the corporation otherwise such vessels or ships will be imposed to pay fines as per the applicable regulations .

Item 16) No violating vessel will be anchored until it pays the prescribed fine due to the violation .

Item 17) All shipping agents must strictly oblige to the seaport's features and specifications as per these regulations otherwise such shipping agent will be subjected to pay a financial penalty as per the regulations and based on the type of violation .

Item 18) This decision must be applicable from January 1st , 2021 .

Item 19) The ministerial resolution No. (75) 2018 is cancelled .

This decision was issued by the ministry of Transport .

Dated November 18th , 2020 corresponding to Rabea Al-akher 3rd , 1442 .

Dr. Salem Amed Al-khanbashi

Vice-prime minister

Acting Minister of Transport