

Royal Decree No. (6/2003)

Issuing The Law On Nature Reserves And Wildlife Conservation.

We Qaboos bin Said, Sultan of Oman.

After perusal of the Basic Law of the State issued by Royal Decree No. (101/96)

And the Law on Expropriation for Public Utilization issued by Royal Decree No. (64/78) and its amendments

And the Law on National Parks and Protected Natural Areas issued by Royal Decree No. (26/79) and its amendments

And the Law on Conservation of the Environment and Prevention of Polluting issued by Royal Decree No. (114/2000) and its amendments and according to the requirements of public interest

Have decreed as follows

Article (1): The provisions of the appended law to be known as the Law on Nature Reserves and Wildlife Conservation shall have effect.

Article (2): The Minister of Regional Municipalities, Environment and Water Resources shall issue the regulations and decisions necessary to implement the provisions of this Law until their issuance, the current regulations and decisions shall remain applicable in such a manner that doesn't contradict the provisions of this Law.

Article (3): The mentioned Royal Decree No .(26/79) and all provisions contradicting this Law or its provisions shall be nullified.

Article (4): This Decree shall be published in the Official Gazette and shall have effect from the date of its publication.

Qaboos bin Said

Sultan of Oman

Issued on : 5th /Dhu Qa'ida/1423

Corresponding to : 8th / January / 2003

**Law on Nature Reserves
And
Wildlife Conservation**

**Chapter One
Definitions**

Article (1): In implementation of the provisions of this Law, the words and phrases used hereafter shall have the following meanings, unless the context states otherwise:

The Ministry : Ministry of Regional Municipalities, Environment and Water Resources.

The Minister: The Minister of Regional Municipalities, Environment and Water Resources.

The Directorate: The Directorate General of Nature Conservation.

The Committee: Committee studying issues related to reserves, natural areas and wildlife conservation.

Nature Reserve: A piece of land or sea enjoying special protection to its natural or cultural environment or its wild terrestrial or marine species of animals or plants and it includes scenic areas.

Nature Reserve Area :A piece of land or sea enjoying special protection to its ecosystem/s, where settlements or planned human settlements are banned.

Reserve Management Plan: A set of policies and action taken to deal with threats and risks the reserve area is exposed to and specifying practices and activities allowed and not allowed within the reserve.

Reserve Management System: System for the management of the reserve and regulations for development, recreation and tourism within the reserve with the aim of protecting and conserving wildlife.

Temporary Reserve Area: A piece of land or sea containing

unmodified natural systems and managed in a way that ensures protection of biological diversity for a limited period.

Area of special Importance: An area that encompasses rare or endangered species of animals, plants or other wildlife.

Wildlife: All species of protected terrestrial or marine living entities, whether animals, birds, plants or organisms.

Genetic Materials: Any material from plants, animals, microbes,....etc, which contain hereditary units.

Buffer Zone: An area surrounding the reserve and separating it from other areas.

Hunting : Using or attempting to use any means to capture, paralyze or kill an animal or attempting to do all of the above.

Sale: Selling live or dead wildlife or part of it or its genetic materials in exchange for money or displaying of the same for sale.

Permit: The approval issued by the concerned authority in the Ministry, which is administratively supervises the reserve and allows the operation of a certain activity after guaranteeing its safety to the reserve and its constituents.

Environmental Assessment: The study submitted by the concerned bodies on the impact of a development project on a nature reserve or wildlife.

Chapter Two

General Provisions

- Article(2):** The Ministry, in cooperation with the concerned authorities, shall be responsible for the dissemination of awareness about nature reserves and wildlife conservation among the public.
- Article(3):** The Ministry, in coordination with the concerned authorities, shall take necessary measures to maintain nature reserves and wildlife conservation and determine animals, birds and plants that require protection.
- Article(4):** The execution of any projects related to exploration of minerals, natural or water resources or construction of establishments or development activities within a nature reserve or taking any action in respect of usufruct right is not permitted unless approved by the Minister.
- Article(5):** The Environmental Assessment of any public or private development project shall include all data concerning measures that are to be followed to avoid damage to reserves and wildlife, prior to obtaining approval for the project.
- Article(6):** The areas proclaimed as nature reserves shall be designated for public utility – the expropriation of land and real estates in such areas is permitted as per the provisions of the Law on Land Expropriation for public utility.
- Article(7):** The employees of nature reserves and wildlife conservation specified by a decision from the Minister of Justice in agreement with the Minister shall have legal capacity with respect to violations which fall within the context of their competence as related to implementation of the provisions of this law and its Executive regulating and decisions.
- Article(8):** The Minister shall, in coordination with the Ministry of Finance, issue a decision setting out the fees for permits issued by the Ministry in accordance with the provisions of this Law.
- Article(9):** Any interested party can appeal to the Minister against any decision or action taken by either the Ministry or the Directorate

within two months of knowing or being notified of the decision or action.

Chapter Three **Establishment and Management of Nature** **Reserves and Wildlife Conservation**

Article(10): Nature reserves shall be established by Royal Decrees according to proposals of the committee stated in Article (12) of this law. Making any alterations to the reserve's boundaries, or classification or buffer zone is not permitted unless by Royal Decree.

Article(11): The temporary protected area or area of special importance shall be established by a decision of the Minister after approval by the cabinet. The decision shall determine the boundaries, duration and utility of the protected area.

Article(12): A committee shall be formed under the chairmanship of a representative having the title of Director General or equivalent in any of the following authorities:

- The Diwan of Royal Court
- Ministry of Housing, Electricity and Water
- Ministry of Commerce and Industry
- Ministry of Interior
- Ministry of Defense
- Ministry of Agriculture and Fisheries
- Ministry of Finance
- Ministry of Oil and Gas
- Royal Oman Police

The committee shall have the following responsibilities:

- a. Propose the policies for the management and conservation of nature reserves and wildlife.
- b. Study the Ministry's projects for establishing permanent and temporary nature reserves.
- c. Any other matters related to the reserves to be referred from the Minister to the committee

Article(13): The Minister shall, in coordination with the concerned authorities, issue a decision on the management plan of the reserve. The management plan shall include:

- a. Public zones, where public access is allowed for some recreational or pastoral activities provided that such activities should not contradict with the nature of the reserve.
- b. Specially protected zones, where public access is not allowed unless by permission of the Minister.
- c. A zone designated for scientific or educational purposes, where public access is allowed by a special permit for a fixed period.

The Minister may approve permanent or temporary human settlement in these zones as per the requirements stated in the Executive Regulations.

Article(14) A permit shall be obtained from the Ministry to practice the following activities:

- a. Hunting, keeping, rearing or transporting of any protected animal or its product within or outside a reserve.
- b. Chopping off parts of protected plants except in the process of picking fruit.
- c. Collecting samples of live or dead wildlife or their parts for scientific, research, economic or trade purposes.
- d. Possession of any wildlife or its product or genetic material within or outside a reserve.

Chapter Four Penalties

Article(15): Without prejudice to any severer penalty stipulated by the Omani Penal Law or any other Law,

- a. Any one who disposes of any waste in nature reserves shall be subjected to a fine of not less than R.O. 100/= (one hundred Omani Rial) and not exceeding R.O 1000/=(one thousand Omani Rial). The violator shall be bound to correct the status within one week from the date of his warning - or otherwise the Ministry shall do the same at his expense.
- b. Any one who intentionally kills, hunts or smuggles any animal or bird included in the attached Appendix No(1) or their genetic material shall be subjected to imprisonment for a period not less than six months and not exceeding five years and a fine not less than R.O. 1000/=(one thousand Omani Rial) and not exceeding R.O.5000/= (five thousand Omani Rial) or any of the two penalties.
- c. Any one who intentionally kills, hunts or smuggles any animal or bird mentioned in the attached Appendix No(2) or their genetic material shall be subjected to imprisonment for a period not exceeding three months and a fine not less than R.O 100/= (one hundred Omani Rial) and not exceeding R.O.1000/= (one thousand Omani Rial) or one of the two penalties.
- d. Any one who intentionally chop off or causes damage to any protected plant or kills, hunts or smuggles any of the protected animals or birds not mentioned in the attached Appendices Nos (1) and (2) shall be subjected to a fine not less than R.O. 10/= (ten Omani Rial) and not exceeding R.O. 500/= (five hundred Omani Rial).

Article(16): Without prejudice to any severer penalty stipulated by the Omani Penal Law or any other law:

- a. Any one who prevents or attempts to prevent the staff of nature reserves and wildlife conservation from carrying out their duties shall be subjected to imprisonment for a period not exceeding two months and a fine not less than R.O. 50/= (fifty Omani Rial) and not exceeding R.O.1000/=(one thousand Omani Rial)or any of the two penalties.

- b. Any one who intentionally violates Article (4) of this Law shall be subjected to a fine not less than R.O. 1000/= (one thousand Omani Rial)and not exceeding R.O. 20000/=(twenty thousand Omani Rial) and shall remove the object and impacts of the violation at his own expenses.
- c. Any one who intentionally violates the measures taken to avoid the damages stated in Article (5) of this Law shall be subjected to a fine not less than R.O. 200/= (two hundred Omani Rial) and not exceeding R.O. 2000/= (two thousand Omani Rial).
- d. Any one who intentionally violates the provisions of Article (14) of this Law shall be subjected to imprisonment for a period not exceeding one year and a fine not less than R.O. 50/= (fifty Omani Rial) and not exceeding R.O. 5000/- (five thousand Omani Rial)or any of the two penalties.

Article(17): In all violation cases, animals, birds, plants or genetic materials found in possession of the violator shall be confiscated together with equipment, tools, divices and means of transport used in committing the violation. The Ministry may use or deal conclusively with the seized material according to procedures stated in the Executive Regulations.

Article(18): Without prejudice to any severer penalty stipulated in this Law, the Omani Penal Law or any other Law, any one who violates the provisions of the Executive Regulations or the decisions issued thereof to implement the provisions of this Law shall be subjected to a fine not exceeding R.O.1000/=(ten thousand Omani Rial).

Appendix No. (1)

Scientific Name	Common Name	Arabic Name
Oryx leucoryx	Arabian oryx	المها العربية
Panthera pardus nimr	Arabian leopard	النمر العربي
Hemitragus jayakari	Arabian tahr	الوعل العربي
Gazella subguttrosa marica	Reem or Sand Gazelle	الريم أو الغزال الرملي
Capra ibex nubiana	Nubian ibex	الوعل النوبي
Hycna hyena sultana	Striped hyena	الضبع المخطط
Gazella gazella cora	Arabian gazella	الغزال العربي
Chlamydotis undulata	Houbara bustard	الحباري
Felis caracal	Caracal	الوشق

Appendix No. (2)

Scientific Name	Common Name	Arabic Name
Mellivora capensis	Honey badger	غريير العسل
Lepus capensis	Hare	الارنب البري
Vulpes vulps	Red fox	الثعلب الاحمر
Chelonia mydas	Green turtle	السلحفاة الخضراء
Caretta caretta	Loggerhead turtle	السلحفاة الرمائية
Lepidochlys olivacea	Olive ridley turtle	السلحفاة الزيتونية
Eretmochlys imbricatta	Hawksbill turtle	السلحفاة الشرشاف
Felisi sylvestris	Wild cat	القط البري
Felisi margarita	Sand cat	القط الرملي
Canis lupes	Arabian wolf	الذئب العربي
Vulpes reuppellii	Rueppell's sand fox	الثعلب الرملي
- All falcon, owl, vulture, eagle, flamingo, pelican, gull and tern species		

The Minister may issue a decision to exclude or include any other Wildlife in the two appendices.