

REPUBLIEK
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REPUBLIC
OF
SOUTH AFRICA

Staatskoerant Government Gazette

Verkoopprijs • Selling price
(AVB uitgesluit/GST excluded)

Plaaslik **70c** Local
Buitelands **R1,00** Other countries
Posvry • Post free

Regulasiekoerant
Regulation Gazette
No. 4529

As 'n Nuusblad by die
Poskantoor geregistreer
Registered at the Post Office
as a Newspaper

Vol. 301

PRETORIA, 27 JULIE
JULY 1990

No. 12667

GOEWERMENSKENNISGEWINGS

DEPARTEMENT VAN OMGEWINGSAKE

No. R. 1804

27 Julie 1990

WET OP SEEVISSERY, 1988
(WET No. 12 VAN 1988)

REGULASIES KRAGTENS DIE WET OP SEEVISSERYE, 1988

Die Minister van Omgewingsake en van Waterwese het kragtens artikel 45, saamgelees met artikels 18, 25, 30, 38, 40, 44 en 53, van die Wet op Seevisserij, 1988 (Wet No. 12 van 1988), die regulasies in die bylae uitgevaardig.

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DEPARTMENT OF ENVIRONMENT AFFAIRS

No. R. 1804

27 July 1990

SEA FISHERY ACT, 1988
(ACT No. 12 OF 1988)

REGULATIONS IN TERMS OF THE SEA FISHERY ACT, 1988

The Minister of Environment Affairs and of Water Affairs has under section 45 read with section 18, 25, 30, 38, 40, 44 and 53 of the Sea Fishery Act, 1988 (Act No. 12 of 1988) made the regulations set out in the Schedule.

SCHEDULE

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REGULASIES

WET OP SEEVISSERY, No. 12 VAN 1988

DEEL I

WOORDOMSKRYWING

1. In hierdie Regulasies het 'n woord of uitdrukking waaraan daar in die Wet 'n betekenis geheg word, die betekenis aldus daaraan geheg, en tensy uit die samehang anders blyk, beteken—

(i) "alikeukel" die alikeukel *Turbo sarmaticus*; (i)

(ii) "beursseën" of "beursnet" 'n omsingelingsnet van enige grootte wat op die oppervlak van die water deur vlotte langs die hooflyn gestut word en wat onder die oppervlak van die water deur gewigte langs die voettou verswaar word, en waarvan die onderste deel deur middel van 'n beurslyn, geskakel by 'n tussenpunt of tussenpunte of 'n knoop, wat deur ringe loop wat vasgemaak is aan die voettou bymekaar getrek word, en ook enige ander net waarvan die onderste gedeelte op 'n soortgelyke wyse bymekaar getrek word; (xxv)

(iii) "bloedwurm" enige spesie bloedwurm (*Arenicola* spp.); (iv)

(iv) "bodentrelnet" enige net wat oor die seabodem of -bedding gesleep word; (v)

(v) "die Wet" die Wet op Seevisserij, 1988 (Wet No. 12 van 1988); (xxxvi)

(vi) "dolfyn" enige spesie dolfin van die superfamilie *Delphinoidea*; (x)

(vii) "dryfnet" enige net wat nie aan die seabodem geanker word nie maar wat in 'n drywende posisie in die water gelaat word met die doel om vis daarin te verstrik; (xi)

(viii) "duik" duik onder die oppervlak van die water; (ix)

(ix) "gapermossel" die gapermossel *Macra liliaceae*; (vi)

(x) "garnaal" enige spesie garnaal, met inbegrip van die moddergarnaal *Callinassa* spp. en *Upogebia africana*; (xxiv)

(xi) "internasionale inspekteur" enige persoon in besit van 'n identiteitsdokument uitgereik deur die owerheid in wie se diens hy is, en waarop die stempel van sodanige owerheid sowel as die foto en handtekening van die houer verskyn, en waarop gesertifiseer is dat die houer daarvan 'n inspekteur is; (xiv)

(xii) "kammossel" die kammossel *Pecten sulci-costatus*; (xxxiv)

(xiii) "kieunet" enige net of netwerk wat ontwerp is om in die water gehang te word met die doel om vis te verstrik wat poog om deur die netopening te gaan; (xiii)

(xiv) "klipmossel" enige spesie klipmossel *Patella* spp.; (xv)

(xv) "krap" die krap *Scylla serrata*; (viii)

(xvi) "kreeffuik" enige fuik, pot of ander werktuig van watter konstruksie ook al, wat bedoel is of gebruik word vir die vang of hou van kreef, maar uitgesonderd 'n kreefringnet; (xxviii)

(xvii) "kreefstert" die agterlyf of stert van enige spesie kreef; (xxvii)

REGULATIONS

SEA FISHERIES ACT, No. 12 OF 1988

PART I

DEFINITIONS

1. In these Regulations any word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned and, unless the context otherwise indicates—

(i) "alikeukel" the alikeukel *Turbo sarmaticus*; (i)

(ii) "beach seine net" means any net, with or without a cod-end, cast from the shore, around fish, and then hauled simultaneously by both ends onto the shore till the catch is landed; (xxxiv)

(iii) "black mussel" means any species of *Aulacomya*, *Mytilus*, *Choromytilus* or *Perna*; (xxxvi)

(iv) "bloodworm" means any species of bloodworm *Arenicola* spp.; (iii)

(v) "bottomtrawl net" any net dragged along the bottom or floor of the sea; (iv)

(vi) "clam" means the clam *Macra liliaceae*; (ix)

(vii) "coast line" means the line formed by the high-water mark; (xviii)

(viii) "crab" means the crab *Scylla serrata*; (xv)

(ix) "diving" means diving below the surface of the water; (viii)

(x) "dolphin" means any species of dolphin of the super family *Delphinoidea*; (vi)

(xi) "driftnet" means any net which is not anchored to the sea bottom but left in a drifting position in the water for the purpose of ensnaring fish therein; (vii)

(xii) "east coast rock lobster" means the east coast rock lobster *Panulirus homarus*; (xxii)

(xiii) "gill net" means any net or netting which is designed to be suspended in the water for the purpose of ensnaring fish attempting to pass through the meshes of the net; (xiii)

(xiv) "international inspector" means any person in possession of an identification document issued to him by the authority in whose service he is and on which the stamp of such authority as well as the photograph and signature of the holder appear, and on which it is certified that the holder thereof is an inspector; (xi)

(xv) "limpet" means any species of limpet *Patella* spp.; (xiv)

(xvi) "linefish" means any fish caught by line and hook; (xix)

(xvii) "midwater-trawl net" means any net which can be dragged along any given depth between the bottom and the surface of the sea without continuously touching the bottom; (xx)

(xviii) "kuslyn" die lyn deur die hoogwatermerk gevorm; (vii)

(xix) "lynvis" enige vis wat met 'n hoek en lyn gevang word; (xvi)

(xx) "midwatertreilnet" enige net wat op enige gegewe diepte tussen die bodem en die oppervlak van die see gesleep kan word sonder dat dit aanhoudend die bodem raak; (xvii)

(xxi) "oester" enige inheemse oester van die spesie *Crassostrea margaritacea*, *Ostrea atherstonei* of *Pinctada capensis*; (xix)

(xxii) "ooskuskreef" die ooskuskreef *Panulirus homarus*; (xii)

(xxiii) "pelagiese vis" enige vis van die spesies ansjovis (*Engraulis capensis*), sardyn of pelsers (*Sardinops ocellatus*), marsbanker (*Trachurus capensis*), makriel (*Scomber japonicus*), rooi-oog (*Etrumeus* spp.) en lanternvis (*Myctophidae* spp.); (xx)

(xxiv) "periwinkle" enige spesie periwinkle insluitende *Oxystele variegata* en *Turbo crenatus*; (xxi)

(xxv) "perlemoen" die perlemoen of "abalone" *Haliotis midae*; (xxii)

(xxvi) "polychaete-wurm" enige seewurm van die groep *Polychaeta* met inbegrip van koraal-, wonder-, "shingle"-, maanskyn-, pot-, klip- of platwurm; (xxiii)

(xxvii) "pylinkvis" enige pylinkvis of tjokka (*Loligo vulgaris reynaudii*); (xxxv)

(xxviii) "rooi-aas" enige rooi-aas (*Pyura stolonifera*); (xxvi)

(xxix) "sandmossel" die sandmossel (*Macra lilaceae*); (xxx)

(xxx) "seekat" enige seekat (*Octopus* spp.); (xviii)

(xxxi) "seekrap" enige seekrap insluitende die soorte *Lupa pelagica* en *Plagusia chabrus*; (xxix)

(xxxii) "siffie" die siffie of "Venus ear" (*Haliotis sanguinea*); (xxx)

(xxxiii) "span-" of "stelnet" enige net wat gebruik word om die vrye deurtog van vis van een gebied na 'n ander te verhinder en wat gespan of gestel word deur—

(a) dit aan enige voorwerp op of onder die water vas te heg;

(b) die gewigte daarvan op die seabodem te anker of te laat rus; (xxxiii)

(xxxiv) "strandtrekseën" enige net, met of sonder 'n sak, wat vanaf die strand om vis gewerp word en dan gelyktydig aan beide kante tot op die strand getrek word totdat die vangs aan wal gebring is; (ii)

(xxxv) "suidkuskreef" enige suidkuskreef (*Palinurus gilchristi*); (xxxii)

(xxxvi) "swartmossel" enige spesie van *Aulacomya*, *Mytilus*, *Choromytilus* of *Perna*; (iii)

(xxxvii) "treilvis" enige spesie vis wat deur middel van 'n treilnet gevang word; (xxxvii)

(xxxviii) "trekgebied" enige gebied waar 'n strandtrekseën gebruik word; (xxxviii)

(xxxix) "weskuskreef" die Kaapse rots- of stekelrige kreef (*Jasus lalandii*); (xxxix)

(xl) "witmossel" die witmossel *Donax serra*; (xl)

(xviii) "octopus" means any octopus *Octopus* spp.; (xxx)

(xix) "oyster" means any indigenous oyster of the species *Crassostrea margaritacea*, *Ostrea atherstonei* and *Pinctada capensis*; (xxi)

(xx) "pelagic fish" means any fish of the species anchovy *Engraulis capensis*, pilchard *Sardinops ocellatus*, marsbanker *Trachurus capensis*, mackerel *Scomber japonicus*, round herring (rooi-oog, *Etrumeus* spp. and lantern fish *Myctophidae* spp.); (xxiii)

(xxi) "periwinkle" means any species of periwinkle including *Oxystele variegata* and *Turbo crenatus*; (xxiv)

(xxii) "perlemoen" means any perlemoen or abalone *Haliotis midae*; (xxv)

(xxiii) "polychaete worm" means any marine worm of the group *Polychaeta* including coral, wonder, shingle, moonlight, "pot", rock- or flat-worm; (xxvi)

(xxiv) "prawn" means any species of prawn, including the mud prawn *Callinassa* spp. and *Upogebia africana*; (x)

(xxv) "purse-seine" means an encircling net of any size which is supported on the surface of the water by floats along the head-line and weighted by weights along the footrope under the surface of the water, and of which the bottom portion is drawn together by means of a purseline, shackled either at an intermediate point or points or knot, which runs through rings attached to the footrope and includes any net of which the bottom portion is drawn together in a similar manner; (ii)

(xxvi) "red bait" means any red bait *Pyura stolonifera*; (xxviii)

(xxvii) "rock lobster tail" means the abdomen or tail of any species of rock lobster; (xvii)

(xxviii) "rock lobster trap" means any trap, pot or other implement of whatever construction, intended or used for the catching or holding of rock lobster, but excluding a rock lobster ringnet; (xvi)

(xxix) "sand mussel" means the sand mussel *Macra lilaceae*; (xxix)

(xxx) "sea crab" means any sea crab including the species *Lupa pelagica* and *Plagusia chabrus*; (xxx)

(xxxi) "siffie" means the siffie, or Venus Ear *Haliotis sanguinea*; (xxxii)

(xxxii) "south coast rock lobster" means any south coast rock lobster *Palinurus gilchristi*; (xxxv)

(xxxiii) "staked or set net" means any net used to prevent the free passage of fish from one area to another and which is staked or set by—

(a) attaching it to any object on or under the water; or

(b) letting the weights thereof rest on or be anchored to the sea bottom; (xxxiii)

(xxxiv) "scallop" means the scallop *Pecten sulcicostatus*; (xii)

(xxxv) "squid" any squid or chokka *Loligo vulgaris reynaudii*; (xxvii)

(xxxvi) "the Act" the Sea Fisheries Act, 1988 (Act No. 12 of 1988); (v)

(xxxvii) "trawl fish" means any species of fish caught by means of a trawl net; (xxxvii)

2. Behalwe waar uitdruklik anders bepaal word, is hierdie Regulasies ten opsigte van 'n vaartuig of fabriek wat ingevolge die Wet gelisensieer is of moet wees, en ook ten opsigte van enige persoon op sodanige vaartuig buite die visseryesone van die Republiek, soos omskryf in artikel 3 van die Wet op Territoriale Waters, 1963 (Wet No. 87 van 1963), van toepassing.

DEEL II

LISENSIËRING VAN VISSERSBOTE

3. (1) 'n Aansoek ingevolge artikel 30 (2) van die Wet om 'n lisensie vir die gebruik van 'n vissersboot moet—

(a) by die direkteur-generaal op die aansoekvorm wat by die Hoofdirektoraat: Seevisserie verkrygbaar is, gedoen word;

(b) vergesel wees van 'n geldige plaaslike algemene veiligheidsertifikaat uitgereik ten opsigte van sodanige vissersboot ingevolge artikel 194 van die Handelskeepvaartwet, 1951 (Wet No. 57 van 1951).

(2) Die gelde soos uiteengesit in item 1 van Bylae A by die Regulasies, is betaalbaar ten opsigte van 'n in subregulasie (1) bedoelde lisensie.

4. (1) Behoudens enige ander bepaling van die Wet mag geen persoon enige vissersboot gebruik, tensy die registrasieletters en -syfers wat die direkteur-generaal daaraan toegeken het daarop aangebring is nie. Genoemde letters en -syfers moet minstens 15 cm hoog, 10 cm breed (uitgesonderd syfer "1") en 2 cm dik (breedte van streep) wees, en in wit verf op 'n swart agtergrond of in swart verf op 'n wit agtergrond op albei boei aangebring word. Die ruimte tussen aanliggende letters en syfers moet tussen 2 cm en 5 cm wees.

(2) Enige registrasieletters en -syfers wat aan 'n boot toegeken en daarop aangebring is, moet te alle tye in 'n helder, sigbare en leesbare toestand gehou word.

(3) Die registrasieletters en -syfers wat aan enige boot toegeken is, mag nie sonder die skriftelike toestemming van die direkteur-generaal na 'n ander vaartuig oorgeplaas word nie op op enige ander boot gebruik, gevef of aangeheg word nie.

(4) Wanneer 'n vissersboot nie langer kragtens die bepalings van hierdie Regulasies gelisensieer is nie, moet die eienaar van sodanige vissersboot binne 21 dae enige registrasieletters en -syfers van sodanige boot uitwis of verwyder.

(5) Indien die eienaar van 'n gelisensieerde boot sodanige boot verkoop of andersins van die hand sit, sal—

(a) in die geval waar daar voldoen is aan die vereistes van die Wet, 'n oordragfooi van tien rand (R10) betaalbaar wees; en

(b) in die geval waar daar nie voldoen is aan die vereistes van die Wet nie, sodanige lisensie verval en indien toepaslik sal die nuwe eienaar aanspreeklik wees vir die volle bedrag van die toepaslike lisensiegeld.

DEEL III

LISENSIËRING VAN PERSELE EN VAARTUIE WAT AS FABRIEKE GEBRUIK WORD

5. (1) 'n Aansoek ingevolge artikel 30 (2) van die Wet om die uitreiking of hernuwing van 'n lisensie vir die gebruik van 'n perseel of 'n vaartuig as 'n fabriek moet by die direkteur-generaal op die aansoekvorm wat by die Hoofdirektoraat: Seevisserie verkrygbaar is, gedoen word.

(xxxviii) "trek netting area" means any area in which a beach trek-seine are used; (xxxviii)

(xxxix) "west coast rock lobster" means the Cape rock or spiny lobster *Jasus lalandii*; (xxxix)

(xl) "white mussel" means any species of mussel *Donax serra*; (xl)

2. Except as otherwise expressly provided, these Regulations shall be applicable to any boat or any factory licensed or required to be licensed in terms of the Act, and in respect of any person on such boat beyond the fishing zone of the Republic as defined in section 3 of the Territorial Waters Act, 1963 (Act No. 87 of 1963).

PART II

LICENSING OF FISHING BOATS

3. (1) An application in terms of section 30 (2) of the Act for a licence to use a fishing boat shall be—

(a) made to the director-general on the application form obtainable from the Chief Directorate: Sea Fisheries;

(b) accompanied by a valid local general safety certificate issued in respect of such boat in terms of section 194 of the Merchant Shipping Act, 1951 (Act No. 57 of 1951).

(2) A licence referred to in subregulation (1) shall be subject to the payment of the relevant fee in item 1 of Schedule A to the Regulations.

4. (1) Subject to any other provision of the Act, no person shall use any fishing boat unless it bears the registration letters and numbers assigned thereto by the director-general. Such letters and number shall be painted in white on a black background or in black on a white background on both bows in characters not less than 15 cm in height, 10 cm in breadth (figure "1" excepted) and 2 cm in thickness (width of stroke). The space between adjacent letters and figures shall be between 2 cm and 5 cm;

(2) Any registration letters and numbers assigned to, and borne by a boat shall be maintained in a clear, distinct and legible condition and shall at all times be clearly exposed.

(3) The registration letters and numbers assigned to any boat may not be transferred to any other boat without the written authority of the director-general and may not be used by painted on or attached to any other vessel.

(4) When any fishing boat ceases to be licensed in terms of the provisions of these regulations, the owner of such fishing boat shall obliterate or remove any registration letters and number from such boat within 21 days.

(5) If the owner of a licensed fishing boat sells or otherwise disposes of such a boat—

(a) in the case where the requirements of the Act have been complied with, a transfer fee of ten rand (R10) shall be payable; and

(b) in the case where the requirements of the Act have not been complied with, the licence shall lapse and if applicable the new owner shall be liable for the full amount of the relevant license fee.

PART III

LICENSING OF PREMISES AND VESSELS USED AS FACTORIES

5. (1) An application in terms of section 30 (2) of the Act for a grant of renewal of a licence to use premises or a vessel as a factory shall be made to the director-general on the application form obtainable from the Chief Directorate: Sea Fisheries.

(2) Die gelde soos uiteengesit in item 2 van Bylae A by die Regulasies is betaalbaar ten opsigte van 'n in subregulasie (1) bedoelde lisensie.

(3) Die gelde soos uiteengesit in item 3 van Bylae A by die Regulasies is betaalbaar ten opsigte van 'n lisensie wat nie voor of op die vervaldatum daarvan hernu is nie.

DEEL IV

ONTGINNINGSREGTE EN KWOTAS

6. Die register van kwotas soos bedoel in artikel 23 van die Wet moet besonderhede bevat van die naam en adres van die kwotahouer, die massa van die kwota, die soort vis en die tydperk van geldigheid van die kwota, en lê ter insae vir die publiek vanaf 08:00 tot 12:00 op gewone werksdae by die sekretaris van die Kwotaraad in die kantoor van die Hoofdirekteur: Seevisserye, Kaapstad.

7. (1) 'n Aansoek ingevolge artikel 18 (2) van die Wet deur die houer van 'n ontginningsreg om die toekenning van 'n kwota moet by die raad op die vorm wat by die Hoofdirektoraat: Seevisserye verkrygbaar is, gedoen word.

(2) 'n Aansoek ingevolge artikel 24 van die Wet om die oordrag van 'n kwota moet by die direkteur-generaal op die vorm wat by die Hoofdirektoraat: Seevisserye verkrygbaar is, gedoen word.

(3) 'n Aansoek ingevolge artikel 25 van die Wet om 'n ontginningsreg moet by die direkteur-generaal op die aansoekvorm wat by die Hoofdirektoraat: Seevisserye verkrygbaar is, gedoen word en moet vergesel wees van alle inligting soos in die vorm vereis.

DEEL V

SPEKIFIKASIES VIR DEKROOSTER-SORTEERDER

8. (1) Vir doeleindes van hierdie regulasie beteken—

“raam” die reghoekige metaalraam wat die stange en die steunstaaf steun;

“rooster” die stange en steunstaaf sonder die raam; en

“bruikbare oppervlakte” die oppervlakte gemeet van die binnekant van die raam af, maar uitgesonderd die gapings aan die twee ente, indien hierdie gapings minder is as die gespesifiseerde minimum.

(2) 'n Dekroostersorteerder vir die vang van kreef, moet aan die volgende spesifikasies voldoen:

(a) Die rooster en die raam moet van vlekvrystaal of gegalvaniseerde sagtestaal vervaardig wees.

(b) (i) (aa) Die rooster moet reghoekig wees en 'n minimum breedte van 750 mm hê.

(bb) Die bruikbare oppervlakte mag nie minder as 1,1 m² wees nie.

(cc) Die gaping tussen aangrensende stange, gemeet by enige punt, moet minstens 49,6 mm en hoogstens 50,4 mm wees.

(dd) Die wydte van die gapings tussen die laaste stang en die raam, mag hoogstens 50,4 mm wees.

(ii) (aa) Die raam moet bestaan uit platstawe met 'n dikte van minstens 8 mm en 'n breedte van minstens 40 mm.

(2) A licence referred to in subregulation (1) shall be subject to the payment of the relevant fee in item 2 of Schedule A to the Regulations.

(3) The relevant fee in item 3 of Schedule A to the Regulations is payable in respect of a licence not renewed on or before the date of expiry.

PART IV

QUOTAS AND RIGHTS OF EXPLOITATIONS

6. The register of quotas referred to in section 23 of the Act shall contain particulars of the name and address of the quota holder, the mass of the quota, the species of fish and the period of validity of the quota and shall be available for inspection by the public from 08:00 to 12:00 on normal working days, with the secretary of the Quota Board in the office of the Chief Director: Sea Fisheries, Cape Town.

7. (1) An application in terms of section 18 (2) of the Act by the holder of a right of exploitation for the allocation of a quota shall be made to the board on the form obtainable from the Chief Directorate: Sea Fisheries.

(2) An application in terms of section 24 of the Act for the transfer of a quota shall be made to the director-general on the form obtainable from the Chief Directorate: Sea Fisheries.

(3) An application in terms of section 25 of the Act for a right of exploitation shall be made to the director-general on the application form obtainable from the Chief Directorate: Sea Fisheries and shall be accompanied by all the information as required in the form.

PART V

SPECIFICATIONS FOR DECK GRID SORTER

8. (1) For the purposes of this regulation—

“frame” means the rectangular metal frame supporting the rods and supporting bar;

“grid” means the rods and supporting bar excluding the frame; and

“useful surface area” means that area measured from the inside edges of the frame (but excluding the two end gaps, when the gaps are less than the specified minimum).

(2) A deck grid sorter for the catching of rock lobster shall comply with the following specifications:

(a) The grid and the frame shall be made from stainless steel or galvanised mild steel.

(b) (i) (aa) The grid shall be rectangular in shape with a minimum width of 750 mm.

(bb) The useful surface area shall not be less than 1,1 m².

(cc) The gap between adjoining rods, measured at any point, shall not be less than 49,6 mm and shall not exceed 50,4 mm.

(dd) The width of the gaps between the last rod and the frame shall not exceed 50,4 mm.

(ii) (aa) The frame shall consist of flat bars with a thickness of not less than 8 mm and a width of not less than 40 mm.

(bb) 'n Reeks van 16 mm vry pasgate moet in die twee langstawe wat die kante van die raam vorm, geboor word ten einde die stange van die rooster te akkommodeer.

(cc) Die twee dwarsstawe moet aan die eindpunte van die twee langstawe vasgesweis word ten einde 'n reghoekige raam te vorm.

(dd) Die spasiëring van die gate in die langstawe moet sodanig wees dat die gapings tussen die stange, wanneer hulle in posisie is, binne die gespesifiseerde perke is.

(iii) (aa) Die rooster moet bestaan uit stange met 'n nominale deursnee van 16 mm en 'n steunstaaf met 'n dikte van minstens 6 mm en 'n breedte van minstens 40 mm.

(bb) Die steunstaaf moet sentraal geplaas word tussen, en ewewydig aan, die langstawe van die raam en daar moet 'n reeks vrypasgate daarin geboor word wat ooreenkom met dié in die langstawe.

(cc) Die eindpunte van die steunstaaf moet aan die raam vasgesweis word en die eindpunte van die stange moet op so 'n wyse aan die raam vasgesweis word dat die sweislas nie bo die buiteoppervlak van die raam uitstaan nie.

(iv) Sweislasse moet, in die geval van vlekvrystaal, smeltsweislasse wees wat volgens die traegasboogswaisproses gedoen is of, in die geval van vlekvrystaal, volgens enige ander swaisproses wat 'n sweislas lewer waarvan die meganiese eienskappe en korrosiebestandheid gelykstaande is met dié van die moedermetaal.

(v) Alle blootgestelde oppervlakke moet glad en sonder skerp rande of enige ander nadelige gebreke wees.

(3) Weskuskreef wat aan boord van 'n vissersboot wat met kreeffuik toegevoeg is, geneem word, moet onverwyl met behulp van 'n dekroostersorteerder sorteer word en enige kreef wat in stryd met die bepalings van die Wet gevang word moet sonder versuim in die see teruggeplaas word.

(4) (a) Die gesagvoerder of eienaar van 'n vissersboot wat gebruik word vir die vang van weskuskreef, mag nie 'n kreeffuik waarvan die sak, gemeet vanaf die onderste horisontale kante van die fuik, langer as 400 mm is, gebruik, of toelaat dat dit op sodanige boot vervoer word nie.

(b) Die maasgroottes van die sak moet minstens 60 mm wanneer gespan, van binnekant van knoop of lasplek tot binnekant van knoop of lasplek, dit wil sê met skakels van minstens 30 mm wees nie.

(5) Die bedoelde kreeffuik in subregulasie (4) moet aan die volgende vereistes voldoen:

(a) Die net of netwerk waarmee die fuik bedek word, moet van poliëtileen vervaardig wees.

(b) Die maasgrootte van die net of netwerk waarmee die fuik bedek word, met die uitsondering van die opening- of ingangstregters, mag nie minder as 100 mm wanneer gespan (van binnekant van knoop of lasplek tot binnekant van knoop of lasplek) dit wil sê met skakels van 50 mm wees nie.

(c) Die net of netwerk aan die horisontale en vertikale kante van die fuik moet op sodanige wyse gespan word dat die openinge van die maas te alle tye reghoekig is.

(bb) The two longitudinal bars forming the sides of the frame shall be drilled with a series of 16 mm clearance holes to accommodate the rods of the grid.

(cc) The two transverse bars shall be welded to the ends of the longitudinal bars to form a rectangular frame.

(dd) The pitch of the holes of the longitudinal bars shall be such that the gaps between the rods, when in position, are within the specified limits.

(iii) (aa) The grid shall consist of rods of a nominal diameter of 16 mm and a supporting bar with thickness of not less than 6 mm and a width of not less than 40 mm.

(bb) The supporting bar shall be centrally positioned between and parallel to the longitudinal bars of the frame and shall be drilled with a series of clearance holes matching those in the longitudinal bars.

(cc) The ends of the supporting bar shall be welded to the frame and the ends of the rods shall be tackwelded to the frame in such manner that the welds do not protrude above the outer surface of the frame.

(iv) In the case of stainless steel welds shall be fusion welds done by the inert gas arc welding process or, in the case of stainless or mild steel, by any other welding process that produces a weld of which the mechanical properties and corrosion resistance are similar to those of the parent metal.

(v) Finish—All exposed surfaces shall be smooth and free of sharp edges or any other injurious defects.

(3) West Coast rock lobster taken on board any fishing boat fitted with rock lobster traps, shall be sorted forthwith by means of a deck grid sorter and any person who catches any rock lobster in contravention of the provisions of these regulations shall without delay return such rock lobster to the sea.

(4) (a) The skipper or owner of any fishing boat that is being used for the catching of west coast rock lobster shall not use or allow to be conveyed aboard such boat, any rock lobster trap of which the cod-end measured from the bottom horizontal side of the trap, exceeds 400 mm in length.

(b) The mesh sizes of the cod-end shall not be less than 60 mm stretched or 30 mm bar, measured from inside of knot or joint to inside of knot or joint.

(5) The rock lobster trap referred to in subregulation (4) shall comply with the following requirements;

(a) The net or netting with which the trap is covered shall be made from polyethylene.

(b) The mesh size of the net or netting with which the trap is covered, with the exception of the opening or entrance funnels, shall not be less than 100 mm stretched or 50 mm bar from inside of knot or joint to inside of knot or joint.

(c) The net or netting on the horizontal and vertical sides of the trap shall be stretched in such manner that the openings of the mesh are rectangular at all times.

DEEL VI

DIVERSE BEPALINGS BETREFFENDE DIE
VANG VAN VIS

9. Behoudens die bepalinge van hierdie Regulasies mag niemand—

(a) terwyl hy besig is om vis met 'n pylgeweer te jag, enige kunsmatige asemhalingsapparaat, uitgesonderd 'n snorkel, gebruik nie;

(b) vis deur middel van 'n haakstok, spies, knuppel, dorsstok, stok, klip of soortgelyke instrument vang of probeer vang nie: Met dien verstande dat 'n persoon hoogstens vyf tongvisse *Austroglossus pectoralis* per dag met 'n spies of soortgelyke instrument vir eie gebruik mag steek of vang;

(c) vis, behalwe seekat, inkvis of pylinkvis deur die ruk van 'n hoek in water met die doel om dit deur die vis te haak, vang of probeer vang nie;

(d) snoek *Thyrstites atun* met 'n beursseën vang, probeer vang of versteur nie;

(e) tuna, insluitende spesies van *Thunnus*, *Allothunnus*, *Euthunnus* en *Katsuwonus*, wat met kieu-nette gevang is in enige hawe of vissershawes in die Republiek, aan land bring of oorlaai, nie;

(f) oesters, bloedwurms, klipmossels, swartmossels of rooi-aas, op enige ander wyse as met die hand, 'n suigpomp of 'n werktuig waarvan die lem of platkant hoogstens 38 mm breed is, vang, versteur of probeer vang of versteur nie;

(g) "polychaete" wurm op enige ander wyse as met die hand versteur of probeer vang of versteur nie;

(h) garnale, bloedwurms of witmossels op enige meganiese wyse vang of versteur nie;

(i) sonder die magtiging van die direkteur-generaal, pylinkvis met behulp van 'n suigpomp, suigbagger, suigbuis of 'n soortgelyke toestel, vanaf 'n vissersboot vang of probeer vang nie;

(j) enige spesie krap deur middel van 'n fuik vang of probeer vang nie, tensy hy die houer is van 'n permit uitgereik deur die direkteur-generaal;

(k) perlemoen anders as deur dit te verwyder met behulp van 'n plat instrument met 'n voorkant van nie smaller as 25 mm en nie breër as 35 mm nie en wat so afgerond is dat dit nie die voet van die perlemoen sny of beskadig nie;

(l) perlemoen vang en behou of in sy besit hê as die skulp van sodanige dier deur 'n ring van 114 mm in deursnee kan gaan nie en enige sodanige dier wat gevang mag word moet sonder versuim onbeskadig in die water teruggeplaas word; en

(m) ooskuskreef of Natalse kreef by wyse van duik vang, probeer vang of versteur nie: Met dien verstande dat sodanige kreef by wyse van duik alleenlik van die strand, sonder die gebruik van kunsmatige asemhalingsapparate, gevang mag word deur 'n persoon vir sy eie verbruik.

(i) By die toepassing van subregulasie (m) word 'n snorkel nie beskou as 'n kunsmatige asemhalingsapparaat nie.

(ii) Niemand mag enige ooskuskreef met behulp van enige kreeffuik of soortgelyke instrument vang, probeer vang of versteur nie, behalwe kragtens 'n permit wat deur die direkteur-generaal uitgereik mag word.

PART VI

MISCELLANEOUS PROVISIONS FOR
CATCHING OF FISH

9. Subject to the provisions of these Regulations no person shall—

(a) use any artificial respiratory apparatus, except a snorkel, while engaged in spear fishing;

(b) catch or attempt to catch any fish by means of a gaff, spear, club, flail, stick, stone or similar instrument: Provided that, any person may spear or catch sole *Austroglossus pectoralis* with a spear or similar instrument for his own use in quantities not exceeding five per day;

(c) catch any fish, except octopus or squid, by the jerking of a hook in water with the intention of impaling the fish thereon;

(d) catch, attempt to catch or disturb any snoek *Thyrstites atun* by means of a purse-seine;

(e) land or tranship in any port or fishing harbour in the Republic any tuna, including all species of *Thunnus*, *Allothunnus*, *Euthunnus* or *Katsuwonus* which have been caught by means of gill nets;

(f) catch, attempt to catch, disturb or attempt to disturb oysters, bloodworms, limpets, black mussels or red bait, in any other manner than by hand or with a suction pump or by means of an implement of which the blade or flat edge shall not exceed 38 mm in width;

(g) catch, attempt to catch, disturb or attempt to disturb any *polychaete* worm in any other manner than by hand;

(h) catch or disturb any prawns, bloodworm or white mussels by any mechanical means;

(i) without the permission of the director-general catch or attempt to catch any squid from any fishing boat by means of a suction pump, suction dredger, suction tube or any similar device;

(j) without a permit issued by the director-general, catch or attempt to catch any species of crab by means of a trap;

(k) catch abalone other than by removing it with the aid of a flat instrument of which the front edge is no narrower than 25 mm and not wider than 35 mm and which has been so rounded off that it will not cut or damage the foot of the abalone;

(l) catch and retain or have in his possession any abalone if the shell of such animal can pass through a ring of 114 mm in diameter, and any such animal which has been caught shall be returned undamaged to the water immediately; and

(m) catch, attempt to catch or disturb east coast rock lobster or Natal rock lobster by means of diving: Provided that such rock lobster may be caught by diving from the shore without the use of artificial breathing apparatus for such person's own use.

(i) For purposes of subregulation (m) a snorkel shall not be regarded as artificial breathing apparatus.

(ii) No person may catch, attempt to catch or disturb any east coast rock lobster by means of any rock lobster trap or similar gear, except under the authority of a permit which may be issued by the director-general.

(iii) Die gesagvoerder van 'n vissersboot mag nie op sodanige boot enige net of fuik wat vir die vang van kreef gebruik kan word, hou of toelaat dat dit op sodanige boot gehou word nie, gedurende die tydperke waartydens die vang van onderskeidelik weskus-kreef, ooskus-kreef of suidkus-kreef kragtens die Wet verbied is, behalwe met die skriftelike toestemming van direkteur-generaal; of indien sulke nette of fuike nie aan die voorgeskrewe vereistes voldoen nie.

10. Behalwe op gesag van 'n permit wat deur die direkteur-generaal uitgereik mag word, mag niemand—

(a) enige duiktoerusting van watter aard ook al op enige boot hê of daarop toelaat as sodanige boot gebruik word vir die vang of vervoer van weskus- of ooskus-kreef nie en enige sodanige kreef of gedeelte daarvan wat op sodanige boot gevind word, word geag by wyse van duik gevang te gewees het anders as vanaf die strand tensy die teendeel bewys word;

(b) enige fuik gebruik vir die vang van kreef nie tensy sodanige fuik voldoen aan die voorgeskrewe vereistes;

(c) 'n vissersboot vir die vang van weskus-kreef met behulp van kreeffuik gebruik nie, tensy sodanige vaartuig met 'n dekroostersorteerder wat aan die voorgeskrewe spesifikasies voldoen, toegerus is en enige kreef wat met behulp van fuik gevang word, moet sonder versuim met behulp van die sorteerder gesorteer word en alle vis wat deurval moet sonder versuim in die see teruggeplaas word.

DEEL VII

SKULPE EN WATERPLANTE

11. Behoudens die bepaling van artikel 38 van die Wet mag niemand tensy hy die houer is van 'n permit uitgereik deur die direkteur-generaal, op enige gegewe dag meer as 1 kg skulpe, 50 kg skulpgruis of meer as 10 kg waterplante vir eie gebruik versamel of van die strand verwyder nie.

DEEL VIII

WERKTUIG EN VANG VAN VIS

12. Vir doeleindes van hierdie regulasie sluit "trekgebied" die volgende in:

(a) Die gebied tussen die fabriek van Paternoster Visserye Beperk en die eindpunt van Paternosterbaai, bekend as Groot Paternosterpunt;

(b) Britanniabaai en Shellbaai, in die afdeling Malmesbury, tussen 'n lyn (geografiese ligging 360°) getrek deur Kaap St Martin, as westelike grens, en 'n soortgelyke lyn getrek deur Stompneuspunt, as oostelike grens; en

(c) die strandgebied by Houtbaai in die afdeling Wynberg.

13. (1) Behoudens die bepalings van die Wet mag niemand—

(a) 'n midwatertreilnet, bodemtreilnet, beurseën, skaaldiertreilnet, kieunet, balktreilnet of 'n bodemlanglyn op 'n vissersboot vervoer of gebruik nie, tensy hy die houer is van 'n permit uitgereik deur die direkteur-generaal;

(iii) The skipper of any fishing boat shall not keep any net or trap which may be used for the catching of rock lobster or allow such trap or net to be kept on such boat during the periods during which the catching of respectively west coast, east coast or south coast rock lobster is prohibited in terms of this Act, except with the written permission of the director-general; or if such net or trap does not conform to the prescribed requirements.

10. Except on the authority of a permit which may be issued by the director-general no person shall—

(a) have or allow any diving equipment of whatever nature on any boat when such boat is used for the catching or transporting of west coast or east coast rock lobster, and any such rock lobster or part thereof which is found on such vessel will be regarded as having been caught by means of diving other than from the shore, unless the contrary can be proved;

(b) use any trap for the catching of rock lobster unless such trap complies with the prescribed requirements; or

(c) use a fishing boat for the catching of west coast rock lobster with the aid of lobster traps unless such vessel is equipped with a deck grid sorter complying with the prescribed specifications, and any rock lobster caught by means of traps shall without delay be sorted with such sorter and all fish which pass through the sorter shall be returned to the sea without delay.

PART VII

SHELLS AND AQUATIC PLANTS

11. Subject to the provisions of section 38 of the Act, no person shall on any one day collect for own use or remove from the sea-shore more than 1 kg shells, 50 kg shellgrit or more than 10 kg aquatic plants, unless he is the holder of a permit issued by the director-general.

PART VIII

IMPLEMENTS AND FISHING

12. For the purpose of this regulation, "trek netting area" shall include—

(a) the area between the factory of Paternoster Visserye Beperk and the furthest point of Paternoster Bay, known as "Groot Paternoster Punt";

(b) Britannia Bay and Shell Bay, in the Division of Malmesbury between a line (360° true) drawn through Cape St Martin, as western limit, and a similar line drawn through Stompneus Point, as eastern limit; and

(c) the area known as Hout Bay Beach, in the Division of Wynberg.

13. (1) Subject to the provisions of the Act, no person shall—

(a) convey or use any midwater trawl-net, bottom-trawl-net, purse-seine, crustacean trawl-net, gill-net, beam trawl-net or any bottom long line on any fishing boat, unless he is the holder of a permit issued by the director-general;

(b) 'n strandtrekseën of 'n span-, stel-, of dryfnet op 'n vissersboot vervoer of gebruik nie, tensy—

(i) hy die houer is van 'n permit uitgereik deur die direkteur-generaal; en

(ii) die merkplaat wat die direkteur-generaal daaraan toegeken het op sodanige seën of net aangebring is;

(c) van sonsondergang tot sonsopkoms 'n gooi-net vir vang van vis gebruik nie;

(d) vir doeleindes van visvang 'n net of netwerk bo-oor of bo-op enige gedeelte van 'n net aanbring nie;

(e) 'n net of netwerk met 'n maas van minder as 28 mm (van binnekant van knoop of lasplek tot binnekant van knoop of lasplek) wanneer dit gespan is, dit wil sê met skakels van 14 mm, vir die vang van pelagiese vis op enige boot hê of vir visvang gebruik nie: Met dien verstande dat sodanige net of netwerk gebruik mag word vir die vang van pelagiese vis—

(i) vir doeleindes van inmaak of die vervaardiging van vismeel of visolie;

(ii) vir verkoop aan enige persoon vir doeleindes van inmaak of die vervaardiging van vismeel of visolie; of

(iii) vir gebruik as lewendige aas vir die vang van tuna;

(f) dryfnet met 'n maasgrootte van minder as 44 mm of meer as 64 mm (van binnekant van knoop of lasplek tot binnekant van knoop of lasplek) wanneer dit gespan is, vir visvang gebruik nie;

(g) strandtrekseën met 'n maasgrootte van minder as 44 mm (van binnekant van knoop of lasplek tot binnekant van knoop of lasplek) wanneer dit gespan is, of met skakels van 22 mm, vir visvang gebruik nie;

(h) span- of stelnet met 'n maasgrootte van minder as 178 mm (van binnekant van knoop of lasplek tot binnekant van knoop of lasplek) wanneer dit gespan is, of met skakels van 89 mm, vir visvang gebruik nie;

(i) 'n span-, stel-, of dryfnet teenoor enige trekgebied binne 'n afstand van twee seemyl seewaarts gemeet vanaf die hoogwatermerk, gebruik nie;

(j) in 'n trekgebied 'n vaartuig anker of 'n versperring plaas op 'n wyse waardeur die gebruik van strandtrekseëns belemmer word nie;

(k) op welke wyse ook al 'n skool vis voorkeer of van koers laat verander;

(2) (a) Aansoek om 'n permit ingevolge regulasie 13 moet gedoen word by die direkteur-generaal in die vorm soos deur hom vereis en moet vergesel wees van 'n bedrag van vyftien rand (R15).

(b) Indien die direkteur-generaal weier om 'n permit uit te reik, moet hy die bedrag aan die aansoeker terugbetaal.

14. (1) Die maasgroottes van nette, uitgesonderd treilnette, moet ongeag of die net nat of droog is, met 'n plat meetinstrument met 'n dikte van 2 mm en 'n wydte soos deur die betrokke regulasie voorgeskryf, gemeet word.

(2) Die meting geskied deur die meetinstrument deur enige maas van die betrokke net te steek en die instrument moet vryelik deur sodanige maas kan beweeg sonder dat enige druk uitgeoefen hoef te word.

(b) convey or use any beach trek-seine, staked-net, set-net or drift-net on any vessel for fishing unless—

(i) he is the holder of a permit issued by the director-general; and

(ii) the tag assigned thereto by the director-general has been affixed to such net;

(c) use any cast-net for fishing from sunset to sunrise;

(d) for the purpose of fishing overlay or superimpose any net or netting on any portion of a net;

(e) convey or use, any net or netting with a mesh measuring less than 28 mm stretched, measured from inside of knot or joint to inside of knot or joint or 14 mm bar, on any vessel for the purpose of catching pelagic fish: Provided that such netting may be used to catch pelagic fish—

(i) for canning or the production of fish meal or fish oil;

(ii) for sale to any person for the purpose of canning or the production of fish meal or fish oil; or

(iii) for use as live bait for the catching of tuna;

(f) use any drift net with a mesh measuring less than 44 mm or more than 64 mm stretched, measured from inside of knot or joint to inside of knot or joint, for fishing;

(g) use any beach trek-seine with a mesh measuring less than 44 mm stretch, measured (from inside of knot or joint to inside of knot or joint) or 22 mm bar, for fishing;

(h) use any staked or set net with a mesh size measuring less than 178 mm stretched, measured from inside of knot or joint to inside of knot or joint or 89 mm bar, for fishing;

(i) use any staked, set or drift-net in or in front of any tek netting area within a distance of two nautical miles seaward from the high-water mark;

(j) anchor any vessel or place any obstruction in any trek netting area in a manner which interferes with the use of beach trek-seines;

(k) by any means obstruct the course of or divert any shoal of fish;

(2) (a) Application for a permit in terms of subregulation 13 shall be made to the director-general in the form as requested by him and shall be accompanied by the amount of fifteen rand (R15).

(b) If the director-general refuses to issue a permit, he shall return the amount to the applicant.

14. (1) The mesh size of nets other than trawl nets, irrespective of whether the net is wet or dry, shall be measured with a flat measuring instrument with a thickness of 2 mm and a width prescribed by the regulation concerned.

(2) Measurement shall be made by pushing the measuring instrument through any mesh of the net concerned and the instrument shall pass freely through such mesh without the application of pressure.

DEEL IX

TREIL

15. (1) Niemand mag—

(a) 'n bodemtreil- of midwatertreilnet waarvan die maasgrootte in enige gedeelte van die net minder as 75 mm is, gemeet volgens die metode in subregulasie (2) voorgeskryf, op 'n vissersboot vervoer of gebruik nie;

(b) 'n bodemtreilnet of midwatertreilnet met 'n maasgrootte van minder as 110 mm, gemeet in ooreenstemming met subregulasie (2), gebruik, indien meer as 30 persent van die vorige vangs op dieselfde dag gemaak, volgens massa, uit stokvis bestaan het nie;

(c) enige toestel wat die maas van 'n bodemtreil- of midwatertreilnet tydens visvangste kan versper vervoer of gebruik nie: Met dien verstande dat seil, netwerk of ander materiaal aan die onderkant buite die sak-end van sodanige net geheg mag word ten einde skade daaraan te verhoed of te verminder,

tensy hy die houer is van 'n permit uitgereik deur die direkteur-generaal.

(2) (a) Die maasgrootte van 'n net moet met 'n plat wigvormige meetinstrument met 'n dikte van hoogstens 2 mm gemeet word terwyl die net nog nat is na gebruik of nadat dit 10 minute lank in seewater geweek is.

(b) Die meting geskied deur die meetinstrument deur 'n maas van die net te steek en 'n lesing te neem terwyl die meetinstrument aan 'n trek- of drukkrag van 5 kg onderworpe is.

(c) Die maasgrootte van die net is gelyk aan die gemiddelde van die afmetings van 'n reeks van minstens 20 opeenvolgende mase wat in ooreenstemming met paragraaf (b) gemeet is en wat minstens 10 mase van die boorsels van die net verwyder is.

(d) Wanneer die sak-end van die net gemeet word, moet die reeks van 20 opeenvolgende mase parallel loop met die lengte van die sak-end.

16. (a) Die gesagvoerder van 'n vissersboot moet van elke vangs met 'n bodem- of midwatertreilnet, rekord hou in die opgaafvorms wat deur die direkteur-generaal voorsien word.

(b) 'n Afskrif van die rekord in paragraaf (a) bedoel moet binne 14 dae na afloop van die visvangvaart aan die direkteur-generaal gestuur word.

17. 'n Vissersboot wat besig is met, of toegerus is vir, bodem- of midwatertreil, moet stop wanneer die toepaslike sein voorgeskryf in regulasie 18 gegee word deur 'n vaartuig wat 'n wimpel afgekwart in geel en blou met geel teen die boonste ophyskant en geel teen die oorhoekse onderste kant van die vlagsoom met die letter "SE" in blou of swart in die geel kwart van die boonste ophyskant, voer: Met dien verstande dat 'n vissersboot wat werklik besig is met treil, nete aflaai of optrek, en wat beveel word om te halt, slegs sodanige bevel hoef te gehoorsaam sodra die betrokke treilaksie voltooi is.

18. Vir die toepassing van artikel 53 (1) (e) van die Wet—

(a) is die haltsein gedurende die dag vlag "L" van die Internasionale Kode, wat op 'n duidelike sigbare plek in die touwerk van die vaartuig wat sein, moet wapper;

(b) is die haltsein gedurende die nag letter "L" van die alfabet wat duidelik en aanhoudend deur die boot wat sein deur middel van 'n wit lig in Morsekode geflits moet word.

PART IX

TRAWLING

15. (1) No person shall, unless he is the holder of a permit issued by the director-general—

(a) convey or use any bottom trawl-net or mid-water trawl-net of which the mesh size in any part of the net is less than 75 mm measured in accordance with subregulation (2) on any fishing boat;

(b) use a bottom trawl-net or midwater trawl-net of which the mesh size less than 110 mm, measured in accordance with subregulation (2), if the previous haul taken on the same day consisted of more than 30 per cent, by mass, of hake;

(c) convey or use on any vessel any device which may obstruct the mesh of a bottom trawl-net or midwater trawl-net while fishing: Provided that canvas, netting or other material may be attached to the underside of the cod-end of any such net in order to prevent or reduce damage thereto.

(2) (a) The mesh size of a net shall be measured with a flat wedged shaped gauge with a thickness not exceeding 2 mm while the net is still wet after use or after it has been soaked in sea water for 10 minutes.

(b) Measurement shall be made by inserting the gauge through a mesh of the net and taking a reading while the gauge is subject to a pressure or pull of 5 kg.

(c) The mesh size of the net shall be equal to the average of the measurements of any series of at least 20 consecutive meshes measures in accordance with paragraph (b) and which are not less than 10 meshes away from the lacings of the net.

(d) When the cod-end of the net is measured, the series of 20 consecutive meshes shall run parallel to the long axis of the cod-end.

16. (a) The master of any fishing vessel shall keep a record on the fishing log forms provided by the director-general of catches made with a bottom trawl-net or midwater trawl-net.

(b) A copy of the record referred to in paragraph (a) shall be forwarded to the director-general not later than 14 days after the end of the fishing trip.

17. Any fishing vessel engaged in or equipped for bottom trawling or midwater trawling shall stop when given the appropriate signal prescribed in regulation 18 by any vessel flying a pennant yellow and blue quartered with yellow at the upper hoist and yellow at the lower fly with the letters "SE" in blue or black in the yellow quarter at the upper hoist: Provided that any fishing vessel actually engaged in trawling, shooting of hauling nets, when ordered to stop, shall obey such order immediately after completing the trawling operation.

18. For the purposes of section 53 (1) (e) of the Act—

(a) a day-time stop signal shall be Flag "L" of the International Code flown conspicuously in the rigging of the signalling boat;

(b) a night-time stop signal shall be the letter "L" of the alphabet flashed clearly and repeatedly by the signalling boat in Morse code by means of a white light.

19. Die gesagvoerder van 'n vissersboot wat besig is met of toegerus is vir bodemtreil of midwatertreil—

(a) moet 'n internasionale inspekteur en 'n getuie aan boord van 'n vaartuig wat die wimpel soos bedoel in regulasie 18 (a) voer, toelaat en bystaan om aan boord van sy vaartuig te kom en die inspekteur behulpsaam wees met die inspeksie van enige vangs aan boord, nette, visvangtoerusting en die in regulasies 16 (a) bedoelde rekord;

(b) moet 'n verslag wat deur die internasionale inspekteur voltooi is en die opskrif "International Commission for the South East Atlantic Fisheries, Report of Inspection" dra, teken en 'n afskrif daarvan hou;

(c) mag opmerkings wat hy nodig ag in sodanige verslag van die inspekteur aanbring en moet die opmerkings onderteken; en

(d) moet 'n internasionale inspekteur toelaat en bystaan om 'n identifikasiemerk met die inskripsie "SE" aan enige net of netwerk aan te bring en om die net of netwerk op so 'n wyse te fotografeer dat die identifikasiemerk en die afmeting van die maas sigbaar is;

(e) mag 'n net of netwerk waaraan sodanige identifikasiemerk deur 'n internasionale inspekteur aangebring is, slegs vir visvang gebruik nadat dit ondersoek is en die identifikasiemerk deur die internasionale inspekteur verwyder is.

20. 'n Internasionale inspekteur moet op versoek van die gesagvoerder van 'n vissersboot sy identifikasiedokument toon.

DEEL X

METING, LANDING EN TERUGPLASING VAN VIS

21. (1) Behoudens die bepalings van die Wet, word alle vis in 'n reguit lyn langs die sy vanaf die punt van die snuit tot by die uiterste punt van die stert of stertvin gemeet.

(2) In die geval van—

(a) alikreukel word dit gemeet deur dit deur 'n ring met 'n binnemaat deursnee van 63,5 mm te plaas;

(b) krap word dit gemeet oor die breedste deel van die rug;

(c) weskuskreef word dit gemeet in 'n reguit lyn langs die middelruglyn van die kopborsstuk, vanaf die middel van die agterste kant van die kopborsstuk tot by die voorpunt van die rostrum of middelvoorstekel;

(d) oester word dit gemeet deur dit deur 'n ring met 'n binnemaat deursnee van 51 mm te plaas;

(e) ooskuskreef word dit gemeet in 'n reguit lyn langs die middelruglyn van die kopborsstuk, vanaf die middelpunt van die kant wat die twee vergrote voorstekels verbind tot by die middel van die agterste kant van die kopborsstuk;

(f) perlemoen word dit gemeet deur dit deur 'n ring met 'n binnemaat deursnee van 114 mm te plaas;

(g) siffie word dit gemeet deur dit deur 'n ring met 'n binnemaat deursnee van 32 mm te plaas;

(h) witmossel word dit gemeet deur dit deur 'n ring met 'n binnemaat deursnee van 35 mm te plaas; en

(i) kreefstert word dit gemeet in 'n reguit lyn langs die middelruglyn van kant tot kant van genoemde segment.

19. The master of any fishing vessel engaged in or equipped for bottom trawling or midwater trawling shall—

(a) shall permit and assist any international inspector and a witness on board a vessel flying the pennant referred to in regulation 18 (a) to board his vessel and assist the inspector with the inspection of any catch on board, all nets, fishing gear and the record referred to in regulation 16 (a);

(b) shall sign and retain a copy of any report completed by the international inspector and bearing the heading "International Commission for the Southeast Atlantic Fisheries, Report of Inspection";

(c) the master may add to the report of the inspector any remarks which he deems necessary and shall sign the remarks;

(d) permit and assist an international inspector, to affix an identification mark bearing the inscription "SE" to any net or netting and to photograph the net or netting in such a way that the identification mark and the measurement of the mesh is visible;

(e) any net or netting to which such an identification mark has been affixed by an international inspector, may not be used for fishing until as it has been examined and the identification has been removed by the international inspector.

20. An international inspector shall on the request of the master of any fishing vessel produce his identification document.

PART X

MEASURING, LANDING AND RETURNING FISH TO THE SEA

21. (1) Subject to the provisions of the Act, all fish shall be measured in a straight line along the side from the tip of the snout to the extreme end of the tail or caudal fin.

(2) In the case of—

(a) alikreukel it shall be measured by passing it through a ring with an inner diameter of 63,5 mm;

(b) crab it shall be measured across the broadest part of the back;

(c) west coast rock lobster it shall be measured in a straight line along the middle dorsal line of the carapace, from the centre of the posterior edge of the carapace to the tip of the rostrum or middle anterior spine;

(d) oyster it shall be measured by passing it through a ring with an inner diameter of 51 mm in diameter (inside measurement);

(e) east coast rock lobster it shall be measured in a straight line along the middle dorsal line of the carapace, from the centre of the edge which connects the two large anterior spines to the middle of the posterior edge of the carapace;

(f) perlemoen it shall be measured by passing it through a ring with an inner diameter of 114 mm;

(g) siffie it shall be measured by passing it through a ring with an inner diameter of 32 mm;

(h) white mussel it shall be measured by passing it through a ring with an inner diameter of 35 mm;

(i) rock lobster tail it shall be measured in a straight line along the middle dorsal line from edge to edge of the said segment.

(3) By die toepassing van subregulasie (2) (c) en (e) beteken "kant" die harde kant van die kopborsstuk pantser, of *cephalothorax* en sluit nie die kant of enige deel van die rand of hare (*setae*) wat van die pantser agtertoe uitsteek, in nie.

22. Behoudens regulasie 23 moet alle vis in 'n heel toestand geland word.

23. Die bepalinge van regulasie 22 is nie van toepassing op snoek of die houer van 'n permit wat vis ter see mag verwerk nie.

24. Vis wat nie aan die vereistes van die Wet voldoen nie of in stryd met enige bepaling daarvan gevang is, moet onverwyld in die see teruggeplaas word.

25. Behoudens regulasie 26 moet 'n persoon wat 'n haai gevang het, sodanige haai in 'n heel toestand aan land bring.

26. 'n Persoon aan boord 'n vaartuig wat met bevringsfasiliteite toegerus is—

(a) mag 'n haai wat deur hom gevang is onthoof, ontderm of stert afsny voordat die haai aan land gebring word;

(b) moet die kop, binnegoed en stert van sodanige haai in die bevringsfasiliteite hou totdat die haai aan land gebring is.

27. 'n Persoon wat 'n kreef wat eiers dra, of 'n kreef wat op die punt staan om sy dop af te werp, of dit onlangs gedoen het, en wat in 'n sagte toestand verkeer, vang of in besit daarvan kom, moet sodanige kreef onverwyld in die see terugplaas.

28. Behoudens regulasies 24 en 29 mag niemand enige afval van enige weskus- of ooskuskreef in die see terugplaas nie.

29. Niemand mag dooie suidkuskreef of enige deel of afval van suidkuskreef in die see terugplaas of stort nie, tensy dit vergruis is.

DEEL XI

MASSABEPALING VAN VIS

30. (1) Die massa van kreef wat geland word, word bepaal deur middel van 'n massameter wat deur die eienaar van die fabriek wat die kreef in ontvangs neem voorsien en geïnstalleer moet word.

(2) 'n Massameter soos bedoel in subregulasie (1)—

(a) moet voldoen aan die vereistes van die direkteur-generaal en moet geïnstalleer en gebruik word in 'n plek wat deur die direkteur-generaal goedgekeur is; en

(b) moet, behoudens regulasie 32 behoorlik verseël wees terwyl dit vir massabepaling gebruik word.

31. (1) Die massa van pelagiese vis wat by 'n fabriek ontvang word, moet bepaal word deur 'n massameter voorsien deur die eienaar van die fabriek.

(2) 'n Massameter soos bedoel in subregulasie (1), moet geïnstalleer en gebruik word in 'n plek wat deur die direkteur-generaal goedgekeur is en aan die volgende vereistes voldoen, asook sodanige ander vereistes wat van tyd tot tyd deur die direkteur-generaal bepaal mag word:

(a) 'n Outomatiese dubbelwipbakmassameter, algemeen bekend as die "Servo Balans Duplex"-massameter of enige ander soortgelyke outomatiese massameter wat oor 'n outomatiese beheer-meganisme beskik en wat toegerus is met

(3) For the purpose of subregulation (2) (c) and (e), "edge" means the hard edge of the carapace, or *cephalothorax* and does not include the edge or any part of the fringe or *setae* (hairs) which protrude rearwards from the carapace.

22. Subject to regulation 23 all fish shall be landed intact.

23. The provisions of regulation 22 are not applicable to snoek or the holder of a permit to process fish at sea.

24. Fish not complying with the requirements of the Act or caught in contravention of any provision thereof, shall forthwith be returned to the sea.

25. Subject to regulation 26, any person on board a fishing vessel who has caught any shark shall land it intact.

26. Any person on board a fishing vessel provided with refrigeration facilities may—

(a) decapitate, gut or cut off the tail of a shark caught by him before it is landed;

(b) shall retain the head, gut or tail of such shark in the refrigeration facilities until after it is landed.

27. Any person who catches or comes into possession of any rock lobster in berry or any rock lobster which is about to, or has recently cast off its shell and is in a soft condition, shall forthwith return such rock lobster to the sea.

28. Subject to regulations 24 and 29 no person shall return to the sea any part or any offal of any west coast or east coast rock lobster.

29. No person shall return to the sea any dead south coast rock lobster or any part thereof unless it has been pulverised.

PART XI

DETERMINATION OF FISH MASS

30. (1) The mass of landed rock lobster shall be determined by means of a mass meter supplied and installed by the owner of the factory receiving such rock lobster.

(2) A mass meter referred to in subregulation (1)—

(a) shall comply with the requirements of the director-general, and be installed and used in a place approved by the director-general; and

(b) shall, subject to regulation 32, be properly sealed when used for mass determination.

31. (1) The mass of pelagic fish received by a factory shall be determined by a mass meter provided by the owner of the factory.

(2) A mass meter referred to in subregulation (1) shall be installed and used in a place approved by the director-general and shall conform to the following requirements and such other requirements as may be determined from time to time by the director-general:

(a) An automatic dual hopper mass meter, generally known as the Servo Balance Duplex Mass Meter or any other similar automatic mass meter which has an automatic control mechanism and is equipped with sufficient hopper and mass

voldoende stort- en weegbakinhoudsmate moet gebruik word: Met dien verstande dat in die geval van die massabepaling van vis of visprodukte—

(i) vir direkte menslike verbruik, 'n outomatiese inlynvoerbandmassameter soortgelyk aan die Avery AP 95 wat ingevolge die Wet op Handelsmetrologie, 1973 (Wet No. 77 van 1973), goedgekeur is, gebruik mag word;

(ii) wat op 'n ongereelde basis of in klein hoeveelhede ontvang word, sodanige vis of visprodukte se massa op 'n wyse wat deur die direkteur-generaal goedgekeur is, bepaal mag word.

(b) Die massameter moet op sodanige wyse en plek geïnstalleer word en van sodanige aard wees dat geen vis verby dit kan beweeg sonder dat die massa daarvan bepaal en aangeteken word deur die massameter nie.

(c) Die massabepalingskapasiteit van die massameter mag nie minder wees as die maksimum aflaai-kapasiteit vanuit die vissersboot nie.

(d) Die afvoerspoed van vis of vispartikels moet van sodanige aard wees opstapeling of ophoping vermy word.

(e) Die ontwerp en konstruksie van die toevoerstelsel moet van sodanige aard wees dat vis of vispartikels nie van die toevoerstelsel afval nie maar regstreeks na die massameter vervoer sal word.

(f) Die installasie van die massameter moet van sodanige aard wees dat—

(i) daar tydens die werking daarvan geen toegang tot die meganisme van sodanige massameter is nie;

(ii) die meganisme en aflesingskaal van die massameter sigbaar is.

(g) Die massameter moet tydens gebruik daarvan om die massa van pelagiese vis te bepaal behoorlik verseël wees.

32. Vir doeleindes van regulasie 30 (2) (b) en 31 (2) (g) word 'n massameter geag behoorlik verseël te wees indien dit verseël is deur—

(a) 'n persoon wat geregistreer is by die Tak Handelsinspeksies van die Departement van Handel en Nywerheid, en in diens is van die persoon wat die massameter verskaf of onderhou; of

(b) 'n gemagtigde beampte van sodanige Departement.

DEEL XII

VISSERY-OPGAWES

33. (1) Die houer van 'n permit moet voor of op die laaste dag van elke maand 'n opgawe ten opsigte van die voorafgaande maand, aan die Hoofdirekteur: Seevisserye, Privaatsak X2, Roggebaai, 8012, op die vorm waarna in sy permit verwys word, voorlê.

(2) 'n Nul opgawe moet ingedien word ten opsigte van enige maand waartydens die houer van die permit nie enige aktiwiteit, ten opsigte waarvan vereis word dat inligting op die vorm in subregulasie (1) bedoel, verskaf word, onderneem het nie.

measurement buckets, shall be used: Provided that in the case of the mass determination of fish or fish products—

(i) for direct human consumption, an automatic in-line conveyor belt mass meter similar to the Avery AP 95 approved in terms of the Trade Metrology Act, 1977 (Act No. 73 of 1973), may be used;

(ii) received on an irregular basis or in small quantities, the mass of such fish or fish products may be determined in a manner approved by the director-general.

(b) The mass meter shall be installed in such a manner and place and be of such a nature that no fish can pass it without the mass thereof being determined and recorded by the mass meter.

(c) The mass determination capacity of the mass meter shall not be less than the maximum discharge capacity from the boat.

(d) The discharge speed of fish or fish particles shall be of such a nature that it shall prevent accumulation or piling up.

(e) The design and construction of the feeder system shall be of such a nature that fish and/or fish particles do not fall from the feeder system but are conveyed directly to the mass meter.

(f) The installation of the mass meter shall be of such a nature that—

(i) there is no access to the mechanism of the mass meter during the operation thereof;

(ii) the mechanism and the reading scale of the mass meter is visible.

(g) The mass meter shall be sealed properly, while it is being used for determining the mass of pelagic fish.

32. For the purposes of regulations 30 (2) (b) and 31 (2) (g) a mass meter shall be deemed to be properly sealed if it has been sealed by—

(a) a person registered with the Division of Trade Inspections of the Department of Trade and Industries and employed by the person who supplies or maintains the mass meter; or

(b) an authorised officer of such Department.

PART XII

FISHING RETURNS

33. (1) On or before the last day of every month the holder of a permit shall submit to the Chief Director: Sea Fisheries, Private Bag X2, Rogge Bay, 8012, a return in respect of the preceding month on the form referred to in his permit.

(2) A nil return shall be submitted in respect of any month during which the holder of the permit has not performed any act in respect of which information is required to be disclosed on the form referred to in sub-regulation (1).

DEEL XIII

APPÈL

34. (1) 'n Appèl deur enige persoon ingevolge artikel 40 van die Wet moet skriftelik deur hom aan die Minister gerig word binne 60 dae nadat hy in kennis gestel is van die besluit van die direkteur-generaal.

(2) 'n Appèl deur enige persoon ingevolge artikel 44 van die Wet moet skriftelik deur hom aan die Minister of die direkteur-generaal, na gelang van die geval, gerig word binne 60 dae nadat hy in kennis gestel is van die besluit waarteen geappelleer word.

(d) Die appèl moet 'n uiteensetting bevat van alle tersaaklike feite asook gronde van appèl en moet vergesel wees van enige tersaaklike dokument, of 'n gewaarmerkte afskrif daarvan.

DEEL XIV

VERMOEDENS EN STRAFBEPALINGS

35. Enige persoon wat enige vis aan land bring, word geag sodanige vis te gevang het.

36. 'n Persoon wat 'n bepaling van hierdie regulasies oortree of versuim om daaraan te voldoen is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R6 000 of met gevangenisstraf van 'n tydperk van hoogstens twee jaar of met sodanige boete sowel as sodanige gevangenisstraf.

BYLAE A

- Die volgende lisensiegelde is betaalbaar ten opsigte van vissersbote vir die tydperk soos op die betrokke lisensie gespesifiseer: Met dien verstande dat enige vissersboot-lisensie wat uitgereik is ingevolge die regulasies kragtens die Wet op Seevisserye, 1973, en waarvan die geldigheidsduur by die inwerkingtreding van hierdie regulasies nog nie verstryk het nie, geag word 'n vissersbootlisensie ingevolge hierdie Bylae uitgereik te wees:

Vir elke vissersboot—

- waarvan die totale lengte nie meer is as vyf meter nie—R40;
- waarvan die totale lengte meer is as vyf meter maar nie meer is as agt (8) meter nie—R60;
- waarvan die totale lengte meer is as agt meter maar nie meer is as 12 meter nie—R100;
- waarvan die totale lengte meer is as 12 meter maar nie meer is as 20 meter nie—R200;
- waarvan die lengte meer is as 20 meter—R300.

- Die volgende lisensiegelde is jaarliks betaalbaar ten opsigte van visfabrieke:

Vir elke—

- perseel wat ingevolge die Wet op Masjinerie en Beroepsveiligheid, 1983 (Wet No. 6 van 1983), geregistreer is of moet wees—R300;
- ander persele—R60;
- enige vaartuig wat gebruik word om slegs vis te ontvang, bewerk of bevries en sodanige vis te vervoer—R300;

- Die gelde betaalbaar ten opsigte van die—

- laat lisensieëring van 'n visfabriek is R80;
- laat lisensieëring van 'n visverwerkingsperseel is R30.

PART XIII

APPEAL

34. (1) An appeal by any person in terms of section 40 of the Act shall be submitted by him in writing, to the Minister within 60 days after he has been notified of the decision of the director-general.

(2) An appeal by any person in terms of section 44 of the Act shall be submitted by him in writing to the Minister or the director-general, as the case may be, within 60 days after he has been notified of the decision appealed against.

(3) The appeal shall set out all the relevant facts and grounds of appeal and shall be accompanied by any relevant document or a certified copy thereof.

PART XIV

PRESUMPTIONS AND PENALTIES

35. Any person landing any fish, shall be deemed to have caught such fish.

36. Any person who contravenes or fails to comply with any provision of these regulations shall be guilty of an offence and on conviction be liable to a fine not exceeding R6 000 or imprisonment for a period not exceeding two years or to both such fine or such imprisonment.

SCHEDULE A

- The following licence fees are payable in respect of fishing boats for the period specified on the licence: Provided that any fishing boat licence which has been issued in accordance with the regulations under the Sea Fisheries Act, 1973, and of which the period of validity has not expired when these regulations take effect, shall be deemed to be a valid fishing boat licence in terms of this Schedule:

For each fishing boat—

- of which the total length does not exceed five metres—R40;
- of which the total length is more than five metres but does not exceed eight metres—R60;
- of which the total length is more than eight metres but does not exceed 12 metres—R100;
- of which the total length is more than 12 metres but does not exceed 20 metres—R200;
- of which the total length exceeds 20 metres—R300.

- The following licence fees are payable annually in respect of fishing factories:

For any—

- premises registered or liable for registration in terms of the Machinery and Occupational Safety Act, 1983 (Act No. 6 of 1983)—R300;
- other premises—R60;
- any vessel which is used only to receive, process or freeze fish and to transport such fish—R300.

- The fee payable in respect of the—

- late licensing of a fish factory is R80;
- late licensing of fish processing premises is R30.

No. R. 1805

27 Julie 1990

**REGULASIES KRAGTENS DIE WET OP SEE-
VISSERY, 1988 (WET No. 12 VAN 1988)****REGULASIES MET BETREKKING TOT DIE BE-
HEER OOR EN DIE BESTUUR VAN VISSERS-
HAWENS**

Die Minister van Omgewingsake en van Waterwese het kragtens artikel 45 van die Wet op Seevisserie, 1988 (Wet No. 12 van 1988), die regulasies in die Bylae uitgevaardig.

BYLAE**INHOUDSOPGAWE****WOORDOMSKRYWING**

- DEEL I** NAVIGASIE, BINNEKOMS EN AKKOM-
MODASIE IN 'N HAWE.
- DEEL II** VASMEER VAN VISSERSBOTE EN
VAARTUIE.
- DEEL III** PLASING VAN TOERUSTING, ENS., IN
VISSERSHAWENS EN STORTING VAN
MATERIAAL.
- DEEL IV** GESONDHEID, AANSTOOTLIKE VRAG-
TE EN BRAND.
- DEEL V** HERSTELWERK.
- DEEL VI** TOEGANG TOT HAWE.
- DEEL VII** VOERTUIE.

WOORDOMSKRYWING

1. In hierdie regulasies het enige woord of uitdrukking waaraan in die Wet 'n betekenis geheg is, daardie betekenis en, tensy uit die samehang anders blyk, beteken—

“die Wet” die Wet op Seevisserie, 1988 (Wet No. 12 van 1988); en

“skephelling” ook enige sinchrohyser.

DEEL I**NAVIGASIE, BINNEKOMS EN
AKKOMMODASIE IN HAWE**

2. (1) Geen vaartuig mag in 'n vissershawe gebring word, te water gelaat, lê, daarin gebruik word of op enige ander wyse geakkommodeer word nie, sonder die toestemming van die visseriebeheerbeampte uitgereik op die voorwaardes wat hy bepaal en sonder die betaling van die gelde in Bylae A voorgeskryf: Met dien verstande dat—

(a) die visseriebeheerbeampte toestemming in die belang van veilige, ordelike en doeltreffende hawebestuur en beheer, kan weier;

(b) die bepalinge van hierdie regulasie nie van toepassing is nie op 'n vaartuig wat besig is om sy vangs af te laai of voorrade, of brandstof aan boord te neem nie;

(c) die bepalinge van hierdie regulasie nie van toepassing is nie op 'n vaartuig wat deur enige private persoon, firma of maatskappy gehuur word, op Staatsgrond gelaat of geplaas is; en

(d) geen gelde betaalbaar is ten opsigte van enige vaartuig in diens van die Regering van die Republiek van Suid-Afrika nie.

No. R. 1805

27 July 1990

**REGULATIONS UNDER THE SEA FISHERY
ACT, 1988 (ACT No. 12 OF 1988)****REGULATIONS REGARDING THE CONTROL
OVER AND THE MANAGEMENT OF FISHING
HARBOURS**

The Minister of Environment Affairs and of Water Affairs has under section 45 of the Sea Fishery Act, 1988 (Act No. 12 of 1988), made the regulations in the Schedule.

SCHEDULE**INDEX****DEFINITIONS**

- PART I** NAVIGATION, ENTRANCE TO AND AC-
COMMODATION IN A HARBOUR.
- PART II** MOORING OF FISHING BOATS AND
VESSELS.
- PART III** PLACING OF EQUIPMENT ETC, IN FISH-
ING HARBOURS AND DUMPING OF
MATERIAL.
- PART IV** HEALTH, OFFENSIVE CARGOES, FIRE.
- PART V** REPAIRS.
- PART VI** ENTRANCE TO HARBOUR.
- PART VII** VEHICLES.

DEFINITION

1. In these Regulations any word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned and unless the context otherwise indicates—

“the Act” means the Sea Fishery Act, 1988 (Act No. 12 of 1988); and

“slipway” includes any synchrolift.

PART I**NAVIGATION, ENTRANCE TO AND
ACCOMMODATION IN HARBOUR**

2. (1) No vessel shall be brought into, launched, lie in, be used in or accommodated in any other manner in a fishing harbour, without the permission of the fishery control officer issued on such conditions as he may determine and without payment of the fees prescribed in Schedule A: Provided that—

(a) the fishery control officer may refuse permission in the interest of safe, orderly and efficient harbour management;

(b) the provisions of this regulation shall not apply to a vessel unloading catches or taking supplies or fuel on board;

(c) the provisions of this regulation shall not apply to a vessel left or placed on State-owned land by any private person, firm or company; and

(d) no fee shall be payable in respect of a vessel in the service of the Government of the Republic of South Africa.

(2) Niemand mag 'n vaartuig binne 'n vissershawe as 'n restaurant, vermaaklikheidsplek of winkel gebruik nie, sonder die skriftelike toestemming van die vissery-beheerbeampte in bevel van die betrokke vissershawe uitgereik op die voorwaardes wat hy mag bepaal en sonder die betaling van die gelde in Bylae A voorgeskryf.

3. Geen eienaar van 'n vaartuig mag dit binne 'n vissershawe gebruik, laat gebruik of toelaat dat dit gebruik word nie, tensy dit voldoende beman is en 'n gesagvoerder aan boord het om dit behoorlik te beheer en te navigeer.

4. Die gesagvoerder van 'n vaartuig wat binne 'n omskrewre vissershawegebied is, is te alle tye verantwoordelik vir die veiligheid daarvan.

5. Die gesagvoerder van 'n vaartuig moet, terwyl dit binne 'n vissershawe is, in beheer van die vaartuig bly totdat dit vasgemeer is.

6. Die gesagvoerder van 'n vaartuig wat 'n ander vissershawe as sy tuishawe binnevaar, moet onverwyld na sy aankoms in die ander vissershawe die vissery-beheerbeampte in kennis stel van die tyd en datum van sy aankoms en die besonderhede van sy vaartuig wat die visserybeheerbeampte mag vereis, verstrek.

7. Die gesagvoerder van 'n vaartuig wat op die punt staan om enige vissershawe binne te vaar, of reeds die hawe binnegevaar het, moet enige opdrag van die visserybeheerbeampte of gemagtigde persoon nakom.

8. Tussen sonsondergang en sonsopkoms moet 'n vaartuig in 'n vissershawe die ligte vertoon wat voorgeskryf word in die Botsing- en Noodseineregulasies, 1977, afgekondig by Goewermentskennisgewing No. R. 1111 van 1 Julie 1977: Met dien verstande dat 'n visserybeheerbeampte 'n vaartuig van hierdie regulasies mag vrystel terwyl dit geanker, vasgemeer of beveilig is op 'n plek wat hy daaraan toegewys het.

9. Niemand mag enige net of vaartuig binne 'n vissershawe of binne 'n afstand van 150 m seewaarts vanaf die ingang van 'n vissershawe, sonder die skriftelike toestemming van die visserybeheerbeampte vir visvang gebruik nie.

10. Behoudens die bepalings van die Handelskeepvaartwet, 1951 (Wet No. 57 van 1951), kan 'n vissery-beheerbeampte—

(a) die maatreëls tref wat hy nodig ag om 'n vaartuig te verbied om uit 'n vissershawe te vertrek indien dit oorlaai, onbehoorlik gelaai, nie voldoende bevoegde bemanningslede het nie of onseewaardig is; en

(b) sodanige vaartuig by skriftelike lasgewing aanhou tot tyd en wyl sodanige gebrek tot sy tevredenheid herstel is.

11. 'n Vaartuig wat 'n vissershawe verlaat, moet aan die bepalings van die Handelskeepvaartwet, 1951 (Wet No. 57 van 1951), voldoen.

12. Die eienaar of gesagvoerder van 'n vaartuig wat in 'n ongeluk van enige aard binne die hawegebied betrokke is, moet sodanige ongeluk onverwyld aan die betrokke visserybeheerbeampte rapporteer en hom binne 24 uur na die ongeluk van 'n volledige skriftelike verslag daarvan voorsien, hetsy skade aan die Staat se eiendom betrokke is al dan nie.

13. Geen persoon mag op 'n roekelose of nalatige wyse of onderwyl hy onder die invloed van sterk drank of 'n narkotiese middel is, 'n vissersboot of vaartuig binne 'n vissershawe, navigeer nie.

(2) No person shall use any vessel within a fishing harbour as a restaurant, place of entertainment or a shop without the written permission of the fishery control officer in control of the fishing harbour concerned issued on such conditions as he may determine and without payment of the fees prescribed in Schedule A.

3. No owner of a vessel shall use it, cause it to be used or permit it to be used in a fishing harbour unless it is manned properly and has master on board sufficiently to control and to navigate it properly.

4. The master of a vessel within a defined fishing harbour shall at all times be responsible for the safety thereof.

5. The master of any vessel shall, while it is in a fishing harbour, stay in command thereof until it has been moored.

6. The master of any vessel entering any fishing harbour other than its home port, shall, upon arrival at the other fishing harbour, forthwith inform the fishery control officer of the time and date of his arrival and furnish such particulars of his vessel as the fishery control officer may require.

7. The master of any vessel which is about to enter any fishing harbour or which has already entered the harbour, shall comply with any instructions given by the fishery control officer or other authorised person.

8. Between sunset and sunrise a vessel in a fishing harbour shall display the lights prescribed in the Collision and Distress Signals Regulations, 1977, published under Government Notice No. R. 1111 of 1 July 1977: Provided that a fishery control officer may exempt any vessel from the provisions of this regulation while it is anchored, moored or secured at a place assigned to it by him.

9. No person shall use any net or any vessel for fishing in any fishing harbour or within a distance of 150 m seawards of the entrance to any harbour, without the written permission of the fishery control officer.

10. Subject to the provisions of the Merchant Shipping Act, 1951 (Act No. 57 of 1951), a fishing control officer may—

(a) make arrangements as he may think necessary to prevent a vessel from leaving a fishing harbour if it is overloaded, improperly loaded, or have insufficient qualified crew, or is unseaworthy; and

(b) by written order detain such vessel until such defect has been remedied to his satisfaction.

11. Any vessel sailing from a harbour shall comply with the provisions of the Merchant Shipping Act, 1951 (Act No. 57 of 1951).

12. The owner or master of any vessel which has been involved in an accident of any nature within the harbour area, shall forthwith report the accident to the fishery control officer concerned, and shall within 24 hours after the accident furnish him with a full report thereof in writing whether damage is done to the State's property or not.

13. No person shall navigate a vessel within a fishing harbour in a reckless or negligent manner or while he is under the influence of intoxicating liquor or a narcotic drug.

DEEL II

VASMEER VAN VISSERSBOTE EN VAARTUIE

14. 'n Visseryebeheerbeampste wys die plek aan waar 'n vaartuig in 'n vissershawe moet vasmeer en kan sodanige aanwysings wysig of intrek.

15. Geen vaartuig mag in 'n vissershawe aan enige navigasihulpmiddel vasgemaak word nie en die gesagvoerder van 'n vaartuig wat 'n navigasihulpmiddel versper of verskuif, moet die versperring of verskuiwing onverwyld aan die betrokke visseryebeheerbeampste rapporteer en hom binne 24 uur na die versperring of verskuiwing van 'n volledige skriftelike verslag daarvan voorsien.

16. Die gesagvoerder van 'n vaartuig wat om 'n rede buite sy beheer in 'n vissershawe vasgemeer word by 'n aanlê- of ander plek wat nie deur die betrokke visseryebeheerbeampste toegewys is nie, moet die visseryebeheerbeampste onverwyld daarvan in kennis stel en die visseryebeheerbeampste kan daarna die stappe doen as wat hy in die belang van veilige, ordelike en doeltreffende hawebestuur en beheer nodig ag.

17. Geen vaartuig mag sonder die toestemming van 'n visseryebeheerbeampste in 'n vaargeul binne 'n vissershawe geanker of vasgemeer word nie.

18. Niemand mag—

(a) 'n vaartuig in 'n vissershawe binne die aanliggende watergebied van 'n sleepelling anker, vasmeer of plaas nie; en

(b) 'n ketting, anker of ander versperring in sodanige watergebied plaas nie.

19. Die eienaar of gesagvoerder van 'n vaartuig wat in 'n vissershawe op so 'n wyse geanker, vasgemeer en aangelê is dat dit ongerief of gevaar veroorsaak, moet onverwyld aan 'n opdrag van die visseryebeheerbeampste voldoen om sodanige vaartuig vas te maak of te verwyder.

20. Indien enige vaartuig in 'n vissershawe vol water geloop het, moet die eienaar op las van die visseryebeheerbeampste die nodige herstelwerk aan sodanige vaartuig doen of sodanige vaartuig uit die water verwyder.

21. Die eienaar van 'n vaartuig wat in 'n vissershawe gesink het, moet die nodige bergings- of herstelwerk doen of sodanige vaartuig onverwyld uit die hawe verwyder.

22. Die visseryebeheerbeampste kan die eienaar van 'n vaartuig wat in 'n vissershawe vasgemeer of geanker is, gelas om die vasmeertoerusting van sodanige vaartuig te laat optrek vir ondersoek, en om die herstelwerk aan of vervanging van sodanige vasmeertoerusting wat hy nodig ag, binne 10 dae uit te voer: Met dien verstande dat die visseryebeheerbeampste die eienaar van sodanige vaartuig minstens 72 uur kennis moet gee van sy voorneme om die vasmeertoerusting te ondersoek.

23. (1) Die eienaar of gesagvoerder van 'n vaartuig waaraan 'n anker- of vasmeerplek in 'n vissershawe toegewys is, moet toesien dat die vaartuig die kaai verlaat sodra sy vangs geland is of voorrade, brandstof, toerusting of bemanning aan boord geneem is.

(2) Indien die eienaar of gesagvoerder van 'n vaartuig versuim om die bepalings van subregulasie (1) na te kom, is die toepaslike gelde in Bylae (B) voorgeskrif, betaalbaar.

PART II

MOORING OF FISHING BOATS AND VESSELS

14. A fishery control officer shall assign the place where a vessel shall be moored in a fishing harbour and may alter or rescind such assignment.

15. No vessel shall be attached to any navigational aid in a fishing harbour and the master of a vessel which obstructs or displaces any navigational aid, shall forthwith report the obstruction or displacement to the fishery control officer concerned and shall within 24 hours after the obstruction or displacement furnish him with a full report thereof in writing.

16. The master of a vessel which, for reasons beyond his control, is moored in a fishing harbour at a berth or other place not assigned to it by the fishery control officer concerned, shall forthwith notify the harbour master thereof, and the fishery control officer may thereupon take such steps as he deems necessary in the interest of safe, orderly and efficient harbour administration and control.

17. No vessel shall be anchored or moored in a fairway within a fishing harbour without the written permission of a harbour master.

18. No person shall—

(a) anchor, moor or place a vessel within the water area adjacent to a slipway in a fishing harbour; and

(b) place any chain, anchor or other obstacle in such water area.

19. The owner or master of a vessel which is anchored, moored or berthed in a fishing harbour in such a manner that it causes inconvenience or danger, shall forthwith comply with an order by the fishery control officer to secure or remove such vessel.

20. If any vessel has become waterlogged in a fishing harbour the owner shall by order of the fishery control officer effect the necessary repairs thereto or remove such vessel from the water without delay.

21. The owner of a vessel which has sunk in a fishing harbour shall effect the necessary salvage work or repairs or forthwith remove such vessel from the harbour.

22. The Fishery control officer may order the owner of a vessel which is moored or anchored in a fishing harbour to have the moorings of such vessel lifted for inspection and to carry out within 10 days any repairs to or replacement of such moorings deemed necessary by the harbour master: Provided that the fishery control officer shall give the owner of such vessel at least 72 hours' notice of his intention to inspect the moorings.

23. (1) The owner or master of a vessel to which an anchorage or mooring in a fishing harbour has been assigned shall ensure that the vessel leaves the quay as soon as its catch has been landed or supplies fuel, equipment or crew have been taken on board.

(2) If the owner or master of a vessel fails to comply with the provisions of subregulation (1), the applicable fees prescribed in Schedule B shall be payable.

24. 'n Vaartuig word toegelaat om in 'n vissershawe vas te meer op voorwaarde dat—

(a) die eienaar of gesagvoerder van die vaartuig verantwoordelik is vir die veilige vasmaak en beskerming daarvan en hom daarvan moet vergewis dat die aanlêplek, kaai, stampkussings, vasmeertoue, kettings en ander toerusting in so 'n toestand is dat die vaartuig gedurende ongunstige weersomstandighede met veiligheid daar kan aanlê;

(b) die vaartuig op die eienaar se risiko in 'n vissershawe geakkommodeer word en die visserybeheerbeampte hom die reg voorbehou om twee of meer vaartuie langs mekaar te laat vasmeer;

(c) waar twee of meer vaartuie langs mekaar vasgemeer word, die onderskeie eienaars of gesagvoerders verantwoordelik is vir die aanbring van voldoende stampkussings tussen sodanige vaartuie;

(d) die eienaar of gesagvoerder van die vaartuig 'n ander vaartuig moet toelaat om langsaan vasgemaak of losgemaak te word;

(e) indien die vaartuig geneem word uit 'n groep vaartuie wat langs mekaar vasgemeer is, die eienaar of gesagvoerder van sodanige vaartuig moet toesien dat die vasmeertoue van die oorblywende vaartuie behoorlik vasgemaak is en dat die stampkussings behoorlik in posisie is om skade aan ander vaartuie te voorkom;

(f) die eienaar of gesagvoerder van die vaartuig die vaartuig op las van die visserybeheerbeampte vir die tydperk wat hy aandui moet verwyder wanneer dit nodig is om dieptepeilings, baggerwerk of herstelwerk aan 'n kaai of stampkussings uit te voer, of wanneer dit nodig of wenslik is om kaaie of gedeeltes van kaaie te ontruim;

(g) die eienaar of gesagvoerder van die vaartuig op las van die visserybeheerbeampte moet die vaartuig verskuif of laat verskuif vanaf die plek waar dit vasgemeer is na 'n ander plek deur die visserybeheerbeampte aangewys.

DEEL III

PLASING VAN VOORWERPE EN STORTING VAN MATERIAAL IN VISSERSHAWENS

25. Niemand mag enige voorwerp sonder die skriftelike toestemming van 'n visserybeheerbeampte op 'n kaai, hawehoof of elders in 'n vissershawe plaas nie.

DEEL IV

GESONDHEID, AANSTOOTLIKE VRAGTE, BRAND

26. 'n Visserybeheerbeampte kan gelas dat 'n vaartuig uit 'n vissershawe verwyder word indien die vraag of ander artikels aan boord volgens die oordeel van die visserybeheerbeampte 'n gesondheidsgevaar is of 'n bedreiging vir lewe of eiendom inhou of aanstootlik is.

27. Die eienaar of gesagvoerder van 'n vaartuig—

(a) moet die nodige voorsorgmaatreëls tref om te voorkom dat die vaartuig vonke of oormatige rook of dampe afgee; en

(b) mag die vaartuig nie in 'n vissershawe gebruik nie tensy dit oor 'n doeltreffende uitlaatknaaldemper of geluiddemper beskik.

24. A vessel shall be allowed to moor in a fishing harbour, on condition that—

(a) the owner or master of the vessel shall be responsible for the safe mooring and protection thereof and shall satisfy himself that the mooring, quay, fenders, mooring ropes, chains and other equipment are in such condition that the vessel can be safely moored there during adverse weather conditions;

(b) the vessel shall be accommodated in a fishing harbour at the owner's risk and the fishery control officer shall reserve to himself the right to cause two or more vessels to be moored alongside each other;

(c) where two or more vessels are moored alongside each other, the respective owners or masters shall be responsible for the provision of sufficient fenders between the vessels;

(d) the owner or master of the vessel shall allow another vessel to be moored or unmoored alongside;

(e) if the vessel is removed from a group of vessels moored alongside each other, the owner or master of such vessel shall ensure that the mooring ropes of the remaining vessels are properly secured and that the fenders are properly positioned in order to prevent damage to the other vessels;

(f) the owner or master of the vessel shall by order of the fishery control officer and for such period as he may indicate, remove his vessel when it is necessary to conduct depth soundings or dredging or to effect repairs to quays or fenders, or when it is necessary or desirable to vacate quays or portions of quays;

(g) the owner or master of the vessel shall by order of the fishery control officer remove the vessel or have it removed from the place where it has been moved to another place assigned by the fishery control officer.

PART III

PLACING OF OBJECTS AND DUMPING OF MATERIAL IN HARBOURS

25. No person shall place any object on a quay, wharf or elsewhere in a fishing harbour without the written permission of a fishery control officer.

PART IV

HEALTH, OFFENSIVE CARGOES, FIRE

26. A fishery control officer may order a vessel to be removed from a fishing harbour if the cargo or other articles on board in his opinion constitutes a health hazard, or is offensive or dangerous to life or property.

27. The owner or master of a vessel—

(a) shall take the necessary precautions to prevent the vessel from emitting sparks or excessive smoke or fumes; and

(b) shall not use the vessel within a fishing harbour unless it is fitted with an effective exhaust silencer or muffler.

DEEL V

HERSTELWERK

28. Geen duiker mag sonder die skriftelike toestemming van die visseryebeheerbeampte in 'n vissershawe duikwerk verrig ten einde herstelwerk aan 'n vaartuig in die vissershawe te doen nie.

29. (1) Voordat 'n vaartuig op 'n sleepstelling in 'n vissershawe toegelaat word, moet volledige besonderhede van so 'n vaartuig aangeteken word en die eienaar of gesagvoerder van so 'n vaartuig moet skriftelik onderneem om die toepaslike gelde in Bylae A te betaal en die bepalings van subregulasies (1) tot (8), na gelang van die geval, na te kom.

(2) Indien 'n vaartuig weens versuim van die eienaar of gesagvoerder nie op die vasgestelde dag op 'n sleepstelling geplaas word nie en die sleepstelling vir ander vaartuie nodig is, verbeur sodanige vaartuig sy beurt soos aangetoon in die register.

(3) Ondanks enige andersluidende bepalings in hierdie Regulasies kan die visseryebeheerbeampte met betrekking tot die besetting van 'n sleepstelling, voorkeur gee aan 'n vaartuig wat beskadig is of lek, of aan 'n vaartuig wat die sleepstelling hoogstens 72 uur sal beset.

(4) Behoudens subregulasie (6) moet vaartuie wat gelyktydig op 'n sleepstelling is, op die sleepstelling bly totdat al die vaartuie gereed is om van die sleepstelling afgelaat te word: Met dien verstande dat die eienaar of gesagvoerder van enige van sodanige vaartuie wat die vereiste kennis ingevolge subregulasie (7) gegee het, nie aanspreeklik is vir die betaling van enige gelde vir die tydperk wat sy vaartuig na die verstryking van die tydperk van kennisgewing op die stelling moet bly nie.

(5) 'n Sleepstelling word gebruik vir die tydperk en onderworpe aan die voorwaardes wat die visseryebeheerbeampte bepaal.

(6) Ondanks die bepalings van subregulasie (4) kan 'n visseryebeheerbeampte die eienaar of gesagvoerder van 'n vaartuig gelas dat 'n vaartuig binne 24 uur na die lasgewing van die sleepstelling af te laat indien die visseryebeheerbeampte van oordeel is dat die vaartuig afgelaat kan word sonder om enige ander vaartuig in gevaar te stel.

(7) Die eienaar of gesagvoerder wat van 'n sleepstelling gebruik maak, moet die visseryebeheerbeampte 24 uur skriftelik kennis gee dat sy vaartuig gereed is om van die sleepstelling afgelaat te word.

(8) Niemand mag die stutte waarop 'n vaartuig rus terwyl dit op 'n sleepstelling is, verwyder of verskuif nie behalwe op las van die visseryebeheerbeampte.

30. Niemand mag enige hyskraan, waterpomp, leer, bokkie, steierplank of elektriese krag wat deur die Staat in 'n vissershawe verskaf word, gebruik nie, behalwe kragtens 'n permit deur die visseryebeheerbeampte uitgereik en teen betaling van die gelde in Bylae A voorgeskryf.

31. Niemand mag 'n vaartuig laat strand of oorhel, of op 'n vloedstrand, 'n vlak plek, 'n sandbank of 'n ander bank binne 'n vissershawe oplê vir skoonmaak-, herstel- of ander doeleindes nie, behalwe met die toestemming van die visseryebeheerbeampte en onderworpe aan die voorwaardes deur hom bepaal.

32. Geen persoon mag 'n wrak, romp of boot in 'n vissershawe sloop nie behalwe met toestemming van die visseryebeheerbeampte.

PART V

REPAIRS

28. No diver shall operate within a fishing harbour for the purpose of effecting repairs to a vessel in the fishing harbour without the written permission of the fishery control officer.

29. (1) Before any vessel is admitted to a slipway in a fishing harbour full particulars of such vessel shall be furnished, and the owner or master of the vessel shall in writing give an undertaking to adhere to the stipulations of subregulations (1) to (8) and to pay the applicable charges specified in Schedule A.

(2) If a vessel is not placed on a slipway on the day duly appointed for the purpose owing to the default of the owner or the master, such vessel shall, if the slipway is required for other vessels, lose its turn in the order shown in the entry book.

(3) Notwithstanding any other provisions to the contrary in these Regulations, the fishery control officer may with regard to the use of a slipway, give priority to any vessel which is damaged or leaking or to a vessel which shall occupy the slipway for a period not exceeding 72 hours.

(4) Subject to the provisions of subregulation (6), vessels which occupy a slipway simultaneously shall remain on the slipway until all the vessels are ready to be launched from the slipway: Provided that the owner or master of any such vessel who has given the required notice in terms of subregulation (7) shall not be liable for payment of any fees for the period which his vessel must remain on the slipway after expiry of the period of notice.

(5) A slipway shall be used for such period and subject to such conditions as the fishery control officer may determine.

(6) Notwithstanding the provisions of subregulation 4 a fishery control officer may order the owner or master of a vessel to launch the vessel from the slipway within 24 hours after the giving of the order if the fishery control officer is of the opinion that the vessel can be launched without endangering any other vessel.

(7) The owner or master using a slipway shall give the fishery control officer 24 hours' notice in writing that his vessel is ready to be launched from the slipway.

(8) No person shall remove or shift the support upon which a vessel rests while it is on a slipway except by order of the fishery control officer.

30. No person shall use any crane, water pump, ladder, trestle, scaffolding plank or electric power provided by the State in a fishing harbour, except under the authority of a permit issued by the fishery control officer and upon payment of the fee prescribed in Schedule A.

31. No person shall cause a vessel to strand or heel or lay it up for cleaning, repairs or any other purpose, on a foreshore, shoal, sand or other bank within a fishing harbour, unless the fishery control officer has given permission and subject to the conditions he may impose.

32. (1) No person shall break up any wreck, hulk or vessel in a fishing harbour without the written permission of the fishery control officer.

DEEL VI

TOEGANG TOT HAWE

33. Niemand mag met 'n vaartuig 'n vissershawe binnegaan behalwe deur die hawe-ingang nie, of die vissershawe verlaat behalwe deur die hawe-uitgang nie.

34. Enige persoon of werknemer in of op eiendom van die Staat in 'n vissershawe, moet die bevel van 'n visseryebeheerbeampte gehoorsaam.

35. (1) Niemand mag binne 'n vissershawe —

(a) in 'n toestand van dronkenskap verkeer of hom op 'n geweldadige of aanstootlike wyse gedra nie;

(b) 'n handeling verrig waardeur 'n persoon beseer of eiendom beskadig kan word nie;

(c) enige eiendom ontsier nie;

(d) 'n kennisgewingsbord of dokument op so 'n kennisgewingsbord verwyder of ontsier nie;

(e) die vrye gebruik van 'n kaai, hawehoof of vloedstrand of die toegang daartoe, belemmer of iets doen wat dit moontlik kan belemmer nie; en

(f) swem of baai nie, behalwe op plekke wat vir daardie doel aangewys is.

36. Geen persoon mag —

(a) in 'n vissershawe smous nie, behalwe kragtens 'n permit deur die visseryebeheerbeampte uitgereik en teen betaling van die gelde in Bylae A voorgeskryf;

(b) 'n advertensie, kennisgewing, plakkaat of teken op eiendom wat onder beheer van die Staat is, aanbring of vertoon of laat aanbring of vertoon nie, behalwe kragtens 'n permit deur die visseryebeheerbeampte uitgereik en teen betaling van die gelde in Bylae A voorgeskryf;

(c) enige drukwerk of geskrewe materiaal binne 'n vissershawe versprei of laat versprei nie sonder toestemming van die visseryebeheerbeampte;

(d) enige oop terrein, of 'n terrein in 'n visskoonmaakskuur binne 'n vissershawe beset of gebruik nie, behalwe kragtens 'n permit deur die visseryebeheerbeampte uitgereik en teen betaling van die gelde in Bylae A voorgeskryf;

(e) meer as 20 liter varswater wat in 'n vissershawe verskaf word, per dag gebruik nie, behalwe kragtens 'n permit deur die visseryebeheerbeampte uitgereik en teen betaling van die gelde in Bylae A voorgeskryf;

(f) varswater wat deur die waterinstallasie by 'n vissershawe verskaf word, mors of toelaat dat dit gemors word nie.

(g) in 'n vissershawe visvang nie, behalwe kragtens 'n permit deur die visseryebeheerbeampte uitgereik en teen betaling van die gelde in Bylae A voorgeskryf;

(h) enige vis in 'n vissershawe skoonmaak nie, behalwe kragtens 'n permit deur die visseryebeheerbeampte uitgereik onder sodanige voorwaardes as wat hy nodig ag en teen betaling van die gelde in Bylae A voorgeskryf;

(i) Enige honde 'n vissershawe binnebring nie, behalwe met die goedkeuring van die visseryebeheerbeampte;

(j) binne 'n vissershawe vuurmaak nie, behalwe met die toestemming van die visseryebeheerbeampte; en

PART VI

ENTRANCE TO HARBOUR

33. No person shall enter a fishing harbour except through the harbour entrances or leave the fishing harbour except through the harbour exit.

34. Any person or employee in or upon property of the State within a fishing harbour, shall obey the orders of a fishery control officer.

35. (1) No person shall within any fishing harbour —

(a) be in a state of intoxication or behave in a violent or offensive manner;

(b) do anything which may cause injury to persons or damage to property;

(c) disfigure any property;

(d) remove any notice board or notice on such a board or disfigure it;

(e) obstruct or do anything likely to obstruct the free use of any quay, wharf or foreshore or the approaches thereto; or

(f) swim or bathe, except in such places as may be assigned for this purposes.

36. No person shall —

(a) hawk within any fishing harbour unless he is the holder of a permit issued by the fishery control officer; and upon payment of the fee prescribed in Schedule A;

(b) affix or exhibit or cause to be affixed or exhibited an advertisement, notice or sign or placard on any property under the control of the State, unless he is the holder of a permit issued by the fishery control officer and upon payment of the fee prescribed in Schedule A;

(c) distribute or cause to be distributed any literature within a fishing harbour without the permission of the fishery control officer;

(d) occupy or use any vacant site or any site within a fishing cleaning shed in a fishing harbour, unless he is the holder of a permit issued by the fishery control officer and upon payment of the fee prescribed in Schedule A;

(e) use more than 20 litres of fresh water provided in a fishing harbour per day, unless he is the holder of a permit issued by the fishery control officer and upon payment of the fee prescribed in Schedule A;

(f) waste or cause to be wasted any fresh water provided at a water installation in a fishing harbour;

(g) fish in a fishing harbour, unless he is the holder of a permit issued by the fishery control officer and upon payment of the fee prescribed in Schedule A;

(h) clean any fish in a fishing harbour, unless he is the holder of a permit issued by the fishery control officer upon such conditions as he may deem necessary and upon payment of the fee prescribed in Schedule A;

(i) bring any dog into a fishing harbour except with the permission of the fishery control officer;

(j) make any fire in a fishing harbour except with the permission of the fishery control officer;

(k) enige vaartuig in 'n vissershawe vir die vervoer van passasiers gebruik nie, behalwe kragtens 'n permit deur die visserijbeheerbeampte uitgereik en teen betaling van die gelde in Bylae A voorgeskryf.

DEEL VII

VOERTUIG

37. Niemand mag 'n voertuig in 'n vissershawe inbring nie, behalwe kragtens 'n permit deur die visserijbeheerbeampte uitgereik onderworpe aan sodanige voorwaardes as wat hy mag bepaal en teen betaling van die gelde in Bylae A voorgeskryf.

38. Die bestuurder of persoon in beheer van 'n voertuig of drywer van 'n dier binne 'n vissershawe, moet alle aanwysings in kennisgewings of tekens wat in so 'n gebied vertoon word, nakom, en alle bevels gehoorsaam in verband met die reëling en beheer van verkeer wat die visserijbeheerbeampte aan hom gee.

39. Iemand wat 'n bepaling van hierdie regulasies oortree of versuim om daaraan te voldoen, is skuldig aan 'n misdryf en by skuldigbevinding strafbaar met 'n boete van hoogstens R6 000 of met gevangenisstraf vir 'n tydperk van hoogstens twee jaar of met sodanige boete sowel as sodanige gevangenisstraf.

(k) use any vessel in a fishing harbour for the transport of passengers, unless he is the holder of a permit issued by the fishery control officer and upon payment of the fee prescribed in Schedule A.

PART VII

VEHICLES

37. No person shall bring any vehicle into a fishing harbour, unless he is the holder of a permit issued by the fishery control officer subject to such conditions as he may determine and upon payment of the fee prescribed in Schedule A.

38. The driver or person in charge of any vehicle or animal within a fishing harbour shall observe and comply with all directions in notices or signs displayed in such area, and shall obey all directions relating to the regulation and control of traffic which may be conveyed to him by the fishery control officer or any other authorised official of the Department.

39. Any person who contravenes or fails to comply with any of the provisions of these regulations shall be guilty of an offence and liable on conviction to a fine of not more than R6 000 or imprisonment for a period not exceeding two years or to both such fine and such imprisonment.

BYLAE A

VISSERSHAWEGELDE

Die volgende gelde is betaalbaar vir die gebruik van vissershawefasiliteite:

1. *Akkommodasie van bote.* (Elke eienskap van die boot moet in berekening gebring word by die bepaling van die toepaslike tarief):

- A. Seewaardige SA geregistreerde vissersbote (uitgesonderd staalrompbote):

Langs kaai, golfbrekers of departementele vasmeerstelsels

Per volle meter totale bootlengte
Plus addisionele heffing per volle meter totale bootlengte langer as 10 m

Per dag	Per maand	Per jaar
R0,20	R2,00	R8,00
R0,40	R4,00	R16,00

- B. Aan herstel- of aflaaikaai (slegs dagtarief) $1,5 \times$ tarief 1.A.

- C. Aan eie vasmeerstelsels of steiers 50% van tarief 1.A.

- D. Op land in vissershawegebied Tarief 1.A.

- E. Gelisensieerde staalromp vissersboot $2 \times$ tarief 1.A.

- F. Ander bote as gelisensieerde vissersbote met 'n veiligheidssertifikaat $3 \times$ tarief 1.A.

- G. Bote wat nie seewaardig is nie of met 'n verstrekte veiligheidssertifikaat (slegs maandtarief) $4 \times$ tarief 1.A.

Vir elke 24 uur of gedeelte daarvan op hoof- of syslepehellings

2. Hoof- en syslepehellings (Walvisbaai en Saldanhabaai):

- A. Vir elke vissersboot of vaartuig in diens van die Transnet

R4,00 per meter totale bootlengte plus
R4,00 per meter bootlengte vir bote langer as 20 meter.

- B. Vir 'n Suid-Afrikaanse geregistreerde vaartuig insluitende 'n plesiervaartuig of barkasse $2 \times$ tarief 2.A

- C. Vir 'n buitelandse vaartuig $3 \times$ tarief 2.A

- D. Syslepehellings na die eerste 48 uur 50% van tarief 2.A, B of C.

3. Hoof- en syslepehellings (alle vissershawens uitgesonderd Saldanha en Walvisbaai):

- A. Vir elke vissersboot

R3,00 per volle meter bootlengte plus
R3,00 per volle meter bootlengte langer as 20 meter.

- B. Vir enige ander vaartuig $2 \times$ die tarief 3.A.

- C. Syslepehellings, na die eerste 48 uur 50% van die gelde 3.A of B.

- D. Die gelde in paragrawe 2 en 3 uiteengesit, sluit die opneem of aflaaf van vaartuie gedurende normale diensure in, en is vir alle vissershawens—
- (1) betaalbaar op die werklike totale lengte van bote en skepe gemeet van die verste twee punte van bote en skepe tot die naaste volle meter en word bereken vanaf die tyd waarop die sleepheiling die vaartuig neem tot die tyd waarop dit die sleepheiling verlaat; en
 - (2) betaalbaar vir elke aaneenlopende tydperk van 24 uur of gedeelte daarvan, met inbegrip van Sondae en openbare vakansiedae, waartydens die sleepheillings beset word.
- E. Indien 'n vaartuig op 'n Sondag of 'n openbare vakansiedag of buite normale diensure op die hoofsleepheiling opgeneem of daarvandaan afgelaat word, is die volgende addisionele gelde betaalbaar:
- (1) Per opneem of aflaaf (uitgesonderd Saldanha en Walvisbaai):
 - (i) Vissersbote..... R50,00.
 - (ii) Ander bote..... R100,00.
 - (2) Per opneem of aflaaf (Saldanha en Walvisbaai):
 - (i) Vissersbote..... R75,00.
 - (ii) Ander bote..... R150,00.
4. Opsleep van bote te Arniston en Stilbaai:
- A. Gedurende normale diensure..... R2,00 per boot.
 - B. Buite normale diensure R5,00 per boot.
5. Hyskrane:
- A. Gewone hyskrane:
 - (1) Per uur of gedeelte daarvan tydens normale diensure R15,00.
 - (2) Per uur of gedeelte daarvan buite normale diensure R25,00.
 - B. Mobiele hyskrane:
 - (1) 20-ton mobiele hyskraan..... R50,00 per uur of gedeelte daarvan.
 - (2) 36-ton mobiele hyskraan..... R100,00 per uur of gedeelte daarvan.
 - (3) 55-ton mobiele hyskraan..... R132,00 per uur of gedeelte daarvan.
6. 20-ton-vragmotor..... R40,00 per uur of gedeelte daarvan.
7. Elektriese krag, vir elke agt uur of gedeelte daarvan:
- A. Per 220-volt-enkelfase-aansluiting..... R3,00.
 - B. Per 380-volt-driefase-aansluiting..... R10,00.
8. Vars water:
- A. Vir elke kiloliter of gedeelte daarvan R1,00.
 - B. Bykomende heffing per aansluiting groter as 25 mm R6,00.
9. Soutwaterpompe: Per aansluiting, per uur of gedeelte daarvan R12,00.
10. Gebruik van hidrouliese domkragte en turfors: Per eenheid per dag..... R4,50.
11. Drywende vlotte: Per vierkante meter, per jaar of gedeelte daarvan..... R12,00.
12. Gebruik van lere: Per leer, per dag of gedeelte daarvan R2,00.
13. Gebruik van steiers: Per stel van twee bokkies en twee steierplanke, per dag of gedeelte daarvan R2,00.
14. Verwydering van afvalmateriaal op sleepheiling nadat bote afgelaat is: Per kubieke meter of gedeelte daarvan..... R25,00.
15. Tydelike verhuring van terreine:
- A. Terreine van hoogstens 25 vierkante meter vir die herstel en berging van visnette:
 - (1) Op kaaie en golfbrekers:
 - (i) Per dag, gedurende die pelagiese visvangseisoen R5,00.
 - (ii) Per dag, buite die pelagiese visvangseisoen R10,00.
 - (2) Elders:
 - (i) Per dag, gedurende die pelagiese visvangseisoen R1,25.
 - (ii) Per dag, buite die pelagiese visvangseisoen R5,00.
 - B. Terreine vir ander doeleindes:
 - (1) Op kaaie en golfbrekers:
 - Per vierkante meter, per week of gedeelte daarvan R10,00.
 - (2) Elders:
 - (i) Per vierkante meter, per week of gedeelte daarvan R0,05.
 - (ii) Minimum heffing per week..... R20,00.

16. Toelating van voertuie:
- A. Motors en motorfietse, per voertuig per dag R0,50.
 - B. Alle ander voertuie, per voertuig per dag..... R1,00.
 - C. Plaaslike beroepsvissers, fabriekspersoneel en leweransiers, per voertuig per maand R4,00.
- Vrystelling:* Enige voertuig wat gebruik word in verband met konstruksie of intandhoudingswerk op enige hawehoof, kaai of ander hawewerk of enige ouderdomspensioenaris in bevel van 'n voertuig is vrygestel van toelatingsgelde.
17. Toelating van bote op sleepwaens:
- A. Per gelisensieerde vissersboot R3,00 per dag; R30,00 per maand.
 - B. Per enige ander boot..... R5,00 per dag.
18. Hengel binne 'n vissershawe: Per dag of gedeelte daarvan R0,50.
19. Smouse:
- A. Per smous met 'n voertuig, per jaar of gedeelte daarvan R140,00.
 - B. Per smous sonder 'n voertuig, per jaar of gedeelte daarvan R36,00.
20. Gebruik van visskoonmaakgeriewe: Per tafel: Per persoon, per dag of gedeelte daarvan R4,00.
21. Verkoop van vis binne 'n visskoonmaakskuur: Per perseel per maand of gedeelte daarvan R40,00.
22. Oprigting en vertoon van advertensieborde:
- A. Per vierkante meter advertensiebord of gedeelte daarvan, per jaar R25,00.
 - B. Per vierkante meter advertensiebord of gedeelte daarvan, per maand R5,00.
23. Vervoer per boot van passasiers, pos, goedere of materiaal binne of vanaf 'n vissershawe: Per vaartuig, per jaar of gedeelte daarvan R360,00.
24. Waar tariewe vir 'n jaar of maand of 'n gedeelte daarvan voorgeskryf word, strek sodanige periode van 1 Januarie tot 31 Desember van 'n kalenderjaar of van die eerste tot die laaste dag van 'n maand en is sodanige tariewe vooruitbetaalbaar: Met dien verstande dat 'n permit of kaartjie wat uitgereik is ingevolge die regulasies uitgevaardig kragtens die Wet op Seevisserye, 1988 (Wet No. 12 van 1988), en waarvan die geldigheidsduur by die inwerkingtreding van 'n wysiging daarvan nog nie verstryk het nie, geag word 'n geldige permit of kaartjie uitgereik ingevolge hierdie Bylae, te wees.
25. Vir die doel van hierdie Bylae beteken die uitdrukking "normale werkure" —
- Maandae tot Vrydae, uitgesonderd openbare vakansiedae..... 08:00 tot 17:00.
 - Saterdag, uitgesonderd openbare vakansiedae 08:00 tot 13:00.
26. Waar gelde vir 'n week of gedeelte van 'n week voorgeskryf word strek sodanige tydperke vanaf Sondag tot Saterdag

SCHEDULE A

FISHING HARBOUR TARIFFS

The following tariffs are payable for the use of fishing harbour facilities:

1. *Accommodation of boats.* (Each feature of the boat must be taken into consideration for the determination of the applicable fees):

- A. Seaworthy SA registered fishing boats (excluding steel hulled boats)

Alongside quays, breakwaters or departmental moorings

Per full metre total boat length

Additional levy per full metre boat length exceeding 10 m

<i>Per day</i>	<i>Per month</i>	<i>Per year</i>
R0,20	R2,00	R8,00
R0,40	R4,00	R16,00

- B. At repair or off-loading jetty (day tariff only)..... 1,5 × tariff 1.A.

- C. At own moorings or jetties (day tariffs only) 50% of tariff 1.A.

- D. On land in fishing harbour areas Tariff 1.A.

- E. Licenced steel-hulled fishing boats 2 × tariff 1.A.

- F. Vessels other than licenced fishing boats with safety certificates 3 × tariff 1.A.

- G. Boats that are not seaworthy or whose safety certificates have expired (month tariff only) 4 × tariff 1.A.

For each 24 hours or part thereof on main and side slipways

2. Main and side slipways (Walvis Bay and Saldanha Bay):
 - A. For each fishing boat or vessel in the service of Transnet R4,00 per metre of total boat length plus R4,00 per metre of boat length exceeding 20 metres.
 - B. For a South African registered vessel including pleasure boats or launches 2 × tariff 2.A
 - C. For a foreign vessel..... 3 × tariff 2.A
 - D. Side slipways after the first 48 hours 50% of tariff 2.A, B or C
3. Main slipways and side slipways (all fishing harbours except Saldanha and Walvis Bay):
 - A. For each fishing boat..... R3,00 per full metre of boat length plus R3,00 per full metre of boat length exceeding 20 metres
 - B. For any other vessel 2 × the tariff 3.A.
 - C. Side slipways after first 48 hours 50% of tariffs 3.A or B.
 - D. The tariffs as set out in paragraphs 2 and 3 shall include the slipping and unslipping of vessels during normal working hours and shall for all fishing harbours be —
 - (1) payable on the actual total length of vessels and ships measured between the furthestmost points to the nearest full metre, and calculated from the time the slipway takes the vessel until the time it leaves the slipway; and
 - (2) payable for each continuous period of 24 hours or part thereof, including Sundays and public holidays during which the slipways are occupied.
 - E. If a vessel is slipped or unslipped on the main slipway on Sundays or public holidays or outside normal working hours, the following additional tariffs shall be payable:
 - (1) Per slipping or unslipping (excluding Saldanha Bay and Walvis Bay):
 - (i) Fishing boats..... R50,00.
 - (ii) Other vessels R100,00.
 - (2) Per slipping or unslipping(Saldanha Bay and Walvis Bay):
 - (i) Fishing boats..... R75,00.
 - (ii) Other vessels R150,00.
4. Slipping of boats at Arniston and Stil Bay:
 - A. During normal working hours R2,00 per boat.
 - B. Outside normal working hours R5,00 per boat.
5. Cranes:
 - A. Ordinary cranes:
 - (1) Per hour or part thereof during normal working hours R15,00.
 - (2) Per hour or part thereof outside normal working hours R25,00.
 - B. Mobile cranes:
 - (1) 20 ton mobile crane R50,00 per hour or part thereof.
 - (2) 36 ton mobile crane R100,00 per hour or part thereof.
 - (3) 55 ton mobile crane R132,00 per hour or part thereof.
6. 20 ton motor truck..... R40,00 per hour or part thereof.
7. Electric power, per eight hours or part thereof:
 - A. Per 220 volt single phase connection R3,00.
 - B. Per 380 volt three phase connection..... R10,00.
8. Freshwater:
 - A. Per kilolitre or part thereof..... R1,00.
 - B. Additional levy per connection exceeding 25 mm..... R6,00.
9. Salt water pumps: Per connection, per hour or part thereof..... R12,00.
10. Use of hydraulic jacks and turfors per unit per day R4,50.
11. Floating rafts: Per square metre, per year or part thereof..... R12,00.
12. Use of ladders: Per ladder, per day or part thereof R2,00.
13. Use of scaffolding: Per set of two scaffolds and two trestles, per day or part thereof R2,00.

14. Removal of rubbish on slipways after vessels have been unslipped: Per cubic metre or part thereof R25,00.
15. Temporary leasing of sites:
- A. Sites not exceeding 25 square metre for repair and storage of fishing nets:
- (1) On quays and breakwaters:
- (i) Per day, during the pelagic fishing season R5,00.
- (ii) Per day, outside the pelagic fishing season R10,00.
- (2) Elsewhere:
- (i) Per day, during the pelagic fishing season R1,25.
- (ii) Per day, outside the pelagic fishing season R5,00.
- B. Sites for other purposes:
- (1) On quays and breakwaters:
- Per square metre, per week or part thereof R10,00.
- (2) Elsewhere:
- (i) Per square metre, per week or part thereof R0,05.
- (ii) Minimum levy per week R20,00.
16. Admission of vehicles:
- A. Motor cars and motor cycles per vehicle per day R0,50.
- B. All other vehicles, per vehicle per day R1,00.
- C. Local professional fishermen, factory staff, and suppliers per vehicle per month R4,00.
- Exemption:* Any vehicle being used in connection with construction or maintenance work on any jetty, wharf or other harbour work or any pensioner in control of a vehicle shall be exempt from the payment of admission fees.
17. Admission of boats on trailers:
- A. Per licenced fishing boat R3,00 per day; R30,00 per month.
- B. Per any other boat R5,00 per day.
18. Angling in a fishing harbour: Per day or part thereof R0,50.
19. Hawkers:
- A. Per hawker with a vehicle, per year or part thereof R140,00.
- B. Per hawker without a vehicle, per year or part thereof R36,00.
20. Use of fish cleaning facilities: Per table per person, per day or part thereof R4,00.
21. Selling of fish in a fish-cleaning shed: Per site, per month or part thereof R40,00.
22. Erection and display of advertising signs:
- A. Per square metre of advertising board of part thereof, per year R25,00.
- B. Per square metre of advertising board or part thereof, per month .. R5,00.
23. Transport by vessel of passengers, mail, goods or materials within or from a fishing harbour: Per vessel, per year or part thereof R360,00.
24. Where tariffs are prescribed per year or per month or part thereof such period shall extend from 1 January to 31 December of a calendar year or from the first to the last day of a month and such tariffs shall be payable in advance: Provided that any permit or ticket which has been issued in accordance with these regulations in terms of the Sea Fisheries Act (Act No. 12 of 1988) and which has not yet expired at the commencement of any amendment thereof shall be deemed to be a valid permit or ticket issued in terms of this Schedule.
25. For the purpose of this Schedule the expression "normal working hours" means—
- Mondays to Fridays, excluding public holidays 08:00 to 17:00.
- Saturdays, excluding public holidays 08:00 to 13:00.
26. Where fees are prescribed for a week or part thereof, such period shall extend from Sunday to Saturday.

No. R. 1806

27 Julie 1990

WET OP SEEVISSERY, 1988
(WET No. 12 VAN 1988)

MAATREËLS TER BESKERMING VAN KREEF,
PERLEMOEN EN VIS

Kragtens artikel 33 van die Wet op Seevisserij, 1988 (Wet No. 12 van 1988), verbied ek, Gert Jeremias Kotzé, Minister van Omgewingsake en van Waterwese, na oorleg met die advieskomitee dat kreef, perlemoen en vis, anders as in die Bylae uiteengesit, gevang word.

G. J. KOTZÉ,

Minister van Omgewingsake en van Waterwese.

BYLAE

WOORDOMSKRYWING

1. In hierdie kennisgewing het enige woord of uitdrukking waaraan in die Wet 'n betekenis geheg is, daardie betekenis en, tensy uit die samehang anders blyk, beteken—

“kreef” enige kreef van die soorte wat in Suid-Afrikaanse territoriale waters voorkom te wete weskus-, suidkus-, ooskus- en Natalse kreef;

“kreefprodukt” enige produk vervaardig van kreef, met uitsondering van kreefmeel en ander produkte wat van die pote, voelers of kopborststuk van sodanige kreefsoorte vervaardig is;

“Natalse kreef” enige kreef van die soort *Palinurus delagoae*;

“oester” enige inheemse skulpdier van die soort *Crassostrea margaritacea*, *Ostrea*, *Atherstonei* en *Pinctada capensis*;

“ooskuskreef” enige kreef van die soort *Panulirus homarus*;

“perlemoen” enige skulpdier van die soort *Haliotis midae*;

“suidkuskreef” enige kreef van die soort *Palinurus gilchristi*; en

“weskuskreef” enige kreef van die soort *Jasus lalandii*.

DEEL I

BEHEERMAATREËLS TER BESKERMING VAN
PERLEMOEN EN OESTER

2. Tensy daartoe gemagtig deur 'n permit wat deur die direkteur-generaal uitgereik mag word, mag niemand—

(a) enige perlemoen in 'n vaartuig vervoer nie;

(b) meer as 20 perlemoen in totaal wat deur verskillende permitthouers vir eie gebruik gevang is in of op enige voertuig hê of vervoer nie en dan slegs indien—

(i) sulke perlemoen in 'n heel toestand; en

(ii) die permitthouers deur wie die perlemoen gevang is tydens die vervoer daarvan in of op die betrokke voertuig is;

Met dien verstande dat sodanige voertuig slegs gebruik mag word om hoogstens 20 perlemoen per dag te vervoer;

(c) meer as 20 perlemoen in sy besit of bewaring of onder sy beheer hê nie, tensy hy dokumentêre bewys kan lewer dat sulke perlemoen wettiglik verkry is; en

(d) enige perlemoen wat gevang is ingevolge 'n permit vir die vang van perlemoen vir eie gebruik, verkoop of vir verkoop aanbied nie.

No. R. 1806

27 July 1990

SEA FISHERY ACT, 1988
(ACT No. 12 OF 1988)

MEASURES FOR THE PROTECTION OF ROCK
LOBSTER ABALONE AND FISH

I, Gert Jeremias Kotzé, Minister of Environment Affairs and of Water Affairs, hereby under section 33 of the Sea Fishery Act, 1988 (Act No. 12 of 1988), after consultation with the advisory committee prohibit the catching of rock lobster abalone and fish as set out in the Schedule.

G. J. KOTZÉ,

Minister of Environment Affairs and of Water Affairs.

SCHEDULE

DEFINITIONS

1. In this notice any word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned and unless the context indicates otherwise, and—

“abalone” means any shell fish of the species *Haliotis midae*; and

“west coast rock lobster” means any rock lobster of the species *Jasus lalandii*;

“Natal rock lobster” means any rock lobster of the species *Palinurus delagoae*;

“oyster” means any indigenous shell fish of the species *Crassostrea margaritacea*, *Ostrea*, *Atherstonei* and *Pinctada capensis*;

“rock lobster” means any rock lobster of the species occurring in South African territorial waters, i.e. west coast, south coast, east coast and Natal rock lobster;

“rock lobster product” means any product manufactured from rock lobster with the exception of rock lobster meal and other products made from the legs, antennae or carapaces of rock lobster;

“east coast rock lobster” means any rock lobster of the species *Panulirus homarus*;

“south coast rock lobster” means any rock lobster of the species *Palinurus gilchristi*;

PART I

CONTROL MEASURES FOR THE PROTECTION
OF ABALONE AND OYSTER

2. Unless authorised thereto by a permit which may be issued by the director-general no person shall—

(a) transport any abalone in a vehicle;

(b) have on any vehicle or transport on such vehicle more than 20 abalone in total which have been caught by different permit holders for own use and then only if—

(i) such abalone are in a whole state; and

(ii) the permit holders by whom the abalone have been caught are present in or on the relevant vehicle during such transport;

Provided that such vehicle may not be used to transport more than 20 abalone per day;

(c) have more than 20 abalone in his possession or safe-keeping or under his control unless documentary proof can be supplied that such abalone have been obtained legally; and

(d) sell or offer for sale any abalone which have been caught in terms of a permit for the catching of abalone for own use.

3. Enige persoon wat meer as 20 perlemoen in sy besit het sonder dat hy daartoe gemagtig is deur die direkteur-generaal, word geag sodanige perlemoen te gevang het tensy hy die teendeel kan bewys: Met dien verstande dat in die geval van 'n besigheid wat perlemoen verkoop of vir verbruik bedien, sodanige teendeel slegs bewys kan word deur die voorlegging van 'n faktuur van 'n verwerker waaraan 'n permit uitgereik is, of van 'n groothandelaar wat sodanige perlemoen wettiglik verkry het en mag verhandel, ten opsigte van alle perlemoen wat op die perseel gevind is.

4. Enige perlemoen, waar dit ook al gevang of versamel is, moet in 'n heel toestand gehou word totdat dit aan land gebring is en moet in sodanige toestand gehou word wanneer dit vervoer word: Met dien verstande dat hierdie bepaling nie die onmiddellike terugplasing in die see van perlemoen, wat strydig met die bepalings van die Wet gevang is, verbied nie.

5. Geen visser wat kragtens 'n permit perlemoen vang vir kommersiële doeleindes, mag sodanige perlemoen vang of versteur nie—

(a) binne 'n afstand van 185 m vanaf die hoogwatermerk seewaarts gemeet in die gebied begrens deur die suidelikste punt by Kaappunt, en daarvandaan langs die kus tot by die suidelikste punt van Kaap Agulhas; of

(b) binne die gebied noord van 'n lyn vanaf die vuurtoring te Kaappunt en 'n baken gemerk H1 geleë te Holbaaipunt oos van Kaap Hangklip.

6. Niemand mag perlemoen vang, versamel of versteur nie in die see binne 'n afstand van een seemyl vanaf die hoogwatermerk op die eiland bekend as Dyer-eiland.

7. Niemand mag, behalwe kragtens 'n permit wat deur die direkteur-generaal uitgereik kan word—

(a) enige oester vang, probeer vang of versteur deur daarna te duik nie;

(b) enige oester vanaf rotse vang of versamel of enige uitgespoelde oester optel en behou met die oog op hervestiging daarvan nie;

(c) enige oester kultiveer of kweek nie; of

(d) enige oester vang of versamel en behou, of in sy besit hê nie, indien sodanige oester se skulp vrylik deur 'n ring met 'n deursnee van 51 mm kan gaan, en enige sodanige dier wat gevang word moet sonder versuim in die water teruggeplaas word:

Met dien verstande dat hierdie bepalings niemand belet om op enige dag vir eie gebruik nie meer as 25 oesters te vang of versamel en behou deur daarna te duik nie.

DEEL II

BEHEERMAATREËLS TER BESKERMING VAN KREEF

8. Geen persoon wat nie kragtens die Wet oor 'n permit beskik vir die vang van kreef nie, mag buite die visseryesone op die vastelandsplat in artikel 7 van die Wet op Territoriale Waters, 1963 (Wet No. 87 van 1963), bedoel, sodanige kreef vang of probeer vang nie.

9. Niemand mag, behalwe kragtens 'n permit uitgereik deur die direkteur-generaal die volgende verkoop, te koop uitstal, koop, vervoer, of in besit daarvan wees nie:

(a) Weskuskreefstert wat van die lyf geskei is, indien die tweede segment van sodanige kreefstert, getel vanaf die aansluiting van die lyf met die stert, minder as 24 mm lank is;

3. Any person who has in his possession more than 20 abalone without being authorised thereto by the director-general, shall be deemed to have caught such abalone unless the contrary can be proved: Provided that in the case of a business which sells abalone or serves it for consumption such contrary shall only be proved by the production of an invoice of a processor in respect of which a permit has been issued, or from a wholesaler who has legally obtained such abalone, in respect of all abalone found on the premises.

4. Any abalone, regardless of where it has been caught or collected, shall be retained in a whole state until it has been landed and shall be kept in such state while it is being transported: Provided that this provision shall not prohibit the immediate replacement in the sea of any abalone which have been caught contrary to the provisions of the Act.

5. No fisherman who catches abalone for commercial purposes in terms of a permit may catch or disturb such abalone—

(a) within a distance of 185 m from the high-water mark seawards in the area bounded by the southernmost point at Cape Point and thence along the coast to the southernmost point of Cape Agulhas; or

(b) within the area north of a line from the lighthouse at Cape Point and a beacon marked H1 situated at Holbaai Point east of Cape Hangklip.

6. No person shall catch, collect or disturb abalone in the sea within a distance of one nautical mile from the high-water mark on the island known as Dyer Island.

7. (1) Unless authorised thereto by a permit which may be issued by the director-general no person shall—

(a) catch, attempt to catch or disturb any oyster by diving for it;

(b) catch or collect any oyster from rocks or collect any washed out oyster and retain such with a view to the re-establishing thereof;

(c) cultivate or breed any oyster; or

(d) catch or collect and retain any oyster or have any oyster in his possession if the shell of such oyster can pass freely through a ring with a diameter of 51 mm, and any such animal which has been caught shall be returned to the water without delay:

Provided that these measures shall not prohibit anybody from catching or collecting and retaining not more than 25 oysters per day for his own use by means of diving.

PART II

CONTROL MEASURES FOR THE PROTECTION OF ROCK LOBSTER

8. No person not in possession of a permit in terms of this Act for catching of rock lobster shall catch rock lobster outside the fishing zone on the continental shelf as referred to in section 7 of the Territorial Waters Act, 1963 (Act No. 87 of 1963).

9. No person may, except on the authority of a permit issued by the director-general, sell, expose for sale, purchase, transport, or possess any of the following:

(a) Any west coast rock lobster tail which has been severed from the body, if the second segment of such rock lobster tail, counted from the junction of the tail with the body, is less than 24 mm in length;

(b) ooskuskreefstert wat van die lyf afgesny is, indien die tweede segment van sodanige kreefstert, getel vanaf die aansluiting van die lyf met die stert, minder as 20 mm lank is;

(c) wesuskreef of ooskuskreef wat tekens toon dat dit eierdraend was en sulke eiers afgestroop is; en

(d) eiers van enige wesuskreef of ooskuskreef.

10. Niemand mag behalwe kragtens 'n permit wat deur die direkteur-generaal uitgereik mag word—

(a) meer as 16 stuks wesuskreef in totaal wat deur verskillende permithouers vir eie gebruik gevang is in of op 'n vaartuig of voertuig hê of vervoer nie, en dan slegs indien—

(i) sodanige diere in 'n heel toestand is; en

(ii) die permithouers wat die diere gevang het tydens die vervoer daarvan in of op sodanige vaartuig of voertuig teenwoordig is;

Met dien verstande dat sodanige vaartuig of voertuig slegs gebruik mag word om hoogstens 16 stuks kreef per dag te vervoer;

(b) meer as 16 stuks wesuskreef in totaal in sy besit of onder sy beheer of in sy bewaring hê nie, tensy hy dokumentêre bewys kan lewer dat sulke diere wettiglik ingevolge die bepalings van die Wet verkry is: Met dien verstande dat in die geval van 'n besigheid wat kreef of kreefprodukte verkoop of vir verbruik bedien, sodanige bewys slegs gelewer kan word by wyse van 'n faktuur van 'n instansie wat gemagtig is om kreef te verkoop;

(c) enige weskus- of ooskuskreef wat gevang is vir eie gebruik, verkoop of vir verkoop aanbied nie; of

(d) wesuskreef vir eie gebruik vang met behulp van 'n kreeffuik of soortgelyke toestel nie.

11. Niemand mag vir eie gebruik meer as vyf ooskuskreef per dag vang nie en mag sodanige kreef nie te koop aanbied of verkoop nie.

12. Niemand mag die volgende opsetlik versteur of vang en behou nie:

(a) Enige wesuskreef waarvan die kopborsstuk, gemeet volgens die voorgeskrewe metode, kleiner is as 89 mm.

(b) Enige ooskuskreef waarvan die kopborsstuk, gemeet volgens die voorgeskrewe metode, kleiner is as 57 mm.

(c) Enige weskus- of ooskuskreef wat eiers dra.

(d) Enige weskus- of ooskuskreef wat op die punt staan om sy dop af te werp, of wat dit onlangs gedoen het en wat in 'n sagtedopstadium verkeer.

13. Behoudens die bepalings van paragraaf 10 mag geen persoon sonder die skriftelike magtiging van die direkteur-generaal en onderhewig aan die voorwaardes wat hy mag bepaal, enige weskus- of suidkuskreef of kreefsterte vervoer of van een plek na 'n ander verwyder nie, tensy sodanige kreef of kreefsterte verpak is ooreenkomstig die Suid-Afrikaanse Buro vir Standaardse Verpligte Spesifikasies vir die Vervaardiging, Produksie, Bewerking of Behandeling van Ingemaakte Skaaldiëre of in 'n gelisensieerde fabriek in lewende vorm verpak is.

(b) any east coast rock lobster tail which has been severed from the body, if the second segment of such rock lobster tail, counted from the junction from the tail with the body, is less than 20 mm in length;

(c) any west coast rock lobster or east coast rock lobster which shows signs that it was carrying eggs and that such eggs had been stripped; and

(d) the eggs of any West Coast or East Coast rock lobster.

10. Except on the authority of a permit which may be issued by the director-general no person shall—

(a) transport on any vessel or vehicle or have on such vehicle, more than 16 west coast rock lobster in total which have been caught by different permitholders for their own use and then only if—

(i) such animals are in a whole state; and

(ii) the permit holders who have caught the animals are present in or on such vessel or vehicle during the transport thereof;

Provided that such vessel or vehicle may be used to transport not more than 16 rock lobster per day;

(b) have more than 16 west coast rock lobster in total in his possession or under his control or in his custody unless documentary proof can be supplied that such animals were lawfully obtained in terms of the provisions of the Act: Provided that in the case of a business which sells or serves rock lobster or rock lobster products for consumption such proof shall only be supplied by way of an invoice from a concern which is authorised to sell such rock lobster;

(c) sell or offer for sale any west coast or east coast rock lobster which have been caught for own use; or

(d) catch west coast rock lobster for own use with the aid of a rock lobster trap or similar gear.

11. No one shall catch more than five east coast rock lobster per day for his own use or sell or offer for sale such rock lobster.

12. No one shall deliberately disturb or catch and retain any of the following:

(a) Any west coast rock lobster of which the carapace, measured in the prescribed manner, is smaller than 89 mm.

(b) Any east coast rock lobster of which the carapace, measured according to the prescribed method, is smaller than 57 mm.

(c) Any west coast or east coast rock lobster carrying eggs.

(d) Any west coast or east coast rock lobster which is about to or has recently cast its shell and is in a soft shell condition.

13. Subject to the provisions of paragraph 10 no person may, without the written authority of the director-general and subject to such conditions as he may determine, transport any west coast or south coast rock lobster or rock lobster tails from one place to another unless such rock lobster or rock lobster tails have been packed in accordance with the Compulsory Standard Specification for Frozen Rock Lobster Products, and/or the Compulsory Standard Specification for the Manufacture, Production, Processing or Treatment of Canned Crustaceans of the South African Bureau of Standards, or packed in live form in a factory.

14. Alle weskus- of ooskuskreef wat ooreenkomstig hierdie maatreëls gevang is moet in 'n heel vorm gehou word totdat sodanige kreef aan land gebring word: Met dien verstande dat kreefsterte aan boord van enige boot vervoer mag word mits sodanige sterte verpak is ooreenkomstig die Suid-Afrikaanse Buro vir Standaardse Verpligte Standaardspesifikasie vir Bevrore Kreefprodukte en/of die Verpligte Standaardspesifikasie vir die Vervaardiging, Produksie, Bewerking of Behandeling van Ingemaakte Skaaldiere.

BEPERKTE GEBIEDE

15. (1) Geen persoon mag op enige wyse of vir water doel ook al enige kreef in die gebiede hieronder omskryf, vang, probeer vang, of versteur nie, tensy hy in besit is van 'n permit wat deur die direkteur-generaal uitgereik mag word:

(a) Die gebied binne 12 seemyl seewaarts vanaf die hoogwatermerk op die kus tussen, as noordelike grens, 'n lyn (geografiese ligging 270°) getrek deur 'n baken wat MB1 gemerk en op Melkbospunt geleë is, en as suidelike grens, 'n lyn (geografiese ligging 270°) getrek vanaf 'n baken wat H1 gemerk en te "Die Josie" naby Chapmanspiek aan die suidelikste eindpunt van Houtbaai geleë is.

(b) Die gebied binne die hele Saldanhabaai aan die oostekant van 'n reguit lyn getrek deur twee bakens wat onderskeidelik N.H.1 en N.H.2 gemerk en op die punt bekend as "North Head" geleë is, en 'n baken wat S.H. gemerk en op die punt bekend as "South Head" geleë is.

(c) Die gebied binne ses seemyl seewaarts vanaf die hoogwatermerk op die kus tussen, as westelike grens, 'n reguit lyn getrek deur twee bakens wat onderskeidelik S.H.B.W.1 en S.H.B.2 gemerk en op Stompneuspunt geleë is, en, as oostelike grens, 'n reguit lyn getrek deur 'n baken S.H.B.E. gemerk en 'n reghoekige baken D.R. gemerk, wat albei op die restant van Wilde Varkens Valey A, reg suid van "Doctor's Reef", geleë is.

(d) Die gebied binne drie seemyl seewaarts vanaf die hoogwatermerk op die kus tussen, as westelike grens, 'n lyn (geografiese ligging 315°) getrek deur twee bakens wat onderskeidelik S.H.B.W.2 en S.H.B.3 gemerk en op Shellbaai geleë is, en, as oostelike grens, 'n reguit lyn getrek deur twee bakens wat onderskeidelik S.H.B.W.1 en S.H.B.2 gemerk en op Stompneuspunt geleë is.

(2) Geen persoon op enige vissersboot wat gemagtig is om kreef te vang vir lewering aan 'n fabriek ingevolge die bepalings van die Wet, mag binne 'n afstand van een seemyl seewaarts vanaf die hoogwatermerk in die gebied tussen, as noordelike grens, 'n lyn (geografiese ligging 270°) getrek vanaf die baken gemerk M1, geleë op die mees westelike punt op die Kaap aan die noordelike end van McDougallsbaai, en as suidelike grens, 'n soortgelyke lyn getrek vanaf die baken gemerk M2, geleë op die mees westelike punt op die Kaap aan die suidelike eindpunt van McDougallsbaai, enige kreef vang, probeer vang of versteur nie.

(3) Geen persoon mag binne 12 seemyle vanaf die hoogwatermerk, in die gebied tussen, as noordelike grens, 'n lyn (geografiese ligging 270°) getrek deur 'n baken wat K1 gemerk is, geleë te Klein Slangkoppunt ten noorde van Kommetjie, en as suidelike grens, 'n lyn (geografiese ligging 270°) getrek vanaf 'n baken wat S1 gemerk is en te Slangkoppunt ten suide van Kommetjie geleë is, enige kreef met behulp van 'n kreeffuik of soortgelyke tuig vang nie.

14. All west coast or east coast rock lobster caught in terms of these measures shall be kept in a whole state until such rock lobster have been landed: Provided that rock lobster tails may be transported aboard any vessel provided that such tails are packed according to the Compulsory Standard Specification for Frozen Rock Lobster Products and/or the Compulsory Standard Specification for the Manufacture, Production, Processing or Treatment of Canned Crustaceans of the South African Bureau of Standards.

RESTRICTED AREAS

15. (1) No person shall, in any manner or for any purpose, catch, attempt to catch or disturb rock lobster within the areas defined hereunder, unless he is in possession of a permit which may be issued by the director-general:

(a) The area within 12 nautical miles seawards from the high water mark on the coast between, as northern limit, a line (270° true) drawn through a beacon marked MB1 and situated at Melkbos Point and, as southern limit, a line (270° true) drawn from a beacon marked H1 at "Die Josie" situated near Chapmans Peak at the southern extremity of Hout Bay.

(b) The area within the whole Saldanha Bay east of a straight line drawn through beacons marked N.H.1 and N.H.2, respectively, and situated on the point known as "North Head", and a beacon marked S.H. and situated on the point known as "South Head".

(c) The area within six nautical miles seawards from the high water mark on the coast between, as western limit, a straight line drawn through beacons marked S.H.B.W.1 and S.H.B.2, respectively, and situated on Stompneus Point, and, as eastern limit, a straight line drawn through a beacon marked S.H.B.E. and a rectangular beacon marked D.R., both situated on the remaining extent of Wilde Varkens Valley A, due south of "Doctor's Reef".

(d) The area within three nautical miles seawards from the high water mark on the coast between, as western limit, a line (315° true) drawn through beacons marked S.H.B.W.2 and S.H.B.3, respectively, and situated on Shell Bay Point, and as eastern limit, as straight line drawn through beacons marked S.H.B.W.1 and S.H.B.2, respectively, and situated on Stompneus Point.

(2) No person on any fishing boat who has been authorised to catch rock lobster for delivery to a factory in terms of the provisions of the Act, shall catch, disturb or attempt to catch any rock lobster within a distance of one kilometer seawards from the high-water mark in the area between, as northern limit, a line (270° true) drawn from the beacon marked M.1, situated on the most westerly point on the promontory at the northern end McDougall's Bay and a southern limit, a similar line drawn from the beacon marked M.2, situated on the most westerly point on the promontory at the southern extremity of McDougall's Bay.

(3) No person shall with the aid of a rock lobster trap or similar gear, catch any rock lobster within 12 nautical miles from the high-water mark in the area between, as northern limit, a line (270° true) drawn through a beacon marked K.1, situated at Klein Slangkop Point to the north of Kommetjie, and as southern limit, a line (270° true) drawn from a beacon marked S.1, situated at Slangkop Point south of Kommetjie.

GESLOTE SEISOENE

16. Behalwe op gesag van 'n permit wat deur die direkteur-generaal uitgereik mag word, mag niemand—

(a) enige ooskuskreef vang of probeer vang nie gedurende die tydperk vanaf 1 November tot en met 31 Januarie van die daaropvolgende jaar;

(b) enige suidkuskreef vang of probeer vang nie gedurende die tydperk van 1 Julie tot en met 31 Oktober van elke jaar;

(c) enige wesuskreef vir eie verbruik vang of probeer vang nie gedurende die tydperk vanaf 16 April tot en met 14 November van elke jaar; en

(d) enige wesuskreef vir kommersiële doeleindes vang of probeer vang nie gedurende die tydperk vanaf—

(i) 1 Julie tot en met 31 Oktober van elke jaar in Suid-Afrikaanse territoriale waters noord van 'n lyn (geografiese ligging 270°) getrek vanaf 'n baken gemerk YF, geleë op die hoogwatermerk ongeveer 11 kilometer noord van Yzerfontein teenoor die plaas Abrahamskraal; en

(ii) 1 Julie tot en met 14 November van elke jaar in Suid-Afrikaanse territoriale waters suid van die lyn omskryf in (i).

KREEFLANDINGSPELKE

17. (1) Geen persoon mag langs die kus in die gebied begrens deur 'n lyn (geografiese ligging 180°) van die suidelikste punt by Kaap Agulhas en 'n lyn (geografiese ligging 270°) van die noordoewer van die mond van die Oranjerivier, enige wesuskreef of enige deel van sodanige kreef by enige ander plek as die volgende landingsplekke aan land bring nie:

(i) Port Nolloth—die aanlegsteier van Hicksons Canning Company (SA) Ltd;

(ii) Hondeklipbaai—die aanlegsteier van Namaqua Canning Company Ltd;

(iii) Doringbaai—die strandgebied en aanlegsteier tussen die bakens gemerk B1 wat die noordelike grens aandui en B2 wat die suidelike grens aandui en geleë is naby die fabriek van die firma The North Bay Canning Company Ltd;

(iv) Lambertsbaai—die hooftlandingskaai in die vissershawe;

(v) Elandsbaai—die vier aanlegsteiers in die nabyheid van die ou militêre kamp op Bobbejaanpunt;

(vi) St Helenabaai—die kreeftlandingskaai in die vissershawe by Sandypunt geleë;

(vii) Paternoster—die strandgebied tussen die bakens gemerk P1 en P2, geleë onderskeidelik ten ooste en ten weste vanleë;

(viii) Paternoster—die strandgebied tussen die bakens gemerk P1 en P2, geleë onderskeidelik ten ooste en ten weste van die fabriek van die firma Paternoster Visserye te Paternoster;

(ix) Abdolsbaai—die strandgebied tussen die bakens gemerk E1 wat die noordelike grens aandui en E2 wat die suidelike grens aandui;

(x) Jacobsbaai—die strandgebied tussen die bakens gemerk F1 wat die noordelike grens aandui en F2 wat die suidelike grens aandui;

(xi) Saldanhabaai—die kreeftlandingskaai in die vissershawe te Peperbaai;

(xii) Kaapstad—die vislandingskaai te Tafelbaai-dokke;

CLOSED SEASONS

16. Except on the authority of a permit which may be issued by the director-general no person shall catch or attempt to catch—

(a) any east coast rock lobster during the period from 1 November up to and including 31 January of the following year;

(b) any south coast rock lobster during the period from 1 July up to and including 31 October of every year;

(c) any west coast rock lobster for own use during the period from 16 April up to and including 14 November of every year; and

(d) any west coast rock lobster for commercial purposes during the period from—

(i) 1 July up to and including 31 October of every year in South African territorial waters north of a line (270° true) drawn from a beacon marked Y.F., situated on the high water mark approximately 11 km north of Yzerfontein opposite the farm Abrahamskraal; and

(ii) 1 July up to and including 14 November of every year in South African territorial waters to the south of the line described in (i).

ROCK LOBSTER LANDING SITES

17. (1) No person shall land any rock lobster or any part of such rock lobster at any time or at any place along the coast in the area bounded by a line (180° true) from the most southerly point at Cape Agulhas and a line (270° true) opposite the northern bank of the mouth of the Orange River other than at the following landing points:

(i) Port Nolloth—the jetty of Hicksons Canning Company (SA) Ltd;

(ii) Hondeklip Bay—the jetty of Namaqua Canning Company Ltd;

(iii) Doring Bay—the seashore and jetty between the beacons marked B1, indicating the northern boundary and B2, indicating the southern boundary and situated near the factory of the North Bay Canning Company Ltd;

(iv) Lamberts Bay—the main landing quay in the fishing harbour;

(v) Elands Bay—the four landing quays near the old military camp on Bobbejaanpunt;

(vi) St Helena Bay—the rock lobster landing quay situated in the fishing harbour at Sandy Point;

(vii) Paternoster—the seashore between the beacons marked P1 and P2, situated to the east and to the west respectively, of the factory of firm Paternoster Visserye at Paternoster;

(viii) Abdols Bay—the seashore between the beacons marked E1, indicating the northern boundary, and E2, indicating the southern boundary;

(ix) Jacobs Bay—the seashore between the beacons marked F1, indicating the northern boundary and F2, indicating the southern boundary;

(x) Saldanha Bay—the rock lobster landing quay in the fishing harbour at Pepper Bay;

(xi) Cape Town—the fish landing quay at Table Bay Docks;

(xii) Houtbaai—die twee vislandingskaai in die vissershawe;

(xiii) Witsand—die landingsplek ten suide van Kommetjie geleë tussen die bakens onderskeidelik gemerk H1 en H2; en

(xiv) Kalkbaai—die vislandingskaai in die vissershawe.

(2) Ondanks subparagraaf (1), mag hoogstens vier weskuskeef per dag op enige plek aan land gebring word deur enige persoon vir sy eie verbruik.

KREEFSONES

18. (1) Niemand wat ingevolge hierdie Wet gemagtig is om weskuskeef te vang vir aflewering aan 'n fabriek, mag gedurende die tydperk 1 November tot 31 Desember van elke jaar, sodanige keef vang in enige ander sone as in die sone waarin die fabriek waaraan hy sy vangste lewer, geleë is nie.

(2) By die toepassing van subparagraaf (1) beslaan die sones die volgende gebiede:

(i) Sone A—die gebied tussen 'n lyn in die noorde (geografiese ligging 270°), getrek vanaf die noordelike oewer van die monding van die Oranjerivier en 'n soortgelyke lyn in die suide, getrek vanaf die monding van die Brakrivier;

(ii) Sone B—die gebied tussen 'n lyn in die noorde (geografiese ligging 270°), getrek vanaf die monding van die Brakrivier en 'n lyn (geografiese ligging 313°), getrek vanaf die watertoring te Dwarskersbos;

(iii) Sone C—die gebied tussen 'n lyn in die noorde (geografiese ligging 313°), getrek vanaf die watertoring te Dwarskersbos, en 'n lyn (geografiese ligging 270°) in die suide, getrek vanaf die bakens gemerk YF, geleë ongeveer 11 kilometers noord van Yzerfontein teenoor die plaas Abrahamskraal;

(iv) Sone D—die gebied tussen 'n lyn in die noorde (geografiese ligging 270°), getrek vanaf die bakens gemerk YF genoem in die omskrywing van Sone C hierbo, en 'n lyn (geografiese ligging 180°), getrek vanaf die vuurtoring te Kaap Hangklip, uitgesluit die gebied omskryf as Sone E; en

(v) Sone E—die gebied binne 'n reguit lyn getrek vanaf die vuurtoring geleë te Kaappunt tot by die vuurtoring te Kaap Hangklip, uitgesonder die area binne 'n afstand van een seemyl vanaf die hoogwatermerk in die gebied tussen die mond van die Buffelsrivier en Kaap Hangklip.

DEEL III

BEHEERMAATREËLS TER BESKERMING VAN VIS

GESLOTE SEISOENE

19. (1) Behalwe op gesag van 'n permit wat deur die direkteur-generaal uitgereik mag word, mag geen persoon enige van die volgende vis gedurende die tydperk genoem vir elk, vang, probeer vang of verstuur nie:

(a) Elf (*Pomatomus saltatrix*)—1 September tot en met 30 November van elke jaar.

(b) Galjoen (*Coracinus capensis*), in die Republiek, uitgesonderd die hawe en nedersetting Walvisbaai—15 Oktober tot en met 28 Februarie van die daaropvolgende jaar.

(xii) Hout Bay—the two fish landing quays in the fishing harbour;

(xiii) Witsand—the landing place to the south of Kommetjie situated between the beacons marked H1 and H2 respectively;

(xiv) Kalk Bay—the fish landing quay in the fishing harbour.

(2) Notwithstanding subparagraph (1) west coast rock lobster may be landed at any point by any person for his own use in quantities not exceeding four per day.

ROCK LOBSTER FISHING ZONES

18. (1) No person who has been authorised to catch west coast rock lobster for delivery to a factory in terms of this Act may catch such rock lobster in any other zone than the zone in which the factory to which he delivers his catches is situated, during the period 1 November to 31 December in any year.

(2) For the purposes of subparagraph (1) the zones shall comprise the following areas:

(i) Zone A—the area between a line in the north (270° true) drawn from the northern bank of the Orange River, and a similar line in the south, drawn from the mouth of the Brak River;

(ii) Zone B—the area between a line in the north (270° true) drawn from the mouth of the Brak River, and a line in the south (313° true) drawn from the water tower at Dwarskersbos;

(iii) Zone C—the area between a line in the north (313° true) drawn from the water tower at Dwarskersbos, and a line in the south (270° true) drawn from the beacon marked YF, situated approximately 11 km north of Yzerfontein opposite the farm Abrahamskraal;

(iv) Zone D—the area between the line in the north (270° true) drawn from the beacon marked YF mentioned in respect of Zone C above and a line in the south (180° true) drawn from the lighthouse at Cape Hangklip, excluding the area of Zone E; and

(v) Zone E—the area between a line (180° true) drawn from the lighthouse at Cape Point and a line (180° true) drawn from the lighthouse at Cape Hangklip excluding the area within one nautical mile from the high-watermark in the area between the mouth of the Buffels River and Cape Hangklip.

PART III

CONTROL MEASURES FOR THE PROTECTION OF FISH

CLOSED SEASONS

19. (1) Except under the authority of a permit which may be issued by the director-general, no person shall catch, attempt to catch or disturb any of the following species of fish during the period specified for each species:

(a) Shad *Pomatomus saltatrix*—1 September up to and including 30 November in any year.

(b) Galjoen (*Coracinus capensis*), in the Republic, with the exception of the harbour and settlement of Walvis Bay—15 October up to and including 28 February in the following year.

(c) Oesters—1 Desember tot en met 15 Januarie van die daaropvolgende jaar.

(d) Ooskuskreef—1 November tot en met 31 Januarie van die daaropvolgende jaar.

(e) (i) Pelagiese vis, in die waters van die Republiek uitgesonderd Walvisbaai—1 Oktober tot en met 14 Januarie van die daaropvolgende jaar; en

(ii) pelagiese vis, in Walvisbaai—1 September tot en met die laaste dag van Februarie van die daaropvolgende jaar.

(f) Perlemoen—1 Augustus tot en met 31 Oktober van elke jaar.

(g) Rooi-steenbras (*Petrus rupestris*)—1 September tot en met 30 November van elke jaar.

(h) Pylinkvis of tjokka (*Loligo vulgaris reynaudii*)—1 November tot en met 30 November van elke jaar: Met dien verstande dat die verbod nie van toepassing is nie op 'n vaartuig wat ingevolge die bepalings van die Wet met 'n treilnet opereer.

(i) Vier-en-sewentig (*Polysteganus undulosus*)—1 September tot en met 30 November van elke jaar.

20. (1) Geen persoon mag vanaf enige vaartuig met 'n handlyn, stok en katrol of deur middel van duik enige van die volgende soorte vis vang of probeer vang nie in die gebied met as westelike grens 'n lyn (geografiese ligging 180°) getrek vanaf die middelpunt van die vuurtoring te Kaap St Blaize, en as oostelike grens 'n soortgelyke lyn getrek vanaf die monding van die Groot-Visrivier gemeet vanaf die laagwatermerk seewaarts gedurende die maand November van enige jaar:

Dageraad (*Chrysoblephus cristiceps*).
 Rooistompneus (*Chrysoblephus gibbiceps*).
 Rooiroman (*Chrysoblephus laticeps*).
 Slinger (*Chrysoblephus puniceus*).
 Poenskop (*Cymatoceps nasutus*).
 Wittevis of Santer (*Cheimerius nufar*).
 Skotsman (*Polysteganus praeorbitalis*).
 Gespikkelde klipkabeljou (*Epinephalus andersoni*).
 Witpensklipkabeljou (*Epinephalus albomarginatus*).
 Geelpensklipkabeljou (*Epinephalus guaza*).

(2) Die bepalings van subparagraaf (1) sal nie van toepassing wees op die vang van sodanige vis vanaf die strand deur enige rots- of strandhengelaar of duiker nie.

GROOTTEBEPERKINGS

21. Behalwe op gesag van 'n permit wat deur die direkteur-generaal uitgereik mag word—

(a) mag geen persoon behalwe die houer van 'n permit om met 'n bodemtreilnet of midwatertreilnet te vang enige van die volgende vissoorte wat kleiner is as die grootte wat vir die betrokke soort aangegee word, gemeet ooreenkomstig die metode voorgeskryf in die Wet, vang of in besit daarvan wees nie:

Dageraad (*Chrysoblephus cristiceps*): 25 cm.
 Dassie, "blacktail" of kolstert (*Diplodus sargus*): 20 cm.
 Elf, "shad" of "chad" (*Pomatomus saltatrix*): 30 cm.
 Galjoen (*Coracinus capensis*): 35 cm.

(c) Oysters—1 December up to and including 15 January in the following year.

(d) East coast rock lobster—1 November up to and including 31 January in the following year.

(e) (i) Pelagic fish, in the Republic, with the exception of Walvis Bay—1 November up to and including 14 January in the following year; and

(ii) pelagic fish, in Walvis Bay—1 September up to and including the last day of February in the following year.

(f) Abalone—1 August up to and including 31 October in any year.

(g) Red steenbras (*Petrus rupestris*)—1 September up to and including 30 November in any year.

(h) Squid (chokka) (*Loligo vulgaris reynaudii*)—1 November up to and including 30 November in any year: Provided that this prohibition is not applicable to a vessel which operates a trawl net in terms of the provisions of the Act.

(i) Seventy-four (*Polysteganus undulosus*)—1 September up to and including 30 November in any year.

20. (1) No person shall catch or attempt to catch from any vessel in the area with as western boundary a line (180° true) drawn from the centre of the lighthouse at Cape St Blaize, and as eastern boundary a similar line drawn from the mouth of the Great Fish River, any of the following species of fish, by means of a handline, rod and reel or speargun, during the month of November in any year:

Dageraad (*Chrysoblephus cristiceps*).
 Red stumpnose (*Chrysoblephus gibbiceps*).
 Red roman (*Chrysoblephus laticeps*).
 Slinger (*Chrysoblephus puniceus*).
 Black musselcracker (*Cymatoceps nasutus*).
 Santer (*Cheimerius nufar*).
 Scotsman (*Polysteganus praeorbitalis*).
 Catface rockcod (*Epinephalus andersoni*).
 White edge rockcod (*Epinephalus albomarginatus*).
 Yellow-belly rockcod (*Epinephalus guaza*).

(2) The provisions of subparagraph (1) shall not apply to the catching of such fish by any rock or surf angler, or spearfisherman fishing or diving from the shore.

SIZE LIMITATIONS

21. Except under the authority of a permit which may be issued by the director-general—

(a) no person, except the holder of a permit to operate a midwater trawl-net or a bottom-trawl-net and fishing with such a net, shall catch and retain, or be in possession of any fish of the following species of a size smaller than the size indicated, measured in accordance with the method prescribed:

Cape stumpnose (*Rhabdosargus holubi*): 20 cm.
 Dageraad (*Chrysoblephus cristiceps*): 25 cm.
 Dassie, "blacktail" or kolstert (*Diplodus sargus*): 20 cm.
 Elf, "shad" or "chad" (*Pomatomus saltatrix*): 30 cm.
 Galjoen (*Coracinus capensis*): 35 cm.
 Garrick or "leervis" (*Lichia amia*): 70 cm.

Geelbek (*Atractoscion aequidens*): 40 cm.
 Geelpensklipkabeljou (*Epinephelus guaza*): 30 cm.
 Gespikkelde klipkabeljou (*Epinephelus andersoni*): 30 cm.
 Hottentot (*Pachymetopon blochii*): 22 cm.
 Kaapse stompneus (*Rhabdosargus holubi*): 20 cm.
 Kabeljou (*Argyrosomus hololepidotus*): 40 cm.
 Leervis of "Garrick" (*Lichia amia*): 70 cm.
 Mosselkraker (*Sparodon durbanensis*): 40 cm.
 Natal stompneus (*Rhabdosargus sarba*): 25 cm.
 Poenskop (*Cymatoceps nasutus*): 25 cm.
 Rooiroman of "daggerhead" (*Chrysoblephus laticeps*): 25 cm.
 Rooisteenas (*Petrus rupestris*): 25 cm.
 Rooistompneus (*Chrysoblephus gibbiceps*): 25 cm.
 Silwervis (*Argyrozona argyrozona*): 25 cm.
 Skotsman (*Polysteganus praeorbitalis*): 25 cm.
 Slimjannie (*Acanthopagrus berda*): 25 cm.
 Slinger (*Chrysoblephus puniceus*): 25 cm.
 Snoek (*Thyrstites atun*): 60 cm.
 Spikkeld-knorder (*Pomadasys commersonnii*): 40 cm.
 Stompstertkabeljou (*Argyrosomus thorpei*): 40 cm.
 Strepie (*Sarpa salpa*): 15 cm.
 Vier-en-sewentig (*Polysteganus undulosus*): 25 cm.
 Witpensklipkabeljou (*Epinephelus albomarginatus*): 30 cm.
 Witsteenbras (*Lithognathus lithognathus*): 40 cm.
 Witsteenbras (*Lithognathus aureti*): 40 cm.
 Witstompneus (*Rhabdosargus globiceps*): 20 cm.
 Wittevis of Santer (*Cheimerius nufar*): 25 cm.

(b) mag geen persoon enige van die volgende skulpvissoorte wat kleiner is as die grootte wat vir die betrokke soort hieronder aangedui is, gemeet ooreenkomstig die metode voorgeskryf in die Wet, verstuur, vang en behou of in besit daarvan wees nie:

Alikreukel (*Turbo sarmaticus*): 63,5 mm.
 Krap (*Scylla serrata*): 114 mm.
 Siffie (*Halotis sanguinea*): 32 mm.
 Witmossel (*Donax serra*): 35 mm.

(c) mag geen persoon enige van die volgende vissoorte met 'n kleiner massa as die betrokke massa wat vir elk voorgeskryf is, vang en behou nie:

Geelvintuna (*Thunnus albacares*): 3,2 kg.
 Blouvintuna (*Thunnus thynnus*): 6,4 kg.
 Grootoogtuna (*Thunnus obesus*): 3,2 kg.

Geelbek (*Atractoscion aequidens*): 40 cm.
 Grunter, spotted (*Pomadasys commersonnii*): 40 cm.
 Hottentot (*Pachymetopon blochii*): 22 cm.
 Kob, cob or "kabeljou" (*Argyrosomus hololepidotus*): 40 cm.
 Musselcracker (*Sparodon durbanensis*): 40 cm.
 Natal stumpnose (*Rhabdosargus sarba*): 25 cm.
 Poenskop (*Cymatoceps nasutus*): 25 cm.
 Red roman "daggerhead" (*Chrysoblephus laticeps*): 25 cm.
 Red steenbras (*Petrus rupestris*): 25 cm.
 Red stumpnose (*Chrysoblephus gibbiceps*): 25 cm.
 River bream (*Acanthopagrus berda*): 25 cm.
 Scotsman (*Polysteganus praeorbitalis*): 25 cm.
 Seventy-four (*Polysteganus undulosus*): 25 cm.
 Silverfish (*Argyrozona argyrozona*): 25 cm.
 Slinger (*Chrysoblephus puniceus*): 25 cm.
 Snoek (*Thyrstites atun*): 60 cm.
 Soldier (*Cheimerius nufar*): 25 cm.
 Spotted rock cob (*Epinephelus andersoni*): 30 cm.
 Squaretail cob (*Argyrosomus thorpei*): 40 cm.
 Strepie (*Sarpa salpa*): 15 cm.
 White-edged rock cob (*Epinephelus albomarginatus*): 30 cm.
 White steenbras (*Lithognathus lithognathus*): 40 cm.
 West coast white steenbras (*Lithognathus aureti*): 40 cm.
 White stumpnose (*Rhabdosargus globiceps*): 20 cm.
 Yellow-belly rock cod (*Epinephelus guaza*): 30 cm.

(b) no person shall catch and retain, or be in possession of, any of the following species shellfish of a size smaller than the size indicated, measured in accordance with the method prescribed:

Alikreukel (*Turbo sarmaticus*): 63,5 mm.
 Crab (*Scylla serrata*): 114 mm.
 Oyster: 51 mm.
 Siffie (*Halotis sanguinea*): 32 mm.
 White mussel (*Donax serra*): 35 mm.

(c) no person shall catch and retain, or be in possession of, any fish of the following species with a mass less than the minimum indicated:

Yellowfin tuna (*Thunnus albacares*): 3,2 kg.
 Bluefin tuna (*Thunnus thynnus*): 6,4 kg.
 Big-eye tuna (*Thunnus obesus*): 3,2 kg.

SAKBEPERKINGS

22. (1) Behalwe op gesag van 'n permit wat deur die direkteur-generaal uitgereik mag word, mag geen persoon groter hoeveelhede of massas van die volgende soorte vis op een dag vang, besit of vervoer nie as die getal of massa hieronder aangedui:

- Alikreukel (*Turbo sarmaticus*), 10.
- Armadillo (*Dinoplax gigas*), ses.
- Bloedwurm (enige spesies van *Arenicola*), vyf.
- Galjoen (*Coracinus capensis*), uitgesonderd die hawe en nedersetting Walvisbaai, vyf.
- Galjoen, in die hawe en nedersetting Walvisbaai, 25.
- Gapermossel (*Macra glabrata*), agt.
- Garnaal (enige spesies van *Callinassa* en *Upogebia africana*), 50.
- Kammossel (*Pecten sulcicostata*), 10.
- Klipmossel (enige spesies van *Patella*), 15.
- Krap (*Scylla serrata*), twee.
- Oester (*Striostrea margaritacea*, *Ostrea atherstonei*, *Pinctada capensis*), 25.
- Periwinkle (enige spesies van *Oxystele* en *Turbo*, behalwe *Turbo sarmaticus*), 50.
- "Polychaete"-wurm (enige spesies van die groep Polychaeta), 20.
- Rooi-aas (*Pyura stolonifera*), (sonder dop), 2 kilogram.
- Seekat (enige spesies van *Octopus*), twee.
- Seekastaiing (enige spesies van die klas Echinoidea), 20.
- Seekomkommer (enige spesies van die klas Holothuroidea), 20.
- Anderkrap (enige spesies van die sub-orde Brachyura), 15.
- Siffie (*Haliotis sanguinea*), 10.
- Skeermesgapermossel (enige spesies van *Solen*), 20.
- Swartmossel (enige spesies van *Aulacomya*, *Mytilus*, *Choromytilus Perna*), 25.
- Witmossel (*Donax serra*), uitgesonderd die hawe en nedersetting Walvisbaai 50.
- Witmossel, in die hawe en nedersetting Walvisbaai, 25.

(2) Behalwe op gesag van 'n permit wat deur die direkteur-generaal uitgereik mag word, mag niemand enige vis van die soorte in subparagraaf (1) genoem verkoop of vir verkoop aanbied nie.

23. (1) Geen persoon mag vanaf 'n gelisensieerde vissersboot meer as 20 tjokka (*Loligo vulgaris reynaudii*) per dag vang of probeer vang en behou nie, tensy hy daartoe gemagtig is by wyse van 'n permit.

(2) Geen persoon op 'n vissersboot waarvan die eienaar oor 'n permit vir algemene semi-kommersiële lynvisvangs beskik, mag in totaal meer as vyf van die volgende soorte vis op enige dag vang, probeer vang of in besit daarvan wees nie:

- Baardman (*Umbrina* spp.).
- Bruin Hottentot (*Pachymetopon grande*).
- Dageraad (*Chrysoblephus cristiceps*).

BAG LIMITATIONS

22. (1) Except under the authority of a permit which may be issued by the director-general, no person shall catch, attempt to catch, possess, or convey on any one day more fish of the following species than the number or mass stipulated:

- Alikreukel or giant periwinkle (*Turbo sarmaticus*), 10.
- Armadillo or baby's cradle (*Dinoplax gigas*), six
- Black mussel (*Aulacomya*, *Mytilus*, *Choromytilus Perna* species), 25.
- Bloodworm (any species of *Arenicola*), five.
- Clam (*Macra glabrata*), eight.
- Mud crab (*Scylla serrata*), two.
- Other crabs (any species of the Brachyura), 15.
- Galjoen (*Coracinus capensis*), except along the shore of Walvis Bay, five.
- Galjoen, in the harbour and settlement of Walvis Bay, 25.
- Limpet (any species of *Patella*), 15.
- Octopus (any species of *Octopus*), two 2.
- Periwinkle (any species of *Oxystele*, *Turbo* species except *Turbo sarmaticus*), 50.
- Polychaete worm (any species of the group Polychaeta including coral, wonder, shingle, moonlight, pot, rock or flat worm), 20.
- Prawn (any species of *Callinassa* and *Upogebia africana*), 50.
- Razor clam or pencil bait (any species of *Solen*), 20.
- Redbait (*Pyura stolonifera*), (without shell), two kilograms.
- Scallop (*Pecten sulcicostata*), 10.
- Sea cucumber (any member of the class Holothuroidea), 20.
- Sea urchin (any member of the class Echinoidea), 20.
- Siffie or Venus Ear (*Haliotis sanguinea*), 10.
- Oyster (*Striostrea margaritacea*, *Ostrea atherstonei*, *Pinctada capensis*), 25.
- White mussel (*Donax serra*), except the harbour and settlement of Walvis Bay, 50.
- White mussel, in the harbour and settlement of Walvis Bay, 25.

(2) Except under the authority of a permit which may be issued by the director-general, no person shall sell or offer for sale any fish of the species listed in subparagraph (1).

23. (1) No person, fishing from a licensed fishing boat, may catch, attempt to catch or retain more than 20 squid (*Loligo vulgaris reynaudii*) in any one day unless authorized thereto by a permit.

(2) No person on any fishing boat, to the owner of which a semi-commercial linefish permit has been issued, shall during any one day catch, attempt to catch or be in possession of more than five fish in total of the following species:

- Baardman (*Umbrina* spp.).
- Bronze bream (*Pachymetopon grande*).

Elf/Shad (*Pomatomus saltatrix*).
 Engelsman (*Chrysoblephus anglicus*).
 Geelpens klipkabeljou (*Epinephelus guaza*).
 Gespikkelde klipkabeljou (*Epinephelus andersoni*).
 Janbruin (*Gymnocrotaphus curvidens*).
 Kinnebakvis (*Parascorpius typus*).
 Kraaibekke (*Oplegnathus spp.*).
 Leervis/Garrick (*Lichia amia*).
 Mosselkraker (*Sparodon durbanensis*).
 Poenskop (*Cymatoceps nasutus*).
 Rooiroman (*Chrysoblephus laticeps*).
 Rooisteenbras (*Petrus rupestris*).
 Rooistompneus (*Chrysoblephus gibbiceps*).
 Skotsman (*Polysteganus praeorbitalis*).
 Slimjannie (*Acanthopagrus berda*).
 Slinger (*Chrysoblephus puniceus*).
 Vier-en-sewentig (*Polysteganus undulosus*).
 Witrand klipkabeljou (*Epinephelus albomarginatus*).
 Wittevis of Santer (*Cheimerius nufar*).

24. (1) Geen persoon op enige vaartuig wat nie as 'n vissersboot gelisensieer is nie of enige rots- of strandhengelaar of pylgeweervisser mag op een dag in totaal meer as vyf visse van die soorte genoem in paragraaf 23 vang, probeer vang of in besit daarvan wees nie.

(2) Geen persoon op 'n vaartuig wat nie as 'n vissersboot gelisensieer is nie, of enige rots- of strandhengelaar of pylgeweervisser mag, behoudens die bepalings van paragraaf 22, op enige dag in totaal meer as 10 visse vang, probeer vang of in besit daarvan wees nie, behalwe dat in die geval van tjokka, 20 vis gevang en behou mag word: Met dien verstande dat hierdie subregulasie nie op die volgende vissoorte van toepassing is nie:

Tuna (*Stam Thunnini*).
 Snoek (*Thyrstites atun*).
 Snawelvis (Familie Isiophoridae).
 Kabeljou (*Argyrosomus spp.*).
 Geelstert (*Seriola lalandi*).
 Makriel (*Scomber japonicus*).
 Marsbanker (*Trachurus trachurus capensis*).
 Strepie (*Sarpa salpa*).
 Steentjie (*Spondyliosoma emarginatum*).
 Harder (Familie Mugilidae).
 Akkedisvisse (Familie Synodontidae).
 Sandsoldaat of rooi tjor-tjor (*Pagellus natalensis*).
 Kraakbeenvisse (Klas Chondrichthyes).
 Stokvis (*Merluccius spp.*).
 Carpenter (*Argyrozona argyrozona*).

(3) Geen persoon mag enige vis wat ingevolge subparagraaf (1) en (2) gevang is, verkoop of te koop aanbied nie, behalwe op gesag van 'n permit wat deur die direkteur-generaal uitgereik mag word.

DIVERSE BEPERKINGS

25. (1) Geen persoon mag enige seewaaier, ook bekend as "seetak" (*Lophogorgia flammae* of *Eunicella papillosa*), ontwortel, pluk of versamel of probeer ontwortel, pluk of versamel nie: Met dien verstande dat seewaaiers wat op die strand uitspoel, versamel mag word.

Dageraad (*Chrysoblephus cristiceps*).
 Elf/Shad (*Pomatomus saltatrix*).
 Englishman (*Chrysoblephus anglicus*).
 John Brown (*Gymnocrotaphus curvidens*).
 Knifejaw (*Oplegnathus spp.*).
 Leervis/Garrick (*Lichia amia*).
 Milkfish (*Parascorpius typus*).
 Musselcracker (*Sparodon durbanensis*).
 Poenskop (*Cymatoceps nasutus*).
 Red roman (*Chrysoblephus laticeps*).
 Red steenbras (*Petrus rupestris*).
 Red stumpnose (*Chrysoblephus gibbiceps*).
 River bream (*Acanthopagrus berda*).
 Seventy-four (*Polysteganus undulosus*).
 Slinger (*Chrysoblephus puniceus*).
 Soldier or Santer (*Cheimerius nufar*).
 Scotsman (*Polysteganus praeorbitalis*).
 Spotted rock cod (*Epinephelus andersoni*).
 White-edged rock cod (*Epinephelus albomarginatus*).
 Yellow-belly rock cod (*Epinephelus guaza*).

24. (1) No person on any vessel which is not licensed as a fishing boat, or any rock, surf or speargun fisherman shall during any one day catch, attempt to catch or be in possession of more than five fish in total of the species mentioned in paragraph 23.

(2) No person on any vessel which is not licensed as a fishing boat, any rock or surf angler or any spear fisherman shall, subject to the provisions of paragraph 22 on any one day catch, attempt to catch or be in possession of more than 10 fish in total, excluding squid of which 20 may be caught and retained: Provided that the provisions of this subparagraph shall not apply to the following species:

Tuna (Tribe Thunnini).
 Snoek (*Thyrstites atun*).
 Billfish (Family Isiophoridae).
 Kob (*Argyrosomus spp.*)
 Yellowtail (*Seriola lalandi*).
 Chub mackerel (*Scomber japonicus*).
 Marsbanker or horse mackerel (*Trachurus trachurus capensis*).
 Strepie (*Sarpa salpa*).
 Steentjie (*Spondyliosoma emarginatum*).
 Harder (Family Mugilidae).
 Lizardfish (Familie Synodontidae).
 Sandsoldier or red tjor-tjor (*Pagellus natalensis*).
 Cartilaginous fishes (Class Chondrichthyes).
 Hake (*Merluccius spp.*).
 Carpenter (*Argyrozona argyrozona*).

(3) No person shall sell or offer for sale any fish caught in terms of subparagraphs (1) and (2) except under the authority of a permit which may be issued by the director-general.

MISCELLANEOUS LIMITATIONS

25. (1) No person shall uproot, pick or collect or attempt to uproot, pick or collect any seafan, also known as "seetak" (*Lophogorgia flammae* or *Eunicella papillosa*): Provided that washed up seafans on the sea-shore may be collected.

(2) Geen persoon mag sonder magtiging van 'n permit wat deur die direkteur-generaal uitgereik kan word enige lewendige of dooie koraal (*Allopora spp.*) beskadig, ontwortel, versamel of land of probeer beskadig, ontwortel, versamel of land nie: Met dien verstande dat koraal wat op die strand uitspoel, versamel mag word.

(3) Geen persoon mag enige lewendige gesiggiester of beter bekend as "pansy" (*Echinodiscus spp.*) vang of versteur nie: Met dien verstande dat "pansy"-skulpe wat op die strand uitspoel, versamel mag word.

(4) Geen persoon mag enige krap of anderkrap wat eiers dra of wat tekens toon dat die eiers afgestroop is, vang of besit nie.

(5) (a) Geen persoon mag sonder die skriftelike magtiging van die direkteur-generaal enige dolfyn, ook bekend as tornyn, doodmaak, vang, probeer doodmaak of vang, of versteur of in besit van enige dolfyn of gedeelte of produk afkomstig van 'n dolfyn wees nie.

(b) By die uitreiking van 'n magtiging kragtens subparagraaf (a) moet 'n bedrag van R100 per dolfyn aan die direkteur-generaal betaal word.

(6) Niemand mag enige breëbek-swaardvis (*Xiphias gladius*) verkoop of te koop aanbied nie: Met dien verstande dat die bepalings van hierdie subparagraaf nie op die verkoop of te koop aangebied van breëbek-swaardvisse wat deur middel van langlyne of treilnette as byvangstevang is, van toepassing is nie.

GEBIEDSBEPERKINGS: TREIL EN BEURSNET

26. (1) Geen persoon mag vir die vang van vis enige treilnet—

(a) aan die landwaartse of noordelike kant van 'n reguit lyn wat Kaap Vacca en die vuurtoring op Kaap St Blaize verbind;

(b) aan die landwaartse of noordelike kant van 'n reguit lyn wat die vuurtoring op Kaap St Blaize en Gerickepunt verbind;

(c) binne die sektor van 'n sirkel wat gevorm word deur die lyne omskryf onder (a) en (b) hierbo as sygrense, en die boog van 'n sirkel met 'n straal van 1,5 seemyl, met die vuurtoring op Kaap St Blaize as middelpunt, as die suidelike of seewaartse grens;

(d) in die gebied seewaarts vanaf die laagwatermerk begrens deur die kuslyn tussen die Sondagsriviermond en die Donkinreserwevuurtoring;

(e) in die gebied seewaarts vanaf die laagwatermerk begrens deur 'n lyn (geografiese ligging 160°) vanaf die Sondagsriviermond;

(f) in die gebied seewaarts vanaf die laagwatermerk begrens deur 'n lyn (geografiese ligging 48°) vanaf die Donkinreserwevuurtoring tot by die punt van aansluiting met die lyn in paragraaf (e) genoem;

(g) in die gebied landwaarts vanaf 'n reguitlyn getrek vanaf Robbergpunt tot by die suidelike wal van die Bloukransriviermonding;

(h) in die gebied landwaarts vanaf 'n reguitlyn getrek vanaf Kaap St Francispunt tot by die vuurtoring te Kaap Recife; en

(i) binne die gebied landwaarts vanaf 'n lyn (geografiese ligging 084°) getrek vanaf die middel van die vuurtoring te Kaap Infanta tot by die baken gemerk K2, geleë te Kaap Barracouta;

vir die vang van vis gebruik nie.

(2) No person shall, without the authority of a permit issued by the director-general, damage, uproot, collect or land or attempt to damage uproot, collect on land any live or dead coral (*Allopora spp.*): Provided that coral washed up on the sea-shore may be collected.

(3) No person shall catch or disturb any live pansy (*Echinodiscus spp.*): Provided that pansy shells washed out on the beach may be collected.

(4) No person shall catch or have in his possession any mud crab or other crab in berry or showing signs of having been stripped of berry.

(5) (a) No person shall without the written authority of the director-general, kill, catch, attempt to kill or catch or disturb or be in possession of any dolphin also known as porpoise or any part or product derived from any dolphin.

(b) The amount of R100 per dolphin shall be paid to the director-general when an authority in terms of subparagraph (a) is issued.

(6) No person shall sell or offer for sale any broadbill swordfish (*Xiphias gladius*): Provided that the provisions of this subparagraph shall not apply to the selling or offering for sale of broadbill swordfish caught as a by-catch by means of longlines or trawlnets.

AREA LIMITATIONS: TRAWLING AND PURSE SEINING

26. (1) No person shall use for fishing any trawl-net—

(a) on the landward or northerly side of a straight line joining Cape Vacca and the lighthouse at Cape St Blaize;

(b) on the landward or northerly side of a straight line joining the lighthouse at Cape St Blaize and Gericke Point; and

(c) within the sector of a circle formed by the lines defined in (a) and (b) above as lateral boundaries and the arc of a circle with a radius of 1,5 nautical miles with the lighthouse at Cape St Blaize as centre, as southerly or seaward boundary.

(d) seaward from the low-water mark in the area bounded by the coast-line between the centre of the Sunday's River Mouth and the centre of the Donkin reserve lighthouse;

(e) seawards from the low-water mark in the area bounded by a line (160° true) from the Sunday's River Mouth; and

(f) seawards from the low-water mark in the area bounded by a line (48° true) from the centre of the Donkin reserve lighthouse to its point of intersection with the line mentioned in paragraph (e);

(g) within the area landwards from a straight line drawn from Robberg point to the southern bank of the Bloukrans River mouth;

(h) within the area landwards from a straight line drawn from Cape St Francis point to the lighthouse at Cape Recife; and

(i) within the area landwards from a line (084° true) drawn from the middle of the lighthouse at Cape Infanta to the beacon marked K2, situated at Cape Barracouta.

(2) Geen persoon mag binne 'n afstand van vyf seemyl seewaarts gemeet vanaf die hoogwatermerk in die gebied begrens deur 'n lyn (geografiese ligging 180°), van die suidelikste punt by Kaappunt en 'n lyn (geografiese ligging 270°), teenoor die mond van die Oranjerivier enige treilnet gebruik nie, tensy skriftelike magtiging van die direkteur-generaal verkry is.

(3) Niemand mag enige beursnet of -seën gebruik nie binne 'n afstand van een seemyl seewaarts vanaf die hoogwatermerk in die gebied begrens deur 'n lyn (geografiese ligging 270°) getrek vanaf die vuurtoring te Stompneuspunt en 'n soortgelyke lyn vanaf die monding van die Bokramrivier.

GEBIEDSBEPERKINGS: DRYF-, SPAN-, STELNETTE EN BEURSSEËNS

27. (1) Tensy hy gemagtig is daartoe deur 'n permit wat deur die direkteur-generaal uitgereik mag word, mag geen persoon enige dryf-, span- of stelnet vir die vang van vis gebruik nie—

(a) binne 'n afstand van 500 meter seewaarts vanaf die hoogwatermerk in die gebied begrens deur 'n reguit lyn (geografiese ligging 270°), vanaf die baken gemerk D.R., geleë op die restant van die plaas Wilde Varkens Valley A, reg suid van "Doctor's Reef", en 'n soortgelyke lyn vanaf die punt van Kaap Deseada te Elandsbaai;

(b) binne 'n afstand van drie seemyl seewaarts, gemeet vanaf die hoogwatermerk in die gebied begrens deur die suidelikste punt by Kaappunt, daarvandaan in 'n westelike rigting langs die strand tot by die baken SH1 wat op die punt bekend as "South Head", Saldanhabaai, geleë is; of

(c) binne 'n afstand van ses seemyl seewaarts gemeet vanaf die hoogwatermerk in die gebied begrens deur 'n reguit lyn (geografiese ligging 180°) getrek van die vuurtoring te Kaap Hangklip en soortgelyke lyn getrek van die vuurtoring te Kaap St Blaize.

(2) Geen persoon mag enige span- of stelnet vir die vang van vis gebruik nie—

(a) binne 'n afstand van 500 meter seewaarts, gemeet vanaf die hoogwatermerk in die gebied wat aan die westekant begrens word deur 'n reguit lyn deur bakens wat onderskeidelik S.H.B.W.1 en S.H.B.2 gemerk en op Stompneuspunt geleë is, en aan die oostekant begrens word deur 'n soortgelyke lyn deur 'n baken gemerk S.H.B.E. en 'n baken gemerk D.R., en wat beide op die restant van Wilde Varkens Valley A, reg suid van "Doctor's Reef" geleë is, of

(b) binne 'n afstand van drie seemyl seewaarts gemeet vanaf die hoogwatermerk in die gebied begrens deur 'n reguit lyn (geografiese ligging 270°), vanaf die punt van Kaap Deseada te Elandsbaai, en 'n soortgelyke lyn vanaf die mond van die Oranjerivier.

GEBIEDSBEPERKINGS: DIVERSE AANGELEENTHEDE

28. (1) Niemand mag sonder 'n permit enige net in die Knysnarivier in die gebied tussen die monding van die Knysnarivier en die ou wabrug (boonste brug) vir visvang gebruik nie: Met dien verstande dat gooi- en skepnette met die doel om vis vir aas te vang, gebruik mag word.

(2) No person shall, without the written authority of the director-general use a trawl-net within a distance of five nautical miles from the high-water mark in the area bounded by a line (180° true) from the most southerly point at Cape Point and a line (270° true) opposite a mouth of the Orange River.

(3) No person shall use any purse-seine-net within a distance of one nautical mile seawards from the high-water mark, in the area bounded by a line (270° true) from the the lighthouse at Stompnose Point and a similar line from the mouth of the Bokram River.

AREA LIMITATIONS: STAKED, SET, DRIFT-NETS AND BEACH TREK-SEINE

27. (1) Unless authorized thereto by a permit which may be issued by the director-general, no person shall use any drift, staked, or set-net for fishing—

(a) within a distance of 500 metres seawards from the high-water mark in the area bounded by a straight line (270° true) from the beacon marked D.R. situated on the remaining extent of Wilde Varkens Valley A, due south of "Doctor's Reef", and a similar line from the point of Cape Deseada at Elands Bay;

(b) within a distance of three nautical miles seawards from the high-water mark, in the area bounded by the most southerly point at Cape Point, situated in the Division of the Cape, thence along the shore in a westerly direction to the beacon SH1, situated on the point known as "South Head", Saldanha Bay; or

(c) within a distance of six nautical miles seawards from the high-water mark in the area bounded by a straight line (180° true) drawn from the lighthouse at Cape Hangklip and a similar line drawn from the lighthouse at Cape St Blaize.

(2) No person shall use any staked or set-net for fishing—

(a) within a distance of 500 metres seawards in the area which is bounded in the west by a straight line through beacons which are respectively marked S.H.B.W.1 and S.H.B.2 and are situated on Stompnose Point, and in the east by a similar line through a beacon marked S.H.B.E. and a beacon marked D.R., and which are both situated on the remaining extent of Wilde Varkens Valley A, due south of "Doctor's Reef"; or

(b) within a distance of three nautical miles seawards from the high-water mark in the area bounded by a straight line (270° true) drawn from the point of Cape Deseada at Elands Bay, and a similar line drawn from the mouth of the Orange River.

AREA LIMITATIONS: MISCELLANEOUS MATTERS

28. (1) No person without a permit shall use for fishing any net in the Knysna River in the area between the Knysna River Mouth and the the old road bridge (upper bridge): Provided that cast and scoop-nets may be used for the purpose of catching fish for bait.

(2) Niemand mag in die Knysnarivier tussen die riviermond en die ou wabrug (boonste brug) —

(a) enige seeperrdjie (*Hippocampus* spp.) of enige pypvis (*Syngnathus* spp.) vang, probeer vang of versteur nie; of

(b) enige waterplat ontwortel, pluk of versamel nie.

(3) Niemand mag op enige wyse vir watter doel ook al in die Knysna-strandmeer, binne die gebied begrens deur die wit betonbaken gemerk K1, geleë regoor die boothelling te Thesens-eiland; daarvandaan in 'n oostelike rigting langs die hoogwatermerk na die wit betonbaken gemerk K2, geleë regoor die vliegtuiglandingstrook; daarvandaan in 'n reguitlyn in 'n suidelike rigting tot by die wit betonbaken gemerk K3; daarvandaan langs die hoogwatermerk in 'n suidwestelike en dan weer in 'n noordoostelike rigting tot by die wit betonbaken gemerk K4, geleë langs George Rex Rylaan, daarvandaan langs die hoogwatermerk in 'n suidelike rigting tot by die wit betonbaken gemerk K5, geleë langs genoemde Rylaan; daarvandaan in 'n reguitlyn in 'n westelike rigting tot by die wit betonbaken gemerk K6, daarvandaan in 'n reguitlyn in 'n noordelike rigting tot by die wit betonbaken gemerk K7, geleë aan die suidelike oewer van Leisure-eiland; daarvandaan langs die hoogwatermerk om die suidoostelike gedeelte van genoemde eiland tot by die wit betonbaken gemerk K8; daarvandaan in 'n reguitlyn in 'n noordwestelike rigting tot by die betonbaken gemerk K9 en daarvandaan in 'n westelike rigting na die baken gemerk K10 en daarvandaan in 'n reguitlyn in 'n noordelike rigting tot by die wit betonbaken gemerk K1, enige ongewerweld seediër op enige wyse of vir watter doel ookal vang, probeer vang of versteur nie."

(4) Tensy daartoe gemagtig deur 'n permit wat deur die direkteur-generaal uitgereik mag word, mag geen persoon op enige wyse vir watter doel ook al, binne 'n afstand van drie seemyle seewaarts vanaf die laagwatermerk enige vis vang, probeer vang of versteur nie —

(i) in die gebied tussen, as suidelike grens, 'n lyn (geografiese ligging 145°) getrek vanaf Nahoonpunt, en as noordelike grens, 'n soortgelyke lyn getrek vanaf Gonubiepunt;

(ii) in die gebied tussen, as suidelike grens, 'n lyn (geografiese ligging 145°) getrek vanaf Christmasrots, en as noordelike grens, 'n soortgelyke lyn getrek vanaf die suidelike wal van die Gxuluviermonding; en

(iii) in die gebied tussen, as suidelike grens, 'n lyn (geografiese ligging 145°) getrek vanaf die suidelike wal van Nyarariviermonding, en as noordelike grens, 'n soortgelyke lyn getrek vanaf die suidelike wal van die Groot Keiriviermonding: Met dien verstande dat die bepaling van hierdie subparagraaf nie op hengelaars wat vanaf die strand met stokke en lyne visvang of op enige persoon wat ander mariene organismes vir aas of menslike verbruik versamel, of op enige spies- of pylgeweer-visser van toepassing is nie.

(5) Geen persoon mag enige net, netwerk of langlyn in die gebied binne Saldanhabaai aan die binnekant van 'n reguitlyn getrek deur bakens wat onderskeidelik N.H.1 en N.H.2 gemerk en op die punt bekend as "North Head" geleë is, en 'n soortgelyke baken wat as S.H.1 gemerk en op die punt bekend as "South Head" geleë is, gebruik nie: Met dien verstande dat die gebruik van strandtrekseëns en dryfnette in die gebied ten noorde van die noordelike grens van die Weskus Nasionale Park tot by die suidelike grens van die Saldanhabaai Portner-hawejurisdiksie-gebied gemagtig mag word.

(2) No person shall in the Knysna River between the river mouth and the old road bridge (upper bridge) —

(a) catch, attempt to catch or disturb any sea-horse (*Hippocampus* spp.) or any pipefish (*Syngnathus* spp.); or

(b) uproot, pick or collect any aquatic plant.

(3) No person shall catch, attempt to catch or disturb any invertebrate sea animal in any way or for any purpose whatsoever in the white concrete beacon marked K1, situated near the slipway on Thesen's Island, thence in a easterly direction along the high-water mark to the white concrete beacon marked K2, situated opposite the aircraft landing strip, thence in a straight line in a southerly direction to the white concrete beacon marked K3, thence along the high-water mark in a south-westerly and then again in a north-westerly direction to the white concrete beacon marked K4, situated adjacent to George Rex Drive, thence along the high-water mark in a southerly direction to the white concrete beacon marked K5, situated adjacent to the Drive concerned, thence in a straight line in a westerly direction to the white concrete beacon marked K6, thence in a straight line in a northerly direction to the white concrete beacon marked K7, situated at the southerly shore of Leisure Island, thence along the high-water mark around the south-easterly portion of the island mentioned to the white concrete beacon to the beacon marked K6; thence in a straight line in a northerly direction to the beacon marked K7, situated at the southerly shore of Leisure Island; thence along the high-water mark around the south-easterly portion of the island mentioned to the beacon marked K8; thence in a straight line in a north-westerly direction to the beacon marked K9; thence in a straight line in a westerly direction to the beacon marked K10; and thence in a straight line in a northerly direction to the beacon marked K1.

(4) Unless authorized thereto by a permit which may be issued by the director-general no person shall catch, attempt to catch or disturb any fish, within a distance of three nautical miles seaward from the low-water mark —

(i) in the area between, as southern limit, a line (145° true) drawn from Nahoon point, and as northern limit, a similar line drawn from Gonubie Point;

(ii) in the area between, as southern limit, a line (145° true) drawn from Christmas rock, and as northern limit, a similar line drawn from the southern bank of the Gxulu River mouth; and

(iii) in the area between, as southern limit, a line (145° true) drawn from the southern bank of the Nyara River mouth, and as northern limit, a similar line drawn from the southern bank of the Great Kei River mouth: Provided that the provisions of this paragraph shall not apply to anglers fishing from the shore with rods and lines or to any person collecting other marine organisms for bait or human consumption, or to speargun fishermen diving from the shore.

(5) No person shall use any net or netting in the area within the whole of Saldanha Bay inside a straight line drawn through beacons marked N.H.1 and N.H.2, respectively, and situated on the point known as "North Head", and a similar beacon marked S.H.1 and situated on the point known as "South Head": Provided that the use of beach trek-seine-nets and drift-nets may be authorised by the director-general in the area lying north of the northern boundary of the West Coast National Park to the southern border of the Saldanha Bay Portnet Harbour jurisdiction area.

(6) Geen persoon mag sonder die skriftelike magtiging van die direkteur-generaal binne 'n afstand van 12 seemyl seewaarts vanaf die laagwatermerk in die gebied begrens deur 'n reguit lyn (geografiese ligging 180°) van die middelpunt van die vuurtoring te Kaap Hangklip en 'n reguit lyn (geografiese ligging 180°) van die middelpunt van die vuurtoring te Kaap St Blaize enige haai deur middel van enige soort net vang, probeer vang of versteur nie.

(7) Niemand mag in Valsbaai, in die gebied begrens deur 'n reguit lyn getrek vanaf die vuurtoring by Kaap Hangklip tot by die vuurtoring by Kaappunt, enige stel-, span- of dryfnet of enige bodemtreil, midwatertreilnet of enige beurseën of beursnet of enige tipe langlyn of enige tipe kreeffuik gebruik nie: Met dien verstande dat die verbod op die gebruik van kreeffuik binne Valsbaai nie van toepassing is nie op kreefbote wat deur die direkteur-generaal by wyse van 'n permit gemagtig is om kreef binne die gebied te vang.

29. Niemand mag op enige wyse of vir watter doel ook al enige vis of seedier in die gebiede hieronder omskryf, vang, probeer vang of steur nie, of enige waterplant verwyder of probeer verwyder nie behalwe kragtens 'n permit deur die direkteur-generaal uitgereik:

(1) Die gebied vanaf die hoogwatermerk tot 10 meter seewaarts gemeet vanaf die laagwatermerk tussen, as noordelike grens, 'n lyn (geografiese ligging 270°) getrek vanaf die grensdraad van die Kaap die Goeie Hoop Natuurreservaat te Schusterbaai, Scarborough en, as suidelike grens, 'n lyn (geografiese ligging 180°) getrek vanaf die vuurtoring te Kaappunt: Met dien verstande dat 'n permithouder ingevolge die Wet, hoogstens vier kreef vir eie gebruik vanaf die strand in die gebied tussen die Hoek van Bobbejaan en die vuurtoring te Kaappunt mag vang.

(2) Die gebied vanaf die hoogwatermerk tot 500 meter seewaarts, gemeet vanaf die laagwatermerk tussen, as noordelike grens, 'n lyn (geografiese ligging 270°) getrek vanaf "Jager's Walk", geleë ten suide van Vishoekstrand en, as suidelike grens, 'n soortgelyke lyn getrek vanaf die noordelike grens van Glencairnstrand, ook bekend as "Elsebaai": Met dien verstande dat hierdie bepaling nie op die vang van hengeltvis deur 'n strand- of rotshengelaar met behulp van 'n stok en katrol of op die versameling van uitgespoelde rooi-aas in hierdie gebied van toepassing is nie.

(3) Die gebied vanaf die hoogwatermerk tot 500 meter seewaarts, gemeet vanaf die laagwatermerk tussen, as noordelike grens, 'n lyn (geografiese ligging 270°) getrek vanaf "Neptune's Corner", geleë regoor Muizenbergstasie en, as suidelike grens, 'n soortgelyke lyn getrek vanaf die noordelike muur van die getypoele geleë teenoor St James-stasie: Met dien verstande dat hierdie bepaling nie op die vang van hengeltvis deur 'n strand- of rotshengelaar met behulp van 'n stok en katrol of op die versameling van uitgespoelde rooi-aas in hierdie gebied van toepassing is nie.

(4) Die gebied vanaf die hoogwatermerk tot 500 meter seewaarts, gemeet vanaf die laagwatermerk tussen, as noordelike grens, 'n lyn (geografiese ligging 270°) getrek vanaf die noordelike muur van die getypoele geleë teenoor St James-stasie en, as suidelike grens, 'n soortgelyke lyn getrek vanaf die noordelike muur van die getypoele, geleë teenoor Kalkbaai-stasie: Met dien verstande dat hierdie bepaling nie op die versameling van uitgespoelde rooi-aas in hierdie gebied van toepassing is nie.

(6) No person shall without the written authority of the director-general catch, attempt to catch or disturb sharks by means of any kind of net within 12 nautical miles seaward from the low-water mark in the area bounded by a straight line (180° true) from the centre of the lighthouse at Cape Hangklip and a straight line (180° true) from the centre of the lighthouse at Cape St Blaize.

(7) No person shall, within False Bay, in the area bounded by a straight line drawn from the lighthouse at Cape Hangklip to the lighthouse at Cape Point, use any staked, set or drift-net, bottom trawl-net or midwater trawl-net or any purse-seine net or any purse net or any longline or any type of rock lobster trap: Provided that the prohibition on the use of rock lobster traps in False Bay shall not be applicable to rock lobster boats which are authorised by a permit which may be issued by the director-general to catch rock lobster in this area.

29. Except under the authority of a permit which may be issued by the director-general, no person shall, in any manner or for any purpose whatsoever, catch, attempt to catch or disturb any fish or marine animal, or remove or attempt to remove any aquatic plant within the areas defined hereunder:

(1) The area from the high-water mark to (10) metres seawards, measured from the low-water mark between, as northern limit, a line (270° true) drawn from the boundary fence of the Cape of Good Hope Nature Reserve at Schuster Bay, Scarborough and, as southern limit, a line (180° true) drawn from the lighthouse at Cape Point: Provided that a permit holder in terms of the Act may catch four rock lobster for own use from the shore in the area between "Hoek van Bobbejaan" and the lighthouse at Cape Point.

(2) The area from the high-water mark to 500 metres seawards, measured from the low-water mark between, as northern limit, a line (270° true) drawn from Jager's Walk, situated to the south of Fish Hoek Beach and, as southern limit, a similar line drawn from the northern boundary of Glencairn Beach, also known as "Elsebaai": Provided that this stipulation shall not be applicable on a surf or rock angler fishing with a rod and reel in the areas or to the collection of washed-up red-bait.

(3) The area from the high-water mark to 500 metres seawards, measured from the low-water mark between, as northern limit, a line (270° true) drawn from Neptune's Corner, situated opposite the Muizenberg Station and, as southern limit, a similar line drawn from the northern wall of the tidal pool, situated opposite St James Station: Provided that this stipulation shall not be applicable on a surf or rock angler fishing with a rod and reel in the area, or to the collection of washed-up red-bait.

(4) The area from the high-water mark to 500 metres seawards, measured from the low-water mark between, as northern limit, a line (270° true) drawn from the northern wall of the tidal pool, situated opposite St James Station and, as southern limit, a similar line drawn from the northern wall of the tidal pool, situated opposite Kalk Bay Station: Provided that this stipulation shall not be applicable to the collection of washed up red-bait.

(5) Die gebied vanaf die hoogwatermerk tot 500 meters seewaters, gemeet vanaf die laagwatermerk, as noordelike grens, 'n lyn (geografiese ligging 225°) getrek vanaf die veiligheidsomheining langs die Lourensrivier, Strand, en as suidelike grens, 'n lyn (geografiese ligging 320°) getrek vanaf die vuurtoring op die punt van die suidelike breekwater van die vissershawe te Gordonsbaai: Met dien verstande dat hierdie bepaling nie op die vang van hengelvis deur 'n strand- en rotshengelaar wat met behulp van 'n stok en katrol visvang of op die versameling van uitgespoelde rooi-aas in hierdie gebied, van toepassing is nie.

WALVISVANGS

30. (1) Behalwe op gesag van 'n permit wat deur die direkteur-generaal uitgereik mag word mag niemand—

(a) te enige tyd enige walvis vang, doodmaak of versteur nie;

(b) enige walvisfabriekskip of enige ander vissersboot of ander vaartuig vir die bevriesting of verwerking van walvisse gebruik of op enige wyse deelneem aan die bedryf van of aktiwiteite op so 'n skip, vissersboot of vaartuig nie;

(c) enige tuig, apparaat of toerusting wat op enige wyse gebruik kan word vir die bevriesting of verwerking van walvisse aan boord van enige vaartuig hê nie;

(d) enige skeepsvorrade lewer aan enige vaartuig wat in 'n vreemde staat geregistreer is en wat gebruik word vir bevriesting of verwerking van walvisse of wat enigszins verband hou met sodanige bevriesting of verwerking nie;

(e) op enige wyse sy dienste aanbied vir of sy kundigheid beskikbaar stel met betrekking tot enige van die in paragrawe (a) tot (d) bedoelde aktiwiteite nie.

(2) Vir die doeleindes van subparagraaf (1) sluit “versteur” ook in—

(a) die skiet na 'n walvis;

(b) om enige walvis te nader, hetsy in 'n vaartuig, vliegtuig of helikopter binne 'n afstand van minder as 300 meter;

(c) om in 'n boot of vaartuig nader as 300 meter van enige walvis stil te hou of te talm;

(d) dat in die geval waar 'n walvis nader as 300 meter vanaf enige vaartuig opduik, die gesagvoerder van sodanige vaartuig versuim om onmiddellik te vertrek na 'n afstand van minstens 300 meter vanaf die walvis,

maar sluit dit nie in enige *bona fide*-pogings van enige persoon wat hulp verleen aan 'n gestrande of uitgespoelde walvis nie.

(5) The area from the high-water mark to 500 metres seawards, measured from the low-water mark between, as northern limit, a line (225° true) from the security fence next to the Lourens River, Strand, and as southern limit, a line (320° true) drawn from the lighthouse at the end of the southern breakwater of the fishing harbour at Gordon's Bay: Provided that this provision is not applicable to an angler fishing with a rod and reel or to the collection of washed-up red-bait.

WHALING

30. (1) Except under the authority of a permit of a permit which may be issued by the director-general, no person shall—

(a) catch, kill, disturb or harass any whale at any time;

(b) use any whale factory ship or any other fishing boat or other vessel for the freezing or processing of whales or participate in any manner in the operation of or activities on such a ship, fishing boat or vessel;

(c) have on board any vessel any gear, apparatus or appliance which is required or which can be used in any manner for the freezing or processing of whales;

(d) supply and ships' stores to any vessel registered in a foreign state and used for the freezing or processing of whales or which has any connection with such freezing or processing;

(e) offer his services for or make available his expertise on any of the activities referred to in paragraphs (a) to (d).

(2) For the purpose of subparagraph (1), “disturb or harass” shall also include—

(a) the shooting at any whale;

(b) approaching closer than 300 metres to any whale, whether in a vessel, aircraft or helicopter;

(c) the stopping or lingering in a boat or vessel closer than 300 metres from any whale;

(d) that in the event of a whale surfacing closer than 300 metres from a boat or other floating craft, the person in charge of such boat fails to proceed immediately to a distance of at least 3000 metres from the whale,

but shall not include *bona fide* efforts by any person to render aid to a stranded or beached whale.

No. R. 1807

27 Julie 1990

WET OP SEEVISSERY, 1988
(WET No. 12 VAN 1988)

**BEPERKINGS OP DIE VANG VAN KREEF,
PERLEMOEN EN VIS**

Kragtens artikel 35 van die Wet op Seevisserij, 1988 (Wet No. 12 van 1988), verbied ek, Gert Jeremias Kotzé, Minister van Omgewingsake en van Waterwese, na oorleg met die advieskomitee dat kreef, perlemoen en vis gevang of verwerk mag word anders as wat in die Bylae uiteengesit is.

G. J. KOTZÉ,
Minister van Omgewingsake en van Waterwese.

BYLAE

In hierdie kennisgewing het enige woord of uitdrukking waaraan in die Wet 'n betekenis geheg is, daardie betekenis en tensy uit die samehang anders blyk, beteken—

“die Wet” die Wet op Seevisserij, 1988 (Wet No. 12 van 1988).

1. Niemand mag enige perlemoen vang of versamel en behou nie tensy hy behoorlik daartoe gemagtig is deur middel van 'n permit wat uitgereik kan word deur die Minister of sy gevolmagtigde aan—

(a) 'n visser vir die kommersiële vang van perlemoen; of

(b) enige ander persoon bo die ouderdom van 12 jaar vir die vang van perlemoen vir eie gebruik.

2 (1) 'n Permit vir die vang van perlemoen vir kommersiële doeleindes soos bedoel in paragraaf 1 (a) word uitgereik deur die direkteur-generaal en aansoek moet gedoen word by die Hoofdirekteur: Seevisserie.

(2) Perlemoen wat ingevolge 'n permit soos in subparagraaf (1) bedoel gevang is, moet aan 'n permitthouer soos in subparagraaf (3) bedoel gelewer word en moet in 'n heel toestand gehou word totdat dit aan so 'n permitthouer gelewer word.

(3) Niemand mag enige perlemoen in ontvangs neem van 'n visser wat sulke perlemoen gevang het ooreenkomstig die bepalings van 'n permit uitgereik ingevolge subparagraaf (1) nie, of sodanige perlemoen verwerk nie, tensy hy daartoe gemagtig word deur 'n permit wat deur die direkteur-generaal uitgereik is en beskik oor 'n fabriek vir die verwerking van sodanige perlemoen.

3 (1) 'n Permit vir die vang van perlemoen vir eie gebruik is verkrygbaar by gemagtigde kantore teen betaling van R15 en magtig die houer daarvan om die daarop gemelde aantal perlemoen tussen sonop en sononder te vang of te versamel slegs deur vanaf die land te duik sonder die gebruik van kunsmatige asemhalingsapparaat.

(2) Vir toepassing van subparagraaf (1) word 'n snorkel nie geag kunsmatige asemhalingsapparaat te wees nie.

4 Niemand mag enige weskus- of suidkuskreef vang nie tensy hy behoorlik daartoe gemagtig is deur middel van 'n permit wat deur of namens die Minister uitgereik mag word aan—

(a) die eienaar van 'n gelisensieerde vissersboot vir die vang van weskus- of suidkuskreef vir kommersiële doeleindes; of

(b) enige persoon bo die ouderdom van 12 jaar vir die vang van weskus- of suidkuskreef vir eie gebruik.

No. R. 1807

27 July 1990

SEA FISHERIES ACT, 1988
(ACT No. 12 OF 1988)

**LIMITATIONS ON THE CATCHING OF ROCK
LOBSTER, ABALONE AND FISH**

I, Gert Jeremias Kotzé Minister of Environment Affairs and of Water Affairs, hereby under section 35 of the Sea Fishery Act, 1988 (Act No. 12 of 1988), after consultation with the advisory committee prohibit the catching and processing of rock lobster, abalone and fish otherwise as in the Schedule.

G. J. KOTZÉ,
Minister of Environment Affairs and of Water Affairs.

SCHEDULE

In this notice any word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned and unless the context otherwise indicates—

“the Act” means the Sea Fishery Act, 1988 (Act No. 12 of 1988).

1. No person shall catch or collect and retain any abalone unless duly authorised thereto by a permit which may be issued by the Minister or his authorised representative to—

(a) a fisherman for the commercial catching of abalone; or

(b) any other person above the age of 12 years for the catching of abalone for own use.

2 (1) A permit for the catching of abalone for commercial purposes as intended in paragraph 1 (a) is issued by the director-general and application shall be made to the Chief Director: Sea Fisheries.

(2) Abalone caught in terms of a permit as intended in subparagraph (1) shall be delivered to a permit holder as intended in subparagraph (3) and shall be kept in a whole state until it has been delivered to such a permit holder.

(3) No person shall receive any abalone from a fisherman who has caught such abalone in terms of a permit issued according to subparagraph (1), or process such abalone, unless he is authorised thereto by a permit issued by the director-general and has at his disposal a factory for the processing of such abalone.

3 (1) A permit for the catching of abalone for own use is obtainable from authorised offices upon payment of R15 and authorises the holder thereof to catch or collect the number of abalone mentioned on the permit by diving from the shore without the use of artificial breathing apparatus.

(2) For the purposes of subparagraph (1), a snorkel shall not be regarded as an artificial breathing apparatus.

4 No person shall catch any west coast or south coast rock lobster unless he is duly authorised thereto by means of a permit issued by or on behalf of the Minister to—

(a) the owner of a licensed fishing vessel for the catching of west coast or south coast rock lobster for commercial purposes; or

(b) any person above the age of 12 years for the catching of west coast rock lobster for own use.

5. 'n Permit vir die vang van weskus- of suidkuskreef vir kommersiële doeleindes soos bedoel in paragraaf 4 (a) word uitgereik deur die direkteur-generaal en aansoek moet gedoen word by die Hoofdirekteur: Seevisserie.

6. 'n Permit vir die vang van weskuskreef vir eie gebruik is verkrygbaar by gemagtigde kantore teen betaling van R15 en magtig die houer daarvan om die daarop vermelde getal kreef tussen sonop en sononder op enige dag te vang slegs—

(a) met behulp van 'n ringnet of skepnet vanaf 'n boot wat nie gelisenseer is as vissersboot nie;

(b) met behulp van 'n ringnet of skepnet vanaf die land; of

(c) deur vanaf die land en sonder die gebruik van kunsmatige asemhalingsapparaat daarvoor te duik.

LEWERING, ONTVANGS EN VERWERKING

7. (1) Niemand mag enige weskus- of suidkuskreef ontvang van 'n visser of sodanige kreef verwerk nie tensy hy beskik oor 'n fabriek en in besit is van 'n permit uitgereik deur die direkteur-generaal wat hom magtig om sodanige kreef te ontvang en te verwerk.

(2) 'n Visser moet alle weskus- of suidkuskreef wat ingevolge 'n permit wat uitgereik is ooreenkomstig die bepalinge van paragraaf 4 aan land bring en mag dit slegs lewer aan iemand wat 'n fabriek bedryf en oor 'n permit beskik om sodanige kreef te ontvang en te verwerk.

(3) Niemand mag weskus- of suidkuskreef wat met behulp van 'n vissersboot gevang is van die plek waar sodaige kreef geland is, verwyder voordat die massa daarvan op die voorgeskrewe wyse met 'n outomatiese massameter in die teenwoordigheid van 'n visserie-beheerbeampte bepaal is en sodanige beampte goedkeuring gegee het dat sodanige kreef van die massameter verwyder mag word nie.

(4) Die houer van 'n permit soos in subparagraaf (1) beoog, mag slegs kreef in ontvangs neem van 'n visser wat in besit is van 'n permit uitgereik ooreenkomstig die bepalinge van paragraaf 4 van hierdie kennisgewing.

BEPERKINGS OP LYNVISVANGS

8. (1) Behalwe op gesag van 'n permit wat deur die direkteur-generaal uitgereik mag word aan die eienaar van 'n gelisenseerde vissersboot, mag niemand enige vis vanaf sodanige boot vang of probeer vang met behulp van 'n hoek en lyn, hetsy in die hand vasgehou of aan 'n stok en/of katrol of soortgelyke werktuig nie.

(2) 'n Permit soos bedoel in subparagraaf (1), afgesien van enige ander voorwaarde wat die direkteur-generaal mag stel—

(a) word uitgereik vir—

(i) algemene kommersiële lynvisvangs (A-permit); of

(ii) algemene semi-kommersiële lynvisvangs (B-permit); of

(iii) tunavangs (T-permit); of

(iv) tjokkavangs (C-permit);

(b) sal slegs geldig wees ten opsigte van die vaartuig wat in die permit vermeld word;

(c) moet die aantal vissermanne spesifiseer wat vanaf sodanige vaartuig mag werk; en

(d) word slegs uitgereik na betaling van 'n bedrag van vyftien rand (R15).

5. A permit for the catching of west coast or south coast rock lobster for commercial purposes as intended in paragraph 4 (a) is issued by the director-general and application shall be made to the Chief Director: Sea Fisheries.

6. A permit for the catching of west coast rock lobster for own use is obtainable from authorised offices on payment of R15 and authorises the holder thereof to catch the number of rock lobster mentioned in the permit between sunrise and sunset on any day only—

(a) with the aid of a ring net or scoop net from a boat which is not licensed as a fishing boat;

(b) with the aid of a ring net or scoop net from the shore; or

(c) by diving from the shore without the use of artificial breathing apparatus.

DELIVERY, RECEIPT AND PROCESSING

7. (1) No person shall receive from a fisherman or process any west coast or south coast rock lobster unless he has at his disposal a factory and is in possession of a permit issued by the director-general which authorises him to receive and process such rock lobster.

(2) A fisherman shall land all west coast or south coast rock lobster which have been caught in terms of a permit issued in terms of the provisions of paragraph 4 and deliver such rock lobster only to a person operating a factory and who is in possession of a permit to receive and process such rock lobster.

(3) No person shall remove any west coast or south coast rock lobster caught by means of a fishing boat from the place where such rock lobster have been landed before the mass thereof has been determined in the prescribed manner by means of an automatic mass meter in the presence of a Fishery Control Officer and then only after such officer has approved the removal of such rock lobster from the mass meter.

(4) The holder of a permit envisaged in subparagraph (1) shall only receive rock lobster from a fisherman who is in possession of a permit issued in terms of the provisions of paragraph 4 of this notice.

LIMITATIONS ON LINE FISHING

8. (1) Except under the authority of a permit which may be issued to the owner of a licensed fishing boat by the director-general, no person shall catch or attempt to catch fish from such boat by means of a hook and line, whether hand-held or attached to a rod and or reel or similar instrument.

(2) A permit as envisaged in subparagraph (1) shall, apart from any other condition which the director-general may impose—

(a) be issued for—

(i) general commercial linefishing (A-permit); or

(ii) general semi-commercial linefishing (B-permit); or

(iii) tuna fishing (T-permit); or

(iv) squid fishing (C-permit);

(b) only be valid in respect of the vessel mentioned in the permit;

(c) specify the maximum number of fishermen which may operate from the vessel; and

(d) only be issued after payment of the sum of fifteen rand (R15).

(3) Die eienaar of operateur van 'n boot wat besig is met lynvisvangs moet verseker dat die permit wat uitgereik is aan die eienaar, of 'n gewaarmerkte afskrif daarvan, te alle tye beskikbaar is op sodanige boot en sodanige permit moet op aanvraag getoon word aan enige bevoegde wetstoepassingsbeampte.

No. R. 1808

27 Julie 1990

WET OP SEEVISSERY, 1988
(WET No. 12 VAN 1988)

KENNISGEWING MET BETREKKING TOT DIE
VERKOOP VAN KREEF

Kragtens artikel 36 van die Wet op Seevisserij, 1988 (Wet No. 12 van 1988), reël ek, Gert Jeremias Kotzé, Minister van Omgewingsake en van Waterwese, die verkoop van kreef, soos in die Bylae uiteengesit.

G. J. KOTZÉ,

Minister van Omgewingsake en van Waterwese.

BYLAE

1. In hierdie kennisgewing het enige woord of uitdrukking waaraan in die Wet 'n betekenis geheg is, daardie betekenis en tensy uit die samehang anders blyk, beteken—

“die Wet” die Wet op Seevisserij, 1988 (Wet No. 12 van 1988).

2. (1) 'n Persoon wat 'n fabriek bedryf mag nie kreef wat hy ontvang het of produkte daarvan van die hand sit op 'n ander wyse as aan 'n aandeelhouer van enigeen van die maatskappye Suid-Afrikaanse Bevrore Kreefverpakkers (Edms.) Bpk. en Cape Lobster Exporters Association (SA) (Edms.) Bpk., of kragtens 'n permit uitgereik ingevolge artikel 36 (1) (c) van die Wet op Seevisserij, 1988 (Wet No. 12 van 1988), nie, en 'n aandeelhouer van enigeen van genoemde maatskappye mag nie kreef wat hy verkry het of kreefprodukte daarvan van die hand sit op 'n ander wyse as aan 'n ander aandeelhouer van enigeen van die genoemde maatskappye of kragtens 'n permit uitgereik ingevolge artikel 36 (1) (c) van die Wet op Seevisserij, 1988 (Wet No. 12 van 1988), nie.

(2) Behoudens die bepalings van die Wet op Seevisserij, 1988, mag geen persoon, uitgesonderd 'n persoon wat 'n fabriek bedryf en 'n aandeelhouer van enigeen van die maatskappye Suid-Afrikaanse Bevrore Kreefverpakkers (Edms.) Bpk., en Cape Lobster Exporters Association (SA) (Edms.) Bpk., enige kreef of kreefprodukte vir eie verbruik of verkoop verkry nie van iemand anders as enigeen van genoemde maatskappye of iemand wat dit van of deur bemiddeling van enigeen van genoemde maatskappye verkry het.

(3) Geen persoon mag kreefprodukte aan iemand anders lewer of van iemand anders verkry nie, tensy sodanige kreefprodukte in 'n fabriek verpak is ooreenkomstig die Suid-Afrikaanse Buro vir Standaardse Verpligte Standaardspesifikasie vir Bevrore Kreefprodukte, of die Verpligte Standaardspesifikasie vir die Vervaardiging, Produksie, Bewerking of Behandeling van Ingemaakte Skaaldiere, of in die geval van kreefprodukte in die vorm van lewende kreef, tensy dit deur 'n aandeelhouer van die maatskappy Cape Lobster Exporters Association (SA) (Edms.) Bpk., verpak is in 'n houer waarop die geregistreerde embleem van genoemde maatskappy voorkom.

(3) The owner or operator of a boat engaged in fishing for linefish shall ensure that any permit issued to the owner, or a certified copy thereof, shall at all times be available on such boat, and such permit shall be produced on demand to any authorised law enforcement officer.

No. R. 1808

27 July 1990

SEA FISHERY ACT, 1988
(ACT No. 12 OF 1988)

NOTICE WITH REGARD TO THE
SALE OF ROCK LOBSTER

I, Gert Jeremias Kotzé, Minister of Environment Affairs and of Water Affairs, hereby, under section 36 of the Sea Fishery Act, 1988 (Act No. 12 of 1988), arrange for the sale of rock lobster as set out in the Schedule.

C. J. KOTZÉ,

Minister of Environment Affairs and of Water Affairs.

SCHEDULE

1. In this notice any word or expression to which a meaning has been assigned in the Act shall bear the meaning so assigned to it and unless the context otherwise indicates—

“the Act” means the Sea Fishery Act, 1988 (Act No. 12 of 1988).

2. (1) Except under authority of a permit which may be issued by the director-general a factory shall not dispose of rock lobster acquired by it or rock lobster products thereof otherwise than to a shareholder of any one of the companies South African Frozen Rock Lobster Packers (Pty) Ltd and Cape Lobster Exporters Association (SA) (Pty) Ltd and a shareholder of any one of the said companies shall not dispose of rock lobster acquired by him or rock lobster products thereof otherwise than to another shareholder of any one of the said companies.

(2) Subject to the provisions of the Sea Fishery Act, 1988, no person, except a person managing a factory and a shareholder of any one of the companies South African Frozen Rock Lobster Packers (Pty) Ltd and Cape Lobster Exporters Association (SA) (Pty) Ltd shall acquire any west coast rock lobster or rock lobster product for his own use or for sale from any other person than from any one of the said companies or a person who has obtained it from or through any one of the said companies.

(3) No person shall deliver to or acquire rock lobster products from any other person, unless such rock lobster products have been packed in a factory in accordance with the South African Bureau of Standards' Compulsory Standard Specification for Frozen Rock Lobster Products, or the Compulsory Standard Specification for the Manufacture, Production, Processing or Treatment of Canned Crustaceans or, in the case of rock lobster products in the form of live rock lobster, unless they have been packed by a shareholder of the company Cape Lobster Exporters Association (SA) (Pty) Ltd in a container bearing the registered emblem of the said company.

(4) Geen persoon mag kreef of kreefprodukte van iemand anders verkry of aan iemand anders lewer nie, tensy 'n faktuur soos bedoel in subparagraaf (5) ten opsigte van daardie kreef of kreefprodukte deur die persoon wat dit lewer, uitgereik word aan die persoon wat dit verkry: Met dien verstande dat die voorgaande bepalings van hierdie subparagraaf nie van toepassing is op 'n lewering aan 'n verbruiker en 'n verkryging deur 'n verbruiker vir 'n ander doel as om daarmee handel te dryf nie.

(5) 'n Faktuur uitgereik ingevolge subparagraaf (4), moet minstens 12 maande lank deur die persoon aan wie dit uitgereik is, gehou word en moet minstens die volgende besonderhede bevat:

- (a) Die naam van die betrokke leweransier;
- (b) die datum van lewering; en
- (c) die hoeveelheid kreefprodukte wat op bedoelde datum aan die betrokke verkryger gelewer is.

No. R. 1809

27 Julie 1990

WET OP SEEVISSERY, 1988
(WET No. 12 VAN 1988)

HEFFINGS TEN OPSIGTE VAN VIS EN
VISPRODUKTE

Ek, Gert Jeremias Kotzé, Minister van Omgewingsake en van Waterwese, handelende na oorleg met die Seevisserij-advieskomitee en met die instemming van die Minister van Finansies, lê hierby kragtens artikel 29 van die Wet op Seevisserij, 1988 (Wet No. 12 van 1988), die heffings ten opsigte van vis en visprodukte op soos in die Bylae uiteengesit.

G. J. KOTZÉ,

Minister van Omgewingsake en van Waterwese.

BYLAE

1. In hierdie Bylae het 'n woord of uitdrukking waaraan in die Wet 'n betekenis geheg word, die betekenis aldus daaraan geheg, en, tensy uit die samehang anders blyk, beteken—

- “ansjovis” enige vis van die spesie *Engraulis capensis*;
- “garnaal” enige skaaldier van die superfamilie Caridea;
- “koningklip” enige vis van die spesie *Genypterus capensis*;
- “langoustine” enige skaaldier van die spesie *Metanephrops andamanicus*;
- “ooskusskaaldiere” enige skaaldier, insluitende garnale, steurgarnale en langoustines, wat in Natalse waters aangetref en met bodemtreilnette gevang word;
- “perlemoen” enige skulpvis van die spesie *Haliotis midae*;
- “produseerder” enige persoon, firma of maatskappy aan wie 'n permit uitgereik is om vis te vang en te verwerk;
- “pylinkvis” enige pylinkvis of tjokka (*Loligo vulgaris reynaudii*);
- “sardyn” enige vis van die spesie *Sardinops ocellatus*;
- “steurgarnaal” enige skaaldier van die superfamilie Penaeoidea;
- “stokvis” enige vis van die spesies *Merluccius capensis* en *Merluccius paradoxus*;
- “suidkuskreef” enige kreef van die spesie *Palinurus gilchristi*;

(4) No person shall deliver to or acquire rock lobster or rock lobster products from any other person unless the person making the delivery issues an invoice as contemplated in subparagraph (5) in respect of such rock lobster or rock lobster products to the person taking delivery: Provided that the foregoing provisions of this subparagraph shall not apply to a delivery to a consumer and an acquisition by a consumer for a purpose other than trade.

(5) Any invoice issued in terms of subparagraph (4) shall be kept for at least 12 months by the person to whom it was issued and shall not contain fewer details than the following:

- (a) The name of the supplier concerned;
- (b) the date of delivery; and
- (c) the quantity of rock lobster products delivered on such date to the person acquiring them.

No. R. 1809

27 July 1990

SEA FISHERY ACT, 1988
(ACT No. 12 OF 1988)

LEVIES ON FISH AND
FISH PRODUCTS

I, Gert Jeremias Kotzé, Minister of Environment Affairs and of Water Affairs, acting, after consultation with the Sea Fishery Advisory Committee and with the concurrence of the Minister of Finance, hereby under section 29 of the Sea Fishery Act, 1988 (Act No. 12 of 1988), impose the levies on fish and fish products as set out in the Schedule.

G. J. KOTZÉ,

Minister of Environment Affairs and of Water Affairs.

SCHEDULE

1. In this Schedule any word or expression to which a meaning has been assigned in the Act, shall bear the meaning so assigned to it and unless the context otherwise indicates—

- “abalone” means any shellfish of the species *Haliotis midae*, also known as “perlemoen”;
- “anchovy” means any fish of the species *Engraulis capensis*;
- “east coast crustacean” means any crustacean, including shrimps, prawns and langoustines found in waters of Natal and caught by means of bottom trawl nets;
- “hake” means any fish of the species *Merluccius capensis* and *Merluccius paradoxus*;
- “kingklip” means any fish of the species *Genypterus capensis*;
- “langoustine” means any crustacean of the species *Metanephrops andamanicus*;
- “pilchard” means any fish of the species *Sardinops ocellatus*;
- “prawn” means any crustacean of the superfamily Penaeoidea;
- “processor” means any person, firm or company to whom a permit has been issued to catch and process fish;
- “shrimp” means any crustacean of the superfamily Caridea;
- “sole” means any fish of the species *Austroglossus pectoralis*, *Austroglossus microlepis* and *Cynoglossus zanzibarensis*;
- “south coast rock lobster” means any rock lobster of the species *Palinurus gilchristi*;

"tongvis" enige vis van die spesie *Austroglossus pectoralis*, *Austroglossus microlepis* en *Cynoglossus zanzibarensis*; en

"weskuskeef" enige Kaapse rots- of stekelrige keef van die spesies *Jasus lalandii*.

2. Behoudens paragraaf 3, betaal—

(a) die eienaar van 'n pelagiese vis-verwerkingsfabriek aan wie 'n kwota toegeken is 'n heffing van R3,50 per metrieke ton heel ansjovis en 'n heffing van R6,90 per metrieke ton heel sardyn wat by sodanige fabriek ontvang word van 'n pelagiese vissersboot;

(b) die eienaar van 'n pelagiese aasboot aan wie 'n kwota toegeken is, 'n heffing van R6,90 per metrieke ton heel sardyn wat hy met sodanige boot gevang het.

3. By die toepassing van paragraaf 2 word—

(a) die massa van die heel ansjovis by die visverwerkingsfabriek bepaal;

(b) die massa van die heel sardyn in die teenwoordigheid van 'n visserybeheerbeampte bepaal; en

(c) die heffing in die geval van 'n gedeelte van 'n metrieke ton vis, *pro rata* verminder.

4. 'n Kwotahouer wat heel weskuskeef vir verwerking ontvang, betaal 'n heffing van 6,9 sent per kilogram heelmassa weskuskeef ontvang.

5. (1) Behoudens subparagraaf (2) betaal 'n produseerder van suidkuskeefprodukte 'n heffing van 5,75 sent per kilogram stertmassa van die suidkuskeef deur hom gevang.

(2) By die toepassing van subparagraaf (1) word 10 kilogram heel suidkuskeef geag gelykstaande te wees aan 4,65 kilogram sterte.

6. (1) Behoudens subparagraaf (2) en paragraaf 11 betaal die eienaar van 'n bodemtreilboot aan wie 'n kwota toegeken is, 'n heffing van R11,50 per metrieke ton stokvis en 'n heffing van R34,50 per metrieke ton tongvis wat geland word.

(2) By die toepassing van subparagraaf (1) word die heffing in die geval van 'n gedeelte van 'n metrieke ton, *pro rata* verminder.

7. 'n Produseerder van ingemaakte, bevrore, vars of skoongemaakte perlemoenprodukte betaal 'n heffing van 6,9 sent per kilogram heelmassa perlemoen ontvang.

8. Behoudens die bepalings van paragraaf 11 betaal die eienaar van 'n langlynboot aan wie 'n kwota toegeken is, 'n heffing van 3,45 sent per kilogram heelmassa koningklip en 'n heffing van 1,15 sent per kilogram heelmassa stokvis wat geland word.

9. Die eienaar van 'n vissersboot aan wie 'n kwota toegeken is betaal 'n heffing van 3,45 sent per kilogram of 'n gedeelte van 'n kilogram heel pylinkvis wat geland word vir kommersiële doeleindes.

10. Die eienaar van 'n bodemtreilboot aan wie 'n kwota toegeken is betaal 'n heffing van 3,45 sent per kilogram ooskusskaaldiere in Natalse waters gevang.

"squid" means any squid or chokka (*Loligo vulgaris reynaudii*); and

"west coast rock lobster" means any Cape or spiny rock lobster of the species *Jasus lalandii*.

2. Subject to paragraph 3—

(a) the owner of a pelagic fish processing factory to whom a quota has been allocated shall pay a levy of R3,50 per metric ton whole anchovy, and a levy of R6,90 per metric ton whole pilchard received at such factory from a pelagic fishing boat;

(b) the owner of a pelagic bait boat to whom a quota has been allocated, shall pay a levy of R6,90 per metric ton of whole pilchard caught by him with such boat.

3. For the purposes of paragraph 2—

(a) the mass of the whole anchovy shall be determined at the fish processing factory;

(b) the mass of the whole pilchard shall be determined in the presence of a fishery control officer; and

(c) the levy shall be reduced *pro rata* in the case of any portion of a metric ton.

4. A quota holder who receives whole West Coast rock lobster for processing shall pay a levy of 6,9c per kilogram whole mass west coast rock lobster received.

5. (1) Subject to subparagraph (2) a processor of south coast rock lobster products shall pay a levy of 5,75c per kilogram tail mass of the south coast rock lobster caught by him.

(2) For the purposes of subparagraph (1) 10 kilogram whole south coast rock lobster shall be deemed to be equal to 4,65 kilogram tails.

6. (1) Subject to subparagraph (2) and paragraph 11 the owner of a bottom trawl fishing boat to whom a quota has been allocated shall pay a levy of R11,50 per metric ton hake and a levy of R34,50 per metric ton sole landed.

(2) For the purposes of subparagraph (1) the levy shall be reduced *pro rata* in the case of any portion of a metric ton.

7. A producer of canned, frozen, fresh or cleaned abalone products shall pay a levy of 6,9c per kilogram whole mass abalone received.

8. Subject to paragraph 11 the owner of a longline fishing boat to whom a quota has been allocated shall pay a levy of 3,45c per kilogram whole mass kingklip and a levy of 1,15c per kilogram whole mass hake landed.

9. The owner of a fishing vessel to whom a quota has been allocated shall pay a levy of 3,45c per kilogram or portion of a kilogram whole squid landed for commercial purposes.

10. The owner of a bottom trawl fishing boat to whom a quota has been allocated shall pay a levy of 3,45c per kilogram east coast crustacean caught in Natal waters.

11. By die toepassing van paragrawe 6 en 8 word die heelmassa van die vis bepaal deur die massa van die gelande vis gevang soos aangedui in kolom 1 van die volgende tabel te vermenigvuldig met die toepaslike syfer in kolom 2 aangedui:

	1	2
(a) Koningklip, sonder kop en derms		× 1,52
(b) Koningklip, onbewerkte filette.....		× 2,28
(c) Stokvis, sonder kop en derms.....		× 1,46
(d) Stokvis, onbewerkte filette.....		× 1,49
(e) Stokvis, bewerk, vellose filette		× 2,25
(f) Stokvis, gebreek of suur		× 1,46
(g) Tongvis, sonder derms		× 1,04
(h) Garnale, sterte		× 1,6
(i) Steurgarnale, sterte		× 1,6
(j) Langoustines, sterte		× 2,8
(k) Weskuskreef ("spiny" of "slipper"), sterte		× 2,2

12. Die heffings betaalbaar ten opsigte van vis wat gedurende enige maand gevang is, moet voor die einde van die daaropvolgende maand betaal word.

13. Alle betalings van heffings moet vergesel wees van 'n gesertifiseerde staat waarin die totale massa vis gevang of ontvang gedurende die betrokke maand, aangetoon word.

14. Rente teen die rentekoers soos van tyd tot tyd deur die Tesourie bepaal, sal gehef word op enige uitstaande bedrae en sodanige rente word bereken vanaf die eerste dag van die maand wat volg op die maand waarin die vis geland is.

15. Heffings en rente betaalbaar ingevolge hierdie Bylae, moet betaal word aan die Hoofdirekteur: Seevisserie, Privaatsak X2, Roggebaai, 8012.

16. Enige persoon wat 'n bepaling van hierdie kennisgewing oortree of versuim om daaraan te voldoen is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R6 000 of met gevangenisstraf van 'n tydperk van hoogstens twee jaar of met sodanige boete sowel as sodanige gevangenisstraf.

No. R. 1810

27 Julie 1990

WET OP SEEVISSERIE 1988 (WET NO. 12 VAN 1988)

AFSONDERING VAN GEBIEDE AS MARIENE-RESERVATE

Ek, Gert Jeremias Kotzé, Minister van Omgewingsake en van Waterwese, sonder hierby kragtens artikel 34 van die Wet op Seevisserie, 1988 (Wet No. 12 van 1988), die gebiede in die Bylae uiteengesit af as marienereservate, en ken hierby aan die mariene-reservate die name toe soos in die Bylae aangedui.

G. J. KOTZÉ,

Minister van Omgewingsake en van Waterwese.

BYLAE

1. In hierdie Bylae, het 'n woord of uitdrukking waaraan daar in die Wet 'n betekenis geheg word, die betekenis aldus daaraan geheg, tensy uit die samehang anders blyk.

BESKRYWING VAN GRENSE VAN MARIENE-RESERVATE

2. (1) Die Walvisbaai mariene-reservaat, geleë te Walvisbaai en begrens deur die hoogwatermerk en suidwaarts van die grens van die hawegebied soos omskryf in die Eerste Bylae van die Suid-Afrikaanse Vervoerdienstewet, 1981 (Wet No. 65 van 1981).

11. For the purposes of paragraphs 6 and 8 the whole mass of the fish shall be determined by multiplying the mass of the landed fish caught as indicated in column 1 of the following table by the appropriate figure indicated in column 2:

	1	2
(a) Hake, landed headless and gutted		× 1,46
(b) Hake, untrimmed fillets.....		× 1,49
(c) Hake, trimmed, skinless fillets		× 2,25
(d) Hake, broken and/or sour		× 1,46
(e) Sole, gutted		× 1,04
(f) Kingklip, headless and gutted		× 1,52
(g) Kingklip, untrimmed fillets		× 2,28
(h) Shrimps, tails		× 1,6
(i) Prawns, tails		× 1,6
(j) Langoustines, tails		× 2,8
(k) West coast rock lobster (spiny or slipper), tails		× 2,2

12. The levies payable in respect of fish caught during any one month shall be paid before the end of the following month.

13. All payments of levies shall be accompanied by a certified statement indicating the whole mass of fish caught or received during the month concerned.

14. Interest at the rate determined by the Treasury from time to time, shall be imposed on any outstanding amount and such interest shall be calculated from the first day of the month following the month in which the fish is landed.

15. Levies and interest payable in terms of this Schedule, shall be paid to the Chief Director: Sea Fisheries, Private Bag X2, Roggebaai, 8012.

16. Any person who contravenes or fails to comply with any provision of this notice shall be guilty of an offence and liable on conviction to a fine not exceeding R6 000 or to imprisonment for a period not exceeding two years or to both such fine and such imprisonment.

No. R. 1810

27 July 1990

SEA FISHERIES ACT 1988 (ACT NO. 12 OF 1988)

SETTING ASIDE OF AREAS AS MARINE RESERVES

I, Gert Jeremias Kotzé, Minister of Environment Affairs and of Water Affairs, hereby under section 34 of the Sea Fishery Act, 1988 (Act No. 12 of 1988), set aside the areas indicated in the Schedule as marine reserves and hereby allocate to these reserves the names indicated in the Schedule.

G. J. KOTZÉ,

Minister of Environment Affairs and of Water Affairs.

SCHEDULE

1. In this notice any word or expression to which a meaning has been assigned in the Act shall bear the meaning so assigned to it unless the context indicates otherwise.

DESCRIPTION OF BOUNDARIES OF MARINE RESERVES

2. (1) The Walvis Bay marine reserve, situated in Walvis Bay and bounded by the high-water mark and southwards of the boundary of the harbour area as described in the First Schedule of the South African Transport Services Act, 1981 (Act No. 65 of 1981).

(2) Die Rocherpan mariene-reservaat geleë in die afdeling Swartland, provinsie die Kaap die Goeie Hoop, binne 'n afstand van 500 meter seewaarts vanaf die hoogwatermerk in die Rocherpan-natuurreservaat tussen, as noordelike grens, 'n lyn (geografiese ligging 290°) getrek vanaf die baken gemerk RP1, en as suidelike grens, 'n lyn (geografiese ligging 290°) getrek vanaf die baken gemerk RP2.

(3) Die Millerspunt mariene-reservaat geleë in die afdeling Kaap, provinsie die Kaap die Goeie Hoop, binne 'n afstand van een seemyl seewaarts vanaf die hoogwatermerk in die gebied tussen, as noordelike grens, 'n lyn (geografiese ligging 84°) getrek vanaf die baken gemerk VB1, geleë teenoor Bakovenrots ten suide van Millerspunt, en as suidelike grens, 'n lyn (geografiese ligging 111°) getrek vanaf die baken gemerk VB2, geleë te Bobbejaanklip teenoor Steenbrasrots ten suide van Partridgepunt.

(4) Die H. F. Verwoerd mariene-reservaat geleë te Bettysbaai, afdeling Caledon, provinsie die Kaap die Goeie Hoop, binne 'n afstand van twee seemyl seewaarts vanaf die hoogwatermerk in die gebied tussen, as westelike grens, 'n lyn (geografiese ligging 180°) getrek vanaf die baken gemerk B1, geleë te Stoneypunt, en as oostelike grens, 'n soortgelyke lyn getrek vanaf die baken gemerk B4, geleë ten ooste van Jocksebaai.

(5) Die De Hoop mariene-reservaat geleë in die afdeling Bredasdorp-Swellendam, provinsie die Kaap die Goeie Hoop, binne 'n afstand van drie seemyl seewaarts vanaf die hoogwatermerk in die gebied tussen, as oostelike grens, 'n lyn (geografiese ligging 90°) getrek vanaf die baken gemerk DH1, geleë te Stilbaai, en as westelike grens, 'n lyn (geografiese ligging 150°) getrek vanaf die baken gemerk DH2, geleë tussen Ryspunt en Skipskop.

(6) Die Goukamma mariene-reservaat geleë in die afdeling Outeniqua, provinsie die Kaap die Goeie Hoop, binne 'n afstand van een seemyl seewaarts vanaf die hoogwatermerk in die gebied tussen, as oostelike grens, 'n lyn (geografiese ligging 90°) getrek vanaf die punt waar die oostelike grens van Gedeelte 1 van die plaas Walker's Point die hoogwatermerk bereik, en as westelike grens, 'n lyn (geografiese ligging 180°) getrek vanaf die punt waar die westelike grens van die Goukamma-natuurreservaat die hoogwatermerk bereik.

(7) Die Robberg mariene-reservaat geleë te Plettenbergbaai in die afdeling Outeniqua, provinsie die Kaap die Goeie Hoop, binne 'n afstand van een seemyl seewaarts vanaf die hoogwatermerk in die Robberg-natuurreservaat, in die gebied tussen 'n lyn (geografiese ligging 45°) getrek vanaf die punt waar die landwaartse grens van die reservaat die noordoostelike hoogwatermerk bereik, en 'n lyn (geografiese ligging 180°) getrek vanaf die punt waar die landwaartse grens van die reservaat die suidwestelike hoogwatermerk bereik.

(8) Die Sardiniabaai mariene-reservaat geleë in die afdeling Port Elizabeth, provinsie die Kaap die Goeie Hoop, binne 'n afstand van een seemyl seewaarts vanaf die hoogwatermerk in die gebied tussen, as oostelike grens, 'n lyn (geografiese ligging 180°) getrek vanaf die baken gemerk PECR1, geleë naby Schoenmakerskop en as westelike grens, 'n lyn (geografiese ligging 180°) getrek vanaf die baken gemerk PECR2, geleë naby Bushypark.

(2) The Rocher Pan marine reserve situated in the Swartland Division, Province of the Cape of Good Hope, the area within a distance of 500 metres seawards from the high-water mark in the Rocher Pan Nature Reserve between, as northern boundary, a line (290° true) drawn from a beacon marked RP1, and as southern boundary, a line (290° true) drawn from the beacon marked RP2.

(3) The Millers Point marine reserve situated in the Cape Division, Province of the Cape of Good Hope, within a distance of one nautical mile seaward from the high-water mark in the area between, as northern boundary, a line (84° true) drawn from the beacon marked VB1, situated opposite Bakoven Rock to the south of Millers Point, and as southern boundary, a line (111° true) drawn from the beacon marked VB2, situated on Bobbejaan Rock opposite Steenbras Rock, to the south of Partridge Point.

(4) The H. F. Verwoerd marine reserve situated at Betty's Bay, Caledon Division, Province of the Cape of Good Hope, within a distance of two nautical miles seawards from the high-water mark in the area between, as western boundary, a line (180° true) drawn from the beacon marked B1, situated at Stoney Point, and as eastern boundary, a similar line drawn from the beacon marked B4, situated to the east of "Jock-se-baai".

(5) The De Hoop marine reserve situated in the Bredasdorp-Swellendam Division, Province of the Cape of Good Hope, within a distance of three nautical miles seawards from the high-water mark in the area between, as eastern boundary, a line (90° true) drawn from the beacon marked DH1, situated near Stilbay Point and as western boundary, a line (150° true) drawn from the beacon marked DH2, situated between Rys Point and Skipskop.

(6) The Goukamma marine reserve situated in the Outeniqua Division, Province of the Cape of Good Hope, within a distance of one nautical mile seawards from the high-water mark in the area between, as eastern boundary, a line (90° true) drawn from the point where the eastern boundary of Portion 1 of the farm Walker's Point reaches the high-water mark, and as western boundary, a line (180° true) drawn from the point where the western boundary of the Goukamma Nature Reserve reaches the high-water mark.

(7) The Robberg marine reserve situated at Plettenberg Bay in the Outeniqua Division, Province of the Cape of Good Hope, within a distance of one nautical mile seawards from the high-water mark in the Robberg Nature Reserve in the area between a line (45° true) drawn from the point where the landward boundary of the reserve reaches the north-eastern high water mark and a line (180° true) drawn from the point where the landward boundary of the reserve reaches the south-western high-water mark.

(8) The Sardinia Bay marine reserve situated in the Port Elizabeth Division, Province of the Cape of Good Hope, within a distance of one nautical mile seawards from the high-water mark in the area between, as eastern boundary, a line (180° true) drawn from the beacon marked PECR1 situated near Schoenmakerskop and, as western boundary a line (180° true) drawn from the beacon marked PECR2, situated near Bushy Park.

(9) Die Trafalgar mariene-reservaat geleë in die provinsie Natal, binne 'n afstand van 500 meter seewaarts vanaf die hoogwatermerk in die gebied, tussen, as noordelike grens, 'n lyn (geografiese ligging 90°) getrek vanaf die baken gemerk N1, geleë ten suide van Centre Rocks, en as suidelike grens, 'n soortgelyke lyn getrek vanaf die baken gemerk N2, geleë teenoor die suidelike grens van die Mpenyati Openbare Oord.

(10) Die St Lucia mariene-reservaat geleë in die provinsie Natal binne 'n afstand van drie seemyl seewaarts vanaf die hoogwatermerk in die gebied tussen, as noordelike grens, 'n lyn (geografiese ligging 90°) getrek vanaf die baken gemerk N3, geleë ongeveer 11 kilometer ten noorde van Ngoboselenispruit te Sodwanabaai, en as suidelike grens, 'n soortgelyke lyn getrek vanaf die baken gemerk N4, geleë ongeveer 1 000 meter ten suide van Kaap Vidal.

(11) Die Maputaland mariene-reservaat geleë in die provinsie Natal binne 'n afstand van drie seemyl seewaarts vanaf die hoogwatermerk in die gebied tussen, as noordelike grens, 'n lyn (geografiese ligging 90°) getrek vanaf die baken gemerk N7, geleë teenaan die Mosambiekse grens, en as suidelike grens, 'n soortgelyke lyn getrek vanaf die baken gemerk N3, geleë ongeveer 11 kilometer noord van Ngoboselenispruit te Sodwanabaai.

VOORSKRIFTE: MARIENE-RESERVATE

3. Niemand mag—

(a) enige vis of mariene organisme vang, probeer vang of versteur nie in die—

- (i) Walvisbaai mariene-reservaat;
- (ii) Rocherpan mariene-reservaat;
- (iii) Millerspunt mariene-reservaat;
- (iv) H. F. Verwoerd mariene-reservaat;
- (v) Goukamma mariene-reservaat;
- (vi) Robberg mariene-reservaat;
- (vii) Sardiniabaai mariene-reservaat;

(b) enige vis, mariene organisme of enige skulp op enige wyse vang, probeer vang, versteur, besit of verwyder nie in die De Hoop mariene-reservaat;

tensy hy die houer is van 'n permit uitgereik deur die Administrateur van die provinsie die Kaap die Goeie Hoop of iemand deur hom daartoe gemagtig: Met dien verstande dat snoek (*Thyrstites atun*) vanaf 'n gelisensieerde vissersboot in die Millerspunt mariene-reservaat gevang mag word.

4. (1) Behoudens die bepalings van subparagraaf (2) en paragraaf 5 mag niemand enige vis of mariene organisme vang, probeer vang of versteur nie, in die—

(a) Trafalgar mariene-reservaat, tensy hy die houer is van 'n permit uitgereik deur die Administrateur van Natal of iemand deur hom daartoe gemagtig;

(b) St Lucia en Maputaland mariene-reservate, tensy hy die houer is van 'n permit uitgereik deur 'n visseryebeheerbeampte.

(2) Die bepalings van subparagraaf (1) is nie van toepassing nie op—

(a) die hengel met 'n visstok en vislyn vanaf die strand van die Trafalgar mariene-reservaat onderworpe aan die regulasies afgekondig by Administrateurskennisgewing (Natal);

(9) The Trafalgar marine reserve situated in the Province of Natal within a distance of 500 metre seawards from the high-water mark in the area between, as northern boundary, a line (90° true) drawn from the beacon marked N1, situated to the south of Centre Rocks and, as southern boundary, a similar line drawn from the beacon marked N2, situated opposite the southern boundary of the Mpenyati Public Resort.

(10) The St. Lucia marine reserve situated in the Province of Natal, within a distance of three nautical miles seawards from the high-water mark in the area between, as northern boundary, a line (90° True), drawn from the beacon marked N3, situated approximately 11 kilometres to the north of the Ngoboseleni Stream at Sodwana Bay and, as southern boundary, a similar line drawn from the beacon marked N4, situated approximate 1 000 metres to the south of Cape Vidal.

(11) The Maputaland marine reserve situated in Province of Natal within a distance of three nautical miles seawards from the high-water mark in the area between, as northern boundary, a line (90° true), drawn from the beacon marked N7, situated at the Mocambique Border and, as southern boundary, a similar line drawn from the beacon marked N3, situated approximately 11 kilometre north of the Ngoboseleni Stream at Sodwana Bay.

STIPULATIONS: MARINE RESERVE

3. No person shall—

(a) catch, attempt to catch, or disturb any fish or marine organism in the—

- (i) Walvis Bay marine reserve;
- (ii) Rocher Pan marine reserve;
- (iii) Millers Point marine reserve;
- (iv) H. F. Verwoerd marine reserve;
- (v) Goukamma marine reserve;
- (vi) Robberg marine reserve;
- (vii) Sardinia Bay marine reserve;

(b) catch, attempt to catch, disturb, possess or remove any fish, marine organism or any shell in the De Hoop marine reserve,

unless he is the holder of a permit issued by the Administrator of the Province of the Cape of Good Hope or a person authorised thereto by him: Provided that snoek (*Thyrstites atun*) may be caught from a licenced fishing boat in the Millers Point marine reserve.

4. (1) Subject to the provisions of subparagraph (2) and paragraph 5, no person shall catch, attempt to catch, or disturb any fish or marine organism in the—

(a) Trafalgar marine reserve unless he is the holder of a permit issued by the Administrator of Natal or a person authorised thereto by him;

(b) St Lucia and Maputaland marine reserves, unless he is the holder of a permit issued by a fishery control officer.

(2) The provisions of subparagraph (1) shall not apply to—

(a) the angling with a rod and line from the shore of the Trafalgar marine reserve subject to the regulations promulgated under Administrator's Notice (Natal);

(b) die vang of versteuring van pelagiese beenvis van die orde Scombridae en die families Carangidae, Pomatomidae, Rachycentridae, Xiphiidae, Ostiophoridae, Sphyrnaeidae; die spesie *Aprion virescens*; asook pelagiese kraakbeenvisse van die families Carcharinidae, Isuridae, Sphyrnidae, Alopiidae en Odontaspidae.

5. Niemand mag enige vis of mariene organisme vang, probeer vang, versteur of besit nie—

(a) binne die St Lucia mariene-reservaat in die toevlugsgebied geleë tussen, as noordelike grens, 'n lyn (geografiese ligging 90°) getrek vanaf die baken gemerk N5, geleë langsaa "Red Cliffs", en as suidelike grens 'n soortgelyke lyn getrek vanaf die baken gemerk N6, geleë te Levenpunt; en

(b) binne die Maputaland mariene-reservaat in die toevlugsgebied geleë tussen, as noordelike grens, 'n lyn (geografiese ligging 90°) getrek vanaf die baken gemerk N8, geleë langsaa Botelerpunt, en as suidelike grens, 'n soortgelyke lyn getrek vanaf die baken gemerk N9, geleë langsaa Dogpunt,

tensy hy die houer is van 'n permit uitgereik deur die Administrateur van Natal of sy gemagtigde.

No. R. 1811

27 Julie 1990

WET OP SEEVISSERY, 1988
(WET No. 12 VAN 1988)

VERKLARING TOT VISSERSHAWENS

Kragtens artikel 26 van die Wet op Seevisserij, 1988 (Wet No. 12 van 1988), verklaar ek, Gert Jeremias Kotzé, Minister van Omgewingsake en van Waterwese, hierby, met die voorafverkreë goedkeuring van die Minister van Vervoerwese, die gebiede in die Bylae omskryf tot vissershawens.

G. J. KOTZÉ,

Minister van Omgewingsake en van Waterwese.

BYLAE

VISSERSHAWENS

(1) ARNISTON

Die gebied gemerk op Kaart F 104 Y 32 soos vertoon in die Vissershawekantoor, Arniston, en begrens deur reguit lyne wat die punte A, B, C, D, E, F, G, H en J verbind, tesame met die hawewerke wat binne voornoemde grense geleë is.

Beskrywing van punte

A, B, C, D, E, F en G is gekoördineerde grensbakens.

H is 'n punt in die see op die verlenging van F-G en 252 m van G.

J is a punt in die see 500 m van A in 'n rigting parallel aan G-H.

(2) BERGRIVIER

Die gebied gemerk op Kaart F 22 Y 256 soos vertoon in die Vissershawekantoor, Bergrivier, en begrens deur:

- 1 die reguit lyne wat punte A, B, C en D verbind,
- 2 die veiligheidsheining van D na E,
- 3 die kromlynige hoogwatermerk van E na F,
- 4 die reglynig gebakende hoogwatermerk van F na G,

(b) the catching or disturbing of pelagic bone fish of the order Scombridae and the families Carangidae, Pomatomidae, Rachycentridae, Xiphiidae, Ostiophoridae, Sphyrnaeidae; the species *Aprion virescens*; as well as pelagic cartilaginous fish of the families Carcharinidae, Isuridae, Sphyrnidae, Alopiidae and Odontaspidae.

6. No person shall catch, attempt to catch, disturb or possess any fish or marine organism—

(a) within the St Lucia marine reserve in the sanctuary area situated between, as northern limit, a line (90° true) drawn from the beacon marked N5, situated next to Red Cliffs, and as southern limit, a similar line drawn from the beacon marked N6, situated at Leven Point; and

(b) within the Maputaland marine reserve in the sanctuary area situated between, as northern limit a line (90° true) drawn from the beacon marked N8, situated next to Boteler Point, and as southern limit, a similar line drawn from the beacon marked N9, situated next to Dog Point,

unless he is the holder of a permit issued by the Administrator of Natal or a person authorised thereto by him.

No. R. 1811

27 July 1990

SEA FISHERY ACT, 1988
(ACT No. 12 OF 1988)

DECLARATION AS FISHING HARBOURS

I, Gert Jeremias Kotzé, Minister of Environment Affairs and of Water Affairs, hereby, under section 26 of the Sea Fishery Act, 1988 (Act No. 12 of 1988), with the prior approval of the Minister of Transport, declare the areas described in the Schedule as fishing harbours.

G. J. KOTZÉ,

Minister of Environment Affairs and of Water Affairs.

SCHEDULE

FISHING HARBOURS

(1) ARNISTON

The area marked on Plan F 104 Y 32 as displayed in the Fishing Harbour Office, Arniston, and bounded by straight lines connecting points A, B, C, D, E, F, G, H and J, together with the harbour works situated within the aforementioned boundaries.

Description of points

A, B, C, D, E, F and G are co-ordinated boundary beacons.

H is a point in the sea on the extension of F-G and 252 m from G.

J is a point in the sea 500 m from A in a direction parallel to G-H.

(2) BERG RIVER

The area marked on Plan F 22 Y 256 as displayed in the Fishing Harbour Office, Berg River, and bounded by:

- 1 the straight lines connecting points A, B, C and D,
- 2 the security fence from D to E,
- 3 the curvilinear high-water mark from E to F,
- 4 the rectilinear beacons high-water mark from F to G,

- 5 die kromlynige hoogwatermerk van G na H,
- 6 die westelike kant van die Carinusbrug van H na J,
- 7 die kromlynige hoogwatermerk van J na K,
- 8 die reguit lyn van K na L,
- 9 die reglynig gebakende hoogwatermerk van L na A,

tesame met die hawewerke wat binne voor-noemde grense geleë is.

Beskrywing van punte

- A is die baken op die hoogwatermerk van die ou riviermond en van die see,
- B is 'n punt in die see 1 200 m reg noord van punt A,
- C is 'n punt in die see 1 300 m reg noordwes van D,
- D is die hoekpaal van die veiligheidsheining naby die see,
- E is die punt waar die veiligheidsheining eindig op die hoogwatermerk aan die regteroewer van die Bergrivier,
- F is die mees noordelike van die reeks bakens wat die hoogwatermerk van die regteroewer van die Bergrivier afbaken vasstel,
- G is 'n baken op die hoogwatermerk en op die noordwestelike grens van Erf 524,
- H is 'n punt op die hoogwatermerk van die regteroewer van die Bergrivier en teenoor die westelike kant van die Carinusbrug,
- J is 'n punt op die hoogwatermerk van die linkeroewer van die Bergrivier en teenoor die westelike kant van die Carinusbrug,
- K is die punt waar die grens van plaas 54/10 die hoogwatermerk sny aan die oostelike kant,
- L is 'n hoogwatermerkbaken op die grens van Plaas 54/10.

(3) GANSBAAI

Die gebied gemerk op Kaart F 92 Y 397 soos vertoon in die Vissershawekantoor, Gansbaai, en begrens deur:

- 1 die kromlynige hoogwatermerke van A na B,
- 2 die reguit lyne wat die punte B, C, D, E, F, G, H, J, K, L, M, N, P, Q, R, S, T, U, V, W, X, Y, Z, A1, B1, C1, D1, E1, F1, G1, H1, J1, K1, L1, M1, N1, P1, Q1, R1 en S1 verbind,
- 3 die kromlynige hoogwatermerk van S1 na T1,
- 4 die seewaartse sirkelboog met LH as middel-punt en 'n straal van 800 m van T1 na A,

tesame met die hawewerke wat binne voor-noemde grense geleë is.

Beskrywing van punte

- LH is die senter van ligting D6306 op die buig van die westelike breekwater,
- A is 'n punt 800 m ten noorde van LH en op die hoogwatermerk,
- B, G, H, Q en L1 is hoekpale van die veiligheidsheining,
- C, D, E, F, J, K, L, M, N, P, R, S, T, U, V, W, X, Y, Z, A1, B1, C1, D1, E1, F1, G1, H1, J1, K1, M1, N1, P1, Q1 en R1 is gekoördineerde grensbakens van erwe,
- S1 is die punt waar die grens van Erf 538 die hoogwatermerk sny aan die westekant,
- T1 is 'n punt 800 m ten suide van LH en op die hoogwatermerk.

- 5 the curvilinear high-water mark from G to H,
- 6 the western edge of the Carinus Bridge from H to J,
- 7 the curvilinear high-water mark from J to K,
- 8 the straight line from K to L,
- 9 the rectilinear beacons high-water mark from L to A,

together with the harbour works situated within the aforementioned boundaries.

Description of points

- A is a beacon on the high-water mark of the old river mouth and of the sea,
- B is a point in the sea 1 200 m due north of point A,
- C is a point in the sea 1 300 m due north west of D,
- D is the corner post of the security fence near the sea,
- E is the point where the security fence ends on the high-water mark of the right bank of the Berg River,
- F is the most northerly of the series of beacons demarcating the high-water mark of the right bank of the Berg River,
- G is a beacon on the high-water mark and on the north westerly boundary of Erf 524,
- H is a point on the high-water mark of the right bank of the Berg River and opposite the westerly edge of the Carinus Bridge,
- J is a point on the high-water mark of the left bank of the Berg River and opposite the westerly edge of the Carinus Bridge,
- K is the point where the boundary of Farm 54/10 intersects the high-water mark in the east,
- L is the high water mark beacon on the boundary of Farm 54/10.

(3) GANS BAY

The area marked on Plan F 92 Y 397 as displayed in the Fishing Harbour Officer, Gans Bay and bounded by:

- 1 the curvilinear high-water mark from A to B,
- 2 the straight lines connecting the points B, C, D, E, F, G, H, J, K, L, M, N, P, Q, R, S, T, U, V, W, X, Y, Z, A1, B1, C1, D1, E1, F1, G1, H1, J1, K1, L1, M1, N1, P1, Q1, R1 and S1,
- 3 the curvilinear high-water mark from S1 to T1,
- 4 the seaward circular arc with LH as centre and 800 m radius from T1 to A,

together with the harbour works situated within the aforementioned boundaries.

Description of points

- LH is the centre of the light tower D6306 on the bend of the western breakwater,
- A is a point 800 m to the north of LH and on the high-water mark,
- B, G, H, Q and L1 are corner posts of the security fence
- C, D, E, F, J, K, L, M, N, P, R, S, T, U, V, W, X, Y, Z, A1, B1, C1, D1, E1, F1, G1, H1, J1, K1, M1, N1, P1, Q1 and R1 are co-ordinated boundary beacons of erven,
- S1 is the point where the boundary of Erf 538 intersects the high-water mark in the west,
- T1 is a point 800 m to the south of LH and on the high-water mark

(4) GORDONSBAAI

Die gebied gemerk op Kaart F 72 Y 142 soos vertoon in die Vissershawekantoor, Gordonsbaai, en begrens deur:

- 1 die reguit lyne wat Punte A, B, C en D verbind,
- 2 die veiligheidsheining van Punt D na Punt E,
- 3 die westelike kant van die muurbalgebou van Punt E na Punt F,
- 4 die suidelike kant van die muurbalgebou van Punt F na Punt G,
- 5 die suidwestelike kant van die klipmuur van Punt G na Punt H,
- 6 die veiligheidsheining van Punt H na Punt J,
- 7 die suidwestelike kant van die keermuur van Punt J na Punt K,
- 8 die reguit lyne wat Punte K, L, M, N en P verbind,
- 9 die hoogwatermerk van Punt P na Punt A, tesame met die hawewerke wat binne voor-noemde grense geleë is.

Beskrywing van punte

- A is 'n punt op die noordelike rand van die Noordbreekwater en in lyn met die westelike kant van die keermuur tussen die sleepelling en die Noordbreekwater,
- B is die suidwestelike hoek van die leimuur aan die suidelike kant van die sleepelling,
- C is die punt waar die suidelike kant van die leimuur en die westelike kant van die keermuur tussen die sleepelling en die kaai ontmoet,
- D is die punt op die westelike kant van die keermuur waar die veiligheidsheining begin,
- E is die noordwestelike hoek van die muurbalgebou,
- F is die suidwestelike hoek van die muurbalgebou,
- G is die suidoostelike hoek van die muurbalgebou,
- H is die punt waar die suidwestelike kant van die klipmuur by die veiligheidsheining aansluit,
- J is die punt waar die veiligheidsheining eindig in lyn met die suidwestelike kant van die keermuur op die Wesbreekwater,
- K is 'n punt op die suidwestelike kant van die keermuur op die Wesbreekwater en op die noordwestelike einde daarvan,
- L is 'n punt in die see 140 m reg wes van Punt K,
- M is 'n punt in die see 560 m reg wes van Punt N,
- N is 'n punt in die see 215 m reg noord van Punt P,
- P is hoogwatermerkbaken No. 14.

(5) HERMANUS

Die gebied gemerk op Kaart F 90 Y 142 soos vertoon in die Vissershawekantoor, Hermanus, en begrens deur:

- 1 die hoogwatermerk van A na B,
- 2 die reguit lyne wat B, C, D en E verbind,
- 3 die hoogwatermerk van E na F,
- 4 die seewaartse sirkelboog met Punt P as middelpunt en 'n straal van 800 m van F na A, tesame met die hawewerke wat binne voor-noemde grense geleë is.

(4) GORDON'S BAY

The area marked on Plan F 72 Y 142 as displayed in the Fishing Harbour Office, Gordon's Bay, and bounded by:

- 1 the straight lines connecting Points A, B, C and D,
- 2 the security fence from Point D to Point E,
- 3 the western side of the squash building from Point E tot Point F,
- 4 the southern side of the squash building from Point F to Point G,
- 5 the south-western edge of the stone wall from Point G to Point H,
- 6 the security fence from Point H to Point J,
- 7 the south-western edge of the retaining wall from Point J to Point K,
- 8 the straight lines connecting Points K, L, M, N and P,
- 9 the high-water mark from Point P to Point A, together with the harbour works situated within the aforementioned boundaries.

Description of points

- A is a point on the northern edge of the North breakwater and in line with the western edge of the retaining wall between the slipway and the North breakwater,
- B is the south-western corner of the guide wall on the south side of the slipway,
- C is the point where the southern side of the guide wall intersects the western side of the retaining wall between the slipway and the quay,
- D is the point on the western side of the retaining wall where the security fence starts,
- E is the north-western corner of the squash building,
- F is the south-western corner of the squash building,
- G is the south-eastern corner of the squash building,
- H is the point where the south-western side of the stone wall joins the security fence,
- J is the point where the security fence ends in line with the south-western side of the retaining wall on the West breakwater,
- K is the point on the south-western edge of the retaining wall on the West breakwater and on the north-western end of it,
- L is a point in the sea 140 m due west of Point K,
- M is a point in the sea 560 m due west of Point N,
- N is a point in the sea 215 m due north of Point P,
- P is the high water mark beacon No. 14.

(5) HERMANUS

The area marked on Plan F 90 Y 142 as displayed in the Fishing Harbour Office, Hermanus, and bounded by:

- 1 the high-water mark from A to B,
- 2 the straight lines connecting B, C, D and E,
- 3 the high-water mark from E to F,
- 4 the seaward circular arc with Point P as centre and with a radius of 800 m from F to A, together with the harbour works situated within aforementioned boundaries.

Beskrywing van punte

- P is die punt waar die kant van die kaai en die kant van die steier bymekaar aansluit,
 A is die punt op die hoogwatermerk 800 m ten weste van Punt P,
 B is die punt waar die westelike grens van Erf 248 die hoogwatermerk sny,
 C en D is grensbakens van Erf 248,
 E is die punt waar die oostelike grens van Erf 248 die hoogwatermerk sny,
 F is 'n punt op die hoogwatermerk 800 m ten ooste van Punt P.

(6) HOUTBAAI

Die twee gebiede gemerk op Kaart F 55 Y 371 soos vertoon in die Vissershawekantoor, Houtbaai, die eerste begrens deur:

- 1 die hoogwatermerk van A na B,
- 2 die reguit lyne wat B, C, D, E, F, G, H en J verbind,
- 3 die omheining van die monument van J na K, van K na L en van L na M,
- 4 die reguit lyne wat L, M, N, P, Q, R, S, T, U, V, W, Y, Z, AA, BB, CC en DD verbind,
- 5 die laagwatermerk van DD na EE,
- 6 die reguit lyn van EE na FF,
- 7 die hoogwatermerk van FF na GG, en
- 8 die reguit lyn van GG na A en

die tweede gebied bestaande uit Persele 27A, 28A, 29A en 30A, tesame met die hawewerke wat binne voornoemde gebiede geleë is.

Beskrywing van punte

- H1 is 'n gekoördineerde baken op "Die Josie",
 HB2 is 'n gekoördineerde baken op Duikereilandpunt,
 A is die punt waar die reguit lyn tussen H1 en HB2 die hoogwatermerk sny by Duikereilandpunt,
 B is die punt waar die suidelike grens van Perseel 26 die hoogwatermerk sny,
 C, D, E, F, G, H, J, M, N, P, Q, R, S, T, U, V, W, X, Y, Z, AA, BB en CC is gekoördineerde grensbakens,
 Ken L is hoekpale van die omheining van die monument,
 DD is die punt waar die verlenging van die noordoostelike grens van Erf 1145 die laagwatermerk sny,
 EE is die punt op die laagwatermerk wat naaste aan FF is,
 FF is 'n gekoördineerde baken,
 GG is die punt waar die reguit lyn tussen H1 en HB2 die hoogwatermerk sny by "Die Josie".

(7) KALKBAAI

Die gebied gemerk op Kaart F66 Y 97 soos vertoon in die Vissershawekantoor, Kalkbaai, en begrens deur:

- 1 die reglynige gebakende hoogwatermerk van A na B,

Description of points

- P is the point where the edge of the quay joins the edge of the jetty,
 A is the point on the high-water mark 800 m to the west of Point P,
 B is the point where the westerly boundary of Erf 248 intersects the high-water mark,
 C and D are boundary beacons of Erf 248,
 E is the point where the easterly boundary of Erf 248 intersects the high-water mark,
 F is the point on the high water mark 800 m to the east of Point P.

(6) HOUT BAY

The two areas marked on Plan F 55 Y 371 as displayed in the Fishing Harbour Office, Hout Bay, the first bounded by:

- 1 the high-water mark from A to B,
- 2 the straight lines connecting B, C, D, E, F, G, H and J,
- 3 the fence of the monument from J to K, from K to L and from L to M,
- 4 the straight lines connecting L, M, N, P, Q, R, S, T, U, V, W, Y, Z, AA, BB, CC and DD,
- 5 the low-water mark from DD to EE,
- 6 the straight line from EE to FF,
- 7 the high-water mark from FF to GG, and
- 8 the straight line from GG to A and

the second area consisting of Lots 27A, 28A, 29A and 30A, together with the harbour works situated within aforementioned areas.

Description of points

- H1 is a co-ordinated beacon on "Die Josie",
 HB2 is a co-ordinated beacon on Duikereilandpunt,
 A is the point where the straight line between H1 and HB2 intersects the high-water mark at Duikereilandpunt,
 B is the point where the southern boundary of Lot 26 intersects the high-water mark,
 C, D, E, F, G, H, J, M, N, P, Q, R, S, T, U, V, W, X, Y, Z, AA, BB and CC are co-ordinated boundary beacons,
 K and L are corner posts of the fence of the monument,
 DD is the point where the extension of the north-eastern boundary of Erf 1145 intersects the low-water mark,
 EE is the point on the low-water mark closest to FF,
 FF is a co-ordinated beacon,
 GG is the point where the straight line between H1 and H2 intersects the high-water mark at "Die Josie".

(7) KALK BAY

The area marked on Plan F66 Y 97 as displayed in the Fishing Harbour Office, Kalk Bay, and bounded by:

- 1 the rectilinear beaconed high-water mark from A to B,

- 2 die reguit lyn van B na C,
- 3 die westelike en noordelike grense van Point Township van C na D,
- 4 die reguit lyn van D na E,
- 5 die westelike kant van die brug, keermuur en platform van E na F,
- 6 die reguit lyne wat F, G, H en A verbind,

tesame met die hawewerke wat binne voornoemde grense geleë is.

Beskrywing van punte

- A is hoogwatermerkbaken Nr. 18,
 B is hoogwatermerkbaken Nr. 30,
 C en D is grensbakens van Point Township,
 E is hoogwatermerkbaken Nr. 44,
 F is hoogwatermerkbaken Nr. 63,
 G is 'n punt in die see 350 m reg oos van G,
 H is 'n punt in die see 570 m reg oos van A.

(8) LAMBERTSBAAI

Die gebied gemerk op Kaart F 12 Y 287 soos vertoon in die Vissershawekantoor, Lambertsbaai, en begrens deur:

- 1 die hoogwatermerk van A na B,
- 2 die reguit lyne wat punte B, C, D, E, F, G, H, I, J, K, L, M, N, P, Q, R, S, T, U, V, W, X, Y en A verbind,

tesame met die hawewerke wat binne voornoemde grense geleë is.

Beskrywing van punte

- A is 'n gekoördineerde baken op die hoogwatermerk,
 B is die punt waar die verlenging van D-C die hoogwatermerk sny, C, D, E, F, G, H, J, K, L, M, N, P, Q, R, S, T en U is grensbakens van erwe of strate,
 V is 'n punt op die westelike grens van die straat en 320 m van Punt U af,
 W is 'n punt in die see 600 m reg wes van Punt V,
 X is 'n punt in die see 1 200 m reg noord van Punt W,
 Y is 'n punt in die see 1 100 m reg noordwes van Punt A.

(9) SALDANHABAAI

Die gebied gemerk op Kaart F 38 Y 766 B soos vertoon in die Vissershawekantoor, Saldanha, en begrens deur:

- 1 die reguit lyne wat Punte A, B en C verbind,
- 2 die hoogwatermerk van Punt C na Punt D,
- 3 die reguit lyn van Punt D na Punt E,
- 4 die veiligheidsheining van Punt E na Punt F,
- 5 die reguit lyne wat Punte F, X, Y, G, H, J, K, L, M, N, P en R verbind,
- 6 die veiligheidsheining van Punt R na Punt S,
- 7 die hoogwatermerk van Punt S na Punt T,
- 8 die reguit lyne wat Punte T, U en V verbind,

- 2 the straight line from B to C,
- 3 the western and northern boundaries of Point Township from C to D,
- 4 the straight line from D to E,
- 5 the western edge of the bridge, retaining wall and platform from E to F,
- 6 the straight lines connecting F, G, H and A,

together with the harbour works situated within the aforementioned boundaries.

Description of points

- A is high-water mark beacon No. 18,
 B is high-water mark beacon No. 30,
 C and D are boundary beacons of Point Township,
 E is high-water mark beacon No. 44,
 F is high-water mark beacon No. 63,
 G is a point in the sea 350 m due east of G,
 H is a point in the sea 570 m due east of A.

(8) LAMBERTS BAY

The area marked on Plan F 12 Y 287 as displayed in the Fishing Harbour Office, Lamberts Bay, and bounded by:

- 1 the high-water mark from A to B,
- 2 the straight lines connecting B, C, D, E, F, G, H, I, J, K, L, M, N, P, Q, R, S, T, U, V, W, X, Y and A,

together with the harbour works situated within aforementioned boundaries.

Description of points

- A is a co-ordinated beacon on the high-water mark,
 B is the point where the extension of D-C intersects the high-water mark, C, D, E, F, G, H, J, K, L, M, N, P, Q, R, S, T and U are boundary beacons of erven or streets,
 V is a point on the western boundary of the street and 320 m from Point U,
 W is a point in the sea 600 m due west of Point V,
 X is a point in the sea 1 200 m due north of Point W,
 Y is a point in the sea 1 100 m due north west of Point A.

(9) SALDANHA BAY

The area marked on Plan F 38 Y 766 B as displayed in the Fishing Harbour Office, Saldanha, and bounded by:

- 1 the straight lines connecting Points A, B and C,
- 2 the high-water mark from Point C to Point D,
- 3 the straight line from Point D to Point E,
- 4 the security fence from Point E to Point F,
- 5 the straight lines connecting Points F, X, Y, G, H, J, K, L, M, N, P and R,
- 6 the security fence from Point R to Point S,
- 7 the high water mark from Point S to Point T,
- 8 the straight lines connecting Points T, U and V,

- 9 die krom lyn, 200 m seewaarts van die hoogwatermerk van Punt V na Punt A, met uitsluiting van Erf 4454,

tesame met die hawewerke wat binne voor-noemde grense geleë is.

Beskrywing van punte

- A is 'n punt op die reguit lyn tussen Dial Rock en Punt B en 200 m van die naaste hoogwatermerk,
 B en C is gekoördineerde punte,
 D is die punt waar die suidelike grens van Perseel 97 die hoogwatermerk sny,
 E is die punt waar die suidelike grens van Perseel 97 die veiligheidsheining sny,
 F is die punt waar die veiligheidsheining op die hoogwatermerk eindig ten noorde van die sleepelling,
 X is die punt in lyn met die suidooselike kant van die Herstelsteier en 145 m van die punt van die Herstelsteier,
 Y is 'n punt in lyn met die oostelike kant van die Herstelsteier en 300 m van die punt van die Herstelsteier,
 G is die punt waar die suidwestelike grens van Perseel 75 die hoogwatermerk sny,
 H, J, K, L, M, N, P en R is grensbakens van erwe of persele,
 S is die punt waar die veiligheidsheining op die hoogwatermerk eindig by Peperbaai,
 T is die punt waar die grens tussen Erwe 3509 en 4486 die hoogwatermerk sny,
 U is 'n punt op die seewaartse verlenging van die grens tussen Erwe 3509 en 4486 en reg noordwes van merker No. 2,
 V is 'n punt reg noordwes van merker No. 2 en 200 m van die naaste hoogwatermerk.

(10) St HELENABAAI

Die gebied gemerk op Kaart F 24 Y 409 soos vertoon in die Vissershawekantoor, St Helena-baai, en begrens deur:

- 1 reguit lyne wat punte A, B, C, D en E verbind,
- 2 die noordoostelike grensdraad van die pad-reserwe van E tot by F,
- 3 die veiligheidsheining van F tot by A,

tesame met die hawewerke wat binne voor-noemde grense geleë is.

Beskrywing van punte

- A is 'n hoekpaal van die veiligheidsheining naby die baken by die noordelike strand,
 B is 'n punt in die see 620 m reg noordoos van Punt A,
 C is 'n punt in die see 1 000 m van Punt D en op die verlenging van E-D,
 D is 'n grensbaken van Erf 78,
 E is die punt waar die grens tussen Erwe 78 en 40 die noordoostelike grensheining van die padreserwe sny,
 F is die punt waar die grensheining van die pad 'n veiligheidsheining word.

- 9 the curved line, 200 m seaward of the high water mark from Point V to Point A, with the exclusion of Erf 4454,

together with the harbour works situated within the aforementioned boundaries.

Description of points

- A is a point on the straight line between Dial Rock and Point B and 200 m from the nearest high-water mark,
 B and C are co-ordinated points,
 D is the point where the southerly boundary of Lot 97 intersects the high-water mark,
 E is the point where the southerly boundary of Lot 97 intersects the security fence,
 F is the point where the security fence ends on the high-water mark north of the slipway,
 X is the point in line with the south-east-erly edge of the Repair Jetty and 145 m from the end of the Repair Jetty,
 Y is a point in line with the south-easterly edge of the Repair Jetty and 300 m from the end of the Repair Jetty,
 G is the point where the south-western boundary of Lot 75 intersects the high-water mark,
 H, J, K, L, M, N, P and R are boundary beacons of erven or lots,
 S is the point where the security fence ends on the high-water mark in Pepper Bay,
 T is the point where the boundary between Erven 3509 and 4486 intersects the high-water mark,
 U is a point on the seaward extension of the boundary between Erven 3509 and 4486 and due north-east of marker No. 2,
 V is a point due north-west of marker No. 2 and 200 m from the nearest high-water mark.

(10) ST HELENA BAY

The area marked on Plan F 24 Y 409 as displayed in the Fishing Harbour Office, St Helena Bay and bounded by:

- 1 straight lines connecting points A, B, C, D and E,
- 2 the north-eastern boundary fence of the road reserve from E to F,
- 3 the security fence from F to A,

together with the harbour works situated within aforementioned boundaries.

Description of points

- A is a corner post of the security fence near the beacon at the northern beach,
 B is a point in the sea 620 m due north east of Point A,
 C is a point in the sea 1 000 m from Point D and on the extension of E-D,
 D is a boundary beacon of Erf 78,
 E is the point where the boundary between Erven 78 and 40 intersects the north-eastern boundary fence of the road reserve,
 F is the point where the boundary fence of the road becomes a security fence.

(11) STILBAAI

Die twee gebiede gemerk op Kaart F 115 X 88 soos vertoon in die Vissershawekantoor, Stilbaai, die eerste gebied begrens deur:

- 1 die reguit lyne wat Punte A, B, C, D en E verbind,
- 2 die noordelike kant van die keermuur van Punt E na Punt F,
- 2 die reguit lyne wat Punte F, G en H verbind, en die tweede gebied bestaande uit Erf 660, tesame met die hawewerke wat binne voornoemde gebiede geleë is.

Beskrywing van punte

- A, B, C en D is gekoördineerde grensbakens,
 E is 'n punt op die verlenging van C-D en aan die noordwestelike kant van die keermuur,
 F is 'n punt op die noordelike kant van die keermuur en op die oostelike einde daarvan,
 G is 'n punt in lyn met Punt F en die punt van die breekwater en 60 m van die oostelike kant van die breekwater,
 H is die punt waar die grens van Erf 659 die hoogwatermerk sny.

(12) STRUISBAAI

Die gebied gemerk op Kaart F102 x 57 soos vertoon in die Vissershawekantoor, Struisbaai, begrens deur—

die reguit lyne wat Punte A, B, C en D verbind, die hoogwatermerk van Punt D na Punt E, die reguit lyne wat Punte, E, F, G en H verbind, die hoogwatermerk van Punt H tot Punt A, tesame met die hawewerke wat binne voornoemde grense geleë is.

Beskrywing van punte

- A is 'n baken geleë op die hoogwatermerk met koördinate +86 355,49 + 3 852 350,23,
 B is 'n punt in die see 740 m reg noordoos van Punt A,
 C is 'n punt in die see 540 m reg noordoos van Punt D,
 D is 'n baken geleë op die hoogwatermerk met koördinate +85 766,02 + 3 852 637,73,
 E is 'n punt waar die suidoostelike grens van Erf 1394 die hoogwatermerk sny,
 F en G is bakens van Erf 1394,
 H is die punt waar die noordelike grens van Erf 1394 die hoogwatermerk sny.

(13) WALVISBAAI

Die gebied gemerk op Kaart SW 10 Z 374 soos vertoon in die Vissershawekantoor, Walvisbaai, en begrens deur:

- 1 die reguit lyne wat Punte A, B en C verbind,
- 2 die ou hoogwatermerk volgens Munisipale Proklamasie 79 van 1968 van Punt C na Punt D,
- 3 die reguit lyne wat Punte D, E, F, G, H, J, K, L, M, N, P, Q, R, S, T, U, V, W, X, Y en A verbind,

tesame met die hawewerke wat binne voornoemde grense geleë is.

(11) STILL BAY

The two areas marked on Plan F 115 X 88 as displayed in the Fishing Harbour Office, Still Bay, the first area being bounded by:

- 1 the straight lines connecting Points A, B, C, D and E,
- 2 the northern edge of the retaining wall from Point E to Point F,
- 2 the straight lines connecting Points F, G and H, and the second area consisting of Erf 660, together with the harbour works situated within the aforementioned areas.

Description of points

- A, B, C and D are co-ordinated boundary beacons,
 E is a point on the extension of C-D and on the north-western edge of the retaining wall,
 F is a point on the northern edge of the retaining wall and on the eastern end of it,
 G is a point in line with Point F and the end of the breakwater and 60 m from the eastern edge of the breakwater,
 H is the point where the boundary of Erf 659 intersects the high-water mark.

(12) STRUIS BAY

The area marked on Plan F102 x 57 as displayed in the Fishing Harbour Office, Struis Bay, bounded by—

the straight lines connecting Points A, B, C and D, the high-water mark from Point D to Point E, the straight lines connection Points E, F, G and H, the high-water mark from Point H to Point A, together with the harbour works situated within the aforementioned boundaries.

Description of points

- A is a beacon situated on the high-water mark with co-ordinates +86 355,49 + 3 852 350,23,
 B is a point in the sea 740 m due north-east of Point A,
 C is a point in the sea 540 m due north-east of Point D,
 D is a beacon situated on the high-water mark with co-ordinates +85 766,02 + 3 852 637,73,
 E is a point where the south-eastern boundary of Erf 1394 intersects the high-water mark,
 F and G are beacons of Erf 1394,
 H is the point where the northern boundary of Erf 1394 intersects the high-water mark.

(13) WALFISH BAY

The area marked on Plan SW 10 Z 374 as displayed in the Fishing Harbour Office, Walfish Bay, bounded by:

- 1 the straight lines connecting Points A, B and C,
- 2 the old high-water mark in terms of Municipal Proclamation 79 of 1968 from Point C to Point D,
- 3 the straight lines connecting Points D, E, F, G, H, J, K, L, M, N, P, Q, R, S, T, U, V, W, X, Y and A, together with the harbour works situated within the aforementioned boundaries.

<i>Beskrywing van punte</i>	<i>Description of points</i>
A en B is boeie in gekoördineerde posisies,	A and B are buoys in co-ordinated positions,
C is die punt waar die reguit lyn tussen B en C1 die ou hoogwatermerk volgens Munisipale Proklamasie 79 van 1968 sny,	C is the point where the straight line between B and C1 intersects the old high-water mark in terms of Municipal Proclamation 79 of 1968,
C1, D, E, F, G, H, J, K, L, M, N, P, Q, R, S, T, U, V, W, X en Y is gekoördineerde punte.	C1, D, E, F, G, H, J, K, L, M, N, P, Q, R, S, T, U, V, W, X and Y are co-ordinated points.

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