

REPUBLIC
OF
SOUTH AFRICA



REPUBLIEK
VAN
SUID-AFRIKA

Government Gazette Staatskoerant

Regulation Gazette

No. 6284

Regulasiekoerant

Vol. 399

PRETORIA, 2 SEPTEMBER 1998

No. 19205

GOVERNMENT NOTICE GOEWERMENTSKENNISGEWING

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM
DEPARTEMENT VAN OMGEWINGSACE EN TOERISME

No. R. 1111

2 September 1998

MARINE LIVING RESOURCES ACT, 1998 (ACT No. 18 OF 1998)

REGULATIONS IN TERMS OF THE MARINE LIVING RESOURCES ACT, 1998

The Minister of Environmental Affairs and Tourism has under sections 7(5), 9(3), 12(2) and (3), 39(2), 45, 47, 50(1), 77 and 80(2) of the Marine Living Resources Act, 1998 (Act No. 18 of 1998) made the regulations set out in the Schedule.

SCHEDULE

ARRANGEMENT OF REGULATIONS

Regulation

1. Definitions

CHAPTER 1

ADMINISTRATIVE MATTERS

- 2. Consultative Advisory Forum for Marine Living Resources**
- 3. Identity cards**
- 4. Register**
- 5. Procedure for Appeals**

CHAPTER 2

RIGHTS OF ACCESS, OTHER RIGHTS, PERMITS AND LICENCES

- 6. Duplicate licences and permits**
- 7. Format of foreign fishing vessel licence**
- 8. Fishing returns**

CHAPTER 3**CLOSED SEASONS AND CLOSED AREAS**

- 9. Closed seasons
- 10. Closed areas

CHAPTER 4**USE OF GEAR****PART 1: GENERAL**

- 11. Prohibition of gear
- 12. Nets and mesh sizes

PART 2: TRAWL FISHING

- 13. Area limitations
- 14. Mesh size
- 15. Attachment to trawl nets

PART 3: PURSE SEINE FISHING

- 16. Closed areas
- 17. Nets and mesh sizes
- 18. Measuring of mass

PART 4: OTHER NETS: BEACH-SEINE NET, STAKED NET, SET-NET, DRIFTNET AND GILLNET

- 19. General
- 20. Closed areas

PART 5: LINEFISHING

- 21. General
- 22. Bag limits

PART 6: OTHER GEAR

- 23. Other gear

PART 7: MARINE AQUARIUM FISH

- 24. Marine aquarium fish

CHAPTER 5**SPECIES RESTRICTIONS****PART 1: GENERAL**

- 25. Size and mass limits
- 26. Dumping
- 27. Disposal of fish and aquatic plants

PART 2: HAKE LONGLINING

- 28. General
- 29. Gear restrictions

PART 3: SHARKS

- 30. General
- 31. Bag limits

PART 4: CHOKKA SQUID

- 32. Gear restrictions
- 33. Bag limits

PART 5: TUNA

- 34. General
- 35. Bag limits

PART 6: ABALONE

- 36. General
- 37. Minimum size
- 38. Recreational
- 39. Commercial
- 40. Closed areas

PART 7: OYSTER

- 41. General
- 42. Commercial
- 43. Recreational and subsistence

PART 8: ROCK LOBSTER

- 44. General

PART 9: WEST COAST ROCK LOBSTER

- 45. General
- 46. Commercial gear restrictions
- 47. Closed areas
- 48. Minimum size
- 49. Commercial
- 50. West coast rock lobster zones

51. Recreational and subsistence

PART 10: EAST COAST ROCK LOBSTER

52. General

53. Recreational or subsistence

PART 11: OTHER SPECIES

54. Prohibited deepwater species

55. Shellfish, red bait and other invertebrate fish

56. Size limits, gear restrictions and fishing methods

57. Aquatic plants

58. Whales, dolphins and turtles

59. Sea horse and pipe fish

CHAPTER 6

MARICULTURE

60. General

61. Applications

62. General mariculture permit conditions

63. Mariculture permit holders to minimise environmental impacts

64. Modification of permits

65. Cessation of mariculture

66. Suspension of mariculture permits

67. Cancellation and non-renewal of mariculture permits

68. Prohibition on unauthorised release of live fish

69. Environmental impact assessment

70. Genetically modified organisms

71. Notifiable diseases

72. Use of chemicals or pharmaceutical drugs

73. Public health

CHAPTER 7

LANDING, TRANSPORTATION, DELIVERY, RECEIPT, PROCESSING AND MARKETING OF FISH AND FISH PRODUCTS

74. Prohibition

CHAPTER 8

COMPLIANCE CONTROL

75. Marine protected areas

76. Vessel monitoring systems

77. Marking of fishing vessels

78. Radio call signs

79. Logbooks

80. Documents to be carried on board fishing vessels

- 81. Stowage of fishing gear
- 82. Observers
- 83. Fishery control officers
- 84. Inspection procedures
- 85. Offloading and transhipment

CHAPTER 9

OTHER PROVISIONS

PART 1: PROVISIONS RELATING TO THE LEAVING OF OBJECTS AND DISPENSING OF MATERIAL IN THE SEA

- 86. Fishing gear and other implements
- 87. Waste

PART 2: FISHING HARBOUR REGULATIONS

- 88. Use of buildings
- 89. Navigation, entrance to and accommodation in fishing harbours
- 90. Mooring of fishing vessels and vessels
- 91. Placing of objects in fishing harbours
- 92. Health, offensive cargoes and fire hazards
- 93. Repairs
- 94. Entrance to fishing harbour
- 95. Vehicles

PART 3: OFFENCES AND PENALTIES

- 96. Offences and penalties

ANNEXURE 1: FORMAT OF FOREIGN FISHING VESSEL LICENCE

ANNEXURE 2: CLOSED SEASONS

ANNEXURE 3: MEASURING OF MASS

ANNEXURE 4: NON-SALEABLE RECREATIONAL LIST

ANNEXURE 5: SPECIALLY PROTECTED LIST

ANNEXURE 6: CRITICAL LIST

ANNEXURE 7: RESTRICTED LIST

ANNEXURE 8: EXPLOITABLE LIST

ANNEXURE 9: BAIT LIST

ANNEXURE 10: SIZE AND MASS LIMITS

ANNEXURE 11: WEST COAST ROCK LOBSTER ZONES**ANNEXURE 12: PROHIBITED DEEPWATER SPECIES****ANNEXURE 13: BAG LIMITS FOR INVERTEBRATE FISH, WHICH MAY BE POSSESSED BY A HOLDER OF A RECREATIONAL, OR SUBSISTENCE PERMIT****ANNEXURE 14: STANDARDISED VESSEL MARKING**

Definitions

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

"abalone" means the species *Haliotis midae*;

"alikleukel" means the species *Turbo sarmaticus* also known as ollycrook, cockle or giant periwinkle;

"aquarium fish" means fish that are caught or collected for display purposes in fish tanks or aquariums;

"armadillo" means any species of the class Polyplacophora, also known as chiton;

"beach-seine net" means any net, used for fishing with or without a cod-end or bag, deployed from the shore whether by hand or from a vessel, and then hauled onto the shore or vessel;

"bloodworm" means any species of the genus *Arenicola*;

"bottom trawl/net" means any net designed to be dragged along the bed of the sea by a fishing vessel;

"bycatch" means any species landed in addition to a target species for which a permit has been issued;

"cast net" means any net, which is cast from the shore for the purpose of fishing;

"chokka squid" means the species *Loligo vulgaris reynaudii*;

"clam" means any species of the genus *Macra*, also known as sand mussel;

"coastline" means the line formed by the high-water mark;

"coral" means any species of the order Scleractinia or Alcyonacea;

"crab" means any species of the tribe Anomura or Brachyura, also known as sea crab,

but does not include a mud crab or mole crab;

"crew" means any person on board a fishing vessel or other vessel;

"cuttlefish" means any species of the genus *Sepia*;

"day" means any period of 24 consecutive hours;

"disturb" means any action that has an influence on the natural behaviour of a fish;

"diving" means swimming below the surface of the sea;

"dolphin" means any species of the superfamily Delphinidae;

"drag net" means a net, pulled by a vessel, for the capture of prawns in an estuary;

"east coast rock lobster" means any species of the genus *Panulirus*;

"fish trap" means any structure used to entrap fish.

"great white shark" means the species *Carcharodon carcharias*, also known as blue pointer;

"hake" means any species of the genus *Merluccius*;

"high-water mark" means the high-water mark as defined in section 1 of the Sea-shore Act, 1935;

"hoop net" means a net with a hoop at the end of a pole used by a person for the capture of glassies and squid;

"kingklip" means the species *Genypterus capensis*;

"land", in relation to fish, means to bring such fish onto the land, whether from a vessel or not;

"limpet" means any species of the family Patellidae;

"linefish" means any fish set out in Annexures 4, 5, 6, 7, 8 and 9;

"longline" means any line or connected lines or fishing gear to which a total of more than 10 fishing hooks is attached;

"marine biotoxin" means any poisonous compound accumulated by fish feeding on toxin-producing algae, or on seawater containing toxins produced by such organisms;

"midwater trawl net" means any net, which can be dragged by a fishing vessel along any depth between the bed and the surface of the sea without continuously touching the bottom;

"mole crab" means any species of the family Hippidae, also known as sea lice;

"mouth" means the midpoint of a river and mouth of the river where it enters the open sea with a straight line drawn along the coast along the low water mark;

"mud crab" means any species of the family Portunidae including *Scylla serrata*, also known as giant, green swimming or mangrove crab;

"Natal eastern deepwater rock lobster" means the species *Palinurus delagoae*;

"octopus" means any species of the subfamily Octopodinae;

"oyster" means the species *Striostrea margaritacea*, *Ostrea atherstonei*, *Pinctada capensis* or *Saccostrea cucullata*;

"pansy shell" means any species of the genus *Echinodiscus*, also known as sand dollar or *gesiggiester*;

"pelagic fish" means the species *Engraulis capensis* (anchovy), *Sardinops sagax* (pilchard, sardine), *Trachurus trachurus capensis* (horse mackerel) or *Scomber japonicus* (mackerel), or any species of the genus *Etrumeus* (red-eye or round herring), the family Myctophidae (lanternfish) or the family Sternoptychidae, *Maurollicus muelleri* (lightfish);

"periwinkle" means any species of the genus *Littorina*, *Oxystele* or *Turbo*, other than *Turbo sarmaticus*;

"polychaete worm" means any marine bristle-worm of the class Polychaeta including mussel, coral-, wonder-, blood-, shingle-, moonlight, pot -, rock- or flat-worm;

"prawn" means any species of the family Penaeidae or the genus *Callinassa* or *Upogebia*;

"purse-seine" or "purse-net" means an encircling net of any size which is supported on the surface of the sea by floats along the head-line and weighted by weights along the footrope under the surface of the sea, 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 and is attached to the footrope and includes any net of which the bottom portion is drawn together in a similar manner;

"razor clam" means any species of the genus *Solen*, also known as penknife-, pencil- or knife-bait;

"red bait" means the species *Pyura stolonifera*;

"rock lobster" means any species of the family Palinuridae, also known as spiny lobsters or crayfish, or the species *Scyllarides elizabethae*, also known as mud-, shovelnosed-, slipper- or shoveller crayfish and any part thereof;

"rock lobster trap" means any trap, pot or other implement of whatever construction, intended or used for the fishing or holding of rock lobster, but does not include a rock lobster ringnet;

"rock mussel" means any species of the genus *Aulacomya*, *Mytilus*, *Choromytilus* or

Perna, also known as brown, black or ribbed mussel;

"scallop" means the species *Pecten sulcicostatus*;

"sea cucumber" means any species of the class *Holothuroidea*;

"sea fan" means any species of the order *Gorgonacea*, also known as *seetak*;

"Sea Fisheries" means the Chief Directorate: Sea Fisheries of the Department;

"sea pen" means any species of the order *Pennatulacea*;

"sea urchin" means any species of the class *Echinoidea*, but does not include a pansy shell;

"sell" includes to hawk, peddle, barter, exchange or otherwise dispose of for a consideration or to offer, advertise, expose or possess for the purpose of selling hawking, peddling, bartering, exchanging or otherwise disposing of for a consideration;

"shell" means the empty shell of a shellfish;

"shellfish" means any species of the order *Gastropoda*, *Bivalvia*, *Scaphopoda* or *Polyplocophora*;

"shove net" means a net which is pushed by a person for the capture of prawns and shrimp in an estuary;

"sifflie" means the species *Haliotis spadicea*, also known as Venus Ear;

"slipway" includes the main and side slipway and a syncrolift;

"south coast rock lobster" means the species *Palinurus gilchristi*, also known as southern deepwater rock lobster;

"speargun" means a device by which a spear is projected by mechanical or pneumatic means;

"squid" means any species of the families *Loliginidae* and *Ommastrephidae*;

"staked or set-net" means any net used for fishing and which is staked or set by -

(a) attaching it to any fixed object; or

(b) allowing any weights thereof to rest on or be anchored to the seabed;

"swordfish" means the species *Xiphias gladius*;

"the Act" means the Marine Living Resources Act, 1998 (Act No. 18 of 1998);

"tidal lagoon" means a tidal lagoon as defined in section 1 of the Sea-Shore Act, 1935;

"tidal river" means a tidal river as defined in section 1 of the Sea-Shore Act, 1935;

"treknet " means a beach-seine net;

"trek netting area" means any area in which a beach-seine net, set net or stake net may be used;

"tuna" means the species *Allothunnus fallai*, *Euthynnus affinis*, *Gymnosarda unicolor*, *Katsuwonus pelamis*, *Sarda orientalis* or *Sarda sarda* or any species of the genus *Thunnus*;

"turtle" means the families *Chelonidae* and *Dermochelidae*;

"west coast rock lobster" means the species *Jasus lalandii*, also known as Cape rock or spiny lobster or kreef;

"whale" any member of the order *Cetacea* but does not include a dolphin;

"white mussel" means the species *Donax serra*.

CHAPTER 1

ADMINISTRATIVE MATTERS

Consultative Advisory Forum for Marine Living Resources

2. (1) The first meeting of the Forum shall be held at a time and place determined by the Chairperson.

(2) The Forum shall meet at least once every six months.

(3) The Chairperson may convene a special meeting at any time that he or she may deem necessary.

(4) The Chairperson shall be obliged to convene a meeting at the instance of the majority of the members of the Forum.

(5) The Forum shall operate by consensus: Provided that if consensus is not achieved—

(a) the decision of the majority shall constitute a decision of the Forum; or

(b) in the event of an equality of votes on any matter, the Chairperson shall have the casting vote in addition to his or her deliberative vote.

(6) The Chairperson and at least one half of the members of the Forum, shall constitute a quorum.

(7) Sea Fisheries shall function as the secretariat of the Forum.

(8) The Chairperson of the meeting and one person appointed by the members of the Forum shall sign the minutes of each meeting certifying the correctness thereof.

(9) In the absence of the Chairperson a Vice-Chairperson appointed by the Minister from the members shall act as Chairperson of the Forum.

(10) A set of the minutes of each meeting shall be kept at Sea Fisheries and be made available for public inspection.

Identity cards

3. An identity card issued to an Honorary Marine Conservation Officer in terms of Section 9(2), a fishery control officer in terms of section 9(1) or an observer in terms of section 50(1) of the Act shall include the following:

- (a) Surname and initials;
- (b) identity number;
- (c) photograph;
- (d) name and address of the principal upon who's behalf the appointee or designee acts;
- (e) designation and rank ,where relevant;
- (f) date of appointment or designation;
- (g) appointment or designation number;
- (h) return address of the Department;
- (i) signature of appointed or designated person; and
- (j) reference to the section of the Act under which appointed or designated.

Register

4. (1) The register referred to in section 12(1) of the Act shall contain particulars of—

- (a) the name and physical address of all holders of rights of access, other rights, permits or licences in terms of the Act;
- (b) the telephone number, fax and electronic mail number, where applicable, of a person contemplated in paragraph (a);
- (c) the species of fish in respect of which a right or permit applies, where applicable;
- (d) the mass of each species of fish for which the right or permit applies, where applicable;
- (e) the period of validity of the right of access , other right, permit or licence granted and the date from which it is valid;
- (f) the name, registration number and call sign of the vessel in respect of which a

licence has been issued;

- (g) the species of fish which may be caught from a licensed vessel, where applicable;
- (h) in relation to a fish processing establishment, the purpose for which the establishment may be used;
- (i) in relation to mariculture, the species and mass of fish in respect of which such right has been granted, where applicable;
- (j) any revocation, cancellation, suspension, alteration or reduction with respect to rights, permits or licences in the register, together with the extent and period in respect of which such right has been limited; and
- (k) any transfer of a right, the person to whom it has been transferred and the date from which such transfer is effective.

(2) The register shall be available for inspection by the public from 08h00 to 12h00 on normal working days at the office of Sea Fisheries, Cape Town.

Procedure for Appeals

5. (1) An appeal by any person in terms of section 80 of the Act shall be submitted in writing to the Minister within 30 days after the appellant has been notified of the decision against which he or she is appealing.

(2) An appeal shall set out all the relevant facts as well as the grounds of appeal and shall be accompanied by any relevant document or a copy thereof certified as true by a Commissioner of Oaths.

(3) The appeal contemplated in subregulation (2) shall be served by the appellant on the person against whose decision the appeal is made, and that person shall submit a report on the appeal to the minister within 30 days after the appeal had been served on him or her.

CHAPTER 2

RIGHTS OF ACCESS, OTHER RIGHTS, PERMITS AND LICENCES

Duplicate licences and permits

6. If a licence or permit is lost or destroyed, a duplicate may be obtained upon application against the payment of a fee determined by the Minister under section 25 of the Act.

Format of foreign fishing vessel licence

7. A foreign fishing vessel licence shall be in the format set out in Annexure 1.

Fishing returns

8. (1) On or before the fifteenth day of each month the holder of a permit shall submit to Sea

Fisheries, Private Bag X2, Roggebaai, 8012, or to any person appointed for that purpose by the Director-General, a return furnishing the information required in the permit and in the form referred to therein.

(2) A return submitted by the holder of a permit under subregulation (1) shall be dated and the information furnished therein shall be certified by that holder as being correct.

CHAPTER 3

CLOSED SEASONS AND CLOSED AREAS

Closed Seasons

9. No person shall, except on the authority of a permit, engage in fishing, collecting, disturbing, keeping or controlling, or be in possession of, any fish during the periods specified for each species in Annexure 2.

Closed Areas

10. No person shall, except on the authority of a permit—

- (a) engage in fishing or collecting any fish in a tidal river or lagoon;
- (b) engage in fishing or collecting any fish within a distance of three nautical miles measured seaward from the high-water mark—
 - (i) in the area between, as southern limit, a line (145° true bearing) 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 bearing) drawn from Christmas Rock, and as northern limit, a similar line drawn from the Gxulu River mouth; and
 - (iii) in the area between, as southern limit, a line (145° true bearing) drawn from the mouth of the Nyara River and, as northern limit, a line (139° true bearing) drawn from the mouth of the Great Kei River;
- (c) use any net, netting or longline in the area within 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 beacon marked S.H.1 and situated on the point known as "South Head": Provided that the use of a net 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 as indicated on Chart SAN 1010;
- (d) use any staked, set or, driftnet, or bottom trawlnet or midwater trawlnet or any purse-seine net or any purse-net or any longline or any type of rock lobster trap within False Bay, in the area north of a straight line drawn from the lighthouse at Cape Hangklip to the lighthouse at Cape Point;
- (e) engage in fishing or collecting any fish inside Harderbaai at Onrus River, in the area

between the high-water mark and a straight line drawn between a beacon marked O.R.1 (situated at Van der Riet Hoek) and a beacon marked O.R.2 (situated at Marine Drive Point);

(f) engage in fishing or collecting any fish or remove any aquatic plant within –

- (i) the area 500 metres seaward of the high-water mark between, as northern limit, a line (270° true bearing) 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 bearing) drawn from the lighthouse at Cape Point;
- (ii) the area 500 metres seaward of the high-water mark between, as northern limit, a line (090° true bearing) 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";
- (iii) the area 500 metres seaward of the high-water mark between, as northern limit, a line (090° true bearing) 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;
- (iv) the area 500 metres seaward of the high-water mark between, as northern limit, a line (090° true bearing) 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;
- (v) the area 500 metres seaward of the high-water mark between, as northern limit, a line (225° true bearing) from the security fence next to the Lourens River, Strand, and as southern limit, a line (320° true bearing) drawn from the navigation light at the end of the eastern breakwater of the fishing harbour at Gordon's Bay;
- (vi) the area (known as the Mudge Point Marine Protection Area) within a distance of 100 metres seaward of the high-water mark between, as western limit, the western limit of the Hawston harbour and, as eastern limit, the eastern limit of the Frans Senekal Nature Reserve; and
- (vii) the area within a distance of 500 metres seaward of the high-water mark between, as eastern boundary, a line (180° true bearing) drawn from the beacon marked H.R.1 situated at Kraal Rock in Walker Bay and, as western boundary, a similar line drawn from the beacon marked H.R.2 situated at Rietfontein, Hermanus; or

(g) engage in fishing or collecting any fish –

- (i) within three nautical miles, in the area between the southern limit of a line (145° true bearing) drawn from the south breakwater of Durban Harbour and northern limit line (145° true bearing) drawn from the Umgeni River; and
- (ii) within Durban and Richards Bay harbours including the north and south piers.

CHAPTER 4**USE OF GEAR****Part 1****General****Prohibition of gear**

11. No person shall, except on the authority of a permit, have on board a fishing vessel or a vessel any gear, stake net, setnet, gillnet, driftnet, bottom trawlnet, midwater trawlnet, purse-seine net, purse-net, longline or any type of rock lobster trap.

Nets and mesh sizes

12. (1) For the purpose of measuring a mesh in any fishing net the mesh size shall be—

- (a) expressed in millimetres;
- (b) measured from inside of knot or joint to inside of knot or joint while the net is still wet after use or after it has been soaked in seawater for at least 10 minutes;
- (c) measured with the net stretched in the direction of the long diagonal of the meshes, lengthwise of the net; and
- (d) equal to the average of the measurement of any series of at least 20 consecutive meshes which are not less than 10 meshes away from any lacing or ropes of the net.

(2) The instrument to be used for measuring of the mesh size of a net shall be a gauge which—

- (a) be 2 mm thick, flat, of durable and non-corrodible material and capable of retaining its shape;
- (b) have tapering edges with a taper of one to eight;
- (c) have a hole at the narrowest extremity; and
- (d) have the width inscribed at regular intervals;

(3) Measurements by means of a gauge referred to in subregulation (2) shall be taken by inserting the gauge by its narrowest extremity into the mesh opening in a direction perpendicular to the plan of the net while the gauge is subject to a pressure or pull corresponding to 5 kg.

(4) Meshes which are mended or broken or have attachments of the net fixed to them shall not be measured.

(5) No person shall use any device or have any construction of a net or netting by means of which the meshes are obstructed or drawn together while fishing or which in any other way will

cause the openings of the meshes, and accordingly, the mesh selectivity of the net or netting to be reduced.

Part 2

Trawl fishing

Closed areas

13. (1) No person shall use any trawlnet for fishing in the following areas:

- (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;
- (c) to seaward of the lines defined in paragraphs (a) and (b) above within the sector of a circle with a radius of 1,5 nautical miles drawn from the lighthouse at Cape St Blaize;
- (d) seaward of the high-water mark in the area bounded by a line (160° true bearing) drawn from the Sunday's River mouth and by a line (048° true bearing) drawn from the Donkin reserve lighthouse to its point of intersection with the aforementioned line;
- (e) landward of a straight line drawn from the Cape Seal lighthouse to the western bank of the Bloukrans River mouth;
- (f) landward of a straight line drawn from Cape St Francis Point to the lighthouse at Cape Recife;
- (g) landward of a line (084° true bearing) drawn from the lighthouse at Cape Infanta to the beacon marked K2, situated at Cape Barracouta; and
- (h) in a tidal river or tidal lagoon, except on the authority of a permit.

(2) No person shall, except on the authority of a permit, use a trawlnet within a distance of five nautical miles seaward of the high-water mark in the area bounded by a line (180° true bearing) drawn from the Cape Point lighthouse and a line drawn at the border between the Republic and Namibia on the northern bank of the Orange River (approximately 234° true bearing) as indicated on Chart SAN FZ1.

Mesh size

14. No person shall, except on the authority of a permit—

- (a) have or use any bottom trawlnet or midwater trawlnet of which the mesh size in any part of the net is less than 75 mm on board any fishing vessel; or
- (b) have or use a bottom trawlnet or midwater trawlnet of which the mesh size in any part of the net is less than 110 mm, in the area west of longitude 20° east.

Attachments to trawlnets

15. (1) Subject to subregulation (2), no person shall attach any canvas, netting or other material to the cod-end of a trawlnet.

(2) Notwithstanding subregulation (1)—

- (a) a piece of net, known as a bottom-side chafer, may be attached to the underside of the cod-end of a trawlnet in order to reduce wear and tear: Provided that such a piece of net is attached to the underside and side edges of the cod-end only; and
- (b) it is permissible to use a so-called Polish topside chafer, being a rectangular piece of netting attached to the rear portion of the upper side of the cod-end. Provided that such netting —
 - (i) is of the same twine material and size as that of the cod-end;
 - (ii) has a mesh size at least double that of the cod-end; and
 - (iii) is fastened to the cod-end along the forward, lateral and rear edges of the cod-end in such a way as to ensure that the meshes of the netting exactly overlap the meshes of the cod-end; and
- (c) not more than one flapper, being a piece of netting fastened inside a trawl in such a way that it allows fish to pass from the front to the rear of the trawl but limiting their possibility of return, may be used: Provided that—
 - (i) the flapper shall be fastened mesh by mesh across the upper half and to the inside of the cod-end;
 - (ii) the mesh size of the flapper shall not be less than the mesh size of the cod-end; and
 - (iii) the distance between the point where the flapper is fastened and the codline shall be at least three times the length of the flapper, but not less than 8 metres.

(3) Subject to subregulation (4), no person shall use any round straps on a trawlnet, unless—

- (a) the distance separating two successive round straps is at least one metre;
- (b) the round straps are fastened across the outside of the cod-end of the net in at least two places; and
- (c) the total length of any round strap is not less than 50 percent of the circumference of the cod-end, measured at the point where the round strap is fastened to the cod-end, the circumference being determined by measuring a length of at least ten stretched meshes in the direction of the circumference and from the knot-centre of the first mesh being measured to the knot-centre of the last mesh being measured, dividing the result thus obtained by the number of meshes measured and multiplying the figure obtained by the total number of continuous meshes counted in the circumference.

(4) Notwithstanding the provisions of subregulation (3), a single round strap ("back strap") of a length shorter than 50 percent of the circumference of the cod-end may be used on a trawl net if it is attached to the net not more than 700 mm from the position where the codline is fastened, measured when the meshes are stretched lengthwise.

Part 3

Purse-seine fishing

Closed areas

16. No person shall use any purse-seine net—

- (a) within a distance of one nautical mile seaward of the high-water mark, in the area bounded by a line (000° true bearing) drawn from the lighthouse at Stompneus Point and a line (270° true bearing) drawn from the mouth of the Bokram River;
- (b) in Walker Bay within an area bounded by two imaginary lines drawn from Voorsteklip at Die Plaat to a beacon marked M1 at Mudge Point, near Hawston, and from the lighthouse on the southern breakwater in the fishing harbour at Gans Bay to the beacon marked M1 at Mudge Point;
- (c) within Walker Bay landward of a line drawn from the lighthouse on the southern breakwater in the fishing harbour at Gans Bay to a beacon marked M1 at Mudge Point, during the period 1 to 31 January and 1 to 31 December in any year; or
- (d) in a tidal river or tidal lagoon, except on the authority of a permit.

Nets and mesh sizes

17. No person shall, except on the authority of a permit—

- (a) have or use any net or netting with a mesh measuring less than 28 mm on board any fishing vessel;
- (b) overlay or super-impose any net or netting on any net or portion of any net when engaged in fishing; or
- (c) engage in fishing, attempt to engage in fishing or disturb any species other than pelagic fish by means of a purse-seine

Measuring of mass

18. Measuring of mass of pelagic fish received by a fish processing establishment shall be determined by a mass meter which complies with the specifications set out in Annexure 3 and shall be provided and installed by the owner of the fish processing establishment.

Part 4

Other Nets: Beach-seine net, staked net, set-net, hoop net, shove net, drag net, driftnet, and gillnet

General**19. No person shall, except on the authority of a permit—**

- (a) have or use any beach-seine net, staked net, set-net, hoop net, shove net, drag net, driftnet or gillnet;
- (b) have or use overlay or super-impose any net or netting on any net or portion of a net when fishing;
- (c) have on board, land or transship in South African waters any tuna which have been caught by means of a gillnet; or
- (d) use any beach-seine net, staked net, set-net or cast net for fishing from sunset to sunrise.

Closed areas**20. (1) No person shall—**

- (a) use a driftnet within any trek netting area within a distance of two nautical miles seaward of the high-water mark;
- (b) anchor any vessel or place any obstruction in any trek netting area in a manner which interferes with the use of a beach-seine net at any time when treknet fishing is actually being conducted; or
- (c) use a set or staked-net, except on the authority of a permit.

(2) For the purposes of subregulation (1)(a) "trek netting area" shall include—

- (a) the area between the fish processing establishment of Patemoster Visserye Beperk and the furthest point of Patemoster Bay, known as "Groot Patemoster Punt";
- (b) Britannia Bay and Shell Bay, in the district of Malmesbury, between a line (000° true bearing) drawn from Cape St Martin, as western limit, and a similar line drawn from the lighthouse at Stompneus Point, as eastern limit; and
- (c) the area known as Hout Bay Beach, in Hout Bay in the district of Wynberg.

(3) No person shall use any drift, staked, or set-net for fishing within a distance of—

- (a) 500 metres seaward of the high-water mark in the area bounded by a line (000° true bearing) drawn from the beacon marked D.R. situated on the remaining extent of Wilde Varkens Valley A, due south of "Doctor's Reef", and a line (true bearing 270°) drawn from the point of Cape Deseada at Elands Bay;
- (b) three nautical miles seaward of the high-water mark in the area bounded by a line (true bearing 270°) drawn from the Cape Point lighthouse, and a similar line (true bearing 270°) drawn from the beacon S.H.1 situated on the point known as "South

Head", Saldanha Bay; and

- (c) six nautical miles seaward of the high-water mark in the area bounded by a straight line (180° true bearing) drawn from the lighthouse at Cape Hangklip, and a similar line drawn from the lighthouse at Cape St Blaize;
- (d) 500 metres seaward of the high-water mark in the area bounded in the west by a straight line drawn from beacons which are respectively marked S.H.B.W.1 and S.H.B.2 and situated on Stompneus Point, and in the east by a similar line drawn from 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"; and
- (e) three nautical miles seaward of the high-water mark in the area bounded by a straight line drawn from the point of Cape Deseada at Elands Bay, and a line (234° true bearing) drawn from the northern bank of the Orange River, as indicated on Chart SAN FZ1.

Part 5

Linefishing

General

21. (1) No person shall, except on the authority of a permit, engage in fishing by means of gear to which a total of more than ten fishing hooks are attached.

(2) No person shall, except on the authority of a permit, sell any linefish set out in Annexure 4: Provided that this provision shall not be applicable to the sale of linefish which has been imported.

(3) No person shall sell, deliver or acquire any linefish, or any part or product thereof, unless the seller issues an invoice described in subregulation (4) at the time of delivery in respect of such linefish or any part or product thereof to the person acquiring it.

(4) An invoice referred to in subregulation (3) shall be kept for no less than 24 months by the person to whom it has been issued and shall contain at least the following details:

- (a) The names and addresses of the parties to the sale;
- (b) the date of delivery; and
- (c) the quantity or mass of linefish or any part or product thereof sold.

Bag limits

22. (1) No person shall, except on the authority of a permit—

- (a) engage in fishing, collecting, disturbing, landing, keeping or controlling of, or shall be in possession of or sell, any of the species on the specially protected list set out in Annexure 5.

- (b) engage in the fishing, collecting, disturbing, landing, keeping or controlling of, or shall on any one day be in possession of more than two fish, on the critical list set out in Annexure 6.
 - (c) engage in the fishing, collecting, disturbing, landing, keeping or controlling of, or shall on any one day be in possession of more than five fish on the restricted list set out in Annexure 7.
 - (d) engage in fishing, collecting, landing, keeping or controlling of or shall on any one day be in possession of, more than 10 fish in total of the species on the recreational list set out in Annexure 4: Provided that no person shall engage in fishing, collecting, landing, keeping or controlling of or shall on any one day be in possession of, more than five fish of any one of the species listed.
- (2) A holder of a recreational fishing permit may not on any one day, engage in fishing, collecting, landing, keeping or controlling of or be in possession of more than 10 fish in total on the exploitable list set out in Annexure 8.
- (3) A holder of a subsistence fishing permit may not on any one day, engage in fishing, collecting, landing, keeping, controlling or selling of, or be in possession of more than 10 fish in total on the exploitable list set out in Annexure 8;

Part 6

Other gear

Other gear

23. No person shall, except on the authority of a permit—

- (a) use any artificial respiratory apparatus, except a snorkel, while fishing;
- (b) engage in the fishing, collection or disturbing of any fish by means of a gaff, club, flail, stick, stone or similar implement;
- (c) engage in fishing, collecting or disturbing any fish, except for octopus, cuttlefish or squid, by the jerking of a hook or jig in the sea with the intention of impaling the fish thereon, also known as jigging or snatching;
- (d) engage in fishing, collecting or disturbing any kingklip by means of a trap;
- (e) engage in the fishing, collection or disturbing of any fish by means of a spear;
- (f) engage in fishing, collecting or disturbing of any fish by means of a fish trap; or
- (g) engage in fishing, collecting or disturbing any fish with a speargun in a tidal river or tidal lagoon.

Part 7
Marine aquarium fish

Marine Aquarium Fish

24. (1) Except on the authority of a permit, no person shall—

(a) engage in fishing or collecting marine aquarium fish, or keep in any aquarium any fish for any purpose; or

(b) keep in captivity any marine mammal for any purpose.

(2) No person shall gather any marine aquarium fish with the aid of artificial respiratory apparatus, except a snorkel.

CHAPTER 5

SPECIES RESTRICTIONS

Part 1
General

Size and Mass Limits

25. No person shall, except on the authority of a permit—

(a) engage in fishing, collecting, keeping or controlling of or be in possession of, any fish of the species set out in Annexure 10 of a mass less than or of a size smaller than that indicated in the said Annexure and which size shall be measured in a straight line from the tip of the snout to the extreme end of the tail; or

(b) land fish in such condition that it cannot be established whether the fish conforms to the minimum size.

Dumping

26. Subject to the provisions of these Regulations, no person shall dump or discard at sea any fish for which a total allowable catch, total applied effort or precautionary maximum catch limits has been set.

Disposal of fish and aquatic plants

27. (1) No person shall, except on the authority of permit—

(a) sell any fish on the recreational list set out in Annexure 4;

(b) sell any swordfish: Provided that the provisions of this regulation shall not apply to the selling or offering for sale of swordfish caught as a by-catch by means of trawlnets or longlines and which shall not exceed 10 percent of the mass of the total catch, or to swordfish imported under the authority of a permit;

(c) transship or transfer at sea any fish or fishing gear from a fishing vessel or person to

another fishing vessel or person;

(d) sell any aquatic plant;

(e) import any fish or any part or product thereof; or

(f) export any fish or any part or product thereof.

(2) Any live fish caught in contravention of any provision of the Act, shall be returned immediately to the sea and, insofar as possible, without causing any further harm to the fish: Provided that any linefish caught in contravention of any provision of the Act, shall be returned immediately to the sea irrespective whether it is alive or dead.

Part 2

Hake Longlining

General

28. (1) No person, while engaged in fishing hake by means of a longline, shall—

(a) on any one day collect, keep, control or be in possession of any by-catch in excess of more than 20% nominal mass of his or her hake catch;

(b) land any by-catch in excess of more than 20% nominal mass of his or her hake catch;

(c) on any one day collect, keep, control or be in possession of any kingklip by-catch in excess of more than 10% nominal mass of his or her hake catch; or

(b) land any kingklip by-catch in excess of more than 10% nominal mass of his or her hake catch.

(2) All birds caught while fishing by means of a longline shall be released if alive, or if dead be handed over to a fishery control officer at the end of a voyage.

(3) A record of all fishing and related activities and catches (whether landed or not), shall be kept in the format determined in the permit.

(4) A record of all longline gear lost at sea, shall be kept in the format determined in the permit.

Gear Restrictions

29. (1) Only bottom-set longlines shall be used in the fishing for hake with longlines.

(2) Longlines may only be shot during hours of darkness and gear deployment shall cease at least one hour before nautical dawn.

(3) Both the main line and the branch lines (snood) must be properly weighted and setting speed must be such that sinking rates are maximised.

(4) Offal dumping or discharging—

- (a) must be minimised;
- (b) shall take place on the opposite side of the vessel from that on which lines are hauled; and
- (c) may not take place during setting of the lines.

(5) Fishing hooks, fishing line or plastic may not be discarded, except where the removal of the hooks from live discards may endanger the safety of the crew or be detrimental to the survival of a fish, seal, bird or animal.

(6) Deck lighting shall be kept to a minimum without compromising safety and must be shaded in such a way that the beam is directed towards the deck.

(7) An approved streamer line (tori line) must be flown during setting of each longline and the said streamer must be deployed directly above the main line, unless two streamers are used, in which case they must be deployed on either side of the main line.

(8) No person shall discard or abandon any longlining gear at sea.

Part 3

Sharks

General

30. (1) No person shall, except on the authority of a permit—

- (a) engage in fishing, collecting, killing, attempting to kill, disturbing, harassing or attracting using bait or any other means, keeping or controlling of, or be in possession of, any great white shark: Provided that if caught or killed unintentionally, such shark shall be kept in the whole state, and shall be handed to a fishery control officer as soon as possible; or

- (b) purchase or sell any great white shark or any part or product thereof.

(2) No person, while engaged in the fishing of sharks by means of a longline, shall at any one time—

- (a) collect, keep, control or be in possession of more than 10 hake and five kingklip on board a fishing vessel; or
- (b) land more than 10 hake and five kingklip while a longline is on board the fishing vessel.

(3) No person shall, except on the authority of a permit—

- (a) engage in fishing of any shark by means of any kind of net within 12 nautical miles measured seaward from the high-water mark in the area bounded by a straight line

(180° true bearing) drawn from the lighthouse at Cape Hangklip and a similar straight line (180° true bearing) drawn from the lighthouse at Cape St Blaize; or

- (b) land, transport, transship, sell or dispose of any shark or any part thereof other than in a whole state: Provided that a shark that has been caught may be headed or gutted.
- (c) sell any shark on the recreational list set out in Annexure 4;
- (d) engage in fishing, collecting, landing, keeping or controlling of, or shall on any one day be in possession of, more than 10 sharks in total of the species on the recreational list set out in Annexure 4: Provided that no person shall engage in fishing, collecting, landing, keeping or controlling of, or be in possession of, more than five sharks of any one of the species listed.

Bag limits

31. (1) A holder of a recreational fishing permit shall not on any one day engage in fishing, collecting, landing, keeping or controlling of, or be in possession of, more than 10 sharks in total of the species on the exploitable list set out in Annexure 8.

(2) A holder of a subsistence fishing permit shall not on any one day engage in fishing, collecting, landing, keeping or controlling of, or selling or be in possession of, more than 10 sharks in total of the species on the exploitable list set out in Annexure 8.

PART 4

Chokka Squid

Gear restrictions

32. No person shall engage in fishing or collecting squid by means of a suction pump, suction dredger, suction tube or any similar device.

Bag limits

33. (1) No person shall, except on the authority of a permit, engage in fishing, collecting, keeping or controlling of, or shall on any one day be in possession of—

- (a) more than 20 chokka squid; or
- (b) chokka squid which is not in the whole state.

(2) No person shall, except on the authority of a permit, transport chokka squid on any vehicle, vessel or other means of conveyance, unless—

- (a) all the persons by whom the chokka squid were caught are in or on such vehicle, vessel or other means of conveyance; and
- (b) such vehicle, vessel or other means of conveyance is not used to transport more than 100 squid at any one time.

(3) No person shall sell, deliver or acquire any squid, or any part or product thereof, unless the seller issues an invoice described in subregulation (4) at the time of delivery in respect of such squid, part or product thereof to the person acquiring it.

(4) An invoice referred to in subregulation (3) shall be kept for no less than 24 months by the person to whom it has been issued and shall contain at least the following details:

- (a) The names and addresses of the parties to the sale;
- (b) the date of delivery; and
- (c) the quantity or mass of squid or product thereof sold.

PART 5

Tuna

General

34. No person, while engaged in fishing tuna by means of a longline, shall—

- (a) engage in fishing, collecting, keeping or controlling of, or be in possession of, hake or kingklip on board the fishing vessel; or
- (b) land any hake or kingklip, while carrying or having such longline on board the fishing vessel.

Bag limits

35. (1) A holder of a recreational fishing permit shall not on any one day engage in fishing, collecting, landing, keeping or controlling of, or be in possession of, more than 10 tuna in total of the species on the exploitable list set out in Annexure 8.

(2) A holder of a subsistence fishing permit shall not on any one day engage in fishing, collecting, landing, keeping or controlling of, or selling of, or be in possession of, more than 10 tuna in total of the species which appear on the exploitable list set out in Annexure 8.

PART 6

Abalone

General

36. (1) No person shall during and following fishing or related activities, transport any abalone that is—

- (a) not in the whole state, except on the authority of a permit; or
- (c) remove abalone other than with the use of a flat implement of which the front edge is

not less than 25 mm wide and not more than 35 mm wide and that has been so rounded as not to cut or damage the foot of an abalone.

(2) No person under the age of 12 years shall be entitled to obtain a recreational abalone permit.

(3) No person shall sell, deliver or acquire any abalone, or any part or product thereof, unless the seller issues an invoice described in subregulation (4) at the time of delivery in respect of such abalone or any part or product thereof to the person acquiring it.

(4) An invoice referred to in subregulation (3) shall be kept for no less than 24 months by the person to whom it has been issued and shall contain at least the following details:

- (a) The names and addresses of the parties to the sale;
- (b) the date of delivery; and
- (c) the quantity or mass of abalone or part or product thereof sold.

Minimum size

37. No person shall engage in fishing, keeping or controlling of, or be in possession of, any abalone of which the shell is able to pass through a ring with an inside diameter of 114 mm.

Recreational or subsistence

38. (1) A person over the age of 12 years may obtain from any authorised office a recreational fishing permit to engage in fishing, collecting, keeping, controlling, landing or transporting of, or be in possession of not more than four abalone per day by diving or collecting it from the sea-shore, subject to the payment of a fee determined by the Minister under section 25 of the Act.

(2) The holder of a subsistence fishing permit may engage in fishing, collecting, keeping, controlling, landing or transporting of, or selling of or be in possession of not more than four abalone per day by diving or collecting it from the sea-shore, subject to the payment of a fee determined by the Minister under section 25 of the Act.

(3) No person shall—

- (a) purchase or be the holder of more than one permit contemplated in subregulations (1) and (2);
- (b) keep, control or be in possession of more than 20 abalone at any one time;
- (c) engage in fishing or collecting any abalone between sunset and sunrise;
- (d) use any artificial breathing apparatus, other than a snorkel, for fishing abalone;
- (e) transport, keep, control or be in possession of any abalone in or on a fishing vessel or other vessel; or

- (f) keep, control or be in possession in or on any vehicle or other form of transport of more than four abalone, unless -
 - (i) all the persons by whom the abalone were caught are in or on the vehicle or other form of transport; and
 - (ii) such vehicle or other form of transport is not used to transport more than 20 abalone per day.

Commercial

39. (1) No person shall, except on the authority of a permit -

- (a) engage in fishing, collecting, keeping or controlling of, or be in possession of, abalone for commercial purposes;
- (b) receive, keep, control, be in possession of or process any abalone at a fish processing establishment.

(2) Abalone caught or collected for commercial purposes shall be kept in the whole state until delivered to the holder of a permit contemplated in subregulation (1)(b).

Closed areas

40. (1) A holder of a commercial abalone permit shall not engage in fishing, collecting or disturbing abalone within -

- (a) a distance of 185 m seaward from the high-water mark in the area bounded by a line (180° true bearing) drawn from the Cape Point lighthouse and a similar line drawn from the Cape Agulhas lighthouse;
- (b) the area north of a line drawn from the Cape Point lighthouse to Cape Hangklip lighthouse; and
- (c) a distance of one nautical mile seaward from the high-water mark in the districts of Kentani, Willowvale and Elliotdale.

(2) No person shall, except on the authority of a permit, engage in fishing, collecting or disturbing any abalone within a distance of two nautical miles from the high-water mark on the island known as Dyer Island.

PART 7

Oyster

General

41. No person shall—

- (a) engage in fishing, collecting or disturbing any oyster other than by hand or by means

of an implement of which the blade or flat edge shall not exceed 40 mm in width and shall not be less than one (1) metre in length;

- (b) engage in fishing, collecting or disturbing any oyster between sunset on one day and sunrise on the following day;
- (c) collect, keep, control or be in possession of any oyster for cultivation or re-establishing purposes, except on the authority of a permit ; or
- (d) engage in fishing, collect or disturb any oyster by diving for it with the use of any artificial respiratory apparatus, except a snorkel.

Commercial

42. (1) No person shall, except on the authority of a permit—

- (a) engage in fishing, collecting, keeping, controlling or disturbing of, or be in possession of, any oyster for commercial purposes;
- (b) receive, keep, control, be in possession of or process any oyster at a fish processing establishment.

(2) Any oyster caught or collected for commercial purposes shall be kept in the whole state until it has been delivered to a permit holder contemplated in subregulation (1)(b).

Recreational and subsistence

43. (1) The holder of a recreational fishing permit shall not on any one day engage in fishing, collecting, keeping, controlling or landing of, or be in possession of, more than 25 oysters.

(2) The holder of a subsistence fishing permit shall not on any one day engage in fishing, collecting, keeping, controlling or landing of, or selling of, or be in possession of, more than 25 oysters.

PART 8

Rock lobster

General

44. (1) No person shall—

- (a) engage in fishing, collecting, keeping, controlling, storing or transporting of, or be in possession of, any rock lobster, except on the authority of a permit;
- (b) return to the sea any dead rock lobster or any part or offal thereof, except on the authority of a permit ; or
- (c) engage in fishing, collect, disturb or be in possession of any rock lobster which is in berry, or is about to cast off its shell, or is in a soft condition, or which is carrying

eggs or showing signs of having been stripped of its eggs.

(2) No person under the age of 12 years shall be entitled to obtain a recreational rock lobster permit.

(3) The mass of rock lobster shall be determined by means of an automatic mass meter supplied and installed by the owner of the fish processing establishment receiving such rock lobster.

(4) A mass meter referred to in subregulation (3) shall comply with the requirements of The Director-General, be installed and used in a place approved by the Director-General and shall be properly sealed while used for mass determination.

(5) No person shall remove any rock lobster caught with the use of a fishing vessel from the place where such rock lobster has been landed before the mass thereof has been determined by means of the mass meter referred to in subregulation (3) 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.

(6) No person shall sell, deliver or acquire any rock lobster or any part or product thereof, unless the seller issues an invoice described in subregulation (7) at the time of delivery in respect of such rock lobster or any part or product thereof to the person acquiring it.

(7) An invoice mentioned in subregulation (6) shall be kept for no less than 24 months by the person to whom it has been issued and shall contain at least the following details:

- (a) The names and addresses of the parties to the sale;
- (b) the date of delivery; and
- (c) the quantity or mass of rock lobster or product thereof sold.

Part 9

West Coast Rock Lobster

General

45. No person shall, except on the authority of a permit, be in possession of or allow any diving equipment of any nature on any fishing vessel or vessel when such fishing vessel or vessel is used for fishing or transporting west coast rock lobster.

Commercial gear restrictions

46. (1) A holder of a commercial west coast rock lobster permit shall use the deck grid sorters, traps and ringnets according to the specifications set out in this regulation.

(2) For the purposes of this regulation—

- (a) "frame" means the rectangular metal frame supporting the rods and supporting bar;
- (b) "grid" means the rods and supporting bar without the frame; and
- (c) "usable surface area" means the area measured from the inside edges of the frame (but excluding the two end gaps, if the gaps are less than the specified minimum).

(3) A deck grid sorter used for sorting west coast 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) the grid shall be rectangular in shape with a minimum width of 750 mm;
- (c) the usable surface area shall not be less than 1,1 square meters;
- (d) the gap between adjoining rods, measured at any point shall be at least 41,6 mm but shall not exceed 42,4 mm;
- (e) the width of the gaps between the last rod and the frame shall not exceed 42,4 mm;
- (f) 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;
- (g) 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;
- (h) the two transverse bars shall be welded to the ends of the longitudinal bars to form a rectangular frame;
- (i) 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;
- (j) 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;
- (k) 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;
- (l) 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;
- (m) in the case of stainless steel the 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; and
- (n) all exposed surfaces shall be smooth and free of sharp edges or any other defects that may be injurious to a rock lobster.

(4) West coast rock lobster taken on board any fishing vessel fitted with west coast rock lobster traps, shall be sorted forthwith by means of a deck grid sorter, and any such west coast rock lobster passing through the sorter shall be returned to the sea without delay.

(5) The master or owner of any fishing vessel that is being used for the fishing of west coast rock lobster shall not use or allow to be conveyed or have on board that fishing vessel any west coast rock lobster trap which does not comply with the following specifications, except on the authority of a permit:

- (a) The cod-end, measured from the bottom horizontal side of the trap shall not exceed 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, that is links of at least 30 mm;
- (c) the net or netting with which the trap is covered shall be made from polyethylene;
- (d) the mesh sizes 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; and
- (e) 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.

(6) The owner or master of a fishing vessel used for the fishing of west coast rock lobster shall not have on board, use or allow to be used or transport on such fishing vessel a ringnet with a mesh less than 90 mm stretched (measured from inside of knot or joint to inside of knot or joint) or 45 mm bar and a cod-end longer than 1 200 mm measured from the point where it is attached to the ring: Provided that if west coast rock lobster is caught for the purpose of selling, the mesh of a ringnet shall not be less than 62 mm stretched (measured from inside of knot or joint to inside of knot or joint) or 31 mm bar.

Closed areas

47. No person shall, in any manner or for any purpose, engage in fishing, collecting or disturbing west coast rock lobster within -

- (a) the area within 12 nautical miles seaward of the high-water mark between, as northern limit, a line (270° true bearing) drawn through a beacon marked MB1 and situated at Melkbos Point, and as southern limit, a line (270° true bearing) drawn from a beacon marked HD1 at "Die Josie" situated near Chapman's Peak south of Hout Bay;
- (b) the entire area within Saldanha Bay east of a straight line drawn through two beacons marked N.H.1 and N.H.2, respectively, and situated on the point known as "North Head", and two beacons marked S.H.1 and S.H.2 respectively situated on the point known as "South Head";
- (c) the area within six nautical miles seaward of 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 beacon marked D.R., both situated on the remaining extent of Wilde Varkens Valley A, due south of "Doctor's Reef"; and

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

Minimum size

48. (1) The minimum size of west coast rock lobster shall be determined by measuring—

- (a) the carapace in a straight line along its mid-dorsal line from the centre of the posterior edge to the tip of the rostrum or middle anterior spine; and
- (b) the second segment of the tail, counted from the junction of the tail with the body, along the mid-dorsal line from the front to the rear edge.

(2) For the purposes of this regulation, the "edge" means the hard edge of the carapace or cephalothorax, but does not include the edge or any part of the fringe or setae (hairs) that protrude rearward from the carapace.

Commercial

49. (1) A holder of a commercial west coast rock lobster permit shall not engage in fishing, collecting or disturbing of, or be in possession of, any west coast rock lobster of which the length of the carapace is less than 75 mm or the length of the second segment along the dorsal midline of such tail is less than 19 mm.

(2) No person shall, except on the authority of a permit —

- (a) engage in fishing, collecting, disturbing, keeping or controlling of, or be in possession of, any west coast rock lobster for commercial purposes;
- (b) receive, keep, control, be in possession of or process any west coast rock lobster at a fish processing establishment.

(3) Any west coast rock lobster caught or collected for commercial purposes shall be kept in the whole state until it has been delivered to a permit holder as contemplated in subregulation (1)(b).

(4) A holder of a commercial West Coast rock lobster permit shall not land any west coast rock lobster at any place along the coast, except at the following landing points:

- (a) Port Nolloth - the jetty of Hickson's Canning Company;
- (b) Hondeklip Bay - the jetty of Namaqua Canning Company;
- (c) 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

fish processing establishment of North Bay Canning Company;

- (d) Lambert's Bay - the main landing quay in the fishing harbour;
 - (e) Elands Bay - the four landing quays near the old military camp on Bobbejaanpunt;
 - (f) St Helena Bay - the rock lobster landing quay situated in the fishing harbour at Sandy Point;
 - (g) Paternoster - the seashore between the beacons marked P1 and P2, situated to the east and to the west respectively, of the fish processing establishment of Paternoster Visserye at Paternoster;
 - (h) Abdols Bay - the seashore between the beacons marked E1, indicating the northern boundary, and E2, indicating the southern boundary;
 - (i) Jacobs Bay - the seashore between the beacons marked F1, indicating the northern boundary, and F2, indicating the southern boundary;
 - (j) Saldanha Bay - the rock lobster landing quay in the fishing harbour at Pepper Bay;
 - (k) Cape Town - the fish landing quay at Cape Town Harbour or any other place approved by the Director-General;
 - (l) Hout Bay - the two fish landing quays in the fishing harbour;
 - (m) Witsand - the landing place to the south of Kommetjie situated between the beacons marked H1 and H2 respectively;
 - (n) Kalk Bay - the fish landing quay in the fishing harbour; and
 - (o) Hermanus - the finger quay between the main quay and the breakwater wall.
- (5) A holder of a commercial west coast rock lobster permit shall not -
- (a) engage in fishing, collecting, or disturbing any west coast rock lobster within a distance of one nautical mile seaward of the high-water mark in the area between, as northern limit, a line (270° true bearing) drawn from the beacon marked MD1, situated on the most westerly point on the promontory at the northern end of McDougall's Bay, and as southern limit, a similar line drawn from the beacon marked MD2, situated on the most westerly point on the promontory at the southern extremity of McDougall's Bay;
 - (b) with the aid of a rock-lobster trap or similar gear, engage in fishing or collecting any west coast rock lobster within 12 nautical miles seaward of the high-water mark in the area between, as northern limit, a line (270° true bearing) drawn from a beacon marked K1, situated at Klein Slangkop Point just north of Kommetjie, and as southern limit, a line (270° true bearing) drawn from the Slangkop Point lighthouse situated south of Kommetjie;
 - (c) keep, or allow to be kept, any net or trap that may be used for the fishing of west coast rock lobster on board any fishing vessel in the area west of a line (180° true

bearing) drawn from the Cape Agulhas lighthouse in the period during which the fishing of west coast rock lobster is prohibited under the Act; or

- (d) engage in fishing, collecting or disturbing any west coast rock lobster east of a line (180° true bearing) drawn from the lighthouse at Cape Hangklip.

West coast rock lobster zones

50. Any person who has been authorised to catch west coast rock lobster for commercial purposes, may only catch such west coast rock lobster in the zones set out in Annexure 11.

Recreational or subsistence

51. (1) A holder of a recreational or subsistence fishing permit shall not engage in fishing, collecting, disturbing or be in possession of any west coast rock lobster with a carapace length less than 80 mm.

(2) A person over the age of 12 years may obtain from any authorised office a recreational fishing permit to engage in fishing, collecting, keeping, controlling, landing or transporting of, or to be in possession of not more than four west coast rock lobster per day, subject to the payment of the fees determined by the Minister under section 25 of the Act.

(3) The holder of a subsistence fishing permit may engage in fishing, collecting, keeping, controlling, landing or transporting of, or selling of, or be in possession of not more than four west coast rock lobster per day, subject to the payment of a fee determined by the Minister under section 25 of the Act.

(4) No person shall—

- (a) purchase or be the holder of more than one permit contemplated in subregulations (2) and (3);
- (b) engage in fishing or collecting any west coast rock lobster between sunset and sunrise;
- (c) keep, control or be in possession in or on any vehicle, fishing vessel, vessel, aircraft or other means of conveyance of more than four west coast rock lobster, unless -
 - (i) all the persons by whom the west coast rock lobster were caught are in or on the vehicle, fishing vessel, vessel, aircraft or other means of conveyance; and
 - (ii) such vehicle, fishing vessel, vessel, aircraft or other means of conveyance is not used to transport more than 20 west coast rock lobster per day; or
- (d) keep, control or be in possession of more than 20 west coast rock lobster at any one time.

(5) Any west coast rock lobster caught, collected or transported shall be kept in the whole state.

(6) A holder of a recreational or subsistence west coast rock lobster permit shall only engage in fishing or collecting west coast rock lobster by—

- (a) using a ring net or scoop net with a mesh size more than 90 mm stretched (measured from inside of knot or joint to inside of knot or joint) or 45 mm bar and a cod-end longer than 1200 mm measured from the point where it is attached to the ring, from a fishing vessel not authorised to engage in fishing or collection of west coast rock lobster for commercial purposes;
- (b) using a ring net or scoop net with a mesh size more than 90 mm stretched (measured from inside of knot or joint to inside of knot or joint) or 45 mm bar and a cod-end longer than 1200 mm measured from the point where it is attached to the ring from the sea-shore; or
- (c) diving from the sea-shore without the use of any artificial breathing apparatus other than a snorkel.

PART 10

East Coast rock lobster

General

52. No person shall engage in fishing, collect, disturb or be in possession of any east coast rock lobster of which—

- (a) the carapace is less than 65 mm in length measured along its mid-dorsal line from the centre of the edge which connects the two enlarged anterior spines to the middle of its posterior edge; or
- (b) the second segment of the tail, counted from the junction of the tail with the body, is less than 22 mm measured along the mid-dorsal line between its front and rear edges, in the absence of the carapace;

Recreational or subsistence

53. (1) No person shall—

- (a) engage in fishing, collecting or disturbing any east coast rock lobster with the use of a vessel; or
- (b) engage in fishing or collecting east coast rock lobster with a trap other than—
 - (i) a flat circular trap with no sides and of which the diameter does not exceed 30cm; or
 - (ii) by means of baited hooks.

(2) The holder of a recreational east coast rock lobster permit shall not —

- (a) engage in fishing , collecting, keeping or controlling of not more than eight east

coast rock lobster per day; or

(b) be in possession of more than eight east coast rock lobster at any one time.

(3) The holder of a subsistence fishing permit shall not—

(a) engage in fishing, collecting, keeping, controlling, landing of more than eight east coast rock lobster per day; or

(b) transport, or sell, or be in possession of more than eight east coast rock lobster at any one time.

PART 11

Other species

Prohibited deepwater species

54. No person shall, except on the authority of a permit, engage in fishing, collecting, landing or selling of or be in possession of the species set out in Annexure 12.

Shellfish, red bait and other invertebrate fish

55. (1) No person shall, except on the authority of a permit, engage in fishing, collecting, disturbing, keeping or controlling of, or selling of, or be in possession of, any invertebrate fish.

(2) The holder of a recreational permit shall not engage in fishing, collecting, transporting, keeping or controlling of, or be in possession of, at any one time of a quantity or mass of fish set out in Annexure 13, exceeding the quantity or mass prescribed in that Annexure in respect of such fish.

(3) The holder of a subsistence permit shall not engage in fishing, collecting, transporting, keeping or controlling of, or selling of, or be in possession of, at any one time of a quantity or mass of fish set out in Annexure 13, exceeding the quantity or mass prescribed in that Annexure in respect of such fish.

Size limits, gear restrictions and fishing methods

56. (1) No person shall engage in fishing, collecting, keeping or controlling of, or be in possession of—

(a) alikreukel, able to pass through a ring with an inside diameter of 63,5 mm;

(b) mud crab, measured across the broadest part of the carapace, less than 140 mm;

(c) siffie, able to pass through a ring with an inside diameter of 32 mm; or

(d) white mussel, able to pass through a ring with an inside diameter of 35 mm.

(2) No person shall engage in fishing, collecting or disturbing any—

- (a) rock mussel, limpet, bloodworm, prawn known as a mud prawn or sand prawn, red bait or white mussel in any other manner than by hand or with a hand operated pumping device or by means of an implement of which the blade or flat edge shall not exceed 12 mm in width;
- (b) polychaete worm including bloodworm, in any other manner than by hand: Provided that no person may engage in fishing or collecting any polychaete worm including bloodworm north of the Mtamvuna river;
- (c) mud crab by means of a trap or net, except on the authority of a permit; or
- (d) shellfish between sunset on one day and sunrise on the following day.

(3) No person shall engage in fishing, collecting, keeping or controlling of, or be in possession of, any mud crab or crab which is carrying eggs or showing signs of having been stripped of the eggs.

(4) No person shall, except on the authority of a permit, engage in fishing, collecting or disturbing any mole crab other than by hand or a triangular trap.

(5) No person shall, except on the authority of a permit, engage in fishing, collecting or disturbing any red bait other than by cutting it from the rocks with a knife, and in so doing, leave *in situ* the base of the shell-like other covering.

(6) No person shall, except on the authority of a permit, damage, uproot, collect or land or attempt to damage, uproot, collect or land any live or dead coral.

(7) No person shall, except on the authority of a permit, engage in fishing, collecting or disturbing any live or empty pansy shell.

(8) No person shall, except on the authority of a permit, damage, pick, uproot, collect or land or attempt to damage, pick, uproot, collect or land any live or dead sea fan or sea pen.

Aquatic plants

57. No person shall, except on the authority of a permit, engage in fishing, collecting or removing aquatic plant.

Whales, dolphins and turtles

58. (1) No person, shall except on the authority of a permit—

- (a) engage in fishing, collecting, killing, attempting to kill, disturbing, harassing, keeping or controlling of, or be in possession of, any whale or any part or product thereof at any time;
- (b) use any fish processing establishment, fishing vessel or any other vessel for the freezing or processing of whales or participate in any manner in the operation of or activities on such an establishment, fishing vessel or vessel;
- (c) have on board any fishing vessel or vessel any gear, apparatus or appliance which

can be used in any manner for the fishing, freezing or processing of whales;

- (d) supply any ships stores to any fishing vessel or vessel registered in a foreign state and used for the fishing, freezing or processing of whales or which has any connection with such fishing, freezing or processing;
- (e) operate any whale-watching business that causes a disturbance or harassment of any whale within the meaning of subregulation (2); or
- (f) offer his or her services for or make available his expertise in connection with any of the activities referred to in this subregulation.

(2) For the purposes of subregulation (1), "disturbing or harassing" shall also include -

- (a) the shooting at any whale;
- (b) approaching closer than 300 metres to any whale by means of a fishing vessel, vessel, aircraft or other method; and
- (c) that in the event of a whale surfacing closer than 300 metres from a fishing vessel, vessel, aircraft, the person in charge of such fishing vessel, vessel, aircraft fails to proceed immediately to a distance of at least 300 metres from the whale:

Provided that paragraphs (b) and (c) shall not apply to bona fide efforts by any person rendering aid to a beached, entrapped or entangled whale.

(3) No person shall, except on the authority of a permit, engage in fishing, collecting, killing, attempting to kill, disturbing, harassing, keeping or controlling of, or be in possession of, any dolphin or porpoise or any part or product thereof at any time.

(4) For the purposes of subregulation (3), "disturb or harass" shall also include the deliberate driving a fishing vessel or vessel through a school of dolphins or porpoises.

(5) No person shall—

- (a) feed any wild dolphin or porpoise; or
- (b) advertise or engage in any fishing vessel or vessel trip, whether for gain or not, which is intended to provide for a swim-with-dolphins experience.

(6) Subregulations (3), (4) and (5) shall not apply to bona fide efforts by any person rendering aid to a beached, entrapped or entangled dolphin or porpoise.

(7) No person shall, except on the authority of a permit, engage in fishing, collecting, killing, attempting to kill, disturbing, harassing, keeping or controlling of, or be in possession of, any turtle or any part or product thereof at any time.

Sea horse and pipe fish

59. No person shall engage in fishing, collecting or disturbing any sea horse or pipe fish of the family Syngnathidae.

CHAPTER 6

MARICULTURE

General

60. This Chapter applies to mariculture undertaken for commercial, experimental or research purposes.

Applications

61. (1) An application to undertake mariculture or related activities shall at least contain the following information:

- (a) The scientific name of each species for which an application is made;
- (b) origin of the stock;
- (c) if imported species are being considered, the measures to be taken to avoid introduction of exotic commensals, parasites and pathogens, and measures to be taken to avoid establishment of introduced species in the wild, shall be stated;
- (d) details of the method—
 - (i) of cultivation; and
 - (ii) of mitigating against potential environmental impacts;
- (e) details of chemicals, such as antifoulants, fertilizers, disinfectants, therapeutants, pesticides, herbicides, hormones and anaesthetics, and methods of application that are being considered for use in the operation;
- (f) detailed map indicating the site where the proposed mariculture operations will take place;
- (g) quality of seawater and potential sources of pollution in the proposed area of operation;
- (h) marketing strategy; and
- (i) facilities and employment opportunities that will be created.

(2) If the applicant is required to undertake an environmental impact assessment in respect of the proposed development under the Act or any other law, the application shall be accompanied by a copy of any environmental impact assessment report, and the recommendations of any body responsible for reviewing the environmental impact assessment report.

(3) The Minister may require an applicant to provide any additional information in relation to the application which the Minister reasonably considers necessary and may refuse to consider the application until the information is provided.

(4) If, prior to the issue of a permit, any information contained in an application changes or if there is any material change in the information on which an environmental impact assessment report submitted with the application was based, the applicant shall immediately notify Sea Fisheries in writing.

General mariculture permit conditions

62. (1) A mariculture permit—

- (a) shall only relate to one site: Provided that more than one permit may be granted in respect of the same site;
- (b) is not transferable; and
- (c) is issued subject to -
 - (i) any special terms and conditions specified in the permit;
 - (ii) any terms or conditions which the Minister may notify to the permit holder in writing while the permit is in force.

(2) The following conditions shall apply with respect to mariculture products -

- (a) Cultivation and harvesting shall be undertaken only on the premises or location in respect of which the permit has been granted;
- (b) the permit holder may only possess, harvest, transport or market the mariculture product in accordance with the permit; and
- (c) the permit holder shall provide information to Sea Fisheries on request in respect of—
 - (i) the mass, size, and number of mariculture products harvested and sold; and
 - (ii) details of price, sales and purchasers.

Mariculture permit holders to minimise environmental impacts

63. (1) A mariculture permit holder shall take all reasonable measures to avoid or minimise any harmful environmental impact caused by mariculture, including the discharge of effluent and the disposal of sludge.

(2) For the purposes of subregulation (1)—

- (a) "effluent" means any liquid waste produced by mariculture including emulsions, solids in suspension and unwanted water which has been used for mariculture; and
- (b) "sludge" means any solid or semi-solid, organic waste from mariculture, whether or not it also contains non-organic substances.

Modification of permits

64. (1) A mariculture permit shall be subject to the condition that the Minister may, by written notice to a permit holder, modify a permit if the Minister considers that the modification is desirable in order to reduce the risk of disease spreading among aquatic organisms, to prevent, or reduce the risk of damage to the environment or to deal with any circumstances which were not foreseen at the time the permit was issued.

(2) The holder of a permit which is modified as contemplated in subregulation (1) may make representations in writing against the modification to the Minister within 30 days of receiving the notice contemplated in that subregulation, and the Minister's decision shall be final.

Cessation of mariculture

65. (1) A permit holder who discontinues the mariculture activities authorised by the permit shall inform the Minister within 14 days of such cessation.

(2) When requested by the Minister by written notice a permit holder who carried out mariculture on State land and who has ceased mariculture activities or whose permit has been cancelled, shall remove any mariculture installations, buildings or equipment and restore the site to the standard specified in the permit, or if no standard is specified, to a condition acceptable to the Minister, within the period specified in the notice.

(3) If a permit holder fails to comply with a notice contemplated in subregulation (2), the Department may in consultation with the Minister cause the mariculture installations, buildings or equipment to be removed and the site restored and any expense incurred shall be recoverable from the permit holder.

Suspension of mariculture permits

66. (1) A Mariculture permit shall be subject to the condition that the Minister may by written notice to the permit holder suspend a permit if—

- (a) the Minister has reason to believe that the permit holder has not complied with any term or condition of the permit; or
- (b) the permit holder fails to comply with a notice contemplated in subregulation 64(1); or
- (c) the Minister has reason to believe that the suspension is desirable in order to reduce the risk of disease spreading among aquatic organisms, or to prevent, or reduce the risk of damage to the environment.

(2) A notice of suspension in terms of subregulation (1) shall specify that the permit shall be suspended for a specified period or until the Minister is satisfied that the reason for the suspension is no longer valid.

Cancellation and non-renewal of mariculture permits

67. (1) A mariculture permit shall be subject to the condition that the Minister may, by written notice to a mariculture permit holder, refuse to renew the permit if—

- (a) the permit holder has not commenced mariculture activities within six months of the date of issue of the permit, unless the permit holder can show good cause why he or she has not yet commenced such mariculture activity;
- (b) the permit holder has not complied with any term or condition of the permit;
- (c) the permit has been suspended and the Minister is satisfied that the suspension is unlikely to be lifted in the foreseeable future; or
- (d) the Minister is of the opinion that the continuation of the mariculture activity is not in the public interest.

(2) Before cancelling a permit the Minister shall advise the permit holder of the reasons why the Minister intends to refuse to renew or cancel the permit and shall give the holder an opportunity to make representations as to why the permit should be renewed or should not be cancelled.

Prohibition on unauthorised release of live fish

68. Except for indigenous wild fish caught in the Republic, no person shall release into South African waters any fish without the written permission of the Minister.

Environmental impact assessment

69. (1) A mariculture permit shall be subject to the condition that if the Minister has reason to believe that the activities at any mariculture premises or any proposed mariculture operations may be having, or may in future have, a detrimental impact on the environment, the Minister may, by written notice, require the permit holder or the developer of a proposed mariculture operation, to commission an assessment of the environmental impacts of the existing or proposed mariculture activities by an appropriately qualified independent person and to submit a report of the assessment to the Minister within the period specified in the notice.

(2) For the purposes of subregulation (1), "develop" includes establishing new mariculture premises or making material modifications to existing mariculture premises.

(3) An environmental impact assessment in terms of this regulation shall be conducted, and the environmental impact assessment report shall be presented, in accordance with guidelines determined by the Minister.

(4) The Minister may exempt a mariculture development from the provisions of subregulation (1): Provided that the proposed mariculture development is situated in a mariculture development area and an appropriate environmental impact assessment has been conducted in respect of the area where the mariculture development is to be sited.

(5) Specific water quality checks and other tests may be required to be conducted where an environmental impact assessment study identifies the potential for deleterious environmental factors to be present in the area where the proposed mariculture development is to be sited.

Genetically modified organisms

70. (1) No person shall culture or use any genetically modified organism in mariculture without

the written authorisation of the Minister.

(2) For the purpose of paragraph 1, "genetically modified" organism" means an organism in which the genetic material has been altered in a way that does not occur naturally by mating or natural recombination, including organisms in which the genetic material has been inherited or otherwise derived from modified genetic material.

Notifiable diseases

71. (1) Any notice in the Gazette whereby the Minister declares any disease, including a pest or parasite, that kills or causes illness in fish or marine vegetation, or that kills or causes illness in people who eat the infected fish or marine vegetation, to be a notifiable disease, shall have immediate effect unless otherwise specified in the notice.

(2) No person who knows or has reason to suspect that any fish is infected with a notifiable disease may—

(a) sell the fish, whether alive or dead; or

(b) deposit the fish, whether alive or dead, in any waters or in a place where it may enter any waters.

Use of chemicals or pharmaceutical drugs

72. (1) Any person intending to use any chemical, piscicide, pharmaceutical, bio-remediation product, or its derivative, for mariculture shall inform the Minister in advance and shall provide any information in relation to the use of the substance that the Minister may require.

(2) A permit holder, shall cease or limit the use of any substance referred to in subregulation (1) on mariculture premises or for the purposes of mariculture, if ordered to do so by written notice by the Minister.

Public health

73. (1) No person shall establish a mariculture facility in any area contaminated with toxic substances, faecal matter, human pathogens or marine biotoxins, to the extent that the cultivated fish pose a health risk to consumers.

(2) The permit holder shall comply with sanitary standards and tests, including regular testing of water and fish quality, specified in the permit.

(3) Harvesting from actual and potentially affected growing waters may be restricted during public health emergencies such as marine biotoxin events, oil spills and sewage contamination.

CHAPTER 7

LANDING, TRANSPORTATION, DELIVERY, RECEIPT, PROCESSING AND MARKETING OF FISH AND FISH PRODUCTS

Prohibition

74. A holder of a commercial fishing permit may not—

- (a) land any fish or any part or product thereof at any place, except at a designated landing point;
- (b) remove any fish or any part or product thereof from a landing point, before the size and the mass has been determined as prescribed in Annexure 3;
- (c) transport any fish or any part or product thereof from any landing point, except on the authority of a permit, and in accordance with the compulsory prescribed South African Bureau of Standards (SABS) specifications;
- (d) deliver any fish or any part or product thereof to any person for processing purposes, unless such person is authorised thereto in terms of the Act;
- (e) receive any fish or any part or product thereof from any person for the processing thereof, unless such recipient is authorised by the Minister in terms of section 18(1) of the Act to operate a fish processing establishment;
- (f) engage in fishing related activities, except on the authority of a permit ;
- (g) market any fish or any part or product thereof, unless it has been packed in accordance with the prescribed SABS specifications.

CHAPTER 8

COMPLIANCE CONTROL

75. No person shall, except on the authority of a permit, engage in fishing, collecting, killing, attempting to kill, disturbing, harassing, keeping or controlling of, or selling of, or be in possession of, any fish caught from a fishing vessel or vessel in a marine protected area.

Vessel monitoring systems

76. (1) Any foreign fishing vessel for which a foreign fishing licence has been granted in accordance with section 39 of the Act, shall at all times be equipped with an automated satellite-linked vessel monitoring system (VMS).

(2) For the purposes of subregulation (1) "VMS" means an autonomous system able to automatically transmit messages to a land-based fishing monitoring centre allowing a continuous tracking of the position of the fishing vessel and—

- (a) information transmitted shall include the vessel's identification, latitude, longitude, date and time, course and speed which shall be transmitted at the required intervals to ensure that the vessel can be effectively monitored; and
- (b) performance standards shall, at a minimum, shall include a system that—
 - (i) is tamper proof;
 - (ii) may be polled by the monitoring centre;

- (iii) has a two-way messaging capability between the vessel and the monitoring centre;
- (iv) is fully automatic and operational at all times regardless of environment conditions;
- (v) provides real time data; and
- (vi) provides latitude and longitude with a positional accuracy of 100 metres or better with a confidence interval of 99%.

(3) Any South African vessel for which a fishing licence has been granted, shall at the request of the Department, install a VMS as contemplated in subregulation (1), configured to report to the Sea Fisheries monitoring centre.

Marking of fishing vessels

77. (1) Subject to the provisions of the Act, no person shall use any fishing vessel unless it bears the registration letters and numbers assigned thereto by the Director-General.

(2) The letters and numbers contemplated in subregulation (1), shall be affixed according to the specifications set out in Annexure 14.

(3) The registration letters and numbers assigned to any fishing vessel shall not be transferred to any other vessel without the written authority of the Director-General and shall not be used on, painted on or attached to any other vessel.

(4) When any fishing vessel ceases to be licensed in terms of the provisions of the Act, the owner of such a vessel shall obliterate or remove every registration letter and number from such a vessel within 21 days.

(5) If the owner of a licensed fishing vessel sells or otherwise disposes of such a vessel, in the case where the requirements of the Act have—

(a) been complied with, transfer fees determined by the Minister under section 25 of the Act, shall be payable; and

(b) not been complied with, the licence shall lapse.

Radio call signs

78. (1) All vessels with an overall length of 25 metres or more that are licensed to engage in fishing in South African waters, shall display the letters and or numbers of its radio call-sign on each side of the superstructure at the highest practical point above the gunwale, or main deck where it can best be seen.

(2) If, for practical reasons, the radio call sign cannot be displayed on the superstructure, it shall be displayed in a conspicuous position on each side of the vessel at the highest practical point above the gunwale or main deck.

(3) The letters and or numbers of the radio call sign shall be painted in white on a black background or black on a white background in characters not less than in the case of vessels

with an overall length of—

- (a) 25 metres or more, but less than 45 metres, 90cm in height, 45 cm in breadth, excluding the letter "I" and figure "1", 10 cm in thickness width and stroke, and 20 cm spacing between each letter and or figure, and the white or black background area shall overlap the edges of the radio call sign by at least 10 cm; and
- (b) 45 metres or more, 120 cm height, 70 cm in breadth, excluding the letter "I" and figure "1", 15 cm in thickness width and stroke, and 30 cm spacing between each letter and or number and the white or black background area shall overlap the edges of the radio call sign by at least 20 cm.

(4) Any registration letter and or number and the radio call-sign assigned and affixed to a fishing vessel shall at all times be maintained in a clear, distinct and legible condition and shall at all times be clearly displayed.

Logbooks

79. (1) The master of a fishing vessel in respect of which a commercial licence or permit has been issued, shall maintain on such fishing vessel—

- (a) a bound fishing logbook with numbered pages; and
- (b) a landing logbook,

the format of which shall be determined in the permit and which shall be obtainable from Sea Fisheries: Provided that the provisions of this regulation shall not be applicable to fishing vessels which do not have a superstructure.

(2) Catch logbooks shall contain the following recordings:

- (a) On a daily basis and or for each fishing operation, catches retained on board by species in live weight kilograms;
- (b) the estimated cumulative fishing since the commencement of fishing;
- (c) the type of gear used;
- (d) the number of fishing operations per day, where appropriate, and the duration of time that the fishing gear is deployed during each fishing operation;
- (e) the fishing location, longitude and latitude; and
- (f) the amount of fish dumped or discarded, where applicable.

(3) The fishing logbook and landing logbook shall be kept in a place where they are protected from damage and where they are readily available for inspection at any time upon the request of a fishery control officer or any other person acting on the written authority of the Minister.

(4) Upon return from each fishing journey, the master or owner of the fishing vessel concerned shall, not later than 24 hours after completion of the landing of the fishing, hand over

the original of both the fishing logbook and the landing logbook sheets to any person authorised in writing by Sea Fisheries for such purpose.

(5) The logbook sheet copies shall be kept by the owner of a fishing vessel for at least 24 months after the last entry was made.

Documents to be carried on board fishing vessels

80. (1) There shall be carried on board every fishing vessel in respect of which a licence or permit has been issued, if such fishing vessel is over 10 metres in length overall—

- (a) documents issued by a competent authority of the flag state of such fishing vessel, showing—
 - (i) the name of the fishing vessel;
 - (ii) the letter or letters of the port or district in which, and the number under which the fishing vessel is registered;
 - (iii) the international radio call sign of the fishing vessel;
 - (iv) the name and address of the owner of the fishing vessel; and
 - (v) all technical specifications pertaining to the fishing vessel as are specified in the relevant application for a licence or permit in respect of the fishing vessel;
- (b) up-to-date certified drawings or descriptions of the layout of the fishing vessel, and in particular the number of fish holds of the fishing vessel, with their storage capacity expressed in cubic metres;
- (c) if any modification was made to the characteristics of the fishing vessel with respect to its length overall, its gross registered tonnage, the horsepower of its main engine or engines or its hold capacity, a certificate, certified by a competent authority of the flag state of the fishing vessel, describing the nature of such modification;
- (d) if such fishing vessel is equipped with chilled or refrigerated sea-water tanks, a document certified by a competent authority of the flag state of the vessel indicating the calibration of the tanks in cubic metres;
- (e) the original of the licence or permit issued in respect of the fishing vessel, which shall at all times be kept in a place where it can be readily examined and where it is protected from damage;
- (f) a copy of the Act and these regulations;

(2) The master of a trawl fishing vessel shall keep a record of each fishing operation in the format and on the forms provided by Sea Fisheries.

Stowage of fishing gear

81. (1) For the purposes of section 49(1) of the Act the requirements for the stowing of fishing gear shall be the following:

(a) In the case of a purse-seiner—

(i) the boom shall be lowered as far as possible so that the fishing vessel cannot be used for fishing but so that the skiff is accessible for use in emergency situations;

(ii) the aircraft, if any, shall be tied down; and

(iii) launches shall be secured.

(b) in the case of a trawler, all nets, trawl boards and weights shall be disconnected from their towing or hauling wires, ropes or rigid frames and either stowed below deck or securely lashed to some part of the superstructure of the fishing vessel;

(c) in the case of a fishing vessel authorised to fish rock lobster—

(i) all traps shall be on board and tied down; and

(ii) all dinghies shall be on board and securely lashed to some part of the superstructure of the fishing vessel;

(d) in the case of a fishing vessel authorised to fish with traps other than rock lobster traps, all traps shall be on board and tied down; and

(e) in the case of a longliner, all gear shall be covered and the cover secured.

(2) This regulation also applies in respect of local fishing vessels when they are in an area in which they are not authorised to fish or at times at which they are not authorised to fish.

Observers

82. (1) Observers designated under section 50 of the Act may—

(a) monitor a fishing vessel's compliance with the relevant legislation;

(b) record and report upon the fishing activities of the vessel and verify the position of the vessel when engaged in fishing;

(c) observe and estimate catches with the view to identifying fishing composition and monitoring discards, by-catches and the taking of undersized fish;

(d) record the gear type, mesh size and attachments employed by the master;

(e) verify entries made into the log books in respect of species, composition, and quantities;

(f) collect fishing and effort data on a set-by-set basis, and this data shall include location, including latitude and longitude, depth, time of net on the bottom and fishing composition; and

(g) carry out the scientific work requested by Sea Fisheries.

(2) An observer on board a fishing vessel shall be provided with suitable food and accommodation commensurate with that of an officer.

(3) Any transport, accommodation, allowance, remuneration or similar costs incurred and payable to the observer on board the vessel, shall be borne by the licence or permit holder of the vessel.

(4) Masters of fishing vessels shall ensure that all necessary co-operation is extended to observers in order for them to carry out their duties.

Fishery control officers

83. (1) The master of a fishing vessel or a fishing vessel used as a fish processing establishment shall, while in South African waters, or a local fishing vessel operating on the high seas, allow any fishery control officer, or any other person designated by the Minister for a specific task, to board and remain on board such fishing vessel or fish processing establishment vessel, and shall without charge—

- (a) allow him or her full access to all equipment, including navigation and communication equipment, records and documents and to any fish on board the fishing vessel as may be necessary to carry out his or her duties;
- (b) allow him or her to make tests, observations and records and to take and remove such samples as he or she may reasonably require in connection with the fishing vessel's activities in South African waters; and
- (c) provide him or her food and accommodation at least equivalent to that provided for officers of the fishing vessel.

(2) The owner of any fishing vessel required to carry a fishery control officer or any other designated personnel on board shall pay the fees determined by the Minister by written notice to such owner.

(3) Any transport, accommodation or similar costs incurred by a fishery control officer in supervising an offloading or transhipment, shall be borne by the licence or permit holder of the vessel undertaking discharge or transhipment.

(4) A fishery control officer may instruct the master to haul the trawl net or any other gear.

Inspection procedures

84. (1) For the purposes of section 51 of the Act, no boarding shall be conducted without prior notice by radio being sent the fishing vessel or without the fishing vessel being given the appropriate signal using the International Code of Signals, including the identity of the inspection platform, whether or not such notice is acknowledged as received.

(2) A fishing vessel to be boarded shall not be required to stop or manoeuvre when fishing, shooting or hauling.

(3) A fishery control officer may order the interruption or delay in the hauling of the fishing gear until he or she has boarded the fishing vessel and in any event no more than 30 minutes

after receiving the signal.

Offloading and transhipment.

85. (1) A person seeking to offload from a fishing vessel in any fishing harbour shall give at least 48 hours notice thereof to the fishery control officer in charge at that fishing harbour or to any other authorised person in accordance with the directions that may be given by Sea Fisheries.

(2) Except in accordance with any conditions attached to any licence or permit or on the authority of a permit, no transhipment of any fish or fish products or any other goods from or to any fishing vessel shall be carried out other than within a fishing harbour and under the supervision of a fishery control officer or other authorised person.

(3) The owner or master of any fishing vessel shall give to the fishery control officer at least 48 hours notice of any transhipment of fish or any supplies, and shall provide the information that may be requested by the fishery control officer, including the details of any of the vessels involved, and the type of fish or fish products or other goods, as the case may be.

CHAPTER 9

OTHER PROVISIONS

Part 1

Provisions relating to the leaving of objects and dispensing of material in the sea

Fishing gear and other implements

86. (1) No person shall, except on the authority of a permit, leave any fishing gear, mooring, or any other implement or object utilised for fishing operations on or in the sea upon termination of any fishing operations.

(2) Where any person has left any fishing gear, mooring, or any other implement or object on or in the sea in contravention of subregulation (1), the Minister may cause such object to be removed.

(3) Any costs incurred by the Minister in connection with the removal of any fishing gear, mooring or other implement or object in terms of subregulation (2), shall be payable by the person by whom the object in question was left on or in the sea, which costs shall constitute a debt owing to the State.

(4) Any buoy used for marking or suspending an implement in the sea shall be clearly marked with the name of the vessel from which it was deployed.

Waste

87. (1) With the exception of biodegradable house-hold waste, all waste generated on a fishing vessel, including waste generated in the course of fish processing and unused bait, shall be taken back to port and no such waste shall be disposed of at sea.

(2) Subregulation (1) shall, in respect of any fishing vessel which is not, on the date of

commencement of these Regulations, equipped with the facilities necessary for taking fish waste back to port, come into effect upon expiry of a period of one year after the promulgation of these Regulations.

PART 2

Fishing harbour regulations

Use of buildings

88. Except on the authority of a permit, no person shall or shall cause any other person to erect, acquire, build, lease, control or use any building, facility or works, within any fishing harbour, in the sea, on the sea-shore or on any land adjacent to a fishing harbour.

Navigation, entrance to and accommodation in harbours

89. (1) No vessel shall be brought into, launched, lie in, be used in or accommodated in any other manner in a fishing harbour without a permit and without payment of the fees determined by the Minister under section 25 of the Act: Provided that—

(a) permission may be refused in the interest of safe, orderly and efficient harbour management and control; and

(b) no fee shall be payable in respect of a vessel in the service of a governmental agency.

(2) No person shall use any vessel within a fishing harbour as a restaurant, place of entertainment, a shop or for any other purpose without a permit and without payment of the fees determined by the Minister under section 25 of the Act.

(3) An owner of a vessel shall not use such vessel, cause such vessel to be used or permit such vessel to be used in a fishing harbour unless such vessel is appropriately manned and has a master on board to properly control and navigate such vessel.

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

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

(6) The master of any vessel entering any fishing harbour other than its home port, shall, forthwith inform a fishery control officer of the time and date of his or her arrival and furnish that particulars of that vessel that a fishery control officer may require.

(7) The master of any vessel about to enter or that has entered any fishing harbour, shall comply with any instruction given by a 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 Merchant Shipping (Collision, etc) Regulations, 1996, published under Government Notice No. R. 2076 of 20 December 1996: 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 or her.

(9) No person shall use any net or any vessel for fishing in any fishing harbour or within a distance of 150m seaward of the entrance to any harbour, without a permit.

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

- (a) make the arrangements that he or she may deem necessary to prevent a vessel from leaving a fishing harbour if it is overloaded, improperly loaded, or has insufficient qualified crew, or is unseaworthy; and
- (b) by written order detain that vessel until that defect has been remedied to his or her satisfaction.

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

(12) 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.

Mooring of fishing boats and vessels

90. (1) A fishery control officer may indicate the place where a vessel shall be moored in a fishing harbour and may alter or rescind such assignment.

(2) 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 a fishery control officer and shall within 24 hours after the obstruction or displacement, furnish him or her with a full report thereof in writing.

(3) The master of a vessel who, for reasons beyond his control, has moored a vessel in a fishing harbour at a berth or other place not assigned to it by a fishery control officer, shall forthwith notify a fishery control officer thereof, and the fishery control officer may thereupon take the steps that he or she deems necessary in the interest of safe, orderly and efficient harbour administration and control.

(4) No vessel shall be anchored or moored in a navigational channel within a fishing harbour, except in cases of force majeure or distress.

(5) No person shall -

- (a) within the water area adjacent to a slipway in a fishing harbour anchor, moor or place a vessel; or
- (b) place any chain, anchor or other obstacle.

(6) The owner or master of a vessel which is anchored, moored or berthed in a fishing harbour in a manner that causes inconvenience or danger, shall forthwith comply with an

order by a fishery control officer to render safe or remove that vessel.

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

(8) The owner of a vessel which has sunk in a fishing harbour shall effect the necessary salvage or repair work or remove that vessel from the water without delay.

(9) A fishery control officer may order the owner of a vessel that is moored or anchored in a fishing harbour to have the moorings of such vessel lifted for inspection and to carry out, within a time specified by him or her, any repairs to or replacement of such moorings deemed necessary by him or her.

(10) The owner or master of a vessel to which an anchorage or mooring in a fishing harbour has been assigned for offloading or provisioning, 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.

(11) If the owner or master of a vessel fails to comply with the provisions of subregulation (10)—

(a) the applicable fees determined by the Minister under section 25 of the Act, shall be payable; and

(b) a fishery control officer may ensure that the vessel leaves the quay.

(12) A vessel shall be allowed to moor in a fishing harbour on condition that—

(a) the owner or master shall be responsible for the safe mooring and protection of the vessel and shall satisfy himself or herself 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 is accommodated in a fishing harbour at the owner's risk and a fishery control officer shall reserve 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 alongside or to be unmoored;

(e) if the vessel is removed from a group of vessels moored alongside each other, the owner or master of that 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 vessels;

(f) the owner or master of the vessel shall by order of a fishery control officer and for such period as he may indicate, remove his or her 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; and

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

Placing of objects in harbours

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

Health, offensive cargoes and fire hazards

92. (1) 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 or her opinion constitute a health hazard, or is a threat to life or property or is offensive or on failure to comply with the provisions of subregulation (2).

(2) 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.

Repairs

93. (1) No diver shall operate within a fishing harbour for the purpose of effecting underwater repairs or maintenance to a vessel, without the written permission of a fishery control officer.

(2) Before any vessel is admitted to a slipway in a fishing harbour, full particulars of such vessel shall be furnished to a fishery control officer and entered in the book kept for the purpose by such officer in the order in which the particulars of each such vessel were furnished, against payment by the owner or master of the vessel of the fees determined by the Minister under section 25 of the Act.

(3) If a vessel is not placed on a slipway on the day duly appointed by a fishery control officer 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 entered in the book, referred to in subregulation (2).

(4) Despite any other provision to the contrary in these Regulations, a 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 is to occupy the slipway for a period not exceeding 72 hours.

(5) 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 the payment of any fees for the period which his vessel unavoidably remains on the slipway after expiry of the period of notice.

(6) If a slipway is used in contravention of the period or any condition determined by a fishery control officer, a fee determined by the Minister under section 25 of the Act shall be payable by the owner or master of the relevant vessel.

(7) Despite the provisions of subregulation (4), a fishery control officer may order the owner or master of a vessel to remove a vessel from the slipway within 24 hours of being notified thereto, if the fishery control officer is of the opinion that the vessel can be launched without endangering any other vessel.

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

(9) No person shall remove or shift the support upon which a vessel rests while it is on a slipway, except with the permission of a fishery control officer.

(10) No person in a fishing harbour shall use any crane, water pump, ladder, trestle, scaffolding, plank or electric power provided by a source within a fishing harbour, except on the authority of a permit and upon payment of the fees determined by the Minister under section 25 of the Act.

(11) 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 a fishery control officer has given permission and subject to the conditions he or she may impose.

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

Entrance to harbour

94. (1) No person shall enter a fishing harbour except through the harbour entrance or leave the fishing harbour except through the harbour exit.

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

(3) 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 any person or damage to property;
- (c) disfigure any property;
- (d) remove any notice board, a notice thereon or disfigure it;
- (e) obstruct the free use of any quay, wharf or foreshore or the approaches thereto or do anything which possibly may obstruct it;

- (f) swim or bathe, except with the permission of the Director-General; or
 - (g) dive without the written permission of a fishery control officer.
- (4) No person shall—
- (a) hawk within any fishing harbour unless he is authorised by a permit and upon payment of the fees determined by the Minister under section 25 of the Act;
 - (b) affix or exhibit or cause to be affixed or exhibited an advertisement, notice or sign or placard within a fishing harbour, except on the authority of a permit and upon payment of the fees determined by the Minister under section 25 of the Act;
 - (c) in the course of the conduct or operation of any commercial or industrial enterprise use fresh water provided in a fishing harbour unless he or she is authorised by a permit and upon payment of the fees determined by the Minister under section 25 of the Act;
 - (d) waste or cause to be wasted, any drinking water provided at a water installation in a fishing harbour;
 - (e) clean any fish in a fishing harbour, unless he or she is authorised by a permit and upon payment of the fees determined by the Minister under section 25 of the Act;
 - (f) bring any animal into a fishing harbour except with permission of a fishery control officer;
 - (g) make any fire in a fishing harbour except with the permission of a fishery control officer; or
 - (h) use any vessel in a fishing harbour for the transport of passengers, except on the authority of a permit and upon payment of the fees determined by the Minister under section 25 of the Act.

Vehicles

95. (1) No person shall bring any vehicle into a fishing harbour, unless he or she is authorised by a permit or admission ticket and against the payment of the fees determined by the Minister under section 25 of the Act, and such permit or admission ticket shall authorise entry only to the fishing harbour where it was issued on the date specified therein.

(2) The driver or person in charge of any vehicle or animal within a fishing harbour shall observe and comply with all directions displayed in notices or signs in such harbour, and shall obey all directions relating to the regulation and control of traffic which may be issued to him or her by a fishery control officer.

Part 3

Offences and penalties

Offences and penalties

96. Any person who contravenes or fails to comply with any provision of these Regulations, shall be guilty of an offence and liable on conviction to a fine or to imprisonment for a period not exceeding two years.

ANNEXURE 1

(Regulation 7)

FORMAT OF FOREIGN FISHING VESSEL LICENCE

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM DEPARTEMENT VAN OMGEWINGSAKE EN TOERISME		
Fishing vessel licence Foreign	Licence number: Lisensienommer:	Vissersbootlisensie Buitelandse
ISSUED IN TERMS OF SECTION 39(2) OF THE MARINE LIVING RESOURCES ACT, 1998 (ACT NO. 18 OF 1998) UITGEREIK Kragtens ARTIKEL 39(2) VAN DIE WET OP LEWENDE MARIENE HULPBRONNE, 1998 (WET NO. 18 VAN 1998)		

A. Particulars of fishing vessel in respect of which the licence is applicable:

Besonderhede van vissersboot waarop die lisensie van toepassing is:

Name of vessel:	Reference no.:
Naam van boot:	Verwysingsnr:
Registration number:	Length of vessel:
Registrasienommer :	Lengte van boot:
Gross Registered Tonnage:	Radio call sign:
Bruto Geregisteerde Tonnemaat :	Radio roepsein:
Flag State:	
Land van Registrasie:	

B. Particulars of owner of fishing vessel :

Besonderhede van vissersbooteienaar:

Name:	ID or registration no.:
Naam:	ID of registrasie nr. :
Address:	
Adres :	

The licence is valid only if the particulars of the receipt are printed below.
Die lisensie is slegs geldig indien die kwitansiebesonderhede hieronder gedruk is.

Receipt number :	Amount:
Kwitansienommer:	Bedrag :

DIRECTOR-GENERAL: ENVIRONMENTAL AFFAIRS AND TOURISM
DIREKTEUR-GENERAAL: OMGEWINGSAKE EN TOERISME

DATE OF ISSUE
DATUM VAN UITREIKING

**ANNEXURE 2
(Regulation 9)
CLOSED SEASONS**

1. Elf (shad) (*Pomatomus saltatrix*) – from 1 September to 30 November in any year, both dates inclusive.
2. Galjoen (*Dichistius capensis*) – from 15 October of one year to the last day of February in the following year, both dates inclusive.
3. Pelagic fish - from 01 November of one year to 14 January in the following year, both dates inclusive.
4. Chokka squid - from 25 October to 22 November in any year, both dates inclusive.
5. Abalone: the holder of a—
 - (a) commercial fishing permit - from 1 August to 31 October in any year, both dates inclusive; or
 - (b) recreational or subsistence permit - from 14 April to 15 December in any year, both dates inclusive.
6. Oyster for commercial purposes - from 1 December of one year to 15 January of the following year, both dates inclusive.
7. West coast rock lobster: the holder of a—
 - (a) commercial fishing permit - from 1 June to 15 November in any year, both dates inclusive; or
 - (b) recreational or subsistence permit - from 1 May to 15 November in any year, both dates inclusive.
8. East coast rock lobster - from 1 November of one year to the last day of February of the following year, both dates inclusive.

**ANNEXURE 3
(Regulation 18)
MEASURING OF MASS**

1. A mass meter referred to in regulation 18 shall be installed and used in a place approved by the Director-General and shall conform to the following requirements:
 - (a) An automatic dual hopper mass meter, generally known as the Servo Balance Duplex Mass Meter; or
 - (b) any other similar automatic mass meter which has an automatic control mechanism and is equipped with sufficient hopper and mass measurement buckets:

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, 1973 (Act No. 77 of 1973), may be used; or
 - (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.
2. The mass meter shall be installed in such a manner and place and be of such a nature that—
- (a) no fish can pass it without the mass thereof being determined and recorded by the mass meter;
 - (b) the mass determination capacity of the mass meter shall not be less than the maximum discharge capacity from the fishing vessel;
 - (c) the discharge speed of fish or fish particles shall be of such a nature that it prevents accumulation or piling up;
 - (d) 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;
 - (e) there is no access to the mechanism of the mass meter during the operation thereof;
 - (f) the mechanism and the reading scale of the mass meter is visible; and
 - (g) the mass meter shall be sealed properly while it is being used for determining mass.
3. 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 supplied or maintains the mass meter; or
 - (b) an authorised officer of that Department.
4. No person, other than a person mentioned in subitem (a) or (b), shall interfere with the seal, mechanism or functioning of a mass meter.

ANNEXURE 4
(Regulation 21)
NON-SALEABLE RECREATIONAL LIST

Baardmans (bellman, tasselfish) (*Umbrina rhonchus* and *Umbrina canariensis*)
 Banded galjoen (*Coracinus multifasciatus*)
 * Billfishes (marlin, sailfish) (Family *Istiophoridae*)
 Blacktail (dassie) (*Diplodus sargus capensis*)
 Bronze bream (bluefish) (*Pachymetopon grande*)
 Cape knifejaw (*Oplegnathus conwayi*)

Cape stumpnose (*Rhabdosargus holubi*)
Galjoen (*Dichistius capensis*)
Garrick (leervis) (*Lichia amia*)
John Brown (*Gymnocrotaphus curvidens*)
* Kingfishes (genera *Caranx* or *Carangoides*) excluding the bludger (*Carangoides gymnostethus*)
Large-spot pompano (moony, wave garrick) (*Trachinotus botla*)
Leopard cat shark (*Poroderma pantherinum*)
Natal knifejaw (cuckoo bass) (*Oplegnathus robinsoni*)
Natal stumpnose (yellowfin bream) (*Rhabdosargus sarba*)
Ragged tooth shark (*Carcharias taurus*)
River bream (perch) (*Acanthopagrus berda*)
River snapper (rock salmon) (*Lutjanus argentimaculatus*)
Southern pompano (*Trachinotus africanus*)
Springer (ten pounder) (*Elops machnata*)
Spotted grunter (tiger) (*Pomadasys commersonii*)
Spotted gully shark (*Triakis megalopterus*)
Stonebream (*Neoscorpis lithophilus*)
Striped cat shark (*Poroderma africanum*)
Swordfish (*Xiphias gladius*)
White musselcracker (brusher, cracker) (*Sparodon durbanensis*)
White steenbras (pignose grunter) (*Lithognathus lithognathus*)

The linefish marked with an asterisk shall include all the species in the genus, family or subclass mentioned, as the case may be.

**ANNEXURE 5
(Regulation 22)
SPECIALLY PROTECTED LIST**

Brindle Bass (*Promicrops lanceolatus*)
Natal wrasse (*Anchichoerops natalensis*)
Potato Bass (*Epinephelus tukula*)
Great White Shark (*Carcharodon carcharias*)
Sawfishes (family *Pristidae*)
Seventy-four (*Polysteganus undulosus*)

**ANNEXURE 6
(Regulation 22)
CRITICAL LIST**

Poenskop (black steenbras or musselcracker) (*Cymatoceps nasutus*)
Red steenbras (copper steenbras) (*Petrus rupestris*)

**ANNEXURE 7
(Regulation 22)
RESTRICTED LIST**

Bludger (kingfish) (*Carangoides gymnostethus*)

Blue Hottentot (copper bream) (*Pachymetopon aeneum*)
 Dageraad (*Chrysoblephus cristiceps*)
 Dane (*Porcostoma dentata*)
 Elf (shad) (*Pomatomus saltatrix*)
 Englishman (*Chrysoblephus anglicus*)
 Hake (stockfish) (*Merluccius capensis* and *M. paradoxus*)
 Kob (salmon, squaretail, daga) (*Argyrosomus* spp.)
 Red stumpnose (Miss Lucy) (*Chrysoblephus gibbiceps*)
 * Rock cods (groupers) (family Serranidae)
 Roman (*Chrysoblephus laticeps*)
 Scotsman (*Polysteganus praeorbitalis*)
 Slinger (*Chrysoblephus puniceus*)
 West coast steenbras (*Lithognathus aureti*)
 Zebra (wildeperd) (*Diplodus cervinus hottentotus*)

The linefish marked with an asterisk shall include all the species in the genus, family or subclass mentioned, as the case may be.

ANNEXURE 8 **(Regulation 22)** **EXPLOITABLE LIST**

Blueskin (trawl soldier) (*Polysteganus caeruleopunctatus*)
 Cape gumard (Cape sea robin) (*Chelidonichthys capensis*)
 Cape snoek (*Thyrssites atun*)
 Cape yellowtail (*Seriola lalandi*)
 Carpenter (silverfish) (*Argyrozona argyrozona*)
 Dorado (dolphinfish) (*Coryphaena hippurus*)
 * Elasmobranchs (Subclass Elasmobranchii, excluding great white shark *Carcharodon carcharias*, ragged tooth shark *Carcharias taurus*, spotted gulley shark *Triakis megalopterus*, striped cat shark *Poroderma africanum* and leopard cat shark *Poroderma pantherinum*)
 Geelbek (Cape salmon) (*Atractoscion aequidens*)
 Hottentot (*Pachymetopon blochii*)
 Javelin grunter (*Pomadourus kaakan*)
 King mackerel (couta) (*Scomberomorus commerson*)
 Panga (*Pterogymnus lanarius*)
 Queen mackerel (Natal snoek) (*Scomberomorus plurilineatus*)
 Red tjor-tjor (sand soldier) (*Pagellus natalensis*)
 Santer (soldier) (*Cheimerius nufar*)
 Snapper salmon (*Otolithes ruber*)
 Squaretail kob (*Argyrosomus thorpei*)
 * Tunas (tunny)
 White stumpnose (*Rhabdosargus globiceps*)

The linefish marked with an asterisk shall include all the species in the genus, family or subclass mentioned, as the case may be.

ANNEXURE 9 (Regulation 22)

BAIT LIST

- * Anchovies (family Engraulidae)
- Chub mackerel (*Scomber japonicus*)
- Fransmadam (Karel groot oog) (*Boopsoidea inornata*)
- * Garfishes (family Belonidae)
- * Glassies (family Ambassidae)
- * Half beaks (family Hemiramphidae)
- Horse mackerel (*Trachurus trachurus capensis*)
- * Mulletts (family Mugilidae)
- Pinky (piggy) (*Pomadasys olivaceum*)
- * Sardines (pilchard, red-eye) (family Clupeidae)
- * Sauries (family Scomberesocidae)
- * Scads (*Decapterus* spp.)
- Steentjie (*Spondyllosoma emarginatum*)
- Strepie (karanteen) (*Sarpa salpa*)
- Cutlassfish (walla walla) (*Trichiurus lepturus*)
- Wolfherring (*Chirocentrus dorab*)

The linefish marked with an asterisk shall include all the species in the genus, family or subclass mentioned, as the case may be.

ANNEXURE 10 (Regulation 25) SIZE AND MASS LIMITS

- Bellman (*Umbrina* spp.): 40 cm
- Big eye tuna (*Thunnus obesus*): 3.2kg
- Bluefin tuna (*Thunnus thunnus*): 6.4kg
- Bronze bream (*Pachymetopon grande*): 30 cm
- Cape stumpnose (*Rhabdosargus holubi*): 20 cm
- Dageraad (*Chrysoblephus cristiceps*): 30 cm
- Dassie (blacktail, kolstert) (*Diplodus sargus capensis*): 20 cm
- Elf (shad) (*Pomatomus saltatrix*): 30 cm
- Galjoen (*Dichistius capensis*): 35 cm
- Garrick (leervis) (*Lichia amia*): 70 cm
- Glassy (*Ambassis* spp): 2,5 cm
- Geelbek (*Atractoscion aequidens*): 60 cm
- Grunter, spotted (*Pomadasys commersonnii*): 40 cm
- Hottentot (*Pachymetopon blochii*): 22 cm
- Kob (cob, kabeljou) (*Argyrosomus* spp. excluding *A. thorpei*): 40 cm
- Musselcracker (brusher, cracker) (*Sparodon durbanensis*): 60 cm
- Natal stumpnose (*Rhabdosargus sarba*): 25 cm
- Pinky (*Pomadasys olivaceum*): 7,5 cm
- Poenskop (black steenbras/musselcracker) (*Cymatoceps nasutus*): 50 cm
- Red (copper) steenbras (*Petrus rupestris*): 40 cm
- Red stumpnose (*Chrysoblephus gibbiceps*): 30 cm
- River bream (*Acanthopagrus berda*): 25 cm
- River snapper (*Lutjanus argentimaculatus*): 40 cm
- Roman (*Chrysoblephus laticeps*): 30 cm
- Santer (soldier) (*Cheimerius nufar*): 30 cm

Scotsman (*Polysteganus praeorbitalis*): 30 cm
Seventy-four (*Polysteganus undulosus*): 40 cm
Silverfish (carpenter) (*Argyrozona argyrozona*): 25 cm
Slinger (*Chrysoblephus puniceus*): 25 cm
Snoek (*Thyrssites atun*): 60 cm
Spotted rock cod (Catface) (*Epinephelus andersoni*): 40 cm
Squaretail kob (*Argyrosomus thorpei*): 35 cm
Strepie (karanteen) (*Sarpa salpa*): 15 cm
Swordfish (*Xiphias gladius*) with a whole mass less than 25.0 kg
White-edged rock cod (*Epinephelus albomarginatus*): 40 cm
White steenbras (*Lithognathus lithognathus*): 60 cm
West coast steenbras (*Lithognathus aureti*): 40 cm
White stumpnose (*Rhabdosargus globiceps*): 25 cm
Yellow-belly rock cod (*Epinephelus marginatus*): 40 cm
Yellowfin tuna (*Thunnus albacares*) 3.2kg
Zebra (*Diplodus cervinus hottentotus*): 30 cm

ANNEXURE 11
(Regulation 50)
WEST COAST ROCK LOBSTER ZONES

For the purposes of regulation (50) the west coast rock lobster zones comprise the following zones:

- (a) Zone A - the area between a line in the north (approximately 234° true bearing) drawn from the mouth of the Orange River, as indicated on sea chart SAN FZ1, and a line in the south drawn from the mouth of the Brak River (270° true bearing), and is divided into the following two areas:
 - (i) area 1 - between, as northern boundary, a line (approximately 234° true bearing) drawn from the mouth of the Orange River and as southern boundary, a line drawn from the mouth of the Buffels River (270° true bearing); and
 - (ii) area 2 - between, as northern boundary, a line (true bearing 270°) drawn from the mouth of the Buffels River and, as southern boundary, a line (270° true bearing) drawn from the mouth of the Brak River;
- (b) Zone B - the area between a line in the north (270° true bearing) drawn from the mouth of the Brak River, and a line in the south (270° true bearing) drawn from the water tower at Dwarskersbos, and is divided into the following two areas:
 - (i) area 3 - between, as northern boundary, a line (270° true bearing) drawn from the Brak River mouth and, as southern boundary, a line directly in line with two beacons situated on the southern side of Kreefbaai; and
 - (ii) area 4 - between, as northern boundary, a line (270° true bearing) drawn in line with two beacons situated on the southern side of Kreefbaai and, as southern boundary, a line (270° true bearing) drawn from the water tower at Dwarskersbos;

- (c) Zone C - the area between a line in the north (270° true bearing) drawn from the water tower at Dwarskersbos, and a line in the south (270° true bearing) drawn from the beacon marked YF, situated at Yzerfontein, and is divided into the following two areas:
- (i) area 5 - between, as northern boundary, a line (270° true bearing) drawn from the water tower at Dwarskersbos and, as southern boundary, a line (270° true bearing) drawn from Jacobs Bay; and
 - (ii) area 6 - between, as northern boundary a line (270° true bearing) drawn from Jacobs Bay and, as southern boundary, a line (270° true bearing) drawn from the beacon marked YF situated at Yzerfontein;
- (d) Zone D - the area between a line in the north (270° true bearing) drawn from the beacon marked YF mentioned in respect of Zone C above and a line in the south (180° true bearing) drawn from the lighthouse at Cape Hangklip, excluding the area described as Zone E, and is divided into the following two areas:
- (i) area 7 - between, as northern boundary, a line (270° true bearing) drawn from the beacon marked YF mentioned in respect of zone C above and, as southern boundary, the northern beacon MB1 of the west coast rock lobster sanctuary at Melkbos Point; and
 - (ii) area 8 - between, as northern boundary, a line (270° true bearing) drawn from the beacon HD1 of the Cape Peninsula west coast rock lobster sanctuary and, as southern boundary, a line (180° true bearing) drawn from the lighthouse at Cape Hangklip; and
- (e) Zone E - the area north of a straight line drawn from the lighthouse at Cape Point to the lighthouse at Cape Hangklip excluding the area within one nautical mile from the high-water mark in the area bounded by, as northern boundary, a line (270° true bearing) drawn from the mouth of the Buffels River and, as southern boundary, a line (270° true bearing) drawn from the lighthouse at Cape Hangklip.

ANNEXURE 12

(Regulation 54)

PROHIBITED DEEPWATER SPECIES

Alfonsino [family Berycidae including *Beryx splendens* (alfonsino) and *B. decadactylus* (long-finned beryx)]

Cardinal fishes (deep-water cardinals) (subfamily Epigoninae)

Orange Roughy [*Hoplostethus* spp. including *H. atlanticus* and *H. mediterraneus* (silver roughy)]

Oreo Dories (family Oreosomatidae including *Pseudocyttus maculatus*, *Allocyttus niger*, *A. verrucosus*, *A. guineensis*, *Neocyttus rhomboidalis* and *Oreosoma atlanticum*)

Patagonian Toothfish (*Dissostichus eleginoides* and *Dissostichus mawsonii*)

Wreckfish (*Polypriion americanus*)

**ANNEXURE 13
(Regulation 55)****BAG LIMITS FOR INVERTEBRATE FISH WHICH MAY BE POSSESSED BY HOLDERS
OF RECREATIONAL OR SUBSISTENCE PERMIT HOLDERS**

aliekreukel, 5 (five);
armadillo, 6 (six);
bloodworm, 5 (five);
clam, 8 (eight);
crab, 15 (fifteen);
cuttlefish, 2(two)
limpet, 15 (fifteen);
mole crab, 30 (thirty);
mud crab, 6 (six);
octopus, 2 (two);
periwinkle, 50 (fifty);
polychaete worm, 10 (ten);
razor clam, 20 (twenty);
red bait, without tunic, 2 (two) kg;
rock mussel, 30 (thirty);
mud prawn, 50 (fifty);
sand prawn, 50 (fifty);
swimming prawn, 50 (fifty);
scallop, 10 (twenty);
sea cucumber, 20 (twenty);
sea urchin, 20 (twenty);
siffie, 10 (ten);
white mussel, 50 (fifty).

**ANNEXURE 14
(Regulation 77)****STANDARDISED VESSEL MARKING****Content of identification marks**

1. Any fishing vessel that has been assigned a licence registration number, shall display that number as its identification mark.

Location of markings

2. Identification marks shall be prominently displayed—

- (a) (i) on the vessel's side or superstructure, port and starboard, on any vertical or inclined surface, high above the water-line, but not on the flare of the bow of the vessel or on the stern, in such a way as to be clearly visible both from the sea and from the air; and
- (ii) for vessels other than undecked vessels, on a horizontal surface of the vessel, athwartships, with the top of the letters and numbers towards the bow of the vessel.

(b) Identification marks shall be so placed that they—

- (i) are not obscured at any time by fishing gear or any other gear or material, whether stowed or in use;
 - (ii) are clear of flow from scuppers or overboard discharges and of areas that might be prone to damage or discolouration occurring during or as a result of fishing operations; and
 - (iii) do not extend below the water-line.
- (c) Where a vessel presents a different structure on its port and the starboard side, the identification markings prescribed in item 2(a)(i) may be placed on the sides of the vessel or its superstructure in an asymmetrical way: Provided that they otherwise conform to the provisions of this Annexure.
- (d) Where the identification marks prescribed by paragraph 2(a)(ii) are by necessity painted on a horizontal surface habitually covered by an awning or other temporary cover which would obscure the marking, the awning or other temporary cover shall bear the same identification mark.
- (e) All boats, skiffs and craft, other than air craft, carried by the fishing vessel for fishing operations shall bear the same identification mark as the vessel concerned.

Technical Specifications

3. (a) Block lettering and numbering shall be used throughout.
- (b) The height of letters and numbers shall be in proportion to the size of the vessel in accordance with the following criteria:
- (i) For identification marks to be displayed on the side or superstructure of the vessel, item 2(a)(i) is applicable;
 - (ii) Length and overall minimum height of vessel letters and numbers:
 - 25 m and over: 0.5 m
 - 20 m but less than 25 m: 0.8 m
 - 15 m but less than 20 m: 0.6 m
 - 12 m but less than 15 m: 0.4 m
 - 5 m but less than 12 m: 0.3 m
 - under 5 m: 0.1 m
 - (iii) Identification marks to be displayed in accordance with item 2(a)(i) on horizontal surfaces of vessels with an overall length of five metres and more shall have a height of not less than 0.3 metres.
- (c) The length of the hyphen shall be half of the height of the letters and numbers.
- (d) The width of the stroke for all letters, numbers and the hyphen shall be one sixth of the height of the letters and numbers.
- (e) The space between letters and/or numbers, except in the case referred to in paragraph (f), shall not exceed one quarter of the height of the letters and numbers

or be less than one sixth of that height.

- (f) The space between adjacent letters having sloping sides shall not exceed one eighth of the height of the letters or be less than one tenth of that height.
- (g) Identification marks shall be white on black background or black on white background, the background extending to provide a border around the letters and numbers of not less than one sixth of the height of the letters and numbers.
- (h) Good quality marine paints shall be used for applying the identification markings set out in this Annexure.
- (i) Retroreflective or heat-generating substances shall be accepted, provided that the identification marks otherwise meet the requirements of the present Annexure.
- (j) The identification marks and the background to the same shall be maintained in a good condition at all times.

No. R. 1111

2 September 1998

WET OP LEWENDE MARIENEHULPBRONNE, 1998 (WET No. 18 VAN 1998)**REGULASIES KRAGTENS DIE WET OP LEWENDE MARIENEHULPBRONNE,
1998**

Die Minister van Omgewingsake en Toerisme het kragtens artikels 7(5), 9(3), 12(2) and (3), 39(2), 45, 47, 50(1), 77 en 80(2) van die Wet op Lewende Marienehulpbronne, 1998 (Wet No.18 van 1998), die regulasies in die Bylae uitgevaardig.

BYLAE**INDELING VAN REGULASIES****Regulasie**

1. Woordomskrywing

HOOFSTUK 1**ADMINISTRATIEWE AANGELEENTHEDE**

2. Raadplegende Adviesforum vir Lewende Marienehulpbronne
3. Identiteitskaart
4. Register
5. Appèl prosedure

HOOFSTUK 2**TOEGANGSREGTE, ANDER REGTE, PERMITTE EN LISENSIES**

6. Duplikaat lisensies en permitte
7. Formaat van buitelandse vaartuiglisensie
8. Vissery-opgawes

HOOFSTUK 3**GESLOTE SEISOENE EN GESLOTE GEBIEDE**

9. Geslote seisoene
10. Geslote gebiede

HOOFSTUK 4

GEBRUIK VAN VISTUIG

DEEL 1: ALGEMEEN

- 11. Verbod op vistuig
- 12. Nette en maasgroottes

DEEL 2: TREILVANGS

- 13. Geslote gebiede
- 14. Maasgrootte
- 15. Aanhegtings aan treilnette

DEEL 3: BEURSNETVANGS

- 16. Geslote gebiede
- 17. Nette en maasgroottes
- 18. Bepaling van massa

DEEL 4: ANDER NETTE: STRANDSEËNNET, SPANNET, STELNET, HOEPELNET, SLEEPNET, GOOINET, STOOTNET, DRYFNET EN KIEFNET

- 19. Algemeen
- 20. Geslote gebiede

DEEL 5: LYNVISVANGS

- 21. Algemeen
- 22. Sakbeperkings

DEEL 6: ANDER VISTUIG

- 23. Ander vistuig

DEEL 7: MARIENE AKWARIUMVIS

- 24. Mariene akwariumvis

HOOFSTUK 5

SPESIEBEPERKINGS

DEEL 1: ALGEMEEN

- 25. Grootte- en massabeperkings
- 26. Dompeling
- 27. Beskikking oor vis en waterplante

DEEL 2: LANGLYNVANGS VAN STOKVIS

- 28. Algemeen
- 29. Beperkings op vistuig

DEEL 3: HAAIE

- 30. Algemeen
- 31. Sakbeperkings

DEEL 4: TJOKKA PYLINKVIS

- 32. Beperkings op vistuig
- 33. Sakbeperkings

DEEL 5: TUNA

- 34. Algemeen
- 35. Sakbeperkings

DEEL 6: PERLEMOEN

- 36. Algemeen
- 37. Minimum grootte
- 38. Sportvisvangs
- 39. Kommersiële visvangs
- 40. Geslote gebiede

DEEL 7: OESTERS

- 41. Algemeen
- 42. Kommersiële visvangs
- 43. Sport- en bestaansgrondslagvisvangs

DEEL 8: KREEF

- 44. Algemeen

DEEL 9: WESKUSKREEF

- 45. Algemeen
- 46. Beperkings op kommersiële vistuig
- 47. Geslote gebiede
- 48. Minimum grootte
- 49. Kommersiële visvangs
- 50. Weskuskreefsones
- 51. Sport-en bestaansgrondslagvisvangs

DEEL 10: OOSKUSKREEF

- 52. Algemeen
- 53. Sport-en bestaansgrondslagvisvangs

DEEL 11: ANDER SPESIES

- 54. Verbode diepwater spesies
- 55. Skulpvis, rooi-aas en ander ongewerwelde vis
- 56. Groottebeperkings, vistugbeperkings en visvangmetodes
- 57. Waterplante
- 58. Walvisse, dolfyne en waterskilpaaie
- 59. Seeperd en pypvis

HOOFSTUK 6**MARIKULTUUR**

- 60. Algemeen
- 61. Aansoeke
- 62. Algemene permitvoorwaardes vir marikultuur
- 63. Marikultuur-permithouers moet omgewings-impakte tot die minimum beperk
- 64. Wysiging van permitte
- 65. Staking van marikultuur
- 66. Opskorting van marikultuurpermit
- 67. Kansellering en nie-hernuwing van marikultuurpermit
- 68. Verbod op die ongemagtigde vrylating van lewende vis
- 69. Omgewingimpak-evaluering
- 70. Geneties gemodifiseerde organismes
- 71. Aanmeldbare siektes
- 72. Gebruik van chemiese of farmaseutiese middels
- 73. Publieke gesondheid

HOOFSTUK 7**LAAI, VERVOER, LEWERING, ONTVANGS, VERWERKING EN
BEMARKING VAN VIS EN VISPRODUKTE**

- 74. Verbod

HOOFSTUK 8**NAKOMINGSBEHEER**

- 75. Beskermde mariene gebiede
- 76. Vaartuigmoniteringstelsels
- 77. Merk van vissersvaartuie
- 78. Radio-roepsein

- 79. Logboeke
- 80. Dokumente wat aan boord vissersvaartuie gehou moet word
- 81. Berging van vistuig
- 82. Waarnemers
- 83. Visserybeheerbeamptes
- 84. Inspeksie prosedures
- 85. Ontskeping en oorlaai

HOOFSTUK 9

ANDER BEPALINGS

DEEL 1: BEPALINGS MET BETREKKING TOT DIE LAAT EN STORT VAN VOORWERPE IN DIE SEE

- 86. Vistuig en ander implemente
- 87. Afval

DEEL 2: VISSERSHAWEREGULASIES

- 88. Gebruik van geboue
- 89. Navigasie, binnekoms en akkommodasie in vissershawens
- 90. Vasmeer van vissersbote en vaartuie
- 91. Plasing van voorwerpe in vissershawens
- 92. Gesondheid, aanstootlike vragte en brandgevaar
- 93. Herstelwerk
- 94. Toegang tot vissershawes
- 95. Voertuie

DEEL 3: MISDRYWE EN STRAWWE

- 96. Misdrywe en strawwe

AANHANGSEL 1: FORMAAT VAN BUITELANDSE VISSERSBOOTLISENSIE

AANHANGSEL 2: GESLOTE SEISOENE

AANHANGSEL 3: BEPALING VAN MASSA

AANHANGSEL 4: NIE-VERKOOPBARE ONTSPANNINGSLYS

AANHANGSEL 5: SPESIAAL BESKERMDE LYS

AANHANGSEL 6: KRITIEKE LYS

AANHANGSEL 7: BEPERKTE LYS

AANHANGSEL 8: ONTGINBARE LYS

AANHANGSEL 9: AASLYS**AANHANGSEL 10: GROOTTE- EN MASSABEPERKINGS****AANHANGSEL 11: WESKUSKREEFSONES****AANHANGSEL 12: VERBODE DIEPWATER SPESIES****AANHANGSEL 13: SAKBEPERKINGS VIR ONGEWERWELDE VIS WAT DEUR 'N HOUER VAN 'N SPORT- OF BESTAANSGRONDSLAG VIS-VANGS PERMITHOUER BESIT MAG WORD****AANHANGSEL 14: GESTANDAARDISEERDE MERKTEKENS VIR VAARTUIG**

WOORDOMSKRYWING

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

- (i) "aan wal bring, ontskeep of aflaaï", met betrekking tot vis, om sodanige vis aan wal te bring, hetsy vanaf 'n vaartuig of andersins; (xxviii)
- (ii) "akwariuvis" vis wat gevang of versamel word om in vistenks of akwariums vertoon te word; (iii)
- (iii) "alikeukel" die spesie *Turbo sarmaticus*, ook bekend as ollycrook, cockle of reuse periwinkel; (ii)
- (iv) "armadillo" enige spesie van die klas *Polyplacophora*, ook bekend as chiton; (iv)
- (v) "bemanning" enige persoon aan boord van 'n vissersboot of ander vaartuig; (xiv)
- (vi) "beursseën" of "beursnet" 'n omsingelnet van enige grootte wat op die oppervlak van die see deur vlotte langs die hooflyn gestut word en wat onder die oppervlak van die see deur gewigte langs die voettou verswaar word, en waarvan die onderste deel deur middel van 'n beurslyn, geskeel by 'n tussenpunte of tussenpunte of 'n knoop, wat deur ringe loop wat vasgeheg is aan die voettou, bymekaar getrek word, en ook enige ander net waarvan die onderste gedeelte op 'n soortgelyke wyse bymekaar getrek kan word; (xiv)

- (vii) "bloedwurm" enige spesie van die genus *Arenicola*; (vi)
- (viii) "bodentreilnet" enige net wat ontwerp is om deur 'n vissersboot oor die seabodem gesleep te word; (vii)
- (ix) "dag" enige tydperk van 24 aaneenlopende ure; (xvi)
- (x) "die Wet" die Wet op Lewende Mariene Hulpbronne, 1998 (Wet No. 18 van 1998); (lxviii)
- (xi) "dolfyn" enige spesie van die superfamilie Delphinidae; (xix)
- (xii) "duik" om onder die oppervlak van die see te swem; (xviii)
- (xiii) "gapermossel" enige spesie van die genus *Macra*, ook bekend as sandmossel; (xi)
- (xiv) "garnaal" enige spesie van die familie Penaeidae of die genus *Callinassa* of *Upogebia*; (xlv)
- (xv) "gesiggiester" enige spesie van die genus *Echinodiscus*, ook bekend as sand dollar of pansy shell; (xl)
- (xvi) "getystrandmeer" 'n getystrandmeer soos in artikel 1 van die Strandwet, 1935, gedefinieer; (lxix)
- (xvii) "getyrivier" 'n getyrivier soos in artikel 1 van die Strandwet, 1935, gedefinieer; (lxx)
- (xviii) "gooinet" enige net wat vir die vang van vis vanaf die strand gegooi word; (ix)
- (xix) "hoogwatermerk" die hoogwatermerk soos in artikel 1 van die Strandwet, 1935, gedefinieer; (xxv)
- (xx) "inkvis" enige spesie van die genus *Sepia*; (xv)
- (xxi) "kammossel" die spesie *Pecten sulcicostatus*; (li)
- (xxii) "klipmossel" enige spesie van die familie Patellidae; (xxix)
- (xxiii) "koningklip" die spesie *Genypterus capensis*; (xxvii)
- (xxiv) "koraal" enige spesie van die orde Scleractinia of Alcyonacea; (xii)
- (xxv) "krap" enige spesie van die stam Anomura of Brachyura, ook as seekrap bekend, maar sluit nie 'n modder- of molkrap in nie; (xiii)

- (xxvi) "kreef" enige spesie van die familie Palinuridae, ook bekend as stekelrige krewes, of die spesie *Scyllarides elizabethae*, ook bekend as modder-, shovel-nosed-, slipper- of shoveller-kreef, en enige deel daarvan; (xlviii)
- (xxvii) "kreeffuik" enige fuik, pot of ander werktuig van watter konstruksie ookal, wat bedoel is of gebruik word vir die vang of hou van kreef, maar uitgesonderd 'n kreefringnet; (xlix)
- (xxviii) "langlyn" enige lyn of aaneengeskakelde lyne of vistuig waaraan in totaal meer as 10 vishoeke geheg is; (xxxi)
- (xxix) "lynvis" enige vis in Bylaes 4, 5, 6, 7, 8 en 9 uiteengesit; (xxx)
- (xxx) "mariene bio-toksiene" enige giftige stof wat deur vis voedende op toksien-produiserende alga, geakkumuleer word, of op seewater wat toksiene bevat wat deur sulke organismes geproduseer word; (xxxii)
- (xxxi) "midwatertreilnet" enige net wat deur 'n vissersboot op enige diepte tussen die bodem en oppervlak van die see gesleep kan word, sonder dat dit aanhoudend die seabodem raak; (xxxiii)
- (xxxii) "modderkrap" enige spesie van die familie Portunidae met inbegrip van *Scylla serrata*, ook bekend as reuse, groen swemmende of mangelwortelboomkrap; (xxxvi)
- (xxxiii) "molkrap" enige spesie van die familie Hippidae, ook bekend as seelvis; (xxxiv)
- (xxxiv) "monding" die middelpunt van 'n rivier en die monding van die rivier waar dit in die oopsee vloei met 'n reguit lyn getrek langs die kus langs die laagwatermerk; (xxxv)
- (xxxv) "Natalse oostelike diepwaterkreef" die spesie *Palinurus delagoae*; (xxxvii)
- (xxxvi) "newevangs" enige spesie benewens die teikenspesie waarvoor 'n permit uitgereik is, wat aan wal gebring word; (viii)
- (xxxvii) "oester" die spesies *Striostrea margaritacea*, *Octrea atherstonei*, *Pinctada capensis* of *Saccostrea cucullata*; (xxxix)
- (xxxviii) "ooskus stekelrige kreef" enige spesie van die genus *Panulirus*; (xxi)
- (xxxix) "pelagiese vis" die spesies *Engraulis capensis* (ansjovis), *Sardinops sagax* (pelser, sardyn), *Trachurus trachurus capensis* (marsbanker) of *Scomber japonicus* (makriel) of enige spesie van die genus *Etrumeus* (rooi-oog of rondeharing) of van die familie Myctophidae

(lanternvis) of van die familie Sternoptychidae, *Maurolicus meulleri* (ligvis); (xli)

- (xi) "periwinkel" enige spesie van die genus *Littorina*, *Orystele* of *Turbo*, *Turbo sarmaticus*; (xlii)
- (xli) "perlemoen" die spesie *Haliotis midae*; (l)
- (xlii) "polychaete-wurm" enige mariene borselwurm van die klas *Polyschaeta* met inbegrip van 'n mossel-, koraal-, wonder-, bloed-, shingle-, maanskyn-, pot-, klip- of platwurm; (xliii)
- (xliii) "pylinkvis" enige spesie van die families *Loliginidae* en *Ommastrephidae*; (lxv)
- (xliv) "rooi-aas" die spesie *Pyura stolonifera*; (xlvi)
- (xlv) "rotsmossel" enige spesie van die genus *Aulacomya*, *Mytilus*, *Chloromytilus* of *Perna*, ook bekend as bruin, swart of geribde mossel;
- (xlvi) seekastaiing" enige spesie van die klas *Echinoidea*, maar sluit nie gesiggiester in nie; (lvi)
- (xlvii) "seekat" enige spesie van die subfamilie *Octopodinae*; (xxxviii)
- (xlviii) "seekomkommer" enige spesie van die klas *Holothuroidea*; (lii)
- (xlix) "seepen" enige spesie van die orde *Pennatulacea*; (lv)
- (l) "seeskilpad" die spesies *Chelonidae* en *Dermochelidae*; (lxxiv)
- (li) "Seevisserye" die Hoofdirektoraat: Seevisserye van die Departement; (liv)
- (lii) "seewaaier" enige spesie van die orde *Gorgonacea*, ook bekend as seetak; (liii)
- (liii) "siffie" die spesie *Haliotis spadisea*, ook as Venus Ear bekend; (lxi)
- (liv) "skepnet" 'n net met 'n ring aan die end van 'n paal wat deur 'n persoon vir die vang van glasvisse en pylinkvis aangewend word; (xxvi)
- (lv) "skeermesgapermossel" enige spesie van die genus *Solen*, ook bekend as penknife-, pencil of knifebait; (xlvi)
- (lvi) "skulp" die leë dop van 'n skulpvis; (lviii)

- (lvii) "skulpvis" enige spesies van die ordes Gastropoda, Bivalvia, Schaphopoda of Polyplacophora; (lix)
- (lviii) "sleephelling" sluit in die hoof- en syleephelling asook 'n synchro-hyser; (lxii)
- (lix) "sleepnet" 'n net wat deur 'n vaartuig getrek word om steurgarnale in 'n estuarium te vang; (xx)
- (lx) "span-" of "stelnet" enige net wat vir visvang aangewend word en wat gespan of gestel is deur—
dit aan enige vaste voorwerp te heg; of
enige gewigte daarvan op die seabodem te laat rus of te anker; (lxvi)
- (lxi) "spiesgeweer" 'n toestel waarmee 'n spies deur meganiese of pneumatiese aandrywing gelanseer word; (lxiv)
- (lxii) "stokvis" enige spesie van die genus *Merluccius*; (xxiv)
- (lxiii) "stootnet" 'n net wat deur 'n persoon gestoot word vir die vang van steurgarnale en garnale in 'n estuarium; (lx)
- (lxiv) "strandtrekseën - of treknet" enige net, met of sonder 'n sak-end of kuil, wat met die hand vanaf die strand of vanaf 'n vaartuig vir visvangs aangewend word en dan op die strand of vaartuig uitgetrek word; (v)
- (lxv) "suidkuskreef" die spesie *Palinurus gilchristi*, ook as suidelike diepwaterkreef bekend; (lxiii)
- (lxvi) "swaardvis" die spesie *Xiphias gladius*; (lxvii)
- (lxvii) "tjokka pylinkvis" die spesie *Loligo vulgaris reynaudii*; (x)
- (lxviii) "treknet" beteken 'n strandtrekseën net; (lxxi)
- (lxix) "treknetgebied" enige gebied waarin 'n strandseënnet, stelnet of setnet gebruik mag word; (lxii)
- (lxx) "tuna" die spesies *Allothunnus fallai*, *Euthynnus affinis*, *Gymnosarda unicolor*, *Katsuworus pelamis*, *Sarda orientalis* of *Sarda sarda* of enige spesies van die genus *Thunnus*; (lxxiii)
- (lxxi) "verkoop" sluit in om te smous, vent, ruilhandel te dryf, verruil of op 'n ander manier teen vergoeding van die hand te sit of om aan te bied, te adverteer, te vertoon of in besit te wees van, met die doel om te verkoop, smous, vent, ruilhandel te dryf, te verruil of op 'n ander wyse teen vergoeding van die hand te sit; (lvii)

- (lxxii) "versteur" enige optrede wat 'n invloed op die natuurlike gedrag van 'n vis het; (xvii)
- (lxxiii) "visfuik" enige struktuur om vis mee vas te keer; (xxii)
- (lxxiv) "weskuskeef" die spesie *Jasus lalandii*, ook bekend as Kaapse rots- of stekelrige keef of keef; (lxxv)
- (lxxv) "walvis" enige lid van die orde Cetacea, maar sluit nie 'n dolfyn in nie; (lxxvi)
- (lxxvi) "witdoodhaai" die spesie *Carcharodon carcharias*, ook as blue pointer bekend; (xxiii)
- (lxxvii) "witmossel" die spesie *Donax serra*. (lxxvii)

HOOFSTUK 1

ADMINISTRATIEWE AANGELEENTHEDE

RAADPLEGENDE ADVIESFORUM VIR LEWENDE MARIENE HULPBRONNE

2. (1) Die eerste vergadering van die Forum sal plaasvind op 'n tyd en plek deur die Voorsitter bepaal.

(2) Die Forum sal minstens een maal elke ses maande vergader.

(3) Die Voorsitter mag 'n spesiale vergadering ter enigertyd wat hy of sy nodig ag, belê.

(4) Die Voorsitter sal verplig wees om 'n vergadering op aandrang van die meerderheid van die lede van die Forum, te belê.

(5) Die Forum sal op konsensus werk: Met dien verstande dat as konsensus nie bereik kan word nie—

(a) sal die beslissing van die meerderheid, 'n beslissing van die Forum verteenwoordig; of

(b) ingeval van 'n staking van stemme oor enige aangeleentheid, sal die Voorsitter benewens sy oorwoë stem, 'n beslissende stem hê.

(6) Die Voorsitter en ten minste die helfte van die lede sal 'n kworum vorm.

(7) Seevisserye sal as sekretariaat van die Forum optree.

(8) Die Voorsitter van die Forum en een persoon deur die lede van die Forum aangewys, sal die notules van elke vergadering onderteken en die korrektheid daarvan sertifiseer.

(9) In die afwesigheid van die Voorsitter sal 'n Vise-Voorsitter deur die Minister uit die lede van die Forum aangewys, as Voorsitter van die Forum optree.

(10) 'n Stel notules van elke vergadering sal deur Seevisserye bewaar word en vir openbare insae beskikbaar gestel word.

Identiteitskaarte

3. 'n Identiteitskaart wat kragtens artikel 9(2) aan 'n Ere-Mariene Bewaringsbeampte, kragtens artikel 9(1) aan 'n visserybeheerbeampte of kragtens artikel 54(1) aan 'n waarnemer uitgereik is, sal die volgende besonderhede bevat::

- (a) Van en voorletters;
- (b) identiteitsnommer;
- (c) foto;
- (d) naam en adres van die instansie namens wie aangestelde of aangewese optree;
- (e) ampstitel en rang, waar toepaslik;
- (f) datum van aanstelling of aanwysing;
- (g) aanstellings- of aanwysingsnommer;
- (h) terugkerende adres van die Departement;
- (i) handtekening van aangestelde of aangewese persoon; en
- (j) verwysing na die artikel van die Wet waarkragtens die aanstelling of aanwysing geskied.

Register

4. (1) Die register waarna in artikel 12(1) van die Wet verwys word, sal besonderhede bevat aangaande—

- (a) die naam en fisiële adres van die houer van toegangsregte, ander regte, permitte of lisensies, permithouer of lisensiehouer;

- (b) telefoonnommer, faks- en elektroniese posnommer, waar van toepassing op 'n persoon soos in paragraaf (a) in die vooruitsig gestel;
- (c) die visspesies ten opsigte waarvan die reg of permit geld, waar toepaslik;
- (d) die massa vis van elke spesie waarvoor die reg of permit geld, waar toepaslik;
- (e) die geldigheids tydperk van die toegangsreg of permit of lisensie wat toegeken is en die datum wanneer dit van krag word;
- (f) die naam, registrasienommer en roepsein van die vaartuig ten opsigte waarvan 'n lisensie uitgereik is;
- (g) die visspesies wat vanaf 'n gelisensieerde vaartuig gevang mag word, waar toepaslik;
- (h) ten opsigte van 'n visverwerkingsaanleg, die doel waarvoor die aanleg aangewend mag word;
- (i) ten opsigte van marienkultuur, die spesies en massa vis waarvoor sodanige reg toegestaan is, waar toepaslik;
- (j) enige herroeping, kansellering, opskorting, wysiging of vermindering ten opsigte van regte, permitte of lisensies in die register, tesame met die omvang en tydperk wat sodanige reg beperk is, moet in die register aangeteken word;
- (k) enige oordrag van sodanige reg, die persoon aan wie dit oorgedra is en die datum wanneer die oordrag van krag geword het.

(2) Die register sal gedurende normale werksdae vanaf 08:00 tot 12:00 by die kantoor van Seevisserye, Kaapstad, aan die publiek vir insae beskikbaar wees.

Appèlprosedures

5. (1) 'n Appèl deur enige persoon kragtens artikel 80 van die Wet moet skriftelik by die Minister ingedien word binne 30 dae nadat die appellant kennis ontvang het van die beslissing waarteen hy of sy appelleer.

(2) 'n Appèl sal al die relevante feite uiteensit asook die gronde vir appèl en moet vergesel word deur enige verbandhoudende dokument of afskrif daarvan wat deur 'n Kommissaris van Ede as korrek gewaarmerk is.

(3) Die appèl wat in subartikel (2) in die vooruitsig gestel word, sal deur die appellant op die persoon teen wie se beslissing geappelleer word, geding word,

en die betrokke persoon sal binne 30 dae nadat die appèl op hom of haar gedien is, 'n verslag daaromtrent aan die Minister voorlê.

HOOFSTUK 2

TOEGANGSREGTE, ANDER REGTE, PERMITTE EN LISENSIES

Duplikate van lisensies en permitte

6. (1) Indien 'n lisensie of permit verlore raak of vernietig word, kan 'n duplikaat op aansoek en teen betaling van die gelde soos deur die Minister ingevolge artikel 25 van die Wet bepaal, verkry word.

Formaat van 'n buitelandse vissersbootisensie

7. 'n Buitelandse vissersbootisensie sal volgens die formaat in Aanhangsel 1 uiteengesit, wees.

Vissery-opgawes

8. (1) Op of voor die vyftiende dag van elke maand moet die houer van 'n permit 'n opgawe versend aan Seevisserye, Privaatsak X2, Roggebaai, 8012, of aan enige persoon wat vir die doel deur die Direkteur-generaal aangestel is, waarin die inligting verstrek word soos deur sodanige permit vereis word en in sodanige vorm as wat daarin voorgeskrywe is.

(2) 'n Opgawe wat kragtens subregulasie (1) deur die houer van 'n permit ingedien word, moet gedateer word en die inligting daarin verstrek, moet deur hom of haar as juis gesertifiseer word.

HOOFSTUK 3

GESLOTE SEISOENE EN GESLOTE GEBIEDE

Geslote seisoene

9. Niemand mag, behalwe op gesag van 'n permit, betrokke wees by visvangs, versameling, versteuring, bewaring of beheer van, of in besit wees van enige vis gedurende die tydperke soos vir elke spesie in Aanhangsel 2 uiteengesit.

Geslote gebiede

10. Niemand mag, behalwe op gesag van 'n permit—

- (a) in 'n getyrvier of getystrandmeer betrokke wees by visvangs, of versameling van enige vis nie;
- (a) binne 'n afstand van drie seemyle, seewaarts gemeet vanaf die hoogwatermerk betrokke wees by visvangs of versameling van vis nie—
 - (i) in die gebied tussen, as suidelike grens, 'n lyn (ware peiling 145°) getrek vanaf Nahoonpunt, en as noordelike grens, 'n soortgelyke lyn getrek vanaf Gonubiepunt;
 - (ii) in die gebied tussen, as suidelike grens, 'n lyn (ware peiling 145°) getrek vanaf Christmasrots, en as noordelike grens, 'n soortgelyke lyn getrek vanaf die monding van die Grulurivier; en
 - (iii) in die gebied tussen, as suidelike grens, 'n lyn (ware peiling 145°) getrek vanaf die monding van die Nyararivier, en as noordelike grens, 'n lyn (ware peiling 139°) getrek vanaf die monding van die Groot Keirivier.
- (c) enige net, netwerk of langlyn in die gebied binne Saldanhabaai binne 'n reguit lyn 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 baken wat as S.H.1 gemerk en op die punt bekend as "South Head" geleë is, gebruik nie: Met dien verstande dat die Direkteur-generaal die gebruik van 'n net kan magtig in die gebied noord van die noordelike grens van die Weskus Nasionale Park tot by die suidelike grens van die Saldanhabaai Portnethawe se jurisdiksiegebied soos op Kaart SAN 1010 aangetoon;
- (d) enige span-, stel- of dryfnet of bodemtreilnet of enige beursseënnel of enige beursnet of enige langlyn of enige soort kreeffuik binne Valsbaai in die gebied noord van 'n reguit lyn getrek van die vuurtoring by Kaap Hangklip na die vuurtoring by Kaappunt gebruik nie;
- (e) binne Harderbaai by Onrusrivier, in die gebied tussen die hoogwatermerk en 'n reguit lyn getrek tussen 'n baken gemerk O.R.1 (geleë by Van der Riet Hoek) en 'n baken gemerk O.R.2 (by Marine Drive-punt geleë), betrokke wees by visvangs of versameling van enige vis nie;
- (f) betrokke wees by visvangs, versameling of verwydering van enige vis of waterplant verwyder binne—
 - (i) die gebied vanaf die hoogwatermerk tot 500 meter seewaarts gemeet vanaf die hoogwatermerk tussen, as noordelike grens, 'n lyn (ware peiling 270°) getrek vanaf die grensdraad van die

Kaap die Goeie Hoop Natuurreservaat te Schusterbaai, Scarborough, en as suidelike grens, 'n lyn (ware peiling 180°) getrek vanaf die vuurtoring te Kaappunt;

- (ii) die gebied vanaf die hoogwatermerk tot 500 meter seewaarts, tussen, as noordelike grens, 'n lyn (ware peiling 090°) 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";
- (iii) die gebied vanaf die hoogwatermerk tot 500 meter seewaarts, tussen, as noordelike grens, 'n lyn (ware peiling 090°) getrek vanaf "Neptune's Corner", geleë regoor Muizenbergstasie en, as suidelike grens, 'n soortgelyke lyn getrek vanaf die noordelike muur van die getypoel geleë teenoor St James-stasie;
- (iv) die gebied vanaf die hoogwatermerk tot 500 meter seewaarts, tussen, as noordelike grens, 'n lyn (ware peiling 090°) getrek vanaf die noordelike muur van die getypoel geleë teenoor St James-stasie en, as suidelike grens 'n soortgelyke lyn getrek vanaf die noordelike muur van die getypoel, geleë teenoor Kalkbaai-stasie;
- (v) die gebied vanaf die hoogwatermerk tot 500 meter seewaarts, met as noordelike grens, 'n lyn (ware peiling 225°) getrek vanaf die veiligheidsomheining langs die Lourensrivier, Strand, en as suidelike grens, 'n lyn (ware peiling 320°) getrek vanaf die navigasielig op die punt van die oostelike golfbreker van die vissershawe te Gordonsbaai;
- (vi) die gebied (bekend as die Mudgepunt Mariene Bewaringsgebied) gemeet vanaf die hoogwatermerk tot 100 seewaarts met as westelike grens, die westelike grens van die Hawston-hawe en as oostelike grens, die oostelike grens van die Frans Senekal Wildreservaat; en
- (vii) die gebied gemeet vanaf die hoogwatermerk tot 500 meter seewaarts, tussen as oostelike grens 'n lyn (ware peiling 180°) getrek vanaf die baken gemerk H.R.1 geleë te Kraal Rock in Walkerbaai en as westelike grens 'n soortgelyke lyn getrek vanaf die baken gemerk H.R.2 geleë te Rietfontein, Hermanus; of

(g) betrokke wees by visvangs of versameling van enige vis—

- (i) binne drie seemyle in die gebied, wat as suidelike grens 'n lyn (ware peiling 145°) getrek vanaf die suidelike golfbreker van

Durbanhawe en as noordelike grens 'n lyn (ware peiling 145°) getrek vanaf die Umgenirivier; en

- (ii) binne die hawens van Durban en Richardsbaai, met inbegrip van die noordelike en suidelike seehawe.

HOOFSTUK 4

DIE GEBRUIK VAN TUIG

Deel 1

Algemeen

Verbod op vistuig

11. Niemand mag, behalwe op gesag van 'n permit, enige vistuig, stelnet, setnet, kiefnet, dryfnet, bodemtreilnet of midwatertreilnet, beurseënnnet, beursnet, langlyn of enige tipe kreeffuik aan boord 'n vissersboot hê nie.

Nette en maasgroottes

12. (1) Vir die meet van 'n maas in enige visnet sal die maasgrootte—

- (a) in millimeters uitgedruk word;

- (b) gemeet word van die binnekant van die knoop of las na die binnekant van die knoop of las terwyl die net na gebruik nog nat is of nadat dit vir ten minste 10 minute in seewater geweek is;

- (c) gemeet word met die net gestrek in die rigting van die lang diagonaal van die mase, langs die lengte van die net; en

- (d) gelyk wees aan die gemiddelde van die meting van enige reeks van ten minste 20 opeenvolgende mase wat nie verder as 10 mase van enige boorsels of tou van die net verwyder is nie.

(2) Die instrument vir die meting van die maasgrootte van 'n net sal 'n meetinstrument wees wat—

- (a) 2 mm dik, plat en van duursame en roesvrye materiaal vervaardig wees en die vermoë het om sy vorm te behou;

- (b) wigvormige kante het wat 'n afdunning van een tot agt;

- (c) 'n gat aan die nouste end; en

(d) sy wydte met reëlmatige intervalle geëts het.

(3) Metings met behulp van die meetinstrument waarna in subparagraaf (2) verwys is, sal geskied deur die nouste end van die instrument in die maasopening te steek, loodreg tot die plan van die net, terwyl die instrument aan 'n druk of trekrag van 5 kg onderworpe is.

(4) Mase wat heelgemaak of gebreek is of waaraan aanhangsels van die net geheg is, sal nie gemeet word nie.

(5) Niemand mag enige toestel gebruik of enige konstruksie aan 'n net of netwerk hê wat die mase sal versper of saamtrek tydens visvangs of wat op enige ander wyse sal veroorsaak dat die maasopenings en aldus die maatselektiwiteit van die net of netmateriaal verminder sal word nie.

DEEL 2

Treilvangs

Geslote gebiede

13. (1) Niemand mag enige treilnet vir visvangs in die volgende gebiede gebruik nie:

- (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 paragrafe (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) seewaarts vanaf die hoogwatermerk ein die gebied begrens deur 'n lyn (ware peiling 160°) getrek vanaf die Sondagsriviermond en 'n lyn (ware peiling 048°) getrek vanaf die Donkinreserwe vuurtoring tot die snypunt van eersgenoemde lyn;
- (e) landwaarts vanaf 'n reguit lyn getrek vanaf Cape Seal-vuurtoring tot by die westelike wal van die monding van die Bloukransrivier;
- (f) landwaarts vanaf 'n reguit lyn getrek vanaf Kaap St Francis-punt tot by die vuurtoring te Kaap Recive; en

(g) landwaarts vanaf 'n lyn (ware peiling 084°) getrek vanaf die vuurtoring te Kaap Infanta tot by die baken gemerk K2, geleë te Kaap Barracouta; en

(h) in 'n getyrvier of getystrandmeer, behalwe op gesag van 'n permit.

(2) Niemand mag binne 'n afstand van vyf seemyle seewaarts vanaf die hoogwatermerk, 'n treilnet gebruik in die gebied begrens deur 'n lyn (ware peiling 180°) getrek vanaf die vuurtoring by Kaappunt en 'n lyn getrek by die grens tussen die Republiek en Namibië op die noordelike oewer van die Oranjerivier (ongeveer 234° ware peiling), soos op Kaart SAN FZ1 aangedui.

Maasgrootte

14. Niemand mag—

(a) aan boord van enige vissersboot, enige bodemtreilnet of midwatertreilnet waarvan die maasgrootte in enige deel van die net minder as 75 mm is, in sy besit hê of gebruik nie;

(b) 'n bodemtreilnet of midwatertreilnet waarvan die maasgrootte van die net minder as 110 mm is nie, in die gebied wes van lengtegraad 20° Oos in sy besit hê of gebruik nie.

Aanhangsels aan treilnette

15. (1) Onderhewig aan die bepalings van subregulasie (2) mag niemand enige seil, netmateriaal of ander materiaal aan die sak-end van 'n treilnet heg nie.

(2) Ondanks die bepalings van subregulasie (1)—

(a) mag 'n stuk net, bekend as 'n "bottom-side chafer" aan die onderkant van die sak-end van 'n treilnet geheg word om slytasie daaraan te verhoed, mits sodanige stuk net slegs aan die onderkant en syrande van die sak-end geheg word;

(b) is die gebruik van 'n sogenaamde "Polish topside chafer" toelaatbaar, synde 'n reghoekige stuk netmateriaal wat aan die agterste gedeelte van die bokant van die sak-end geheg word, mits sodanige netmateriaal—

(i) van dieselfde toumateriaal en grootte as dié van die sak-end het; en

(ii) 'n maasgrootte van ten minste dubbel dié van die sak-end het; en

- (iii) aan die sak-end geheg is langs die voorste, sykantse en agterste rande van die sak-end op sodanige wyse dat verseker word dat die mase van die netmateriaal presies met die mase van die sak-end saamval;
 - (c) nie meer as een "flopper", synde 'n stuk netmateriaal wat aan die binnekant van 'n treilnet geheg word sodat vis toegelaat word om van voor- na die agterkant van die treilnet te beweeg, maar hulle kanse om terug te draai beperk, mag gebruik word, mits—
 - (i) dit maas-by-maas dwarsoor die boonste helfte en aan die binnekant van die sak-end geheg word;
 - (ii) die maasgrootte van die "flopper" nie minder as dié van die sak-end sal wees nie; en
 - (iii) die afstand tussen die punt waar die "flopper" vasgeheg is en die saklyn ten minste drie maal die lengte van die "flopper", maar nie minder as 8 meter, sal wees.
- (3) Behoudens die bepalings van subregulasie (4), mag niemand enige ronde hegstroke ("straps") aan 'n treilnet gebruik, tensy—
- (a) die afstand tussen twee agtereenvolgende ronde hegstroke ten minste een meter is;
 - (b) die ronde hegstroke by minstens twee plekke dwarsoor die buitekant van die sak-end van die net vasgeheg is; en
 - (c) die totale lengte van enige ronde hegstrook nie minder as 50 persent van die omtrek van die sak-end is nie, gemeet by die punt waar die ronde hegstrook aan die sak-end geheg is, en die omtrek bepaal word deur 'n lengte van ten minste tien gestrekte mase in die rigting van die omtrek en van die knoopsenter van die eerste maas wat gemeet word tot by die knoopsenter van die laaste maas wat gemeet word, en die resultaat aldus verkry verdeel word deur die getal gemete mase en die syfer verkry met die totale getal aaneenlopende mase in die omtrek getel, vermenigvuldig word.
- (4) Nieteenstaande die bepalings van subregulasie (3) kan 'n enkele ronde hegstrook ("back strap") van 'n korter lengte as 50 persent van die omtrek van die sak-end aan 'n treilnet gebruik word, indien dit nie meer as 700 mm van die posisie geheg is waar die saklyn vasgemaak is, gemeet wanneer die mase in die lengte gestrek is.

DEEL 3 Beursnetvangs

Geslote gebiede

16. Niemand mag enige beursseënnet gebruik—

- (a) binne 'n afstand van een seemyl seewaarts vanaf die hoogwatermerk in die gebied begrens deur 'n lyn (ware peiling 000°) getrek vanaf die vuurtoring te Stompneuspunt en 'n lyn (ware peiling 270°) getrek vanaf die monding van die Bokramrivier;
- (b) in Walkerbaai binne 'n gebied begrens deur twee denkbeeldige lyne getrek vanaf Voorsteklip by Die Plaat na 'n baken gemerk M1 by Mudgepunt, naby Hawston, en vanaf die vuurtoring op die suidelike golfbreker in die vissershawe by Gansbaai na die baken gemerk M1 by Mudgepunt;
- (c) in Walkerbaai landwaarts vanaf 'n lyn getrek vanaf die vuurtoring op die suidelike golfbreker in die vissershawe by Gansbaai na 'n baken gemerk M1 by Mudgepunt, gedurende die tydperk 1 tot 31 Januarie en 1 tot 31 Desember in enige jaar; of
- (d) in 'n getyrvier of getystrandmeer, behalwe op gesag van 'n permit.

Nette en maasgroottes

17. (1) Niemand mag—

- (a) enige net of netwerk met 'n maasgrootte van minder as 28 mm aan boord van enige vissersboot in sy besit hê of gebruik nie;
- (b) enige net of netwerk tydens visvangs bo-oor enige net of deel van enige net aanbring nie;
- (c) betrokke wees by visvangs, 'n poging tot visvangs of versteuring van enige ander spesie, behalwe pelagiese vis, met behulp van 'n beursnet nie.

Bepaling van massa

18. Die bepaling van die massa van pelagiese vis wat deur 'n visverwerkingsaanleg in ontvangs geneem word, sal geskied deur middel van 'n massameter wat aan die spesifikasies in Aangangsel 3 uiteengesit, voldoen, en sal deur die eienaar van die visverwerkingsaanleg voorsien en geïnstalleer word.

DEEL 4**Ander nette: Strandseënnet, spannet, stelnet, hoepelnet, stootnet, gooinet, sleepnet, dryfnet en kiefnet****Algemeen**

19. Niemand mag, behalwe op gesag van 'n permit—

- (a) enige strandseënnet, spannet, stelnet, hoepelnet, stootnet, sleepnet, gooinet, dryfnet of kiefnet in sy besit hê of gebruik nie;
- (b) tydens visvangs enige net of netwerk oor enige net of deel van 'n net aanbring of gebruik nie;
- (c) enige tuna wat deur middel van 'n kiefnet gevang is aan boord 'n vaartuig hê, ontskeep of oorlaai in Suid-Afrikaanse waters nie;
- (e) tussen sononder en sonop enige strandseënnet, spannet, stelnet, sleepnet, hoepelnet, stootnet of gooinet vir visvangs gebruik nie.

Geslote gebiede

20. (1) Niemand mag—

- (a) binne 'n afstand van twee seemyle seewaarts vanaf die hoogwatermerk gemeet, enige dryfnet binne 'n treknetgebied gebruik nie;
- (b) enige vaartuig anker of enige versperring in 'n treknetgebied plaas op 'n wyse wat te enigertyd met die gebruik van 'n strandseënnet inmeng wanneer treknetvisvangs beoefen word nie;
- (c) 'n stel- of spannet, behalwe op gesag van 'n permit, gebruik nie.

(2) Vir die doeleindes van subregulasie 1(a) sluit treknetgebied die volgende in—

- (a) die gebied tussen die visverwerkingsaanleg van Paternoster Visserye Beperk en die verste punt van Paternosterbaai, bekend as "Groot Paternosterpunt";
- (b) Britanniabaai en Shellbaai in die afdeling Malmesbury, tussen 'n lyn (ware peiling 000°) getrek vanaf Kaap St Martin as westelike grens, en 'n soortgelyke lyn getrek vanaf die vuurtoring by Stompneuspunt, as oostelike grens; en

(c) die gebied bekend as Houtbaastrand in die afdeling Wynberg.

(3) Niemand mag enige dryf-, span- of stelnet vir visvangs gebruik binne 'n afstand van—

- (a) 500 meter seewaarts gemeet vanaf die hoogwatermerk in die gebied begrens deur 'n lyn (ware peiling 000°), getrek vanaf die baken gemerk D.R., geleë op die restant van Wilde Varkens Vallei A, reg suid van "Doctor's Reef", en 'n lyn (ware peiling 270°) getrek vanaf die punt van Kaap Deseada te Elandsbaai;
- (b) drie seemyl seewaarts, gemeet vanaf die hoogwatermerk in die gebied begrens deur 'n lyn (ware peiling 270°) vanaf die Kaappuntvuurtoring, tot by 'n soortgelyke lyn (ware peiling 270°) vanaf die baken S.H.1 wat op die punt bekend as "South Head", Saldanhabaai, geleë is; en
- (c) ses seemyl seewaarts gemeet vanaf die hoogwatermerk in die gebied begrens deur 'n reguit lyn (ware peiling 180°) getrek vanaf die vuurtoring te Kaap Hangklip en 'n soortgelyke lyn getrek vanaf die vuurtoring te Kaap St Blaize.
- (d) 500 meter seewaarts, gemeet vanaf die hoogwatermerk in die gebied wat aan die westekant begrens word deur 'n reguit lyn getrek vanaf 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 getrek vanaf 'n baken gemerk S.H.B.E. en 'n baken gemerk D.R., en wat beide op die restant van Wilde Varkens Vallei A, reg suid van "Doctor's Reef" geleë is; en
- (e) drie seemyle seewaarts, gemeet vanaf die hoogwatermerk, in 'n gebied begrens deur 'n reguit lyn getrek vanaf die punt van Kaap Deseada by Elandsbaai, en 'n lyn (ware peiling 234°) getrek vanaf die noordelike oewer van die Oranjerivier, soos op Kaart SAN FZ1 aangedui.

Deel 5

Lynvisvangs

Algemeen

21. (1) Niemand mag, behalwe op gesag van 'n permit, betrokke wees by lynvisvangs met vistuig waaraan meer as tien vishoeke in totaal geheg is nie.

(2) Niemand mag, behalwe op gesag van 'n permit, enige van die lynvisspesies in Aanhangel 4 vermeld, verkoop nie.

(3) Niemand mag enige lynvis, enige deel of produk daarvan verkoop, aflewer of aankoop nie, tensy die verkoper tydens aflewering 'n faktuur soos in

subregulasie (4) beskrywe uitreik ten opsigte van sodanige vis, enige deel of produk daarvan aan die persoon wat dit aanskaf nie.

(4) 'n Faktuur soos bedoel in subregulasie (3) moet vir minstens 24 maande deur die persoon aan wie dit uitgereik is, behou word en moet minstens die volgende besonderhede bevat:

- (a) Die name en adresse van die partye betrokke by die transaksie;
- (b) die afleweringsdatum;
- (c) die hoeveelheid of massa lynvis of enige deel of produk daarvan wat verhandel is.

Sakbeperkings

22.(1) Behalwe op gesag van 'n permit, mag niemand—

- (a) betrokke wees by die visvangs, versameling, versteuring, aan wal bring, bewaring of beheer van, of in besit wees van, of verkoop van enige van die spesies soos vervat in die spesiaal beskermde lys in Aanhangel 5, nie;
- (b) betrokke wees by die visvangs, versameling, versteuring, aan wal bring, bewaring of beheer van, of op enige dag in besit wees van meer as twee visse van die spesies soos vervat in die kritieke lys in Aanhangel 6, nie.
- (c) betrokke wees by die visvangs, versameling, versteuring, aan wal bring, bewaring of beheer van, of sal op enige dag in besit wees van meer as vyf visse van die spesies soos vervat in die beperkte lys in Aanhangel 7, nie.
- (d) betrokke wees by die visvangs, versameling, versteuring, aan wal bring, bewaring of beheer van, of op enige dag in besit wees van meer as 10 visse in totaal van die spesies soos vervat in die nie-verkoopbare ontspanningslys in Aanhangel 4, nie: Met dien verstande dat geen persoon betrokke mag wees by die visvangs, versameling, versteuring, aan wal bring, bewaring of beheer van, of sal op enige dag in besit wees van meer as vyf visse van enige een spesie wat gelys is, nie.

(2) 'n Houer van 'n sportvisvangspermit mag nie betrokke wees by die visvangs, versameling, versteuring, aan wal bring, bewaring of beheer van, of op enige dag in besit wees van meer as 10 visse in totaal van die spesies soos vervat in die aaslys in Aanhangel 8, nie.

(3) 'n Houer van 'n bestaansgrondslagvisvangspermit mag nie betrokke wees by die visvangs, versameling, versteuring, aan wal bring, bewaring of beheer van, verkoop van, of op enige dag in besit wees van meer as 10 visse in totaal van die spesies soos vervat in die aaslys in Aanhangsel 8, nie.

Deel 6

Ander vistuig

Ander vistuig

23. Niemand mag, behalwe op gesag van 'n permit—

- (a) tydens visvangs enige kunsmatige asemhalingsapparaat, behalwe 'n snorkel, gebruik nie;
- (b) betrokke wees by visvangs, versameling of versteuring van enige vis deur middel van 'n haakstok, knuppel, dorsstok, stok, klip of soortgelyke implement nie;
- (c) betrokke wees by visvangs, versameling of versteuring van enige vis, behalwe seekat, inkvis of pylinkvis, deur die ruk van 'n hoek of angel in die see met die doel om dit deur die vis te haak, ook bekend as "jigging" of "snatching";
- (d) betrokke wees by visvangs, versameling of versteuring van enige koningklipvis met 'n fuik;
- (e) betrokke wees by visvangs, versameling of versteuring van vis met 'n spiesgeweer;
- (f) betrokke wees by visvangs, versameling of versteuring van vis met 'n fuik; of
- (g) betrokke wees by visvangs, versameling of versteuring van vis met 'n spiesgeweer in 'n getyrvier of getystrandmeer;

Deel 7

Mariene akwariumvis

Mariene Akwariumvis

24. (1) Behalwe op gesag van 'n permit, mag niemand—

- (a) betrokke wees by visvangs of versameling van mariene akwariumvis of enige vis in 'n akwarium vir enige doel aanhou nie; of
- (b) 'n mariene soogdier vir enige doel in gevangenskap aanhou nie.

- (2) Niemand mag enige mariene akwariumvis met behulp van kunsmatige asemhalingsapparaat, behalwe 'n snorkel, versamel nie.

HOOFSTUK 5

SPESEBEPERKINGS

Deel 1

Algemeen

Grootte- en massaperke

25. Niemand mag, behalwe op gesag van 'n permit—

- (a) betrokke wees by visvangs, versameling, bewaring of beheer van of in besit wees van enige vis van die spesies soos vervat in Aanhangsel 10, waarvan die massa minder is as wat in die vermelde Aanhangsel aangedui is of van 'n grootte kleiner as wat aangedui word, en gemelde grootte word gemeet in 'n reguit lyn vanaf die punt van die snoet tot by die verste end van die stert;
- (b) vis in sodanige toestand aan wal bring dat dit onmoontlik is om vas te stel of die vis aan die minimum grootte—vereiste voldoen.

Dompeling

26. Behoudens die bepalings van hierdie Regulasies, mag niemand enige vis ter see dompel, vrylaat of weggooi waarvoor daar 'n totale toegelate vang, totale ontplooibare poging of voorkomende maksimum vangsplafonne gestel is nie.

Beskikking oor vis en waterplante

27. (1) Niemand mag, behalwe op gesag van 'n permit—

- (a) enige vis op die nie-verkoopbare ontspanningslys soos vervat in Aanhangsel 4, verkoop nie;
- (b) enige swaardvis verkoop nie: Met dien verstande dat die bepalings van hierdie regulasie nie op die verkoop of te koop aanbied van swaardvisse wat deur middel van treilnette of langlyne as nuwevangste gevang is en wat nie 10 persent van die massa van die totale vang mag oorskry nie;
- (c) enige vis of vistuig ter see vanaf 'n vaartuig of persoon na 'n ander vaartuig of persoon oorlaai nie;

- (d) enige waterplant verkoop nie;
- (e) enige vis of enige deel of produk daarvan invoer nie; of
- (f) enige vis of deel of produk daarvan uitvoer nie.

(2) Enige lewendige vis wat strydig met enige bepaling van die Wet gevang is, moet onverwylde in die see teruggeplaas word, en sover moontlik, sonder om die vis verder te beskadig. Met dien verstande dat enige lynvis wat strydig met enige bepalings van die Wet gevang is, onverwylde in die see teruggeplaas moet word, ongeag of dit dood of lewend is.

Deel 2

Langlynvangs van stokvis

Algemeen

28. (1) Niemand wat betrokke is by die visvangs van stokvis met 'n langlyn, mag—

- (a) op enige enkele dag enige newevangss wat meer as 20 persent van die nominale massa van sy of haar stokvisvangs beloop, versamel, bewaar of beheer nie, of in sy of haar besit hê nie;
- (b) enige newevangss wat 20 persent van die nominale massa van sy of haar stokvisvangs oorskry, ontskeep nie; of
- (c) op enige enkele dag enige koningklip newevangss wat 10 persent van die nominale vang van sy of haar stokvisvangs oorskry, versamel, bewaar of beheer, of in sy of haar besit hê nie; of
- (d) enige koningklip-newevangs wat 10 persent van die nominale massa van sy of haar stokvisvang oorskry, ontskeep nie.

(2) Alle voëls wat tydens langlynvangste gevang word, moet, indien hulle lewe, onmiddellik vrygelaat word, of indien hulle dood is, aan die einde van die vaart aan 'n visserybeheerbeampte oorhandig word.

(3) 'n Rekord van alle visvang- en verwante bedrywighede, vangste, oftewel hulle aan wal gebring is al dan nie, moet bygehou word volgens die formaat in die permit bepaal.

(4) 'n Rekord van alle langlynvistuig wat ter see verloor is, moet bygehou word volgens die formaat in die permit bepaal.

Beperkings op vistuig

29. (1) Slegs bodem-gestelde langlyne mag vir visvangs van stovis met langlyn gebruik word.

(2) Langlyne mag slegs gedurende nagtelike ure ontplooi word en die ontplooiing van vistuig sal ten minste een uur voor dagbreek op see gestaak word.

(3) Die hooflyn sowel as die taklyne moet behoorlik verswaar word en die stelspoed moet sodanig wees dat die maksimum haalbare sinktempos verkry word.

(4) Dompel of ontskeping van afval—

(a) moet tot 'n minimum beperk word;

(b) sal geskied aan die teenoorgestelde kant van die vaartuig as dié kant waar die lyn ingebring word; en

(c) mag nie tydens die stel van lyne geskied nie.

(5) Vishoeke, vislyne of plastiek mag nie gestort word nie, behalwe waar die verwydering van die vishoeke van lewende afval, die veiligheid van die bemanning of nadelig vir die oorlewing van 'n vis, rob, voël of dier, is.

(6) Dekbeligting moet tot 'n minimum beperk word sonder om veiligheid in te boet en moet op sodanige wyse afgeskerm word dat die straal op die dek gerig word.

(7) 'n Goedgekeurde wimpellyn ("streamer", "tori line") moet tydens die set van elke langlyn wapper en gemelde wimpel moet reg bokant die hooglyn ontplooi word, tensy twee wimpels gebruik word, in welke geval hulle aan beide kante van die hooflyn ontplooi moet word.

(8) Niemand mag enige langlynvistuig ter see weggooi of agterlaat nie.

Deel 3

Haaie

Algemeen

30. (1) Niemand mag, behalwe op gesag van 'n permit —

(a) betrokke wees by visvangs, versameling, doodmaak, probeer om dood te maak, versteuring, pla, met aas of op enige ander wyse lok, bewaar of beheer van, of in besit wees van enige witdoodhaai nie; Met dien verstande dat indien dit nie doelbewus gevang of gedood word nie, sodanige haai so gou as moontlik aan 'n visserybeheerbeampte oorhandig moet word; of

(b) enige widdoodhaai of enige deel daarvan of enige produk daarvan koop of verkoop nie.

(2) Niemand wat betrokke is by visvangs van haaie met 'n langlyn, mag te enigertyd—

(a) meer as 10 stokvis en vyf koningklip aan boord van 'n vissersboot versamel, bewaar of beheer, of in sy of haar besit hê nie; of

(b) meer as 10 stokvis en vyf koningklip aan wal bring terwyl 'n langlyn aan boord van die vissersboot is nie.

(3) Niemand mag, behalwe op gesag van 'n permit—

(a) binne 'n afstand van 12 seemyl seewaarts gemeet vanaf die hoogwatermerk in die gebied begrens deur 'n reguit lyn (ware peiling 180°) getrek vanaf die vuurtoring te Kaap Hangklip en 'n soortgelyke lyn (ware peiling 180°) getrek vanaf die vuurtoring te Kaap St Blaize, betrokke wees by visvangs van enige haai deur middel van enige soort net nie.

(b) enige haai of deel daarvan ontskeep, vervoer, oorlaai, verkoop of van die hand sit nie, tensy dit in 'n heel toestand is: Met dien verstande dat dit onthoof en ontderm mag word.

(c) enige haai op die nie-verkoopbare ontspanningslys verkoop nie; of

(d) op enige dag betrokke wees by die visvangs, versameling, versteuring, aan wal bring, bewaring of beheer van, of in besit wees van meer as 10 haaie in totaal van die spesies soos vervat in die nie-verkoopbare ontspanningslys in Aanhangsel 4, nie: Met dien verstande dat niemand op enige dag betrokke mag wees by die visvangs, versameling, versteuring, aan wal bring, bewaring of beheer van, of in besit wees van meer as vyf haaie van enige van die gelysde spesies.

Sakbeperkings

31. (1) 'n Houer van 'n sportvisvangspermit mag nie op enige dag betrokke wees by die visvangs, versameling, versteuring, aan wal bring, bewaring of beheer van, of in besit wees van meer as 10 haaie in totaal van die spesies soos vervat in die ontginbare lys in Aanhangsel 8, nie.

(2) 'n Houer van 'n bestaansgrondslagvisvangspermit mag nie op enige dag betrokke wees by die visvangs, versameling, versteuring, aan wal bring,

bewaring of beheer van, verkoop van, of in besit wees van meer as 10 haaie in totaal van die spesies soos vervat in die ontginbare lys in Aanhangel 8, nie.

Deel 4

Tjokka pylinkvis

Beperkings op vistuig

32. Niemand mag betrokke wees by visvangs van pylinkvis met behulp van 'n suigomp, suifbagger, suigbuis of soortgelyke implement, nie.

Sakbeperkings

33. (1) Niemand mag, behalwe op gesag van 'n permit, op enige dag betrokke wees by visvangs, versameling, bewaring of beheer van, of in besit wees van—

(a) meer as 20 tjokka pylinkvis; of

(b) tjokka pylinkvis wat nie in 'n heel toestand is nie.

(2) Niemand mag, behalwe op gesag van 'n permit, tjokka pylinkvis op enige voertuig, vaartuig of op enige ander wyse vervoer, tensy—

(a) al die persone deur wie die tjokka pylinkvis gevang is op sodanige voertuig, vaartuig of ander vervoermiddel aanwesig is; en

(b) sodanige voertuig, vaartuig of ander vervoermiddel, nie ter enigertyd vir die vervoer van meer as 100 tjokka pylinkvis aangewend word nie.

(3) Niemand mag enige tjokka pylinkvis of enige deel of enige produk daarvan verkoop, lewer of aankoop nie, tensy die verkoper tydens lewering 'n faktuur soos in subregulasie (4) bedoel uitreik ten opsigte van sodanige tjokka pylinkvis of enige deel of enige produk daarvan aan die persoon wat dit verkry nie.

(4) 'n Faktuur soos bedoel in subregulasie (3) moet vir minstens 24 maande deur die persoon aan wie dit uitgereik is, behou word en moet minstens die volgende besonderhede bevat:

(a) Die name en adresse van die partye betrokke by die transaksie;

(b) die leweringsdatum;

(c) die hoeveelheid of massa tjokka pylinkvis of deel of produk daarvan wat verhandel is.

DEEL 5**Tuna****Algemeen**

34.(2) Niemand wat betrokke is by visvangs van tuna met 'n langlyn, mag—

- (a) meer as 10 stokvis en vyf koningklip aan boord van 'n vissersboot versamel, bewaar of beheer, of in sy of haar besit hê nie; of
- (b) meer as 10 stokvis en vyf koningklip aan wal bring terwyl 'n langlyn aan boord van die vissersboot is nie.

Sakbeperkings

35.(1) 'n Houer van 'n sportvisvangspermit mag nie op enige dag betrokke wees by die visvangs, versameling, versteuring, aan wal bring, bewaring of beheer van, of in besit wees van meer as 10 tuna in totaal van die spesies soos vervat in die ontginbare lys in Aanhangsel 8, nie.

(2) 'n Houer van 'n bestaansgrondslagvisvangspermit mag nie op enige dag betrokke wees by die visvangs, versameling, versteuring, aan wal bring, bewaring of beheer van, verkoop van, of in besit wees van meer as 10 tuna in totaal van die spesies soos vervat in die ontginbare lys in Aanhangsel 8, nie.

DEEL 6**Perlemoen****Algemeen**

36.(1) Niemand mag tydens en na visvangs of verwante bedrywighede, enige perlemoen vervoer wat—

- (a) nie in 'n heel toestand is nie, behalwe op gesag van 'n permit; of
- (b) verwyder ander as 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;

(2) Niemand onder die ouderdom van 12 jaar mag 'n sportvisvangspermit verkry nie.

(3) Niemand mag enige perlemoen, enige deel of produk daarvan verkoop, lewer of verkry tensy die verkoper tydens lewering 'n faktuur soos in subregulasie (4) beskrywe, uitreik aan die persoon wat sodanige perlemoen, enige deel of produk daarvan verkry.

(4) 'n Faktuur vermeld in subregulasie (3) moet vir ten minste 24 maande gehou word deur die persoon aan wie dit uitgereik is en moet minstens die volgende besonderhede bevat:

- (a) die name en adresse van die partye betrokke by die transaksie;
- (b) die datum van aflewering; en
- (c) die hoeveelheid of massa van die perlemoen of produk daarvan wat verkoop is.

Minimum grootte

37. Niemand mag betrokke wees by visvangs, versameling, bewaring of beheer van, of in besit wees van enige perlemoen waarvan die skulp deur 'n ring van 114 mm in deursnee kan gaan nie.

Sportvisvangs

38.(1) 'n Persoon oor die ouderdom van 12 jaar mag, onderhewig aan die betaling van die gelde soos deur die Minister ingevolge artikel 25 van die Wet bepaal, 'n sportvisvangspermit van enige gemagtigde kantoor verkry om betrokke te wees by visvangs, versameling, bewaring of beheer van, aan wal bring van, vervoer van, of in besit wees van, vier perlemoen per dag deur daarvoor te duik of dit van die strand te versamel.

(2) Die houer van 'n bestaansgrondslagvisvangspermit mag, onderhewig aan die betaling van die gelde soos deur die Minister ingevolge artikel 25 van die Wet bepaal, betrokke wees by visvangs, versameling, bewaring of beheer van, aan wal bring van, verkoop van, vervoer van, of in besit wees van, vier perlemoen per dag deur daarvoor te duik of dit van die strand te versamel.

(3) Niemand mag—

- (a) die koper of houer van meer as een permit, soos in subregulasies (1) en (2) in die vooruitsig gestel, wees nie; en
- (b) te enigertyd meer as 20 perlemoene bewaar of beheer of in besit daarvan wees nie.
- (c) tussen sonder en sonop betrokke wees by visvangs of versameling, van perlemoen;
- (d) enige kunsmatige asemhalingsapparaat, behalwe 'n snorkel, vir die visvangs van perlemoen gebruik nie;
- (e) enige perlemoen in of op 'n vissersboot of ander vaartuig vervoer, bewaar of beheer of in besit daarvan wees nie;

- (f) in of op enige voertuig of ander vervoermiddel, meer as vier perlemoene bewaar of beheer of in daarvan wees nie, tensy—
 - (i) al die persone deur wie die perlemoene gevang is in of op die voertuig of ander vervoermiddel is; en
 - (ii) sodanige voertuig of ander vervoermiddel nie gebruik word om meer as 20 perlemoene per dag te vervoer nie.

Kommersiële visvangs

39. (1) Niemand mag, behalwe op gesag van 'n permit—

- (a) betrokke wees by visvangs, versameling, bewaring of beheer van, of in besit wees van perlemoen vir kommersiële doeleindes; of
- (b) enige perlemoen by 'n visverwerkingsaanleg ontvang, bewaar of beheer, of besit of verwerk nie.

(2) Perlemoen wat vir kommersiële doeleindes gevang of versamel is, moet in 'n heel toestand gehou word totdat dit aan die houer van 'n permit soos in subregulasie (1)(b) beoog, gelewer is.

Geslote gebiede

40.(1) Die houer van 'n kommersiële perlemoen permit mag nie betrokke wees by visvangs, versameling of versteuring van perlemoen binne—

- (a) 'n afstand van 185 m vanaf die hoogwatermerk seewaarts in die gebied begrens deur 'n lyn (ware peiling 180°) vanaf die Kaappuntvuurtoring, en 'n soortgelyke lyn getrek vanaf die Kaap Agulhas-vuurtoring;
- (b) die gebied noord van 'n lyn getrek vanaf die Kaappuntvuurtoring na die Kaap Hangklip-vuurtoring;
- (c) 'n afstand van een seemyl vanaf die hoogwatermerk in die landdrosdistrikte Kentani, Willowvale en Elliotdale.

(2) Niemand mag, behalwe op gesag van 'n permit, betrokke wees by visvangs, versameling of versteuring van enige perlemoen binne 'n afstand van twee seemyle vanaf die hoogwatermerk op die eiland bekend as Dyer-eiland.

DEEL 7**Oesters****Algemeen****41. Niemand mag—**

- (a) betrokke wees by visvangs, versameling of versteuring van enige oester, behalwe met die hand of met 'n implement waarvan die lem of plat rand nie meer as 40 mm breed mag wees nie en nie meer as een (1) meter lank mag wees nie;
- (b) betrokke wees by visvangs, versameling of versteuring van enige oester tussen sonder van een dag en sonop die volgende dag nie;
- (c) enige oester versamel, bewaar of beheer of besit vir kultivering of hervestigingsdoeleindes, behalwe op gesag van 'n permit; of
- (d) betrokke wees by visvangs, versameling of versteuring van enige oester deur daarvoor te duik met behulp van enige kunsmatige asemhalingsapparaat, behalwe 'n snorkel, nie.

Kommersiële visvangs**42. (1) Niemand mag, behalwe op gesag van 'n permit—**

- (a) betrokke wees by visvangs, versameling, bewaring, beheer of versteuring van, of in besit wees van enige oester vir kommersiële doeleindes nie;
- (b) enige oester by 'n visverwerkingsaanleg ontvang, bewaar of beheer, of besit of verwerk nie.

(2) Enige oester wat vir kommersiële doeleindes gevang of versamel is, moet in 'n heel toestand gehou word totdat dit aan die houer van 'n permit soos in subregulasie (1)(b) beoog, gelewer is.

Sport- en bestaansgrondslagvisvangs

43. (1) Die houer van 'n sportvisvangspermit mag nie op enige dag betrokke wees by visvangs, versameling, bewaring of beheer van, aan wal bring van, vervoer van, of in besit wees van, meer as 25 oesters nie.

(2) Die houer van 'n bestaansgrondslagvisvangspermit mag nie op enige dag betrokke wees by visvangs, versameling, bewaring of beheer van, aan wal bring van, verkoop van, vervoer van, of in besit wees van, meer as 25 oesters nie.

DEEL 8**Kreef****Algemeen****44. (1) Niemand mag —**

- (a) betrokke wees by visvangs, versameling, versteuring van, bewaring of beheer van, opberg of vervoer van, of in besit wees van, kreef, behalwe op gesag van 'n permit;
- (b) enige dooie kreef of deel of afval daarvan in die see terugplaas nie, behalwe op gesag van 'n permit;
- (c) betrokke wees by visvangs, versameling, versteuring of in besit wees van enige kreef wat eierdraend is, of op die punt staan om te verdop, of in 'n sagte toestand is, of wat eiers dra of wat tekens toon dat dit van eiers gestroop is, nie.

(2) Niemand onder die ouderdom van 12 jaar mag 'n sportvisvangspermit verkry om betrokke te wees by visvangs, versameling, versteuring of besit van enige kreef nie.

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

(4) 'n Massameter soos bedoel in subregulasie (3) moet voldoen aan die vereistes van die Direkteur-Generaal, moet geïnstalleer en gebruik word in 'n plek wat deur die direkteur- generaal goedgekeur is, en moet behoorlik verseël wees terwyl dit vir massabepaling gebruik word.

(5) Niemand mag kreef wat met behulp van 'n vissersboot gevang is van die plek waar sodanige kreef geland is, verwyder voordat die massa daarvan met 'n outomatiese massameter in die teenwoordigheid van 'n visserybeheerbeampte bepaal is nie en dan alleen nadat sodanige beampte goedkeuring verleen het dat sodanige kreef van die massameter verwyder mag word.

(6) Niemand mag enige kreef, enige deel of produk daarvan verkoop, lewer of verkry tensy die verkoper tydens lewering 'n faktuur soos in subregulasie (7) beskrywe, uitreik aan die persoon wat sodanige kreef, enige deel of produk daarvan verkry.

(7) 'n Faktuur vermeld in subregulasie (6) moet vir ten minste 24 maande gehou word deur die persoon aan wie dit uitgereik is en moet minstens die volgende besonderhede bevat:

- (a) die name en adresse van die partye betrokke by die transaksie;
- (b) die datum van aflewering; en
- (c) die hoeveelheid of massa van die kreef of produk daarvan wat verkoop is.

DEEL 9**Weskuskreef****Algemeen**

45. Behalwe op gesag van 'n permit, mag niemand in besit wees van of enige duiktoerusting van enige aard op enige vissersboot of vaartuig of dit aan boord van sodanige vissersboot of vaartuig toelaat wanneer sodanige vissersboot of vaartuig vir die vang of vervoer van weskuskreef aangewend word nie.

Beperkings op kommersiële vistuig

46.(1) 'n Houer van 'n kommersiële weskuskreefpermit moet gebruik maak van die de kroostersorteerders, fuike en ringnette volgens die spesifikasies in hierdie regulasie uiteengesit.

(2) Vir die doeleindes van hierdie regulasie beteken —

- (a) "raam" die reghoekige metaalraam wat die stange en die steunstaaf steun;
- (b) "rooster" die stange en steunstaaf sonder die raam; en
- (c) "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 sortering van weskuskreef, moet aan die volgende spesifikasies voldoen:

- (a) Die rooster en die raam moet van vlekvrystaal of gegalvaniseerde sagte staal vervaardig wees;
- (b) die rooster moet reghoekig wees en 'n minimum breedte van 750 mm hê;
- (c) die bruikbare oppervlakte mag nie minder as 1,1 m wees nie;
- (d) die gaping tussen aangrensende stange gemeet by enige punt, moet minstens 41,6 mm en hoogstens 42,4 mm wees;
- (e) die wydte van die gapings tussen die laaste stang en die raam, mag hoogstens 42,4 mm wees;
- (f) die raam moet bestaan uit plat stawe met 'n dikte van minstens 8 mm en 'n breedte van minstens 40 mm;

- (g) 'n reeks van 16 mm vry pasgate moet in die twee lang stawe wat die kante van die raam vorm, geboor word ten einde die stange van die rooster te akkommodeer;
- (h) die twee dwarsstawe moet aan die eindpunte van die twee langstawe vasgesweis word ten einde 'n reghoekige raam te vorm;
- (i) die spasiëring van die gate in die lang stawe moet sodanig wees dat die gapings tussen die stange, wanneer hulle in posisie is, binne die gespesifiseerde perke is;
- (j) 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;
- (k) die steunstaaf moet sentraal geplaas word tussen, en ewewydig aan, die lang stawe van die raam en daar moet 'n reeks vrypasgate daarin geboor word wat ooreenkom met dié in die lang stawe;
- (l) 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 sweislasse nie bo die buiteoppervlak van die raam uitsteek nie;
- (m) Sweislasse moet, in die geval van vlekvrystaal, smeltsweislasse wees wat volgens die traegasboogswaisproses gedoen is of, in die geval van vlekvrystaal, volgens enige ander sweisproses wat 'n sweislas lewer waarvan die meganiese eienskappe en korrosiebestandheid gelykstaande is met dié van die moedermetaal; en
- (n) Alle blootgestelde oppervlakke moet glad sonder skerp rande of enige ander gebreke wees wat skadelik vir 'n kreef mag wees.

(4) Weskuskreef wat aan boord van enige vissersboot wat met weskuskreeffuik toegerus is, geneem word, moet onverwylde met 'n dekroostersvorder gesorteer word en enige sodanige weskuskreef wat deur die sorteerder val, moet sonder versuim in die see teruggeplaas word.

(5) Die gesagvoerder of eienaar van enige vissersboot wat vir die vang van weskuskreef gebruik word, mag, behalwe kragtyens die gesag van 'n permit, nie enige weskuskreeffuik wat nie aan die volgende spesifikasies voldoen nie, gebruik, toelaat dat dit vervoer word of dit aan boord van sodanige vissersboot toelaat nie —

- (a) Die sak-end, gemeet vanaf die onderste horisontale kant van die fuik, mag nie 'n lengte van 400 mm oorskry nie;

- (b) Die maasgroottes van die sak-end sal ten minste 60 mm gestrek wees of 30 mm skakels hê, gemeet vanaf die binnekant van die knoop of lasplek na die binnekant van die knoop of lasplek, dit is, skakels van ten minste 30 mm;
- (c) die net of netwerk waarmee die fuik bedek is, moet van poliëtileen vervaardig wees;
- (d) met die uitsondering van die opening- of ingangtrekters, mag die maasgroottes van die net of netwerk waarmee die fuik bedek word, wanneer gespan nie minder as 100 mm wees nie, of 50 mm skakels, van binnekant van knoop of lasplek na binnekant van knoop of lasplek;
- (e) die net of netwerk aan die horisontale en vertikale kante van die fuik moet op sodanige wyse gestrek word dat die openings van die mase ten alle tye reghoekig sal wees.

(6) Die eienaar of gesagvoerder van 'n vissersboot wat vir die vang van wesuskreefgebruik word, mag nie 'n ringnet met mase van minder as 90 mm gestrek (gemeet van die binnekant van die knoop of lasplek na die binnekant van die knoop of lasplek), 45 mm skakels, en 'n sak-end langer as 1 200 mm gemeet vanaf die punt waar dit aan die ring vasgeheg is, aan boord van sodanige vissersboot hê nie, gebruik of die gebruik daarvan toelaat of op sodanige vissersboot vervoer nie. Met dien verstande dat indien die wesuskreef gevang word met die doel om dit te verkoop, die maas van 'n ringnet nie minder as 62 mm gestrek (gemeet van binnekant van knoop of lasplek na binnekant van knoop of lasplek), of 31 mm skakels, mag wees nie.

Geslote gebiede

47. Niemand mag op enige wyse of vir watter doel ookal, betrokke wees in visvangs, versameling of versteuring van enige wesuskreef in—

- (a) Die gebied binne 12 seemyle seewaarts vanaf die hoogwatermerk tussen, as noordelike grens, 'n lyn (ware peiling 270°) getrek deur 'n baken wat MB1 gemerk en op Melkbospunt geleë is, en as suidelike grens, 'n lyn (ware peiling 270°) getrek vanaf 'n baken wat HD1 gemerk is en te "Die Josie" geleë naby Chapman's Peak suid van Houtbaai;
- (b) die hele gebied binne Saldanhabaai aan die oostekant van 'n reguit lyn getrek deur twee bakens wat onderskeidelik N.H.1 en N.H.2 gemerk is en op die punt bekend as "North Head" geleë is, en twee bakens wat onderskeidelik SH1 en SH2 gemerk is en op die punt bekend as "South Head" geleë is;
- (c) die gebied binne ses seemyle seewaarts gemeet 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 is en op Stompneuspunt geleë is, en, as oostelike grens, 'n reguit lyn getrek deur 'n baken S.H.B.E. gemerk en 'n baken D.R. gemerk, wat albei op die restant van die plaas Wilde Varkens Valley A, reg suid van "Doctor's Reef", geleë is; en

- (d) die gebied binne ses seemyle seewaarts vanaf die hoogwatermerk tussen, as westelike grens, 'n lyn (ware peiling 315°) getrek deur twee bakens wat onderskeidelik S.H.B.W.2 en S.H.B.3 gemerk is en op Shellbaaipunt 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 is en op Stompneuspunt geleë is.

Minimum grootte

48. (1) Die minimum grootte van 'n weskuskreef bepaal word deur die kopborsstuk in 'n reguit lyn langs die middelruglyn daarvan, vanaf die middel van die agterste kant van die kopborsstuk tot by die voerpunt van die rostrum of middelvoorstekel, te meet. Die tweede segment van die stert moet langs die middelruglyn vanaf voorkant na agterkant, gemeet word.

(2) Vir die doeleindes van hierdie regulasie beteken "kant" die harde rand van die kopborsstuk, maar sluit nie die rand in of enige deel van die soom of setae (hare) wat van die kopborsstuk agtertoe uitsteek nie.

Kommersiële visvangs

49. (1) Die houer van 'n kommersiële weskuskreefpermit mag nie betrokke wees in visvangs, versameling, versteuring van of in besit wees van weskuskreef waarvan die lengte van die kopborsstuk minder as 75 mm is nie en die lengte van die tweede segment, gemeet langs die middelruglyn van sodanige stert minder as 19 mm is, nie.

(2) Niemand mag, behalwe op gesag van 'n permit—

(a) betrokke wees in visvangs, versameling, versteuring van, bewaring of beheer van, of in besit wees van enige weskuskreef vir kommersiële doeleindes nie;

(b) enige weskuskreef by 'n visverwerkingsaanleg ontvang, bewaar of beheer, of besit of verwerk nie.

(3) Weskuskreef wat vir kommersiële doeleindes gevang of versamel is, moet in 'n heel toestand gehou word totdat dit aan die houer van 'n permit soos in subregulasie (2)(b) beoog, gelewer is.

(4) Die houer van 'n kommersiële weskuskreefpermit mag geen weskuskreef by enige plek aan die kus, behalwe by die volgende landingspunte, ontskeep nie;

- (a) Port Nolloth—die aanlegsteier van Hicksons Canning Company;
 - (b) Hondeklipbaai—die aanlegsteier van Namaqua Canning Company;
 - (c) 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 North Bay Canning Company;
 - (d) Lambertsbaai—die hoofaflaikaai in die vissershawe;
 - (e) Elandsbaai—die vier aanlegsteiers in die nabyheid van die ou militêre kamp op Bobbejaanpunt;
 - (f) St Helenabaai—die kreefaflaikaai in die vissershawe by Sandypunt geleë;
 - (g) Paternoster—die strandgebied tussen die bakens gemerk P1 en P2, geleë onderskeidelik ten ooste en ten weste van die visverwerkingsaanleg van Paternoster Visserye te Paternoster;
 - (h) Abdolsbaai—die strandgebied tussen die bakens gemerk E1 wat die noordelike grens aandui en E2 wat die suidelike grens aandui;
 - (i) Jacobsbaai—die strandgebied tussen die bakens gemerk F1 wat die noordelike grens aandui en F2 wat die suidelike grens aandui;
 - (j) Saldanhaabaai—die kreefaflaikaai in die vissershawe te Peperbaai;
 - (k) Kaapstad—die visaflaikaai te Kaapstad of ander plek goedgekeur deur die Direkteur-generaal;
 - (l) Houtbaai—die twee visaflaikaai in die vissershawe;
 - (m) Witsand—die aflaaiplek ten suide van Kommetjie geleë tussen die bakens onderskeidelik gemerk H1 en H2;
 - (n) Kalkbaai—die visaflaikaai in die vissershawe; en
 - (o) Hermanus—die vingerkaai tussen die hoofkaai en die golfbrekermuur.
- (5) Die houer van 'n kommersiële weskusreefpermit mag nie—
- (a) binne 'n afstand van een seemyl seewaarts gemeet vanaf die hoogwatermerk in die gebied tussen, as noordelike grens, 'n lyn (ware peiling 270°) getrek vanaf die baken gemerk MD1, 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 MD2, geleë op die mees westelike punt op die kaap aan die suidelike eindpunt van McDougallsbaai, betrokke wees in visvangs, versameling of versteuring van enige weskuskreef nie;

- (b) binne 12 seemyl gemeet vanaf die hoogwatermerk, in die gebied tussen, as noordelike grens, 'n lyn (ware peiling 270°) getrek vanaf 'n baken wat K1 gemerk is, geleë te Klein Slangkoppunt net ten noorde van Kommetjie, en as suidelike grens, 'n lyn (ware peiling 270°) getrek vanaf die vuurtoring te Slangkoppunt wat ten suide van Kommetjie geleë is, betrokke wees in visvangs van enige weskuskreef met behulp van 'n kreeffuik of soortgelyke vistuig nie.
- (c) gedurende die tydperk wat visvangs van weskuskreef kragtens die Wet verbied word, enige net of fuik wat vir visvangs van weskuskreef gebruik kan word, hê, bewaar, aanhou, of toelaat dat dit aangehou word aan boord van enige vissersboot in die gebied wes van 'n lyn ware peiling 180° getrek vanaf die vuurtoring by Kaap Agulhas, nie; of
- (d) betrokke wees in visvangs, versameling of versteuring van enige weskuskreef in die gebied oos van 'n lyn (ware peiling 180°) getrek vanaf die vuurtoring by Kaap Hangklip, nie.

Weskuskreefsones

50. Enige persoon wat gemagtig is om betrokke te wees in visvangs van weskuskreef vir kommersiële doeleindes, mag sodanige weskuskreef slegs in die sones in Aanhangsel 11 uiteengesit, vang.

Sport- en bestaansgrondslagvisvangs

51. (1) Die houer van 'n sport- of bestaansgrondslagvisvangspermit mag nie betrokke wees in visvangs, versameling, versteuring van, of in besit wes van weskuskreef met 'n kopborsstuklengte van minder as 80 mm, nie.

(2) 'n Persoon oor die ouderdom van 12 jaar mag, onderhewig aan die betaling van die gelde soos deur die Minister ingevolge artikel 25 van die Wet bepaal, 'n sportvisvangspermit van enige gemagtigde kantoor verkry om betrokke te wees by visvangs, versameling, bewaring of beheer van, aan wal bring van, vervoer van, of in besit wees van, vier weskuskreef per dag deur daarvoor te duik of dit van die strand te versamel.

(3) Die houer van 'n bestaansgrondslagvisvangspermit mag, onderhewig aan die betaling van die gelde soos deur die Minister ingevolge artikel 25 van die Wet bepaal, betrokke wees by visvangs, versameling, bewaring of beheer van, aan wal bring van, verkoop van, vervoer van, of in besit wees van, vier weskuskreef per dag deur daarvoor te duik of dit van die strand te versamel.

(4) Niemand mag—

- (a) die koper of houer van meer as een permit, soos in subregulasies (1) en (2) beoog, wees nie; en
- (b) betrokke wees by visvangs of versameling van weskuskreef tussen sononder en sonop nie;
- (c) in of op enige voertuig of ander vervoermiddel, meer as vier weskuskreef bewaar of beheer of in daarvan wees nie, tensy—
 - (i) al die persone deur wie die weskuskreef gevang is in of op die voertuig of ander vervoermiddel is;
 - (ii) sodanige voertuig of ander vervoermiddel nie gebruik word om meer as 20 weskuskreef per dag te vervoer nie; en
- (d) te enigertyd meer as 20 weskuskreef bewaar of beheer of in besit daarvan wees nie.

(5) Enige weskuskreef wat gevang is, versamel is of vervoer word, moet in 'n heel toestand gehou word.

(6) 'n Houer van 'n sport- of bestaansgrondslagvisvangspermit mag slegs betrokke wees by visvangs of versameling van weskuskreef deur—

- (a) gebruik te maak van 'n ring- of skepnet met 'n maasgrootte van minstens 90 mm gestrek (gemeet van binnekant van knoop of lasplek tot binnekant van knoop of lasplek) of 45 mm skakels, en 'n sak-end langer as 1 200 mm, gemeet van die punt waar dit aan die ring geheg is, met 'n vissersboot wat nie gemagtig is om betrokke te wees by visvangs of versameling van weskuskreef vir kommersiële doeleindes nie;
- (b) gebruik te maak van 'n ring- of skepnet met 'n maasgrootte van meer as 90 mm gestrek (gemeet van binnekant van knoop of lasplek na binnekant van knoop of lasplek) of 45 mm skakels, en 'n sak-end langer as 1 200 mm, gemeet vanaf die punt waar dit aan die ring geheg is, vanaf die strand; of
- (c) vanaf die strand en sonder die gebruik van enige kunsmatige asemhalingsapparaat, uitgesonderd 'n snorkel, daarvoor te duik.

DEEL 10**Ooskuskreef****Algemeen**

52. Niemand mag betrokke wees by visvangs, versameling, versteuring van, of in besit wees enige ooskuskreef waarvan—

- (a) die kopborsstuk, gemeet langs sy middelruglyn vanaf die middel van die rand wat die twee vergrote voorste stekels verbind na die middel van die agterste rand, minder as 65 mm is nie; of
- (b) die tweede segment van die stert, getel vanaf die aansluiting van die stert met die kopborsstuk, gemeet langs die middelruglyn tussen sy voor- en agterrande, in die afwesigheid van die kopborsstuk, minder as 22 mm is nie.

Sportvisvangs of bestaansgrondslagvisvangs

53. (1) Niemand mag—

- (a) betrokke te wees by visvangs, versameling of versteuring van enige ooskuskreef met behulp van 'n vaartuig nie; of
- (b) betrokke te wees by visvangs of versameling van ooskuskreef met 'n fuik nie, behalwe—
 - (i) met 'n plat sirkelvormige fuik sonder kante en waarvan die deursnee nie 30 cm oorskry nie; of
 - (ii) met aasbedekte vishoeke.

(2) Die houer van 'n sportvisvangspermit mag nie—

- (a) betrokke wees by visvangs, versameling, bewaring of beheer van, of aan wal bring van, of vervoer van meer as agt ooskuskreef per dag nie; of

(b) op enige gegewe tydstop in besit wees van meer as agt ooskuskreef nie.

(3) Die houer van 'n sportvisvangspermit mag nie—

- (a) betrokke wees by visvangs, versameling, bewaring of beheer van, of aan wal bring van meer as agt ooskuskreef per dag nie; of

(b) op enige gegewe tydstop meer as agt ooskuskreef vervoer, verkoop of in besit daarvan wees nie.

Die houer van 'n bestaansgrondslagvisvangspermit mag, onderhewig aan die betaling van die gelde soos deur die Minister ingevolge artikel 25 van die Wet bepaal, vier weskuskreef per dag deur daarvoor te duik of dit van die strand te versamel.

DEEL 11

Ander spesies

Verbode diepwater spesies

54. Niemand mag, behalwe op gesag van 'n permit, betrokke wees by visvangs, versameling, bewaring of beheer van, aan wal bring van, verkoop van, vervoer van, of in besit wees van, enige van die spesies in Aanhangel 13 uiteengesit.

Skulpvis, rooi-aas en ander ongewerwelde vis

55. (1) Niemand mag, behalwe op gesag van 'n permit, betrokke wees by visvangs, versameling, bewaring of beheer van, aan wal bring van, verkoop van, vervoer van, of in besit wees van enige ongewerwelde vis.

(2) 'n Houer van 'n sportvisvangspermit mag nie betrokke wees by die visvangs, versameling, versteuring, aan wal bring, bewaring of beheer van, vervoer, of op enige gegewe tydstop in besit wees van 'n hoeveelheid of massa vis soos vervat in Aanhangel 13, wat die hoeveelheid of massa vis soos voorgeskryf in die vermelde Aanhangel, oorskry

(3) 'n Houer van 'n bestaansgrondslagvisvangspermit mag nie betrokke wees by die visvangs, versameling, versteuring, aan wal bring, bewaring of beheer van, vervoer, verkoop van, of op enige gegewe tydstop in besit wees van 'n hoeveelheid of massa vis soos vervat in Aanhangel 13, wat die hoeveelheid of massa vis soos voorgeskryf in die vermelde Aanhangel, oorskry nie.

Groottebeperkings, vistuigbeperkings en visvangmetodes

56. (1) Niemand mag betrokke wees in visvangs, versameling, bewaring of beheer van, of in besit wees van die volgende vis—

- (a) alikreukel wat deur 'n ring met binnedeursnee van 63,5 mm kan gaan;
- (b) modderkrap, gemeet oor die breedste deel van die kopborsstuk, kleiner as 140 mm;
- (c) siffie wat deur 'n ring met binnedeursnee van 32 mm kan gaan; en

(d) witmossel wat deur 'n ring met binnedeursnee van 35 mm kan gaan.

(2) Niemand mag betrokke wees in visvangs, versameling of versteuring van enige—

(a) mossel, klipmossel, steurgarnaal ook bekend as modder- of sandkrewe, rooi-aas of witmossel op enige wyse, behalwe met die hand of met 'n handgedrewe pompapparaat of met 'n implement waarvan die lem of plat kant hoogstens 12 mm breed mag wees;

(b) polychaetewurm met inbegrip van bloedwurm op geen ander wyse as met die hand: Met dien verstande dat niemand betrokke mag wees in visvangs, versameling of versteuring van enige polychaetewurm met inbegrip van bloedwurm noord van die Mtamvunarivier nie;

(c) modderkrap met 'n fuik of net, behalwe op gesag van 'n permit; of

(d) skulpvis tussen sonder op een dag en sonop van die volgende dag.

(3) Niemand mag betrokke wees in visvangs, versameling, bewaring of beheer van, of in besit wees van, enige modderkrap of krap wat eierdraend is of tekens toon dat dit van eiers gestroop is.

(4) Niemand mag, behalwe op gesag van 'n permit, betrokke wees in visvangs, versameling of versteuring van enige molkrap behalwe met die hand of 'n driehoekige fuik.

(5) Niemand mag, behalwe op gesag van 'n permit, betrokke wees in visvangs, versameling of versteuring van enige rooi-aas, behalwe deur dit van die rotse te sny met 'n mes, en sodoende, die basis van skulpvormige bedekking *in situ* te laat.

(6) Niemand mag, behalwe op gesag van 'n permit, enige lewende koraal beskadig, ontwortel, versamel of aan wal bring nie of poog om lewende koraal te beskadig, ontwortel of aan wal te bring.

(7) Niemand mag, behalwe op gesag van 'n permit, betrokke wees in visvangs, versameling of versteuring van enige lewende gesiggiester nie.

(8) Niemand mag enige lewende of dooie seewaaier of seepen beskadig, pluk, ontwortel of aan wal bring nie of poog om enige lewende of dooie seetak of seepen te beskadig, pluk, ontwortel, versamel en aan wal te bring nie.

Waterplante

57. Niemand mag, behalwe op gesag van 'n permit, betrokke wees in visvangs, versameling of verwydering van enige waterplant nie.

Walvisse, dolfyne en seeskilpaaie

58. (1) Nie mag, behalwe op gesag van 'n permit—

- (a) ter enigertyd betrokke wees in visvangs, versameling, doodmaak van, poog om dood te maak, versteuring van, hinder van, bewaring of beheer van, of in besit wees van enige walvis of enige deel of produk daarvan nie;
- (b) enige visverwerkingsaanleg, vissersboot of ander vaartuig vir die bevriesing of verwerking van walvisse gebruik of op enige wyse deelneem in die bedryf van of aktiwiteite op sodanige aanleg, vissersboot of vaartuig nie;
- (c) enige vistuig, apparaat of toerusting wat op enige wyse gebruik kan word vir die vang, bevriesing of verwerking van walvisse aan boord van enige vissersboot of vaartuig hê nie;
- (d) enige skeepsvoorrade lewer aan enige vissersboot of vaartuig wat in 'n vreemde staat geregistreer is en wat gebruik word vir die vang, bevriesing of verwerking van walvisse of wat enigsins verband hou met sodanige vang, bevriesing of verwerking nie;
- (e) enige walvisbesigtigingsaak bedryf wat 'n versteuring of hindernis vir enige walvis binne die betekenis van subregulasie (2) meebring; of
- (f) op enige wyse sy of haar dienste aanbied vir of sy of haar kundigheid beskikbaar stel met betrekking tot enige van die aktiwiteite bedoel in paragrawe (a) tot (e), nie.

(2) Vir die doeleindes van subregulasie (1) sal "versteur of hinder" ook insluit—

- (a) om op 'n walvis te vuur;
- (b) om enige walvis, binne 'n afstand van 300 meter te nader met behulp van 'n vissersboot, vaartuig, vliegtuig of ander metode;
- (a) om indien 'n walvis nader as 300 meter vanaf 'n vissersboot, vaartuig, of vliegtuig aan die see-oppervlak verskyn, die persoon in beheer van sodanige vissersboot, vaartuig of vliegtuig in gebreke bly om onverwyld na 'n afstand van ten minste 300 meter van die walvis te beweeg;

Met dien verstande dat die bepalings van paragrawe (b) en (c) nie van toepassing sal wees op *bona fide* pogings deur enige persoon wat 'n uitgespoelde, vasgekeerde of verstrengelde walvis te hulp snel nie.

(3) Nie mag, behalwe op gesag van 'n permit, ter enigertyd betrokke wees in visvangs, versameling, doodmaak van, poog om dood te maak, versteuring van, hinder van, bewaring of beheer van, of in besit wees van enige dolfyn of tornyn of enige deel of produk daarvan nie.

(4) Vir die doeleindes van subregulasie (3) sal "versteur of hinder" ook die doelbewuste deurtog van 'n vissersboot of vaartuig deur 'n skool dolfyne of tornyne, insluit.

(5) Niemand mag—

(a) enige wilde dolfyn of tornyn voer nie; of

(b) enige vissersboot of vaartuigrit adverteer of daarby betrokke, ongeag of dit vir geldelike gewin is of nie, wat daarop gemik is om 'n swem-met-dolfyne ondervinding op te doen.

(6) Subregulasies (3), (4) en (5) sal nie van toepassing wees nie op *bona fide* pogings deur enigeen wat 'n gestrande, vasgekeerde of verstrengelde dolfyn of tornyn te hulp snel nie.

(7) Nie mag, behalwe op gesag van 'n permit, ter enigertyd betrokke wees in visvangs, versameling, doodmaak van, poog om dood te maak, versteuring van, hinder van, bewaring of beheer van, of in besit wees van enige seeskilpad of enige deel of produk daarvan nie.

Seeperd en pypvis

59. Niemand mag te enigertyd betrokke wees by visvangs, versameling of versteuring van enige seeperd of pypvis van die familie Sygnathidae nie.

HOOFSTUK 6

MARIKULTUUR

Algemeen

60. Hierdie hoofstuk het betrekking op marikultuur wat vir kommersiële, eksperimentele en navorsingsdoeleindes beoefen word.

Aansoeke

61. (1) 'n Aansoek om marikultuur of verwante bedrywighede te beoefen, moet minstens die volgende inligting bevat—

(a) Die wetenskaplike naam van elke spesie waarvoor aansoek gedoen word;

(b) oorsprong van die voorraad;

- (c) indien ingevoerde spesies oorweeg word, die maatreëls wat getref sal word om die inbring van eksotiese parasiete en patogene te voorkom en die maatreëls wat getref sal word om die vestiging van die geïntroduseerde spesies in die natuur te voorkom, moet uitgespel word;
- (d) besonderhede van die metode—
 - (i) van kultivering; en
 - (ii) van voorkomende maatreëls teen moontlike omgewings-impakte;
- (e) besonderhede van chemikalieë, soos farmaseutiese, groeistowwe, terapeutante, ontsmetmiddels, hormone, groeiselwerende verwe, antibiotika, pesdoders en derglike stowwe wat vir gebruik in die werksaamheid oorweeg word;
- (f) 'n gedetailleerde kaart wat die perseel aandui waar die voorgestelde marikultuurbedrywighede beoefen sal word;
- (g) seewatergehalte en moontlike bronne van besoedeling in die voorgestelde werksgebied;
- (h) bemarkingstrategie; en
- (i) fasiliteite en werksgeleenthede wat geskep sal word.

(2) Indien van die applikant vereis word om kragtens die Wet of enige ander wet 'n omgewingsimpak-evaluering ten opsigte van die voorgestelde ontwikkeling te onderneem, moet die aansoek vergesel word deur 'n afskrif van enige omgewingsimpak-evalueringsverslag asook die aanbevelings van enige liggaam verantwoordelik vir die oorweging van die omgewingsimpak-evalueringsverslag.

(3) Die Minister mag van 'n aansoeker vereis om enige bykomende inligting met betrekking tot die aansoek wat die Minister redelikerwys nodig ag, te verstrek, en mag weier om die aansoek te oorweeg alvorens die inligting verstrek is.

(4) Indien daar voor die uitreiking van die permit, enige inligting in die aansoek verstrek, verander, of as daar enige materiële verandering is in die inligting op grond waarvan die omgewingsimpak-evalueringsverslag wat die aansoek vergesel het, plaasvind, moet die aansoeker onverwyld Seevisserye skriftelik in kennis stel.

Algemene permitvoorwaardes vir marikultuur

62. (1) 'n Marikultuurpermit—

- (a) mag net op een lokaal betrekking hê, maar meer as een permit kan ten opsigte van dieselfde lokaal uitgereik word;
 - (b) is nie oordraagbaar nie; en
 - (c) word uitgereik onderhewig aan—
 - (i) enige spesiale terme en voorwaardes in die permit;
 - (ii) enige terme en voorwaardes wat die Minister, terwyl die permit van krag is, die permithouer skriftelik mag oplê.
- (2) Die volgende voorwaardes is van toepassing op marikultuurpermitte —
- (a) Kultivering en ontginning sal slegs onderneem word op die perseel of ligging soos in die permit gemagtig;
 - (b) Die permithouer mag slegs die gekultiveerde produk in ooreenstemming met die permit besit, oes, vervoer of bemark;
 - (c) die permithouer sal op versoek van Seevisserye, die volgende inligting verskaf—
 - (i) die massa, grootte en aantal marikultuur produkte ge-oes en verkoop; en
 - (ii) besonderhede omtrent pryse, verkope en kopers.

Marikultuur-permithouers moet omgewingsimpakte streng beperk

63. (1) Die houer van 'n marikultuurpermit moet alle redelike voorsorg tref om enige skadelike uitwerking op die omgewing deur marikultuur veroorsaak, met inbegrip van die storting van uitskot en die beskikking oor slyk, te verhoed of tot 'n minimum te beperk.

(2) Vir die doeleindes van subregulasie (1)—

- (a) beteken "uitskot" enige vloeibare afval afkomstig van marikultuur, met inbegrip van emulsies, vaste stowwe in suspensie en ongewensde water wat vir marikultuur aangewend is; en
- (b) beteken "slyk" enige vaste of semi-vaste organiese afval afkomstig van marikultuur, hetsy dit anorganiese stowwe bevat, al dan nie.

Wysiging van permitte

64. 'n Marikultuurpermit sal onderworpe wees aan die voorwaarde dat die Minister, by skriftlike kennisgewing aan die permit houer, die permit mag wysig indien die Minister van mening is dat die wysiging nodig is om die risiko van verspreiding van siektes na waterorganismes te verminder, of om die risiko van beskadiging aan die omgewing te verminder of om te handel met enige omstandigheid wat nie ten tyde van die uitreiking van die permit voorsien is nie.

(2) Die houer van 'n gewysigde marikultuurpermit, soos beoog in subregulasie (1), mag binne 30 dae na ontvangs van die kennisgewing soos beoog in daardie subregulasie, skriftelike verhoë ten opsigte van die wysiging aan die Minister rig, en die Minister se beslissing sal finaal wees.

Staking van marikultuur

65. (1) 'n Houer van 'n marikultuurpermit wie die marikultuurbedrywigheede soos gemagtig in die permit staak, moet die Minister binne 14 dae na sodanige staking daaromtrent inlig.

(2) Die Minister mag by skriftelike kennisgewing aan 'n permithouer wat marikultuur op staatsgrond beoefen het en wat marikultuurbedrywigheede gestaak het of wie se permit gekanselleer is, vereis dat die permithouer enige marikultuurinstallasies, -gebou of -apparaat moet verwyder en die lokaal moet restoureer tot 'n standaard in die permit voorgeskrywe, of indien geen standaard gespesifiseer is nie, tot 'n toestand wat vir die Minister aanvaarbaar is, binne die tydperk wat in die kennisgewing gespesifiseer is.

(3) Indien 'n permithouer in gebreke bly om te voldoen aan die kennisgewing soos in subregulasie (1) beoog, mag die Departement in konsultasie met Minister die marikultuurinstallasies, -gebou of -apparaat laat verwyder en die lokaal laat restoureer, en enige uitgawes aangegaan sal van die permithouer verhaalbaar wees.

Opskorting van marikultuurpermitte

66. (1) 'n Marikultuurpermit sal onderhewig wees aan die voorwaarde dat die Minister by skriftelike kennisgewing aan 'n permithouer, 'n permit mag opskort indien—

- (a) die Minister rede het om te glo dat die permithouer nie aan enige terme of voorwaarde van die permit voldoen het nie;
- (b) die permithouer versuim om te voldoen aan die kennisgewing soos in subregulasie 64(1) beoog; of
- (c) die Minister rede het om te glo dat die opskorting nodig is om die risiko van verspreiding van siektes na waterorganismes te verminder, of om die risiko van beskadiging aan die omgewing te verminder.

(2) 'n Kennisgewing van opskorting ingevolge subregulasie (1) moet spesifiseer dat die permit vir 'n bepaalde tydperk opgeskort sal word of totdat die Minister tevrede is dat die rede vir die opskorting nie meer geld nie.

Kansellering en nie-hernuwing van marikultuurpermitte

67. (1) 'n Marikultuurpermit sal onderhewig wees aan die voorwaarde dat die Minister by skriftelike kennisgewing aan die houer van 'n marikultuurpermit, mag weier om die permit te hernu indien—

- (a) die permithouer nie binne ses maande vanaf die datum van uitreiking van die permit met marikultuurbedrywighede begin het nie, tensy die permithouer goeie redes kan verstrek waarom hy of sy nog nie met die beoefening van marikultuur begin het nie;
- (b) die permithouer nie aan enige terme of voorwaarde van die permit voldoen het nie;
- (c) die permit opgeskort is en die Minister tevrede is dat dit onwaarskynlik is dat die opskorting binne afsienbare tyd opgehef sal word; of
- (d) die Minister van mening is dat die voortsetting van die marikultuurbedrywigheid nie in die openbare belang is nie.

(2) Alvorens die Minister 'n permit kanselleer, sal die Minister eers die permithouer inlig omtrent die redes op grond waarvan hy van voornemens is om die hernuwing van die permit te weier of te kanselleer, en sal hy die permithouer 'n geleentheid gee om verhoër te rig waarom die permit hernu behoort te word of nie gekanselleer moet word nie.

Verbod op die ongemagtigde vrylating van lewende vis

68. (1) Met die uitsondering van inheemse vis wat in die natuur in die Republiek gevang word, mag niemand sonder die skriftelike magtiging van die Minister enige vis in Suid-Afrikaanse waters vrylaat nie.

Omgewingsimpak-evaluering

69. (1) 'n Marikultuurpermit sal onderhewig wees aan die voorwaarde dat indien die Minister rede het om te glo dat die bedrywighede op enige marikultuurperseel of enige voorgestelde marikultuurbedrywighede 'n nadelige invloed op die omgewing het of in die toekoms mag hê, mag die Minister by skriftelike kennisgewing van die permithouer of die ontwikkelaar van 'n voorgestelde marikultuurwerkzaamheid vereis om, deur 'n toepaslik gekwalifiseerde onafhanklike persoon, 'n evaluering van die omgewingsimpak van die bestaande of voorgestelde marikultuurbedrywighede te laat onderneem, en om 'n verslag van die evaluering binne 'n tydperk in die kennisgewing gespesifiseer aan die Minister voor te lê.

(2) Vir die doeleindes van subregulasie (1), sluit "ontwikkel" die vestiging van nuwe marikultuurpersele of die aanbring van materiële wysigings aan bestaande marikultuurpersele, in.

(3) 'n Omgewingsimpak-evaluering ingevolge hierdie regulasie moet gedoen word en die verslag oor die omgewingsimpak-evaluering aangebied word ooreenkomstig die riglyne deur die Minister bepaal.

(4) Die Minister mag 'n marikultuurontwikkeling van die bepalings van subregulasie (1) vrystel: Met dien verstande dat die voorgestelde marikultuurbedrywigheid binne 'n gebied vir marikultuurontwikkeling geleë is en mits 'n gepaste omgewingsimpak-evaluering gedoen is ten opsigte van die gebied waar die marikultuurbedrywigheid gevestig gaan word.

(5) Waar 'n omgewingsimpak-evaluering die potensiaal vir nadelige omgewingsfaktore in die gebied waar die voorgestelde marikultuurbedrywigheid gevestig gaan word, aan die lig bring, mag daar vereis word dat bepaalde monitering van watergehalte en ander toetse moet geskied.

Geneties gemodifiseerde organismes

70. (1) Niemand mag, sonder die skriftelike magtiging van die Minister, enige geneties gemodifiseerde organisme kweek of gebruik nie.

(2) Vir die doeleindes van paragraaf (1) beteken "geneties gemodifiseerde organisme" 'n organisme waarin genetiese materiaal gewysig is op 'n wyse wat nie in die natuur deur paring en/of natuurlike herkombinasie voorkom nie, met inbegrip van organismes waarin die genetiese materiaal oorgeërf is of andersins van die gemodifiseerde genetiese materiaal afkomstig is.

Aanmeldbare siektes

71. (1) Enige kennisgewing in die Staatskoerant ingevolge waarvan die Minister enige siekte, met inbegrip van 'n pes of parasiet wat in vis of mariene plantegroei die dood of siekte veroorsaak, of wat by mense wat die besmette vis of mariene plantegroei eet, die dood of siekte veroorsaak, as 'n aanmeldbare siekte verklaar, en sodanige beslissing sal onmiddellik van krag word, mits die kennisgewing anders spesifiseer.

(2) Niemand wat weet of rede het om te vermoed dat enige vis met 'n aanmeldbare siekte besmet is, mag—

(a) die vis, dood of lewend, verkoop nie; of

(b) die vis, dood of lewend, in enige waters of op enige plek plaas waar dit in enige waters mag beland nie.

Gebruik van chemiese of farmaseutiese drogerie

72. (1) Enige persoon wat voornemens is om enige chemiese stof, visdoder, farmaseutiese, bio-remediese produk of die derivaat daarvan, vir marikultuur aan te wend, moet die Minister by voorbaat verwittig en moet enige inligting wat die Minister oor die gebruik van die stowwe mag verlang, verstrek.

(2) Die Minister mag, by skriftelike kennisgewing aan 'n permithouer, die gebruik van enige stowwe waarna in subregulasie (1) verwys word, op marikultuurpersele of vir marikultuur, beperk of die gebruik daarvan verbied.

Publieke gesondheid

73. (1) Niemand mag 'n marikultuurbedrywigheid vestig in 'n gebied wat sodanig besmet is met toksiese stowwe, afvalmateriaal, menslike patogene of mariene bio-toksiene, dat die gekultiveerde vis 'n gesondheidsrisiko vir verbruikers inhou, nie.

(2) Die permithouer sal voldoen aan die sanitêre standaarde en toetse, insluitende gereelde toetsing van die water en vis gehalte, soos gespesifiseer in die permit.

(3) Ontginning van werklike en potensiële geaffekteerde kultiveringswaters mag beperk word tydens 'n publieke gesondheid noodtoestand, soos mariene bio-toksiene gebeurtenisse, olie-stortings en rioolbesmetting.

HOOFSTUK 7**ONTSKEPING, VERVOER, AFLEWERING, ONTVANGS, VERWERKING EN BEMARKING VAN VIS EN VISPRODUKTE****Verbod**

74. Die houer van 'n kommersiële visserspermit mag nie—

- (a) enige vis, enige deel of produk daarvan op enige plek ontskeep nie, behalwe by 'n aangewese landingspunt;
- (b) enige vis, deel of produk daarvan van 'n landingspunt verwyder, alvorens die grootte en massa van die vis bepaal is soos voorgeskryf in Aanhangsel 3, nie;
- (c) enige vis, deel of produk daarvan van enige landingspunt vervoer nie, behalwe op gesag van 'n permit en ooreenkomstig die verpligte voorgeskrewe spesifikasies van die Suid-Afrikaanse Buro vir Standaarde (SABS);
- (d) enige vis, deel of produk daarvan vir verwerkingsdoeleindes aan enige persoon lewer nie, tensy sodanige persoon ingevolge die Wet daartoe gemagtig is;

- (e) enige vis, deel of produk daarvan van enige persoon vir die verwerking daarvan in ontvangs neem nie, tensy die ontvanger kragtens artikel 18(1) van die Wet deur die Minister gemagtig is om 'n visverwerkingsaanleg te bedryf;
- (f) betrokke wees by enige visvangverwante bedrywighede nie, behalwe op gesag van 'n permit;
- (g) enige vis, of deel of produk daarvan, bemark nie, tensy dit ooreenkomstig die voorgeskrewe SABS spesifikasies verpak is.

HOOFSTUK 9

NAKOMINGSBEHEER

75. Niemand mag, behalwe op gesag van 'n permit, betrokke wees by visvangs, versameling, doodmaak van, poging om dood te maak, versteuring van, hinder van, bewaring of beheer van, of in besit wees van enige vis in 'n beskermde mariene gebied nie.

Vaartuigmoniteringstelsels

76. (1) Enige buitelandse vissersboot ten opsigte waarvan 'n buitelandse vissersbootlisensie ooreenkomstig artikel 39 van die Wet toegeken is, moet ten alle tye met 'n outomatiese satellietgekoppelde vaartuigmoniteringstelsel (VMS) toegerus wees.

(2) Vir die doeleindes van subregulasie (1) beteken "VMS" 'n outonome stelsel met die vermoë om outomaties boodskappe na 'n landgebaseerde moniteringsentrum te versend, waardeur die posisie van die vissersboot deurlopend nagespoor kan word en—

- (a) die inligting oorgesein, moet die vaartuig se identifikasie insluit, lengtegraad, breedtegraad, datum en tyd, koers en spoed, wat volgens die vereiste tussenposes oorgesein sal word, om te verseker dat die vaartuig doeltreffend gemonitor kan word; en
- (b) werkverrigtingstandaarde moet ten minste 'n stelsel insluit wat—
 - (i) peuterbestand is;
 - (ii) deur die moniteringstelsel opgevang kan word;
 - (iii) oor 'n tweerigting boodskapvermoë tussen die vaartuig en die moniteringsentrum beskik;
 - (iv) ten volle outomaties is en te alle tye operasioneel is, ongeag omgewingstoestande;

(v) data in reële tyd verstrek; en

(vi) lengtegraad en breedtegraad verstrek met 'n posisionele akkuraatheid van 100 meters of beter, met 'n betroubaarheidstussenpose van 99 persent.

(3) Enige Suid-Afrikaanse vaartuig ten opsigte waarvan 'n vissersbootlisensie toegeken is, moet op versoek van die Departement, 'n VMS soos in subregulasie (1) beoog, ingestel om aan Seevisserye se moniteringsentrum te rapporteer, installeer.

Merk van vissersbote

77. (1) Behoudens die bepalings van die Wet, mag niemand enige vissersboot gebruik nie, tensy dit die registrasieletters en -nommers wat deur die Direkteur-generaal daaraan toegeken is, dra.

(2) Die letters en nommers in subregulasie (1) beoog, moet volgens die spesifikasies in Aanhangsel 14 uiteengesit, aangebring word.

(3) Die registrasieletters en -nommers aan enige vissersboot toegeken, mag nie sonder die skriftelike magtiging van die Direkteur-generaal aan 'n ander vaartuig oorgedra word nie, en sal nie gebruik word op, geveerf word op en aangebring word op enige ander vaartuig nie.

(4) Wanneer enige vissersboot ophou om kragtens die bepalings van hierdie Wet gelisensieer te wees, moet die eienaar van sodanige vissersboot binne 21 dae elke registrasieletter en -nommer uitwis of verwyder.

(5) Indien die eienaar van 'n gelisensieerde vissersboot sodanige vaartuig verkoop of andersins van die hand sit, in geval waar die vereistes van die Wet—

(a) nagekom is, sal oordragkoste soos deur die Minister bepaal onder artikel 25 van die Wet, betaalbaar wees; en

(b) nie nagekom is nie, sal die lisensie verval.

Radio-roepseine

78. (1) Alle vaartuig met 'n totale lengte van 25 meters of meer, wat gelisensieer is om in Suid-Afrikaanse waters betrokke te wees by visvangs, moet die letters en nommers van hulle radio-roepseine aan elke kant van die superstruktuur vertoon op die hoogste moontlike punt bokant die boordwand of hoofdek waar dit die beste sigbaar is.

(2) Indien die roepsein om praktiese redes nie op die superstruktuur vertoon kan word nie, moet dit op 'n opsigtelike plek aan elke kant van die vaartuig vertoon word, by die hoogs moontlike punt bokant die boordwand of hoofdek.

(3) Die letters en of nommers van die roepsein moet in wit teen 'n swart agtergrond geverf word of in swart op 'n wit agtergrond met karakters nie kleiner as, ingeval van vaartuie met 'n algehele lengte van —

(a) 25 meter of meer, maar minder as 45 meters, 90 cm hoog, 45 cm breed, die letter "L" en syfer "1" uitgesluit, 10 cm breed (breedte van streep) en 20 cm ruimte tussen elke letter en of syfer, en die wit of swart agtergrond gedeelte moet die rande van die roepsein met minstens 10 cm oorskry; en

(b) 45 meter of langer, 120 cm hoogte, 70 cm breedte, die letter "L" en die figuur "1" uitgesluit, 15 cm dik (breedte van streep) met 30 cm spasies tussen elke letter en of syfer en die wit agtergrond moet die rande van die roepsein met minstens 20 cm oorskry.

(4) Enige registrasieletter en -syfer en die roepsein wat aan 'n vissersboot toegeken en aangebring is, moet te alle tye in 'n helder, duidelike en leesbare toestand gehandhaaf word en moet te alle tye duidelik vertoon word.

Logboeke

79. (1) Die gesagvoerder van 'n vissersboot ten opsigte waarvan 'n kommersiële visvanglisensie of permit uitgereik is, moet op sodanige vissersboot die volgende byhou—

(a) 'n ingebinde logboek met genommerde bladsye; en

(b) 'n ontskepingslogboek,

die formaat waarvan in die permit bepaal sal word en wat by Seevisserye verkrygbaar sal wees: Met dien verstande dat die bepalings van hierdie regulasie nie van toepassing sal wees op vissersbote sonder 'n superstruktuur nie.

(2) Die volgende moet in die vanglogboeke opgeteken word—

(a) vangste aan boord behou volgens spesies in kilogram lewendige gewig, vir elke dag en vir elke visvangbedrywigheid;

(b) die geraamde kumulatiewe visvangpoging sedert visvang 'n aanvang geneem het;

(c) die tipe vistuig wat gebruik is;

(d) die getal visvangoperasies per dag, waar toepaslik, en die tydsverloop van die ontplooiing van die vistuig gedurende elke visvangoperasie;

- (e) gebied van visvangs, lengte- en breedtegraad; en
- (f) die hoeveelheid vis gedompel of weggegooi, waar toepaslik.

(3) Die visvanglogboek en ontskepingslogboek moet op 'n plek gehou word waar hulle teen beskadiging beskerm word en waar hulle te enigertyd geredelik beskikbaar is vir inspeksie op versoek van 'n visserybeheerbeampte of enige ander persoon wat kragtens geskrewe magtiging van die Minister handel.

(4) By terugkeer van elke visvangvaart, moet die gesagvoerder of eienaar van die betrokke vissersboot nie later nie as 24 uur na die ontskeping van die vis, die oorspronklike van beide die visvanglogboek en die ontskepingslogboek se logvelle aan enige persoon wat skriftelik vir die doel deur Seevisserye gemagtig is, oorhandig.

(5) Die afskrifvelle van die logboeke moet vir ten minste 24 maande nadat die laaste inskrywing gedoen is, deur die eienaar van die vissersboot gehou word.

Dokumente wat aan boord van vissersvaartuie gehou moet word

80. (1) Aan boord van elke vissersboot, indien die vaartuig meer as tien meters lank is, ten opsigte waarvan 'n lisensie of permit uitgereik is, moet die volgende gehou word—

- (a) dokumente uitgereik deur die bevoegde owerheid van die vlagstaat van sodanige vissersboot met—
 - (i) die naam van die vissersboot;
 - (ii) die letter of letters van die hawe of distrik waarin, en die nommer waaronder die vissersboot geregistreer is;
 - (iii) die internasionale radio-roepsein van die vissersboot;
 - (iv) die naam en adres van die eienaar van die vissersboot;
 - (v) alle tegniese spesifikasies met betrekking tot die vissersboot soos gespesifiseer in die betrokke aansoek om 'n lisensie of permit ten opsigte van die vissersboot;
- (b) die nuutste tekeninge en beskrywings van die uitleg van die vissersboot, gespesifiseerde besonderhede van die getal visruime van die vissersboot met 'n aanduiding van hulle bergingskapasiteit in kubieke meters;
- (c) indien enige modifikasie ten opsigte van die karakteristieke van die vissersboot aangebring is ten opsigte van sy totale lengte, sy bruto registertonnemaat, die kilowatts van sy hoofmasjiene of masjiene of sy

ruimkapasiteit, 'n sertifikaat deur 'n bevoegde owerheid van die vlagstaat van die vaartuig wat die aard daarvan beskrywe;

(d) indien sodanige vissersboot met verkoelde of bevrore seewatertenks toegerus is, 'n dokument deur 'n bevoegde owerheid van die vlagstaat van die vissersboot gesertifiseer wat die kalibrasie van die tenks in kubieke meters aandui;

(e) die oorspronklike van die lisensie of permit ten opsigte van die vissersboot, wat te alle tye op 'n plek gebere sal word waar dit toeganklik vir inspeksie is en teen beskadiging beskerm is;

(f) 'n afskrif van die Wet en hierdie regulasies.

(2) Die gesagvoerder van 'n treilvisserboot sal 'n rekord van elke visvangoperasie volgens die formaat en in die vorms deur Seevisserye verstrekk, byhou.

Berging van vistuig

81. (1) Vir die doeleindes van artikel 49(1) van die Wet sal die vereistes vir die berging van vistuig soos volg wees—

(a) in die geval van 'n beursnetvaartuig—

(i) die sperboomvaartuig sal so ver as moontlik laat sak word sodat die vissersboot nie vir visvangs gebruik kan word nie, maar sodat die werkboot in noodgevalle vir gebruik toeganklik is;

(ii) die vliegtuig, indien daar een is, moet aan die boot vasgemaak word;

(iii) lanseerder of rigterbote moet vasgemaak word.

(b) in die geval van 'n treiler moet alle nette, treildeure en gewigte van die tou- of intrekkabels, toue of rigiede rame ontkoppel word, en of benede die dek geberg word of stewig aan 'n deel van die superstruktuur van die vissersboot bevestig word;

(c) in die geval van 'n vissersboot gemagtig vir visvangs van kreef—

(i) alle fuisse moet op die dek wees en vasgebind wees;

(ii) alle bakkies moet op die dek wees en stewig aan 'n deel van die superstruktuur van die vissersboot vasgemaak wees;

(d) in die geval van 'n vissersboot gemagtig om met fuisse ander dan kreeffuisse vis te vang, moet alle fuisse op die dek en vasgemaak wees;

(e) in die geval van 'n langlynvisserisboot moet alle vistuig bedek word en die bedekmateriaal moet vasgebind wees.

(2) Hierdie regulasie is ook van toepassing op plaaslike vissersvissersbote wanneer hulle in 'n gebied is waarin hulle nie gemagtig is om betrokke te wees by visvangs nie of gedurende tye wat hulle nie gemagtig is om betrokke te wees by visvangs nie.

Waarnemers

82. (1) Waarnemers wat kragtens artikel 50 van die Wet aangewys is, mag—

- (a) 'n vissersboot se nakoming van die tersaaklike wetgewing monitor;
- (b) oor die vissersboot se visvangbedrywighede rekord hou en verslag doen en die posisie van die vaartuig tydens visvangs verifieer;
- (c) vangste waarneem en raam met die oog op die identifisering van vangssamestelling en uitskotvis, newevangste en die neem van ondermaat vis monitor;
- (d) die vistuigsoort, maasgrootte en aanhangsels waarvan die gesagvoerder gebruik maak, aanteken;
- (e) inskrywings in die logboek ten opsigte van spesies, vangssamestelling en hoeveelhede verifieer;
- (f) visvangs en vangspogingsdata op 'n grondslag van afsonderlike vangspogings versamel, en hierdie gegewens sal die posisie, met inbegrip van lengtegraad en breedtegraad, diepte, tydsverloop van die net op die seebodem en vangssamestelling insluit; en
- (g) navorsingstake soos deur Seevisserie versoek, verrig.

(2) 'n Waarnemer aan boord van 'n vissersboot sal voorsien word van geskikte voedsel en akkommodasie gelykstaande aan die van 'n offisier.

(3) Enige vervoer-, akkommodasie- toelae, besoldiging of soortgelyke kostes betaalbaar aan 'n waarnemer aan boord 'n vaartuig, sal vir die rekening van die lisensie- of permithouer van die vaartuig, wees.

(4) Die gesagvoerders van vissersbote sal verseker dat waarnemers al die nodige samewerking verkry om hulle pligte uit te voer.

Visserybeheerbeampes

83. (1) Die gesagvoerder van 'n vissersboot of 'n vissersboot wat as 'n visverwerkingsaanleg bedryf word, terwyl hy in Suid-Afrikaanse waters is, of 'n plaaslike vissersboot wat op die oopsee werksaam is, moet enige visserybeheerbeampste of enige ander persoon wat deur die Minister vir 'n bepaalde taak aangewys is, toelaat om die vissersboot te bestyg en om aan boord van sodanige vissersboot of visverwerkingsaanleg- vaartuig te bly, en sal sonder enige kosteverhaling—

- (a) hom of haar toegang bied tot alle toerusting met inbegrip van navigasie- en kommunikasietoerustingrekords en -dokumente en tot enige vis aan boord van die vissersboot wat vir die uitvoering van sy of haar pligte nodig is;
- (b) hom of haar toelaat om toetse en observasies te doen en rekords aan te stip en om sodanige monsters as wat hy of sy redelikerwys mag benodig met betrekking tot die vissersboot se bedrywighede in Suid-Afrikaanse waters, te trek en te verwyder; en
- (c) hom of haar van voedsel en akkommodasie voorsien wat ten minste gelykstaande is aan die wat aan die offisiere van die vissersboot verskaf word.

(2) Die eienaar van enige vissersboot waarvan verwag word om 'n visserybeheerbeampste of enige ander aangewese persoon aan boord van die vaartuig te huisves, moet die gelde betaal soos deur die Minister bepaal by skriftelike kennisgewing aan sodanige eienaar.

(3) Enige vervoer-, akkommodasie- of soortgelyke kostes wat 'n visserybeheerbeampste tydens toesig oor die ontskeping of oorlaai moet aangaan, sal vir die rekening van die lisensie- of permithouer van die vaartuig wat ontskeep of oorlaai, wees.

(4) 'n Visserybeheerbeampste mag die gesagvoerder van 'n vissersboot opdrag gee om die treilnet of ander vistuig in te katrol.

Inspeksieprosedures

84. (1) Vir die doeleindes van artikel 51 van die Wet mag geen bestyging geskied sonder dat die vissersboot vooraf per radio in kennis gestel is nie of sonder dat die vissersboot die gepaste sein ingevolge die Internasionale Kode van Seine gestuur is, met inbegrip van die identiteit van die inspeksieplatform, hetsy die ontvangs van sodanige kennisgewing erken is al dan nie.

(2) Daar mag nie van 'n vissersboot verwag word om te stop of te manoeuver terwyl die vaartuig besig is met visvangs, vistuig ontplooi of in te katrol nie.

(3) 'n Visserybeheerbeampte mag opdrag gee dat die inkatrol van die vistuig onderbreek of vertraag word tot hy of sy die vissersboot bestyg het, maar in elk geval nie langer as 30 minute nadat die sein ontvang is nie.

Ontskeping en oorlaai

85. (1) 'n Persoon wat 'n vissersboot in enige vissershawe wil aflaai, moet minstens 48 uur kennis gee aan die visserybeheerbeampte in beheer van die betrokke vissershawe of aan enige ander gemagtigde persoon, ooreenkomstig die voorskrifte wat Seevisserye mag bepaal.

(2) Behalwe in ooreenstemming met enige voorwaardes gekoppel aan enige lisensie of permit of op gesag van 'n permit, mag geen oorlaai van enige vis of visprodukte of enige ander ware van of na enige ander vissersboot geskied op enige plek ander as binne vissershawe nie en wel onder die toesig van 'n visserybeheerbeampte of ander gemagtigde persoon.

(3) Die eienaar of gesagvoerder van enige vissersboot moet die visserybeheerbeampte ten minste 48 uur vooraf kennis gee van enige oorlaai van vis of enige voorrade en moet die inligting wat die visserybeheerbeampte mag verlang, verstrek, met inbegrip van besonderhede van die tersaaklike bote en die soort vis of visprodukte of ander ware, na gelang van die geval.

HOOFSTUK 9

ANDER VOORSKRIFTE

Deel 1

Voorskrifte met betrekking tot die agterlaat van voorwerpe en die stort van stowwe in die see

Vistuig en ander implimente

86.(1) Behalwe op gesag van 'n permit, mag niemand enige vistuig, meerwerk, of enige ander implement of voorwerp wat vir visvangbedrywighede gebruik word, na afloop van visvangbedrywighede, op of in die see agterlaat nie.

(2) Indien enige persoon enige vistuig, meerwerk of enige ander implement of voorwerp in stryd met subregulasie (1) op of in die see agtergelaat het, mag die Minister opdrag gee dat sodanige voorwerp verwyder word.

(3) Enige kostes wat die Minister in verband met die verwydering van enige vistuig, meerwerk of ander implement of voorwerp ingevolge subregulasie (2) aangaan, sal betaalbaar wees deur die persoon wat die betrokke voorwerp op of in die see agtergelaat het, en sodanige kostes sal as gelde aan die Staat verskuldig, geag word.

(4) Enige boei wat gebruik word om 'n implement in die see te merk of vanaf te laat hang, moet duidelik met die naam van die vaartuig waarvandaan dit ontplooi is, gemerk word.

Afval

87. (1) Met die uitsondering van bio-verteerbare huishoudelike afval, moet alle afval wat op 'n vissersboot gegenereer word, met inbegrip van afval wat tydens die verwerking van vis ontstaan en ongebruikte aas, na die hawe teruggeneem word en geen sodanige afval mag ter see gedompel word nie.

(2) In die geval van enige vissersboot wat op die datum wanneer hierdie Regulasies in werking tree, nie met die nodige fasiliteite om visafval terug hawe toe te neem, toegerus is nie, sal subregulasies (1) na die verloop van 'n tydperk van een jaar na die proklamasie van hierdie Regulasies, in werking tree.

DEEL 2

Visshaweregulasies

Gebruik van gehoue

88. Behalwe op gesag van 'n permit, mag niemand binne enige visshawe, in die see, op die strand of op enige grond aangrensend aan 'n visshawe enige gebou, fasiliteit of werke oprig, aanskaf, bou, verhuur, beheer of gebruik of ander persoon beweeg om gemelde aksies te verrig nie.

Navigasie, binnekoms en akkommodasie in visshawens

89. (1) Geen vaartuig mag in 'n visshawe gebring word, te water gelaat word, lê, daarin gebruik word of op enige ander manier geakkommodeer word sonder 'n permit en sonder betaling van die gelde soos deur die Minister kragtens artikel 25 van die Wet bepaal: Met dien verstande dat:

(a) toestemming geweier mag word in belang van veilige, ordelike en doeltreffende hawebestuur en -beheer;

(b) geen gelde betaalbaar sal wees ten opsigte van 'n vaartuig in die diens van 'n staatsorgaan nie.

(2) Niemand mag 'n vaartuig binne 'n visshawe as 'n restaurant, vermaaklikheidsplek, winkel of vir enige ander doel gebruik nie sonder 'n permit en sonder betaling van die gelde soos deur die Minister kragtens artikel 25 van die Wet bepaal.

(3) Geen eienaar van 'n vaartuig mag sodanige vaartuig 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 sodanige vaartuig behoorlik te beheer en te navigeer.

(4) Die gesagvoerder van 'n vaartuig wat binne 'n vissershawe is sal te alle tye verantwoordelik vir die veiligheid daarvan wees.

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

(6) Die gesagvoerder van enige vaartuig wat 'n vissershawe binnevaar, moet onverwyld 'n visserybeheerbeampte in kennis stel van die tyd en datum van sy of haar aankoms en die besonderhede van daardie vaartuig wat die visserybeheerbeampte mag vereis, verstrek.

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

(8) Tussen sonsondergang en sonsopkoms moet 'n vaartuig in 'n vissershawe die ligte vertoon wat voorgeskryf word in die Handelskeepsvaart (Botsing, ens) Regulasies, 1996 afgekondig ingevolge Goewermentskennisgewing No. R. 2076 van 20 Desember 1996: Met dien verstande dat 'n visserybeheerbeampte enige vaartuig van hierdie regulasies mag vrystel terwyl dit geanker, vasgemeer of beveilig is op 'n plek wat hy of sy daaraan toegewys het.

(9) Niemand mag enige net of vaartuig binne enige vissershawe of binne 'n afstand van 150 m seewaarts vanaf die ingang van 'n vissershawe, sonder 'n permit gebruik nie.

(10) Behoudens die bepalings van die Handelskeepvaartwet, 1951 (Wet No. 57 van 1951), mag 'n visserybeheerbeampte—

(a) die maatreëls tref wat hy of sy nodig ag om te verhoed dat 'n vaartuig 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 of haar tevredenheid reggestel is.

(11) Die eienaar of gesagvoerder van enige vaartuig wat in 'n ongeluk van enige aard binne die vissershawegebied betrokke is, moet sodanige ongeluk onverwyld by 'n visserybeheerbeampte aanmeld en moet hom binne 24 uur na die ongeluk van 'n volledige skriftelike verslag daaromtrent voorsien, hetsy skade aan die Staat se eiendom berokken is al dan nie.

(12) Geen persoon mag op 'n roekelose of nalatige wyse of terwyl hy onder die invloed van sterk drank of 'n narkotiese middel is, 'n vaartuig binne 'n vissershawe navigeer nie.

Vasmeer van vissersbote en vaartuie

90. (1) 'n Visserybeheerbeampte mag die plek waar 'n vaartuig in 'n vissershawe moet vasmeer, aanwys en kan sodanige aanwysing wysig of intrek.

(2) Geen vaartuig mag in 'n vissershawe aan enige navigasiehulpmiddel vasgemaak word nie en die gesagvoerder van 'n vaartuig wat enige navigasiehulpmiddel versper of verskuif, moet die versperring of verskuiwing onverwyld by 'n visserybeheerbeampte aanmeld en hom of haar binne 24 uur na die versperring of verskuiwing van 'n volledige skriftelike verslag daaromtrent voorsien.

(3) Die gesagvoerder van 'n vaartuig wat om redes buite sy beheer in 'n vissershawe 'n vaartuig vasmeer het by 'n aanlê- of ander plek wat nie deur 'n visserybeheerbeampte daaraan toegewys is nie, moet 'n visserybeheerbeampte onverwyld daaraan in kennis stel en die visserybeheerbeampte moet daarna die stappe doen wat hy of sy nodig ag in belang van veilige, ordelike en doeltreffende haweadministrasie en -bestuur.

(4) Behalwe in die geval van *force majeure* of nood, mag geen vaartuig in die vaargeul binne 'n vissershawe geanker of vasgemeer word nie.

(5) 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.

(6) Die eienaar of gesagvoerder van 'n vaartuig wat op sodanige wyse in 'n vissershawe geanker, vasgemeer is of aanlê dat dit 'n bron van ongerief of gevaar is, moet onverwyld op 'n bevel van 'n visserybeheerbeampte reageer om die vaartuig te beveilig of te verwyder.

(7) Indien enige vaartuig in 'n vissershawe vol water geloop het, moet die eienaar op las van 'n visserybeheerbeampte die nodige herstelwerk aan sodanige vaartuig doen of sonder versuim sodanige vaartuig uit die water verwyder.

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

(9) 'n Visseryebeheerbeampste mag 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 of sy nodig ag, binne 'n tyd van hy of sy bepaal, te laat doen.

(10) Die eienaar of gesagvoerder van 'n vaartuig waaraan 'n anker of vasmeerplek vir ontskeping of bevoorrading in 'n vissershawe toegewys is, moet toesien dat die vaartuig die kaai verlaat sodra sy vangs ontskeep is of voorrade, brandstof, toerusting of bemanning aan boord geneem is.

(11) Indien die eienaar of gesagvoerder van 'n vaartuig in gebreke bly om aan die bepalings van paragraaf (a) te voldoen—

(a) sal die toepaslike gelde soos kragtens artikel 25 van die Wet deur die Minister bepaal, betaalbaar wees; en

(b) mag 'n visseryebeheerbeampste verseker dat die vaartuig die kaai verlaat.

(12) '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 vasmeer en beskerming daarvan en hom daarvan vergewis dat die aanlêplek, kaai, stampkussings, vasmeertoue, kettings en ander toerusting in so 'n toestand is dat die vaartuig gedurende ongunstige weersomstandighde met veiligheid daar kan aanlê;

(b) die vaartuig op die eienaar se risiko in 'n vissershawe geakkommodeer word en 'n visseryebeheerbeampste hom die reg voorhou 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 moet toelaat dat 'n ander vaartuig langsaan vasgemaak of losgemaak word;

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

(f) die eienaar of gesagvoerder van die vaartuig op las van 'n visseryebeheerbeampste vir die tydperk wat hy of sy mag aandui

sodanige vaartuig moet verwyder wanneer dit nodig is om dieptepeilings, baggerwerk of herstelwerk aan kaaie of stamplussings uit te voer, of wanneer dit nodig of wenslik is om kaaie of gedeeltes van kaaie te ontruim; en

(g) die eienaar of gesagvoerder van die vaartuig in opdrag van 'n visserybeheerbeampte die vaartuig verwyder of laat verwyder van die plek waar dit vasgemeer is na 'n ander plek deur die visserybeheerbeampte aangewys.

Plasing van voorwerpe in visseryhawens

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

92. (1) 'n Visserybeheerbeampte mag gelas dat 'n vaartuig uit 'n vissershawe verwyder word indien die vrag of ander goedere aan boord volgens die visserybeheerbeampte se opinie 'n gesondheidsgevaar is of 'n bedreiging vir lewe of eiendom inhou of aanstootlik is, of by versuim om die bepalings van subregulasie (2) na te kom.

(2) 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 knaldemper of geluiddemper beskik nie.

Herstelwerk

93. (1) Geen duiker mag sonder die skriftelike toestemming van 'n visserybeheerbeampte in 'n vissershawe enige onderwaterherstelwerk of instandhouding aan 'n vaartuig in die vissershawe doen nie.

(2) Voordat enige vaartuig op 'n sleepstelling in 'n vissershawe toegelaat word, moet die eienaar of gesagvoerder van die vaartuig volledige besonderhede van so 'n vaartuig aan 'n visserybeheerbeampte verstrek wat dit by betaling van die gelde soos deur die Minister kragtens artikel 25 van die Wet bepaal, moet aanteken in 'n boek wat deur sodanige beampte vir die doel beskikbaar gehou word, in die volgorde waarin die besonderhede van elke sodanige vaartuig verstrek word.

(3) Indien 'n vaartuig weens versuim van die eienaar of gesagvoerder nie op die dag deur 'n visserybeheerbeampte bepaal, op 'n sleepstelling geplaas word nie en die sleepstelling vir ander vaartuie benodig word, verbeur sodanige vaartuig sy beurt soos aangetoon in die register, soos vermeld in subregulasie (2), wat deur sodanige visserybeheerbeampte bygehou word.

(4) Ondanks enige andersluidende bepalings in hierdie Regulasies kan 'n visserybeheerbeampte 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.

(5) Behoudens die bepalings van 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 nie vir die betaling van enige gelde vir die tydperk wat sy vaartuig onvermydelik na die verstryking van die tydperk van kennisgewing op die stelling moet bly nie.

(6) Waar 'n sleepstelling strydig met die tydperk of enige voorwaarde deur 'n visserybeheerbeampte gebruik word, sal die gelde soos deur die Minister kragtens artikel 25 van die Wet bepaal, deur die eienaar of gesagvoerder van die vaartuig betaalbaar wees.

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

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

(9) Niemand mag die stutte waarop 'n vaartuig rus terwyl dit op 'n sleepstelling is, verwyder of verskuif nie behalwe met die toestemming van 'n visserybeheerbeampte.

(10) Niemand mag enige hyskraan, waterpomp, leer, bokkie, steierplank of elektriese krag wat deur 'n bron in 'n vissershawe verskaf word, gebruik nie, behalwe kragtens 'n permit en teen betaling van die gelde soos deur die Minister kragtens artikel 25 van die Wet bepaal.

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

(12) Niemand mag enige wrak, romp of vaartuig in 'n vissershawe sloop nie, behalwe met die skriftelike toestemming van 'n visserybeheerbeampte.

Toegang tot hawe

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

(2) Enige persoon in of op eiendom van die Staat in 'n vissershawe, moet die bevele van 'n visserybeheerbeampte gehoorsaam.

(3) Niemand mag binne enige vissershawe—

(a) in 'n toestand van dronkenskap verkeer of hom of haar op 'n gewelddadige of afstootlike 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 'n kennisgewingsbord, verwyder of ontsier nie;

(e) die vrye gebruik van enige kaai, hawehoof of vloedstrand, of die toegange daartoe, belemmer of enigiets doen wat dit moontlik kan belemmer nie;

(f) swem of baai nie, behalwe met die toestemming van die Direkteur-generaal; en

(g) sonder die skriftelike toestemming van 'n visserybeheerbeampte duik nie.

(4) Niemand mag—

(a) in enige vissershawe smous nie, behalwe op gesag van 'n permit en teen betaling van die gelde soos deur die Minister kragtens artikel 25 van die Wet bepaal;

(b) 'n advertensie, kennisgewing, plakkaat of teken binne enige vissershawe aanbring of vertoon of laat aanbring of vertoon, behalwe op gesag van 'n permit en teen betaling van die gelde soos deur die Minister kragtens artikel 25 van die Wet bepaal;

(c) in die loop van die beoefening van enige kommersiële of industriële bedrywigheid varswater wat in enige vissershawe voorsien word, gebruik, tensy hy of sy kragtens 'n permit daartoe gemagtig is en teen betaling van die gelde soos deur die Minister kragtens artikel 25 van die Wet bepaal.

(d) drinkwater wat deur die waterinstallasie in 'n vissershawe verskaf word, verkwis of toelaat dat dit verkwis word nie;

- (e) enige vis in 'n vissershawe skoonmaak nie, behalwe kragtens 'n permit en teen betaling van die gelde soos deur die Minister kragtens artikel 25 van die Wet bepaal;
- (f) enige dier in 'n vissershawe bring nie, behalwe met die toestemming van 'n visserybeheerbeampte;
- (g) binne 'n vissershawe enige vuur maak nie, behalwe met die toestemming van 'n visserybeheerbeampte; en
- (h) enige vaartuig in 'n vissershawe vir die vervoer van passasiers gebruik nie, behalwe op gesag van 'n permit en teen betaling van die gelde soos deur die Minister kragtens artikel 25 van die Wet bepaal.

Voertuie

95. (1) Niemand mag enige voertuig in 'n vissershawe inbring nie, tensy hy of sy daartoe gemagtig is deur 'n permit of toegangskartjie en teen betaling van die gelde soos deur die Minister kragtens artikel 25 van die Wet bepaal, en sodanige permit of toegangskartjie verleen slegs toegang tot die vissershawe waar dit uitgereik is op die datum soos daarin gespesifiseer.

(2) Die bestuurder of persoon in beheer van 'n voertuig of 'n dier binne 'n vissershawe, moet alle aanwysings in kennisgewings of tekens wat in so 'n hawe vertoon word, nakom, en alle bevele gehoorsaam in verband met die reëling en beheer van verkeer wat 'n visserybeheerbeampte aan hom of haar gee.

Deel 3

Misdrywe en strawwe

Misdrywe en strawwe

96. Enige 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 of gevangenisstraf vir 'n tydperk van hoogstens twee jaar.

AANHANGSEL 1 (Regulasie 7)

FORMAAT VAN BUITELANDSE VISSERSBOOTLISENSIE

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM
DEPARTEMENT VAN OMGEWINGSAKE EN TOERISME

Fishing vessel licence
Foreign

Licence
Lisensienommer:

Vissersbootlisensie
Buitelandse

ISSUED IN TERMS OF SECTION 39(2) OF THE MARINE LIVING RESOURCES ACT, 1998 (ACT NO. 18 OF 1998),
UITGEREIK Kragtens ARTIKEL 39(2) VAN DIE WET OP LEWENDE MARIENE HULPBRONNE, 1998 (WET NO. 18 VAN 1998)

A. Particulars of fishing vessel in respect of which the licence is applicable:

Besonderhede van vissersboot ten opsigte waarvan die lisensie van toepassing is:

Name of vessel:

Reference no.:

Naam van boot:

Verwysingsnr:

Registration number:

Length of vessel:

Registrasienommer:

Lengte van boot:

Gross Registered Tonnage:

Radio callsign:

Bruto Geregistreeerde Tonnemaat:

Radio-roepsein:

Flag State:

Vlagstaat:

B. Particulars of owner of fishing vessel:

Besonderhede van vissersbooteienaar:

Name:

ID or registration no.:

Naam:

ID of registrasie nr.:

Address:

Adres:

C. Particulars of licence:

Lisensiebesonderhede:

Period of validity of licence:

Geldigheidstydperk van lisensie:

The licence is valid only if the particulars of the receipt are printed below.
Die lisensie is slegs geldig indien die kwitansiebesonderhede hieronder gedruk is.

Receipt number :
Kwitansienommer:

Amount:
Bedrag :

DIRECTOR-GENERAL: ENVIRONMENTAL AFFAIRS AND TOURISM
DIREKTEUR-GENERAAL: OMGEWINGSAKE EN TOERISME

DATE OF ISSUE
DATUM VAN UITREIKING

**AANHANGSEL 2
(Regulasie 9)
GESLOTE SEISOENE**

1. Elf (shad) (*Pomatomus saltatrix*)— vanaf 1 September tot 30 November in elke jaar, beide datums innklusief;
2. Galjoen (*Dichistius capensis*)— vanaf 15 Oktober in een jaar tot die laaste dag van Februarie in die daaropvolgende jaar, beide datums inklusief;
3. Pelagiese vis— vanaf 1 November in een jaar tot 14 Januarie in die daaropvolgende jaar, beide datums inklusief;
4. Tjokka pylinkvis (*Loligo vulgaris reynaudii*)— vanaf 25 Oktober of 22 November in enige jaar, beide datums inklusief;
5. Perlemoen (*Halotis midae*), die houer van 'n—
 - (a) kommersiële visvangpermit— vanaf 1 Augustus tot 31 Oktober in enige jaar, beide datums inklusief;
 - (b) sportvisvangspermit- of bestaansgrondslagvisvangspermit— vanaf 14 April tot 15 Desember in enige jaar, beide datums inklusief.
6. Oesters vir kommersiële doeleindes— vanaf 1 Desember in een jaar tot 15 Januarie van die daaropvolgende jaar, beide datums inklusief;
7. Weskuskreef (*Jasus lalandii*), die houer van 'n—
 - (a) kommersiële visvangpermit— vanaf 1 Junie tot 15 November in elke jaar, beide datums inklusief;
 - (b) sportvisvangspermit- of bestaansgrondslagvisvangspermit— vanaf 1 Mei tot 15 November in enige jaar, beide datums inklusief;
8. Ooskuskreef— vanaf 1 November in een jaar tot die laaste dag van Februarie in die daaropvolgende jaar, beide datums inklusief.

AANHANGSEL 3
(Regulasie 18)
BEPALING VAN MASSA

1. 'n Massameter soos bedoel in regulasie 18, moet geïnstalleer en gebruik word in 'n plek wat deur die Direkteur-generaal goedgekeur is en aan die volgende vereistes voldoen—

- (a) 'n outomatiese dubbelwipbakmassameter, algemeen bekend as die "Servo Balance Duplex"-massameter; of
- (b) enige ander soortgelyke outomatiese massameter wat oor 'n outomatiese beheermeganisme beskik en wat toegerus is met voldoende stort- en weegbakinhoudsmate:

Met dien verstande dat in die geval van die massabepaling van vis of visprodukte—

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

2. Die massameter moet op sodanige wyse en plek geïnstalleer word en van sodanige aard wees dat—

- (a) geen vis verby dit kan beweeg sonder dat die massa daarvan bepaal en aangeteken word deur die massameter nie;
- (b) die massabepalingskapasiteit van die massameter mag minder as die maksimum aflaaikapasiteit vanuit die vissersboot mag wees nie;
- (c) die afvoerspoed van vis of vispartikels van sodanige aard moet wees dat opstapeling of ophoging vermy word;
- (d) die ontwerp en konstruksie van die toevoerstelsel van sodanige aard moet wees dat vis en/of vispartikels nie van die toevoerstelsel afval nie maar regtreeks na die massameter vervoer sal word;
- (e) daar tydens die werking daarvan geen toegang tot die meganisme van sodanige massameter mag wees;
- (f) die meganisme en aflesingskaal van die massameter sigbaar moet wees; en
- (g) die massameter behoorlik verseël moet wees, terwyl dit vir massabepaling gebruik word.

3. 'n Massameter word 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 daardie Departement.

4. Niemand behalwe die gemagtigde persoon genoem in subitem (a) of (b) mag peuter met die seël, meganisme of werking van 'n massameter nie.

AANHANGSEL 4

(Regulasie 21)

NIE-VERKOOPBARE ONTSPANNINGSLYS

- Baardmanne (bellman, tasselfish) (*Umbrina rhonchus* en *Umbrina canariensis*)
- Band-galjoen (*Coracinus multifasciatus*)
- Bruin hottentot (bluefish) *Pachymetopon grande*)
- Dassie (*Diplodus sargus capensis*)
- Galjoen (*Dichistius capensis*)
- Gespikkelde knorder (spotted grunter, tiger) (*Pomadasys commersonnii*)
- Grootkol pompano (moony, wave garrick) (*Trachinotus botla*)
- Janbruin (*Gymnocrotaphus curvidens*)
- Kaapse kraaibek (*Oplegnathus conwayi*)
- Kaapse stompneus (*Rhabdosargus holubi*)
- *Koningvisse (genera *Caranx* en *Carangoides*) uitgesonderd blodger (*Carangoides gymnostethus*)
- Leervis (garrick) (*Lichia amia*)
- Luiperd kathaai (*Poroderma pantherinum*)
- Natal kraaibek (*Oplegnathus robinsoni*)
- Natal stompneus (yellowfin bream) (*Rhabdosargus sarba*)
- Rivier-snapper (rock salmon) (*Lutjanus argentimaculatus*)
- Skerptand-hondhaai (*Triakis megalopterus*)
- Skeurtandhaai (*Carcharodon taurus*)
- Streep kathaai (*Poroderma africanum*)
- Slimjannie (perch) (*Acanthopagrus berda*)
- *Snawelvisse (marlin, sailfish) (Familie *Istiophoridae*)
- Springer (ten pounder) (*Elops machnata*)
- Stinkvis (stonebream) (*Neoscorpis lithophilus*)
- Suidelike pompano (*Trachinotus africanus*)
- Swaardvis (*Xiphias gladius*)
- Wit biskop (white musselcracker) (*Sparodon durbanensis*)
- Witsteenbras (pignose grunter) (*Lithognathus lithognathus*)

Die lynvis wat met 'n **asterisk** gemerk is, sluit al die spesies van die algehele genus, familie of subklas in.

AANHANGSEL 5
(Regulasie 21)
SPESIAAL BESKERMDE LYS

Aartappelbaars (*Epinephelus tukula*)
Briekwabaars (*Promicrops lanceolatus*)
Natale lipvis (*Anchichoerops natalensis*)
Saagvisse (familie Pristidae)
Vier-en-Sewentig (*Polysteganus undulosus*)
Witdoodhaai (*Carcharodon carcharias*)

AANHANGSEL 6
(Regulasie 21)
KRITIEKE LYS

Poenskop (swart steenbras/mosselkraker) (*Cymatoceps nasutus*)
Rooisteenbras (*Petrus rupestris*)

AANHANGSEL 7
(Regulasie 21)
BEPERKTE LYS

Blou hottentot (copper bream) (*Pachymetopon aeneum*)
Bludger (kingfish) (*Carangoides gymnostethus*)
Dageraad (*Chrysoblephus cristiceps*)
Deen (*Porcostoma dentata*)
Elf (shad) (*Pomatomus saltatrix*)
Engelsman (*Chrysoblephus anglicus*)
Kabeljou (salmon, stomptert) (*Argyrosomus* spp.)
* Klipkabeljoe (groupers) (Familie Serranidae)
Roman (*Chrysoblephus laticeps*)
Rooistompneus (Miss Lucy) (*Chrysoblephus gibbiceps*)
Skotsman (*Polysteganus praeorbitalis*)
Slinger (*Chrysoblephus puniceus*)
Stokvis (hake) (*Merluccius capensis* en *M. paradoxus*)
Weskussteenbras (*Lithognathus aureti*)
Zebra (wildeperd) (*Diplodus cervinus hottentotus*)

Die lynvis wat met 'n **asterisk** gemerk is, sluit al die spesies van die algehele genus, familie of subklas in.

AANHANGSEL 8
(Regulasie 21)
ONTGINBARE LYS

- Blouvel (trawi soldier) (*Polysteganus caeruleopunctatus*)
 Dorado (dolphinfish) (*Coryphaena hippurus*)
 *Elasmobranchii (Subklas *Elasmobranchii*) (die witdoodhaai *Carcharodon carcharias*,
 skeurtandhaai *Carcharodon taurus*, skerptand-hondhaai *Triakis megalopterus*, streep
 kathaai *Poroderma africanum* en luiperd kathaai *Poroderma pantherinum* uitgesluit)
 Geelbek (Cape salmon) (*Atractoscion aequidens*)
 Gespikkelde katonkel (queen mackerel) (Natal snoek) (*Scomberomorus plurilineatus*)
 Hottentot (*Pachymetopon blochii*)
 Kaapse knorhaan (Cape sea robin) (*Chelidonichthys capensis*)
 Kaapse snoek (*Thyrstites atun*)
 Kaapse geelstert (*Seriola lalandi*)
 Katonkel (king mackerel, couta) (*Scomberomorus commerson*)
 Panga (*Pterogymnus laniarius*)
 Rooi tjor-tjor (sand soldier) (*Pagellus berlotti natalensis*)
 Santer (soldier) (*Cheimerius nufar*)
 Silwervis (carpenter) (*Argyrozona argyrozona*)
 Snapperkob (*Otolithes ruber*)
 Spies-knorder (*Pomadasys kaakan*)
 *Tunas (tunny) (*Thunnus* spp.)
 Witstompneus (*Rhabdosargus globiceps*)

plus alle ander spesies, wat nie op die kritieke, beperkte, ontginbare, nie-verkoopbare ontspannings- en aaslyste voorkom nie.

Die lynvis wat met 'n **asterisk** gemerk is, sluit al die spesies van die algehele genus, familie of subklas in.

AANHANGSEL 9
(Regulasie 21)
AASLYS

- * Ansjovis (Familie *Engraulidae*)
 Fransmadam (Karel groot oog) (*Boopsoidea inornata*)
 * Glasvisse (Familie *Ambassidae*)
 * Harders (Familie *Mugilidae*)
 Haarstert (cutlass fish) (*Trichiurus lepturus*)
 * Halfbekke (Familie *Hemiramphidae*)
 Marsbanker (horse mackerel) (*Trachurus trachurus capensis*)
 Makriel (*Scomber japonicus*)
 * Naaldisse (Familie *Belonidae*)
 * Sardyne (pilchard, rooi-oog) (Familie *Clupeidae*)

- * Sauries (Familie *Scomberesocidae*)
- * Skadvisse (*Decapterus* spp.)
- Steentjie (*Spondyllosoma emarginatum*)
- Strepie (karanteen) (*Sarpa salpa*)
- Varkie (piggy) (*Pomadasys olivaceum*)
- Wolfharing (*Chirocentrus dorab*)

Die lynvis wat met 'n **asterisk** gemerk is, sluit al die spesies van die algehele genus, familie of subklas in.

AANHANGSEL 10 (Regulasie 21) GROOTTE EN MASSABEPERKINGS

- Blouvintuna (*Thunnus thynnus thynnus*): 6,4 kg
- Bruin hottentot (*Pachymetopon grande*): 30 cm
- Dageraad (*Chrysoblephus cristiceps*): 30 cm
- Dassie (blacktail, kolstert) (*Diplodus sargus capensis*): 20 cm
- Elf (shad) (*Pomatomus saltatrix*): 30 cm
- Galjoen (*Dichistius capensis*): 35 cm
- Geelbek (*Atractoscion aequidens*): 60 cm
- Geelpens-klipkabeljou (*Epinephelus gauza*): 40 cm
- Geelvintuna (*Thunnus albacares*): 3,2 kg
- Gespikkelde klipkabeljou (*Epinephelus andersoni*): 40 cm
- Gespikkelde-knorder (*Pomadasys commersonnii*): 40 cm
- Grootoogtuna (*Thunnus obesus*): 3,2 kg
- Hottentot (*Pachymetopon blochii*): 22 cm
- Kaapse stompneus (*Rhabdosargus holubi*): 20 cm
- Kabeljou (*Argyrosomus* spp. uitgesonderd *A. thorpei*): 40 cm
- Leervis (garrick) (*Lichia amia*): 70 cm
- Mosselkraker (*Sparodon durbanensis*): 60 cm
- Natale stompneus (*Rhabdosargus sarba*): 25 cm
- Poenskop (swart steenbras/mosselkraker) (*Cymatoceps nasutus*): 50 cm
- Rooiroman (daggerhead) (*Chrysoblephus laticeps*): 30 cm
- Rooisteinbras (*Petrus rupestris*): 40 cm
- Rooistompneus (*Chrysoblephus gibbiceps*): 30 cm
- Silwervis (carpenter) (*Argyrozona argyrozona*): 25 cm
- Skotsman (*Polysteganus praeorbitalis*): 30 cm
- Slimjannie (*Acanthopagrus berda*): 25 cm
- Slinger (*Chrysoblephus puniceus*): 25 cm
- Snoek (*Thyrsites atun*): 60 cm
- Stompstertkabeljou (*Argyrosomus thorpei*): 35 cm
- Strepie (*Sarpa salpa*): 15 cm
- Swaardvis (*Xiphias gladius*): 25,0 kg
- Vier-en-sewentig (*Polysteganus undulosus*): 40 cm
- Weskussteenbras (*Lithognathus aureti*): 40 cm

Witpensklipkabeljou (*Epinephelus albomarginatus*): 40 cm
Witsteenbras (*Lithognathus lithognathus*): 60 cm
Witstompneus (*Rhabdosargus globiceps*): 25 cm
Wittevis (santer) (*Cheimerius nufar*): 30 cm
Zebra (*Diplodus cervinus hottentotus*): 30 cm

AANHANGSEL 11
(Regulasie 50)
WESKUSKREEFSONES

Vir die toepassing van regulasie (50) sal die weskuskreefsones die volgende aangewese sones wees—

- (a) Sone A—die gebied tussen 'n lyn in die noorde (ware peiling ongeveer 234°), getrek vanaf die noordelike oewer van die Oranjerivier soos aangedui op seekaart SAN FZ1 en 'n lyn (ware peiling 270°) in die suide, getrek vanaf die monding van die brakrivier (ware peiling 270°) en word soos volg in die volgende twee gebiede verdeel:
 - (i) Gebied 1, met as noordelike grens, 'n lyn (ongeveer 234° ware peiling) getrek vanaf die noordelike oewer van die Oranjerivier en as suidelike grens, 'n lyn (ware peiling 270°) getrek vanaf die monding van die Buffelsrivier; en
 - (ii) gebied 2, met as noordelike grens, 'n lyn (ware peiling 270°) getrek vanaf die monding van die Buffelsrivier en as suidelike grens, 'n lyn (ware peiling 270°) getrek vanaf die monding van die Brakrivier.
- (b) Sone B—die gebied tussen 'n lyn in die noorde (ware peiling 270°), getrek vanaf die monding van die Brakrivier en 'n lyn in die suide (ware peiling 270°), getrek vanaf die watertoring te Dwarskersbos en word soos volg in die volgende twee gebiede verdeel:
 - (i) gebied 3, met as noordelike grens, 'n lyn (ware peiling 270°) getrek vanaf die mond van die Brakrivier, en as suidelike grens, 'n lyn getrek reguit in lyn met die twee bakens geleë aan die suidelike kant van Kreefbaai; en
 - (ii) gebied 4, met as noordelike grens, 'n lyn (ware peiling 270°) getrek in lyn met die twee bakens geleë aan die suidelike kant van Kreefbaai en as suidelike grens, 'n lyn (ware peiling 270°) getrek vanaf die watertoring te Swarskersbos;
- (c) Sone C—die gebied tussen 'n lyn in die noorde (ware peiling 270°), getrek vanaf die watertoring te Dwarskersbos, en 'n lyn (ware peiling 270°) in die suide, getrek vanaf die baken gemerk YF, geleë te Yzerfontein en word soos volg in die volgende twee gebiede verdeel:

- (i) gebied 5, met as noordelike grens, 'n lyn (ware peiling 270°) getrek vanaf die watertoring te Dwarskersbos en as suidelike grens, 'n lyn (ware peiling 270°) getrek vanaf Jacobsbaai; en
- (ii) gebied 6, met as noordelike grens, 'n lyn (ware peiling 270°) getrek vanaf Jacobsbaai en as suidelike grens, 'n lyn (ware peiling 270°) getrek vanaf die baken gemerk YF, geleë te Yzerfontein;
- (d) Sone D—die gebied tussen 'n lyn in die noorde (ware peiling 270°), getrek vanaf die baken gemerk YF genoem in die omskrywing van Sone C hierbo, en 'n lyn in die suide (ware peiling 180°), getrek vanaf die vuurtoring te Kaap Hangklip, uitgesluit die gebied as Sone E omskryf, en word soos volg in die volgende twee areas verdeel:
 - (i) gebied 7, met as noordelike grens, 'n lyn (ware peiling 270°) getrek vanaf die baken gemerk YF, genoem in die omskrywing van Sone C hierbo, en as suidelike grens, die noordelike baken MB1 van die weskreefreservaat te Melkbospunt; en
 - (ii) gebied 8, met as noordelike grens, 'n lyn (ware peiling 270°) getrek vanaf die baken HD1 van die Kaapse Skiereiland Weskreefreservaat en as suidelike grens, 'n lyn (ware peiling 180°) getrek vanaf die vuurtoring te Kaap Hangklip; en
- (e) Sone E—die gebied noord van 'n reguit lyn getrek vanaf die vuurtoring geleë te Kaappunt tot by die vuurtoring te Kaap Hangklip, uitgesonder die gebied binne 'n afstand van een seemyl vanaf die hoogwatermerk in die gebied begrens deur, as noordelike grens 'n lyn (ware peiling 270°) getrek vanaf die mond van die Buffelsrivier en, as suidelike grens 'n lyn (ware peiling 270°) getrek vanaf die vuurtoring te Kaap Hangklip.

AANHANGSEL 12

(Regulasie 54)

VERBODE DIEPWATERSPESIES

- Alfonsino [familie *Berycidae* met inbegrip van *Beryx splendens* (alfonsino) en *B. decadactylus* (langvin beryx)]
- Kardinaalvisse (diepwater kardinale [subfamilie *Epigonidae*])
- Orange Roughy [*Hoplostethus* spp. met inbegrip van *H. atlanticus* and *H. mediterraneus* (silver roughy)]
- Oreo Dories (familie *Oreosomatidae* met inbegrip van *Pseudocyttus maculatus*, *Allocyttus niger*, *A. verrucosus*, *A. guineensis*, *Neocyttus rhomboidalis* en *Oreosoma atlanticum*)
- Patagonian Toothfish (*Dissostichus eleginoides* and *Dissostichus mawsonii*)
- Wrakvis (*Polyprion americanus*)

AANHANGSEL 13**(Regulasie 55)****SAKBEPERKINGS VIR ONGEWERWELDE VIS WAT DEUR 'N HOUER VAN 'N
SPORT-OF BESTAANSGRONDSLAG VISVANGSPERMITHOUER BESIT MAG
WORD**

alikeukel, 5 (vyf);
armadillo, 6 (ses);
bloedwurm, 5 (vyf);
gapermossel, 8 (agt);
inkvis, 2 (twee);
kammossel, 10 (tien);
klipmossel, 15 (vyftien);
krap, 15 (vyftien);
mossel, 30 (dertig);
modderkrap, 6 (ses);
modderkrewel, 50 (vyftig);
molkrap, 30 (dertig);
periwinkel, 50 (vyftig);
polychaetiawurm, 10 (tien);
rooi-aas, sonder wand, 2 (twee) kg;
sandkrewel, 50 (vyftig);
seekastaiing 20 (twintig);
seekat, 2 (twee);
seekomkommer, 20 (twintig);
siffie, 10 (tien);
skeermesgapermossel, 20 (twintig);
swemmende steurgarnaal, 50 (vyftig);
witmossel, 50, (vyftig).

AANHANGSEL 14**(Regulasie 77)****GESTANDARDISEERDE MERKTEKENS VIR VAARTUIE****Inhoud van merktekens vir identifikasie**

1. Enige vissersboot waaraan 'n lisensie-/ permitregistrasienommer toegeken is, moet daardie nommer as sy identifikasiemerkeken vertoon.

Ligging van merktekens

2. Identifikasiemerkeken sal prominent vertoon word—

- (a) (i) op sodanige wyse dat dit duidelik beide vanaf die see en uit die lug sigbaar is, aan die vaartuig se bakboord- en stuurboordkant o superstruktuur, of op enige skuins oppervlak hoog bokant die waterlyn

maar nie aan die bol ("flare") van die boeg vna die vaartuig of aan die agterkant nie; en

- (ii) vir vaartuie, uitgesonderd dekluse vaartuie, op 'n horisontale oppervlak van die vaartuig, van kant tot kant (dwars), met die bopunt van die letters en nommers in die rigting van die boeg van die vaartuig.

(b) Identifikasiemerktekens moet so aangebring word dat—

- (i) hulle op geen tydstop deur vstuig of enige ander tuig op stowwe, ingebruik al dan nie, versteek word nie;

- (ii) hulle verwyder is van die vloei van spuitgate ("scuppers") of oorboordse stortings en ruimtes wat vanweë visvangbedrywighede geneig is om beskadig of verkleur te word; en

- (iii) nie benede die waterlyn strek nie.

- (c) Indien die struktuur aan die bakboord en stuurboordkante van die vaartuig verskil, mag die identifikasiemerktekens in paragraaf 2(a)(i) beskrywe op 'n asimmetriese wyse aan die kante van die vaartuig of sy superstruktuur aangebring word, mits hulle in alle ander opsigte aan die vereistes van hierdie Aanhangel voldoen.

- (d) Waar die identifikasiemerktekens in paragraaf (2)(b)(i) beskrywe noodsaaklikerwys gevef is op 'n horisontale vlak wat permanent met 'n sonseil of enige ander tydelike oortreksel bedek is, en wat die merkteken sal verskuil, moet die sonseil of enige ander tydelike bedekking dieselfde identifikasiemerkteken vertoon.

- (e) met die uitsondering van vliegtuie moet alle bote, werkbote en vaartuie wat aan boord die vissersboot vir visvangdoeleindes gedra word, dieselfde identifikasiemerktekens as die betrokke vaartuig vertoon.

Tegniese spesifikasies

3. (a) Blokletters en -syfers moet deurgaans gebruik word.

- (b) Die hoogte van die letters en syfers sal in verhouding tot die grootte van die vaartuig wees en volgens die volgende norme—

- (i) in die geval van identifikasiemerktekens wat aan die kant of die superstruktuur van die vaartuig kragtens paragraaf 2(a)(i) vertoon moet word;

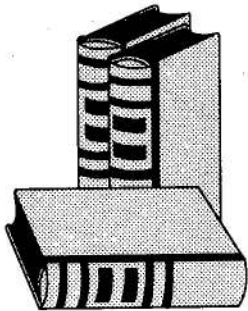
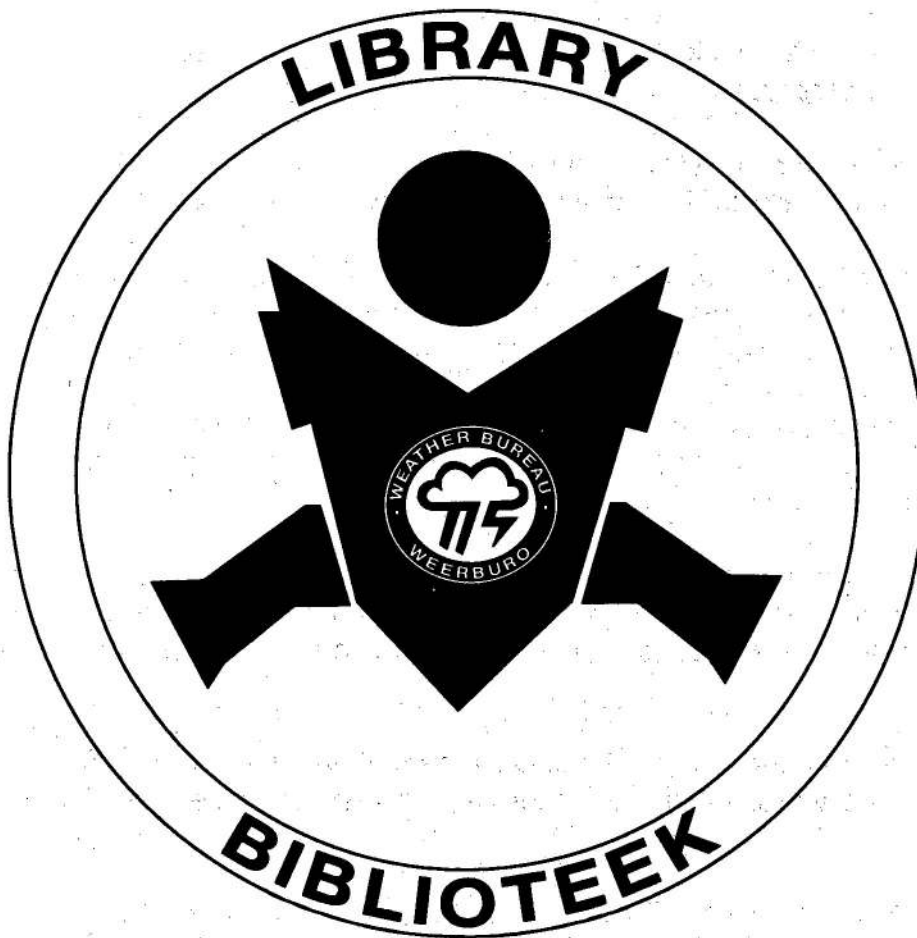
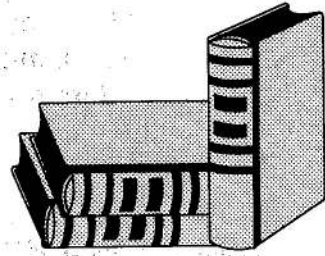
- (ii) lengte en algehele minimum hoogte van letters en nommers—

25 m en langer:	0,5 m
20 m, maar minder as 25 m:	0,8 m
15 m, maar minder as 20 m:	0,6 m
12 m, maar minder as 15 m:	0,4 m
5 m, maar minder as 12 m:	0,3 m
minder as 5 m:	0,1 m

(iii) Identifikasiemerktekens wat kragtens paragraaf 2(a)(i) op horisontale vakke van vaartuie met 'n totale lengte van vyf meter of meer vertoon moet word, moet 'n hoogte van nie minder nie as 0,3 m hê.

- (a) Die lengte van die koppelteken moet die helfte van die hoogte van die letters en nommers wees.
- (b) Die wydte van die strepe van alle letters, nommers en die koppelteken moet een sesde van die hoogte van die letters en nommers wees.
- (c) Behalwe in die gevalle waarna in paragraaf (f) verwys, moet die ruimte tussen letters en/of nommers nie meer as een kwart van die hoogte van die letters en nommers of minder as een sesde van daardie hoogte wees nie.
- (d) Die ruimte tussen aangrensende letters met skuins kante moet nie meer as een agste van die hoogte van die letters of minder as een tiende van daardie hoogte wees nie.
- (e) Identifikasiemerktekens moet wit teen 'n swart agtergrond of swart op 'n wit agtergrond wees en die agtergrond moet groot genoeg wees om 'n rand van nie minder as een sesde van die hoogte van die letters en nommers te vorm nie.
- (f) Vir die aanbring van identifikasiemerktekens wat in hierdie Aanhangel beskrywe word, moet van mariene verf van goeie gehalte gebruik gemaak word.
- (g) Weerkaatsende en hitte-genererende stowwe sal aanvaarbaar wees, miets die identifikasiemerktekens in alle ander opsigte aan die vereistes van hierdie Aanhangel voldoen.
- (h) Die identifikasiemerktekens en die agtergrond daarvan moet te alle tye in 'n goeie toestand gehou word.

Where is the largest amount of meteorological information in the whole of South Africa available?



Waar is die meeste weerkundige inligting in die hele Suid-Afrika beskikbaar?

Department of Environmental Affairs and Tourism
Departement van Omgewingsake en Toerisme

CONTENTS**INHOUD**

No.		Page No.	Gazette No.	No.		Bladsy No.	Koerant No.
GOVERNMENT NOTICE				GOEWERMENTSKENNISGEWING			
Environmental Affairs and Tourism, Department of				Omgewingsake en Toerisme, Departement van			
<i>Government Notice</i>				<i>Goewermentskennisgewing</i>			
R.1111	Marine Living Resources Act (18/1998): Regulations	1	19205	R. 1111	Wet op Lewende Marienehulpbronne (18/1998): Regulasies	70	19205

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001
Tel: (012) 334-4507, 334-4511, 334-4509, 334-4515

Gedruk deur en verkrygbaar by die Staatsdrukker, Bosmanstraat, Privaat Sak X85, Pretoria, 0001
Tel: (012) 334-4507, 334-4511, 334-4509, 334-4515