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GOVERNMENT NOTICE

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

No. R. 886

18 November 2013

MARINE LIVING RESOURCES ACT, 1998 (ACT 18 OF 1998): REGULATIONS FOR A PROHIBITION ON FISHING AT NIGHT IN THE ESTUARY OF THE BREDE RIVER

The Minister of Agriculture, Forestry and Fisheries, Tina Joemat Pettersson hereby publishes regulations on fishing in the estuary of the Breede River in terms of subsections 2(e) and 2(n) of section 77 of the Marine Living Resources Act, 1998 (Act 18 of 1998), as set out in the schedule hereto.

SCHEDULE

Definitions

1. In these Regulations, unless the context indicates otherwise, a word or an expression to which a meaning has been assigned in the Act and the Regulations in terms of the Marine Living Resources Act, 1998 (Act 18 of 1998) published in *Gazette* No. 19205 in Notice Nr. R. 1111 of 2 September 1998, has the same meaning, and

“the Act” means the Marine Living Resources Act, 1998 (Act 18 of 1998);

“the Estuary” means the estuary of the Breede River which is the tidal portion of the Breede River that lies between the longitudes E20°31'000 and E20° 51'000 as the western and eastern boundaries respectively.

“gear” means, in relation to fishing, any equipment, implement or other object that can be used in fishing, including any net, rope, line, float, trap, hook, winch, boat or craft carried on board a vessel, aircraft or other craft;

Objective of the Regulations

2. The objectives of these Regulations are to prohibit fishing during the night on the estuary of the Breede River in order to provide further protection of linefish species.

Prohibition of fishing and gear

3. (1) No person shall, except under a permit for scientific research, fish or attempt to fish, from either a vessel or the shore in the Estuary, between the hours of 20H30 of any day and 05H00 of the following day.
3. (2) All fishing gear onboard a vessel, or on the shore, in the Estuary between the hours of 20H30 of any day and 05H00 of the following day, shall be stowed in such a manner that fishing lines are completely spooled and that fishing hooks are unbaited.

Penalties and offences

4. Any person who fails to comply with 3(1) and (2) shall be guilty of an offence and liable on conviction to a fine not exceeding R500 000 or to imprisonment for a period not exceeding two years.
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