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GOEWERMENSKENNISGEWING

DEPARTEMENT VAN OMGEWINGSACE

No. R. 2120

20 Julie 1992

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

REGULASIES KRAGTENS DIE
WET OP SEEVISSERY, 1988

Die Minister van Omgewingsake het na oorleg met die Advieskomitee kragtens artikel 45 van die Wet op Seevisserij, 1988 (Wet No. 12 van 1988), die regulasies in die Bylae uitgevaardig.

BYLAE

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

“die Wet” die Wet op Seevisserij, 1988 (Wet No. 12 van 1988).

1. Niemand mag enige perlemoen vang of versamel en behou nie tensy hy behoorlik daartoe gemagtig is deur middel van 'n permit wat uitgereik kan word deur die Minister aan—

- (a) 'n visser vir die kommersiële vang van perlemoen; of
- (b) enige ander persoon bo die ouderdom van 12 jaar vir die vang van perlemoen vir eie gebruik.

2. (1) Aansoek om 'n permit ingevolge regulasie 1 (a) moet gedoen word by die Direkteur-generaal op die vorm soos deur hom vereis en moet vergesel wees van 'n bedrag van R15. Indien die Direkteur-generaal weier om 'n permit uit te reik, moet hy vermeldde bedrag aan die aansoeker terugbetaal.

(2) Perlemoen wat ingevolge 'n permit soos in subregulasie (1) bedoel gevang is, moet aan 'n permithouer soos in subregulasie (3) bedoel gelewer word en moet in 'n heel toestand gehou word totdat dit aan so 'n permithouer gelewer word.

GOVERNMENT NOTICE

DEPARTMENT OF ENVIRONMENT AFFAIRS

No. R. 2120

20 July 1992

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

REGULATIONS IN TERMS OF THE
SEA FISHERY ACT, 1988

The Minister of Environment Affairs has after consultation with the Advisory Committee under section 45 of the Sea Fishery Act, 1988 (Act No. 12 of 1988), made the regulations set out in the Schedule.

SCHEDULE

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

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

1. No person shall catch or collect and retain any abalone unless duly authorised thereto by a permit which may be issued by the Minister to—

- (a) a fisherman for the commercial catching of abalone; or
- (b) any other person above the age of 12 years for the catching of abalone for own use.

2. (1) Application for a permit in terms of regulation 1 (a) shall be made to the Director-General on the form as required by him and shall be accompanied by the amount of R15. If the Director-General refuses to issue a permit he shall return said amount to the applicant.

(2) Abalone caught in terms of a permit as intended in subregulation (1) shall be delivered to a permit holder as intended in subregulation (3) and shall be kept in a whole state until it has been delivered to such a permit holder.

(3) Niemand mag enige perlemoen in ontvangs neem van 'n visser wat sulke perlemoen gevang het ooreenkomstig die bepalings van 'n permit uitgereik ingevolge subregulasie (1) nie, of sodanige perlemoen verwerk nie, tensy hy daartoe gemagtig word deur 'n permit wat deur die Direkteur-generaal uitgereik is en beskik oor 'n fabriek vir die verwerking van sodanige perlemoen.

3. (1) 'n Permit vir die vang van perlemoen vir eie gebruik is verkrygbaar by gemagtigde kantore teen betaling van R15 en magtig die houer daarvan om hoogstens vier perlemoen per dag tussen sonop en sononder te vang of te versamel deur slegs vanaf die land te duik sonder die gebruik van kunsmatige asemhalingsapparaat.

(2) Die permit soos bedoel in subregulasie (1) is geldig vir 'n tydperk van drie maande vanaf datum van uitreiking maar sal in geen geval geldig wees gedurende die geslote seisoen vir perlemoen soos voorgeskryf nie: Met dien verstande dat die gemelde permit vir 'n verdere tydperk van hoogstens drie maande verleng sal word indien die permitthouer voor die verstryking van die geldigheids tydperk gemelde permit aan 'n gemagtigde kantoor voorlê en ook terselfdertyd 'n ingevulde voorgeskrewe vangs opgawe vorm by gemelde kantoor inhandig.

(3) Vir die toepassing van subregulasie (1) word 'n snorkel nie geag 'n kunsmatige asemhalingsapparaat te wees nie.

BEPERKINGS OP LYNVISVANGS

4. (1) Behalwe op gesag van 'n permit wat deur die Direkteur-generaal uitgereik mag word aan die eienaar van 'n gelisensieerde vissersboot, mag niemand enige vis vanaf sodanige boot vang of probeer vang met behulp van 'n hoek en lyn, hetsy in die hand vasgehou of aan 'n stok en/of katrol of soortgelyke werktuig nie.

(2) 'n Permit soos bedoel in subregulasie (1), afgesien van enige ander voorwaarde wat die Direkteur-generaal mag stel—

(a) word uitgereik vir—

- (i) algemene kommersiële lynvisvangs (A-permit); of
- (ii) algemene semi-komersiële lynvisvangs (B-permit); of
- (iii) tunavangs (T-permit); of
- (iv) tjokkavangs (C-permit);

(b) sal slegs geldig wees ten opsigte van die vaartuig wat in die permit vermeld word;

(c) moet die aantal vissermanne spesifiseer wat vanaf sodanige vaartuig mag werk; en

(d) word slegs uitgereik na betaling van 'n bedrag van vyftien rand (R15).

(3) Die eienaar of operateur van 'n boot wat besig is met lynvisvangs moet verseker dat die permit wat uitgereik is aan die eienaar, of 'n gewaarmerkte afskrif daarvan, te alle tye beskikbaar is op sodanige boot en sodanige permit moet op aanvraag getoon word aan enige bevoegde wetstoepassingsbeampte.

GROOTTEBEPERKING: PERLEMOEN

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

(3) No person shall receive any abalone from a fisherman who has caught such abalone in terms of a permit issued according to subregulation (1), or process such abalone, unless he is authorised thereto by a permit issued by the Director-General and has at his disposal a factory for the processing of such abalone.

3. (1) A permit for the catching of abalone for own use is obtainable from authorised offices upon payment of R15 and authorises the holder thereof to catch or collect between sunrise and sunset a maximum of four abalone per day by diving from the shore without the use of an artificial breathing apparatus.

(2) The permit as intended in subregulation (1) is valid for a period of three months from the date of issue, but will in no instance be valid during the closed season for abalone as prescribed: Provided that the said permit will be extended for a further period not exceeding three months if the permit holder presents the said permit to an authorised issuing office before the expiry date of the said permit and at the same time submits a completed prescribed catch return form to the said issuing office.

(3) For the purposes of subregulation (1) a snorkel shall not be regarded as an artificial breathing apparatus.

LIMITATIONS ON LINE FISHING

4. (1) Except under the authority of a permit which may be issued to the owner of a licensed fishing boat by the Director-General, no person shall catch or attempt to catch fish from such boat by means of a hook and line, whether hand-held or attached to a rod and/or reel or similar instrument.

(2) A permit as envisaged in subregulation (1) shall, apart from any other condition which the Director-General may impose—

(a) be issued for—

- (i) general commercial linefishing (A-permit); or
- (ii) general semi-commercial linefishing (B-permit); or
- (iii) tuna fishing (T-permit); or
- (iv) squid fishing (C-permit);

(b) only be valid in respect of the vessel mentioned in the permit;

(c) specify the maximum number of fishermen which may operate from the vessel; and

(d) only be issued after payment of the sum of fifteen rand (R15).

(3) The owner or operator of a boat engaged in fishing for linefish shall ensure that any permit issued to the owner, or a certified copy thereof, shall at all times be available on such boat, and such permit shall be produced on demand to any authorised law enforcement officer.

SIZE LIMITATIONS: ABALONE

5. No person shall catch and retain or have in his possession any abalone if the shell of such animal can pass through a ring of 114 mm in diameter, and any such animal which has been caught shall be returned undamaged to the water immediately.

Werk mooi daarmee

Ons leef  daarvan

water is kosbaar

Use it

Don't abuse  it

water is for everybody

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