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**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM
DEPARTEMENT VAN OMGEWINGSAKE EN TOERISME**

No. R. 1343

1 November 1997

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

REGULATIONS IN TERMS OF THE SEA FISHERY ACT, 1988

The Minister of Environmental Affairs and Tourism has, after consultation with the Advisory Committee, under section 45, read with sections 18, 25, 30, 38, 40, 44 and 53, of the Sea Fishery Act, 1988 (Act No. 12 of 1988), made the regulations set out in the Schedule.

SCHEDULE

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DEFINITIONS

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

- (i) **“abalone”** means the species *Haliotis midae*, also known as perlemoen; (xxxvii)
- (ii) **“alikeukel”** means the species *Turbo sarmaticus*, also known as ollycrook, cockle or giant periwinkle; (i)
- (iii) **“armadillo”** means any species of the class *Polyplacophora*, also known as chiton; (ii)
- (iv) **“beach-seine net”** means any net, with or without a cod-end or bag, cast from the shore, around fish, and then immediately hauled simultaneously by both ends onto the shore till the catch is landed, also known as a treknet; (liv)
- (v) **“bloodworm”** means any species of the genus *Arenicola*; (v)
- (vi) **“bottom trawlnet”** means any net dragged along the bed of the sea by a fishing boat; (vi)
- (vii) **“clam”** means any species of the genus *Macra*, also known as sand mussel; (xii)
- (viii) **“coastline”** means the line formed by the high-water mark; (xxiv)
- (ix) **“coral”** means any species of the order *Scleractinia* or *Alcyonacea*; (xix)
- (x) **“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; (xx)
- (xi) **“cuttlefish”** means any species of the genus *Sepia*; (xiv)
- (xii) **“crew”** means any person on board a fishing boat or other vessel; (iii)
- (xiii) **“day”** means any period of 24 consecutive hours; (vii)
- (xiv) **“disturb”** means any deliberate action which has an influence on the natural behaviour of a fish; (lxi)
- (xv) **“diving”** means diving below the surface of the sea; (xi)
- (xvi) **“dolphin”** means any species of the superfamily *Delphinidae*; (ix)
- (xvii) **“driftnet”** means any gillnet which is not anchored to the sea bed but left in a drifting position in the sea for the purpose of ensnaring fish therein; (x)
- (xviii) **“east coast rock lobster”** means any species of the genus *Panulirus*; (xxxii)
- (xix) **“eastern deepwater rock lobster”** means the species *Palinurus delagoae*, also known as Natal rock lobster; (xxxiii)
- (xx) **“gillnet”** means any net which is set with the result that any fish can become caught or entangled therein whether or not such net drifts or is attached to anything and which may or may not be anchored to the bed of the sea; (xvi)
- (xxi) **“hake”** means any species of the genus *Merluccius*; (liii)
- (xxii) **“kingklip”** means the species *Genypterus capensis*; (xviii)
- (xxiii) **“land”** in relation to fish, means to bring such fish unto the land, whether from a vessel or not;

- (xxiii) **"limpet"** means any species of the family *Patellidae*; (xvii)
- (xxiv) **"linefish"** means any fish caught by hook and line or by speargun; (xxv)
- (xxv) **"longline"** means any line or connected lines or fishing gear to which a total of more than 10 fishing hooks is attached; (xxvi)
- (xxvi) **"midwater trawlnet"** means any net which can be dragged by a fishing boat along any depth between the bed and the surface of the sea without continuously touching the bottom; (xxvii)
- (xxvii) **"mole crab"** means any species of the family *Hippidae*, also known as sea lice; (xxix)
- (xxviii) **"mouth"** means the midpoint of a river where it meets the sea; (xxx)
- (xxix) **"mud crab"** means any species of the family *Portunidae* including *Scylla serrata*, also known as giant, green swimming or mangrove crab; (xxviii)
- (xxx) **"octopus"** means any species of the subfamily *Octopodinae*; (xliii)
- (xxxi) **"oyster"** means the species *Striostrea margaritacea*, *Ostrea atherstonei*, *Pinctada capensis* or *Saccostrea cucullata*; (xxxi)
- (xxxii) **"pansy shell"** means any species of the genus *Echinodiscus*, also known as sand dollar or gesiggiester; (xxxiv)
- (xxxiii) **"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) or the family *Myctophidae* (lanternfish); (xxxv)
- (xxxiv) **"periwinkle"** means any species of the genus *Littorina*, *Oxystele* or *Turbo*, other than *Turbo sarmaticus*; (xxxvi)
- (xxxv) **"polychaete worm"** means any marine bristle-worm of the class *Polychaeta* including mussel, coral-, wonder-, blood-, shingle-, moonlight, pot-, rock- or flat-worm; (xxxviii)
- (xxxvi) **"prawn"** means any species of the family *Penaeidae* or the genus *Callinassa* or *Upogebia*; (xiii)
- (xxxvii) **"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; (iv)
- (xxxviii) **"razor clam"** means any species of the genus *Solen*, also known as penknife-, pencil- or knife-bait; (xlviii)
- (xxxix) **"red bait"** means the species *Pyura stolonifera*; (xl)
- (xl) **"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; (xxi)
- (xli) **"rock lobster tail"** means the abdomen or tail of any species of rock lobster; (xxiii)

- (xlii) **"rock lobster trap"** means any trap, pot or other implement of whatever construction, intended or used for the catching or holding of rock lobster but excluding a rock lobster ringnet; (xxii)
- (xliii) **"rock mussel"** means any species of the genus *Aulacomya*, *Mytilus*, *Choromytilus* or *Perna*, also known as brown, black or ribbed mussel; (xli)
- (xliv) **"scallop"** means the species *Pecten sulcicostatus*; (xv)
- (xlv) **"sea cucumber"** means any species of the class *Holothuroidea*; (xliv)
- (xlvi) **"sea fan"** means any species of the order *Gorgonacea*, also known as seetak; (xlvi)
- (xlvii) **"sea pen"** means any species of the order *Pennatulacea*; (xlv)
- (xlviii) **"sea urchin"** means any species of the class *Echinoidea*, but excluding a pansy shell; (xlii)
- (xlix) **"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; (lx)
- (l) **"shell"** means the empty shell of a shellfish; (xlix)
- (li) **"shellfish"** means any species of the order *Gastropoda*, *Bivalvia*, *Scaphopoda* or *Polyplacophora*; (l)
- (lii) **"siffie"** means the species *Haliotis spadicea*, also known as Venus Ear; (xlvii)
- (liii) **"slipway"** includes the main and side-slipway and a synchrolift; (li)
- (liv) **"south coast rock lobster"** means the species *Palinurus gilchristi*, also known as southern deepwater rock lobster; (lv)
- (lv) **"squid"** means any species of the genus *Loligo*, also known as chokka or chokka squid; (xxxix)
- (lvi) **"staked or set-net"** means any net used to prevent the free passage of fish from one area to another and which is staked or set by—
 - (a) attaching it to any object on or under the sea; or
 - (b) letting the weights thereof rest on or be anchored to the sea bed; (lii)
- (lvii) **"swordfish"** means the species *Xiphias gladius*; (lvi)
- (lviii) **"the Act"** means the Sea Fishery Act, 1988 (Act No. 12 of 1988); (viii)
- (lix) **"trawl fish"** means any species of fish caught by means of a bottom- or mid-water trawl net; (lvii)
- (lx) **"transport"** includes the transshipment of fish or fishing gear from one fishing boat or vessel to another at sea; (lxii)
- (lxi) **"trek netting area"** means any area in which a beach-seine net may be used; (lviii)
- (lxii) **"tuna"** means the species *Allothunnus fallai*, *Euthynnus affinis*, *Gymnosarda unicolor*, *Katsuwonus pelamis*, *Sarda orientalis* or *Sarda sarda* or any species of the genus *Thunnus*; (lix)

- (lxiii) “**west coast rock lobster**” means the species *Jasus lalandii*, also known as Cape rock or spiny lobster or kreef; (lxiii)
- (lxiv) “**whale**” means any member of the order *Cetacea*, but does not include a dolphin;
- (lxv) “**white mussel**” means the species *Donax serra*. (lxv)

LICENSING OF FISHING BOATS

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

- (a) made to the director-general on the application form approved by the director-general and obtainable from the Chief Directorate: Sea Fisheries; and
- (b) accompanied by a valid local safety certificate or local general safety certificate issued in respect of such vessel in terms of section 194 of the Merchant Shipping Act, 1951 (Act No. 57 of 1951).

(2) The issue or renewal of a licence referred to in subregulation (1) shall be subject to the payment of the fees as determined by the Minister.

3. (1) Subject to the provisions of the Act, no person shall use any fishing boat unless it bears the registration letters and numbers assigned thereto by the director-general.

(2) The letters and number shall be painted in white on a black background or in black on a white background on both sides of the bow in characters not less than 15 cm in height, 10 cm in breadth (numeral “1” excluded) and 2 cm in thickness (width of stroke), and the space between adjacent letters and figures shall be between 2 and 5 cm;

(3) Subject to the provisions of subregulation (1), additional letters and numbers shall be affixed on both the port and starboard side of the superstructure on fishing boats longer than 25 m. Such letters and numbers shall be painted in white on a black background or in black on a white background and shall be not less than 50 cm in height, 30 cm in breadth (numeral “1” excluded) and 10 cm in thickness (width of stroke), and the space between adjacent letters and figures shall be between 6 and 15 cm.

(4) (a) Every registration letter and number assigned and affixed to a fishing boat shall at all times be maintained in a clear, distinct and legible condition and shall at all times be clearly displayed.

(b) 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.

(5) The registration letters and numbers assigned to any fishing boat 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.

(6) When any fishing boat 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.

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

- (a) in the case where the requirements of the Act have been complied with, transfer fees as determined by the Minister shall be payable; and
- (b) in the case where the requirements of the Act have not been complied with, the licence shall lapse.

LICENSING OF PREMISES AND FISHING BOATS USED AS FACTORIES

4. (1) An application in terms of section 30 (2) of the Act for the issuing or renewal of a licence to use premises or a fishing boat as a factory shall be made to the director-general on the application form obtainable as approved by the director-general and obtainable from the Chief Directorate: Sea Fisheries.

(2) The issue or renewal of a licence referred to in subregulation (1) shall be subject to the payment of the fees as determined by the Minister.

QUOTAS AND RIGHTS OF EXPLOITATION

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

6. (1) An application for the allocation of a quota in terms of section 18 (2) shall be made to the Quota Board in the form prescribed in Schedule A. An application for the allocation of a right of exploitation in terms of section 25 (2) (b) of the Act shall be made to the Quota Board on the application form obtainable from the Chief Directorate: Sea Fisheries.

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

(3) An application in terms of section 25 of the Act for a right of exploitation in respect of non-quota species shall be made to the Minister on the application form as approved by the director-general and obtainable from the Chief Directorate: Sea Fisheries.

(4) An application in terms of section 25 (3) (b) of the Act for the transfer of an exploitation right shall be made to the Minister or the Quota Board, as the case may be, on the application form approved by the director-general and obtainable from the Chief Directorate: Sea Fisheries.

FISHERY CONTROL OFFICERS AND HONORARY FISHERY OFFICERS

7. An identity card issued to a fishery control officer in terms of section 5 (5) of the Act shall contain the officer's—

- (a) identity number;
- (b) photo;
- (c) surname and initials;
- (d) employer's name; and
- (e) signature.

8. (1) An honorary fishery officer appointed in terms of section 6 (1) of the Act—

- (a) shall hereby be vested with the powers mentioned in paragraphs (b) and (d) of subsection (1) of section 53 of the Act, and may request any person who is engaged in any act in respect of fish or the catching of fish for which a permit, authorisation or exemption is required as prescribed in the Act or these Regulations, to produce to such officer the said permit, authorisation or exemption;

- (b) may require a person in respect of whom he has reasonable grounds to suspect that such person—
 - (i) has committed an offence in terms of the Act; or
 - (ii) has information relating to the commitment or possible commitment of an offence,to furnish his name and address.

(2) If an honorary fishery officer exercises his powers in terms of these Regulations, he may only enter or search a residence in terms of the provisions of the Criminal Procedure Act, 1977 (Act No. 51 of 1977).

MISCELLANEOUS PROVISIONS FOR THE CATCHING OF FISH

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

- (a) use any artificial respiratory apparatus, except a snorkel, while catching or attempting to catch fish;
- (b) catch or attempt to catch any fish by means of a gaff, club, flail, stick, stone or similar instrument: Provided that any person may spear or catch any sole, flatfish or flounder of the order *Pleuronectiformes* with a spear or similar instrument for his own use in quantities not exceeding five per day;
- (c) catch, or attempt to catch any fish, except 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) catch, attempt to catch or disturb any snoek *Thyrsites atun* by means of a purse-seine;
- (e) have on board, land or transship in any port or fishing harbour in the Republic any tuna which has been caught by means of a gillnet;
- (f) catch or attempt to catch any kingklip by means of a trap;
- (g) use any cast net for fishing from sunset to sunrise;
- (h) while in possession of a permit authorising the catching of tuna by means of a longline, catch, keep on board or land any hake or kingklip, while he has such a longline on board the fishing boat;
- (i) while in possession of a permit authorising the catching of sharks by means of a longline, catch, keep on board or land more than 10 hake and five kingklip, at any time when he has such a longline on board the fishing boat; or
- (j) catch any fish or collect any aquatic plant for the purpose of selling it except on the authority of a permit or otherwise as is hereinafter expressly provided.

10. No person shall, without the authority of a permit issued by the director-general, catch, attempt to catch or disturb any sea horse or pipe fish of the family *Syngnathidae*.

11. No person shall sell or offer for sale 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 on the authority of a permit.

12. No person shall without the authority of a permit issued by the director-general, transfer at sea any fish or fishing gear from a fishing boat, vessel or person to another fishing boat, vessel or person.

PROVISIONS WITH REGARD TO DOLPHINS AND WHALES

13. (1) Except under the authority of a permit issued by the director-general, no person shall—

- (a) catch, attempt to catch, kill, disturb or harass any whale at any time;
- (b) use any factory vessel or any other fishing boat or vessel for the freezing or processing of whales or participate in any manner in the operation of or activities on such a vessel;
- (c) have on board any fishing boat or vessel any gear, apparatus or appliance which can be used in any manner for the catching, freezing or processing of whales;
- (d) supply any ship's stores to any vessel registered in a foreign state and used for the catching, freezing or processing of whales or which has any connection with such catching, freezing or processing;
- (e) offer his services for or make available his expertise in connection with any of the activities referred to in paragraphs (a) to (d).

(2) For the purpose of subregulation (1), "disturb or harass" shall also include—

- (a) the shooting at any whale;
- (b) approaching closer than 300 metres to any whale by means of a vessel, aircraft or other method;
- (c) that in the event of a whale surfacing closer than 300 metres from a vessel, the person in charge of such vessel 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 or dolphin.

14. No person shall without the written authority of the director-general kill, catch, attempt to kill or catch or disturb any dolphin or porpoise or possess any dolphin, or any part thereof or any product of a dolphin or a porpoise.

MEASURING, LANDING AND RETURNING FISH TO THE SEA

15. Every fish shall be landed in such condition that it may be established whether the fish conforms to the minimum size requirements.

16. The provisions of regulation 15 are not applicable to the holder of a permit to process fish at sea.

17. Any live fish not complying with the requirements of the Act or caught in contravention of any provision thereof, shall be returned immediately in an undamaged state to the sea.

DETERMINATION OF FISH MASS

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

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

- (a) an automatic dual hopper mass meter, generally known as the Servo Balance Duplex Mass Meter; or

- (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.

(3) 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 boat;
- (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 are visible; and
- (g) the mass meter shall be sealed properly while it is being used for determining mass.

19. (1) For the purposes of regulations 18 (3) (g) and 61 (b) 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.

(2) No person, other than a person mentioned in subregulation (1) (a) or (1) (b), shall interfere with the seal, mechanism or functioning of a mass meter.

FISHING GEAR

20. Subject to the provisions of the Act, no person shall—

- (a) (i) have or use any midwater trawlnet, bottom trawlnet, purse-seine net, crustacean trawlnet, beam trawlnet or any longline on any fishing boat or vessel, unless he is the holder of a permit issued by the director-general and subject to the payment of the fees as determined by the Minister;
- (ii) have or use any gillnet or driftnet with a mesh measuring more than 64 mm stretched (measured from inside of knot or joint to inside of knot or joint), including any person on a foreign vessel visiting a harbour in the Republic;

- (b) have or use any beach-seine net, staked net, setnet, driftnet or gillnet on any fishing boat or vessel unless—
 - (i) he is the holder of a permit issued by the director-general and subject to the payment of the fees as determined by the Minister;
 - (ii) the tag assigned thereto by the director-general has been affixed to such net; and
 - (iii) the net is used in the manner defined in respect of its particular type in regulation 1;
- (c) for the purpose of fishing, overlay or super-impose any net or netting on any net or portion of a net;
- (d) have or use any net or netting with a mesh measuring less than 28 mm stretched (measured from inside of knot or joint to inside of knot or joint) or 14 mm bar, on any fishing boat for the purpose of catching pelagic fish or use such net for fishing: Provided that the prohibition in this paragraph does not apply to any purse-seine net of which the use to catch pelagic fish has been authorised—
 - (i) for direct human consumption, canning or the production of fish meal or fish oil;
 - (ii) for sale to any person for the purpose of direct human consumption, canning or the production of fish meal or fish oil; or
 - (iii) for use as live bait for the catching of tuna;
- (e) use any driftnet with a mesh measuring less than 44 mm or more than 64 mm stretched (measured from inside of knot or joint to inside of knot or joint), for fishing; or
- (f) use any beach-seine with a mesh measuring less than 44 mm when stretched (measured from inside of knot or joint to inside of knot or joint) or 22 mm bar, for fishing.

21. (1) The mesh size of nets other than trawlnets, irrespective of whether the net is wet or dry, shall be measured with a flat, wedge-shaped measuring instrument with a thickness of 2 mm.

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

(3) The mesh size of the net shall be equal to the average of the measurements of any series of at least 20 consecutive meshes.

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

- (a) have or use any bottom trawl or midwater trawl of which the mesh size in any part of the net is less than 75 mm measured in accordance with the method prescribed in subregulation (2), on board any fishing boat;
- (b) use a bottom trawl or midwater trawl of which the mesh size in any part of the net is less than 110 mm, measured in accordance with the method prescribed in subregulation (2), in the area west of longitude 20° east; or
- (c) have or use on board any fishing boat any device which may obstruct the meshes of a bottom trawl or midwater trawl while fishing: Provided that canvas, netting or other material may be attached to the underside of the cod-end of any bottom trawl in order to prevent or reduce damage thereto.

(2) (a) The mesh size of a net referred to in subregulation (1) shall be measured with a flat wedge-shaped gauge with a thickness not exceeding 2 mm, while the net is still wet after use or after it has been soaked in sea water for at least 10 minutes.

(b) Measurements shall be taken by inserting the gauge through a mesh of the net and taking a reading while the gauge is subject to a pressure or pull of 5 kg; the readings shall be taken on the broadest side of the gauge.

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

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

23. The master of a fishing boat shall keep a record of each catch made with a bottom or mid-water trawlnet on the forms provided by the Chief Directorate: Sea Fisheries.

TRAWLING: STOP SIGNALS AND INSPECTION

24. Any fishing boat equipped with a bottom trawlnet or midwater trawlnet shall stop when given the appropriate signal prescribed in regulation 25 by any vessel flying a yellow and blue pennant quartered with yellow at the upper hoist and yellow at the lower fly with the letters "SE" in blue or black in the yellow quarter of the upper hoist: Provided that a vessel actually engaged in trawling, shooting or hauling nets, when ordered to stop, shall only obey such order after the trawling operation has been completed.

25. For the application of section 53 (1) (e) of the Act—

- (a) a day-time stop signal shall be Flag "L" of the International Code flown conspicuously in the rigging of the signalling vessel;
- (b) a night-time stop signal shall be the letter "L" of the alphabet flashed clearly and repeatedly by the signalling vessel in Morse code by means of a white light.

26. The master of any fishing boat engaged in or equipped for bottom trawling or midwater trawling—

- (a) shall permit and assist any fishery control officer and a witness on board a vessel flying the flag referred to in regulation 25 (a) or flashing the signal referred to in regulation 25 (b), to board his fishing boat and assist the officer with the inspection of any catch on board, all nets, fishing gear and the record referred to in regulation 23;
- (b) shall sign any report completed by the fishery control officer and retain a copy thereof;
- (c) may add to the report of the fishery control officer any remarks which he deems necessary and sign the remarks;
- (d) shall permit and assist a fishery control officer, to affix an identification mark bearing the inscription "SE" to any net or netting and to photograph the net or netting in such a way that the identification mark and the measurement of the mesh is visible; and
- (e) may only use the net or netting to which such an identification mark has been affixed by a fishery control officer for fishing, after it has been examined and after the identification mark has been removed by the fishery control officer.

AREA LIMITATIONS: TRAWL AND PURSE-SEINE

27. (1) No person shall use any trawlnet for fishing or any other purpose 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) within the sector of a circle formed by the lines defined in paragraphs (a) and (b) above as lateral boundaries and the arc of a circle with a radius of 1,5 nautical miles with the lighthouse at Cape St Blaize as centre, as southerly or seaward boundary;
- (d) seaward of the low-water mark in the area bounded by a line (160° true bearing) drawn from the Sunday's River mouth and by a line (48° 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; and
- (g) landward of a line (084° true bearing) drawn from the lighthouse at Cape Infanta to the beacon marked K2, situated at Cape Barracouta.

(2) No person shall, unless the written authority of the director-general has been obtained, 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 opposite the mouth of the Orange River (approximately 234° true bearing) as indicated on sea chart SAN FZ1.

(3) No person shall use any purse-seine net 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.

(4) No person shall—

- (a) use any purse-seine net in Walker Bay in the area landward of an imaginary line drawn from Voorsteklip at Die Plaat to a beacon marked M1 at Mudge Point, near Hawston;
- (b) except under the authority of a permit which may be issued by the director-general, use any purse-seine net 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; and
- (c) use any purse-seine net 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.

CATCHING OF FISH WITH BEACH-SEINE AND DRIFT-NETS AND AREA LIMITATIONS APPLICABLE THERETO**28. (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; and
- (c) use a set or staked-net unless he is authorised by a permit issued by the director-general.

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

- (a) the area between the factory of Paternoster Visserye Beperk and the furthest point of Paternoster Bay, known as "Groot Paternosterpunt";
- (b) Britannia Bay and Shell Bay, in the Division 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 the District of Wynberg.

29. (1) No person shall, unless authorised thereto by a permit which may be issued by the director-general, use any drift, staked, or set-net for fishing—

- (a) within a distance of 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) within a distance of 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 SH1 situated on the point known as "South Head", Saldanha Bay; and
- (c) within a distance of 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.

(2) No person shall use any staked or set-net for fishing—

- (a) within a distance of 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
- (b) within a distance of three nautical miles seaward of the high-water mark in the area bounded by a straight line (270° true bearing) drawn from the point of Cape Deseada at Elands Bay, and a similar line drawn from the mouth of the Orange River.

LINEFISH AND PELAGIC FISH: CLOSED SEASONS

30. Except under the authority of a permit which may be issued by the director-general, no person shall catch, attempt to catch, disturb, keep, control or be in possession of any of the following species of fish during the period specified for each species—

- (a) elf (shad) (*Pomatomus saltatrix*)—1 September to 30 November in any year, both dates inclusive;
- (b) galjoen (*Dichistius capensis*)—15 October of one year to the last day of February in the following year, both dates inclusive;
- (c) pelagic fish—1 November of one year to 14 January in the following year, both dates inclusive;
- (d) seventy-four (*Polysteganus undulosus*)—1 September to 30 November in any year, both dates inclusive;
- (e) squid (*Loligo vulgaris reynaudii*)—25 October to 22 November in any year, both dates inclusive.

LINEFISH: SIZE LIMITATIONS

31. Except under the authority of a permit which may be issued by the director-general—

- (a) no person, except the holder of a permit to use a midwater trawlnet or a bottom trawlnet, shall catch, keep, control or be in possession of any fish of the following species of a size smaller than the size indicated and measured in a straight line from the tip of the snout to the extreme end of the tail:

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
 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
 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
 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 (*Thyrsites atun*): 60 cm
 Spotted rock cod (Catface) (*Epinephelus andersoni*): 40 cm
 Squaretail kob (*Argyrosomus thorpei*): 35 cm

Strepie (karanteen) (*Sarpa salpa*): 15 cm
 West coast steenbras (*Lithognathus aureti*): 40 cm
 White-edged rock cod (*Epinephelus albomarginatus*): 40 cm
 White steenbras (*Lithognathus lithognathus*): 60 cm
 White stumpnose (*Rhabdosargus globiceps*): 25 cm
 Yellow-belly rock cod (*Epinephelus guaza*): 40 cm
 Zebra (*Diplodus cervinus hottentotus*): 30 cm

- (b) no person shall catch, keep, control or be in possession of any fish of the following species with a whole mass less than the minimum indicated below:

Yellowfin tuna (*Thunnus albacares*): 3,2 kg
 Bluefin tuna (*Thunnus thynnus thynnus*): 6,4 kg
 Big-eye tuna (*Thunnus obesus*): 3,2 kg
 Swordfish (*Xiphias gladius*): 25,0 kg

LINEFISH: BAG LIMITS

32. (1) The critical list shall consist of the following species:

Brindle Bass (*Promicrops lanceolatus*)
 Great white shark (blue pointer) (*Carcharodon carcharias*)
 Natal wrasse (*Anchichoerops natalensis*)
 Potato Bass (*Epinephelus tukula*)
 Poenskop (black steenbras or musselcracker) (*Cymatoceps nasutus*)
 Red steenbras (copper steenbras) (*Petrus rupestris*)
 Sawfishes (*Pristidae*)
 Seventy-four (*Polysteganus undulosus*)

(2) No person shall, without the authority of a permit issued by the director-general, catch, kill, attempt to catch, kill or keep, control or be in possession of any great white shark (blue pointer) (*Carcharodon carcharias*): Provided that if caught or killed unintentionally, such shark shall be handed to a fishery control officer as soon as possible.

(3) No person shall purchase, sell or offer for sale any great white shark (blue pointer) (*Carcharodon carcharias*) or any part thereof, or any product thereof.

(4) No person shall catch, attempt to catch, disturb, land, keep, control, be in possession of or sell the following species which appear on the critical list:

Brindle Bass (*Promicrops lanceolatus*)
 Natal wrasse (*Anchichoerops natalensis*)
 Potato Bass (*Epinephelus tukula*)
 Sawfishes (*Pristidae*)

(5) No person on a fishing boat, the owner of which holds a general commercial line-fishing permit or general semi-commercial linefishing permit, or on any vessel not licensed as a fishing boat, or by means of a speargun, or from the sea-shore by means of hook and line, shall on any one day catch, attempt to catch, land, keep, control or be in possession of more than two fish of the following species which appear on the critical list:

Poenskop (black steenbras or musselcracker) (*Cymatoceps nasutus*)
 Seventy-four (*Polysteganus undulosus*)
 Red steenbras (copper steenbras) (*Petrus rupestris*)

- (6) The restricted list shall consist of the following species:

Bludger (kingfish) (*Carangoides gymnostethus*)
 Blue Hottentot (copper bream) (*Pachymetopon aeneum*)

Dageraad (*Chrysoblephus cristiceps*)
 Dane (*Porcostoma dentata*)
 Elf (shad) (*Pomatomus saltatrix*)
 Englishman (*Chrysoblephus anglicus*)
 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*)

(7) Any person on a fishing boat, the owner of which holds a general commercial line-fishing permit, may on any one day catch, attempt to catch, land, keep, control or be in possession of an unlimited number of fish of the species which appear on the restricted list: Provided that no person shall catch, attempt to catch, land, keep, control or be in possession of more than five elf (shad) in the sea to the east of a line (139° true bearing) drawn from the mouth of the Great Kei River.

(8) No person on a fishing boat, the owner of which holds a general semi-commercial linefishing permit, or on any vessel not licensed as a fishing boat, or by means of a speargun, or from the sea-shore by means of hook and line, shall on any one day catch, attempt to catch, land, keep, control or be in possession of more than five fish in total of the species which appear on the restricted list.

(9) The exploitable list shall consist of the following species:

Blueskin (trawl soldier) (*Polysteganus caeruleopunctatus*)
 Cape gurnard (Cape sea robin) (*Chelidonichthys capensis*)
 Cape snoek (*Thyrstites 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*)
 Hake (stockfish) (*Merluccius capensis* and *M. paradoxus*)
 Hottentot (*Pachymetopon blochii*)
 Javelin grunter (*Pomadasys kaakan*)
 King mackerel (couta) (*Scomberomorus commerson*)
 Kob (salmon, daga) (*Argyrosomus* spp. excluding *A. thorpei*)
 Panga (*Pterogymnus laniarius*)
 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) (*Thunnus* spp.)

White stumpnose (*Rhabdosa argus globiceps*)

and all other linefish species not mentioned in the critical, restricted, exploitable, recreational or bait list.

(10) Any person on a fishing boat, the owner of which holds a general commercial linefishing permit or general semi-commercial linefishing permit, may on any one day catch, attempt to catch, land, keep, control or be in possession of an unlimited number of fish of the species which appear on the exploitable list.

(11) No person on any vessel not licensed as a fishing boat, or by means of a speargun, or from the sea-shore by means of hook and line, shall on any one day catch, attempt to catch, land, keep, control or be in possession of more than ten fish in total of the species which appear on the exploitable list.

(12) The recreational list shall consist of the following species:

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 commersonnii*)

Spotted gulley 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*)

(13) No person on a fishing boat, the owner of which holds a general commercial linefishing permit or general semi-commercial linefishing permit, or on any vessel not licensed as a fishing boat, or by means of a speargun, or from the sea-shore by means of hook and line, shall on any one day catch, attempt to catch, land, keep, control or be in possession of more than ten fish in total of the species which appear on the recreational list: Provided that no person shall catch, attempt to catch, land, keep, control or be in possession of more than five fish of any one of the species listed.

(14) No fish of the species which appear on the recreational list, shall be sold or offered for sale, except under the authority of a permit which may be issued by the director-general and which specifically authorises the sale of the species on such list.

(15) The bait list shall consist of the following species:

- * Anchovies (family *Engraulidae*)
- Fransmadam (Karel grootoog) (*Boopsoidea inornata*)
- * Garfishes (family *Belonidae*)
- * Glassies (family *Ambassidae*)
- * Half beaks (family *Hemirampidae*)
- Horse mackerel (*Trachurus trachurus capensis*)
- Chub mackerel (*Scomber japonicus*)
- * 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*)

(16) Any person on a fishing boat, the owner of which holds a general commercial line-fishing permit or general semi-commercial linefishing permit, or on any vessel not licensed as a fishing boat, or by means of a speargun, or from the sea-shore by means of hook and line, may catch, attempt to catch or be in possession of an unlimited number of the species which appear on the bait list.

(17) The linefish marked with an **asterisk** on the restricted, exploitable, recreational and bait lists shall include all the species in the genus, family or subclass mentioned, as the case may be.

PATAGONIAN TOOTHFISH AND OTHER DEEPWATER ANTARCTIC SPECIES

33. (1) No person shall, except under the authority of a permit issued by the director-general and subject to the conditions determined by him in the permit, catch, attempt to catch, land, sell, offer for sale or be in possession of the following species:

- Orange Roughy (*Hoplostethus* spp. including *H. atlanticus* and *H. mediterraneus* silver roughy)
- Oreo Dories (family *Oreosomatidae* including *Pseudocyttus maculatus*, *Alloctytus niger*, *A. verrucosus*, *A. guineensis*, *Neocyttus rhomboidalis* and *Oreosoma atlanticum*)
- Alfonsino (family *Berycidae* including *Beryx splendens* alfonsino and *B. decadactylus* long-finned beryx)
- Patagonian Toothfish (*Dissostichus eleginoides* and *Dissostichus mawsonii*)
- Cardinal fishes (deep-water cardinals) (subfamily *Epigoninae*)
- Wreckfish (*Polyprion americanus*)

(2) No person shall acquire from or deliver any of the fish mentioned in subregulation (1) or product thereof to another person unless the person who delivers at the same time issues an invoice as described in subregulation (3) in respect of such fish or product thereof to the person acquiring it: Provided that the provisions of this subregulation shall not apply in respect of a delivery to or an acquisition by a person for his or her own consumption.

(3) An invoice issued in terms of subregulation (2) shall be kept for not less than 12 months by the person to whom it has been issued and shall contain at least the following details:

- (a) Name and address of the supplier;
- (b) date of delivery; and
- (c) the quantity or mass of fish or product thereof that has been delivered.

LINEFISHING: GENERAL

34. (1) Subject to the provisions of regulation 32, no person shall catch or attempt to catch any fish from a fishing boat by means of hook and line, whether hand-held or attached to a rod and/or reel or similar implement, except on the authority of a permit which may be issued by the director-general to the owner of such vessel.

(2) A permit referred to 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);
 - (ii) general semi-commercial linefishing (B-permit);
 - (iii) tuna fishing (T-permit);
 - (iv) squid fishing (C-permit); or
 - (v) shark fishing (L-permit);
- (b) only be valid in respect of the fishing boat mentioned in the permit;
- (c) specify the maximum number of crew which may operate from such fishing boat; and
- (d) only be issued after payment of the fees as determined by the Minister.

(3) No person shall sell or offer for sale any linefish mentioned in regulation 32 or any squid except on the authority of a permit issued by the director-general: Provided that this provision shall not be applicable to the selling or offering for sale of linefish or squid caught on the authority of a permit issued in terms of subregulation (1) or to linefish or squid which has been imported.

(4) Notwithstanding any other provisions of the Act, no person shall in the Province of KwaZulu-Natal sell, offer for sale or in any other manner trade in elf (shad), except on the authority of a permit issued by the director-general.

(5) No person shall catch or attempt to catch linefish or squid with the use of a fishing boat in the area seaward of the high-water mark between a line (139° true bearing) drawn from the mouth of the Great Kei River and a similar line drawn from the mouth of the Mtamvuna River, Province of the Eastern Cape, except the holder of a permit issued in terms of subregulation (1) that authorises him to operate from Mzamba beach in the District of Bizana, the municipal area of Port St Johns in the District of Port St Johns, the mouth of the Mapuzi River in the District of Mqanduli, or the mouth of the Qora River in the District of Willowvale.

(6) Not more than three fishing boats shall be authorised to operate from a place mentioned in subregulation (5).

(7) The holder of a permit issued in terms of subregulation (1) authorising him to operate from a place mentioned in subregulation (5) shall not use the fishing boat specified therein—

- (a) to land fish at any place along the length of the coastline described in subregulation (5) other than the place of operation mentioned in such permit unless such landing is the result of an emergency that was unavoidable; or
- (b) to catch or attempt to catch fish outside the area described in subregulation (5).

SHELLFISH, RED BAIT AND OTHER INVERTEBRATE FISH

Bag limits

35. (1) Except in terms of a permit issued by the director-general, no person shall catch, attempt to catch, disturb, keep, control or be in possession of any invertebrate fish: Provided that the provisions of this subregulation shall not apply in respect of a species mentioned in subregulation (2), abalone caught in terms of regulation 40, rock lobster caught in terms of regulation 49 or a shell collected in terms of regulation 37.

(2) Except in terms of a permit issued by the director-general, no person shall catch, attempt to catch, transport, keep, control or be in possession at any one time of a quantity or mass of any of the undermentioned fish exceeding the number or mass shown in respect of such fish—

- alikeukel, five;
- armadillo, six;
- bloodworm, five;
- clam, eight;
- crab, 15;
- limpet, 15;
- mole crab, 30;
- mud crab, two;
- octopus, two;
- oyster, 12;
- periwinkle, 50;
- polychaete worm, 10;
- prawn, 50;
- razor clam, 20;
- red bait, without tunic, 2 kg;
- rock mussel, 25;
- scallop, 10;
- sea cucumber, 20;
- sea urchin, 10;
- siffie, 20;
- squid, 20;
- white mussel, 50;

- (3) No person shall catch, keep, control 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;
 - (d) white mussel, able to pass through a ring with an inside diameter of 35 mm.
- (4) No person shall catch, attempt to catch or disturb—
- (a) any rock mussel, bloodworm, limpet, oyster, 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 38 mm in width;
 - (b) any polychaete worm in any other manner than by hand;
 - (c) any squid from a fishing boat or vessel by means of a suction pump, suction dredger, suction tube or any similar device;
 - (d) any crab, mud crab or mole crab by means of a trap except in terms of a permit issued by the director-general; and
 - (e) any shellfish between sunset on one day and sunrise on the following day.
- (5) No person shall catch, keep, control or be in possession of any mud crab or crab which is carrying eggs or showing signs of having been stripped of the eggs.
- (6) No person shall sell or offer for sale any fish of the species mentioned in sub-regulation (2) except in terms of a permit issued by the director-general: Provided that the provisions of this subregulation shall not apply in the Districts of Peddie, Mdantsane, Kentani, Willowvale, Elliotdale, Mqanduli, Ngqeleni, Port St Johns, Lusikisiki and Bizana where such sale or offer for sale is not to or by a factory.
- (7) No person shall without the authority of a permit issued by the director-general, damage, uproot, collect or land or attempt to damage, uproot, collect or land any live or dead coral: Provided that coral washed up on the sea-shore may be collected.
- (8) No person shall catch or disturb any live pansy shell: Provided that an empty pansy shell washed up on the sea-shore may be collected.
- (9) No person shall damage, pick, uproot, collect or land or attempt to damage, pick, uproot, collect or land any live or dead sea fan or sea pen: Provided that a dead sea fan or sea pen washed up on the sea-shore may be collected.

36. (1) No person shall, unless authorised thereto by a permit which may be issued by the director-general, transport, keep, control or be in possession in or on any vehicle, vessel or other means of conveyance of more than 20 squid per person that have been caught for own use and then only if—

- (a) such squid are in the whole state;
- (b) all the persons by whom the squid have been caught are in or on the vehicle, vessel or other means of conveyance; and
- (c) such vehicle, vessel or other means of conveyance is used to transport not more than 100 squid per day.

(2) No person shall acquire from or deliver any squid or product thereof to another person for the purpose of selling it unless the person who delivers at the same time issues an invoice, as described in subregulation (3), in respect of such squid or product thereof to the person acquiring it.

(3) An invoice mentioned in subregulation (2) shall be kept for not less than 12 months by the person to whom it has been issued and shall contain at least the following details—

- (a) name and address of the supplier;
- (b) date of delivery; and
- (c) the quantity or mass of squid or product thereof that has been delivered.

SHELLS AND AQUATIC PLANTS

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

MARICULTURE

38. Except on the authority of a permit which may be issued by the director-general, no person shall artificially reproduce or breed any fish or aquatic plant.

OYSTERS: COMMERCIAL

39. (1) Except in terms of a permit issued by the director-general, no person shall catch, attempt to catch, disturb, keep, control or be in possession of any oyster for the purpose of selling it: Provided that the provisions of this subregulation shall not apply in the Districts of Peddie, Mdantsane, Kentani, Willowvale, Elliotdale, Mqanduli, Ngqeleni, Port St Johns, Lusikisiki and Bizana where such sale is not to or by a factory.

(2) Subject to the provisions of subregulation (1), any oyster caught or collected for the purpose of selling it shall be delivered to a permit holder as intended in subregulation (3) and shall be kept in the whole state until it has been delivered to such permit holder.

(3) No person shall receive or process any oyster for the purpose of selling it except in terms of a permit issued by the director-general upon payment of the fees as determined by the Minister.

(4) No person shall—

- (a) catch, attempt to catch or disturb any oyster by diving for it;
- (b) keep, control or be in possession of any oyster for the purpose of re-establishing it;
- (c) catch, attempt to catch, keep, control or disturb any oyster from 1 December of one year to 15 January of the following year, both dates inclusive,

where such catching, attempt to catch, disturbance, keeping, control or possession is for the purpose of selling such oyster: Provided that the provisions of paragraph (c) shall not apply in the districts mentioned in subregulation (1) where such sale is not to or by a factory.

ABALONE: GENERAL

40. No person shall catch, collect, transport, keep, control or be in possession of any abalone for his own use or for the purpose of selling it unless authorised thereto by a permit issued by the director-general.

41. No person shall transport any abalone that is not in the whole state in or on a fishing boat, vessel, vehicle or other means of conveyance.

42. Except on authority of a permit issued by the director-general, no person shall—

- (a) catch, attempt to catch or disturb any abalone for commercial purposes, from 1 August to 31 October in any year, both dates inclusive.
- (b) catch, attempt to catch or disturb any abalone for own use from 14 April to 15 December in any year, both dates inclusive.

43. No person shall—

- (a) remove abalone other than with the use of a flat instrument 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;
- (b) catch, keep, control 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.

ABALONE: CATCHING FOR OWN USE

44. A permit in terms of regulation 40 for the catching of abalone for own use shall be obtainable by any person over the age of 12 years from authorised offices and, subject to the payment of the fees as determined by the Minister, shall authorise the holder thereof to catch or be in possession at any one time of not more than four abalone caught by diving or collecting from the sea-shore: Provided that no person shall be the holder of more than one such permit: Provided further that such permit shall not authorise the holder thereof to catch abalone for own use from the sea-shore in the Districts of Peddie, Mdantsane, Kentani, Willowvale, Elliotdale, Mqanduli, Ngqeleni, Port St Johns, Lusikisiki and Bizana.

45. (1) Except in terms of a permit issued by the director-general, no person shall for his or her own use—

- (a) catch or collect any abalone between sunset and sunrise;
- (b) use any artificial breathing apparatus other than a snorkel for catching abalone;
- (c) transport, keep, control or be in possession of any abalone in or on a fishing boat or other vessel;
- (d) keep, control or be in possession in or on any vehicle or other means of conveyance of more than four abalone per permit holder and then only if—
 - (i) such abalone are in the whole state;
 - (ii) all the permit holders by whom the abalone have been caught are present in or on the vehicle or other means of conveyance during such transport;
 - (iii) such vehicle or other means of conveyance is used to transport not more than 20 abalone per day;
- (e) sell or offer for sale any abalone that has been caught in terms of a permit for the catching of abalone for his or her own use;

(2) No person shall be in possession of or keep any abalone unless he is the holder of a permit to catch abalone for own use or an invoice issued by a person who has lawfully obtained the abalone for the purpose of selling it in terms of the Act: Provided that no person shall keep, control or be in possession at any one time of more than 20 abalone unless he is in possession of an invoice issued by a person who lawfully obtained such abalone for the purpose of selling it.

ABALONE: COMMERCIAL

46. (1) An application for the issue of a permit to catch abalone for the purpose of selling it in terms of regulation 40 shall be made by a quota holder to the director-general on the form required by him and shall be accompanied by the fees as determined by the Minister.

(2) Any abalone caught in terms of a permit issued under subregulation (1) shall be delivered to the holder of a permit issued under subregulation (1) shall be delivered to the holder of a permit issued under subregulation (3) and shall be kept in the whole state until it has been so delivered.

(3) No person shall receive or process any abalone caught in terms of a permit issued under subregulation (1) except in terms of a permit issued by the director-general, on payment of the fees as determined by the Minister, and has at his disposal a factory for the processing of abalone.

(4) No person shall acquire from or deliver any abalone or product thereof to another person unless the person who delivers at the same time issues an invoice as described in subregulation (5) in respect of such abalone or product thereof to the person acquiring it: Provided that the provisions of this subregulation shall not apply in respect of a delivery to or an acquisition by a person for his or her own consumption.

(5) An invoice issued in terms of subregulation (4) shall be kept for not less than 12 months by the person to whom it has been issued and shall contain at least the following details:

- (a) Name and address of the supplier;
- (b) date of delivery; and
- (c) the quantity or mass of abalone or product thereof that has been delivered.

47. A person who may catch abalone for the purpose of selling it on the authority of a permit issued under regulation 40 shall not catch, attempt to catch or disturb abalone—

- (a) within 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) within the area north of a line drawn from the Cape Point lighthouse to a beacon marked HP1 situated at Holbaai Point east of Cape Hangklip; or
- (c) within a distance of one nautical mile seaward from the high-water mark in the Districts of Kentani, Willowvale and Elliotdale.

48. Except in terms of a permit issued by the director-general, no person shall catch, attempt to catch or disturb any abalone within a distance of two nautical miles from the high-water mark on the island known as Dyer Island.

ROCK LOBSTERS: GENERAL

49. No person shall catch or transport any rock lobster for the purpose of selling it or for own use except in terms of a permit issued by the director-general: Provided that the provisions of this regulation shall not apply in respect of east coast rock lobster caught for own use.

50. No person shall use any vessel registered or licensed in the Republic in terms of the Merchant Shipping Act, 1951 (Act No. 57 of 1951), to catch or attempt to catch any rock lobster outside the fishing zone on the continental shelf referred to in section 8 of the Maritime Zones Act, 1994 (Act No. 15 of 1994), unless he is the holder of a permit issued under the Act for the catching of rock lobster for the purpose of selling it.

51. Any person who catches or comes into possession of any rock lobster in berry or any rock lobster which is about to cast off its shell, or has recently cast off its shell and is in a soft condition, shall return such rock lobster to the sea without delay.

52. No person shall return to the sea any dead rock lobster or any part or offal thereof: Provided that any south coast rock lobster that has been pulverised may be returned to the sea.

53. In the application of paragraphs (a) and (b) of regulation 54 and subparagraphs (a) (i) and (a) (ii) of regulation 69, "edge" means the hard edge of the carapace or *cephalothorax*, and does not include the edge or any part of the fringe or *setae* (hairs) that protrude rearward from the carapace.

WEST COAST ROCK LOBSTER: GENERAL

54. Except in terms of a permit issued by the director-general, no person shall catch, attempt to catch, disturb or be in possession of any west coast rock lobster—

- (a) of which the carapace measured 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 is less than 80 mm: Provided that the carapace of any such rock lobster being caught for the purpose of selling it shall not be less than 75 mm;
- (b) of which the tail that has been severed from the body if the second segment of such tail, counted from the junction of the tail with the body, is less than 19 mm measured along the mid-dorsal line from the front to the rear edge: Provided that if such rock lobster is caught for the purpose of selling it the second segment of such rock lobster tail counted from the junction of the tail with the body shall not be less than 18 mm measured along the mid-dorsal line from the front to the rear edge;
- (c) which is carrying eggs or showing signs of having been stripped of the eggs, or the eggs of such rock lobster;
- (d) for own use during the period from 1 May to 15 November of any year, both dates inclusive;
- (e) for commercial purposes during the period from 1 June to 15 November of any year, both dates inclusive;
- (f) which is about to, or has recently, cast its shell and is in a soft condition.

WEST COAST ROCK LOBSTER: CATCHING FOR OWN USE

55. (1) A permit for the catching of west coast rock lobster for own use shall be obtainable on payment of the fees as determined by the Minister, by any person over the age of 12 years from authorised offices: Provided that no person shall be the holder of more than one such permit.

(2) A permit issued under subregulation (1) shall authorise the holder thereof to catch or be in possession at any one time of not more than four such rock lobster that shall be caught by means only of—

- (a) a ring net or scoop net as prescribed in regulation 67 (6) from a vessel or fishing boat in respect of which a permit for catching west coast rock lobster has not been issued;
- (b) a ring net or scoop net as prescribed in regulation 67 (6) from the sea-shore; or
- (c) diving from the sea-shore without the use of any artificial breathing apparatus other than a snorkel.

56. (1) Except in terms of a permit issued by the director-general, no person shall for own use—

- (a) catch any west coast rock lobster between sunset on one day and sunrise on the following day;
- (b) transport, keep, control or be in possession at any one time of more than four west coast rock lobster per permit holder in or on any fishing boat, vessel, vehicle or other means of conveyance and then only if—
 - (i) such rock lobster are in the whole state;
 - (ii) all permit holders who have caught the rock lobsters are present during the transport thereof in or on such fishing boat, vessel, vehicle or other means of conveyance; and
 - (iii) such fishing boat, vessel, vehicle or other means of conveyance is used to catch or transport not more than 16 west coast rock lobster per day;
- (c) catch west coast rock lobster with the use of a rock lobster trap or similar gear.

(2) No person shall—

- (a) be in possession of any west coast rock lobster unless he or she is in possession of a permit to catch such rock lobster for his or her own use or of an invoice issued by a person who has lawfully obtained such rock lobster for the purpose of selling it in terms of the Act: Provided that no person shall be in possession of more than 16 such rock lobster unless he is in possession of an invoice issued by a person who has lawfully obtained such rock lobster for the purpose of selling it;
- (b) sell or offer for sale any west coast rock lobster that has been caught for own use.

WEST COAST AND SOUTH COAST ROCK LOBSTER: COMMERCIAL

57. An application for a permit for the catching of west coast or south coast rock lobster for the purpose of selling it as intended in regulation 49 shall be made by quota holders to the Chief Director: Sea Fisheries on the form required by him and shall be accompanied by the fees as determined by the Minister.

58. Subject to the provisions of regulation 56, no person shall, without the written authority of the director-general and subject to such conditions as he may determine, transport any west coast or south coast rock lobster or the tails thereof unless such rock lobster or rock lobster tails have been packed in accordance with the Compulsory Standard Specification for Frozen Rock Lobster Products and/or the Compulsory Standard Specification for the Manufacture, Production, Processing or Treatment of Canned Crustaceans of the South African Bureau of Standards, or packed in live form in a licensed factory.

59. Any west coast or south coast rock lobster caught for the purpose of selling it in terms of these Regulations shall be kept in a whole state until such rock lobster has been landed: Provided that the tail of such rock lobster may be transported on any fishing boat if such tail is packed according to the Compulsory Standard Specification for Frozen Rock Lobster Products and/or the Compulsory Standard Specification for the Manufacture, Production, Processing or treatment of Canned Crustaceans of the South African Bureau of Standards.

60. Except in terms of a permit issued by the director-general, the master of any fishing boat or vessel shall not keep, or allow to be kept, any net or trap that may be used for the catching of west coast rock lobster on such boat or vessel in the area west of a line (180° true bearing) drawn from the Cape Agulhas lighthouse in the period during which the catching of west coast rock lobster is prohibited under the Act.

61. Except in terms of a permit issued by the director-general, no person shall—

- (a) be in possession of or allow any diving equipment of any nature on any fishing boat or vessel when such boat or vessel is used for the catching or transporting of west coast rock lobster;
- (b) use any trap that does not comply with the prescribed requirements for the catching of west coast rock lobster; or
- (c) use a fishing boat for the catching of west coast rock lobster with the use of rock lobster traps unless such boat is equipped with a deck grid sorter complying with the prescribed requirements, and any such rock lobster caught by means of a trap shall be sorted with such sorter without delay, and any such rock lobster passing through the sorter shall be returned to the sea without delay.

WEST COAST AND SOUTH COAST ROCK LOBSTER: DELIVERY, RECEIPT, PROCESSING AND MARKETING

62. (1) No person shall receive from a fisherman or process any west coast or south coast rock lobster unless he has at his disposal a factory and is in possession of a permit issued by the director-general, upon payment of the fees as determined by the Minister, which authorises him to receive and process such rock lobster.

(2) A fisherman shall land any west coast or south coast rock lobster which has been caught on the authority of the provisions of these Regulations and deliver such rock lobster only to a person operating a factory and who is in possession of a permit to receive and process such rock lobster.

(3) (a) The mass of west coast or south coast rock lobster shall be determined by means of a mass meter supplied and installed by the owner of the factory receiving such rock lobster.

(b) A mass meter referred to in paragraph (a) shall comply with the requirements of the director-general, be installed and used in a place approved by the director-general and, subject to regulation 19, be properly sealed while used for mass determination.

(4) No person shall remove any west coast or south coast rock lobster caught with the use of a fishing boat from the place where such rock lobster has been landed before the mass thereof has been determined in the prescribed manner by means of an automatic mass meter in the presence of a fishery control officer and then only after such officer has approved the removal of such rock lobster from the mass meter.

(5) The holder of a permit referred to in subregulation (1) shall only receive west coast or south coast rock lobster from a fisherman who is in possession of a permit to sell such rock lobster issued in terms of the provisions of regulations 49 and 57.

63. (1) A person to whom a factory licence has been issued shall not dispose of west coast rock lobster or products thereof other than to a shareholder of South African Frozen Rock Lobster Packers (Pty) Ltd or Cape Lobster Exporters Association (SA) (Pty) Ltd and a shareholder of any one of the said companies shall not dispose of west coast rock lobster or products thereof other than to another shareholder of any one of the said companies.

(2) No person shall dispose of west coast rock lobster or products thereof other than to or with the approval of South African Frozen Rock Lobster Packers (Pty) Ltd and Cape Lobster Exporters Association (SA) (Pty) Ltd: Provided that this prohibition shall not apply to the sale of west coast rock lobster or products thereof by a shareholder of any of the said companies to another shareholder of any of the said companies and shall also not apply to the resale of west coast rock lobster and products thereof acquired from or through the said companies.

(3) Subject to the provisions of the Act, no person shall acquire west coast rock lobster or products thereof for his own use or for sale, other than from or through a company referred to in subregulation (1) or from a person who has obtained it from or through such a company for the purpose of sale: Provided that this prohibition shall not apply to the acquisition of west coast rock lobster or products thereof by a shareholder from another shareholder of any of the said companies or to the acquisition by a factory of west coast rock lobster from a fisherman.

(4) No person shall deliver to or acquire west coast rock lobster products from any other person, unless such rock lobster products have been packed in a factory in accordance with the South African Bureau of Standards Compulsory Standard Specification for Frozen Rock Lobster Products, or the Compulsory Standard Specification for the Manufacture, Production, Processing or Treatment of Canned Crustaceans or, in the case of live rock lobster, unless they have been packed by a shareholder of the company Cape Lobster Exporters Association (SA) (Pty) Ltd in a container bearing the registered emblem of the said company.

(5) Notwithstanding the provisions of subregulation (1), the companies referred to in subregulation (1) shall not refuse a shareholder of the said companies the right in terms of the provisions of subregulations (2) and (3) to acquire west coast rock lobster or products thereof from the said companies and dispose of such west coast rock lobster or products thereof within the limits of the quota allocated to a shareholder to buyers identified by the shareholder abroad and at a price negotiated and determined independently by the said shareholder.

(6) Notwithstanding the provisions of subregulations (2), (3) and (5), all applications for a west coast rock lobster export permit in terms of the Act shall be handled by the companies referred to in subregulation (1) on behalf of a shareholder of the said companies.

(7) No person shall acquire from or deliver west coast rock lobster or products thereof to any other person unless the person making the delivery issues an invoice as contemplated in subregulation (8) in respect of such rock lobster or products thereof to the person taking delivery: Provided that the foregoing provisions of this subregulation shall not apply in respect of a delivery to or an acquisition by a consumer of west coast rock lobster for a purpose other than its sale.

(8) Any invoice issued in terms of subregulation (7) shall be kept for at least 12 months by the person to whom it was issued and shall at least contain the following details:

(a) The name and address of the supplier;

- (b) the date of delivery; and
- (c) the quantity or mass of west coast rock lobster or products thereof delivered on such date to the person acquiring them.

(9) The marketing bodies listed below are designated to distribute the following commodities of west coast or south coast rock lobster only—

- (a) South African Frozen Rock Lobster Packers (Pty) Ltd—tails and whole cooked;
- (b) Cape Lobster Exporters Association (SA) (Pty) Ltd—live and whole frozen.

(10) South coast rock lobster or products thereof may only be distributed by the above-mentioned bodies with the prior approval of the South Coast Rock Lobster Association.

64. (1) No person shall dispose of south coast rock lobster or products thereof other than to or with the approval of either the South Coast Rock Lobster Association or South African Frozen Rock Lobster Packers (Pty) Ltd or Cape Lobster Exporters Association (SA) (Pty) Ltd depending on the commodity being sold or offered for sale: Provided that this prohibition shall not apply to the sale of south coast rock lobster or products thereof by a member of the said associations to another member of the associations and shall also not apply to the resale of south coast rock lobster and products thereof acquired from or through the said associations.

(2) Subject to the provisions of the Act, no persons shall acquire south coast rock lobster or products thereof for his own use or for sale, other than from a member of or through an association referred to in subregulation (1) or from a person who has obtained it from or through such associations for the purpose of sale: Provided that this prohibition shall not apply to the acquisition of south coast rock lobster or products thereof by a member from another member of the said association.

(3) No person shall deliver to or acquire south coast rock lobster or products thereof from any other person, unless such products have been packed in a factory in accordance with the Compulsory Standard Specification for Frozen Rock Lobster Products, or the Compulsory Standard Specification for the Manufacture, Production, Processing or Treatment of Canned Crustaceans or, in the case of live south coast rock lobster, unless they have been packed by a member of the South Coast Rock Lobster Association.

(4) No person shall deliver to or acquire south coast rock lobster or products thereof from any other person unless the person making the delivery issues an invoice as contemplated in subregulation (5) in respect of such south coast rock lobster or products thereof to the person taking delivery: Provided that the foregoing provisions of this subregulation shall not apply to a delivery to or an acquisition by a consumer of a south coast rock lobster for a purpose other than its sale.

(5) Any invoice issued in terms of subregulation (4) shall be kept for at least 12 months by the person to whom it was issued and shall at least contain the following details:

- (a) The name and address of the supplier;
- (b) the date of delivery; and
- (c) the quantity or mass of south coast rock lobster or products thereof delivered on such date to the person acquiring them.

(6) The South Coast Rock Lobster Association is designated to distribute live south coast rock lobster and tails whether frozen or whole cooked.

(7) West coast rock lobster or a product thereof may only be marketed with the approval of the company designated to distribute such rock lobster or product thereof in terms of regulation 63 (9).

WEST COAST ROCK LOBSTER LANDING SITES

65. (1) No person shall land any west rock lobster or part thereof at any place along the coast between Cape Hangklip and the Orange River other than 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 factory 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 factory of Paternoster Visserie 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.

(2) Notwithstanding subregulation (1) west coast rock lobster caught for own use in terms of regulation 49 may be landed anywhere, excluding those places where it is expressly prohibited.

WEST COAST ROCK LOBSTER ZONES

66. (1) Any person who has been authorised to catch west coast rock lobster for delivery to a factory may only catch such rock lobster in the zones as defined hereunder.

(2) For the purposes of subregulations (1) and (3) the zones comprise the following areas:

- (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 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 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.

(3) No person referred to in subregulation (1) may during the period 16 November to 31 December of any year, both dates inclusive, catch west coast rock lobster in any zone except the zone in which the factory, to which he is required to deliver his catches, is situated.

WEST COAST ROCK LOBSTER: DECK GRID SORTERS, TRAPS AND RINGNETS

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

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

“grid” means the rods and supporting bar without the frame; and

“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).

(2) A deck grid sorter for the catching of 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)
 - (i)
 - (aa) the grid shall be rectangular in shape with a minimum width of 750 mm;
 - (bb) the usable surface area shall not be less than 1,1 m²;
 - (cc) the gap between adjoining rods, measured at any point shall be at least 41,6 mm but shall not exceed 42,4 mm;
 - (dd) the width of the gaps between the last rod and the frame shall not exceed 42,4 mm;
 - (ii)
 - (aa) the frame shall consist of flat bars with a thickness of not less than 8 mm and a width of not less than 40 mm;
 - (bb) the two longitudinal bars forming the sides of the frame shall be drilled with a series of 16 mm clearance holes to accommodate the rods of the grid;
 - (cc) the two transverse bars shall be welded to the ends of the longitudinal bars to form a rectangular frame;
 - (dd) the pitch of the holes of the longitudinal bars shall be such that the gaps between the rods, when in position, are within the specified limits;
 - (iii)
 - (aa) the grid shall consist of rods of a nominal diameter of 16 mm and a supporting bar with thickness of not less than 6 mm and a width of not less than 40 mm;
 - (bb) the supporting bar shall be centrally positioned between and parallel to the longitudinal bars of the frame and shall be drilled with a series of clearance holes matching those in the longitudinal bars;
 - (cc) the ends of the supporting bar shall be welded to the frame and the ends of the rods shall be tackwelded to the frame in such manner that the welds do not protrude above the outer surface of the frame;
 - (iv) in the case of stainless steel 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
 - (v) finish—all exposed surfaces shall be smooth and free of sharp edges or any other defects that may be injurious to a rock lobster.

(3) West coast rock lobster taken on board any fishing boat fitted with rock lobster traps, shall be sorted forthwith by means of a deck grid sorter.

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

(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.

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

- (a) The net or netting with which the trap is covered shall be made from polyethylene;
- (b) the mesh 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: Provided that in the case of the use of rock lobster traps in the area between a line in the north (approximately 234° true bearing) drawn from the mouth of the Orange River, and a line (270° true bearing) in the south, drawn from the mouth of the Brak River, the mesh size of the net or netting with which the trap is covered, with the exception of the opening or entrance funnels, shall not be less than 62 mm stretched, or 31 mm bar from inside of knot or joint to inside of knot or joint; and
- (c) the net or netting on the horizontal and vertical sides of the trap shall be stretched in such manner that the openings of the mesh are rectangular at all times.

(6) The owner or master of a fishing boat or other vessel used for the catching of west coast rock lobster shall not have on board, use or allow to be used or transport on such fishing boat or 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 it 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.

WEST COAST ROCK LOBSTER: RESTRICTED AREAS

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

- (a) The area within 12 nautical miles 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 NH1 and NH2, respectively, and situated on the point known as "North Head", and two beacons marked SH1 and SH2 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.

(2) No person, on any fishing boat, who has been authorised to catch west coast rock lobster for delivery to a factory in terms of the provisions of the Act, shall catch, disturb or attempt to catch any such rock lobster within a distance of one kilometre 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.

(3) No person shall with the aid of a rock-lobster trap or similar gear, catch 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.

EAST COAST ROCK LOBSTER: GENERAL

69. No person shall—

- (a) subject to the provisions of regulation 53, be in possession of any east coast rock lobster of which—
 - (i) the carapace is less than 65 mm 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
 - (ii) 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;
- (b) catch or take possession of any east coast rock lobster during the period from 1 November of one year to the last day of February of the following year, both dates inclusive;
- (c) be in possession of any east coast rock lobster which is carrying eggs or showing signs of having been stripped of the eggs or be in possession of the eggs of such rock lobster;
- (d) be in possession of any east coast rock lobster which is about to, or has recently cast its shell and is in a soft condition;
- (e) be in possession of any diving equipment of any nature on any fishing boat or vessel when such boat or vessel is used for the catching or transporting of east coast rock lobster; or

- (f) catch, attempt to catch or disturb east coast rock lobster by means of diving: Provided that such rock lobster may be caught for own use by diving from the shore only and without the use of any artificial breathing apparatus other than a snorkel.

EAST COAST ROCK LOBSTER: CATCHING FOR OWN USE

70. No person shall for own use, except in terms of a permit issued by the director-general—

- (a) catch, keep, control or be in possession of more than five east coast rock lobster at any one time;
- (b) catch, attempt to catch or disturb east coast rock lobster by means of any rock lobster trap or similar gear; or
- (c) catch, attempt to catch or disturb any east coast rock lobster with the use of a fishing boat or vessel.

EAST COAST AND EASTERN DEEPWATER ROCK LOBSTERS: COMMERCIAL

71. (1) No person shall sell or offer for sale any east coast rock lobster or eastern deepwater rock lobster except in terms of a permit issued by the director-general on payment of the fees as determined by the Minister: Provided that the provisions of this subregulation shall not apply in respect of east coast rock lobster in the districts of Elliotdale, Mqanduli, Ngqeleni, Port St Johns, Lusikisiki and Bizana where such sale or offer for sale is not to or by a factory.

(2) Except in terms of a permit issued by the director-general, the master of a fishing boat or vessel shall not keep, or allow to be kept, any net or trap that may be used for the catching of east coast rock lobster on such fishing boat or vessel in the area of a line (139° true bearing) drawn from the mouth of the Great Kei River in the period during which the catching of such rock lobster is prohibited under the Act.

72. Except in terms of a permit issued by the director-general on payment of the fees as determined by the Minister, no person shall for the purpose of selling east coast rock lobster or eastern deepwater rock lobster—

- (a) catch, attempt to catch or disturb such rock lobster with the use of any fishing boat or vessel; or
- (b) catch, attempt to catch or disturb such rock lobster with the use of any rock lobster trap or similar gear.

AREA LIMITATIONS: GENERAL

73. (1) Unless authorised thereto by a permit which may be issued by the director-general, no person shall in any manner or for whatever purpose catch, attempt to catch or disturb any fish, within a distance of three nautical miles measured seaward from the low-water mark—

- (a) 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 the southern bank of Gonubie Point;
- (b) in the area between, as southern limit, a line (145° true bearing) drawn from Christmas Rock, as a northern limit, a similar line drawn from the Gxulu River mouth; and

- (c) 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:

Provided that the provisions of this subregulation shall not apply to any person catching or attempting to catch fish with a rod, line and reel from the sea-shore or to any person collecting other marine organisms for bait or human consumption, or to a speargun fisherman diving from the shore.

(2) No person shall 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 beach-seine or driftnet 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 sea chart SAN 1010.

(3) No person shall, without the written authority of the director-general catch, attempt to catch or disturb any shark by means of any kind of net within 12 nautical miles measured seaward from the low-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.

(4) No person shall, within False Bay, in the area bounded by a straight line drawn from the lighthouse at Cape Hangklip to the lighthouse at Cape Point, use any staked, set or 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: Provided that the prohibition on the use of a rock lobster trap in False Bay shall not be applicable to a rock lobster boat which is authorised by a permit issued by the director-general to catch west coast rock lobster in this area.

(5) No person shall catch, attempt to catch, disturb or be in possession of 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): Provided that this prohibition shall not apply to any person catching or attempting to catch fish with a rod, line and reel from the sea-shore.

74. Except under the authority of a permit issued by the director-general, no person shall, in any manner or for any purpose whatsoever, catch, attempt to catch or disturb any fish, or remove or attempt to remove any aquatic plant within the areas defined hereunder:

- (a) The area from the high-water mark to 10 metres seaward of the low-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: Provided that a permit holder in terms of the Act may catch four west coast rock lobster for own use from the sea-shore in the area between "Hoek van Bobbejaan" and the lighthouse at Cape Point;
- (b) the area from the high-water mark to 500 metres seaward of the low-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": Provided that this provision shall not be applicable to any person catching or attempting to catch fish with a rod, line and reel from the sea-shore in this area or to the collection of washed-up red bait;

- (c) the area from the high-water mark to 500 metres seaward of the low-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: Provided that this provision shall not be applicable to any person catching or attempting to catch fish with a rod, line and reel from the sea-shore or to the collection of washed-up red bait in the area;
- (d) the area from the high-water mark to 500 metres seaward of the low-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: Provided that this provision shall not be applicable to the collection of washed-up red bait in this area;
- (e) the area from the high-water mark to 500 metres seaward of the low-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 southern breakwater of the fishing harbour at Gordon's Bay: Provided that this provision shall not be applicable to any person catching or attempting to catch fish with a rod, line and reel from the sea-shore or to the collection of washed-up red bait in this area;
- (f) 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: Provided that this provision shall not be applicable to any person catching or attempting to catch fish with a rod, line and reel from the sea-shore, the catching of perlemoen or west coast rock lobster in terms of a permit, the collection of washed-up red bait or the collection of seaweed in terms of a permit; and
- (g) 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 HR1 situated at Kraal Rock in Walker Bay and, as western boundary, a similar line drawn from the beacon marked HR2 situated at Rietfontein, Hermanus: Provided that this provision shall not be applicable to any person catching or attempting to catch fish with a rod, line and reel from the sea-shore.

FISHING HARBOUR REGULATIONS

Navigation, entrance to and accommodation in harbours

75. (1) No vessel shall be brought into, launched, lie in, be used in or accommodated in any other manner in a fishing harbour without the permission of a fishery control officer on such conditions as he determines and without payment of the fees as determined by the Minister: Provided that—

- (a) a fishery control officer may refuse permission in the interest of safe, orderly and efficient harbour management and control;
- (b) the provisions of this regulation shall not apply to a fishing boat offloading catches or taking supplies or fuel on board under the supervision of a fishery control officer;

- (c) the provisions of this regulation shall not apply to a vessel left or placed on State-owned land leased by any private person, firm or a company; and
- (d) 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 or a shop without the written permission of the fishery control officer in charge of the fishing harbour concerned, on such conditions as he may determine and without payment of the fees as determined by the Minister.

76. 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.

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

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

79. 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 arrival and furnish such particulars of his vessel as a fishery control officer may require.

80. 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.

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

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

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

- (a) make such arrangements as he 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 such vessel until such defect has been remedied to his satisfaction.

84. 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 with a full report thereof in writing, whether damage was done to the State's property or not.

85. 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

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

87. 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 with a full report thereof in writing.

88. 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 such steps as he deems necessary in the interest of safe, orderly and efficient harbour administration and control.

89. No vessel shall be anchored or moored in a fairway within a fishing harbour without the written permission of a fishery control officer.

(2) No person shall—

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

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

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

91. 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 such vessel from the water without delay.

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

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

94. (1) 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.

(2) If the owner or master of a vessel fails to comply with the provisions of subregulation (1), the applicable fees as determined by the Minister shall be payable.

95. 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 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 such vessel shall ensure that the mooring ropes of the remaining vessels are properly secured and that the fenders are properly positioned in order to prevent damage to the 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 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 and dumping of material in harbours

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

Health, offensive cargoes, fire

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

98. 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

99. 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.

100. (1) 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, on payment by the owner or master of the vessel of the fees as determined by the Minister.

(2) If a vessel is not placed on a slipway on the day duly appointed by a fishery control officer for the purpose owing to the default of the owner or the master, such vessel shall, if the slipway is required for other vessels, lose its turn in the order shown in the entry book, referred to in subregulation (1), kept by such fishery control officer.

(3) Notwithstanding any other provisions 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.

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

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

(6) Notwithstanding the provisions of subregulation (4), a fishery control officer may order the owner or master of a vessel to 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.

(7) 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.

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

101. No person shall use any crane, water pump, ladder, trestle, scaffolding, plank or electric power provided by the State in a fishing harbour, except on the authority of a permit issued by a fishery control officer and upon payment of the fees as determined by the Minister.

102. 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 may impose.

103. 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

104. No person shall enter a fishing harbour except through the harbour entrance or leave the fishing harbour except through the harbour exit.

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

106. 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 in such places as may be assigned for this purpose; and
- (g) dive without the written authority of a fishery control officer.

107. No person shall—

- (a) hawk within any fishing harbour unless he is authorised by a permit issued by a fishery control officer and upon payment of the fees as determined by the Minister;

- (b) affix or exhibit or cause to be affixed or exhibited an advertisement, notice or sign or placard on any property under the control of the State, except on the authority of a permit issued by a fishery control officer and upon payment of the fees as determined by the Minister;
- (c) distribute or cause to be distributed any literature within a fishing harbour without the permission of a fishery control officer;
- (d) occupy or use any vacant site or any site within a fish cleaning shed in a fishing harbour, unless he is authorised by a permit issued by a fishery control officer and upon payment of the fees as determined by the Minister;
- (e) use more than 5 litres of fresh water per day provided in a fishing harbour, unless he is authorised by a permit issued by a fishery control officer and upon payment of the fees as determined by the Minister;
- (f) waste or cause to be wasted, any drinking water provided at a water installation in a fishing harbour;
- (g) catch or attempt to catch fish in a fishing harbour, unless he is authorised by a permit issued by a fishery control officer and upon payment of the fees as determined by the Minister;
- (h) clean any fish in a fishing harbour, unless he is authorised by a permit issued by a fishery control officer upon such conditions as he may deem necessary and upon payment of the fees as determined by the Minister;
- (i) bring any dog into a fishing harbour except with permission of a fishery control officer;
- (j) make any fire in a fishing harbour except with the permission of a fishery control officer; and
- (k) use any vessel in a fishing harbour for the transport of passengers, except on the authority of a permit issued by a fishery control officer and upon payment of the fees as determined by the Minister.

Vehicles

108. No person shall bring any vehicle into a fishing harbour, unless he is authorised by a permit or admission ticket issued by a fishery control officer, subject to such conditions as he may determine and payment of the fees as determined by the Minister and such permit or admission ticket shall authorise entry only to the fishing harbour where it was issued on the date specified therein.

109. 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 by a fishery control officer.

Fishing returns

110. (1) On or before the last day of every month the holder of a permit issued under these Regulations shall submit to the Chief Director: Sea Fisheries, Private Bag X2, Roggebaai, 8012, or to any person appointed for the purpose by the director-general, a return furnishing the information required in such permit on the form referred to therein.

(2) A nil return shall be submitted on the form referred to in subregulation (1) in respect of any month during which the holder of a permit did not perform any act in respect of which information is required to be furnished in terms of such permit.

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

PERMITS AND LICENCES: GENERAL

111. (1) Any licence or permit issued in terms of the Act, or a copy thereof certified as true by a commissioner of oaths, shall at all times be kept available by the licence or permit holder and shall be produced forthwith on request by a fishery control officer or an authorised officer.

(2) The owner and/or master of a fishing boat shall ensure that the licence and permit, or copies thereof certified as true by a commissioner of oaths, that have been issued under the Act in respect of such boat are available on board the boat all all times and such licence and permit shall be shown to any competent law enforcement officer on demand.

112. The provisions of regulation 111 shall *mutatis mutandis* also be applicable to any person utilising a licence or permit.

113. If a licence or permit is lost, a duplicate may be obtained upon the payment of the fees as determined by the Minister.

114. An application for the renewal of a permit submitted more than six months after the expiry date of such permit, shall not be considered by the director-general.

APPEAL

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

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

(3) 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.

APPLICATION OF REGULATIONS

116. The provisions of these Regulations shall not apply in respect of the fish found in an estuary, tidal river, tidal lagoon, blind estuary or harbour in the area between the mouths of the Orange and Great Fish rivers and between the mouths of the Chalumna and Great Kei Rivers.

OFFENCES AND PENALTIES

117. Any person who contravenes or fails to comply with any provision of these Regulations shall be guilty of an offence and on conviction be liable to a fine not exceeding R50 000 or imprisonment for a period not exceeding six years or to both such fine and such imprisonment.

APPLICATION FORM: QUOTA

118. Schedule A shall apply in respect of an application for a quota.

REPEAL OF GOVERNMENT NOTICES

119. The Government Notices specified in Schedule B are hereby repealed.

Schedule A

Application form in respect of an application for a quota

Schedule B**Government Notices repealed**

No. R. 2934 of 23 October 1992.

No. R. 3248 of 27 November 1992.

No. 129 of 9 December 1992 of the former Transkei in so far as it relates to fish and plants found in the sea.

No. R. 5 of 8 January 1993.

No. R. 1052 of 18 June 1993.

No. 59 of 23 July 1993 of the former Transkei in so far as it relates to fish found in the sea.

No. R. 2003 of 15 October 1993.

No. R. 2228 of 17 November 1993.

No. R. 2556 of 31 December 1993.

No. R. 656 of 8 April 1994.

No. R. 1371 of 12 August 1994.

No. R. 486 of 31 March 1995.

No. R. 987 of 30 June 1995.

No. R. 1073 of 21 July 1995.

No. R. 1644 of 27 October 1995.

No. R. 1026 of 21 June 1996.

No. R. 1371 of 23 August 1996.

No. R. 604 of 25 April 1997.

No. R. 1291 of 3 October 1997.

No. R. 1402 of 24 October 1997.

Schedule A • Bylae A

BLS

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND
TOURISMCHIEF DIRECTORATE: SEA FISHERIES
Sea Fishery Act, 1988 (Act No. 12 of 1988)DEPARTEMENT VAN OMGEWINGS-
AKE EN TOERISMEHOOFDIREKTORAAT: SEEVISSERYE
Wet op Seevisserij, 1988 (Wet No. 12 van 1988)**APPLICATION FOR A QUOTA • AANSOEK OM 'N KWOTA**

[In terms of section 18 (1) (b)] • [Ingevolge artikel 18 (1) (b)]

1. Surname and initials or name of business (NO TRADE NAMES): Van en voorletters of naam van besigheid (GEEN HANDELSNAME):											
2. ID or Registration number: ID- of Registrasienommer:											
3. Postal address: Posadres:											
Tel:											
Fax:											
Postal code: Poskode:											
4. For which sector in the fishing industry is application being made? Vir watter sektor in die visbedryf word aansoek gedoen?											
(One form per sector/Een vorm per sektor)											
5. For which species in the fishing industry is application being made? Vir watter spesie(s) in die visbedryf word aansoek gedoen?											
Species Spesie..... Species Spesie.....	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: left; padding: 2px;">OFFICE USE • KANTOORGEBRUIK</th> </tr> <tr> <td style="padding: 2px;">Mass</td> <td style="padding: 2px;">tonnes</td> </tr> <tr> <td style="padding: 2px;">Massa</td> <td style="padding: 2px;">ton</td> </tr> <tr> <td style="padding: 2px;">Mass</td> <td style="padding: 2px;">tonnes</td> </tr> <tr> <td style="padding: 2px;">Massa</td> <td style="padding: 2px;">ton</td> </tr> </table>	OFFICE USE • KANTOORGEBRUIK		Mass	tonnes	Massa	ton	Mass	tonnes	Massa	ton
OFFICE USE • KANTOORGEBRUIK											
Mass	tonnes										
Massa	ton										
Mass	tonnes										
Massa	ton										
6. What was your quota for the previous year/season? Wat was u kwota vir die vorige jaar/seisoen?											
Species Spesie..... Species Spesie.....	Mass tonnes Massa ton Mass tonnes Massa ton										
7. What was your actual catch in the previous year/season? Wat was die werklike vangs vir die vorige jaar/seisoen?											
Species Spesie..... Species Spesie.....	Mass tonnes Massa ton Mass tonnes Massa ton										

Signature of Applicant/Handtekening van Aansoeker

Date/Datum

Note: The completed form must be addressed to—The Secretary of the Quota Board, Private Bag X2, Roggebaai, 8012.
 Nota: Die voltooide vorm moet geadresseer word aan—Die Sekretaris van die Kwotaraad, Privaatsak X2, Roggebaai, 8012.

No. R. 1343

1 November 1997

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

REGULASIES KRAGTENS DIE WET OP SEEVISSERY, 1988

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

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WOORDOMSKRYWING

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

- (i) **"alikeukel"** die spesie *Turbo sarmaticus*, ook algemeen bekend as ollycrock, cockle en reuse periwinkle; (ii)
- (ii) **"armadillo"** enige spesie van die klas *Polyplacophora*, ook algemeen bekend as chiton; (iii)
- (iii) **"bemanning"** enige persoon aan boord van 'n vissersboot of ander vaartuig; (xi)
- (iv) **"beursseën"** of **"beursnet"** 'n omsingelingsnet van enige grootte wat op die oppervlak van die see deur vlotte langs die hooflyn gesteun en wat deur gewigte langs die voettoe verswaar word en waarvan die onderste deel deur middel van 'n beurslyn, geskakel by 'n tussenpunt of tussenpunte of 'n knoop, wat deur ringe loop wat vasgemaak is aan die voettoe, bymekaar getrek word, en ook enige ander net waarvan die onderste gedeelte op 'n soortgelyke wyse bymekaar getrek kan word; (xxxvii)
- (v) **"bloedwurm"** enige spesie van die genus *Arenicola*; (v)
- (vi) **"bodentreilnet"** enige net wat oor die seebedding gesleep word; (vi)
- (vii) **"dag"** enige periode van 24 aaneenlopende ure; (xiii)
- (viii) **"die Wet"** die Wet op Seevisserij, 1988 (Wet No. 12 van 1988); (lviii)
- (ix) **"dolfyn"** enige spesie van die superfamilie *Delphinidae* ook algemeen bekend as tornyn; (xvi)
- (x) **"dryfnet"** enige kieunet wat nie aan die seabodem geanker word nie, maar wat in 'n drywende posisie in die see gelaat word met die doel om vis daarin te verstrik; (xvii)
- (xi) **"duik"** duik onder die oppervlak van die see; (xv)
- (xii) **"gapermossel"** enige spesie van die genus *Mactra*, ook algemeen bekend as sandmossel; (vii)
- (xiii) **"garnaal"** enige spesie van die familie *Penaeidae* of die genus *Callinassa* of *Upogebia*; (xxxvi)
- (xiv) **"inkvis"** enige spesie van die genus *Sepia*; (xii)
- (xv) **"kammossel"** die spesie *Pecten sulcicostatus*; (xliv)
- (xvi) **"kieunet"** enige net wat geplaas word met die doel om vis te vang of te verstrik ongeag of die net dryf of aan 'n voorwerp geheg is en wat aan die seabodem geanker is of nie; (xx)
- (xvii) **"klipmossel"** enige spesie van die familie *Patellidae*; (xxiii)
- (xviii) **"koningklip"** die spesie *Genypterus capensis*; (xxii)
- (xix) **"koraal"** enige spesie van die orde *Scleractinia* of *Alcyonacea*; (ix)
- (xx) **"krap"** enige spesie van die stamme *Anomura* of *Brachyura*, ook algemeen bekend as seekrap, uitgesonderd 'n modderkrap of molkrap; (x)

- (xxi) **"kreef"** enige spesie van die familie *Palinuridae*, ook algemeen bekend as rots- of stekelrige kreef of die spesie *Scyllarides elizabethae*, ook algemeen bekend as modder- of shovelnosed kreef; (xl)
- (xxii) **"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; (xlii)
- (xxiii) **"kreefstert"** die agterlyf of stert van enige spesie kreef; (xli)
- (xxiv) **"kuslyn"** die lyn deur die hoogwatermerk gevorm; (viii)
- (xxv) **"lynvis"** enige vis wat met 'n hoek en lyn of met 'n pylgeweer gevang word; (xxiv)
- (xxvi) **"langlyn"** enige lyn of aaneengeskakelde lyne of vistuig waaraan in totaal meer as 10 vishoeke geheg is; (xxv)
- (xxvii) **"midwatertreilnet"** enige net wat op enige diepte tussen die bodem en die oppervlak van die see gesleep kan word sonder dat dit aanhoudend die bodem raak; (xxvi)
- (xxviii) **"modderkrap"** enige spesie van die familie *Portunidae* insluitende *Scylla serrata*, ook algemeen bekend as reuse, groen swemmende of mangrove krap; (xxix)
- (xxix) **"molkrab"** enige spesie van die familie *Hippidae*, ook algemeen bekend as seeluis; (xxvii)
- (xxx) **"monding"** die middel van 'n rivier waar dit by die see aansluit; (xxviii)
- (xxxi) **"oester"** die spesie *Striostrea margaritacea*, *Ostrea atherstonei*, *Pinctada capensis* of *Saccostrea cucullata*; (xxxi)
- (xxxii) **"ooskuskreef"** enige spesie van die genus *Panulirus*; (xviii)
- (xxxiii) **"oostelike diepwaterkreef"** die spesie *Palinurus delagoae*, ook algemeen bekend as Natalse kreef; (xix)
- (xxxiv) **"pansy-skulpvis"** enige spesie van die genus *Echinodiscus*, ook algemeen bekend as gesiggiester of sand dollar; (xxxii)
- (xxxv) **"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 round herring) of die familie *Myctophidae* (lanternvis); (xxxiii)
- (xxxvi) **"periwinkle"** enige spesie van die genus *Littorina*, *Oxystele* of *Turbo* uitgesonderd *Turbo sarmaticus*; (xxxiv)
- (xxxvii) **"perlemoen"** die spesie *Haliotis midae*, ook algemeen bekend as abalone; (i)
- (xxxviii) **"polychaete-wurm"** enige spesie van die klas *Polychaeta*, met inbegrip van mossel-, koraal-, wonder-, bloed-, shingle-, maanskyn-, pot-, klip- of platwurm; (xxxv)
- (xxxix) **"pylinkvis"** enige spesie van die genus *Loligo*, ook algemeen bekend as tjokka of tjokka pylinkvis; (lv)
- (xl) **"rooi-aas"** die spesie *Pyura stolonifera*; (xxxix)

- (xli) **"rotsmossel"** enige spesie van die genus *Aulacomya*, *Mytilus*, *Choromytilus* of *Perna*, ook algemeen bekend as swart-, bruin- of geribte mossel; (xliii)
- (xlii) **"seekastaiing"** enige spesie van die klas *Echinoidea*, uitgesonderd 'n pansy-skulpvis; (xlviii)
- (xliii) **"seekat"** enige spesie van die genus *Octopus*; (xxx)
- (xliv) **"seekomkommer"** enige spesie van die klas *Holothuroidea*; (xlv)
- (xlv) **"seepen"** enige spesie van die orde *Pennatulacea*; (xlvii)
- (xlvii) **"seewaaier"** enige spesie van die orde *Gorgonacea*, ook algemeen bekend as seetak; (xlvii)
- (xlviii) **"siffie"** die spesie *Haliotis spadicea*, ook algemeen bekend as Venus Ear; (lii)
- (xlviii) **"skeermesgapermossel"** enige spesie van die genus *Solen*, ook bekend as penknife-, pencil- of knife-bait; (xxxviii)
- (xlix) **"skulp"** die leë skulp van 'n skulpvis; (i)
 - (i) **"skulpvis"** enige spesie van die klas *Gastropoda*, *Bivalvia*, *Scaphopoda* of *Polyplacophora*; (li)
 - (li) **"sleepehelling"** sluit in die hoof- en sysleepehelling asook 'n synchro-hyser; (liii)
 - (lii) **"span-"** of **"stelnet"** enige net wat gebruik word om die vrye deurtog van vis van een gebied na 'n ander te verhinder en wat gespan of gestel word deur—
 - (a) dit aan enige voorwerp op of onder die see vas te heg; of
 - (b) die gewigte daarvan op die seabodem te anker of te laat rus; (lvi)
 - (liii) **"stokvis"** enige spesie van die genus *Merluccius*; (xxi)
 - (liv) **"strandtrekseën"** enige net, met of sonder 'n sak of kuil, wat vanaf die strand om vis gewerp word en dan gelyktydig aan beide kante tot op die strand getrek word totdat die vangs aan wal gebring is, ook bekend as 'n treknet; (iv)
 - (lv) **"suidkuskreef"** die spesie *Palinurus gilchristi*, ook algemeen bekend as suidelike diepwater kreef; (liv)
 - (lvi) **"swaardvis"** die spesie *Xiphias gladius*; (lvii)
 - (lvii) **"treilvis"** enige spesie vis wat deur middel van 'n bodem- of midwatertreilnet gevang word; (lix)
 - (lviii) **"trekgebied"** enige gebied waar 'n strandtrekseën gebruik mag word; (lxi)
 - (lix) **"tuna"** die spesies *Allothunnus fallai*, *Euthynnus affinis*, *Gymnosarda unicolor*, *Katsuwonus pelamis*, *Sarda orientalis* of *Sarda sarda* of enige spesie van die genus *Thunnus*; (lxii)
 - (lx) **"verkoop"** sluit ook in smous, ruil, verhandel of andersins van die hand sit of om te koop aan te bied, te adverteer, uitstal of besit met die doel om te verkoop, smous, ruil, verhandel of andersins van die hand sit; (xlix)
 - (lxi) **"versteur"** enige opsetlike aksie wat die natuurlike gedragspatroon van 'n vis beïnvloed; (xiv)
 - (lxii) **"vervoer"** sluit ook in die verplasing (oorlaai) ter see van vis of visterusting van een vissersboot of vaartuig na 'n ander; (lix)

- (lxiii) "weskuskreef" die spesie *Jasus lalandii*, ook algemeen bekend as Kaapse rots- of stekelrige kreef; (lxiii)
- (lxiv) "witmossel" die spesie *Donax serra*. (lxiv)

LISENSIERING VAN VISSERSBOTE

2. (1) 'n Aansoek ingevolge artikel 30 (2) van die Wet om die uitreiking of hernuwing van 'n lisensie vir die gebruik van 'n boot as 'n vissersboot moet—

- (a) by die direkteur-generaal op die aansoekvorm soos goedgekeur deur die direkteur-generaal en wat by die Hoofdirektoraat: Seevisserye verkrygbaar is, gedoen word; en
- (b) vergesel wees van 'n geldige plaaslike algemene veiligheidsertifikaat uitgereik ten opsigte van sodanige boot ingevolge artikel 194 van die Handelskeepvaartwet, 1951 (Wet No. 57 van 1951).

(2) Die gelde soos bepaal deur die Minister, is betaalbaar ten opsigte van die uitreiking en hernuwing van 'n lisensie soos bedoel in subregulasie (1).

3. (1) Behoudens enige ander bepaling van die Wet, mag geen persoon enige vissersboot gebruik, tensy die registrasieletters en -syfers wat die direkteur-generaal daaraan toegeken het, daarop aangebring is nie.

(2) Die letters en syfers moet minstens 15 cm hoog, 10 cm breed (uitgesonderd syfer "1") en 2 cm dik (breedte van streep) wees, en in wit verf op 'n swart agtergrond of in swart verf op 'n wit agtergrond op beide kante van die boeg aangebring word. Die ruimte tussen aanliggende letters en syfers moet tussen 2 en 5 cm wees.

(3) Behoudens die bepalings van subartikel (1) moet addisionele letters en syfers in wit verf op 'n swart agtergrond of in swart verf op 'n wit agtergrond aangebring word op beide die bakboord- en stuurboordkant van die superstruktuur, op vissersbote langer as 25 meter. Sodanige letters en syfers sal minstens 50 cm hoog, 30 cm breed (uitgesonderd syfer "1") en 10 cm dik (breedte van streep) wees. Die ruimte tussen aanliggende letters en syfers moet tussen 6 en 15 cm wees.

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

(b) Enige boei wat gebruik word om 'n werktuig in die see te merk of te hang, sal duidelik gemerk word met die naam van die vaartuig.

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

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

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

- (a) in die geval waar daar voldoen is aan die vereistes van die Wet, oordraggeld soos bepaal deur die Minister betaalbaar wees; en
- (b) in die geval waar daar nie voldoen is aan die vereistes van die Wet nie, sodanige lisensie verval.

LISENSIËRING VAN PERSELE EN VISSERSBOTE WAT AS FABRIEKE GEBRUIK WORD

4. (1) 'n Aansoek ingevolge artikel 30 (2) van die Wet om die uitreiking of hernuwing van 'n lisensie vir die gebruik van 'n perseel of 'n vissersboot as 'n fabriek, moet by die direkteur-generaal op die aansoekvorm soos goedgekeur deur die direkteur-generaal en wat by die Hoofdirektoraat: Seevisserye verkrygbaar is, gedoen word.

(2) Die gelde soos bepaal deur die Minister, is betaalbaar ten opsigte van die uitreiking en hernuwing van 'n lisensie soos bedoel in subregulasie (1).

KWOTAS EN ONTGINNINGSREGTE

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

6. (1) 'n Aansoek om die toekenning van 'n kwota ingevolge artikel 18 (2) van die Wet moet by die Kwotaraad op die vorm soos voorgeskryf in Bylae A gedoen word. 'n Aansoek om 'n ontginningsreg ingevolge artikel 25 (2) (b) van die Wet moet by die Kwotaraad op die aansoekvorm wat by die Hoofdirektoraat: Seevisserye verkrygbaar is, gedoen word.

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

(3) 'n Aansoek ingevolge artikel 25 van die Wet om 'n ontginningsreg ten opsigte van nie-kwota spesies moet by die Minister op die aansoekvorm soos goedgekeur deur die direkteur-generaal en wat by die Hoofdirektoraat: Seevisserye verkrygbaar is, gedoen word.

(4) 'n Aansoek ingevolge artikel 25 (3) (b) van die Wet om die oordrag van 'n ontginningsreg, moet by die Minister of die Kwotaraad, na gelang van die geval, op die aansoekvorm soos goedgekeur deur die direkteur-generaal en wat by die Hoofdirektoraat: Seevisserye verkrygbaar is, gedoen word.

VISSERYBEHEERBEAMPTES EN ERE-VISSERYBEAMPTES

7. 'n Identiteitskaart, wat ingevolge artikel 5 (5) van die Wet uitgereik word aan 'n vissery-beheerbeampte, bevat die beampte se—

- (a) identiteitsnommer;
- (b) foto;
- (c) van en voorletters;
- (d) naam van die werkgewer; en
- (e) handtekening.

8. (1) 'n Ere-visserybeampte, aangestel ingevolge artikel 6 (1) van die Wet—

- (a) word hiermee bekleed met die bevoegdhede vermeld in paragrafe (b) en (d) van subartikel (1) van artikel 53 van die Wet en kan van enigiemand wat besig is om 'n daad te verrig met betrekking tot vis of visvangs waarvoor 'n permit, toestemming of vrystelling voorgeskryf word deur die Wet of hierdie Regulasies, vereis dat so 'n persoon sodanige permit, magtiging of vrystelling van die Wet aan die beampte toon;

(b) kan eis dat iemand ten opsigte van wie hy op redelike gronde vermoed dat sodanige persoon—

- (i) 'n misdryf-ingevalle die Wet of hierdie Regulasies gepleeg het; of
- (ii) oor inligting in verband met die pleeg of vermoedelike pleeg van so 'n misdryf beskik,

sy naam en adres aan hom verstrek.

(2) Indien 'n ere-visserybeampte sy bevoegdhede kragtens hierdie Regulasies uitoefen, mag hy 'n woonhuis slegs ooreenkomstig die bepalings van die Strafproseswet, 1977 (Wet No. 51 van 1977), betree of deursoek.

DIVERSE BEPALINGS BETREFFENDE DIE VANG VAN VIS

9. Behoudens die bepalings van hierdie Regulasies mag niemand—

- (a) enige kunsmatige asemhalingsapparaat, uitgesonderd 'n snorkel, gebruik terwyl hy visvang of poog om vis te vang nie;
- (b) vis deur middel van 'n haakstok, knuppel, dorsstok, stok, klip of soortgelyke instrument vang of probeer vang nie: Met dien verstande dat 'n persoon hoogstens vyf tongvissie van die orde *Pleuronectiformes* per dag met 'n spies of soortgelyke instrument vir eie gebruik mag steek of vang;
- (c) vis vang of probeer vang, deur die ruk van 'n hoek of angel in die see met die doel om dit deur die vis te haak, behalwe seekat, inkvis of pylinkvis; ook bekend as "jigging" of "snatching";
- (d) snoek *Thyrstites atun* met 'n beursseën vang, probeer vang of versteur nie;
- (e) enige tuna wat met kieuette gevang is in enige hawe of vissershawe in die Republiek aan boord hê, aan land bring of oorlaai nie;
- (f) enige koningklip deur middel van 'n fuik vang of probeer vang nie;
- (g) tussen sonder en sonop 'n gooinet vir die vang van vis gebruik nie;
- (h) wat oor 'n permit beskik wat die vang van tuna met 'n langlyn magtig, enige stokvis of koningklip vang, aan boord hê of land nie terwyl hy enige soort langlyn aan boord van die betrokke vissersboot het;
- (i) wat oor 'n permit beskik wat die vang van haaie met 'n langlyn magtig, meer as 10 stokvis en vyf koningklip vang, aan boord hê of land nie terwyl hy enige langlyn aan boord van die betrokke vissersboot het; of
- (j) enige vis of waterplant vir kommersiële doeleindes vang of versamel nie, behalwe kragtens 'n permit, of andersins soos hierna spesifiek na verwys word.

10. Niemand mag sonder die magtiging van 'n permit deur die direkteur-generaal uitgereik, enige seeperrdjie of pypvis van die familie *Syngnathidae* vang, probeer vang of versteur nie.

11. Niemand mag enige swaardvis verkoop of te koop aanbied 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 byvangste gevang is en wat nie 10 persent van die massa van die totale vangs mag oorskry nie en op swaardvis wat kragtens 'n permit ingevoer is, van toepassing is nie.

12. Niemand mag sonder die magtiging van 'n permit uitgereik deur die direkteur-generaal, enige vis of vistuig ter see vanaf 'n vissersboot, vaartuig of persoon na 'n ander vissersboot, vaartuig of persoon oorlaai nie.

BEPALINGS MET BETREKKING TOT DOLFYNE EN WALVISSE

13. (1) Behalwe op gesag van 'n permit uitgereik deur die direkteur-generaal, mag niemand—

- (a) te eniger tyd enige walvis vang, doodmaak, versteur of hinder nie;
- (b) enige fabrieksvaartuig of enige ander vissersboot of vaartuig vir die bevriesing of verwerking van walvisse gebruik of op enige wyse deelneem aan die bedryf van of aktiwiteite op so 'n vaartuig nie;
- (c) enige tuig, 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 vaartuig wat in 'n vreemde staat geregistreer is en wat gebruik word vir die vang, bevriesing of verwerking van walvisse of wat enigsins verbandhou met sodanige vang, bevriesing of verwerking nie;
- (e) op enige wyse sy dienste aanbied vir of sy kundigheid beskikbaar stel met betrekking tot enige van die aktiwiteite bedoel in paragrawe (a) tot (d)

(2) Vir die doeleindes van subregulasie (1) sluit "versteur" of "hinder" ook in—

- (a) die skiet na 'n walvis;
- (b) om enige walvis, binne 'n afstand van 300 meter te nader met behulp van 'n vaartuig, vliegtuig of ander metode;
- (c) waar 'n walvis nader as 300 meter vanaf enige vaartuig opduik, die gesagvoerder van sodanige vaartuig versuim om onmiddellik te vertrek na 'n afstand van minstens 300 meter vanaf die walvis.

Met dien verstande dat paragrawe (b) en (c) nie van toepassing is nie op enige *bona fide*-pogings van enige persoon wat hulp verleen aan 'n gestrande, vasgekeerde of verstrengeelde walvis of dolfyn nie.

14. Niemand mag sonder die skriftelike magtiging van die direkteur-generaal enige dolfyn of tornyn, doodmaak, vang, probeer doodmaak of vang, of versteur of in besit van enige dolfyn of gedeelte daarvan of 'n produk van 'n dolfyn of tornyn wees nie.

METING, LANDING EN TERUGPLASING VAN VIS IN DIE SEE

15. Alle vis moet in so 'n toestand geland word dat bepaal kan word of die vis aan die minimum groottevereiste voldoen.

16. Die bepalings van regulasie 15 is nie van toepassing op die houer van 'n permit wat vis ter see mag verwerk nie.

17. Lewende vis wat nie aan die vereistes van die Wet voldoen nie of in stryd met enige bepaling daarvan gevang is, moet onverwylde sonder besering in die see teruggeplaas word.

MASSABEPALING VAN VIS

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

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

- (a) 'n outomatiese dubbelwipbakmassameter, algemeen bekend as die "Servo 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 vis-produkte—

- (i) vir direkte menslike verbruik, 'n outomatiese inlyn-voerband-massameter 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.

(3) 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 nie minder wees as die maksimum aflaai-kapasiteit vanuit die vissersboot nie;
- (c) die afvoerspoed van vis of vispartikels moet van sodanige aard wees dat opstapeling of ophoping vermy word;
- (d) die ontwerp en konstruksie van die toevoerstelsel moet van sodanige aard wees dat vis en/of vispartikels nie van die toevoerstelsel afval nie maar regstreeks na die massameter vervoer sal word;
- (e) daar tydens die werking daarvan geen toegang tot die meganisme van sodanige massameter is nie;
- (f) die meganisme en aflesingskaal van die massameter sigbaar is; en
- (g) die massameter behoorlik verseël moet wees, terwyl dit vir massabepaling gebruik word.

19. (1) Vir doeleindes van regulasies 18 (3) (g) en 61 (b) word 'n massameter geag behoorlik verseël te wees indien dit verseël is deur—

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

(2) Niemand behalwe die gemagtigde persoon genoem in subregulasie 1 (a) of 1 (b) mag peuter met die seël, meganisme of werking van 'n massameter nie.

VISTUIG

20. Behoudens die bepalings van die Wet mag niemand—

- (a) (i) 'n midwatertreilnet, bodemtreilnet, beursseën, balktreilnet of enige langlyn aan boord van 'n vissersboot of vaartuig hê of gebruik nie, tensy hy die houer is van 'n permit uitgereik deur die direkteur-generaal en onderworpe aan die betaling van die gelde soos bepaal deur die Minister;
- (ii) 'n kieu-net of dryfnet met 'n maasgrootte van meer as 64 mm (gemeet van binnekant van knoop of lasplek tot binnekant van knoop of lasplek) wanneer dit gespan is, aan boord 'n vissersboot of vaartuig hê of vir visvang gebruik nie, insluitend 'n persoon aan boord 'n vreemde vaartuig wat by 'n hawe in die Republiek aandoen;

- (b) 'n strandtrekseën of 'n span-, stel-, dryf- of kieunet aan boord van 'n vissersboot of vaartuig hê of gebruik nie, tensy—
 - (i) hy die houer is van 'n permit uitgereik deur die direkteur-generaal onderworpe aan die betaling van die gelde soos bepaal deur die Minister;
 - (ii) die merkplaat wat die direkteur-generaal daaraan toegeken het op sodanige net aangebring is; en
 - (iii) die net gebruik word soos omskryf in regulasie 1;
- (c) vir doeleindes van visvang 'n net of netwerk bo-oor of bo-op enige net of gedeelte van 'n net aanbring nie;
- (d) 'n net of netwerk met 'n maas van minder as 28 mm (gemeet van binnekant van knoop of lasplek tot binnekant van knoop of lasplek) wanneer dit gespan is, dit wil sê met skakels van 14 mm, vir die vang van pelagiese vis op enige vissersboot hê of vir visvang gebruik nie: Met dien verstande dat die verbod in hierdie paragraaf nie van toepassing is nie ten opsigte van enige beursnet waarvan die gebruik gemagtig is om daarmee pelagiese vis te vang—
 - (i) vir direkte menslike verbruik, inmaak of die vervaardiging van vismeel of visolie;
 - (ii) vir verkoop aan enige persoon vir direkte menslike verbruik, inmaak of die vervaardiging van vismeel of visolie; of
 - (iii) vir gebruik as lewendige aas vir die vang van tuna;
- (e) 'n dryfnet met 'n maasgrootte van minder as 44 mm of meer as 64 mm (gemeet van binnekant van knoop of lasplek tot binnekant van knoop of lasplek) wanneer dit gespan is, vir visvang gebruik nie; of
- (f) 'n strandtrekseën met 'n maasgrootte van minder as 44 mm (gemeet van binnekant van knoop of lasplek tot binnekant van knoop of lasplek) wanneer dit gespan is, of met skakels van 22 mm, vir visvang gebruik nie.

21. (1) Die maasgroottes van nette, uitgesonderd treilnette, moet ongeag of die net nat of droog is, met 'n wigvormige plat meetinstrument met 'n dikte van 2 mm gemeet word.

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

(3) Die maasgrootte van die net is gelyk aan die gemiddelde van die afmetings van 'n reeks van minstens 20 opeenvolgende mase.

22. (1) Niemand mag, tensy hy die houer is van 'n permit wat deur die direkteur-generaal uitgereik is—

- (a) 'n bodemtreil- of midwatertreilnet waarvan die maasgrootte in enige gedeelte van die net minder as 75 mm is, gemeet volgens die metode in subregulasie (2) voorgeskryf, op 'n vissersboot aan boord hê of gebruik nie;
- (b) 'n bodemtreil- of midwatertreilnet waarvan die maasgrootte in enige deel van die net minder as 110 mm, gemeet volgens die metode in subregulasie (2), voorgeskryf, in die gebied wes van 20° oos lengtegraad gebruik nie; of
- (c) enige toestel wat die maas van 'n bodemtreil- of midwatertreilnet tydens visvangste kan versper aan boord van 'n vissersboot hê of gebruik nie: Met dien verstande dat seil, netwerk of ander materiaal aan die onderkant buite die sak-end van 'n bodemtreilnet geheg mag word ten einde skade daaraan te verhoed of te verminder.

(2) (a) Die maasgrootte van 'n net bedoel in subregulasie (1) moet met 'n plat wigvormige meetinstrument met 'n dikte van hoogstens 2 mm gemeet word terwyl die net nog nat is na gebruik of nadat dit minstens 10 minute lank in seewater geweek is.

(b) Die meting moet geskied deur die meetinstrument in 'n maas van die net te steek en 'n lesing moet geneem word terwyl die instrument aan 'n trek- of drukkrag van 5 kg onderworpe is; die lesings moet aan die breedste kant van die meetinstrument geneem word.

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

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

23. Die gesagvoerder van 'n vissersboot moet rekord hou van elke vangs met 'n bodem- of midwatertreilnet, op die vorms wat deur die Hoofdirektoraat: Seevisserye voorsien word.

TREIL: STOPTEKENS EN INSPEKSIE

24. 'n Vissersboot wat toegerus is met 'n bodem- of midwatertreilnet sal stop wanneer die toepaslike sein voorgeskryf in regulasie 25 gegee word deur enige vaartuig wat 'n wimpel afgekwart in geel en blou met geel teen die boonste ophyskant en geel teen die oorhoekse onderste kant van die vlagsoom met die letters "SE" in blou of swart in die geel kwart van die boonste ophyskant, voer: Met dien verstande dat 'n vissersboot wat werklik besig is met treil, nette aflaaf of optrek, en wat beveel word om te stop, slegs sodanige bevel hoef te gehoorsaam sodra die betrokke treilaksie voltooi is.

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

- (a) is die stopsein gedurende die dag vlag "L" van die Internasionale Kode, wat op 'n duidelike sigbare plek in die touwerk van die vaartuig wat sein, moet wapper;
- (b) is die stopsein gedurende die nag letter "L" van die alfabet wat duidelik en aanhoudend deur die vaartuig wat sein deur middel van 'n wit lig in Morsekode geflits moet word.

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

- (a) moet 'n visserybeheerbeampte en 'n getuie aan boord van 'n vaartuig wat die wimpel soos bedoel in regulasie 25 (a) voer of die sein soos bedoel in regulasie 25 (b) flits, toelaat en bystaan om aan boord van sy vissersboot te kom en die beampte behulpsaam wees met die inspeksie van enige vangs aan boord, nette, visvangtoerusting en die in regulasie 23 bedoelde rekord;
- (b) moet 'n verslag wat deur die visserybeheerbeampte voltooi is, teken en 'n afskrif daarvan hou;
- (c) mag opmerkings wat hy nodig ag in sodanige verslag van die visserybeheerbeampte aanbring en moet die opmerkings onderteken;
- (d) moet 'n visserybeheerbeampte toelaat en bystaan om 'n identifikasiemerk met die inskripsie "SE" aan enige net of netwerk aan te bring en om die net of netwerk op so 'n wyse te fotografeer dat die identifikasiemerk en die afmeting van die maas sigbaar is; en
- (e) mag die net of netwerk waaraan sodanige identifikasiemerk deur 'n visserybeheerbeampte aangebring is slegs vir visvang gebruik nadat dit ondersoek is en die identifikasiemerk deur die visserybeheerbeampte verwyder is.

GEBIEDSBEPERKINGS: TREIL EN BEURSNET

27. (1) Niemand mag vir die vang van vis of vir enige ander doel enige treilnet 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 paragrawe (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 laagwatermerk in die gebied begrens deur 'n lyn (ware peiling 160°) getrek vanaf die Sondagsriviermond en 'n lyn (ware peiling 48°) getrek vanaf die Donkinreserwevuurtoring tot die snypunt van eg. lyn;
- (e) landwaarts vanaf 'n reguitlyn 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 Recife; 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.

(2) Tensy skriftelike magtiging van die direkteur-generaal verkry is mag niemand enige treilnet gebruik binne 'n afstand van vyf seemyl seewaarts gemeet vanaf die hoogwatermerk in die gebied begrens deur 'n lyn (ware peiling 180°), getrek vanaf die Kaappuntvuurtoring en 'n lyn getrek by die grens tussen die Republiek en Namibië, teenoor die mond van die Oranjerivier (ware rigting ongeveer 234°) soos aangedui op seekaart SAN FZ1.

(3) Niemand mag enige beursnet gebruik nie 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.

(4) Niemand mag—

- (a) enige beursnet gebruik binne Walkerbaai in die gebied landwaarts van 'n denkbeeldige lyn getrek vanaf Voorsteklip op Die Plaat tot by die baken gemerk M1 te Mudgepunt, naby Hawston;
- (b) sonder die magtiging van 'n permit wat deur die direkteur-generaal uitgereik mag word, enige beursnet in Walkerbaai gebruik in die gebied wat omsluit word deur twee denkbeeldige lyne wat getrek word vanaf Voorsteklip op die Plaat tot by die baken gemerk M1 te Mudgepunt, naby Hawston, en vanaf die vuurtoring op die suidelike golfbreker in die vissershawe te Gansbaai tot by die baken gemerk M1 te Mudgepunt; en
- (c) gedurende die tydperk vanaf 1 tot 31 Januarie en vanaf 1 tot 31 Desember van enige jaar 'n beursnet gebruik binne Walkerbaai, landwaarts van 'n lyn getrek vanaf die vuurtoring op die suidelike golfbreker in die vissershawe te Gansbaai tot by die baken gemerk M1 te Mudgepunt.

VANGS VAN VIS MET STRANDTREKSEËNS EN DRYFNETTE EN GEBIEDSBEPERKINGS VAN TOEPASSING DAAROP

28. (1) Niemand mag—

- (a) 'n dryfnet teenoor enige trekgebied binne 'n afstand van twee seemyl seewaarts gemeet vanaf die hoogwatermerk, gebruik nie;
- (b) 'n vaartuig anker of 'n versperring in 'n trekgebied plaas op 'n wyse wat die gebruik van strandtrekseëns mag belemmer wanneer sodanige treknetvisserij beoefen word nie; en
- (c) 'n span- of stelnet gebruik tensy hy daartoe gemagtig is deur 'n permit uitgereik deur die direkteur-generaal.

(2) Vir doeleindes van paragraaf (a) van subregulasie (1) sluit "trekgebied" die volgende in:

- (a) Die gebied tussen die fabriek van Paternoster Visserij Beperk en die eindpunt 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 te Stompneuspunt, as oostelike grens; en
- (c) die strandgebied by Houtbaai in die afdeling Wynberg.

29. (1) Niemand mag tensy hy gemagtig is daartoe deur 'n permit wat deur die direkteur-generaal uitgereik mag word, enige dryf-, span- of stelnet vir die vang van vis gebruik nie—

- (a) binne 'n afstand van 500 meter seewaarts gemeet vanaf die hoogwatermerk in die gebied 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) binne 'n afstand van 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 SH1 wat op die punt bekend as "South Head", Saldanhabaai, geleë is; en
- (c) binne 'n afstand van 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 van die vuurtoring te Kaap St Blaize.

(2) Niemand mag enige span- of stelnet vir die vang van vis gebruik nie—

- (a) binne 'n afstand van 500 meter seewaarts, gemeet vanaf die hoogwatermerk in die gebied wat aan die westekant begrens word deur 'n reguit lyn 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
- (b) binne 'n afstand van drie seemyl seewaarts gemeet vanaf die hoogwatermerk in die gebied begrens deur 'n reguit lyn (ware peiling 270°), vanaf die punt van Kaap Deseada te Elandsbaai, en 'n soortgelyke lyn vanaf die mond van die Oranjerivier.

LYNVIS EN PELAGIESE VIS: GESLOTE SEISOENE

30. Behalwe op gesag van 'n permit wat deur die direkteur-generaal uitgereik mag word, mag niemand enige van die volgende soorte vis gedurende die tydperk genoem vir elk, vang, probeer vang, versteur, beheer, bewaar of in besit wees van, nie—

- (a) elf (shad) (*Pomatomus saltatrix*)—1 September tot en met 30 November van enige jaar, beide datums inklusief;
- (b) galjoen (*Dichistius capensis*)—15 Oktober in een jaar tot en met 28 Februarie van die daaropvolgende jaar, beide datums inklusief;
- (c) pelagiese vis—1 November in een jaar tot en met 14 Januarie van die daaropvolgende jaar, beide datums inklusief;
- (d) vier-en-sewentig (*Polysteganus undulosus*)—1 September tot en met 30 November van enige jaar, beide datums inklusief;
- (e) tjokka (*Loligo vulgaris reynaudii*)—25 Oktober tot 22 November van enige jaar, beide datums ingesluit.

LYNVIS: GROOTTEBEPERKINGS

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

- (a) mag niemand, uitgesonderd die houer van 'n permit om 'n bodemtreilnet of midwatertreilnet te gebruik, enige van die volgende vissoorte wat kleiner is as die grootte wat vir die betrokke soort aangegee word, gemeet vanaf die punt van die snuit tot by die uiterste punt van die stert, vang of in besit daarvan wees nie:

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

Gespikkelde klipkabeljou (*Epinephelus andersoni*): 40 cm

Gespikkelde-knorder (*Pomadasys commersonnii*): 40 cm

Hottentot (*Pachymetopon blochi*): 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

Natalse 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 (*Thyrstites atun*): 60 cm

Stompstertkabeljou (*Argyrosomus thorpei*): 35 cm

Strepie (*Sarpa salpa*): 15 cm

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

- (b) mag niemand enige van die volgende vissoorte met 'n kleiner heelmassa as die massa wat hieronder aangedui is, vang en behou, in beheer of in besit daarvan wees nie:

Geelvintuna (*Thunnus albacares*): 3,2 kg
 Blouvintuna (*Thunnus thynnus thynnus*): 6,4 kg
 Grootoogtuna (*Thunnus obesus*): 3,2 kg
 Swaardvis (*Xiphias gladius*): 25,0 kg

LYNVIS: SAKBEPERKINGS

32. (1) Die kritieke lys sal uit die volgende spesies bestaan:

Aartappelbaars (*Epinephelus tukula*)
 Briekwabaars (*Promicrops lanceolatus*)
 Natalse lipvis (*Anchichoerops natalensis*)
 Poenskop (swart steenbras/mosselkraker) (*Cymatoceps nasutus*)
 Rooisteinbras (*Petrus rupestris*)
 Saagvisse (*Pristidae*)
 Vier-en-Sewentig (*Polysteganus undulosus*)
 Witdoodhaai (*Carcharodon carcharias*)

(2) Niemand mag sonder magtiging van 'n permit deur die direkteur-generaal uitgereik, enige witdoodhaai (*Carcharodon carcharias*) vang, doodmaak, probeer vang, doodmaak of bewaar, beheer of besit nie: Met dien verstande dat indien sodanige haai onopsetlik gevang en gedood is, dit so gou moontlik aan 'n visserybeheerbeampte oorhandig moet word.

(3) Niemand mag enige witdoodhaai (*Carcharodon carcharias*) of enige deel daarvan of enige produk daarvan koop, verkoop of te koop aanbied nie.

(4) Niemand mag enige van die volgende spesies wat op die kritieke lys voorkom vang, probeer vang, versteur, aan land bring of in besit daarvan wees of verkoop nie:

Aartappelbaars (*Epinephelus tukula*)
 Briekwabaars (*Promicrops lanceolatus*)
 Natalse lipvis (*Anchichoerops natalensis*)
 Saagvisse (*Pristidae*)

(5) Niemand op 'n vissersboot waarvan die eienaar 'n algemene kommersiële lynvisvangspermit of algemene semi-kommersiële lynvisvangspermit hou, of op enige vaartuig wat nie as 'n vissersboot gelisensieer is nie, of met die gebruik van 'n pylgeweer, of van die strand met die gebruik van 'n hoek en lyn, mag op enige dag, meer as twee visse van die volgende spesies wat op die kritieke lys voorkom, vang, probeer vang of in besit daarvan wees nie:

Poenskop (swart steenbras/mosselkraker) (*Cymatoceps nasutus*)
 Rooisteinbras (*Petrus rupestris*)
 Vier-en-sewentig (*Polysteganus undulosus*)

(6) Die beperkte lys sal uit die volgende spesies bestaan:

Blou hottentot (copper bream) (*Pachymetopon aeneum*)
 Bludger (kingfish) (*Carangoides gymnostethus*)
 Dageraad (*Chrysoblephus cristiceps*)
 Deen (*Porcostoma dentata*)
 Elf (shad) (*Pomatomus saltatrix*)
 Engelsman (*Chrysoblephus anglicus*)
 *Klipkabeljoue (groupers) (Familie *Serranidae*)
 Roman (*Chrysoblephus laticeps*)
 Rooistompneus (Miss Lucy) (*Chrysoblephus gibbiceps*)
 Skotsman (*Polysteganus praeorbitalis*)
 Slinger (*Chrysoblephus puniceus*)
 Weskussteenbras (*Lithognathus aureti*)
 Zebra (wildeperd) (*Diplodus cervinus hottentotus*)

(7) 'n Persoon op 'n vissersboot waarvan die eienaar 'n algemene kommersiële lynvisvangs permit hou, mag op enige dag 'n onbeperkte hoeveelheid vis van die spesies wat op die beperkte lys voorkom vang, probeer vang, aan land bring, beheer, bewaar of in besit daarvan wees: Met dien verstande dat niemand meer as vyf elf (shad) in die see oos van 'n reguit lyn (ware peiling 139°) getrek vanaf die mond van die Groot Kei rivier mag vang, probeer vang, aan land bring, beheer, bewaar of in besit daarvan wees nie.

(8) Niemand op 'n vissersboot waarvan die eienaar 'n algemene semi-komersiële lynvisvangspermit hou, of op enige vaartuig wat nie as 'n vissersboot gelisensieer is nie, met die gebruik van 'n pylgeweer, of van die strand met die gebruik van 'n hoek en lyn, mag op enige dag in totaal meer as vyf visse van die spesies wat op die beperkte lys voorkom vang, probeer vang, aan land bring, beheer, bewaar of in besit daarvan wees nie.

(9) Die ontginbare lys sal uit die volgende spesies bestaan:

Blouvel (trawl 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 (*Thyrsites atun*)

Kaapse geelstert (*Seriola lalandi*)

Kabeljou (salmon, daga) (*Argyrosomus* sp. uitgesonderd *A. thorpei*)

Katonkel (king mackerel, couta) (*Scomberomorus commerson*)

Panga (*Pterogymnus laniarius*)

Red tjor-tjor (sand soldier) (*Pagellus berlotti natalensis*)

Santer (soldier) (*Cheimerius nufar*)

Silwervis (carpenter) (*Argyrozona argyrozona*)

Snapperkob (*Otolithes ruber*)

Spies-knorder (*Pomadasys kaakan*)

Stokvis (hake) (*Merluccius capensis* en *M. paradoxus*)

Stompstert-kob (*Argyrosomus thorpei*)

* Tunas (tunny) (*Thunnus* spp.)

Witstompneus (*Rhabdosaargus globiceps*)

plus alle ander spesies, wat nie op die kritieke, beperkte, ontginbare, ontspannings- en aaslyste voorkom nie.

(10) Enige persoon op 'n vissersboot waarvan die eienaar 'n algemene kommersiële lynvisvangspermit of 'n algemene semi-kommersiële lynvisvangspermit hou, mag op enige dag 'n onbeperkte hoeveelheid vis van die spesies wat op die ontginbare lys voorkom vang, probeer vang, aan land bring, beheer, bewaar of in besit daarvan wees.

(11) Niemand op enige vaartuig wat nie as 'n vissersboot gelisensieer is nie, met die gebruik van 'n pylgeweer, of van die strand met die gebruik van 'n hoek en lyn, mag op enige dag in totaal meer as tien visse van die spesies wat op die ontginbare lys voorkom vang, probeer vang, aan land bring, beheer, bewaar of in besit daarvan wees nie.

(12) Die ontspanningslys sal uit die volgende spesies bestaan:

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*)

* Koningsvisse (genera *Caranx* en *Carangoides* uitgesonderd bludger *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*)

* Snaelvisse (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*)

(13) Niemand op 'n vissersboot waarvan die eienaar 'n algemene kommersiële lynvisvangspermit of algemene semi-kommersiële lynvisvangspermit hou, of op enige vaartuig wat nie as 'n vissersboot gelisensieer is nie, met die gebruik van 'n pylgeweer, of van die strand met die gebruik van 'n hoek en lyn, mag op enige dag meer as tien visse in totaal van die spesies wat op die ontspanningslys voorkom, vang, probeer vang, aan land bring, beheer, bewaar of in besit daarvan, wees nie: Met dien verstande dat geen persoon meer as vyf visse van enige van die spesies wat op die lys voorkom, mag vang, probeer vang, aan land bring, beheer, bewaar of in besit daarvan wees nie.

(14) Behalwe kragtens 'n permit wat deur die direkteur-generaal uitgereik mag word, wat spesifiek die verkoop van spesies op dié lys magtig, mag geen vis van die spesies wat op die ontspanningslys voorkom, verkoop of te koop aangebied word nie.

(15) Die aaslys sal uit die volgende spesies bestaan:

- * Ansjovis (Familie *Engraulidae*)
Fransmadam (Karel grootoog) (*Boopsoidea inornata*)
- * Glasvisse (Familie *Ambissidae*)
- * Harders (Familie *Mugilidae*)
- * Haarstert (cutlass fish) (*Trichiurus lepturus*)
- * Halfbekke (Familie *Hemiramphidae*)
Marsbanker (horse mackerel) (*Trachurus trachurus capensis*)
Makriel (*Scomber japonicus*)
- * Naaldvisse (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*)

(16) 'n Persoon op 'n vissersboot waarvan die eienaar 'n algemene kommersiële lynvisvangspermit of algemene semi-kommersiële lynvisvangspermit hou, of op enige vaartuig wat nie as 'n vissersboot gelisensieer is nie, met die gebruik van 'n pylgeweer, of van die strand met die gebruik van 'n hoek en lyn, mag 'n onbeperkte hoeveelheid van die spesies wat op die aaslys voorkom, vang, probeer vang, aan land bring, beheer, bewaar en in besit daarvan wees.

(17) Die lynvis wat met 'n **asterisk** gemerk is op die beperkte, ontginbare, ontspannings- en aaslyste, sluit al die spesies van die algehele genus, familie of subklas in.

PATAGONIAN TOOTHFISH EN ANDER DIEPWATER ANTARKTIESE SPESIES

33. (1) Behalwe op gesag van 'n permit uitgereik deur die direkteur-generaal en onderworpe aan die voorwaardes deur hom in die permit bepaal, mag niemand enige van die volgende spesies vang, probeer vang, aan land bring, verkoop, te koop aanbied of in besit daarvan wees nie:

- Orange Roughy (*Hoplostethus* spp. met ingebrip 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*)

Alfonsino (familie *Berycidae* met inbegrip van *Beryx splendens* alfonsino en *B. decadactylus* langvin beryx)

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

Kardinaalvisse (diepwater kardinale) (subfamilie *Epigonidae*)

Wrakvis (*Polyprion americanus*)

(2) Niemand mag enige van die vis soos vermeld in subregulasie (1) of produkte daarvan van iemand anders verkry of aan iemand anders lewer nie, tensy 'n faktuur soos bedoel in subregulasie (3) ten opsigte van sodanige vis of produkte daarvan deur die persoon wat dit lewer, uitgereik word aan die persoon wat die verkry: Met dien verstande dat die bepalings van hierdie subregulasie nie van toepassing is op die lewering aan en die verkryging deur 'n persoon vir hom of haar eie gebruik nie.

(3) 'n Faktuur, uitgereik ingevolge subregulasie (2), moet minstens 12 maande lank deur die persoon aan wie dit uitgereik is, gehou word en moet minstens die volgende besonderhede bevat—

- (a) naam en adres van leweransier;
- (b) datum van lewering; en
- (c) hoeveelheid of massa vis of produkte daarvan wat gelewer is.

LYNVISVANGS: ALGEMEEN

34. (1) Behoudens die bepalings in regulasie 32 mag niemand, behalwe op gesag van 'n permit wat deur die direkteur-generaal uitgereik mag word aan die eienaar van 'n vissersboot, 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);
 - (ii) algemene semi-kommersiële lynvisvangs (B-permit);
 - (iii) tunavangs (T-permit);
 - (iv) pylinkvisvangs (C-permit); en
 - (v) haaivangste (L-permit);
- (b) sal slegs geldig wees ten opsigte van die vissersboot wat in die permit vermeld word;
- (c) moet die maksimum aantal bemanningslede spesifiseer wat vanaf sodanige vissersboot mag werk; en
- (d) word slegs uitgereik na betaling van die gelde soos bepaal deur die Minister.

(3) Behalwe op gesag van 'n permit uitgereik deur die direkteur-generaal, mag niemand enige lynvis genoem in regulasie 34 of enige pylinkvis verkoop of te koop aanbied nie: Met dien verstande dat hierdie bepaling nie van toepassing is op die verkoop en te koop aanbied van lynvis of pylinkvis gevang ingevolge 'n permit uitgereik kragtens subregulasie (1) of op lynvis of pylinkvis wat ingevoer is nie.

(4) Nieteenstaande enige ander bepaling in die Wet, mag niemand enige elf (shad) in die Provinsie van KwaZulu-Natal verkoop, te koop aanbied of op enige ander wyse daarmee handel dryf nie, behalwe kragtens 'n permit uitgereik deur die direkteur-generaal.

(5) Niemand mag enige lynvis of pylinkvis met die gebruik van 'n vissersboot in die gebied seewaarts van die hoogwatermerk tussen 'n lyn (ware peiling 139°) vanaf die monding van die Groot-Keirivier getrek en 'n soortegelyke lyn van die monding van die Mtamvunarivier provinsie Oos-Kaap, getrek, vang of probeer vang, behalwe die houer van 'n permit soos bedoel in subregulasie (1) wat hom of haar magtig om van Mzamba-strand in die landdrosdistrik Bizana, die munisipale gebied van Port St Johns, die monding van die Mapuzi-rivier in die landdrosdistrik Mqunduli, of die monding van die Qora-rivier in die landdrosdistrik Willowvale, te opereer.

(6) Nie meer as drie vissersbote sal gemagtig word om te opereer van 'n plek in subregulasie (5) genoem nie.

(7) Die houer van 'n permit uitgereik ingevolge subregulasie (1) waarvolgens hy gemagtig word om te opereer van 'n plek vermeld in subregulasie (5), mag nie die vissersboot soos in die permit gespesifiseer gebruik—

- (a) om vis op enige plek, behalwe by die landingsplek soos vermeld in die permit, teen die kuslyn genoem in subregulasie (5) aan land te bring nie, behalwe waar so 'n landing die gevolg van onvoorsiene noodtoestand is; of
- (b) om vis te vang of probeer vang buite die gebied in subregulasie (5) vermeld nie.

SKULPVIS, ROOI-AAS EN ANDER ONGEWERWELDE VIS

35. (1) Behalwe op gesag van 'n permit uitgereik deur die direkteur-generaal, mag niemand enige ongewerwelde vis vang, probeer vang, versteur, behou, beheer of besit: Met dien verstande dat die bepalings van hierdie regulasie nie van toepassing is op 'n spesie wat in subregulasie (2) genoem is, perlemoen wat ingevolge regulasie 40 gevang is, kreef wat ingevolge regulasie 49 gevang is of 'n skulp wat ingevolge regulasie 37 versamel is nie.

(2) Behalwe op gesag van 'n permit uitgereik deur die direkteur-generaal, mag niemand groter hoeveelhede of massas as die getal of massa hieronder aangedui, van die volgende soorte vis op een dag vang, poog om te vang, besit of vervoer nie—

- alikeukel, vyf;
- armadillo, ses;
- bloedwurm, vyf;
- gapermossel, agt;
- garnaal, 15;
- kammossel, 10;
- klipmossel, 15;
- krap, 15;
- modderkrap, twee;
- molkrab, 30;
- oester, 12;
- periwinkle, 50;
- polychaete-wurm, 10;
- pylinkvis, 20;
- rooi-aas, sonder dop, 2 kg;
- rotsmossel, 25;

seekat, twee;
seekastailing, 20;
seekomkommer, 20;
siffie, 10;
skeermesgapermossel, 20;
witmossel, 50;

(3) Niemand mag vang, beheer, bewaar of in besit wees van—

- (a) alikreukel, wat deur 'n ring met 'n binnedeursnee van 63,5 mm geplaas kan word;
- (b) modderkrap, gemeet oor die breedste deel van die rug, van minder as 140 mm;
- (c) siffie, wat deur 'n ring met 'n binnedeursnee van 32 mm geplaas kan word;
- (d) witmossel, wat deur 'n ring met 'n binnedeursnee van 35 mm geplaas kan word.

(4) Niemand mag vang, probeer vang of versteur—

- (a) oesters, bloedwurms, klipmossels, swartmossels, witmossels, rooi-aas of moddergarnale, op enige ander wyse as met die hand of 'n werktuig, waarvan die lem of plat kant hoogstens 38 mm breed is, of 'n handbeheerde pomp-toestel nie;
- (b) polychaete-wurm op enige ander wyse as met die hand nie;
- (c) pylinkvis met behulp van 'n suigpomp, suigbagger, suigbuis of 'n soortgelyke toestel, vanaf 'n vissersboot of boot nie;
- (d) enige krap, modderkrap of molkrap deur middel van 'n fuik nie, behalwe op gesag van 'n permit uitgereik deur die direkteur-generaal;
- (e) enige skulpvis tussen sonder op een dag en sonop op die volgende dag nie.

(5) Niemand mag enige modderkrap of krap wat eiers dra of tekens toon dat die eiers afgestroop is, vang, behou, beheer of besit nie;

(6) Behalwe op gesag van 'n permit deur die direkteur-generaal uitgereik, mag niemand enige vis van die soorte in subregulasie (2) genoem verkoop of vir verkoop aanbied nie: Met dien verstande dat die bepalings van hierdie regulasie nie van toepassing is nie binne die landdrostdistrikte Peddie, Mdantsane, Kentani, Willowvale, Elliotdale, Mqanduli, Ngqeleni, Port St Johns, Lusikisiki en Bizana waar sodanige verkoping of verkoopsaanbieding nie aan of deur 'n fabriek is nie.

(7) Niemand mag sonder magtiging van 'n permit deur die direkteur-generaal uitgereik, enige lewende of dooie koraal beskadig, ontwortel, versamel of land of probeer beskadig, ontwortel, versamel of land nie: Met dien verstande dat koraal wat op die strand uitspoel, versamel mag word.

(8) Niemand mag enige lewende "pansy"-skulpvis vang of versteur nie: Met dien verstande dat 'n leë "pansy"-skulp wat op die strand uitspoel, versamel mag word.

(9) Niemand mag enige seewaaier of seepen ontwortel, pluk of versamel of probeer ontwortel, pluk of versamel nie: Met dien verstande dat 'n dooie seewaaier of seepen wat op die strand uitspoel, versamel mag word.

36. (1) Niemand mag, tensy daartoe gemagtig deur 'n permit wat deur die direkteur-generaal uitgereik mag word, meer as 20 tjokka per persoon wat vir eie gebruik gevang was, vervoer, bewaar, beheer of besit nie, en dan slegs indien—

- (a) sulke tjokka in 'n heel toestand is;
- (b) al die persone deur wie die tjokka gevang is tydens die vervoer daarvan in of op die voertuig, boot of ander wyse van vervoer is, en
- (c) sodanige voertuig, boot of ander wyse van vervoer, slegs gebruik word om hoogstens 100 tjokka per dag te vervoer.

(2) Niemand mag tjokka of produkte daarvan van iemand anders verkry of aan iemand anders lewer met die doel daarmee handel te dryf, tensy 'n faktuur soos bedoel in subregulasie (3) ten opsigte van sodanige tjokka of produkte daarvan deur die persoon wat dit lewer, uitgereik word aan die persoon wat dit verkry.

(3) 'n Faktuur, uitgereik ingevolge subregulasie (2), moet minstens 12 maande lank deur die persoon aan wie dit uitgereik is, bewaar word en moet minstens die volgende besonderhede bevat—

- (a) naam en adres van leweransier;
- (b) datum van lewering; en
- (c) hoeveelheid of massa tjokka of produkte daarvan wat gelever is.

SKULPE EN WATERPLANTE

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

MARIKULTUUR

38. Niemand mag, behalwe kragtens 'n permit wat deur die direkteur-generaal uitgereik mag word, enige vis of waterplant kultiveer of kweek nie.

OESTERS: KOMMERSIEEL

39. (1) Niemand mag enige oesters vir handelsdoeleindes vang, probeer vang, versamel of versteur nie, tensy daartoe gemagtig deur 'n permit deur die direkteur-generaal uitgereik: Met dien verstande dat die bepalings van hierdie subregulasie nie van toepassing is nie binne die landdrostdistrikte Peddie, Mdantsane, Kentani, Willowvale, Elliotdale, Mqanduli, Ngqeleni, Port St Johns, Lusikisiki en Bizana waar sodanige handeldryf nie aan of deur 'n fabriek is nie.

(2) Behoudens die bepalings van subregulasie (1) moet oesters wat gevang of versamel word vir kommersiële doeleindes in 'n heel toestand aan 'n permithouer soos in subregulasie (3) bedoel, gelever word.

(3) Niemand mag enige oesters ontvang of sodanige oesters verwerk vir handelsdoeleindes nie, tensy hy in besit is van 'n permit uitgereik deur die direkteur-generaal en na betaling van die gelde soos bepaal deur die Minister.

(4) Niemand mag—

- (a) enige oester vang, probeer vang of versteur deur daarna te duik nie;
- (b) enige oester behou of beheer of besit met die oog op hervestiging daarvan nie; of;

- (c) enige oester vang, probeer vang of versteur vanaf 1 Desember in een jaar tot 15 Januarie van die daaropvolgende jaar nie, beide datums inklusief.

waar sodanige vangs, vangspoging, versteuring, behoud, beheer of besit vir verkoopdoeleindes van sodanige oester is: Met dien verstande dat die bepalinge van paragraaf (c) nie van toepassing is nie in die landdrostdistrikte genoem in subregulasie (1), waar sodanige verkoop nie aan of deur 'n fabriek is nie.

PERLEMOEN: ALGEMEEN

40. Niemand mag enige perlemoen vir privaat gebruik of kommersiële doeleindes vang, versamel, vervoer, behou, beheer of besit nie tensy hy daartoe gemagtig is met 'n permit wat uitgereik mag word deur die direkteur-generaal.

41. Niemand mag enige perlemoen wat nie in 'n heel toestand is op 'n vissersboot, vaartuig, voertuig of ander metode vervoer nie.

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

- (a) enige perlemoen vir kommersiële doeleindes vanaf 1 Augustus tot 31 Oktober van enige jaar, beide datums inklusief, vang, probeer vang of versteur nie.
- (b) enige perlemoen vir eie gebruik vanaf 14 April tot 15 Desember van enige jaar, beide datums inklusief, vang, probeer vang of versteur nie.

43. Niemand mag—

- (a) perlemoen verwyder anders 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;
- (b) perlemoen vang, behou, beheer of in sy besit hê as die skulp van sodanige perlemoen deur 'n ring van 114 mm in deursnee kan gaan nie.

PERLEMOEN: VANGS VIR EIE GEBRUIK

44. 'n Permit ingevolge regulasie 40 vir die vang van perlemoen vir eie gebruik, is deur enige persoon bo die ouderdom van 12 jaar verkrygbaar by gemagtigde kantore en onderworpe aan die betaling van die gelde soos bepaal deur die Minister en magtig die houer daarvan om hoogstens vier perlemoen te enige tyd te vang of te versamel deur te duik of vanaf die strand te versamel: Met dien verstande dat niemand die houer van meer as een sodanige permit mag wees nie, en voorts: Met dien verstande dat sodanige permit nie die houer magtig om perlemoen vir eie gebruik vanaf die strand te versamel in die landdrostdistrikte Peddie, Mdantsane, Kentani, Willowvale, Elliotdale, Mqanduli, Ngqeleni, Port St Johns, Lusikisiki en Bizana nie.

45. (1) Niemand mag vir hom of haar eie gebruik, tensy daartoe gemagtig deur 'n permit uitgereik deur die direkteur-generaal—

- (a) enige perlemoen tussen sonder en sonop vang of versamel nie;
- (b) vir die vang van perlemoen gebruik maak van 'n kunsmatige asemhalings-apparaat, behalwe 'n snorkel nie;
- (c) enige perlemoen in of op 'n vissersboot of ander vaartuig vervoer, behou, beheer of in besit daarvan wees nie;

- (d) meer as vier perlemoen per permithouer in of op 'n voertuig of ander wyse van vervoer behou, beheer of besit nie, en dan slegs indien—
- (i) sodanige perlemoen in 'n heel toestand is;
 - (ii) al die permithouers deur wie die perlemoen gevang is tydens die vervoer daarvan in of op die betrokke voertuig is;
 - (iii) dat sodanige voertuig slegs gebruik mag word om hoogstens 20 perlemoen per dag te vervoer;
- (e) enige perlemoen wat gevang is ingevolge 'n permit vir die vang van perlemoen vir eie gebruik, verkoop of vir verkoop aanbied nie.

(2) Geen persoon mag enige perlemoen in sy besit of in sy bewaring hê, tensy hy in besit is van 'n permit om dit vir eie gebruik te vang of in besit is van 'n faktuur van 'n persoon wat die perlemoen op wettige wyse en in terme van die Wet verkry het: Met dien verstande dat niemand meer as 20 perlemoen in totaal in sy besit, onder sy beheer of in sy bewaring mag hê nie tensy hy beskik oor 'n faktuur van 'n persoon wat die perlemoen op wettige wyse verkry het.

PERLEMOEN: KOMMERSIEEL

46. (1) 'n Aansoek deur 'n kwotahouer om 'n kommersiële permit ingevolge regulasie 40 moet gerig word aan die direkteur-generaal op die vorm soos deur hom vereis en moet vergesel wees van die gelde soos bepaal deur die Minister.

(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.

(3) Niemand mag enige perlemoen wat ooreenkomstig die bepalinge van 'n permit uitgereik ingevolge subregulasie (1) gevang is, ontvang of verwerk, tensy hy beskik oor 'n fabriek vir die verwerking van sodanige perlemoen en daartoe gemagtig word deur 'n permit wat deur die direkteur-generaal uitgereik mag word en teen betaling van die gelde soos bepaal deur die Minister.

(4) Niemand mag perlemoen of produkte daarvan van iemand anders verkry of aan iemand anders lewer nie tensy 'n faktuur soos bedoel in subregulasie (5) ten opsigte van sodanige perlemoen of produkte daarvan deur die persoon wat dit lewer, uitgereik word aan die persoon wat dit verkry: Met dien verstande dat die bepalinge van hierdie subregulasie nie van toepassing is nie op die lewering aan en die verkryging deur 'n persoon vir eie gebruik.

(5) 'n Faktuur, uitgereik ingevolge subregulasie (4), moet minstens 12 maande lank deur die persoon aan wie dit uitgereik is, gehou word en moet minstens die volgende besonderhede bevat:

- (a) Naam en adres van leweransier;
- (b) datum van lewering; en
- (c) hoeveelheid of massa perlemoen of produkte daarvan wat gelewer is.

47. Iemand wat kragtens 'n permit, uitgereik ingevolge regulasie 40 perlemoen vang, mag nie perlemoen vang, probeer vang of versteur nie—

- (a) binne '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) binne die gebied noord van 'n lyn getrek vanaf die vuurtoring te Kaappunt na 'n baken gemerk HP1 geleë te Holbaaipunt oos van Kaap Hangklip; of
- (c) binne 'n afstand van een seemyl vanaf die hoogwatermerk seewaarts in die landdrosdistrikte Kentani, Willowvale en Elliotdale.

48. Niemand mag, behalwe op gesag van 'n permit wat deur die direkteur-generaal uitgereik mag word, perlemoen vang, probeer vang of versteur nie in die see binne 'n afstand van twee seemyl vanaf die hoogwatermerk op die eiland bekend as Dyer-eiland.

KREEF: ALGEMEEN

49. Niemand mag enige kreef vir privaat gebruik of kommersiële doeleindes vang nie, tensy hy daartoe gemagtig is deur middel van 'n permit wat deur die direkteur-generaal uitgereik mag word: Met dien verstande dat die bepalings van hierdie regulasie nie van toepassing sal wees op ooskuskreef gevang vir eie gebruik nie.

50. Niemand mag enige vaartuig geregistreerd of gelisensieerd in die Republiek ingevolge die Handelskeepvaartwet, 1951 (Wet No. 57 van 1951), gebruik om enige kreef buite die visseriesone op die vastelandsplat soos bedoel in artikel 8 van die Wet op Maritieme Sones, 1994 (Wet No. 15 van 1994), vang of probeer vang nie, behalwe die houer van 'n permit kragtens die Wet vir die vang van kreef vir handelsdoeleindes.

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

52. Niemand mag enige dooie kreef, deel of afval daarvan in die see terugplaas nie: Met dien verstande dat verguisde suidkuskreef in die see gestort mag word.

53. By die toepassing van paragrawe (a) en (b) van regulasie 54 en en subparagrawe (a) (i) en (a) (ii) van regulasie 69, beteken "kant" die harde kant van die kopborsstukpantser, of *cephalothorax* en sluit nie die kant of enige deel van die rand of *setae* (hare) wat van die pantser agtertoe uitsteek, in nie.

WESKUSKREEF: ALGEMEEN

54. Behalwe op gesag van 'n permit wat deur die direkteur-generaal uitgereik is, mag niemand enige weskuskreef vang, versteur of besit—

- (a) waarvan die kopborsstuk, gemeet in 'n reguit lyn langs die middelruglyn van die kopborsstuk, vanaf die middel van die agterste kant van die kopborsstuk tot by die voerpunt van die rostrum of middelvoorstekel, kleiner is as 80 mm: Met dien verstande dat vir sulke kreef wat kommersieel gevang word, sodanige kopborsstuk nie kleiner as 75 mm mag wees nie;
- (b) waarvan die stert wat van die lyf geskei is, indien die tweede segment van sodanige kreefstert minder as 19 mm breed is wat gemeet word in 'n reguit lyn langs die middelruglyn van kant tot kant van die tweede segment getel vanaf die aansluiting van die stert met die lyf (kopborsstuk): Met dien verstande dat sulke kreef wat kommersieel gevang word, die tweede segment van sodanige kreefstert, getel vanaf die aansluiting van die lyf met die stert, nie minder as 18 mm breed mag wees nie;
- (c) wat tekens toon dat dit eierdraend en sulke eiers afgestroop is, of die eiers van sulke kreef nie;
- (d) vir eie gebruik vanaf 1 Mei tot 15 November van enige jaar, beide datums inklusief, nie;

- (e) vir kommersiële doeleindes vanaf 1 Junie tot 15 November van enige jaar, beide datums inklusief, nie; en
- (f) wat op die punt staan om te verdop of wat dit onlangs gedoen het en wat 'n sagte dop het.

WESKUSKREEF: VANGS VIR PRIVAAT GEBRUIK

55. (1) 'n Permit vir die vang van weskuskreef vir eie gebruik deur enige persoon bo die ouderdom van 12 jaar is verkrygbaar by gemagtigde kantore en onderworpe aan die betaling van gelde soos bepaal deur die Minister: Met dien verstande dat niemand die houer van meer as een sodanige permit mag wees nie.

(2) 'n Permit uitgereik ingevolge subregulasie (1) magtig die houer daarvan om hoogstens vier krewes per dag te vang of te enige tyd in sy besit te hê en mag slegs—

- (a) met 'n ringnet of skepnet soos voorgeskryf in regulasie 67 (6) van 'n vaartuig of vissersboot ten opsigte waarvan nie 'n permit vir die vangs van kreef uitgereik is nie;
- (b) met 'n ringnet of skepnet soos voorgeskryf in regulasie 67 (6) vanaf die strand; of
- (c) deur vanaf die strand en sonder die gebruik van 'n kunsmatige asemhalingsapparaat, uitgesonderd 'n snorkel, daarvoor te duik.

56. (1) Behalwe kragtens 'n permit wat deur die direkteur-generaal uitgereik is, mag niemand vir eie gebruik—

- (a) enige weskuskreef tussen sonder van een dag en sonop die volgende dag, vang of versamel nie;
- (b) meer as vier weskuskreef per permithouer in of op enige vissersboot, vaartuig of voertuig of ander wyse van vervoer, behou, beheer of besit, en dan slegs indien—
 - (i) sodanige weskuskreef in 'n heel toestand is;
 - (ii) al die permithouers deur wie die weskuskreef gevang is, tydens die vervoer daarvan in of op die betrokke vissersboot, vaartuig of voertuig of ander wyse van vervoer is;
 - (iii) sodanige vissersboot, vaartuig of voertuig of ander wyse van vervoer slegs gebruik word om hoogstens 16 weskuskreef per dag te vervoer;
- (c) weskuskreef vir eie gebruik vang met behulp van 'n kreeffuik of soortgelyke toestel nie.

(2) Niemand mag—

- (a) enige weskuskreef in sy besit of in sy bewaring hê tensy hy in besit is van 'n permit om weskuskreef vir eie gebruik te vang of in besit is van 'n faktuur uitgereik deur 'n persoon wat sodanige kreef op wettige wyse vir kommersiële doeleindes en in terme van die Wet verkry het: Met dien verstande dat niemand meer as 16 weskuskreef in totaal in sy besit of onder sy beheer of in sy bewaring mag hê nie, tensy hy beskik oor 'n faktuur uitgereik deur 'n persoon wat die kreef op wettige wyse vir kommersiële doeleindes verkry het.
- (b) enige weskuskreef wat gevang is vir eie gebruik, verkoop of vir verkoop aanbied nie.

WESKUS- EN SUIDKUSKREEF: KOMMERSIEEL

57. 'n Aansoek om 'n permit vir die vang van weskus- of suidkuskreef vir kommersiële doeleindes soos bedoel in regulasie 49 moet deur kwotahouers by die Hoofdirekteur: Seevisserie op die vorm soos deur hom vereis, aansoek doen en sodanige aansoek moet vergesel wees van die gelde soos bepaal deur die Minister.

58. Behoudens die bepalings van regulasie 56, mag niemand sonder die skriftelike magtiging van die direkteur-generaal en onderworpe aan die voorwaardes wat hy mag bepaal, enige weskus- of suidkuskreef of kreefsterte vervoer tensy sodanige kreef of kreefsterte verpak is ooreenkomstig die Suid-Afrikaanse Buro van Standaarde se Verpligte Spesifikasies vir die Vervaardiging, Produksie, Bewerking of Behandeling van Ingemaakte Skaaldiere of in 'n gelisensieerde fabriek in lewende vorm verpak is.

59. Alle weskus- of suidkuskreef wat ooreenkomstig hierdie Regulasies vir kommersiële doeleindes gevang is, moet in 'n heel vorm gehou word totdat sodanige kreef aan land gebring word: Met dien verstande dat kreefsterte aan boord enige vissersboot vervoer mag word mits sodanige sterte verpak is ooreenkomstig die Suid-Afrikaanse Buro vir Standaarde se Verpligte Standaard-spesifikasie vir Bevrore Kreefprodukte en/of die Verpligte Standaard-spesifikasie vir die Vervaardiging, Produksie, Bewerking of Behandeling van Ingemaakte Skaaldiere.

60. Behalwe op gesag van 'n permit wat deur die direkteur-generaal uitgereik is, mag die gesagvoerder van 'n vissersboot of vaartuig nie op sodanige vissersboot of vaartuig enige net of fuik wat vir die vang van kreef gebruik kan word, hou of toelaat dat dit op sodanige vissersboot of vaartuig gehou word nie gedurende die tydperke waartydens die vang van weskus- of suidkuskreef kragtens die Wet verbied is binne die gebied wes van 'n lyn (ware peiling 180°) getrek vanaf die vuurtoring te Kaap Agulhas.

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

- (a) enige duiktoerusting van watter aard ook al op enige vissersboot of vaartuig hê of daarop toelaat as sodanige vissersboot of vaartuig gebruik word vir die vang of vervoer van weskus- of suidkuskreef nie;
- (b) enige fuik gebruik vir die vang van weskus- of suidkuskreef nie, tensy sodanige fuik voldoen aan die voorgeskrewe vereistes;
- (c) 'n vissersboot vir die vang van weskus- of suidkuskreef met behulp van kreeffuik gebruik nie, tensy sodanige vissersboot met 'n dekroostersorteerder wat aan die voorgeskrewe spesifikasies voldoen, toegerus is en enige kreef wat met behulp van fuik gevang word, moet sonder versuim met behulp van die sorteerder gesorteer word en alle vis wat deurval moet sonder versuim in die see teruggeplaas word.

WESKUS- EN SUIDKUSKREEF: LEWERING, ONTVANGS, VERWERKING EN BEMARKING

62. (1) Niemand mag enige weskus- of suidkuskreef ontvang van 'n visser of sodanige kreef verwerk nie, tensy hy beskik oor 'n fabriek en in besit is van 'n permit uitgereik deur die direkteur-generaal na betaling van die gelde soos bepaal deur die Minister, wat hom magtig om sodanige kreef te ontvang en te verwerk.

(2) 'n Visser moet alle weskus- of suidkuskreef wat ingevolge die bepalings van hierdie Regulasies gevang is, aan land bring en mag dit slegs lewer aan iemand wat 'n fabriek bedryf en oor 'n permit beskik om sodanige kreef te ontvang en te verwerk.

(3) (a) Die massa van weskus- of suidkuskreef wat geland word, moet bepaal word deur middel van 'n massameter wat deur die eienaar van die fabriek wat die kreef in ontvangs neem, voorsien en geïnstalleer moet word.

(b) 'n Massameter soos bedoel in paragraaf (a) 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, behoudens regulasie 19 behoorlik verseël wees terwyl dit vir massabepaling gebruik word.

(4) Niemand mag weskus- of suidkuskreef wat met behulp van 'n vissersboot gevang is van die plek waar sodanige kreef geland is, verwyder voordat die massa daarvan op die voorgeskrewe wyse met 'n outomatiese massameter in die teenwoordigheid van 'n visseryebeheerbeampte bepaal is nie en dan alleen nadat sodanige beampte goedkeuring verleen het dat sodanige kreef van die massameter verwyder mag word.

(5) Die houer van 'n permit soos in subregulasie (1) vermeld, mag slegs weskus- of suidkuskreef in ontvangs neem van 'n visser wat in besit is van 'n kommersiële permit uitgereik ooreenkomstig die bepalinge van regulasies 49 en 57.

63. (1) 'n Persoon aan wie 'n fabriekslisensie uitgereik is, mag nie weskuskreef of produkte daarvan van die hand sit op 'n ander wyse as aan 'n aandeelhouer van die Suid-Afrikaanse Bevrore Kreefverpakkings (Edms.) Bpk. of Cape Lobster Exporters Association (SA) (Edms.) Bpk. nie. 'n Aandeelhouer van enige van genoemde maatskappye mag nie weskuskreef of produkte daarvan van die hand sit op 'n ander wyse as aan 'n ander aandeelhouer van enige van die genoemde maatskappye nie.

(2) Niemand mag weskuskreef of produkte daarvan op 'n ander wyse van die hand sit nie as aan of met die goedkeuring van die Suid-Afrikaanse Bevrore Kreefverpakkings (Edms.) Bpk. en Cape Lobster Exporters Association (SA) (Edms.) Bpk.: Met dien verstande dat hierdie verbod nie van toepassing is nie op die verkoop van weskuskreef of produkte daarvan deur 'n aandeelhouer aan 'n ander aandeelhouer van enige van gemelde maatskappye en ook nie van toepassing is nie op die herverkoop van weskuskreef of produkte daarvan wat van of deur bemiddeling van gemelde maatskappye gekoop is.

(3) Behoudens die bepalinge van die Wet mag niemand weskuskreef of produkte daarvan vir eie gebruik of vir verkoop verkry nie, behalwe van of deur bemiddeling van 'n maatskappy in subregulasie (1) genoem, of van iemand wat dit van of deur bemiddeling van so 'n maatskappy vir verkoop verkry het: Met dien verstande dat hierdie verbod nie van toepassing is nie op die verkryging van weskuskreef of produkte daarvan deur 'n aandeelhouer van enige van gemelde maatskappye van weskuskreef of produkte daarvan van 'n ander aandeelhouer van enige van gemelde maatskappye of op die verkryging deur 'n fabriek van weskuskreef van 'n visser.

(4) Niemand mag kreefprodukte aan iemand anders lewer of van iemand anders verkry nie, tensy sodanige kreefprodukte in 'n fabriek verpak is ooreenkomstig die Suid-Afrikaanse Buro vir Standaarde se Verpligte Standaardspesifikasie vir Bevrore Kreefprodukte, of die Verpligte Standaardspesifikasie vir die Vervaardiging, Produksie, Bewerking of Behandeling van Ingemaakte Skaaldiere, of van lewende kreef, tensy dit deur 'n aandeelhouer van die maatskappy Cape Lobster Exporters Association (SA) (Edms.) Bpk. verpak is in 'n houer waarop die geregistreerde embleem van genoemde maatskappy verskyn.

(5) Nieteenstaande die bepalinge van subregulasie (1) kan die maatskappye in subregulasie (1) genoem nie 'n aandeelhouer van gemelde maatskappye die reg verbied om weskuskreef of produkte daarvan ingevolge die bepalinge van subregulasie (2) en (3) vanaf gemelde maatskappye te verkry en weskuskreef of produkte daarvan binne die perke van die

kwota wat aan die aandeelhouer toegeken is aan kopers wat deur 'n aandeelhouer in die buiteland geïdentifiseer teen 'n prys wat onafhanklik deur die aandeelhouer beding en vasgestel is van die hand te sit nie.

(6) Nieteenstaande die bepalings van subregulasies (2), (3) en (5) moet alle aansoeke om 'n weskuskreefuitvoerpermit ingevolge die bepalings van die Wet deur die maatskappye genoem in subregulasie (1) namens 'n ander aandeelhouer van genoemde maatskappye hanteer word.

(7) Niemand mag weskuskreef of produkte daarvan van iemand anders verkry of aan iemand anders lewer nie, tensy 'n faktuur soos bedoel in subregulasie (8) ten opsigte van daardie weskuskreef of produkte daarvan deur die persoon wat dit lewer, uitgereik word aan die persoon wat dit verkry. Met dien verstande dat die voorgaande bepalings van hierdie subregulasie nie van toepassing is op 'n lewering aan 'n verbruiker en 'n verkryging deur 'n verbruiker vir 'n ander doel as om daarmee handel te dryf nie.

(8) 'n Faktuur uitgereik ingevolge subregulasie (7) moet minstens 12 maande lank deur die persoon aan wie dit uitgereik is, gehou word en moet minstens die volgende besonderhede bevat:

- (a) Die naam en adres van die leweransier;
- (b) die datum van lewering; en
- (c) die hoeveelheid of massa weskuskreef of produkte daarvan wat op bedoelde datum aan die verkryger gelewer is.

(9) Die bemarkingsliggame hieronder gelys is aangewys om slegs die volgende kommoditeite van kreef te distribueer:

- (a) Suid-Afrikaanse Bevrore Kreefverpakkers (Edms.) Bpk.—sterte en heel gekookte;
- (b) Cape Lobster Exporters Association (SA) (Edms.) Bpk.—lewendige en heel bevrore.

(10) Suidkuskreef of produkte daarvan mag slegs met voorafgaande goedkeuring van die Suidkuskreefvereniging deur die bovermelde liggame gedistribueer word.

64. (1) Niemand mag suidkuskreef of produkte daarvan op 'n ander wyse van die hand sit nie as aan of met die goedkeuring van een van die volgende afhangende die kommoditeit wat verkoop of te koop aangebied word: Die Suidkuskreefvereniging of die Suid-Afrikaanse Bevrore Kreefverpakkers (Edms.) Bpk. of die Cape Lobster Exporters Association (SA) (Edms.) Bpk.: Met dien verstande dat hierdie verbod nie van toepassing is nie op die verkoop van suidkuskreef of produkte daarvan deur 'n lid van genoemde verenigings aan 'n ander lid van genoemde verenigings en ook nie van toepassing is nie op die herverkoop van suidkuskreef of produkte daarvan wat van of deur bemiddeling van genoemde vereniging gekoop is.

(2) Behoudens die bepalings van die Wet mag niemand suidkuskreef of produkte daarvan vir eie gebruik of vir verkoop verkry nie, behalwe van 'n lid of deur bemiddeling van die verenigings in subregulasie (1) genoem, of van iemand wat dit van of deur bemiddeling van verenigings vir verkoop verkry het: Met dien verstande dat hierdie verbod nie van toepassing is nie op die verkryging deur 'n lid van gemelde vereniging van suidkuskreef of produkte daarvan van 'n ander lid.

(3) Niemand mag suidkuskreef of produkte daarvan aan iemand anders lewer of van iemand anders verkry nie, tensy sodanige suidkuskreef-produkte in 'n fabriek verpak is ooreenkomstig die Suid-Afrikaanse Buro vir Standaarde se Verpligte Standaardspesifikasie vir

Bevrore Kreefprodukte, of die Verpligte Standaardspesifikasie vir die Vervaardiging, Produksie, Bewerking of Behandeling van Ingemaakte Skaaldiere, of in die geval van lewende suidkuskreef, tensy dit deur 'n lid van die Suidkuskreefvereniging verpak is.

(4) Niemand mag suidkuskreef of produkte daarvan van iemand anders verkry of aan iemand anders lewer nie, tensy 'n faktuur soos bedoel in subregulasie (5) ten opsigte van daardie suidkuskreef of produkte daarvan deur die persoon wat dit lewer, uitgereik word aan die persoon wat dit verkry: Met dien verstande dat die voorgaande bepalinge van hierdie subregulasie nie van toepassing is nie op 'n lewering aan 'n verbruiker en 'n verkryging deur 'n verbruiker vir 'n ander doel as om daarmee handel te dryf.

(5) 'n Faktuur uitgereik ingevolge subregulasie (4) moet minstens 12 maande lank deur die persoon aan wie dit uitgereik is, gehou word en moet minstens die volgende besonderhede bevat:

- (a) Die naam en adres van die leweransier;
- (b) die datum van lewering; en
- (c) die hoeveelheid massa of suidkuskreef of produkte daarvan wat op bedoelde datum aan die verkryger gelever is.

(6) Die Suidkuskreefvereniging is aangewys om lewendige suidkuskreef en kreefsterte, hetsy heel bevrore of gekook, te distribueer.

(7) Weskuskreef of produkte daarvan mag slegs met goedkeuring van die twee liggame gemeld in subregulasie 63 (9) bemark word.

WESKUSKREEFLANDINGSPLEKKE

65. (1) Niemand mag langs die kus in die gebied tussen Kaap Hangklip en die Oranjerivier, enige weskuskreef of enige deel van sodanige kreef by enige ander plek as die volgende landingsplekke aan land bring 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 The North Bay Canning Company;
- (d) Lambertsbaai—die hooflandingskaai in die vissershawe;
- (e) Elandsbaai—die vier aanlegsteiers in die nabyheid van die ou militêre kamp op Bobbejaanpunt;
- (f) St Helenabaai—die kreeflandingskaai 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 fabriek 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) Saldanhabaai—die kreeflandingskaai in die vissershawe te Peperbaai;
- (k) Kaapstad—die vislandingskaai te Kaapstadhawe of ander plek goedgekeur deur die direkteur-generaal;
- (l) Houtbaai—die twee vislandingskaaië in die vissershawe;

- (m) Witsand—die landingsplek ten suide van Kommetjie geleë tussen die bakens onderskeidelik gemerk H1 en H2; en
- (n) Kalkbaai—die vislandingskaai in die vissershawe.

(2) Nieteenstaande subregulasie (1), mag wesuskreef wat kragtens regulasie 49 vir eie gebruik gevang is, op enige plek aan land gebring word, behalwe op plekke waar dit uitdruklik verbied word.

WESKUSKREEFSONES

66. (1) Iemand wat gemagtig is om wesuskreef te vang vir die lewering aan 'n fabriek, mag sodanige kreef slegs in die sones of areas soos hieronder omskryf, vang.

(2) By die toepassing van subregulasies (1) en (3) omvat die sones die volgende gebiede:

- (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 en word soos volg in die volgende twee areas verdeel:
 - (i) Area 1, met as noordelike grens, 'n lyn (ware peiling ongeveer 234°) 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) area 2, met as suidelike grens, 'n lyn (ware peiling 270°) getrek vanaf die monding van die Brakrivier en as noordelike grens, 'n lyn (ware peiling 270°) getrek vanaf die monding van die Buffelsrivier;
- (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 Swarskersbos en word soos volg in die volgende twee areas verdeel:
 - (i) Area 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) area 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 Dwarskersbos;
- (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 areas verdeel:
 - (i) Area 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) area 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 omskryf as Sone E en word soos volg in die volgende twee areas verdeel :

(i) Area 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 kreefreservaat te Melkbospunt; en

(ii) area 8, met as noordelike grens, 'n lyn (ware peiling 270°) getrek vanaf die baken HD1 van die Kaapse Skiereiland Kreefreservaat 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 area 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.

(3) Geen persoon waarna in subregulasie (1) verwys is, mag gedurende die tydperk 1 November tot 31 Desember van elke jaar, sodanige kreef vang in enige ander sone as in daardie sone waarin die fabriek aan wie hy sy vangste moet lewer, geleë is nie.

WESKUSKREEF: DEKROOSTERSORTEERDERS, FUIKE EN RINGNETTE

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

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

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

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

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

(a) Die rooster en die raam moet van vlek-vrye staal of gegalvaniseerde sagte staal vervaardig wees;

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

(bb) die bruikbare oppervlakte mag nie minder as 1,1 m² wees nie;

(cc) die gaping tussen aangrensende stange gemeet by enige punt, moet minstens 41,6 mm en hoogstens 42,4 mm wees;

(dd) die wydte van die gapings tussen die laaste stang en die raam, mag hoogstens 42,4 mm wees;

(ii) (aa) die raam moet bestaan uit plat stawe met 'n dikte van minstens 8 mm en 'n breedte van minstens 40 mm;

(bb) '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;

- (cc) die twee dwarsstawe moet aan die eindpunte van die twee langstawe vasgesweis word ten einde 'n reghoekige raam te vorm;
- (dd) die spasiëring van die gate in die lang stawe moet sodanig wees dat die gapings tussen die stange, wanneer hulle in posisie is, binne die gespesifiseerde perke is;
- (iii) (aa) die rooster moet bestaan uit stange met 'n nominale deursnee van 16 mm en 'n steunstaaf met 'n dikte van minstens 6 mm en 'n breedte van minstens 40 mm;
- (bb) die steunstaaf moet sentraal geplaas word tussen, en ewewydig aan, die lang stawe van die raam en daar moet 'n reeks vrypasgate daarin geboor word wat ooreenkom met dié in die lang stawe;
- (cc) die eindpunte van die steunstaaf moet aan die raam vasgesweis word en die eindpunte van die stange moet op so 'n wyse aan die raam vasgesweis word dat die sweislasse nie bo die buiteoppervlak van die raam uitsteek nie;
- (iv) sweislasse moet, in die geval van vlekvrystaal, smeltsweislasse wees wat volgens die traegasboogswaisproses gedoen is of, in die geval van vlekvrystaal, volgens enige ander sweisproses wat 'n sweislas lewer waarvan die meganiese eienskappe en korrosiebestandheid gelykstaande is met dié van die moedermetaal; en
- (v) alle blootgestelde oppervlakke moet glad sonder skerp rande of enige ander gebreke wees wat nadelig vir 'n kreef mag wees.

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

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

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

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

- (a) Die net of netwerk waarmee die fuik bedek word, moet van poliëteleen vervaardig wees;
- (b) die maasgrootte van die net of netwerk waarmee die fuik bedek word, met die uitsondering van die opening- of ingangtregters, mag, wanneer gespan, nie minder as 100 mm van binnekant van knoop of lasplek tot binnekant van knoop of lasplek, dit wil sê met skakels van 50 mm, wees nie: Met dien verstande dat in die geval van die gebruik van kreeffuik in die gebied tussen 'n lyn (ware peiling 270°) in die noorde getrek vanaf die monding van die Oranjerivier en 'n lyn (ware peiling 270°) in die suide, getrek vanaf die monding van die Brakrivier, die maasgroottes van die net of netwerk waarmee die fuik bedek word met die uitsondering van die opening- of ingangtregters, nie minder as 62 mm wanneer gespan van binnekant van knoop of lasplek tot binnekant van knoop of lasplek, dit wil sê met skakels van 31 mm, mag wees nie; en

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

(6) Die eienaar of gesagvoerder van 'n vissersboot of vaartuig wat gebruik word vir die vang van weskuskeef, mag nie 'n ringnet met 'n maasgrootte van minder as 90 mm (gemeet van binnekant van knoop of lasplek tot binnekant van knoop of lasplek) wanneer dit gespan is, of met skakels van minder as 45 mm en waarvan die sak-end gemeet vanwaar dit aan die ring vasgemaak is tot aan die uiterste punt van die sak, langer as 1 200 mm is nie, gebruik, of toelaat dat dit op sodanige vissersboot of vaartuig gebruik of vervoer word of aan boord is nie: Met dien verstande dat indien weskuskeef kommersieel gevang word die maasgrootte van 'n ringnet nie kleiner as 62 mm (gemeet van binnekant van knoop of lasplek tot binnekant van knoop of lasplek) wanneer dit gespan of met skakels van nie kleiner as 31 mm, is.

WESKUSKEEF: BEPERKTE GEBIEDE

63. (1) Niemand mag op enige wyse of vir watter doel ookal, enige keef in die gebiede hieronder omskryf, vang, probeer vang, of versteur nie, tensy hy in besit is van 'n permit wat deur die direkteur-generaal uitgereik mag word:

- (a) Die gebied binne 12 seemyl seewaarts vanaf die hoogwatermerk op die kus tussen, as noordelike grens, 'n lyn (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 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 seemyl 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 drie seemyl seewaarts gemeet vanaf die hoogwatermerk op die kus 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 Shellbaai-punt 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.

(2) Niemand op enige vissersboot wat gemagtig is om keef te vang vir lewering aan 'n fabriek ingevolge die bepalings van die Wet, mag 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, enige keef vang, probeer vang of versteur nie.

(3) Niemand mag 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 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, enige keef met behulp van 'n kreeffuik of soortgelyke tuig vang nie.

OOSKUSKREEF: ALGEMEEN**69.** Niemand mag—

- (a) behoudens die bepalinge van regulasie 53, in besit van enige ooskuskreef wees waarvan—
 - (i) die kopborsstuk, gemeet in 'n reguit lyn langs die middelruglyn vanaf die middelpunt van die kant wat die twee vergrote voorstekels verbind tot by die middel van die agterste kant, kleiner as 65 mm is nie;
 - (ii) die stert wat van die lyf afgesny is, gemeet in 'n reguit lyn langs die middelruglyn van kant tot kant van die tweede segment getel vanaf die aansluiting van die stert met die lyf (kopborsstuk), minder as 22 mm breed is nie;
- (b) ooskuskreef gedurende die tydperk vanaf 1 November van een jaar tot die laaste dag van Februarie van die daaropvolgende jaar, beide datums inklusief, vang of in besit neem nie;
- (c) in besit wees van ooskuskreef wat eiers dra, of wat tekens toon dat dit eierdraend en sulke eiers afgestroop is, of van die eiers van sodanige kreef nie;
- (d) in besit wees van enige ooskuskreef wat op die punt staan om te verdop of wat onlangs verdop het en wat 'n sagte dop het;
- (e) enige duiktoerusting van watter aard ookal op enige vissersboot of vaartuig hê of daarop toelaat as sodanige vissersboot of vaartuig gebruik word vir die vang of vervoer van ooskuskreef nie;
- (f) ooskuskreef by wyse van duik vang, probeer vang of versteur nie: Met dien verstande dat sodanige kreef vir eie gebruik by wyse van duik van die strand alleen, sonder die gebruik van enige kunsmatige asemhalingsapparaat, behalwe 'n snorkel, gevang mag word.

OOSKUSKREEF: VANGS VIR EIE GEBRUIK**70.** Niemand mag vir eie gebruik, behalwe kragtens 'n permit uitgereik deur die direkteur-generaal—

- (a) meer as vyf ooskuskreef vang, behou, beheer of besit op enige gegewe tydperk nie;
- (b) ooskuskreef met behulp van enige kreeffuik of soortgelyke instrument vang, probeer vang of versteur nie;
- (c) ooskuskreef met behulp van enige vissersboot of vaartuig vang, probeer vang of versteur nie.

OOSKUS- EN OOSTELIKE DIEPWATERKREEF: KOMMERSIEEL

71. (1) Niemand mag, behalwe kragtens 'n permit deur die direkteur-generaal uitgereik en na die betaling van die gelde soos bepaal deur die Minister, enige ooskuskreef verkoop of te koop aanbied nie: Met dien verstande dat die bepalinge van hierdie regulasie nie van toepassing is nie binne die landdrostdistrikte Peddie, Mdantsane, Kentani, Willowvale, Elliotdale, Mqanduli, Ngqeleni, Port St Johns, Lusikisiki en Bizana waar sulke verkoping of vir verkoop aanbieding nie aan of deur 'n fabriek is nie.

(2) Behalwe kragtens 'n permit wat deur die direkteur-generaal uitgereik is, mag die gesagvoerder van 'n vissersboot of vaartuig, geen net of fukse wat vir die vang van ooskuskreef gebruik mag word, hou of aan boord toelaat nie op sodanige vissersboot of vaartuig in die gebied oos van 'n lyn (139° ware peiling) getrek vanaf die monding van die Groot Keirivier in die tydperk waartydens die vang van sodanige kreef ingevolge die Wet verbied word.

72. Niemand mag, behalwe kragtens 'n permit deur die direkteur-generaal uitgereik en na betaling van die gelde soos bepaal deur die Minister, vir kommersiële doeleindes oorskuskeef of oostelike diepwaterkeef—

- (a) met behulp van 'n vissersboot of vaartuig vang, probeer vang of versteur nie; of
- (b) vang, probeer vang of versteur met behulp van enige kreeffuik of soortgelyke vistuig nie.

GEBIEDSBEPERKINGS: ALGEMEEN

73. (1) Behalwe op gesag van 'n permit wat deur die direkteur-generaal uitgereik mag word, mag niemand op enige wyse vir watter doel ookal, binne 'n afstand van drie seemyl seewaarts gemeet vanaf die laagwatermerk enige vis vang, probeer vang of versteur nie—

- (a) in die gebied tussen, as suidelike grens, 'n lyn (ware peiling 145°) getrek vanaf Nahoonpunt, en as noordelike grens, 'n soortgelyke lyn getrek vanaf die suidelike wal van Gonubiepunt;
- (b) 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 Gxulurivier; en
- (c) 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:

Met dien verstande dat die bepalings van hierdie subregulasie nie op enige persoon wat vanaf die strand met 'n stok en lyn visvang of op enige persoon wat ander mariene organismes vir aas of menslike verbruik versamel, of op enige pylgeweevissers wat van die wal duik, van toepassing is nie.

(2) Niemand mag 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 gebruik van strandtrekseëns en dryfnette in die gebied ten noorde van die noordelike grens van die Weskus Nasionale Park tot by die suidelike grens van die Saldanhabaai Portnet-hawejurisdiksiegebied soos aangedui op die seekaart SAN 1010 deur die direkteur-generaal gemagtig mag word.

(3) Niemand mag sonder die skriftelike magtiging van die direkteur-generaal binne 'n afstand van 12 seemyl seewaarts gemeet vanaf die laagwatermerk 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 enige haai deur middel van enige soort net vang, probeer vang of versteur nie.

(4) Niemand mag in Valsbaai, in die gebied begrens deur 'n reguit lyn getrek vanaf die vuurtoring by Kaap Hangklip tot by die vuurtoring by Kaappunt, enige stel-, span- of dryfnet of enige bodemtreil-, midwatertreilnet of enige beursseën of beursnet of enige tipe langlyn of enige tipe kreeffuik gebruik nie: Met dien verstande dat die verbod op die gebruik van kreeffuik binne Valsbaai nie van toepassing is nie op kreefbote wat deur die direkteur-generaal by wyse van 'n permit gemagtig is om keef binne die gebied te vang.

(5) Niemand mag binne Harderbaai te Onrusrivier, in die gebied tussen die laagwatermerk en 'n reguit lyn getrek tussen bakens gemerk O.R.1 (geleë by Van der Riet Hoek) en 'n baken gemerk O.R.2 (geleë by Marine Drive Punt), enige vis vang, probeer vang, versteur of in besit daarvan wees nie: Met dien verstande dat hierdie verbod nie op enige persoon wat vis met 'n stok en lyn van die wal af vang, van toepassing is nie.

74. Behalwe op gesag van 'n permit deur die direkteur-generaal uitgereik, mag niemand op enige wyse of vir watter doel ookal enige vis in die gebiede hieronder omskryf, vang, probeer vang of versteur nie of enige waterplant verwyder of probeer verwyder nie:

- (a) Die gebied vanaf die hoogwatermerk tot 10 meter seewaarts gemeet vanaf die laagwatermerk 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: Met dien verstande dat 'n permithouer ingevolge die Wet, hoogstens vier krewes vir eie gebruik vanaf die strand in die gebied tussen die Hoek van Bobbejaan en die vuurtoring te Kaappunt mag vang;
- (b) die gebied vanaf die hoogwatermerk tot 500 meter seewaarts, gemeet vanaf die laagwatermerk 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": Met dien verstande dat hierdie bepaling nie op enige persoon wat van die strand vis vang of probeer vang met behulp van 'n stok en lyn of op die versameling van uitgespoelde rooi-aas in hierdie gebied van toepassing is nie.
- (c) die gebied vanaf die hoogwatermerk tot 500 meter seewaarts, gemeet vanaf die laagwatermerk 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: Met dien verstande dat hierdie bepaling nie op enige persoon wat van die strand vis vang of probeer vang met behulp van 'n stok en lyn of op die versameling van uitgespoelde rooi-aas in hierdie gebied van toepassing is nie;
- (d) die gebied vanaf die hoogwatermerk tot 500 meter seewaarts, gemeet vanaf die laagwatermerk 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: Met dien verstande dat hierdie bepaling nie op die versameling van uitgespoelde rooi-aas in hierdie gebied van toepassing is nie;
- (e) die gebied vanaf die hoogwatermerk tot 500 meter seewaarts, gemeet vanaf die laagwatermerk, 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 suidelike golfbreker van die vissershawe te Gordonsbaai: Met dien verstande dat hierdie bepaling nie op enige persoon wat van die strand vis vang of probeer vang met behulp van 'n stok en lyn of op die versameling van uitgespoelde rooi-aas in hierdie gebied van toepassing is nie;

- (f) die gebied (bekend as die Mudgepunt Mariene Bewaringsgebied) gemeet vanaf die hoogwatermerk tot 100 m seewaarts met as westelike grens, die westelike grens van die Hawston-hawe en as oostelike grens, die oostelike grens van die Frans Senekal Wildreservaat: Met dien verstande dat hierdie bepaling nie op enige persoon wat van die strand vis vang of probeer vang met behulp van 'n stok en lyn, die vang van perlemoen en kreef kragtens 'n permit, die versameling van uitgespoelde rooi-aas of op die versameling van seewier kragtens 'n permit, in hierdie gebied van toepassing is nie;
- (g) die gebied gemeet vanaf die hoogwatermerk tot 500 meter seewaarts, tussen as oostelike grens 'n lyn (ware peiling 180°) getrek vanaf die baken gemerk HR1 geleë te Kraal Rock in Walkerbaai en as westelike grens 'n soortgelyke lyn getrek vanaf die baken gemerk HR2 geleë te Rietfontein, Hermanus: Met dien verstande dat hierdie bepaling nie op enige persoon wat van die strand vis vang of probeer vang met behulp van 'n stok en lyn, van toepassing is nie.

VISSERSHAWEREGULASIES

Navigasie, binnekoms en akkommodasie in vissershawens

75. (1) Geen vaartuig mag in 'n vissershawes gebring word, te water gelaat, lê, daarin gebruik word of op enige ander wyse geakkommodeer word sonder die toestemming van 'n visserybeheerbeampte en op die voorwaardes wat hy mag bepaal en sonder die betaling van die gelde soos betpaal deur die Minister nie: Met dien verstande dat—

- (a) 'n visserybeheerbeampte toestemming kan weier in die belang van veilige, ordelike en doeltreffende hawebestuur en -beheer;
- (b) die bepalings van hierdie regulasie nie van toepassing is nie op 'n vissersboot wat onder beheer van 'n visserybeheerbeampte besig is omsy vangs af te laai of voorrade, of brandstof aan boord te neem;
- (c) die bepalings van hierdie regulasie nie van toepassing is nie op 'n vaartuig wat op Staatsgrond wat deur enige private persoon, firma of maatskappy gehuur word, gelaat of geplaas is; en
- (d) geen gelde betaalbaar is ten opsigte van enige vaartuig in diens van 'n regeringsinstansie nie.

(2) Niemand mag 'n vaartuig binne 'n vissershawes as 'n restaurant, vermaaklikheidsplek of winkel gebruik, sonder die skriftelike toestemming van die visserybeheerbeampte in bevel van die betrokke vissershawes en dienooreenkomstig die voorwaardes wat hy mag bepaal nie, en sonder betaling van die gelde soos deur die Minister bepaal.

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

77. Die gesagvoerder van 'n vaartuig wat binne 'n geproklameerde vissershawes is, is te alle tye verantwoordelik vir die veiligheid daarvan.

78. Die gesagvoerder van 'n vaartuig moet, terwyl dit binne 'n vissershawes is, in beheer van sodanige vaartuig bly totdat dit vasgemeer is.

79. Die gesagvoerder van enige vaartuig wat 'n ander vissershawes as sy tuishawes binne-vaar, moet onverwyld na sy aankoms in die ander vissershawes 'n visserybeheerbeampte in kennis stel van die tyd en datum van sy aankoms en die besonderhede van sy vaartuig wat die visserybeheerbeampte mag vereis, verstrek.

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

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

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

83. Behoudens die bepalinge van die Handelskeepvaartwet, 1951 (Wet No. 57 van 1951), kan 'n visserybeheerbeampte—

- (a) die maatreëls tref wat hy nodig ag om 'n vaartuig te verbied om uit 'n vissershawe te vertrek indien dit oorlaai, onbehoorlik gelaai, nie voldoende bevoegde bemanningslede het nie of onseewaardig is; en
- (b) sodanige vaartuig by skriftelike lasgewing aanhou tot tyd en wyl sodanige gebrek tot sy tevredenheid herstel is.

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

85. 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

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

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

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

89. (1) Geen vaartuig mag sonder die toestemming van 'n visserybeheerbeampte in 'n vaargeul binne 'n vissershawe geanker of vasgemeer word nie.

(2) Niemand mag—

- (a) 'n vaartuig in 'n vissershawe binne die aanliggende watergebied van 'n sleep-helling anker, vasmeer of plaas nie; en
- (b) 'n ketting, anker of ander versperring in sodanige watergebied plaas nie.

90. Die eienaar of gesagvoerder van 'n vaartuig wat sodanige vaartuig in 'n vissershawe op so 'n wyse anker, vasmeer en aanlê dat dit ongerief of gevaar veroorsaak, moet onverwyld aan 'n opdrag van 'n visserybeheerbeampte voldoen ten einde sodanige vaartuig te beveilig of te verwyder.

91. 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.

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

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

94. (1) 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 geland is of voorrade, brandstof, toerusting of bemanning aan boord geneem is.

(2) Indien die eienaar of gesagvoerder van 'n vaartuig in gebreke bly om aan die bapalings in subregulasie (1) te voldoen, is die toepaslike gelde soos deur die Minister bepaal, betaalbaar.

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

- (a) die eienaar of gesagvoerder van die vaartuig verantwoordelik is vir die veilige vasmaak en beskerming daarvan en hom daarvan vergewis dat die aanlêplek, kaai, stampkussings, vasmeertoue, kettings en ander toerusting in so 'n toestand is dat die vaartuig gedurende ongunstige weersomstandighede met veiligheid daar kan aanlê;
- (b) die vaartuig op die eienaar se risiko in 'n vissershawe geakkommodeer word en 'n visserybeheerbeampte hom die reg voorbehou om twee of meer vaartuie langs mekaar te laat vasmeer;
- (c) waar twee of meer vaartuie langs mekaar vasgemeer word, die onderskeie eienaars of gesagvoerders verantwoordelik is vir die aanbring van voldoende stampkussings tussen sodanige vaartuie;
- (d) die eienaar of gesagvoerder van die vaartuig 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, die eienaar of gesagvoerder van sodanige vaartuig moet toesien dat die vasmeertoue van die oorblywende vaartuie behoorlik vasgemaak is en dat die stampkussings behoorlik in posisie is om skade aan vaartuie te voorkom;
- (f) die eienaar of gesagvoerder van die vaartuig op las van 'n visserybeheerbeampte vir die tydperk wat hy aandui moet verwyder wanneer dit nodig is om dieptepeilings, baggerwerk of herstelwerk aan 'n kraai of stampkussings 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 op las van 'n visserybeheerbeampte die vaartuig moet verskuif of laat verskuif vanaf die plek waar dit vasgemeer is na 'n ander plek deur die visserybeheerbeampte aangewys.

Plasing van voorwerpe en storting van materiaal in vissershawens

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

Gesondheid, aanstootlike vragte, brand

97. 'n Visserybeheerbeampte kan gelas dat 'n vaartuig uit 'n vissershawe verwyder word indien die vrag of ander goedere aan boord volgens die visserybeheerbeampte 'n gesondheidsgevaar is of 'n bedreiging vir lewe of eiendom inhou of aanstootlik is.

98. 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 visserhawe gebruik nie tensy dit oor 'n doeltreffende knaldemper of geluiddemper beskik.

Herstelwerk

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

100. (1) Voordat 'n 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 verskaf wat dit by betaling van die gelde soos bepaal deur die Minister, 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.

(2) Indien 'n vaartuig weens versuim van die eienaar of gesagvoerder nie op die vasgestelde dag op 'n sleepstelling geplaas word nie en die sleepstelling vir ander vaartuie benodig word, verbeur sodanige vaartuig sy beurt soos aangetoon in die register, soos vermeld in subregulasie (1), wat deur sodanige visserybeheerbeampte bygehou word.

(3) 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.

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

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

(6) Ondanks die bepaling van subregulasie (4) kan '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.

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

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

101. Niemand mag enige hyskraan, waterpomp, leer, bokkie, steierplank of elektriese krag wat deur die Staat in 'n vissershawe verskaf word, gebruik nie, behalwe kragtens 'n permit deur 'n visserybeheerbeampte uitgereik en teen betaling van die gelde soos deur die Minister bepaal.

102. 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 ander doeleindes nie, behalwe met die toestemming van 'n visserybeheerbeampte en onderworpe aan die voorwaardes deur hom bepaal.

103. Niemand mag 'n wrak, romp of vaartuig in 'n vissershawe sloop nie, behalwe met die toestemming van 'n visserybeheerbeampte.

Toegang tot hawe

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

105. Enige persoon of werknemer in of op eiendom van die Staat in 'n vissershawe, moet die bevele van 'n visserybeheerbeampte gehoorsaam.

106. Niemand mag binne 'n vissershawe—

- (a) in 'n toestand van dronkenskap verkeer of hom op 'n geweldadige 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 'n kaai, hawehoof of vloedstrand, of die toegange daartoe, belemmer of iets doen wat dit moontlik kan belemmer nie;
- (f) swem of baai nie, behalwe op plekke wat vir daardie doel aangewys is; en
- (g) sonder die skriftelike goedkeuring van 'n visserybeheerbeampte duik nie.

107. Niemand mag—

- (a) in 'n vissershawe smous nie, behalwe kragtens 'n permit deur 'n visserybeheerbeampte uitgereik en teen betaling van die gelde soos deur die Minister bepaal;
- (b) 'n advertensie, kennisgewing, plakkaat of teken op eiendom wat onder beheer van die Staat is, aanbring of vertoon of laat aanbring of vertoon, behalwe kragtens 'n permit deur die visserybeheerbeampte uitgereik en teen betaling van die gelde soos deur die Minister bepaal;

- (c) enige literatuur binne 'n vissershawe versprei of laat versprei nie sonder toestemming van 'n visserybeheerbeampte;
- (d) enige oop terrein, of 'n terrein in 'n visskoonmaaksuur binne 'n vissershawe beset of gebruik nie, behalwe kragtens 'n permit deur 'n visserybeheerbeampte uitgereik en teen betaling van die gelde soos deur die Minister bepaal;
- (e) meer as 5 liter varswater wat in 'n vissershawe verskaf word, per dag gebruik nie, behalwe kragtens 'n permit deur 'n visserybeheerbeampte uitgereik en teen betaling van die gelde soos deur die Minister bepaal;
- (f) drinkwater wat deur die waterinstallasie by 'n vissershawe verskaf word, mors of toelaat dat dit gemors word nie;
- (g) in 'n vissershawe visvang nie behalwe kragtens 'n permit deur 'n visserybeheerbeampte uitgereik en teen betaling van die gelde soos deur die Minister bepaal;
- (h) enige vis in 'n vissershawe skoonmaak nie, behalwe kragtens 'n permit deur 'n visserybeheerbeampte uitgereik onder sodanige voorwaardes as wat hy nodig ag en teen betaling van die gelde soos deur die Minister bepaal;
- (i) enige hond in 'n vissershawe binnebring nie, behalwe met die goedkeuring an die visserybeheerbeampte;
- (j) binne 'n vissershawe vuur maak nie, behalwe met die toestemming van 'n visserybeheerbeampte; en
- (k) enige vaartuig in 'n vissershawe vir die vervoer van passasiers gebruik nie, behalwe kragtens 'n permit deur 'n visserybeheerbeampte uitgereik en teen betaling van die gelde soos deur die Minister bepaal.

Voertuie

108. Niemand mag 'n voertuig in 'n vissershawe inbring nie, behalwe kragtens 'n permit of toegangkaartjie deur 'n visserybeheerbeampte uitgereik onderworpe aan sodanige voorwaardes as wat hy mag bepaal en teen betaling van die gelde soos deur die Minister bepaal en sodanige permit of toegangkaartjie verleen slegs toegang tot die vissershawe waar dit uitgereik is op die datum soos daarin gespesifiseer.

109. 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 gebied vertoon word, nakom, en alle bevele gehoorsaam in verband met die reëling en beheer van verkeer wat 'n visserybeheerbeampte aan hom gee.

Visserij-opgawes

110. (1) Die houer van 'n permit uitgereik ingevolge hierdie Regulasies moet op of voor die laaste dag van elke maand 'n opgawe wat die inligting bevat soos vereis in sodanige permit in die vereiste formaat aan die Hoofdirekteur: Seevisserij, Privaatsak X2, Roggebaai, 8012, of enige persoon vir die doel deur die direkteur-generaal aangewys, voorlê.

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

(3) Die permithouer moet die opgawe bedoel in subregulasies (1) en (2), dateer en die inligting daarin vervat as korrek verklaar.

PERMITTE EN LISENSIES: ALGEMEEN

111. (1) Enige lisensie en/of permit kragtens die Wet uitgereik, of 'n gewaarmerkte afskrif daarvan, moet te alle tye beskikbaar gehou word deur die houer daarvan en moet sonder verwyd op aanvraag aan 'n visserybeheerbeampte of 'n gemagtigde beampte getoon word.

(2) Die eienaar of gesagvoerder van 'n vissersboot moet verseker dat die lisensie en permit wat uitgereik is aan die eienaar, of 'n gewaarmerkte afskrif daarvan, te alle tye beskikbaar is op sodanige vissersboot en sodanige lisensie en permit moet op aanvraag getoon word aan enige bevoegde wetstoepassingsbeampte.

112. Die bepalings van regulasie 111 sal *mutatis mutandis* van toepassing wees op enige persoon wat 'n lisensie en/of permit benut.

113. Indien 'n lisensie en/of permit verlore raak, kan 'n duplikaat verkry word teen betaling van die gelde soos deur die Minister bepaal.

114. Geen aansoek om die hernuwing van 'n permit sal na meer as ses maande na die vervaldatum daarvan deur die direkteur-generaal oorweeg word nie.

APPÊL

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

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

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

TOEPASSING VAN REGULASIES

116. Die bepalings van hierdie Regulasies is nie van toepassing nie op vis wat in riviermonding, getyriewer, getystrandmeer, blinde riviermonding, of hawe in die gebied tussen die mondings van die Oranje- en Groot-Visrivier en tussen die mondings van die Chalumna- en Groot Keiriviere, gevind word.

MISDRYWE EN STRAWWE

117. 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 van hoogstens R50 000 of met gevangenisstraf van 'n tydperk van hoogstens ses jaar of met beide sodanige boete en sodanige gevangenisstraf.

AANSOEKVORM: KWOTA

118. Bylae A sal van toepassing wees ten opsigte van 'n aansoek om 'n kwota.

HERROEPING VAN GOEWERMENTSKENNISGEWINGS

119. Die Goewermentskennisgewings in Bylae B vermeld, word hierby herroep.

Bylae A**Aansoekvorm ten opsigte van 'n aansoek om 'n kwota****Bylae B****Goewermenskennisgewings herroep**

No. R. 2934 van 23 Oktober 1992.

No. R. 3248 van 27 November 1992.

No. 129 van 9 Desember 1992 van die voormalige Transkei insoverre dit betrekking het op vis en plante wat in die see voorkom.

No. R. 5 van 8 Januarie 1993.

No. R. 1052 van 18 Junie 1993.

No. 59 van 23 Julie 1993 van die voormalige Transkei insoverre dit betrekking het op vis en plante wat in die see voorkom.

No. R. 2003 van 15 Oktober 1993.

No. R. 2228 van 17 November 1993.

No. R. 2556 van 31 Desember 1993.

No. R. 656 van 8 April 1994.

No. R. 1371 van 12 Augustus 1994.

No. R. 486 van 31 Maart 1995.

No. R. 987 van 30 Junie 1995.

No. R. 1073 van 21 Julie 1995.

No. R. 1371 van 23 Augustus 1996.

No. R. 604 van 25 April 1997.

No. R. 1291 van 3 Oktober 1997.

No. R. 1402 van 24 Oktober 1997.

Bylae A • Schedule A

BLS

**DEPARTEMENT VAN OMGEWINGSAKE
EN TOERISME****HOOFDIREKTORAAT: SEEVISSERYE**
Wet op Seevisserij, 1988 (Wet No. 12 van 1988)**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND
TOURISM****CHIEF DIRECTORATE: SEA FISHERIES**
Sea Fishery Act, 1988 (Act No. 12 of 1988)**AANSOEK OM 'N KWOTA • APPLICATION FOR A QUOTA**

[Ingevolge artikel 18 (1) (b)] • [In terms of section 18 (1) (b)]

1. Van en voorletters of naam van besigheid (GEEN HANDELSNAME): Surname and initials or name of business (NO TRADE NAMES):											
2. ID- of Registrasienommer: ID or Registration number:											
3. Posadres: Postal address:											
Tel: Tel:	Poskode: Postal code:										
4. Vir watter sektor in die visbedryf word aansoek gedoen? For which sector in the fishing industry is application being made?											
(Een vorm per sektor/One form per sector)											
5. Vir watter spesie(s) in die visbedryf word aansoek gedoen? For which species in the fishing industry is application being made?											
Spesie Species Spesie Species	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: left; padding: 2px;">KANTOORGEBRUIK • OFFICE USE</th> </tr> <tr> <td style="padding: 2px;">Massa</td> <td style="text-align: right; padding: 2px;">ton</td> </tr> <tr> <td style="padding: 2px;">Mass</td> <td style="text-align: right; padding: 2px;">tonnes</td> </tr> <tr> <td style="padding: 2px;">Massa</td> <td style="text-align: right; padding: 2px;">ton</td> </tr> <tr> <td style="padding: 2px;">Mass</td> <td style="text-align: right; padding: 2px;">tonnes</td> </tr> </table>	KANTOORGEBRUIK • OFFICE USE		Massa	ton	Mass	tonnes	Massa	ton	Mass	tonnes
KANTOORGEBRUIK • OFFICE USE											
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6. Wat was u kwota vir die vorige jaar/seisoen? What was your quota for the previous year/season?											
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7. Wat was die werklike vangs vir die vorige jaar/seisoen? What was your actual catch in the previous year/season?											
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Handtekening van Aansoeker/Signature of Applicant

Datum/Date

Nota: Die voltooië vorm moet geadresseer word aan—Die Sekretaris van die Kwotaraad, Privaatsak X2, Roggebaai, 8012.
Note: The completed form must be addressed to—The Secretary of the Quota Board, Private Bag X2, Roggebaai, 8012.

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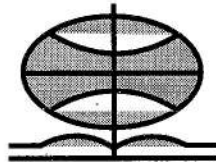
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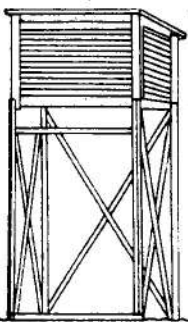
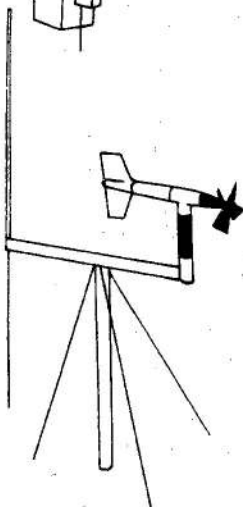
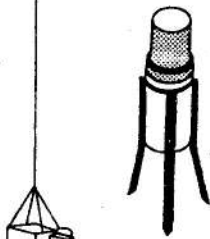
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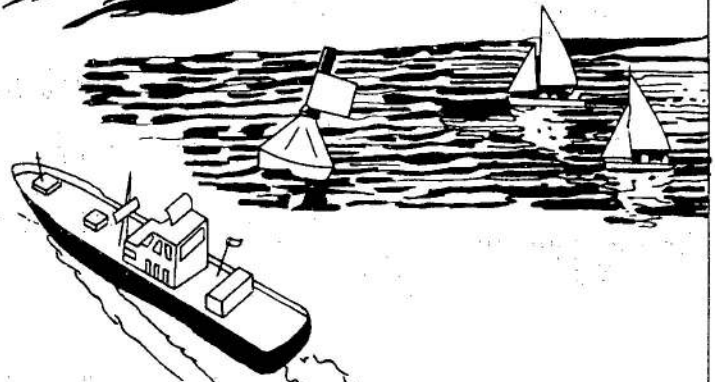
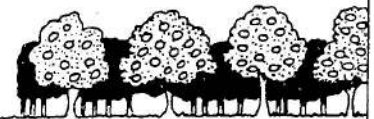
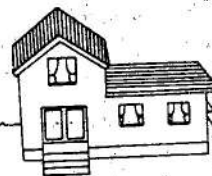
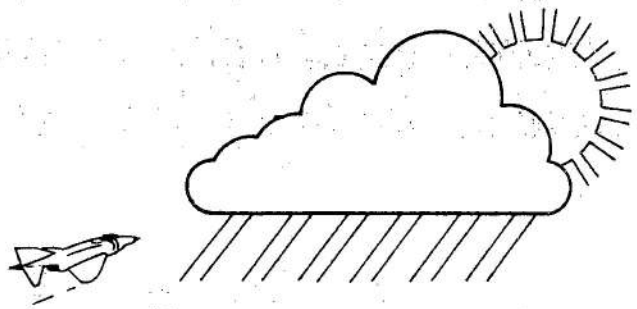
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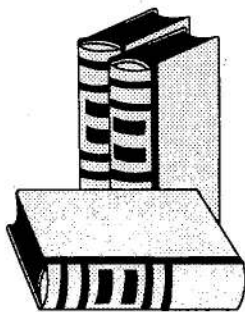
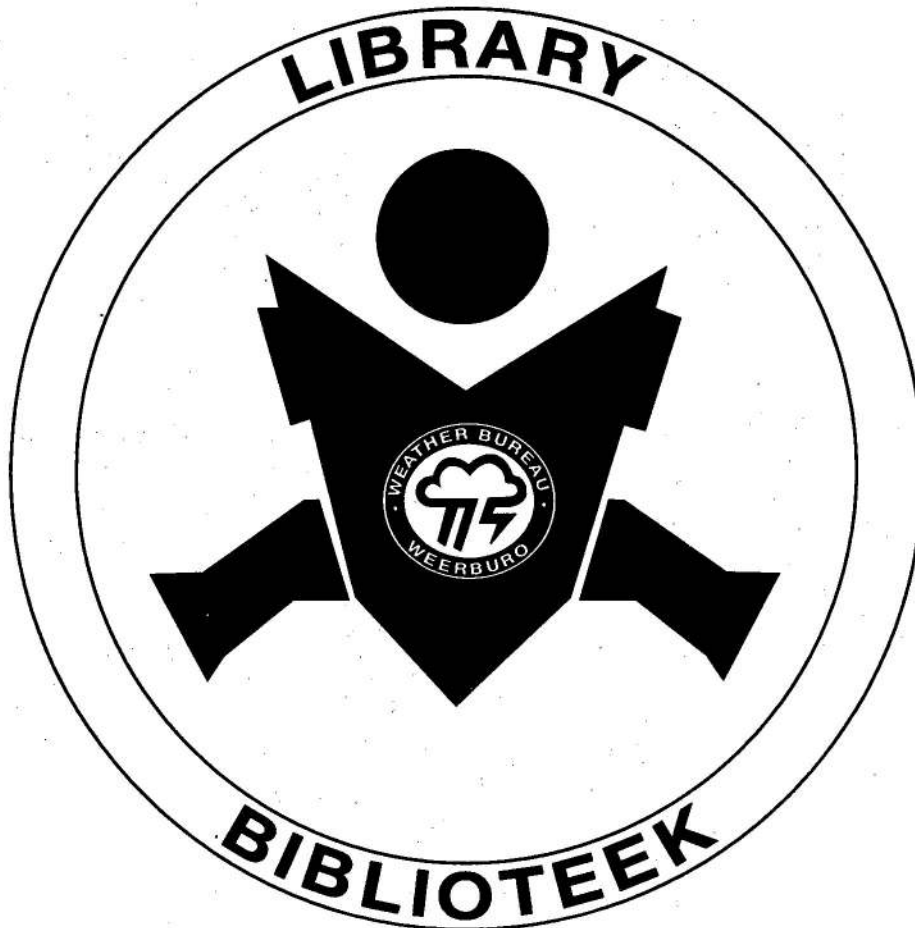
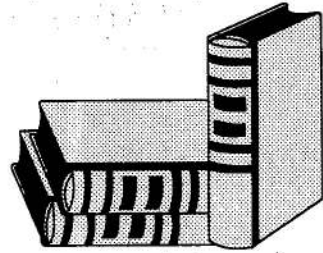


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DEPT. OF ENVIRONMENTAL AFFAIRS AND TOURISM · DEPT. VAN OMGEWINGSAKE EN TOERISME

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Department of Environmental Affairs and Tourism
Departement van Omgewingsake en Toerisme

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