

(18 November 2013 – to date)

MARINE LIVING RESOURCES ACT 18 OF 1998

(Gazette No. 18930, Notice No. 747. Commencement date: 1 September 1998 [Proc. No. 80, Gazette No. 19148])

REGULATIONS FOR A PROHIBITION ON FISHING AT NIGHT IN THE ESTUARY OF THE BREEDE RIVER

Government Notice R886 in Government Gazette 30747, dated 18 November 2013. Commencement date: 18 November 2013

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

SCHEDULE

1. Definitions
2. Objective of the Regulations
3. Prohibition of fishing and gear
4. Penalties and offences

1. Definitions

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

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

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

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

2. Objective of the Regulations

Prepared by:

In partnership with:

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

3. Prohibition of fishing and gear

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

4. Penalties and offences

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