

(15 February 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 FISHING FOR ELASMOBRANCHS (SHARKS) IN THE ESTUARY OF THE BREEDE RIVER

*Government Notice R105 in Government Gazette 36147 dated 15 February 2013. Commencement date:
15 February 2013*

The Minister of Agriculture, Forestry and Fisheries, Tina Joemat Pettersson hereby publishes emergency regulations for 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.

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SCHEDULE

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, aircraft, boat or craft carried on board a vessel, aircraft or other craft;

2. Objective of the Regulations

The objectives of these Regulations are to provide further protection for shark species in the Breede Estuary.

3. Prohibition of fishing and gear

- (1) No person shall, with the exception of a permit for scientific research, catch, or attempt to catch, any Elasmobranchs (sharks) in the Breede Estuary.
- (2) All incidental catches of Elasmobranchs are to be released to the water alive.

4. Penalties and offences

Any person who fails to comply with 3(1), 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.