

**EXEMPTION CONDITIONS: GILLNET FISHING OF SOUTHERN MULLET, LIZA RICHARDSON!  
(HARDERS ON A LIMITED COMMERCIAL BASIS IN OLIFANTS RIVER ESTUARY – 2007**

**1. GENERAL**

1.1 This exemption is issued subject to the provisions and regulation of the following laws:

- (a) The Marine Living Resources Act, 1998 (Act No. 18 of 1998) (“the Act”) and in particular, the regulations that designates marine protected areas;
- (b) The National Environmental Management Act, 1998 (Act 107 of 1998) (NEMA) and in particular, the regulations that controls vehicle use in the coastal zone (as amend)
- (c) The National Biodiversity Act 9Act no. 57 of 2004)
- (d) The National Protected Area Act, 2003 (Act N. 57 of 2003)
- (e) The Sea Birds and Seals Protected Act, 1973 (Act No 46 of 1973); and
- (f) The International Convention for the Prevention of Pollution from Ships Act (Act No. 2 of 1996).

1.2 If in the opinion of the Chief Director Resource Management (“Chief Director”) there are sound reasons for doing so, he may, without prior notice to the Exemption Holder, amend the conditions of the exemption.

1.3 The Exemption may be revoked, suspended or cancelled if the Exemption Holder contravenes or fails to comply with a exemption condition or with the provisions of the Act or is convicted of an offence in terms of the Act or Fails to effectively utilise the exemption or in the opinion of the Chief Director it is necessary to revoke or cancel the exemption.

1.4 An exemption to exercise an existing right in terms of the Act may be refused if the conditions of a previously issued exemption had not been adhered to.

1.5 The exemption may be withdrawn or suspended if the Exemption Holder or any of his/her or its employees submits incorrect information to which the Department is entitled or if he/she or submit any incorrect particulars regarding the ownership or specification of the vessel

1.6 In terms of the Act, the Exemption Holder is obliged to report to the Minister any contravention of the provisions of the Act by any other person.

1.7 The Exemption Holder shall not land, sell, receive or process any fish taken by any means in contraventions of the Act.

1.8 The exemption must be available on board the vessel and / or at the site of fishing operations and shall be produced on demand to any fishery Control Officer.

- 1.9 All plastic waste shall be stored aboard the vessel until reaching the shore and under no circumstances should such waste be discarded at sea and / or at the site of fishing operations.
- 1.10 No dead fish offal or litter may be left behind at the fishing operations.
- 1.11 The Exemption Holder shall not exceed the TAC/TAE or combination thereof allocated to him/her or it in Section A
- 1.12 The Exemption Holder shall pay the prescribed levy per kilogram or ton (as applicable) or portion thereof. The levies payable in respect of fish caught during one month shall be paid before the end of the following month.
- 1.13 This Exemption may only be used by the Exemption Holder or an authorized representative. Written permission for an authorized representative must be obtained from the Chief Director. The Exemption Holder shall be responsible for any infringements of the exemption conditions by his/her crew or authorized representative.
- 1.14 The Exemption holder shall attend all meetings at Ebenhaeser and / or Paperdorp held by the Department or its agents in order to convey information and / or foster the cooperative management of the fishery dependent upon being timeously invited to such meeting.

## **2. FISHING AREA**

- 2.1 The exemption is valid only in the Olifants River Estuary excluding any area zoned as Marine Protected Area (MPA). Fishing in other marine areas controlled by the South African National Parks, is subject to regulations promulgated under the National Parks Act, 1976 (Act No. 57 of 1976) as amended.
- 2.2 No fishing is allowed in the Estuary mouth or in any other areas, which may in future be zoned as being sensitive in terms of an accepted Estuarine Management Plan for the Olifants.
- 2.3 Fishing should occur:
  - From the Lutzvile Causeway (31°41'57"S; 18°19'40"E) to the Beacon on the south of the river (31°41'17"S; 18°12'00"E) and the Beacon on the north of the river (31°41'11"S; 18°11'49"E).

## **3. VESSEL SPECIFICATIONS**

- 3.1 The letter "N" must be displayed on the vessel next to the area number.
- 3.2 The Exemption Holder shall not use any fishing vessel unless it bears the registration letters and number assigned thereto by the Director-general. Such letters and numbers

shall be printed in white on a black background or in black on a white background on both bows in characters not less than 15cm in height, 10cm in breadth and 2cm in thickness (width of stroke). The space between adjacent letters and figures shall be between 2cm and 5cm.

#### **4 ECONOMIC INFORMATION**

- 4.1 The Economic, socio-economic and financial information regulation the activities of the operations of the exemption holder shall be supplied to the Chief Director: Marine and coastal Management when requested. The information must be in the format as requested and shall be submitted within 21 days of the request.

#### **5. CATCHING**

- 5.1 The Exemption Holder shall only catch and retain Southern mullet, *Liza richardsonii* (harders) and all species that appear on the bait list as defined by the Marine living Resources Act, 1998 (Act No. 18 of 1998). The exemption holder shall not catch and retain species that on the recreational, exploitable, protected, critical and specially protected lists and all these and other bycatch species shall be released to the water unharmed or, of dead, surrendered to the Fishery Control Officer at the nearest Marine and Coastal Management officer. The fish species that may not be caught are set out in annexure 1.

#### **GEAR RESTRICTIONS**

- 5.2 The Exemption Holder shall not operate more than one (1) gillnet at any given time.
- 5.3 The Exemption Holder shall include the net being used only have one net within the designated vessel at any on time.
- 5.4 The overall length, measured along the cork or lead line, of a gillnet, shall not exceed 45 meters.
- 5.5 The depth, measured as the stretched between the lead and cord line, of a harder gillnet (48-64 mm stretched mesh) shall not exceed 5 meters.
- 5.6 The mesh-size of harder gillnet shall not be less than 48 mm or great than 64 mm (stretched mesh).
- 5.7 When deployed in the water each end of a gillnet must be to a buoy or float. Each buoy or float must be marked with the area registration number of the exemption holder.
- 5.8 When deploy, both ends of the net may be staked but the net must be attended by the Exemption Holder at all times.

- 5.9 The Exemption holder shall not use electric or fuel driven vehicles to haul gillnet. Hand powered mechanical winches block-and-tackle and pulley systems may be used to haul gillnet.
- 5.10 The Exemption Holder shall use the net only in the area designated and with the understanding that this exemption provides no right of access to private property and that when applicable, the exemption holder may only operate with permission of the relevant authority in.
- a. Marine Protected Areas
  - b. National Parks
  - c. Provincial Parks and Nature Reserves
  - d. ESCOM areas
  - e. National Ports Authority areas
  - f. South African National Defence Force areas
  - g. Areas as specified by the mineral Act (Act No.50 of 1991)
- 5.11 The Exemption Holder shall allow personnel and authorised representative of the Department access to check equipment and catches at all times.
- 5.10 No fish on the non-saleable recreational may be retained or sold; all incidental catches are to be released to the water unharmed. Dead fish on the non-saleable recreational list shall be handed in to the regional Fisheries Control Officer.

## **6. CATCH STATISTICS**

- 6.1 The exemption Holder shall render statistics as prescribed in the "Commercial catch returns for drift beach-seine nets" Landing Book Before the 15<sup>th</sup> of each month in respect of the previous month fished, the Exemption Holder must complete one catch-return sheet and deliver it, still attached to the Landing Book, by hand to the regional Marine and Coastal Management office. The onus is on the exemption holder to ensure the catch statistics are certified and a receipt obtained on delivery. Certification and receipt of delivery will be confirmed by the copy of the catch-statistics in the Landing Book being stamped, dated and signed by an officer of Marine and Coastal Management.

## **7. COMPLIANCE**

- 7.1 The Exemption Holder is obliged in terms of the Act to report to the Department any perceived breach of exemption conditions, provisions of the regulations promulgated under the Act or provisions of act it self by any other person.
- 7.2 Such breaches must be submitted to the Department in writing and should be faxed to Mr Sandile Sibiyana on (021) 402 3622, for the attention of the Chief Director: Adv. Abeeda Mugjenkar.
- 7.3 The Exemption Holder shall not land, sell, receive or process any fish taken by means in contravention of the Act.

Annexure 1. Exploitation categories and species lists indicating which fish may or may not be caught and sold by the exemption-holder. Where applicable, minimum size limits re included.

SPECIES	SIZE LIMIT	CATCH AND TRADE
<b>Closed list</b>		
Basking shark ( <i>Cetorhinus maximus</i> )		No
Brindle bass ( <i>Pronicrops lanceolatus</i> )		No
Great white shark ( <i>Carcharodon carcharias</i> )		No
Natal wrasse ( <i>Anchichoerops natalensis</i> )		No
Potato bass ( <i>Epinepherillus tukula</i> )		No
Sawfishes (family <i>Pristidae</i> )		No
Seventy-four ( <i>Polysteganus undulosus</i> )		No
Whale shark ( <i>Rhinocodon typus</i> )		No
<b>Decommercialised (recreational) list</b>		
Baardmans (Bellman, tasselfish) ( <i>Umbrina</i> spp)	40cm	No
Banded galjoen ( <i>Dichistius multifasciatus</i> )		No
Billfishes (marlin, sailfish) ( <i>family Istiophoridae</i> )		No
Blacktail (dassie) ( <i>Diplodus sargus capensis</i> )	20cm	No
Bronze bream (bluefish) ( <i>Pacymetopon grande</i> )	30cm	No
Cape knifejaw ( <i>Oplegnathus conwayi</i> )		No
Cape stumpnose ( <i>Rhabdosargus holubi</i> )	20cm	No
Galjoen ( <i>Dichistius capensis</i> )	35cm	No
Garrick (leervis) ( <i>Lichia amai</i> )	70cm	No
John Brown ( <i>Gymnorotaphus curvidens</i> )		No
Kingfishes (genera <i>Carenx</i> or <i>Carangoides</i> )		No
Large-spot pompano ( <i>Trachinotus botla</i> )		No
Leopard cat shark ( <i>Poroderma pantherinum</i> )		No
Natal knifejaw (cuckoo bass) ( <i>Oplegnathus robinsoni</i> )		No
Natal stumpnos (yellowfin bream) ( <i>Rhabdosargus sarba</i> )	25cm	No
Ragged tooth shark ( <i>Carcharias Taurus</i> )		No
River bream (perch) ( <i>Acanthopagrus berda</i> )	25cm	No
River snapper (rock salmon) ( <i>Lutjanus argentimaculatus</i> )	40cm	No
Southern pompano ( <i>Trachinotus africanus</i> )		No
Spotted grunter (tiger) ( <i>Pomadasys commersonii</i> )	40cm	No
Spotted gully shark ( <i>Triakis megalopterus</i> )		No
Springer (ten pounder) ( <i>Elops machanata</i> )		No
Stonebream ( <i>Neoscorpis lithophilus</i> )		No
Striped cat shark ( <i>Poroderma africanum</i> )		No
Striped cat shark ( <i>Poroderma africanum</i> )		No

**Annexure 1. Continued**

<b>SPECIES</b>	<b>SIZE LIMIT</b>	<b>CATCH &amp; TRADE</b>
Swordfish ( <i>Xiphias gladius</i> )	25kg	No
West coast steenbras ( <i>Lithognathus aureti</i> )	40cm	No
White steenbras (pignose grunter) ( <i>Lithognathus</i> )	60cm	No
White musselcracker ( <i>Sparodon durbanensis</i> )	60cm	No
Zebra (wildperd) <i>Diplodus cervinus hottentotus</i> )	30cm	No
<b>Exploitable &amp; protected lists</b>		
Barbel (Sea catfish) <i>Galeichthys spp.</i>		Yes
Bigeye tuna ( <i>Thunus obesus</i> )	3.2	No
Bludger (kingfish) ( <i>Carangoides gymnostethus</i> )		No
Blue Hottentot (copper bream) <i>Pachymetopon aeneum</i> )		No
Buskin (trawl soldier ( <i>polysteganus caeruleopunctatus</i> )		No
Cape gurnard (Cape sea robin) ( <i>Chelidonichthys capensis</i> )		No
Cape snoek ( <i>Thyrsites atun</i> )	60cm	No
Cape yellowtail ( <i>Seriola lalandi</i> )		No
Carpenter (silverfish) ( <i>Argyrozona argyrozona</i> )	30cm	No
Catfaced rockcod ( <i>Epinephalus andersoni</i> )	50cm	No
Dageraad ( <i>Chrysoblephus cristiceps</i> )	40cm	No
Dane ( <i>Porcostoma dentate</i> )		No
Dorado (dolphinfish) <i>Coryphaena hippurus</i> )		No
Dusky kob ( <i>Argyrosomus japonicus</i> )	50cm	No
Elf (shad) ( <i>Pomatomus saltarix</i> )	30cm	No
Englishman ( <i>Chrysoblephus anglicus</i> )	40cm	No
Geelbek (Cape salmon) ( <i>Atractoscion aeguidens</i> )	60cm	No
Hake (stockfish) <i>Merluccius capensis</i> and <i>M.paradoxus</i> )		No
Hottentot ( <i>Pachymetopon blochii</i> )	22cm	No
Javelin grunter ( <i>Pomadasys kaakan</i> )		No
King mackerel (couta) ( <i>Scomberomorus commerson</i> )		No
Panga ( <i>Pterogymnus lanarius</i> )		No
Poenskop (black musselcracker) ( <i>cymatoceps nasutus</i> )	50cm	No
Queen mackerel ( <i>Scomberomorus plurilineatus</i> )		No
Red steenbras (copper steenbras) ( <i>Petrus rupestris</i> )	60cm	No
Red stumpnose (Miss Lucy) ( <i>Chrysoblephus gibbiceps</i> )	30cm	No
Red tjor-tjor (sand soldier) ( <i>pagellus natalensis</i> )		No
Rock cods (groupers) (family <i>Serranidae</i> )		No
Roman ( <i>Chrysoblephus laticeps</i> )	30cm	No
Santer (soldier) ( <i>Cheimerius nufar</i> )	30cm	No
Scotsman ( <i>Polysteganus praeorbitalis</i> )	40cm	No
Sharks and rays (subclass <i>Elasmobranchii</i> )		No
Silver kob ( <i>Argyrosomus inodorus</i> )	50cm	No

**Annexure 1. Continued**

SPECIES	SIZE LIMIT	CATCH & TRADE
Slinger ( <i>Chrysoblephus puniceus</i> )	25cm	No
Snapper salmon ( <i>Otolithes ruber</i> )		No
Squaretail kop ( <i>Argyrosomus thorpei</i> )	40cm	No
Tunas (tunny)		No
White edged rockcod ( <i>Epinephalus albomarginatus</i> )	40cm	No
White stumpnose ( <i>Rhabdosargus globiceps</i> )	25cm	No
Yellowbelly rockcod ( <i>Epinephalus marginatus</i> )	60cm	No
Yellowfin tuna ( <i>Thunnus albacares</i> )	3.2kg	No
<b>Bait List</b>		
Anchovies (family Engraulidae)		Yes
Chub mackerel ( <i>Scomber japonicus</i> )		Yes
Cutlassfish (walla walla) ( <i>Trichiurus lepturus</i> )		Yes
Fransmadm (Karel groot oog) ( <i>Boopsoidea inornata</i> )		Yes
Garfishes (family Belontiidae)		Yes
Glassies (family Amblyopidae)		Yes
Halbeaks (family Hemiramphidae)		Yes
Horse mackerel/maasbunker ( <i>Trachurus trachurus capensis</i> )		Yes
Mullets / harders (family Mugilidae)		Yes
Pinky (piggy) ( <i>Pomadasys olivaceum</i> )	7.5cm	Yes
Sardines (pilchard, red-eye) (family Clupeidae)		Yes
Sauries (family Scomberesocidae)		Yes
Scads ( <i>Decapterus</i> spp.)		Yes
Strepie (Karanteen) ( <i>Sarpa salpa</i> )	15cm	Yes
Steentijie ( <i>Spondyliosoma emarginatum</i> )		Yes
Wolfherring ( <i>Chirocentrus dorab</i> )		Yes