

# SOUTH AFRICAN CONSOLIDATED RECREATIONAL ANGLERS ASSOCIATION



Chairman:  
J.M Pledger

P.O Box 684  
Honeydew  
2040

Tel:(011) 794-6950  
Fax:(011) 794-6947  
Email: jpledger@iafrica.com

Secretary:  
Mary-Ann Hodgskin

Email: maryannah@rmweb.co.za  
Tel:(011) 943-4921  
Cell 083-795 5588

DAFF (Fisheries Management)  
Private Bag X2  
Roggebaai, 8012

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## Re: Small-scale Fisheries Regulations

Dear Sir

Herewith SACRAA's resubmission of our representations on the Proposed Regulations Relating to Small-Scale Fishing (Government Notice No. R.184) as published in Government Gazette No. 38536 dated 6 March 2015). SACRAA is a recognised interest group in terms of Section 8 of the MLRA (Government Notice R.135 in Government Gazette No. 36183 dated 1 March 2013).

These comments are being resubmitted in response to the call for a second round of comments as detailed in Government Notice No. R361 dated 28 April 2015 (Government Gazette No. 38743).

- According to Regulation 2(a), one of the purposes of the Regulations is to "ensure equitable access to fish by small-scale fishing communities". SACRAA contends that declaring zones for small-scale fishing and excluding all other users is in fact "exclusive access" and not equitable access.
- According to Regulation 2(c), another purpose of the Regulations is to "transform the inequalities of the past fisheries system". SACRAA contends that this cannot be achieved by introducing inequalities in the present system. Transforming inequality means ensuring equality not promoting exclusivity. Exclusive use of an area or resource by any user group equates to inequality, which goes against the ideals of the highest law of the land, The Constitution.

The above comments are made in the context of the proposed Regulations when read with the declaration of small-scale fishing areas and zones as contemplated in Section 19(1)(a) and (c) of the MLRA and Section 5.1.2 of the Policy for the Small Scale Fisheries Sector in South Africa. Both the Act and the Policy refer to areas or zones for the exclusive use of small-scale fishers, where any other fishing, related activity or access is prohibited. With no reference to 19(1)(c) in the Regulations, SACRAA assumes that the intention to declare exclusive small-scale zones/areas as contemplated in the MLRA and Section 5.1.2 in the Policy, has been discarded. If this is the case, then our contentions above are moot. Please provide clarification in this regard.

- Regulation 9(e) states that “species that occur on the de-commercialised species list may be caught for own consumption, but not be sold”; and Regulation 9(k) states that “species used for own consumption must be aligned with control measures established for the recreational sector (bag limits, size limits, closed seasons etc)”. SACRAA would like clarification whether, if fishers are regulated in terms de-commercialised species and recreational control measures for non-sale species, they will be required to be in possession of a recreational fishing permit like all other recreational anglers, or if they are being exempt from this as well.

Thank-you for the opportunity to provide comment on the proposed Regulations. We look forward to your response.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Aidan Wood', with a long horizontal flourish extending to the right.

Dr Aidan Wood