

DEPARTMENT OF ENVIRONMENT, FORESTRY AND FISHERIES

NO. 1130

23 OCTOBER 2020

**MARINE LIVING RESOURCES ACT, 1998
(ACT NO. 18 OF 1998)**

**INVITATION TO COMMENT ON THE PROPOSED RECLASSIFICATION OF THE WHITE MUSSEL,
OYSTER AND HAKE HANDLINE FISHING SECTORS AS SMALL-SCALE FISHING SPECIES**

I, Barbara Dallas Creecy, Minister of Forestry, Fisheries and the Environment, hereby invite the public to comment on the proposal to reclassify the White Mussel, Oyster and Hake Handline fishing sectors as Small-Scale fishing sector species, as contemplated in terms of section 14(2) of the Marine Living Resources Act, 1998 (Act No 18 of 1998), which empowers the Minister to determine the portions of the total allowable catch, the total applied effort, or a combination thereof, to be allocated in any year to small-scale, recreational, local commercial and foreign fishing, respectively.

The White Mussel, Oyster and Hake Handline fishing sectors have been identified as eligible for Small-Scale Fisheries and therefore the reclassification of the White Mussel, Oyster and Hake Handline fishing sectors as Small-Scale Fishing sectors is proposed. Therefore, no commercial fishing rights will be allocated in these three fishing sectors during the Fishing Rights Allocation Process proposed for 2020.

The current Commercial Rights Holders who hold rights in the White Mussel, Oyster and Hake Handline fishing sectors will be allowed to continue harvesting their allocations until expiry of their rights on 31 December 2020. These individual Commercial Rights Holders in the White Mussel, Oyster and Hake Handline fishing sectors may elect to operate in the Small-Scale Fisheries sector as declared members of the Small-Scale Fisheries Cooperatives as per the Regulations relating to Small-Scale Fishing, 2015 published in Government Notice No. 229 in *Government Gazette* No. 39790 of 8 March 2016 ("**Small-Scale Fishing Regulations**"). Alternatively, the current individual Commercial Rights Holders may register a Small-Scale Fisheries Cooperative, which shall be declared by the Minister as a Small-Scale Fisheries Cooperative once the registration process commences in the near future as per the Small-Scale Fishing Regulations.

The proposed classification of the White Mussel, Oyster and Hake Handline fishing sectors as small-scale fishing species is proposed to effect on 1 January 2021 unless affected stakeholders are informed otherwise.

The public may submit written representations on the proposed reclassification to the Department within 30 calendar days of the publication of this notice in the *Gazette* by mail, by hand, e-mail, or telefax transmission. Please note that written comments received after that date may not be considered.

Written comments that were submitted in response to Government Notice No. 660 published in *Government Gazette* No. 42457 of 13 May 2019 relating to the proposed reclassification of the White Mussel, Oyster and Hake Handline fishing sectors as small-scale fishing species, will also be considered. Those who submitted comments in response to that notice may supplement their comments in terms of this notice.

Written comments on the proposed reclassification of the White Mussel, Oyster and Hake Handline fishing sectors as small-scale fishing sectors should be directed to:		
<p><u>By mail</u> Department of Environment, Forestry and Fisheries Private Bag 2 VLAEBERG 8018 Attention: Mr Msimelelo Mdledle Deputy Director: Administration (FRAP)</p>	<p><u>By Hand</u> Department of Environment, Forestry and Fisheries No 3 Martin Hammerschlag Way Customer Service Centre Ground Floor, Foretrust Building FORESHORE Attention: Mr Msimelelo Mdledle Deputy Director: Administration (FRAP)</p>	<p><u>By e-mail</u> FRAP2020resourcesplit@daff.gov.za</p> <p><u>By Telefax</u> 021 421 5151</p> <p><u>Enquiries (telephone)</u> Mr Msimelelo Mdledle 021 402 3422/3727/3238</p>



BARBARA DALLAS CREECY
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT