

FISHING FOR RECREATIONAL PURPOSES

Regulations related to the exploitation of Marine Resources, made in terms of section 61 (1) of the Marine Resources Act, No. 27 of 2000. Bellow are regulations governing harvesting of marine resources for recreational purposes:

Permit required for harvesting for recreational purposes

5. (1) A person, who for recreational purposes harvests in Namibian waters, must -

- (a) Be in possession of a fishing permit; and
 - (b) Carry out such harvesting subject to the conditions prescribed by these regulations.
- (2) A person referred to in sub regulation (1), who is found without a fishing permit -
- (a) is guilty of an offence; and
 - (b) must produce that permit within a period of 21 days from the day on which the person pays the fine prescribed in regulation 39(h)(iii) in respect of a failure to comply with sub regulation (1)(a).

(3) A person, who fails to produce a fishing permit within the period of time prescribed by sub regulation (2), is guilty of an offence.

Means of harvest for recreational purposes

6. A person may not for recreational purposes harvest marine resources by any means other than -

- (a) a hook and line, whether operated by a rod and reel or otherwise, and using a scoop net to lift rock lobsters from the water once they have been reeled to the surface;
- (b) a ring net; or
- (c) diving.

Issue of permit

7. (1) A fishing permit referred to in regulation 5(a) must be issued by the Minister or by any person or authority authorised thereto by the Minister, if that person or authority has agreed to do so.

- (2) A fishing permit -
- (a) must be issued in the form set out in Annexure L; and

(b) may be issued for a period of either one month or one year and may be obtained upon payment of a fee determined by the Minister.

(3) A person or authority authorised under subregulation (1) to issue fishing permits must maintain records of the permits issued and the payments received for the issuing and must file reports thereon in the manner required by the Permanent Secretary.

Daily bag limit

8. (1) A person may not, for recreational purposes, in one day harvest more than -

- (a) 30 fish of the species barbel;
- (b) 20 fish of the species snoek;
- (c) one shark.

(2) Subject to subregulation (3) and regulation 11(1), a person may for recreational purposes harvest any of the following species of fish:

- (a) blacktail;
- (b) galjoen;
- (c) kob;
- (d) West coast steenbras:

Provided that the total number of fish harvested does not exceed 10 in one day.

(3) A person may not harvest any species of fish referred to in subregulation (2), which is smaller or larger, as the case may be, than the size specified in Annexure J.

(4) A person may not -

- (a) harvest more than 7 rock lobsters in one day; or
- (b) accumulate or have in his or her possession more than 7 rock lobsters.

(5) A person may, without a fishing permit, harvest and retain for his or her own use any of the following types of marine resources:

- (a) aquatic plants;
- (b) molluscs; and
- (c) seashell.

(6) A person referred to in subregulation (5) may not in any one day harvest or have in his or her possession -

- (a) more than the quantity specified in Annexure K in respect of the marine resources referred to in that Annexure; or
 - (b) white mussel that is able to pass through a ring with an inner diameter of 38 mm, when it is in a whole state.
- (7) For the purpose of subregulation (1) -
- (a) “barbel” means any individual of the species *Galeichthys feliceps*; and
 - (b) “snoek”, means any individual of the species *Thyrsites atun*.
- (8) For the purpose of subregulation (2) -
- (a) “blacktail”, also known as “dassie”, means any individual of the species *Diplodus sargus*;
 - (b) “galjoen”, means any individual of the species *Dichistius capensis*;
 - (c) “kob”, also known as “kabeljou”, means any individual of the genus *Argyrosomus*; and
 - (d) “West Coast steenbras”, also known as “white fish”, means any individual of the species *Lithognathus aureti*.
- (9) For the purpose of subregulation (5) -
- (a) “mollusc” means any species of the invertebrate phylum *Mollusca* and includes chitons, bivalves, mussels, limpets (being any species of limpet, slipper limpet or key-hole limpet of the genera *Crepidula*, *Diodora*, *Fissurella*, *Helcion*, *Patella* and *Siphonaria*), whelks, periwinkles (being any species of the gastropod molluscs of the genera *Cynisca*, *Gibbula*, *Littorina*, *Oxystele* and *Tricolia*), slugs, octopods, cuttle fish and squid, but excludes the ship worm (*Teredo spp.*); and
 - (b) “seashell” means the calcareous or chitinous exoskeleton or shell of a marine invertebrate.

Prohibited species

9. A person may not -
- (a) use as bait or have in his or her possession any annelid worm;
 - (b) collect any red bait by cutting or in any other way dislodging the red bait from the substract, except red bait which has been washed up on the sea shore.

Prohibited areas in respect of fishing for recreational purposes

10. (1) A person may not harvest marine resources for recreational purposes within a distance of two nautical miles seaward from the high-water line in any of the following areas -

- (a) from the middle of the mouth of the Kunene River at 17 degrees 14.900 minutes south to the concrete beacon marked TB1 situated at 19 degrees 57.040 minutes south, approximately 5 km north of Terrace Bay;
- (b) from the concrete beacon marked TB2 at 20 degrees 08.082 minutes south situated approximately 25 km south of Terrace Bay to the concrete beacon marked TB3 at 20 degrees 10.553 minutes south situated approximately 10 km north of Torra Bay;
- (c) from the concrete beacon marked TB4 at 20 degrees 31.358 minutes south situated approximately 10 km south of Torra Bay to the southern bank of the mouth of the Ugab River at 19 degrees 57.040 minutes south;
- (d) from the concrete beacon marked CC1 at 21 degrees 45.300 minutes south to the concrete beacon marked CC2 at 21 degrees 51.380 minutes south ;
- (e) from the southern limits of the quay in the harbour of Walvis Bay at 22 degrees 57.350 minutes south, along the coastline to Pelican Point at 22 degrees 53.934 minutes south;
- (f) from the concrete beacon marked SV2 at 23 degrees 08.929 minutes south situated at the northern limits of Sandwich Harbour to a concrete beacon marked RL 3 situated approximately at 26 degrees 34.167 minutes south;
- (g) from a concrete beacon marked P1 at 26 degrees 44.000 minutes south to a concrete beacon marked P2 at 27 degrees 12.000 minutes south;
- (h) the sea shore of any of the islands along the Namibian coast.

(2) Notwithstanding subregulation (1), the Permanent Secretary may on application and subject to such conditions as the Permanent Secretary may determine, grant an exemption in writing to any person in respect of the harvest of marine resources within any prohibited area referred to in that subregulation.

(3) An exemption granted in terms of subregulation (2) must specify the name of the person to whom it is granted, the period and the area for which it is granted and the applicable conditions, if any.

Possession and transport of marine resources

11. (1) A person may not have in his or her possession or transport in a vehicle or vessel any quantity of marine resources caught for recreational purposes -

- (a) which exceeds the accumulated bag limit of three days in respect of the fish referred to in regulation 8(1) and (2): Provided that, in respect of regulation 8(2), the accumulated bag of 30 fish does not contain more than 10 fish of one particular species of fish; and

(b) without being in possession of a fishing permit.

(2) A person may have in his or her possession or transport in a vehicle or vessel fish referred to in regulation 8(1) and (2), or rock lobsters referred to in regulation 8(4), on behalf of another person, if the person, on whose behalf the fish or rock lobsters are being kept or transported, is present and is in possession of a fishing permit.

(3) A person may not have in his or her possession or transport in a vehicle or vessel fish, which is not in a whole state, if that fish is subject to the size limits referred to in regulation 8(3).