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GENERAL NOTICE

NOTICE 116 OF 2009

NORTH WEST DEPARTMENT OF AGRICULTURE, CONSERVATION AND ENVIRONMENT

NOTICE IN TERMS OF REGULATION 38(1) OF THE NATURE CONSERVATION REGULATIONS [ADMINISTRATOR'S NOTICE NO. 2030 OF 1983]

REGULATIONS

Regulations pertaining to the number and size of certain species of fish which may be caught and retained within the North West Province —

**Schedule 10 (Regulation 38 (1)) of the Nature Conservation Regulations
[Administrator's Notice No. 2030 of 1983]**

**Regulation 44 of the Nature and Environmental Conservation Regulations
[Provincial Notice No. 955 of 1975] (Cape Province)**

Section 11 of the Bophuthatswana Nature Conservation Act, No. 3 of 1973

I, Jan Serfontein, in my capacity as the Member of the Executive Council for the Department of Agriculture, Conservation and Environment in the North West Province, in terms of the above-mentioned provisions, and in respect of areas within the boundaries of the North West Province which are still subject to the provisions of the above-mentioned legislation, do hereby amend the Schedules to the Nature Conservation Regulations [Administrator's Notice No. 2030 of 1983] as set out in the Schedule hereto, with effect from the date of publication of this notice in the Provincial gazette.


J.L.H. Serfontein
MEC for Agriculture, Conservation & Environment

Date: 04/02/2009

Definitions

In these Regulations, any word or expression to which a meaning has been assigned in the principal legislation referred to above, will bear that meaning and, unless the context indicates otherwise—

"**angle**" means the catching of fish by the use of a line and fish-hook, whether or not a rod is used, and includes the use of a landing-net or keep-net to land and keep fish caught by means of a line and fish-hook;

" **Department** " means the Department of Agriculture, Conservation and Environment the North West Province;

"**fish**"- in relation to angling, means only those species of water fauna commonly known as fish;

" **size** " means the length of a fish as measured on the horizontal plane from the tip of the snout to the fork of the tail.

1. Purpose

The purpose of these regulations is to amend the regulations on the number and size of certain species of fish which may be caught and retained within the boundaries of the North West Province.

2. Scope of application

These regulations:

apply to any anglers within the boundaries of the North West Province, and replace any previous declaration of Schedule 10 (Regulation 38 (1)) of the Nature Conservation Regulations [Administrator's Notice No. 2030 of 1983].

- a) The number and size of certain species of fish which may be caught and retained within the boundaries of the North West Province and replace any previous declaration of the number and size of certain species of fish

which may be caught and retained within the boundaries of the North West Province listed under schedule 10 of the Nature Conservation Regulations of 1983.

b) must be read in conjunction with the following legislation:

- (i) Nature Conservation Ordinance, No. 12 of 1983 (Transvaal Province);
- (ii) Bophuthatswana Nature Conservation Act, 1973, (Act No. 3 of 1973);
- (iii) Nature and Environmental Conservation Ordinance, No. 19 of 1974 (Cape Province).
- (iv) National Environmental Management Biodiversity Act, Act 10 of 2004: Threatened or Protected Species Regulations, 2007.

3. Responsibilities

- 3.1 The relevant programme manager in the Department is hereby authorised to administer these regulations under the supervision of the Head of Department.
- 3.2 The relevant programme manager may delegate the power to issue angling licenses in terms of these regulations to designated officials employed by the department.
- 3.3 Designated officials must ensure that:
 - (a) anglers comply with these regulations and any other applicable legislation;
 - (b) a breach of the regulations are dealt with immediately and effectively as contemplated in the principal legislation;

4. Non-compliance

Failure to comply with the provisions of the regulations will be subject to the penalties outlined in the principal legislation.

5. Substitution of Schedule 10 of the Nature Conservation Regulations of 1983.

6. The following list of the number and size of certain species of fish which may be caught and retained within the boundaries of the North West Province hereby replaces the list in the Nature Conservation Regulations of 1983:

Species	Common name	Bag limit	Minimum size
<i>Labeobarbus kimberleyensis</i>	Largemouth yellowfish	0 – catch and release only	Not Applicable
<i>L. aureus</i>	Smallmouth yellowfish	2	300mm
<i>L. marequensis</i>	Large scale yellowfish	4	300mm
<i>L. polylepis</i>	Small scale yellowfish	2	300mm
<i>Oreochromis mossambicus</i>	Mozambique tilapia	20	150mm