

FRESH WATER FISH REGULATIONS

(Under section *four*)

[13th August, 1951]

1. In these regulations "open season" for any particular type of fish means in relation to any particular waters any period not declared to be a close season in any Notice given in the *Gazette* in terms of section *three* of the Protection of Fresh Water Fish Proclamation, or in any amendment thereof.

2. During any open season for bass no person other than an African shall—

- (i) kill, catch or otherwise destroy bass or bluegill sunfish unless he shall be a member of an angling society or club to which the Resident Commissioner has issued a free permit in terms of regulation 4;
- (ii) take any bass under nine inches in length the measurement to be reckoned from the tip of the lower jaw to the fork of the tail; in the event of the capture of a bass of less than the prescribed length, it shall be returned to the water with as little delay and injury as possible in the circumstances;

- (iii) take, catch or kill any bass or bluegill sunfish by any other means than with rod and line; but this shall not be held to exclude the use of a legitimate landing net or gaff for landing the fish caught.

3. During any open season for trout no person other than an African shall—

- (i) kill, catch or otherwise destroy trout unless he shall be a member of an angling society or club to which the Resident Commissioner has issued a free permit in terms of regulation 4;
- (ii) take more than twelve trout in any one day from any one or more of the waters specified in the Second Schedule to High Commissioner's Notice No. 113 of 1951;⁽¹⁾
- (iii) take any trout under ten inches in length the measurement to be reckoned from the tip of the lower jaw to the fork of the tail; in the event of the capture of a trout of less than the prescribed length, it shall be returned to the water with as little delay and injury as is possible in the circumstances;
- (iv) take, catch or kill any trout by any other means than with rod and line; but this shall not be held to exclude the use of a legitimate landing net or gaff for landing the fish caught. The only lures that may be used shall be artificial non-spinning flies.

4. (1) Free permits to capture bass, bluegill sunfish and trout may be issued in his discretion by the Resident Commissioner to any angling society or club, and shall be subject to such conditions as he may determine.

(2) Membership of any angling society or club to which a permit has been issued in terms of sub-regulation (1) shall entitle any member of such society or club to capture fish during the open season for the variety of fish in question.

(3) Proof of membership of a society or club to which the Resident Commissioner has issued a permit shall be in the form of a membership card which shall be produced for inspection when demanded by an honorary fisheries officer, police officer or by the lawful occupier of the land on which the member of such society or club is fishing.

5. Any fish captured by a member of an angling society or club to which the Resident Commissioner has granted a free permit in terms

⁽¹⁾ *Infra*, p. 2311.

of regulation 4, apart from those returned to the water in terms of regulations 2 and 3 shall be destroyed or killed at the place of capture provided that the Resident Commissioner may authorise any fit and proper person to remove live fish of a specified species for introduction into a specified water or for such other purposes as he may in his discretion determine.

6. Lawful occupiers of land on which water containing bass or trout is situated, or through which water containing either or both of these species of fish may flow, may sell bass or trout for transportation to and introduction into other waters approved by the Resident Commissioner.

7. No person shall import into the Territory any live fresh water fish without a permit signed by or on behalf of the Resident Commissioner, and such permit shall be in the form set out in the Schedule to these regulations.

8. In these regulations the word "bass" means large-mouthed bass, small-mouthed bass and spotted bass.

SCHEDULE

(Regulation 7.)

BASUTOLAND

Permission is granted to
of to import into Basutoland the
following fresh water fish

This permit will expire on the
Dated at this day of

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Resident Commissioner.