

THE FRESH WATER FISH REGULATIONS, 1973

(Under section 4 of the Act)

Date of commencement: 22nd June, 1973.

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PART I

PRELIMINARY

Citation.

1. These Regulations may be cited as the Fresh Water Fish Regulations, 1973.

Interpretation.

2. In these Regulations "Permanent Secretary" means the Permanent Secretary for Agriculture and includes any other public officer duly authorised by him to act for the purposes of these Regulations.

Repeal of the Fresh Water Fish Regulations, 1938.

3. The Fresh Water Fish Regulations, 1938 are hereby repealed.

PART II

STOCKING OR REMOVAL OF FISH

Application for a permit.

4. Any person desiring to stock any waters with any fish, or to remove any fish from one body of waters to another may apply in writing to the Permanent Secretary for a permit authorising him to do so.

Information in an application.

5. The application shall contain the following information —
 - (a) the applicant's full name and address;
 - (b) the location of the waters to be stocked;
 - (c) the size of such waters;
 - (d) the type of fish to be stocked;
 - (e) the number of fish to be stocked;
 - (f) the source of the fish to be stocked;

- (g) the date at which such stocking is to take place;
- (h) any other information the Permanent Secretary may require.

The granting or refusal of a permit.

6. The Permanent Secretary may in his discretion refuse or grant such application for a permit and his decision on any application shall be final.

Form of permit.

7. The permit may be issued by the Permanent Secretary in such form as he deems fit and shall be issued free of charge to the applicant.

Duration of permit.

8. A permit issued under this Part shall be valid for a period not exceeding two weeks from the date of its issue.

Prohibition against stocking or removal.

9. (1) No person shall stock or cause any waters to be stocked with any fish or remove or cause any fish to be removed from one body of waters to another without a permit granted to him under this Part.

(2) Any person who contravenes paragraph (1) hereof shall be guilty of an offence, and liable on conviction to a fine of one hundred rand or in default of payment thereof imprisonment for three months.

PART III

CULTIVATION OF FISH

Application for a permit.

10. Any person desiring to raise or cultivate fish may apply in writing to the Permanent Secretary for a permit authorising him to do so.

Information in an application.

11. The application shall contain the following information —
- (a) the applicant's full name and address;
 - (b) the name and location of the farm or area of land where the fish is to be raised or cultivated;

- (c) the source of water for such farm or area of land;
- (d) the type or types of fish to be raised or cultivated;
- (e) the source of such fish or ova;
- (f) whether the fish is to be raised or cultivated for stocking or eating;
- (g) any other information the Permanent Secretary may require.

Granting or refusal of application.

12. The Permanent Secretary may in his discretion grant or refuse such application, and his decision on any application shall be final.

Form of permit.

13. The permit may be issued by the Permanent Secretary in such form as he deems fit and shall be issued free of charge to the applicant.

Duration of permit.

14. A permit issued under this Part shall be valid for a period of twelve months from the date of its issue, but may be from time to time renewed by the Permanent Secretary for a further period of twelve months.

Prohibition against raising or cultivating of fish.

15. (1) No person shall raise or cultivate any fish without a permit granted to him under this Part and in accordance with any terms or conditions set out in such permit.

(2) Any person who contravenes paragraph (1) hereof shall be guilty of an offence and liable on conviction to a fine of one hundred rand or in default of payment thereof imprisonment for three months.

PART IV
DEALING IN FISH

Application for permit to fish for commercial purposes.

16. Any person desiring to fish in waters for the purpose of sale, exchange, barter, or any other form of commercial dealing may apply to the Permanent Secretary for a permit authorising him to do so.

Information in an application.

17. The application shall contain the following information —
- (a) the applicant's full name and address;
 - (b) the name and location of the waters in which he proposes to fish;
 - (c) the type of gear to be used by applicant in such fishing;
 - (d) the number of pieces of each type of fishing gear;
 - (e) the approximate quantities of fish to be caught during the period of the permit;
 - (f) the manner in which, and the location of the place where, the fish is to be dealt with;
 - (g) any other information the Permanent Secretary may require.

Granting or refusal of application.

18. The Permanent Secretary may in his discretion grant or refuse such application, and his decision on any application shall be final.

Form of permit.

19. The permit may be issued by the Permanent Secretary in such form as he deems fit, and shall be issued free of charge to the applicant.

Duration of permit.

20. A permit issued under this Part shall be valid for a period of twelve months from the date of its issue, but may from time to time be renewed by the Permanent Secretary for a further period of twelve months.

Prohibition against fishing for commercial purposes.

21. (1) No person shall fish for fish for any of the purposes set out in Regulation 16 without a permit granted under this Part and in accordance with any terms or conditions set out in such permit.

(2) Any person who contravenes paragraph (1) hereof shall be guilty of an offence and liable on conviction to a fine of one hundred rand or in default of payment thereof imprisonment for three months.

(3) In any criminal proceedings for a contravention of paragraph (1) hereof, it shall be presumed, unless proved to the contrary, that the purpose of any fishing by the accused was for one of the purposes set out in Regulation 16.

PART V

FISHING AS A SPORT

Application to fish for sporting purposes.

22. Any person desiring to fish in waters for sporting purposes may apply to the Permanent Secretary for a permit authorising him to do so.

Information in an application.

23. The application shall contain the following information —
- (a) the applicant's full name and address;
 - (b) the location where the applicant proposes to fish;
 - (c) the type of fishing gear to be used by the applicant;
 - (d) the type of fish to be fished for;
 - (e) the name of any angling club to which the applicant may belong;
 - (f) the written consent of the owner of the land in which the waters in which the applicant proposes to fish are located;
 - (g) any other information the Permanent Secretary may require.

Granting or refusal of permit.

24. The Permanent Secretary may in his discretion grant or refuse such application, and his decision on any application shall be final.

Form of permit.

25. The permit may be issued by the Permanent Secretary in such form as he deems fit, and shall be issued free of charge to the applicant.

Duration of permit.

26. A permit issued under this Part shall be valid for a period of twelve months from the date of its issue, but may from time to time be renewed by the Permanent Secretary for a further period of twelve months.

Prohibition against fishing without a permit.

27. (1) No person shall fish for fish in any waters for sporting purposes without a permit granted under this Part and in accordance with any terms or conditions set out in such permit.

(2) Any person who contravenes paragraph (1) hereof shall be guilty of an offence and liable on conviction to a fine of one hundred rand or, in default of payment thereof, imprisonment for three months.