



## forestry, fisheries & the environment

Department:  
Forestry, Fisheries and the Environment  
REPUBLIC OF SOUTH AFRICA

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### NATIONAL COUNCIL OF PROVINCES

(For written reply)

QUESTION NO. 315 {CW437E}

INTERNAL QUESTION PAPER NO.17 of 2023

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**Mr F J Badenhorst (Western Cape: DA) to ask the Minister of Forestry, Fisheries and the Environment:**

- (1) Why are the regulations for the protection of wild abalone in the area between Quoin Point and Danger Point, including Gansbaai, Kleinbaai, Franskraal, Uilenskraalmond and Pearly Beach not lifted as this has a negative impact on the tourism and recreational capacity of the area (details furnished);
- (2) (a) why is such an area being administratively victimised while other areas such as Kleinmond and Hawston are opened (details furnished) and (b) what is the rationale for keeping such an area closed?

### **315. THE MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT REPLIES:**

- 1) The areas between Quoin Point and Danger Point, including Gansbaai, Kleinbaai, Franskraal and Uilenskraalmond have been targeted by illegal operators, mainly for the illegal harvesting of abalone. Illegal operators operate in the said areas and when confronted during enforcement efforts, they exit the water, leaving their gear and loot behind, leaving enforcement with no way of apprehending such perpetrators as they discard all forms of evidence. Accordingly, former Minister van Schalkwyk published *Government Gazette* 30716 No. R. 62 of 1 February 2008 in

terms of the Marine Living Resources Act, 1998 (Act No. 18 of 1998) (MLRA), which contains the regulations for the protection of wild abalone *Haliotis midae*.

(1) (a) The areas between Quoin Point and Danger Point have been targeted by illegal operators and no individual or entity is being victimised administratively. The Department of Forestry, Fisheries and the Environment (DFFE) was approached by other interest groups within the Overberg region to have the boundaries of the current closed areas extended further.

(b) The rationale for the closed areas are in terms of subsections (l)(b) and (2)(y) of section 77 of the MLRA, namely the implementation of matters reasonably necessary or expedient to be prescribed to achieve the objectives of the MLRA and the establishment of measures for the protection of specified species, namely that of wild abalone *Haliotis midae*, as well as promoting the recovery and rebuilding the wild abalone resource. These regulations provide for the prohibition of diving and the possession of gear, in that in accordance with Subregulation (3) and Regulation 4, no person shall engage in diving in the listed areas, and subject to Subregulation (3) and Regulation 4, no person shall be in possession of or have on board any vessel prohibited gear in the listed areas. The listed areas include Quoin Point to Danger Point, from the west bank of the Ratel River along the coast to the end of Gansbaai Harbour's West Breakwater wall.

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**MS B D CREECY, MP**  
**MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT**

**DATE:** .....