
PUBLIC NOTIFICATION OF DECISION

DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

**MARINE LIVING RESOURCES ACT, 1998
(ACT NO. 18 OF 1998)**

NOTIFICATION OF EXEMPTION GRANTED IN TERMS OF SECTION 81 OF THE MARINE LIVING RESOURCES ACT, 1998 (ACT NO. 18 OF 1998) (THE MLRA) FROM THE PROVISIONS OF SECTION 18 OF THE MLRA FOR THE 2023/2024 ABALONE FISHING SEASON

During the 2015/2016 Fishing Rights Allocation Process (FRAP2015/2016), the Department received and commenced with the assessment and evaluation of applications submitted in the Abalone fishery, but the process was not finalised by the then Deputy Director-General: Fisheries Management, who, in her capacity as the Delegated Authority, decided not to allocate fishing rights in the Abalone fishing sector and instead to grant an exemption to current right holders in the sector.

This was, *inter alia*, to allow Departmental officials and other experts to advise the Delegated Authority on future sustainable management and recovery of the Abalone fishery in South Africa as it was in significant decline. The Department committed that the long-term rights allocation process in the Abalone fishing sector would take place at a later stage together with the allocation of fishing rights in other fishing sectors that were due for re-allocation on/or before 31 December 2020.

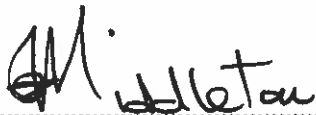
For various reasons, rights were not allocated in the Abalone Fishing sector during the FRAP 2021/2022, meaning that the sector continued to be managed through exemptions from the provisions of section 18 of the MLRA, granted in favour of previous abalone Right Holders. This has been done, primarily, to mitigate the economic and social ills of halting the fishery in its entirety pending a final decision on the future management of the abalone fishing sector.

As duly delegated in terms of section 79 of the Marine Living Resources Act, 1998 (Act No.18 of 1998) (the MLRA), I, Sue Middleton, Deputy Director-General: Fisheries Management (DDG:FM) of the Department of

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Forestry Fisheries and the Environment hereby grant another exemption in favour of the previous Abalone Exemption Holders in terms of section 81 of the MLRA from the provisions of section 18 of the MLRA for the 2023/2024 Abalone fishing season.

During this exemption period, the Department will embark on a consultation process with interested and the affected stakeholders to discuss the future management of the abalone fishery beyond the 2023/2024 Abalone fishing season. This consultation will include *inter alia* discussions on the finalisation of the abalone FRAP 2015/16 and determination of portions of the abalone total allowable catch to be allocated to existing fishing sectors such as the local commercial, small-scale, recreational and foreign fishing sectors in terms of the provisions of section 14 of the MLRA.



Sue Middleton
DEPUTY DIRECTOR-GENERAL: FISHERIES MANAGEMENT
DATE: 31/10/2023

