



**environment, forestry
& fisheries**

Department:
Environment, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

Ref: 02/1/5/2

NATIONAL ASSEMBLY

(For written reply)

QUESTION NO. 2972 {NW3798E}

INTERNAL QUESTION PAPER NO. 50 of 2020

DATE OF PUBLICATION: 27 November 2020

Mr J R B Lorimer (DA) to ask the Minister of Forestry, Fisheries and the Environment:

- (1) With reference to the illegal fishing by a demersal shark longline vessel in the Eastern Cape Marine Protected Area, (a) what criminal and/or administrative steps were taken, (b) against whom were the charges, (c) in which court were the proceedings instituted and (d) what were the results of the proceedings;
- (2) whether any steps were taken in terms of section 28 of the Marine Living Resources Act, Act 18 of 1998; if not; was any equipment, catch and/or proceeds of the catch seized, if so, (a) what exactly was seized, (b) who seized it and (c) what happened to it after seizure;
- (3) whether she will furnish Mr J R B Lorimer with a copy of an inventory of seized items; if not, why not; if so, what are the further, relevant details?

2972. THE MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT REPLIES:

- (1) After it was confirmed on 1 December 2020 that the questions relate to the *White Rose*, it is important to indicate that this vessel was allegedly found fishing within the Western Cape's De Hoop Marine Protected Area and not in any of the Eastern Cape's Marine Protected areas.

Furthermore, the investigation is limited to unlawful activities that were reported to the Department's Fisheries Branch on 15 May 2019.

- (a) A criminal case was registered under Bredasdorp CAS 48/06/2019;
 - (b) The accused in this matter is Ms Tasneem Hajee in her capacity as a member of Unathi-Wena Fishing CC as well as the skipper, Mr Joao Luiz Alves Muniz.
 - (c) The proceedings were instituted in the Bredasdorp Magistrate court.
 - (d) The matter is currently on the court roll with the next court appearance being 9 December 2020 for it to be transferred to a regional court with the appropriate jurisdiction.
- (2) Yes, steps were taken in terms of section 28 of the Marine Living Resources Act, 1998 (Act 18 of 1998) and the rights holder was served with a Section 28 notice whereby the right holder is required to furnish the department with reasons as to why the right, licence and permit should not be revoked, suspended, cancelled, or altered. The department is currently considering the responses received from the right holder.
- (a) The following fish were seized:
 - 646 Smooth Hound gummy sharks 2357.0 kg's;
 - 96 Vaal haai 895 kg's;
 - St Josephs 4 kg's;
 - Rays 80 kg's;
 - Cape Gumards 42 kg's;
 - Hake 7 kg's; and
 - Cob 68 kg's and 93 Bronze whalers 633 kg's.
 - (b) The seizure of the fish was done by a Fishery Control Officer from the Port Elizabeth Monitoring, Control and Surveillance office of the Department of Environment, Forestry and Fisheries (DEFF) within the Fisheries Branch.

(c) Following the seizure of the fish, Section 63(1) of the Marine Living Resources was applied and R150 000 00 security equivalent to the value of the fish was paid into the Marine Living Resources Fund (MLRF).

(3) See (2)(a) above.

Regards



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

DATE:11/12/2020.....