

**DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT****NO. R. 6795****7 November 2025****MARINE LIVING RESOURCES ACT, 1998 (ACT NO. 18 OF 1998)****AMENDMENTS TO THE REGULATIONS FOR THE PROTECTION OF WILD ABALONE, 2008**

I, Dion Travers George, Minister of Forestry, Fisheries and the Environment, hereby publish the amendments to the Regulations for the Protection of Wild Abalone (*Haliotis*) published in GN R. 62 in *Government Gazette* No. 30716 of 1 February 2008, in terms of sections 77(1)(b) and (2)(y) of the Marine Living Resources Act, 1998 (Act No. 18 of 1998) for implementation, as set in the schedule to this notice.



**DR DION TRAVERS GEORGE**  
**MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT**

## SCHEDULE

### Definitions

1. In these regulations, unless the context indicates otherwise, a word or expression that is defined in the Act has the same meaning in these regulations, and in addition—

“**the Regulations**” means the Regulations for the Protection of Wild Abalone (*Haliotis*) published in Government Notice R. 62 in *Government Gazette* 30716 of 1 February 2008.

### Amendment of regulation 1 of the Regulations

2. Regulation 1 of the Regulations is hereby amended—
  - (a) by the substitution for the fullstop at the end of the definition of “prohibited gear” of a semi-colon; and
  - (b) by the insertion after the definition of “prohibited gear” of the following definition:

“ ‘**SCUBA Diving**’ means swimming below the surface of the water, with the aid of compressed or pumped air or other gasses.”.

### Amendment of regulation 3 of the Regulations

3. Regulation 3 of the Regulations is hereby amended by the insertion in sub-regulation (3) after paragraph (e) of the following paragraph:

“(eA) SCUBA diving business operations, except in listed areas 1 and 4;”.

### Insertion of regulation 3A in the Regulations

4. The following regulation is hereby inserted in the Regulations after regulation 3:

#### “3A Factors to be considered for permit applications

The Minister must consider all relevant factors when assessing an application for a permit in terms of regulation 3(3), including the following:

- (a) whether the applicant, or a director or member of the applicant, has been convicted of an offence in terms of the Act; and
- (b) whether the applicant, or a director or member of the applicant, has had a permit suspended, revoked, cancelled, altered or reduced in terms of the Act.”.

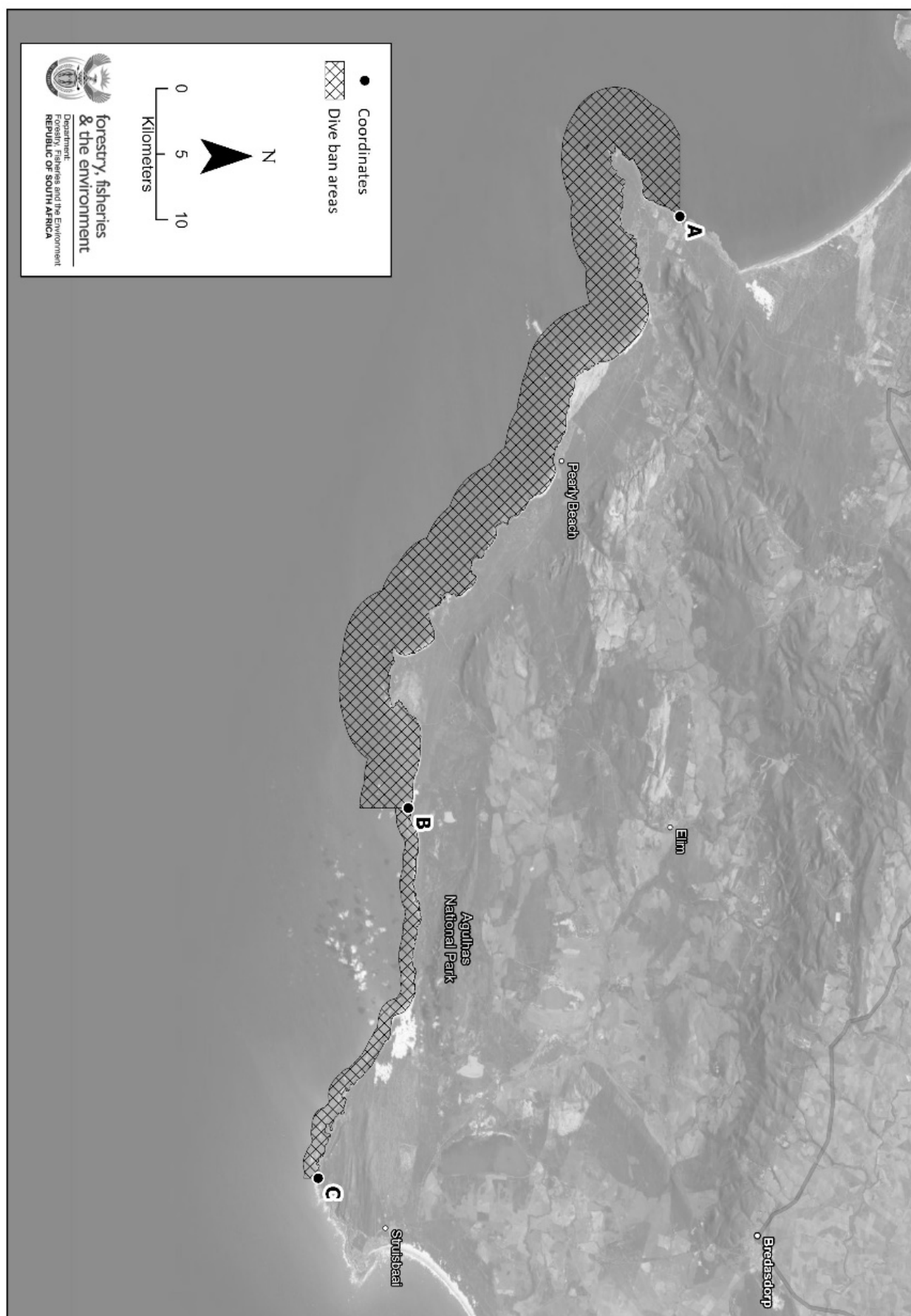
**Amendment of Annexure 1 to the Regulations**

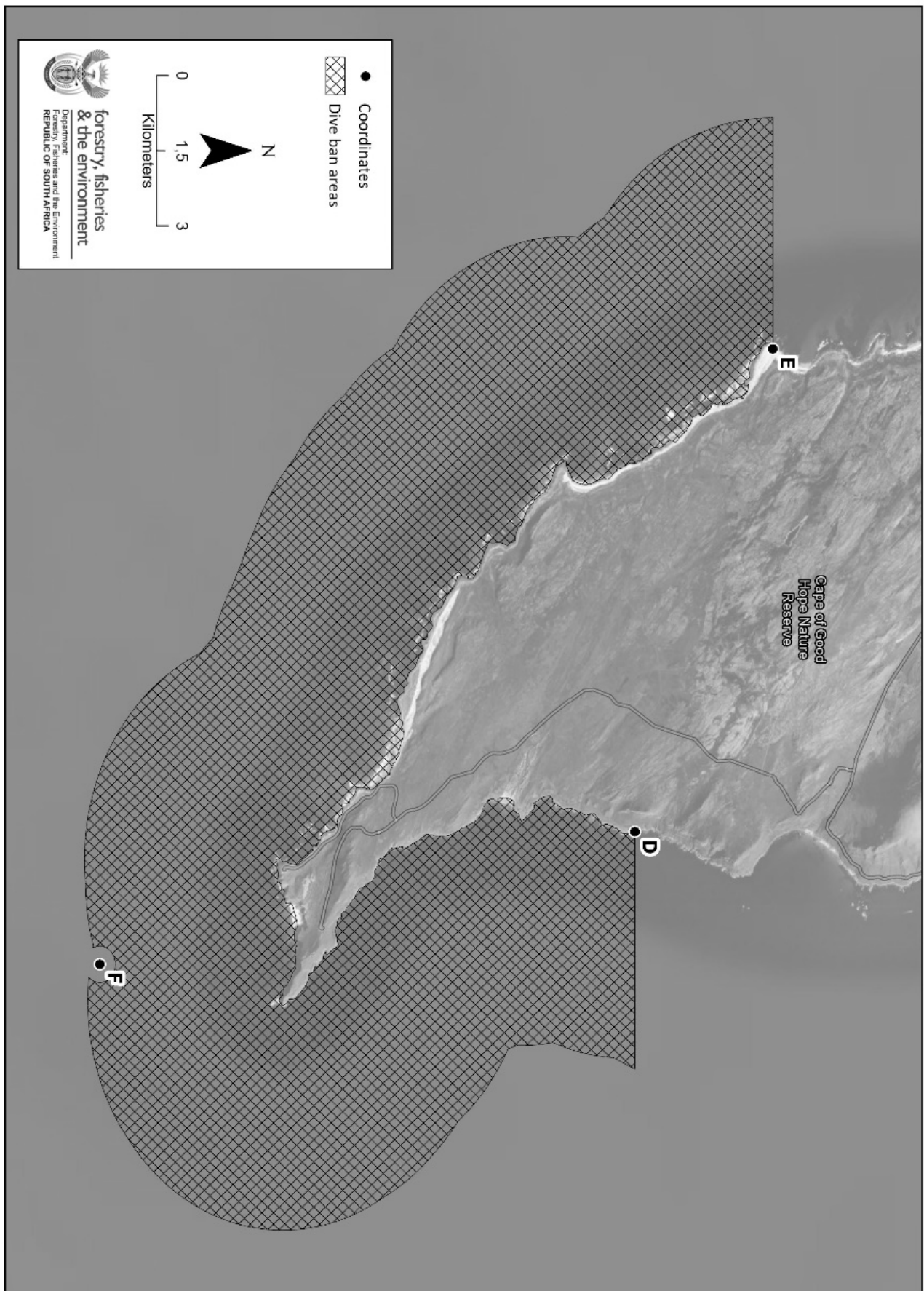
5. Annexure 1 of the Regulations is hereby amended by the substitution for Annexure 1 of the following annexure:

**“Annexure 1****LISTED AREAS**

1. Bird Island Offshore Restricted Zone determined in Annexure 1 to the Regulations for the Management of the Addo Elephant National Park Marine Protected Area published in Government Notice No. R. 777 in *Government Gazette* No. 42479 of 23 May 2019.
2. The west bank of the Ratel River (-34.771257 S; 19.746449 E), extending 1km seaward from the high-water mark to the Southern Tip of Africa at Cape Agulhas (-34.833135 S; 19.999960 E). At both the Ratel River and the Southern Tip of Africa, the seaward direction must be taken as southward.
3. Dyer Island extending 1 nautical mile from the high watermark.
4. Venus Pool (-34.295733 S; 18.466912 E) to Cape Point and from Cape Point to Olifantsbospunt (-34.271667 S; 18.380367 E), extending 2 nautical miles seaward from the high-water mark, but excluding Bellows Rock (-34.389167 S; 18.490667 E); and the area within 300m radius from it. At Venus Pool and Olifantsbospunt, the seaward direction must be taken as eastwards and westwards respectively.
5. Gansbaai Harbour's West Breakwater (-34.585333 S; 19.340833 E), extending 2 nautical miles seaward from the high-water mark, to the west bank of the Ratel River (-34.771257 S; 19.746449 E). At Gansbaai Breakwater, the seaward direction must be taken as westward, at the Ratel River southward.
6. Robben Island, extending 1 nautical mile from the high-water mark.

| Name                                  | Label | Latitude   | Longitude | Paragraph reference |
|---------------------------------------|-------|------------|-----------|---------------------|
| Gansbaai Harbour (west breakwater)    | A     | -34.585333 | 19.340833 | 5                   |
| Ratel River (west bank)               | B     | -34.771257 | 19.746449 | 2 and 5             |
| Southern Tip of Africa (Cape Agulhas) | C     | -34.833135 | 19.999960 | 2                   |
| Venus Pool                            | D     | -34.295733 | 18.466912 | 4                   |
| Olifantsbospunt                       | E     | -34.271667 | 18.380367 | 4                   |
| Bellows Rock                          | F     | -34.389167 | 18.490667 | 4                   |





**Commencement**

6. This notice take effect on the date of its publication in the *Gazette*.