

**No. 502**

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**DRAFT POLICY ON THE ALLOCATION AND MANAGEMENT OF FISHING RIGHTS IN  
THE SEAWEED FISHERY: 2015**

**THIS POLICY MUST BE READ WITH THE GENERAL POLICY ON THE ALLOCATION  
AND MANAGEMENT OF FISHING RIGHTS: 2013  
(available at [www.daff.gov.za](http://www.daff.gov.za))**

**This document is also available in Afrikaans, isiXhosa and isiZulu  
Hierdie dokument is ook in Afrikaans, isiXhosa, en isiZulu beskikbaar  
Lencwadi iyafumeneka nangolwimi lwesiBhulu, lwesiXhosa nolwesiZulu  
Lencwadi iyatholakala nangolwimi lwesiBhunu, lwesiXhosa nolwesiZulu**

**(In case of any inconsistency, the English text prevails)**

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## 1. Introduction

This policy on the allocation and management of fishing rights in the Seaweed fishery is issued by the Minister of Agriculture, Forestry and Fisheries (the Department) ("the Minister") and shall be referred to as the "**2015: Seaweed Fishery Policy**". This policy must be read in conjunction with the General Policy on the Allocation and Management of Fishing Rights: 2013 ("the 2013: General Policy") and all other current sector specific Policies including Policy for the Small Scale Fisheries Sector in South Africa and the Policy for the Transfer of Commercial Fishing Rights.

This policy sets out objectives, criteria and considerations that will guide the allocation and management of fishing rights in the Seaweed fishery ("the fishery"). This policy will guide the delegated authority in taking decisions on applications in this fishery.

## 2. Profile of the Fishery

### 2.1 Description of the fishery

Seaweed harvesting in South Africa is primarily directed at two species of large brown seaweeds (kelp), *Ecklonia maxima* and *Laminaria pallida*. These seaweeds are abundant in the cool, temperate waters between Cape Agulhas and Namibia. The South African coastline is, however, also home to a number of other species of seaweed. These include *Gelidium* and *Gracilaria*. Beach-cast kelp of both species, *Ecklonia maxima* and *Laminaria pallida*, have been collected since at least 1953 in quantities that fluctuate with market demand, but reached a maximum of about 5 000 tons (dry weight) in 1977. Since then, an average of 1 312 dry weight tons have been collected with low yields between 1993 and 1995 reflecting strong international competition from Chinese alginate producers. Beach-cast kelp is sun-dried, milled and exported mainly for the extraction of alginate. No commercial extraction occurs in South Africa due to strong international competition. Laboratory tests on South African kelps indicate alginate yields of between 22 percent and 40 percent. Recently, powdered kelp has been exported to Japan for use in formulated fish-feed. Fresh kelp has been harvested since 1979 in relatively small quantities for the production of a liquid plant-growth stimulant (Kelpak). The product contains cytokinins that have been shown to improve the growth and quality of various food and horticultural crops.

The recent growth of the abalone farming industry has created further demand for freshly harvested kelp. Commercially viable quantities of *Gracilaria gracilis* occur in Saldanha Bay and *Gracilariopsis* occurs in St Helena Bay. Commercially viable quantities of *Gelidium* have been harvested in the Eastern Cape since at least 1957. Four species (*G. pristoides*, *G. abbottiorum*, *G. pteridifolium* and possibly some *G. capense*) are capable of being harvested from the intertidal and shallow subtidal zones of concession areas 1, 20, 21, 22 and 23. An attempt was made to extract agar in the Eastern Cape from 1978-1982 but this proved uneconomical. The present levels and

methods of exploitation have a negligible ecological effect. Exploitation levels are essentially controlled by limiting effort to only one commercial operator per concession area and yields are monitored. Furthermore, this species is difficult to fully remove by picking.

The seaweed sector is managed in terms of both a total applied effort ("TAE") and a total allowable catch ("TAC"). However, the principal management tool is effort control and the number of right-holders in each seaweed harvesting area is restricted. Essentially, each concession area is limited to one right-holder. In addition, in certain areas limitations are placed on the amounts that may be harvested. Seaweed is harvested on a per area basis. The Department has divided the South African coastline (between Port Nolloth and Port St Johns) into 23 harvesting areas. Very few right-holders harvest seaweed and add value to it. Currently, many right-holders harvest seaweed for feed for abalone farms. In terms of value adding, seaweed is used in specialised "*health-food*" products, fertilizers, as part of aromatherapy products and for cosmetic products.

The seaweed sector nevertheless employs over 1 700 people (313 on a permanent basis and 1 450 on a seasonal basis). Average annual salaries are R38 500 in this sector. Of these jobs, 92 percent are held by historically disadvantaged persons. The majority of workers are women. The start-up costs for a new entrant may range from approximately R250 000 to R10 million. The operations are labour intensive and wage costs for the various right-holders range from R50 000 per annum to R1 783 000 per annum. Certain right-holders also invest in research and development and these investments range from R60 000 to R600 000 per annum.

## **2.2 Current resource users**

In the previous rights allocation process rights were allocated to 14 commercial entities. These 14 entities harvest the seaweed in various ways depending on what part of the seaweed is required by the right holder. Right holders harvest the seaweed fronds only and or the whole seaweed. Some of these right holders collect the seaweed that has been washed by the sea to the sand.

## **3. The 2005/2006 long term rights allocation process**

During the 2005/2006 Long-Term Fishing Rights Allocation Process, 14 commercial seaweed harvesting rights were allocated to 14 entities were granted fishing rights. In 1997, the commercial seaweed sector was dominated by white-owned and managed entities. Today, six out of 14 right-holders are black-owned and managed. Accordingly, 42.8 percent of right-holders are black. Of the 14 right-holders, seven (or 50 percent) are small- and medium-sized enterprises. Of the 23 commercial areas, seaweed in

areas 2, 3, 20 and 22 are currently not exploited at all. A map of the concession areas is attached as part of **Appendix A**.

#### **4. Objectives**

4.1 The objectives of allocating fishing rights in the Seaweed fishery are to:

- (a) promote transformation through allocation of fishing rights to historically disadvantaged persons which shall include designated groups (youth, women and people with disabilities), broaden meaningful participation (increase participation, value-creation, and linkage);
- (b) ensure sustainable livelihoods through the promotion of fair employment;
- (c) promote adherence to fair labour practices and improved working conditions;
- (d) promote food security and poverty alleviation;
- (e) prefer applicants who rely on the harvesting of Seaweed for a significant portion of their gross annual income above applicants deriving income from sources outside the Seaweed fishery;
- (f) facilitate the recovery of over-exploited and collapsed fish stocks; and
- (g) achieve optimum utilisation and ecologically sustainable development of marine living resources.

#### **5. Granting of fishing rights**

Fishing rights are granted in terms of section 18 of the Marine Living Resources Act (Act No. 18 of 1998) ("MLRA"). Unless otherwise determined by the Minister only South African persons shall acquire or hold rights in terms of section 18 of MLRA. All rights granted shall be valid from the date of allocation for a period not exceeding 15 years, where after it shall automatically terminate and revert back to the State to be reallocated in terms of this policy. In terms of section 14 of the MLRA the Minister shall determine commercial Total Allowable Catch (TAC), Total Applied Effort or combination thereof. It shall be further noted that in terms of section 16 of the MLRA the Minister may suspend any fishing in the fishery or impose effort restriction in order to address a state of emergency.

##### **5.1 Form of Right Holder**

- (a) Section 18 of the MLRA provides that only South African persons may hold fishing rights.
- (b) Having regard to the nature of operations and resources accessibility, only the following South African persons will be considered in the seaweed fishery:
  - (i) South African natural persons (individual);
  - (ii) a company; and
  - (iii) a close corporation.

## 5.2 Duration of Right

Having regard to the right allocation process history and need to encourage investment, the Seaweed Fishery, Fishing rights will be granted in the Seaweed fishery for the maximum period of 15 years.

## 5.3 Total Applied Effort and/or Total Allowable Catch allocation

### (a) TAE allocation

Considering the history, current resource users, the sustainable operations and the viability of the Seaweed fishery the Delegated Authority will only allocate rights to a maximum of 14 applicants.

### (b) TAC allocation

Considering the history, current resource users, the sustainable operations and the viability of the fishery the Delegated Authority will only allocate the initial amount of TAC. It shall be anticipated that individual allocations may decrease shall the annual approved TAC decreases. However in terms of section 14(4) of the MLRA, if the allowable commercial catch in respect of which commercial fishing rights exist, increases, the mass of the increase shall be available for allocation by the Minister

## 5.4 Transfer of Rights Allocated in terms of this Policy

In terms of section 21 of the MLRA the Minister may approve the transfer of fishing rights in whole or in part. However Seaweed rights in terms of this Policy shall not be transferred within the first two (2) years of allocation except in the case of death, disability or medical reasons occurring after the right has been allocated. In addition, failure to activate or apply for any permits, declare any catches during the two (2) years shall result in an automatic cancellation of the right by Minister.

Rights can only be transferred in terms of the Policy for the Transfer of Commercial Fishing Rights (Government Gazette No 32449, 31 July 2009) or relevant amendments thereof.

## 6. Multi-sector involvement

Applicants in the Seaweed fishery will not be precluded from holding commercial fishing rights in other local commercial fishing sectors. This shall mean any person can apply for right in any fishery sector regardless of the fact that he or she or it has applied for a right or holds a right in any fishery sector. However the Delegated Authority reserves the right to grant a right to an applicant in any sector.

## 7. Evaluation criteria

Applications for Seaweed rights will be screened in terms of a set of "exclusionary criteria". All applicants will thereafter be separately scored in terms of a set of weighted "comparative balancing criteria". A cut-off will then be determined in order to select the successful applicants and effort will be allocated to each successful applicant.

### 7.1 Exclusionary criteria

Apart from the criteria described in the 2013: General Policy pertaining to the lodgement of applications and material defects, the Delegated Authority will exclude applicants that fail to meet the following requirements:

#### (a) Compliance

Applicants, including their members, directors or controlling shareholders that have been convicted of a serious offence in terms of the MLRA (without the option of the payment of a fine) will be excluded. Applicants, including their members, directors or controlling shareholders that have had any fishing right cancelled or revoked in terms of the MLRA, will also be excluded. Minor infringements of the MLRA, including payment of admission of guilt fines, may be taken into account as a balancing criterion and may also adversely affect an application.

#### (b) Paper quotas

Applications from paper quota applicants, as defined in the 2013: General Policy will be excluded.

#### (c) Non-utilisation

Applicants that had Seaweed right and did not harvest any Seaweed during the period of 2007 to 2014 shall be excluded.

#### (d) Personal involvement in harvesting of the resource

Applicants will be required to demonstrate that they will be personally involved in the fishery. They will be required to actively participate in the harvesting of the resource and the business operations. Only applicants incapable of participating due to a permanent physical disability will be exempted from this requirement. Consideration will be given to female applicants who may not be personally involved in the harvesting of the resource but who are dependent on the fishery for their livelihood.

### 7.2 Balancing criteria

Applicants will be evaluated in terms of the following balancing criteria, which will be weighted in order to evaluate and assess applications:

#### (a) Transformation

The south african population percentage composition of demographic groups (79.6% Black, 9% Coloured, 8.9% White, and 2.5% Asian) may amongst other transformation criteria be used to prefer applicants from others when allocation

of fishing rights and Rights Holder's apportionment of the TAC and/or Total Applied Effort (TAE) is being considered.

Applicants will be assessed and scored on:

- (i) The percentage of people from designated groups and Historically Disadvantaged Individuals (HDIs) representation at top salary, board of directors, members and senior official and management levels;
- (ii) Whether employees (other than top salary earners) benefit from an employee share scheme in case of an entity;
- (iii) Compliance with the Employment Equity Act 55 of 1998, demographic representation of designated groups and HDIs at the various levels of employment below senior official and management level;
- (iv) Affirmative procurement;
- (v) Compliance with legislation on skills development and the amounts spent on the training of Black person, youth, women, including people with disabilities, and participation in learnership programmes; and
- (vi) Corporate social investment.

**(b) Fishing performance**

The fishing performance of applicants holding fishing rights in the seaweed sector will be examined to determine if they have effectively utilised their fishing rights. Effective utilisation shall mean activation of the catch permit and subsequent catch data submission for at least five years during the period 2007-2014.

**(c) Local economic development**

- (i) The Delegated Authority will take into consideration the landing and/or processing of catches outside the metropolitan areas to promote local economic development.
- (ii) The Delegated Authority shall, in order to ensure that all fishing communities share in the marine living resources, use locality of landing sites and fishing processing as scoring or tie-breaking criteria.

**(d) Job creation**

Job creation and increases in jobs as a result of the allocation of long-term fishing rights will be rewarded, and in particular, Compliance with Basic Conditions of Employment Act, 1997 (No. 75 of 1997) (BCEA), such as providing employees with:

- (i) permanent employment;
- (ii) medical aid and pension / provident fund;
- (iii) safe working conditions; and
- (iv) an employee share scheme as a shareholding entity of the right holder.



(e) **Access to suitable vessel**

An applicant will be required to demonstrate a right of access to a vessel suitable for the harvesting of seaweed. Access may be in the form of ownership, part-ownership, catch agreement, charter agreement, or bank guarantee in the case of a purchase of a vessel or to build a vessel. If an applicant intends purchasing a vessel then additional proof of a purchase agreement must be provided. If in the case of a new build vessel then the vessel plans and cost from the vessel building company must be provided.

(f) **Applicants involvement and relationship with other applicants**

(i) **Same household involvement**

A household which shall include individuals who are married or that are co-habiting and their children may not be granted more than one right so as to avoid fronting and monopolies and to broaden access to the Seaweed resource. Applicants may be required to disclose their relationship to applicants in Seaweed fishery as well as in other commercial fisheries. If more than one member of a household applies for a right, the main head of the family will be preferred.

(ii) **Entity and their subsidiaries involvement**

An umbrella company and its subsidiary may not be granted more than one right Seaweed resource so as to avoid fronts and monopolies and to broaden access to the Seaweed resource. Applicants will be required to disclose their relationship to applicants in the hake inshore trawl fishery as well as in other commercial fisheries. If an entity and its subsidiary both apply for rights in this sector, the umbrella company (not subsidiary) will be preferred.

(iii) **Brother-Sister Corporations**

If two or more companies which are owned and controlled by the same shareholders apply for a commercial fishing right in the Seaweed fishery, the department will consider allocating fishing right to one of the companies if two or more of the brother-sister companies qualify for a fishing right in this sector. The department may also consider dividing one fishing right (TAC and/or TAE) to the brother-sister companies if they all qualify for a fishing right in Seaweed fishery.

**7.3. Suitable vessels**

A suitable vessel in the Seaweed fishery is a vessel that

- (i) is certified by South African Maritime Safety Authority ("SAMSA") as being safety for seaweed fishing; and
- (ii) upon allocation of fishing right such vessel shall be fitted with a functional Vessel Monitoring System ("VMS").

**8. Provisional lists, representations and consultations**

- 8.1. The Delegated Authority may issue provisional lists for comment on any aspect relating to an application in any fishery or sector.
- 8.2. The Delegated Authority may request comment on any of the information provided by an applicant and on the basis of the comments received make a final decision.
- 8.3. The Delegated Authority may invite representations regarding the assessment of the applications before making final decisions.

**9. Announcement of decisions**

The Delegated Authority shall after making a final decision on the applications inform all applicants of the outcome of their individual applications giving specific reasons for such decision. Further General Reasons for decisions in a specific fishery sector will be published informing all applicants on how the decisions were formulated and reached. The General Reasons shall also include an annexure referred to as decision sheet outlining all applicant scores in the Seaweed sector.

**10. Payment of application and grant of right fees**

- 10.1. The fees for this fishery will be determined having regard to:
  - (a) The cost of the entire fishing rights allocation process, including consultation, receipting, evaluation of applications, verification, appeals and reviews; and
  - (b) The value of the fish being allocated over the duration of the right.
- 10.2. The non-refundable application fee shall be payable before submitting the application form and only proof of payment shall be brought to the receipting centre.
- 10.3. The grant of right fee is payable by all successful applicants upon the granting of rights.

**11. Management Measures**

The management measures discussed below reflect a number of the Department's principal post-right allocation management intentions for this fishery.

**11.1 Ecosystem approach to fisheries**

This fishery will be managed in accordance with the ecosystem approach to fisheries ("EAF"). An ecosystem approach to fisheries management is a holistic approach that maintains or improves the health of an ecosystem and balances the diverse societal needs and values. This approach also defines the ecosystem in its broadest sense and includes ecological, social, economic and governance systems.

**11.2 Observer Programme**

- (a) The right holder of a commercial Seaweed fishing right shall accommodate an observer on board the right holder's nominated vessel when required to

do so by the Department or its agent.

- (b) The right holder may bear the costs of the observer deployment when required by the Department.
- (c) The right holder shall allow the Observer unrestricted access to monitor fishing activity and compliance with permit conditions and all applicable laws.
- (d) Should the Department reasonably believe that an Observer is being prevented from carrying out his or her obligations in any way or threatened in any way while on board, the Department may implement proceeding under section 28 of the MLRA.

#### 11.3 **Performance measuring**

Successful applicants will be subjected to a number of performance measuring exercises for the duration of the fishing rights. The purpose of performance measuring will be to ensure that the objectives of the fishery are being met and that management methodologies and procedures remain current and suitable for the fishery.

#### 11.4 **Offences**

Successful applicants that fail to utilise their Seaweed fishing right for one fishing season without any reasonable explanation or that contravenes the provisions of the MLRA will be subjected to proceedings of section 28 of the MLRA.

### 12. **Permit conditions**

Permit conditions for this fishery will be issued annually. The permit conditions will be determined after consultation with successful applicants in this fishery and will be subject to revision as and when it may be necessary.

**13. Glossary of Terms**

- 13.1. "Application period" means the period commencing with the publication of the invitation to apply for a fishing or harvesting right in the sector to and ending on the date on which the appellate authority finally decides the appeals in the sector.
- 13.2. "MLRA" means the Marine Living Resources Act, 1998 (Act No. 18 of 1998)
- 13.3. "Race, gender and disability" means to race, gender and disability as defined in the Employment Equity Act 55 of 1998.
- 13.4. "Rights" means fishing or harvesting rights granted in terms of section 18 of the Marine Living Resources Act, 1998 (Act No. 18 of 1998).
- 13.5. "Right Holder" means a person that was granted a fishing right during the period 2005 – 2006 in a specific fishery, or became a right holder in a fishery by way of an approved transfer of a fishing right.
- 13.6. "The 2013: General Policy" means the General Policy on the Allocation and Management of Fishing Rights: 2013.
- 13.7. "The Department" means the Department of Agriculture, Forestry and Fisheries.
- 13.8. "The Minister" means the Minister of Agriculture, Forestry and Fisheries.
- 13.9. "Total allowable catch" means the maximum quantity of fish of individual species or groups of species made available annually or during such other period of time as may be prescribed, for combined recreational, small-scale, commercial and foreign fishing.
- 13.10. "Total applied effort" means the maximum number of fishing vessels, the type, size and engine power thereof or the fishing method applied thereby for which fishing vessel licences or permits to fish may be issued for individual species or groups of species, or the maximum number of persons on board a fishing vessel for which fishing licences or permits may be issued to fish for individual species or groups of species.

## APPENDIX A

## CONCESSION AREA MAP

**Area 1 (*Gelidium* rights)**

1. Boundaries of Concession Area:  
Kei River (32° 40' 28" S, 28° 23' 00" E) to Cape Seal (34° 01' 12" S, 23° 24' 48" E).
2. Functional group/genus/species:  
*Gelidium pristoides*, *G. abbottiorum*, *G. amansii*, *G. pteridifolium*  
("G. cartilagineum/G. versicolor")
3. Harvesting/collecting method:  
By hand (picking).
4. Maximum Yield:  
Not applicable (effort-controlled).

**Area 2 (*Gelidium* rights)**

1. Boundaries of Concession Area:  
Cape Seal (34° 01' 12" S, 23° 24' 48" E) to Cape St Blaize (34° 10' 16" S, 22° 05' 30" E).
2. Functional group/genus/species:  
*Gelidium pristoides*, *G. abbottiorum*, *G. amansii*, *G. pteridifolium*  
("G. cartilagineum/G. versicolor")
3. Harvesting/collecting method:  
By hand (picking).
4. Maximum Yield:  
Not applicable (effort-controlled).

**Area 3 (*Gelidium* rights)**

1. Boundaries of Concession Area:  
Cape St Blaize (34° 10' 16" S, 22° 05' 30" E) to the eastern bank of the Breede River River (34° 24' 00" S, 20° 50' 00" E).
2. Functional group/genus/species:  
*Gelidium pristoides*, *G. abbottiorum*, *G. amansii*, *G. pteridifolium*  
("G. cartilagineum/G. versicolor")
3. Harvesting/collecting method:  
By hand (picking).
4. Maximum Yield:  
Not applicable (effort-control)

**Area 4: Mixed beach-cast seaweeds**

1. Boundaries of Concession Area:  
Western bank of the Breede River River (34° 24' 40" S, 20° 50' 00" E) to Cape Agulhas (34° 49' 40" S, 20° 00' 40" E).

**2. Functional group/genus/species:**

Mixed beach-cast seaweeds (all species including kelp).

**3. Harvesting/collecting method:**

Beach-cast seaweeds: all or any parts of beach-cast plants may be collected by hand, shovel, rakes, etc.

No attached seaweeds may be picked.

**4. Maximum Yield:**

Not applicable (effort-controlled).

**Area 5 (kelp rights)****1. Boundaries of Concession Area:**

Cape Agulhas (34° 49' 40" S, 20° 00' 40" E) to the eastern bank of the Uilenkraal River (34° 36' 24" S, 19° 24' 36" E).

Harvesting exclusion zones. Note that no kelp harvesting is permitted in the following areas:

From Oubaai (34° 47' 00" S, 19° 39' 30" E) to Cape Agulhas; from Sandy Point (34° 39' 20" S, 19° 27' 06" E) to the eastern bank of the Uilenkraal River.

**2. Functional group/genus/species:**

Kelp (*Ecklonia maxima* and *Laminaria pallida*)

**3. Harvesting/collecting method:**

3.a. Beach-cast kelp: all or any parts of beach-cast plants may be collected by hand.

3.b. Harvesting of live (fresh) kelp: by hand, using a knife or sickle, using a diver or from a boat or the shore. No kelp plants with a stipe less than 50cm long may be cut or harmed.

**4. Maximum Yield:**

Beach-cast kelp: no limit.

Kelp fronds: A maximum of 2625 tonnes fresh weight of kelp fronds may be harvested in one year, OR

Whole kelp plants (fronds plus stipes): a maximum of 0 tonnes per year.

**5. Additional conditions:**

Harvesters may not use, or be in possession of, underwater breathing apparatus.

**Area 5: mixed beach-cast seaweeds only (excluding kelp)****1. Boundaries of Concession Area:**

Cape Agulhas (34° 49' 40" S, 20° 00' 40" E) to the eastern bank of the Uilenkraal River (34° 36' 24" S, 19° 24' 36" E).

**2. Functional group/genus/species**

Mixed beach-cast seaweeds, all species excluding kelp.

**3. Harvesting/collecting method:**

Beach-cast seaweeds: all or any parts of beach-cast plants may be collected by hand, shovel, rakes, etc.

No attached seaweeds may be picked.

**4. Maximum Yield:**

Not applicable: effort-controlled.

**5. Additional conditions:**

Harvesters may not use, or be in possession of, underwater breathing apparatus.

**Area 6 (kelp rights)****1. Boundaries of Concession Area:**

Western bank of the Uilenkraal River (34° 36' 24" S, 19° 24' 36" E) to the eastern bank of the Mossel River (34° 24' 30" S, 19° 16' 24" E) on the mainland and Dyer Island and its neighbouring reefs.

Harvesting exclusion zones. Note that no kelp harvesting is permitted in the following areas: From Stanford's Cove (34° 34' 06" S, 19° 21' 20" E) to Voorsteklip (34° 31' 00" S, 19° 22' 20" E); from Blousloep (34° 36' 50" S, 19° 23' 18" E) to the western bank of the Uilenkraal River; within 500m of Dyer Island.

**2. Functional group/genus/species:**

Kelp (*Ecklonia maxima* and *Laminaria pallida*)

**3. Harvesting/collecting method:**

3.a. Beach-cast kelp: all or any parts of beach-cast plants may be collected by hand.

3.b. Harvesting of live (fresh) kelp: In Area 6, only non-lethal harvesting of kelp fronds is permitted. Harvesting of fronds must be done by hand, using a knife or sickle. The secondary blades (fronds) must be cut at least 25 cm from their junction with the primary blade. No cutting of the stipe, bulb or primary blade is permitted.

**4. Maximum Yield.**

Beach-cast kelp: no limit.

Kelp fronds: A maximum of 4592 tonnes fresh weight of kelp fronds may be harvested in one year, comprising 3504 tonnes from mainland kelp beds, and 1088 tonnes from Dyer Island and associated reefs.

**5. Additional conditions:**

Harvesters may not use, or be in possession of, underwater breathing apparatus.

**Area 7 (kelp rights)****1. Boundaries of Concession Area:**

Western bank of the Mossel River (34° 24' 30" S, 19° 16' 24" E) to the eastern bank of the Bot River estuary mouth (34° 22' 00" S, 19° 06' 00" E).

Harvesting exclusion zones.

Note that no kelp harvesting is permitted in the following areas:

From the Hermanus New Harbour (34° 26' 00" S, 19° 13' 30" E) to the western bank of the Mossel River (34° 24' 30" S, 19° 16' 24" E); from Skulphoek (34° 26' 10" S, 19° 12' 14" E) to a point in line with the Sandbaai main road (34° 25' 40" S, 19° 11' 37" E) (i.e. within Sandbaai).

**2. Functional group/genus/species:**

Kelp (*Ecklonia maxima* and *Laminaria pallida*)

**3. Harvesting/collecting method:**

3.a. Beach-cast kelp: all or any parts of beach-cast plants may be collected by hand.

3.b. Harvesting of live (fresh) kelp: by hand, using a knife or sickle, using a diver or from a boat or the shore. No kelp plants with a stipe less than 50cm long may be cut or harmed.

**4. Maximum Yield.**

Beach-cast kelp: no limit.

Kelp fronds: A maximum of 710 tonnes fresh weight of kelp fronds may be harvested in one year, OR

Whole kelp plants (fronds plus stipes): A maximum of 1421 tonnes of whole kelp may be harvested in one year.

5. Additional conditions:

Harvesters may not use, or be in possession of, underwater breathing apparatus.

**Area 8 (kelp rights)**

1. Boundaries of Concession Area:

Western bank of the bank of the Bot River estuary mouth (34° 22' 00" S, 19° 06' 00" E) to Swartklip (34° 04' 29" S, 18° 41' 12" E).

Harvesting exclusion zones.

Note that no kelp harvesting is permitted in the following areas:

In the Bettys' Bay Marine Reserve i.e. from Stony Point (34° 22' 28" S, 18° 53' 45" E) to Beacon B4 on the eastern side of Jock Se Baai (Dawidskraal) (34° 21' 24" S, 18° 56' 17" E).

2. Functional group/genus/species:

Kelp (*Ecklonia maxima* and *Laminaria pallida*)

3. Harvesting/collecting method:

3. a. Beach-cast kelp: all or any parts of beach-cast plants may be collected by hand.

3. b. Harvesting of live (fresh) kelp: by hand, using a knife or sickle, using a diver or from a boat or the shore. No kelp plants with a stipe less than 50cm long may be cut or harmed.

4. Maximum Yield.

Beach-cast kelp: no limit.

Kelp fronds: A maximum of 1 024 tonnes fresh weight of kelp fronds may be harvested in one year, OR

Whole kelp plants (fronds plus stipes): A maximum of 2 048 tonnes of whole kelp may be harvested in one year.

5. Additional conditions:

Harvesters may not use, or be in possession of, underwater breathing apparatus.

**Area 9 (kelp rights)**

1. Boundaries of Concession Area:

From Simonstown municipal border at Rocklands (34° 13' 00" S, 18° 28' 00" E) to Klein Koeelbaai near Bakoven (33° 57' 38" S, 18° 22' 20" E).

Permitted harvesting zone:

Kelp harvesting is permitted in the Soetwater/Kommetjie area.

2. Functional group/genus/species:

Kelp (*Ecklonia maxima* and *Laminaria pallida*)

3. Harvesting/collecting method:

3. a. Beach-cast kelp: all or any parts of beach-cast plants may be collected by hand.

3. b. Harvesting of live (fresh) kelp: by hand, using a knife or sickle, using a diver or from a boat or the shore. No kelp plants with a stipe less than 50cm long may be cut or harmed.

4. Maximum Yield from Soetwater area.

Beach-cast kelp: no limit.



Kelp fronds: A maximum of 1 030 tonnes fresh weight of kelp fronds may be harvested in one year OR

Whole kelp plants (fronds plus stipes): A maximum of 2 060 tonnes of whole kelp may be harvested in one year.

#### Area 10 (kelp rights)

##### 1. Boundaries of Concession Area:

South Head, Saldanha (33° 06' 18" S, 17° 57' 18" E) to CCC boundary south of Blouberg (33° 48' 48" S, 18° 28' 00" E).

##### Harvesting exclusion zone

Note that **no kelp harvesting** is permitted in the following areas:

South Head (33° 06' 18" S, 17° 57' 18" E) to Black Rock (33° 09' 44" S, 18° 01' 20" E), off Dassen Island, off Robben Island.

##### 2. Functional group/genus/species:

Kelp (*Ecklonia maxima* and *Laminaria pallida*)

##### 3. Harvesting/collecting method:

3. a. Beach-cast kelp: all or any parts of beach-cast plants may be collected by hand.

3. b. Harvesting of live (fresh) kelp: by hand, using a knife or sickle, using a diver or from a boat or the shore. No kelp plants with a stipe less than 50cm long may be cut or harmed.

##### 4. Maximum Yield.

Beach-cast kelp: no limit.

Kelp fronds: A maximum of 94 tonnes fresh weight of kelp fronds may be harvested in one year, OR

Whole kelp plants (fronds plus stipes): A maximum of 188 tonnes of whole kelp may be harvested in one year.

##### 5. Additional conditions:

Harvesters may not use, or be in possession of, underwater breathing apparatus.

#### Area 11 (Kelp rights)

##### 1. Boundaries of Concession Area:

North Head (Schooner Rock), Saldanha (33° 03' 05" S, 17° 54' 36" E) to the southern bank of the Berg River (32° 46' 12" S, 18° 08' 42" E).

##### 2. Functional group/genus/species:

Kelp (*Ecklonia maxima* and *Laminaria pallida*)

##### 3. Harvesting/collecting method:

3. a. Beach-cast kelp: all or any parts of beach-cast plants may be collected by hand.

3. b. Harvesting of live (fresh) kelp: by hand, using a knife or sickle, using a diver or from a boat or the shore. No kelp plants with a stipe less than 50cm long may be cut or harmed.

##### 4. Maximum Yield.

Beach-cast kelp: no limit.

Kelp fronds: A maximum of 1543 tonnes fresh weight of kelp fronds may be harvested in one year, OR

Whole kelp plants (fronds plus stipes): A maximum of 3085 tonnes of whole kelp may be harvested in one year.

**Area 11 (*Gracilaria* rights)**

## 1. Boundaries of Concession Area:

North Head (Schooner Rock), Saldanha (33° 03' 05" S, 17° 54' 36" E) to the southern bank of the Berg River (32° 46' 12" S, 18° 08' 42" E).

## 2. Functional group/genus/species:

Beach-cast *Gracilaria*

## 3. Harvesting/collecting method:

Beach-cast *Gracilaria* only: all or any parts of beach-cast plants may be collected by hand, rakes, etc.

No harvesting of live (fresh) material by diver is permitted.

## 4. Maximum Yield.

Not applicable.

**Area 12 (kelp rights)**

## 1. Boundaries of Concession Area:

North bank of the Berg River (32° 46' 06" S, 18° 08' 48" E) to the southern border of Lambert's Bay (32° 06' 00" S, 18° 18' 12" E).

## 2. Functional group/genus/species:

Kelp (*Ecklonia maxima* and *Laminaria pallida*)

## 3. Harvesting/collecting method:

3. a. Beach-cast kelp: all or any parts of beach-cast plants may be collected by hand.

3. b. Harvesting of live (fresh) kelp: by hand, using a knife or sickle, using a diver or from a boat or the shore. No kelp plants with a stipe less than 50cm long may be cut or harmed.

## 4. Maximum Yield.

Beach-cast kelp: no limit.

Kelp fronds: A maximum of 25 tonnes fresh weight of kelp fronds may be harvested in one year, OR

Whole kelp plants (fronds plus stipes): A maximum of 50 tonnes of whole kelp may be harvested in one year.

**Area 12 *Ulva* and *Porphyra* only**

## 1. Boundaries of Concession Area:

North bank of the Berg River (32° 46' 06" S, 18° 08' 48" E) to the southern border of Lambert's Bay (32° 06' 00" S, 18° 18' 12" E).

## 2. Functional group/species

*Ulva* species, *Porphyra* species

## 3. Harvesting/collecting method:

Picking by hand

## 4. Maximum yield

A maximum of 1.5 tonnes fresh weight of *Ulva* spp. and 1.5 tonnes of *Porphyra* spp. may be harvested in one year.

**Area 12 *Gracilaria/Gracilariopsis***

## 1. Boundaries of Concession Area:

North bank of the Berg River (32° 46' 06" S, 18° 08' 48" E) to the southern border of Lambert's Bay (32° 06' 00" S, 18° 18' 12" E).

## 2. Functional group/species

*Gracilaria/Gracilariopsis* species – beach-cast material only

## 3. Harvesting/collecting method:

By hand, rakes, forks, mechanical means, etc.

No harvesting of attached *Gracilaria/Gracilariopsis* from the subtidal zone is permitted.

## 4. Maximum Yield.

No limit.

**Area 13 (kelp rights)**

## 1. Boundaries of Concession Area:

Groothoek Bay (31° 54' 36" S, 18° 16' 22" E) to the southern bank of the Olifant's River (31° 42' 36" S, 18° 11' 15" E).

## 2. Functional group/genus/species:

Kelp (*Ecklonia maxima* and *Laminaria pallida*)

## 3. Harvesting/collecting method:

3. a. Beach-cast kelp: all or any parts of beach-cast plants may be collected by hand.

3. b. Harvesting of live (fresh) kelp: by hand, using a knife or sickle, using a diver or from a boat or the shore. No kelp plants with a stipe less than 50cm long may be cut or harmed.

## 4. Maximum Yield.

Beach-cast kelp: no limit.

Kelp fronds: A maximum of 57 tonnes fresh weight of kelp fronds may be harvested in one year, OR

Whole kelp plants (fronds plus stipes): A maximum of 113 tonnes of whole kelp may be harvested in one year.

**Area 14 (kelp rights)**

## 1. Boundaries of Concession Area:

Northern bank of the Olifant's River (31° 42' 04" S, 18° 11' 15" E) to the southern bank of the Groen River (30° 51' 00" S, 17° 34' 36" E).

## 2. Functional group/genus/species:

Kelp (*Ecklonia maxima* and *Laminaria pallida*)

## 3. Harvesting/collecting method:

3. a. Beach-cast kelp: all or any parts of beach-cast plants may be collected by hand.

3. b. Harvesting of live (fresh) kelp: by hand, using a knife or sickle, using a diver or from a boat or the shore. No kelp plants with a stipe less than 50cm long may be cut or harmed.

## 4. Maximum Yield.

Beach-cast kelp: no limit.

Kelp fronds: A maximum of 310 tonnes fresh weight of kelp fronds may be harvested in one year, OR

Whole kelp plants (fronds plus stipes): A maximum of 620 tonnes of whole kelp may be harvested in one year.

**Area 15 (kelp rights)**

## 1. Boundaries of Concession Area:

Security fence at Mitchell's Bay near the mouth of the Spoeg River (30° 27' 54" S, 17° 21' 22" E) to the angling club slipway at Kleinzee (29° 42' 48" S, 17° 03' 24" E).

## 2. Functional group/genus/species:

Kelp (*Ecklonia maxima* and *Laminaria pallida*)

## 3. Harvesting/collecting method:

3. a. Beach-cast kelp: all or any parts of beach-cast plants may be collected by hand.

3. b. Harvesting of live (fresh) kelp: by hand, using a knife or sickle, using a diver or from a boat or the shore. No kelp plants with a stipe less than 50cm long may be cut or harmed.

## 4. Maximum Yield.

Beach-cast kelp: no limit.

Kelp fronds: A maximum of 1100 tonnes fresh weight of kelp fronds may be harvested in one year, OR

Whole kelp plants (fronds plus stipes): A maximum of 2200 tonnes of whole kelp may be harvested in one year

**Area 16 (kelp rights)**

## 1. Boundaries of Concession Area:

Northern border of the farm Oubeep south of McDougall's Bay (29° 19' 45" S, 16° 54' 38" E) to the border of the proclaimed State Alluvial Diggings just north of Port Nolloth (29° 13' 56" S, 16° 51' 15" E).

## 2. Functional group/genus/species:

Kelp (*Ecklonia maxima* and *Laminaria pallida*)

## 3. Harvesting/collecting method:

3. a. Beach-cast kelp: all or any parts of beach-cast plants may be collected by hand.

3. b. Harvesting of live (fresh) kelp: by hand, using a knife or sickle, using a diver or from a boat or the shore. No kelp plants with a stipe less than 50cm long may be cut or harmed.

## 4. Maximum Yield.

Beach-cast kelp: no limit.

Kelp fronds: A maximum of 310 tonnes fresh weight of kelp fronds may be harvested in one year, OR

Whole kelp plants (fronds plus stipes): A maximum of 620 tonnes of whole kelp may be harvested in one year.

**Area 16 *Ulva* and *Porphyra* only**

## 1. Boundaries of Concession Area:

North bank of the Berg River (32° 46' 06" S, 18° 08' 48" E) to the southern border of Lambert's Bay (32° 06' 00" S, 18° 18' 12" E) .

## 2. Functional group/species

*Ulva* species, *Porphyra* species

## 3. Harvesting/collecting method:

Picking by hand

## 4. Maximum yield

A maximum of 2 tonnes fresh weight of *Ulva* spp. and 2 tonnes of *Porphyra* spp. may be harvested in one year.

**Area 17 (*Gracilaria*)**

1. Boundaries of Concession Area:

South Head (33° 06' 18" S, 17° 57' 18" E) to the North Head (Schooner Rock) of Saldanha Bay (33° 03' 05" S, 17° 54' 36" E), including Saldanha Bay but excluding Langebaan Lagoon.

2. Functional group/genus/species:

Beach-cast *Gracilaria*

3. Harvesting/collecting method:

By hand, rakes, forks, mechanical means, etc.

No harvesting of attached *Gracilaria* from the subtidal zone is permitted.

4. Maximum Yield.

No limit.

**Area 17 beach-cast kelp rights**

1. Boundaries of Concession Area:

South Head (33° 06' 18" S, 17° 57' 18" E) to the North Head (Schooner Rock) of Saldanha Bay (33° 03' 05" S, 17° 54' 36" E), including Saldanha Bay but excluding Langebaan Lagoon.

2. Functional group/genus/species:

Beach-cast kelp only

3. Harvesting/collecting method:

By hand.

No harvesting of attached kelp is permitted

4. Maximum Yield.

No limit.

**Area 18 (kelp rights)**

1. Boundaries of Concession Area:

From the slipway at the angling club at Kleinsee (29° 42' 48" S, 17° 03' 24" E) to the northern border of the farm Oubeep, south of McDougall's Bay (29° 19' 45" S, 16° 54' 38" E).

2. Functional group/genus/species:

Kelp (*Ecklonia maxima* and *Laminaria pallida*)

3. Harvesting/collecting method:

3.a. Beach-cast kelp: all or any parts of beach-cast plants may be collected by hand.

3.b. Harvesting of live (fresh) kelp: by hand, using a knife or sickle, using a diver or from a boat or the shore. No kelp plants with a stipe less than 50cm long may be cut or harmed.

4. Maximum Yield.

Beach-cast kelp: no limit.

Kelp fronds: A maximum of 1464 tonnes fresh weight of kelp fronds may be harvested in one year, OR

Whole kelp plants (fronds plus stipes): A maximum of 2928 tonnes of whole kelp may be harvested in one year.

**Area 19 (kelp rights)**

## 1. Boundaries of Concession Area:

From the border of the proclaimed State Alluvial Diggings just north of Port Nolloth (29° 13' 56" S, 16° 51' 15" E) to the southern bank of the Orange River (28° 38' 18" S, 16° 27' 42" E).

## 2. Functional group/genus/species:

Kelp (*Ecklonia maxima* and *Laminaria pallida*)

## 3. Harvesting/collecting method:

3.a. Beach-cast kelp: all or any parts of beach-cast plants may be collected by hand.

3.b. Harvesting of live (fresh) kelp: by hand, using a knife or sickle, using a diver or from a boat or the shore. No kelp plants with a stipe less than 50cm long may be cut or harmed.

## 4. Maximum Yield.

Beach-cast kelp: no limit.

Kelp fronds: A maximum of 383 tonnes fresh weight of kelp fronds may be harvested in one year, OR

Whole kelp plants (fronds plus stipes): A maximum of 765 tonnes of whole kelp may be harvested in one year.

**Area 20: *Gelidium* rights**

## 1. Boundaries of Concession Area:

Kei River (32° 40' 28" S, 28° 23' 00" E) to Qora River (32° 27' 00" S, 28° 40' 24" E)

## 2. Functional group/genus/species:

*Gelidium pristoides*, *G. abbottiorum*, *G. amansii*, *G. pteridifolium* (*G. cartilagineum*/*G. versicolor*)

## 3. Harvesting/collecting method:

By hand (picking) and purchase of material collected from casual pickers.

## 4. Maximum Yield:

Not applicable (effort-controlled).

**Area 21 *Gelidium* rights**

## 1. Boundaries of Concession Area:

Qora River (32° 27' 00" S, 28° 40' 24" E) to Mbashe River (32° 14' 54" S, 28° 54' 00" E).

## 2. Functional group/genus/species:

*Gelidium pristoides*, *G. abbottiorum*, *G. amansii*, *G. pteridifolium* (*G. cartilagineum*/*G. versicolor*)

## 3. Harvesting/collecting method:

By hand (picking) and purchase of material collected from casual pickers.

## 4. Maximum Yield:

Not applicable (effort-controlled).

**Area 22 *Gelidium* rights**

## 1. Boundaries of Concession Area:

Mbashe River (32° 14' 54" S, 28° 54' 00" E) to Mnenu River (31° 48' 24" S, 29° 19' 46" E).

## 2. Functional group/genus/species:

*Gelidium pristoides*, *G. abbottiorum*, *G. amansii*, *G. pteridifolium* (*G. cartilagineum*/*G. versicolor*)

3. Harvesting/collecting method:

By hand (picking) and purchase of material collected from casual pickers.

4. Maximum Yield:

Not applicable (effort-controlled).

**Area 23 *Gelidium* rights**

1. Boundaries of Concession Area:

Mnenu River (31° 48' 24" S, 29° 19' 46" E) to Mtamvuna River (31° 04' 50" S, 30° 11' 42" E).

2. Functional group/genus/species:

*Gelidium pristoides*, *G. abbottiorum*, *G. amansii*, *G. pteridifolium* (*G. cartilagineum*/*G. versicolor*)

3. Harvesting/collecting method:

By hand (picking) and purchase of material collected from casual pickers.

4. Maximum Yield:

Not applicable (effort-controlled).