

**AFFIDAVIT IN TERMS OF SECTION 212(4)(a) AND 8(a) OF THE  
CRIMINAL PROCEDURE ACT, ACT 51 OF 1977**

I, .....  
[full names and surname],

an adult male/female<sup>1</sup> with identification number .....

Working address: .....

employed as ..... [job title]

with Marine and Coastal Management, .....

[place where employed], declares under oath:

1.

1.1 I am employed by the Department of Environmental, Forestry and Fisheries, Branch: Marine and Coastal Management and as such I am in the service of the State.

1.2 I obtained a .....  
[qualification]<sup>2</sup> at ..... [institution] in  
..... [year] with Zoology as subject on first, second and third year level. This included the study of marine organisms, both on theoretical and practical level.

1.3 The study of fish and other marine living species formed part of my courses in ..... [qualification].  
It included the study of the Phylum Mollusca of which the genus Haliotis forms part.

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<sup>1</sup> Delete what is not applicable.

<sup>2</sup> Marine Biology, Zoology, Environmental Science etc.

1.4 I have been employed as a Marine Conservation Officer with Marine and Coastal Management<sup>3</sup> since ..... [date of appointment] and as Chief Marine Conservation Officer since [date]. I have more than ..... [number] years experience in which I have worked extensively with abalone.

1.5 I can identify without doubt the species *Haliotis midae* and distinguish it from any other abalone or mollusc species based on its morphological characteristics. More specifically the epipodal fringe differs from any of the other species in being beard-like and comprising of branched, densely packed projections, interspersed with occasional longer unbranched tentacles. This requires an examination requiring skill in biology.

1.6 The *Haliotis midae* is a species endemic to South African waters. The distribution is between Cape Columbine on the West Coast and the Wild Coast region of the Eastern Cape Province.

## 2.

2.1 On ..... [date] I received ..... [quantity] bags marked S v ..... [name of accused] ..... [police station] CAS nr ..... SAP 13 number.....and ..... respectively marked Bag ..... [numbers] from ..... [person] at ..... [place].

2.2 The bags were sealed with the official tamper proof seals issued by the department of Marine and Coastal Management with seal numbers ..... and both the bags and seals were intact.

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<sup>3</sup> These are examples and should be amended accordingly.

2.3 I opened the said bags by cutting the seals and inspected the contents.

2.4 I visually inspected the contents and conducted an identification based on morphological characteristics, more specifically the epipodal fringe, and came to the conclusion that the contents consisted of the species *Haliotis midae*.

2.5 *Haliotis midae* is a living marine animal belonging to the phylum mollusca commonly referred to as molluscs.

2.6 I can therefore without any doubt confirm that the contents of these bags were of the species *Haliotis midae*, belonging to the genus *Haliotis*.

3.

3.1 I took a random sample of ..... [number] individuals from the said bags, put them in clean, unused bag and sealed it with seal number .....

3.2 I handed the said bag to ..... [name] for safekeeping.

I know and understand the contents of the above statement. I have no objection to taking the prescribed oath. I consider the oath to be binding on my conscience.

.....  
[Signature of deponent]

Place:..... Date:.....Time: .....

I ..... certify that the above statement was taken by me and that the deponent has acknowledged that

he/she knows and understands the contents of the statement. The statement was sworn to/affirmed before me and deponents signature/mark/thumb print was placed thereon in my presence.

Place: ..... Date ..... Time .....

[Details of Commissioner of Oats to be provided on physical and postal address e.g. stamp of police station)