



# agriculture, forestry & fisheries

Department:  
Agriculture, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

## PUBLIC NOTICE:

31 January 2017

### FINAL LIST OF FISHING RIGHTS ALLOCATION PROCESS 2015/16 FOR THE LARGE PELAGIC LONGLINE FISHERY

**Cape Town: Wednesday; 25 January 2017:** The Delegated Authority to the Fishing Rights Allocation Process (FRAP) of the Department of Agriculture, Forestry and Fisheries (the Delegated Authority) has concluded the allocation of fishing rights and effort in the Large Pelagic Longline fishery. The rights allocated in this fishery are for a period of 15 years.

The addendum to the General Published Reasons for the decision on the allocation of 2015/16 Fishing Rights and final decision lists in the Large Pelagic Longline fishery is available on the Department's website and will be displayed along the coast in all Departmental Compliance Offices.

The Department has considered that a smooth change-over transition is required in order to maintain and ensure a continuous supply of fish and fish products as well as stability within the sector and as such, is pleased to inform that **all successful applicants** will be permitted to fish for a period of **one month**, commencing from 1 February 2017 to 28 February 2017. All successful applicants are required to adhere to the attached 2017/2018 permit conditions when fishing. The Department will provide the Grant of Right letters in due course.

Successful applicants that are still required to nominate or confirm their suitable vessel(s) should provide notification to the Department in writing prior fishing to:

**Deputy Director: Pelagic and High Seas Fisheries Management**  
**Department of Agriculture, Forestry and Fisheries**  
**Private Bag X 2**  
**Roggebaai**  
**8012**

Fax: 021 402 3618

Email: [QayisoMK@daff.gov.za](mailto:QayisoMK@daff.gov.za)

(Call to confirm receipt – 021 402 3048 / 083 655 1550)

It is expected that the successful applicants will immediately start with the process of submitting their permit applications (to undertake commercial fishing of Large Pelagic Longline and Fish Processing Establishment) in this fishery, for the 2017/2018 fishing season at the Department's Customer Service Centre (Ground floor, Foretrust Building, Martin Hammerschlag Way, Foreshore, Cape Town; Tel: 021 402 3180) or any other designated Departmental office. Furthermore, no harvesting of the large pelagic resources will be allowed in this fishery after the expiry of the transition period (1 February to 28 February 2017) without valid permits.

The appeals period for this fishery commenced on Thursday, 26 January 2017, and will close on **Friday, 21 April 2017 at 16H00**. All appeals must be received by the Department not later than 16H00, Friday, 21 April 2017. Appeals in this fishery must only be submitted via email and only in a PDF format to [FRAP2015appeals@daff.gov.za](mailto:FRAP2015appeals@daff.gov.za).

All applicants who wish to submit appeals against the decision of the Delegated Authority are advised to download the relevant appeal form(s) on the Departmental website: [www.daff.gov.za](http://www.daff.gov.za) or [complete the attached appeal form](#). NOTE: APPLICANTS are advised that the values printed on the scoresheet for the Exclusionary Criteria "C" (Essential Requirements) and "D" (Improperly Lodged) are

the outcome of the evaluation. If an 'N' is printed, it means the applicant was not excluded on that question. In cases where there is a "Y", the applicant would have been excluded on that criterion.

The Minister may make provision for the hearing of oral submissions where considered necessary and appropriate. The appeal must be marked as follows:

**LARGE PELAGIC LONGLINE FISHERY APPEAL**

**APPELLANT'S FULL NAME AS IT APPEARS ON THE APPLICATION FORM**

**APPELLANT'S LARGE PELAGIC LONGLINE APPLICATION NUMBER**

Appellants **SHALL** set out all the relevant facts as well as the grounds of appeal and shall be accompanied by any relevant document. All documentation appended to the appeal must be certified by a Commissioner of Oaths as being **a true copy of the original**.

The Delegated Authority has decided to make available to all applicants in this fishery the application forms and scoresheets of other applicants in the manner prescribed below:

**1. The scoresheets for all other applicants in this fishery.**

The scoresheets will be made available on [www.daff.gov.za](http://www.daff.gov.za) and through the Fishery Control Offices along the coast. PDF versions of the scoresheets will be emailed on request from the appellants.

**2. Access to the application forms of applicants for fishing rights.**

Viewing of the FRAP 2015/16 application forms will only be provided at Foretrust Building, Martin Hammerschlag Way, Foreshore, Cape Town during the normal working hours. To view the FRAP 2015/16 applications, applicants are requested to contact Mr Msimelelo Mdledle

and/or Ms Natasha Philander at [MsimeleloM@daff.gov.za](mailto:MsimeleloM@daff.gov.za) and/or [NatashaP@daff.gov.za](mailto:NatashaP@daff.gov.za) to book a date and time.

The Department will refuse access to the record of a third party in certain circumstances particularly if the record contains financial, commercial and technical information which if disclosed is likely to cause harm to the commercial or financial interests of the third party and disclosure of which could reasonably be expected to prejudice the third party in contractual or other negotiations. Furthermore, the Department will refuse access to confidential information of third party specifically where such information could reasonably be expected to prejudice the future supply of similar information.

Viewing of application forms will commence on **Tuesday, 31 January 2017** until **Thursday, 13 April 2017**. The Department will not extend the closing date for the submission of appeals in this fishery.

For all FRAP Enquiries

The Call Centre number is 021 402 3727 (FRAP)

An anonymous tip-off line has been set up to deter fraudulent and unethical practices, the tip-off line is 0800 203 785



agriculture, forestry & fisheries

Department of Agriculture, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

**"APPEALS": Fishing Rights Allocation Process 2015/2016:**

<b>ENTITY APPEALS FORM</b>	<b>APPLICATION NUMBER</b>	
	<b>REGISTRATION NUMBER</b>	
Registered Name(s)		Trading name
<b>Details of Authorised contact person</b>		
Contact Name		
Identity number		
Work telephone number		
Cellphone number		
Fax number		
Email address		
Position held in the legal entity or relation to applicant		

**Lodgement of appeals closes at 16H00 on 21 April 2017**

APPEAL FORMS received after the closing date and time will not be considered.  
All APPEAL FORMS must be signed and dated, failure to sign and date the form will result in the appeal not being considered.

The appeal forms must be submitted by email and only in a PDF format to [FRAP2015appeals@daff.gov.za](mailto:FRAP2015appeals@daff.gov.za).  
The Department will not extend the closing date for submission of appeals.

**Important instruction:**

Please state why you disagree with the decision of the delegated authority in respect of the outcome of your application with regard to the fields provided in this appeals form. In cases where the appellant has nothing to state he/she shall indicate **Not Applicable (N/A)**.

**Note that:** This form shall be filled in respect of the score-sheet provided. Excluded applicant will not receive score-sheet.

**FRAP2015/2016:  
LARGE PELAGIC LONGLINE APPEALS**

APPLICATION NUMBER

Appellant's or duly authorised representative of the appellant's (initials) \_\_\_\_\_

**1. Applicant's Details**

Application form section (1.1 to 1.27) *Please attach annexure if the space provided is insufficient, label as Annexure 1*


**2. Form of Applicant**

Application form section (2.1 to 2.9) *Please attach annexure if the space provided is insufficient, label as Annexure 2*


**3. Compliance**

Application form section (3.1 to 3.11) *Please attach annexure if the space provided is insufficient, label as Annexure 3*


**4. Access to a suitable vessel**

Application form sections (4.1 to 4.7) *Please attach annexure if the space provided is insufficient, label as Annexure 4*


**5. Fishing Performance**

Application form sections (5.1 to 5.3) *Please attach annexure if the space provided is insufficient, label as Annexure 5*


**APPLICATION NUMBER**

Appellant's or duly authorised representative of the appellant's (initials) \_\_\_\_\_

**6. Transformation**Application form section (6.1 to 6.26) *Please attach annexure if the space provided is insufficient. label as Annexure 6*


**7. Job creation**Application form section (7.1 to 7.5) *Please attach annexure if the space provided is insufficient. label as Annexure 7*


**8. Appellants declaration**

Signed at : \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

Signature of Appellant: \_\_\_\_\_

Appellant's full name \_\_\_\_\_

If the appeal is prepared or compiled by, or in consultation with or on the advice of any person or entity the following information must be provided:

Why was the appeal prepared by a person or entity other than the Applicant or why was someone consulted for advice? What fee or other remuneration was paid, or was promised for the assistance?

If assisted, please provide full details of the consultant / advisor that prepared the appeal.

Details of the person who completed the form.

Contact Name																						
Identity number																						
Work telephone number																						
Cellphone number																						
Fax number																						
Email address																						
Position held/relation to appellant																						

**APPLICATION NUMBER**

Appellant's or duly authorised representative of the appellant's (initials) \_\_\_\_\_

**9. Any other information you would want the Appeal Authority to consider**

Please attach annexure if the space provided is insufficient. label as Annexure 9.

Lined area for providing additional information.

Signed at : \_\_\_\_\_  
This \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_  
Signature of Appellant: \_\_\_\_\_

**APPLICATION NUMBER**

Appellant's or duly authorised representative of the appellant's (initials) \_\_\_\_\_



# SECTION B

## Permit Conditions: Large Pelagic Longline Fishery

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**Fishing Season: 2017/2018**

**DATE OF APPROVAL: 24 January 2017**



# agriculture, forestry & fisheries

Department:  
Agriculture, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

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**1. APPLICABLE ACTS, POLICIES AND DELEGATIONS**

1.1 This permit is issued subject to the provisions and regulations of the following laws but not limited to:

- (a) The Marine Living Resources Act, 1998 (Act No. 18 of 1998) ("the MLRA") and the Regulations promulgated thereunder;
- (b) The National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA) and the Regulations promulgated thereunder;
- (c) The National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) (NEMBA) and the Regulations promulgated thereunder;
- (d) The National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003) (NEMPA) and the Regulations promulgated thereunder;
- (e) The Sea Birds and Seals Protection Act, 1973 (Act No. 46 of 1973) (SBSPA) and the Regulations promulgated thereunder;
- (f) Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) (ICMA) and the Regulations promulgated thereunder;
- (g) The International Convention for the Prevention of Pollution from Ships Act, 1986 (Act No. 2 of 1986) (ICPPSA) and the Regulations promulgated thereunder;
- (h) The Fire Arms Control Act, 2000 (Act No. 60 of 2000) (FACA) and the Regulations promulgated thereunder;
- (i) South African Maritime Safety Authority Act, 1998 (Act No. 5 of 1998) (SAMSA) and the Regulations promulgated thereunder;

- (j) The Animals Protection Act, 1962 (Act No. 71 of 1962) (APA) and the Regulations promulgated thereunder;
- (k) The Standards Act, 2008 (Act No. 8 of 2008) (SA) and the Regulations promulgated thereunder;
- (l) The National Regulator for Compulsory Specifications Act, 2008 (Act No. 5 of 2008) (NRCSA) and the Regulations promulgated thereunder;
- (m) National Ports Authority Act, 2005 (Act No. 12 of 2005) (NPA) and the Regulations promulgated thereunder;
- (n) The Merchant shipping (Act, Act 57 of 1951) and the Regulations promulgated thereunder;
- (o) The Companies Act, 2008 (Act No. 71 of 2008) (CA) and the Regulations promulgated thereunder; and
- (p) The Conservation Measures and Resolutions adopted by the:
  - i. Commission for the Conservation of Southern Bluefin Tuna (CCSBT);
  - ii. Indian Ocean Tuna Commission (IOTC); and
  - iii. International Commission for the Conservation of Atlantic Tunas (ICCAT).

1.2 This permit is issued subject to the further provisions of the –

- (a) General Policy on the Allocation and Management of Long-Term Commercial Fishing Rights, 2013;
- (b) Policy on the Allocation and Management of Commercial Fishing Rights in the Large Pelagic Longline Fishery: 2015 );
- (c) Large Pelagic Longline Fisheries Management Plan (currently being developed); and
- (d) Policy for the Transfer of Commercial Fishing Rights.

- 1.3 The Directors: **Inshore Fisheries Management** (D: IFM) and **Offshore and High Seas Fisheries Management** (D: OHSFM) shall be entitled to amend these permit conditions after consultation with the relevant stakeholders.
- 1.4 Any reference to the Permit Holder in these permit conditions includes the entity or person in whose name the right is allocated to ("the Rights Holder") by the Minister or the delegated authority.
- 1.5 Any reference to the Department in these permit conditions means the Department of Agriculture, Forestry and Fisheries.

## 2. VALIDITY OF PERMIT

- 2.1 This permit shall be valid for the period indicated in Section A ("the permit").
- 2.2 This permit shall automatically expire and be invalid if one or more of the following occur:
  - (a) the right be cancelled or revoked in terms of Section 28 of the MLRA;
  - (b) the quantum allocated to the Permit Holder is caught;
  - (c) the fishing season is terminated or ends; and
  - (d) the permit be revoked, cancelled or suspended in terms of section 28 of the MLRA.

## 3. FISHING AREAS

- 3.1 The permit is valid in South African waters (excluding tidal lagoons, tidal rivers and estuaries) and may be used on the high seas in conjunction with a high seas vessel license.
- 3.2 Setting and retrieving of longlines can be conducted in South Africa's Exclusive Economic Zone (EEZ), except in the following areas: 1) within a 12 nautical mile area along the entire South African coastline, excluding KwaZulu-Natal where the closed area will be extended to 20 nautical miles; 2) in any Marine Protected Area.

- 3.3 Fishing will be permitted in the Atlantic and Indian Ocean during the same fishing trip (West and East of 20° East longitude), provided that prior notification of movement is sent via email to the Department's VMS Office ([daffops@daff.gov.za](mailto:daffops@daff.gov.za)) and [lpmm@daff.gov.za](mailto:lpmm@daff.gov.za), Attn: Senior Administration Officer (SAO), Assistant and Deputy Directors: Pelagic and High Seas Fisheries Management.
- 3.4 Fishing in other marine areas controlled by the South African National Parks, is subject to regulations, promulgated under the National Parks Act, 1976 (Act No. 57 of 1976) as amended.
- 3.5 No fishing is permitted in the EEZ of other countries.

#### 4. NOTIFICATIONS

- 4.1 The Permit Holder must inform the local Fishery Control Office / Fisheries Management's Fishery Control Officers (FCOs) in KwaZulu-Natal (Table 1) in writing by fax or if available via e-mail at least 24 hours prior to the estimated time of arrival ("ETA") unless prior arrangements have been made with the relevant Fishery Control Office. The prior notification should indicate the nature of the port call, i.e. if the vessel intends to transship, discharge, bunker, repair, crew change etc, and whether the vessel has under-sized fish on board.
- 4.2 At least 2 (two) hours prior to berthing the Permit Holder shall confirm berthing details to Department as per the contact details in (Table 1).
- 4.3 Discharging shall only take place in the presence of a FCO or Monitor. Discharging after hours or on weekends and public holidays shall be communicated to the relevant offices (see 4.1) at least 24 hrs prior to arrival of the vessel and during office hours if discharge is to take place on a weekend or public holiday unless prior arrangements have been made with the relevant Fishery Control Office.

**Table 1:** Designated landing sites for the landing of catches made by Large Pelagic Longline Right holders.

<b>LANDING SITES: Large Pelagic Longline</b>		
<b>Designated Landing Sites</b>	<b>Addresses for FCO Offices</b>	<b>RESPONSIBLE OFFICER</b>
Cape Town Harbour	Cape Town Harbour Office Foretrust Building Cape Town	Mr M Mqomo Tel: 021 402 3428/ 3361 Fax: 021 402 3113/ 3367 Cell: Email: <a href="mailto:MatsoloM@daff.gov.za">MatsoloM@daff.gov.za</a>
Hout Bay Harbour	Hout Bay Harbour Office Hout Bay	Mr L. Finnish Tel: 021 790 1440/ 2530 Fax: 021 790 2808 Cell: 083 443 5462 Email: <a href="mailto:LucasF@daff.gov.za">LucasF@daff.gov.za</a>
Gansbaai Harbour	Gansbaai Harbour Office	Mr. P.J Mersna Tel: 028 384 0321 Fax: 028 384 1546 Cell: 082 645 4795 Email: <a href="mailto:PetrusME@daff.gov.za">PetrusME@daff.gov.za</a>
Hermanus Harbour	Hermanus Harbour Office	Ms N. Simon Tel: 028 312 2609 Fax: 028 313 0502 Cell: 084 627 5144 Email: <a href="mailto:NomondeS@daff.gov.za">NomondeS@daff.gov.za</a>
Mossel Bay Harbour	Aqua Plaza Mars Street Office 104 Mossel Bay	Ms T.G. Fono Tel: 044 691 2939 Fax: 044 691 2939 Cell: 083 957 7148 Email: <a href="mailto:ThisiweF@daff.gov.za">ThisiweF@daff.gov.za</a>
Saldanha Bay Harbour	Saldanha Bay Harbour President Street Saldanha	Mr. W. Theron Tel: 022 714 1710 Fax: 022 714 3997 Cell: 082 771 9910 Email: <a href="mailto:WadeT@daff.gov.za">WadeT@daff.gov.za</a>
Durban Harbour: Office still needs to be established. In the meantime, use Mzamba Office	Port Edward	Thanduxolo Ntshangase / Nomvuyiso Dubazana Tel: 039 3111240/30 Cell: 0794449951 / 0833760536 Email: <a href="mailto:ThanduxoloN@daff.gov.za">ThanduxoloN@daff.gov.za</a> or <a href="mailto:NomvuyisoD@daff.gov.za">NomvuyisoD@daff.gov.za</a>
Port Elizabeth Harbour	Port Elizabeth Harbour Office 21 Stanley Street	Mr. D. W. Mostert Tel: 041 586 4051 Fax: 041 585 0385 Cell: 082 771 8906 Email: <a href="mailto:DennisM@daff.gov.za">DennisM@daff.gov.za</a>
Port Nolloth Harbour	Port Nolloth Harbour Office Beach Road Way Port Nolloth	Ms K. Burger Tel: 022 714 1710 Fax: 027 851 8053 Cell: Email:
St Helena Bay Harbour	Eclonia Street Sandy Point Harbour St Helena Bay	Mr. Willem Basson Tel: 022 783 1118 Fax: Cell: 078 714 7422 Email: <a href="mailto:WillemB@daff.gov.za">WillemB@daff.gov.za</a>

## 5. EFFORT LIMITATIONS AND GEAR RESTRICTIONS

- 5.1 The Permit Holder shall utilize pelagic longlines fishing gear only.
- 5.2 Other fishing gear, such as nets, may not be carried on board the vessel, unless the Permit holder has been issued with an exploratory live bait permit. In this case the vessel may have a net onboard as specified by the permit conditions of the exploratory live bait permit.
- 5.3 The use of stainless steel hooks is prohibited.

The use of shocking devices is not permitted unless an onboard observer is present to verify that only targeted and secondary retained species were shocked.

- 5.4 The use of wire traces is prohibited.

## 6. CATCH CONTROLS AND LIMITATIONS

- 6.1 This permit shall only be used for commercial longline fishing of large pelagic species with the following applicable management measures.
- (a) Targeting of pelagic sharks is prohibited.
  - (b) *Chondrichthyans* (sharks, skates and rays) and billfishes of the genera *Makaira*, *Tetrapturus*, *Istiophorus* are designated as secondary species.
  - (c) The Precautionary Upper Catch Limit (PUCL) for sharks is set at 2000 t dressed weight for the 2017/18 fishing season. The PUCL will be managed on an Olympic system; once 60% of the PUCL has been caught the remaining 40% of the PUCL shall be subdivided equally among active Rights Holders<sup>1</sup>. This PUCL, will in line with the prohibition on targeting of sharks be reduced seasonally over a five year period.

<sup>1</sup> Active Rights Holders are defined as Right Holders that have uplifted their 2017/18 Large Pelagic Longline Catch Permit and have submitted catch statistics reflecting at least one gear set on or before 30 April 2017.



- (d) Once the PUCL has been reached, the entire fishery closes.
- (e) For foreign flagged vessels (operating under joint venture) the total catch of *Chondrichthians* and billfishes (excluding swordfish) shall not exceed 10% (by dressed weight) of the total dressed weight of the tuna species per fishing season.
- (f) Thresher sharks belonging to the genus *Alopias*, hammerhead sharks (belonging to genus *Sphyrna*), oceanic whitetip sharks, porbeagle sharks, dusky sharks and silky sharks shall not be retained on board the vessel. Release data and details regarding their release condition will be filled in the logbooks.
- (g) The Permit Holder shall encourage the crew to release live sharks and marlins.
- (h) Fins may not be removed from the shark trunks (i.e. headed, gutted). Fins to be kept attached to the specific trunk either through a partial cut and folded over or tethered to the trunk via a cord (any loop in the cord shall not exceed approximately 8 cm in diameter and shall follow similar specifications to permit condition 21.1 (b)).
- (i) All vessels shall have unrestricted access to swordfish in the South Atlantic Ocean until 800 t of swordfish has been landed by the large pelagic longline fishery. Thereafter, only incidental catches of swordfish shall be permitted, to the maximum of 5% per fishing trip.
- (j) No hake (*Merluccius* spp.), kingklip (*Genypterus capensis*), wreckfish (*Polyprion* spp.) or Patagonian toothfish (*Dissostichus* spp.) shall be caught or retained on board.
- (k) No discarding of dead tuna, swordfish or designated secondary species at sea shall be permitted and only live fish may be returned to sea, except in certain specified cases where species are prohibited from being landed or retained on board (e.g. 6.1.(f) and 6.2.(b)). The FCO must be notified of excess by-catch 24

hrs prior to the vessel berthing. Excess by-catch must be handed over to the FCO upon return of vessel to port.

6.2 The following regulatory measures will apply to the harvesting of Southern Bluefin Tuna (SBT):

- (a) All Rights Holders shall be allowed a maximum of 2711.844 kg of the 160 t SBT each for the 2017/18 fishing season. It should however be noted that depending on the finalisation of the Appeals process of the 2015/16 Fishing Rights Allocation Process, the individual Right holder allocation of 2711.844 kg may be amended.
- (b) 20 t shall be allocated to the Tuna Pole-line fishing sector as an incidental catch. If this allocation or any part thereof is not landed by the 15 July 2017, it shall be divided equally to the active Large Pelagic Longline Rights Holders in the Large Pelagic Longline sector.
- (c) Any additional SBT shall not be retained on board unless prior approval has been granted for a transfer of SBT quota from another active Large Pelagic Longline Rights Holder (as defined above).
- (d) Quotas or part thereof of SBT may be transferable to other active Large Pelagic Longline Rights Holders (as defined above), subject to both parties providing consent to the Department for approval (Attn: SAO and Deputy Director: Pelagic & High Seas Fisheries Management, [lpmm@daff.gov.za](mailto:lpmm@daff.gov.za)).
- (e) As of the 30 April 2017, quotas of non-active Rights Holders shall be equally divided among active Large Pelagic Longline Rights Holders. (as defined above). For the 2018/19 fishing season, transfer of SBT quota amongst Rights Holders shall be prohibited.
- (f) All SBT retained on board the vessel shall be tagged with a unique numbered tag provided by Fisheries Management prior to the fish being landed (only fish tags that reference the current fishing season shall be used e.g. ZA-16 for the

2017/2018 fishing season). The tag number, Fork Length (FL in cm), weight (kg) and trip details shall be recorded on the SBT tag form prior to the vessel landing. When a SBT catch document form is applied for the tag form shall be e-mailed together with the export details (Attn: SAC, Assistant and Deputy Directors: Pelagic & High Seas Fisheries Management, [lpmm@daff.gov.za](mailto:lpmm@daff.gov.za)) prior to the vessel landing.

- (g) For the 2018/19 fishing season, the Department shall implement a two tier pools in respect of SBT apportionment, Pool A (60% of the total SBT allocation) and Pool B (30% of the total SBT). Rights Holders who have demonstrated in the previous fishing season that they are able to catch and land SBT (at least 1500kg) will be rewarded in the following fishing season by being included in Pool A and those that haven't performed will be included in Pool B.

- 6.3 The catching of SBT (*Thunnus maccoyii*), with a mass of less than 6.4 kg, and Swordfish (*Xiphias gladius*) with a Lower Jaw Fork Length (LJFL) of less than 119 cm, Pectoral Fork Length (PFL) of less than 87cm or a Cleithrum to Keel (CK) measurement of less than 63 cm, and marlins less than 120cm LJFL or less than 90 cm PFL is prohibited. Refer to **Annexure 6** below for images of length types. Any fish that does not comply with the size and weight restrictions and is not alive when retrieving the longline must be handed over to the Fisheries Control Officer upon return of the vessel to port. The FCO must be notified of the number of undersize fish 24 (twenty four) hours prior to the vessel berthing. If the undersized fish is alive when retrieving the longline the fish should be returned to the sea alive.
- 6.4 All catches on board when any pelagic longline gear is on board will be deemed to have been made with such longline gear. None of the prohibited species shall be on board at any time that pelagic longline gear is on board, irrespective of what other fishing permits are held.
- 6.5 Permit Holders will be required to participate in tagging and biological sampling programmes. This implies that Permit Holders shall allow DAFF: FCOs and Observers on board to tag and release undersize swordfish (< 119 cm LJFL) and tuna smaller than 70 cm PFL, which are in suitable condition. In addition, no more than 5 larger tuna

and swordfish specimens in total, may be tagged per fishing trip. Permit Holders are also encouraged to allow for the tag and release of as many sharks and other billfish, which are in suitable condition.

- 6.6 Any tags retrieved, emanating from national or international tagging programmes, must be retained on board together with data on the vessel name, catch position, date of capture, length and weight of individual tagged animals and name of person reporting the recapture. The tags and information shall be forwarded to the Department (Attention: Deputy Director: Large Pelagics & High Seas Fisheries Management and Large Pelagics Scientist, Table 2) upon discharging. Such returns may be eligible for reward.
- 6.7 No vessel registered as a commercial pelagic longline vessel shall be used for recreational charters, i.e. only *bona fide* commercial South African fishers, who are in possession of valid SAMSA accredited pre-sea Personal Survival Techniques (PST) certificate, are allowed to make up the crew compliment.

## 7. HANDLING OF OVER/UNDER CATCHES AND PROHIBITED SPECIES

- 7.1 Failure to comply with catch limitations shall result in criminal proceedings being instituted against the Permit Holder which may be in the form of a fine being issued. Furthermore the Department may institute section 28 proceedings in terms of the MLRA against the Permit Holder for failing to comply with the permit conditions.

## 8. VESSEL SPECIFICATIONS

- 8.1 The letters (**TL or SL**) must be displayed on the vessel next to the area code.
- 8.2 The registration letters and numbers assigned to the vessel by the Director-General (the area code), must be painted in white on a black background or in black on a white background on both bows in characters not less than 15 cm in height, 10 cm in breadth (figure "1" expected) and 2 cm in thickness (width of stroke). The space between adjacent letters and figures shall be between 2 cm and 5 cm.

- 8.3 Radio call signs must be clearly visible and displayed as stipulated in terms of regulation 78 of the Regulations promulgated under the Act.

9. **VESSEL MONITORING SYSTEM (VMS)**

- 9.1 The Permit Holder's nominated fishing vessel shall be fitted with a functional vessel monitoring system ("VMS"), which is approved by the Chief Director: Monitoring, Control and Surveillance (CD: MCS).
- 9.2 The Permit Holder / Vessel Owner / Skipper shall ensure that the VMS is fully operational and that the VMS continues to transmit to the Department's Operations room. The Permit Holder shall notify Departmental Operations Room prior to sailing as per clause 9.4 or submit a list of vessels sailing for the forthcoming week to Operations Room by fax **021 425 6497** or email [daffops@daff.gov.za](mailto:daffops@daff.gov.za) by no later than the Thursday of the week prior.
- 9.3 Whilst at sea, the VMS shall report continuously and uninterruptedly to the Operations Room. Should the power supply to the VMS be interrupted or the equipment not be operational for any reason whatsoever and the problem persists, the vessel shall return to port within 24 (twenty-four) hours of being informed of the problem, unless special arrangements have been made with the Department's Operations Room to allow the vessel to continue fishing. Such special arrangements shall include:
- (a) 3-hourly reporting of the vessel's position on email [daffops@daff.gov.za](mailto:daffops@daff.gov.za) or faxed to **021 425 6497**, and shall include the following: date; time (UTC); latitude and longitude degrees minutes and decimal minutes e.g. 36° 32.786' S; course (true direction), and; speed (knots);
  - (b) Notice of estimated time of arrival;
  - (c) Notice of port of arrival;
  - (d) Inspection of the catch by a Fishery Control Officer (FCO)/Monitor; and

- (e) A copy of the vessel track for the voyage for verification purposes.

The Department will keep a record of the frequency of VMS breakdowns in order to discourage repeated use/abuse of this special arrangements dispensation.

- 9.4 Vessels fitted with Inmarsat C VMS units, wishing to switch off their VMS units whilst alongside in port, shall do so only after a minimum of six (6) hours after berthing, and switch on their units a minimum of 6 (six) hours prior to their estimated time of departure from port.
- 9.5 In cases where VMS units are non-functional due to “technical” problems, and such Permit Holders/ Rights Holders’, Vessel Owners/ Skippers wish to proceed to sea without a VMS unit onboard, an “Application for an right to undertake fishing without a VMS” form must be completed.

This form, together with a letter from the Company undertaking the repairs (which must include the fishing vessel’s name, area number and estimated time that it will take to repair and re-install the unit), must be faxed to the Operations Room Centre, fax number **021 425 6497** or emailed to [daffops@daff.gov.za](mailto:daffops@daff.gov.za)

Only once written permission has been received from the Department (i.e. an exemption has been granted), may the vessel proceed to sea. The VMS exemption must be kept onboard the vessel for the duration of each trip undertaken within the period of validity of the right.

For each fishing trip undertaken during the right validity period, the Permit Holders/ Rights Holders, Vessel Owner/ Skipper of such vessels shall notify the Department’s Operations Room on telephone numbers **021 402 3076** or **021 402 3077** or email [daffops@daff.gov.za](mailto:daffops@daff.gov.za) that they are proceeding to sea, and upon arrival back in port or launching site for the duration of the right.

- 9.6 Should the Permit Holder/ RightsHolder/ Vessel Owner/ Skipper not adhere to the provisions of the above, the Department may detain the vessel once in port and implement proceedings under Section 28 of the MLRA.

**10. LANDING OF FISH**

- 10.1 The Permit Holder must ensure that all fish is discharged from the vessel in accordance with the reasonable instructions of the FCO.
- 10.2 Any discharge of fish, caught in terms of this permit, outside South Africa shall be monitored by a South African FCO. The travel and subsistence cost of the FCO to attend such discharges shall be recovered from the Rights Holder.
- 10.3 A Landing Declaration (Annexure 7 and electronic version available upon request from Large Pelagics Marine Research Technician, Table 2) is to be completed after every discharge and certified by a FCO, a DAFF appointed Monitor. The Landing Declaration is to be submitted by the Right's Holder along with the monthly catch statistics forms (Clause 11.2).
- 10.4 All catches made by a foreign joint venture vessel shall be discharged / transshipped prior to the termination of fishing by the foreign vessel. (All catches made by a foreign joint venture vessel on the flag state's permit shall be discharged prior to fishing on this permit unless the fish can be placed in a separate hold or net, which is sealed by a FCO).
- 10.5 Any corrections made on a landing declaration form has to be countersigned by either the FCO/Monitor in order for the form to be valid (No correction fluid such as Tippex shall be used to correct mistakes).
- 10.6 The relevant ICCAT or IOTC catch statistical documents must accompany all bigeye tuna and swordfish consignment to be exported/ transshipped.
- 10.7 The SBT catch document must accompany all SBT consignments to be exported/ transshipped. In addition, an export permit and an EU catch document (if product is

exported to Europe) is required prior to the export of any fish products. The relevant statistical/ catch documents are invalid, unless authorised by a duly appointed FISHERIES MANAGEMENT officials (contact SAO, Assistant and Deputy Directors: Pelagic & High Seas Fisheries Management for further information). A Landing Declaration has to accompany all catch statistical documents during authorisation.

- 10.8 All catches made by a foreign joint venture vessel shall be discharged/ transhipped prior to the termination of fishing by the foreign vessel. (All catches made by a foreign joint venture vessel on the flag state's permit shall be discharged prior to fishing on this permit unless the fish can be placed in a separate hold, which is sealed by a Fishery Control Officer).
- 10.9 The Permit Holder shall keep a record of all fish landed and sold, and such records shall at all times be available for inspection by a FCO or authorised person.

## 11. SUBMISSION OF INFORMATION

11.1 The Permit Holder shall submit to the Department:

- (a) Notification (Rights Holder Information, Attention: Deputy Director: Pelagic and High Seas Fisheries Management, Customer Services Centre, Ground Floor, Foretrust Building, Martin Hammerschlag Way, Foreshore, Cape Town or Private Bag X2, Roggebaai, 8012) notification of any change of contact details within 30 days of such change by completing the application form available at the Customer Services Centre.
- (b) Performance statistics as stipulated in paragraph 20.

11.2 Catch Statistics:

- (a) A new catch statistics logbook, available at Customer Services Centre upon collection of a permit, is to be utilised every year. A second book can be obtained should the first book be fully utilized.



- (b) The original catch statistics forms shall remain in the logbook and must be delivered to the Department by the end of each month following the month in which the fish were caught. Delivery methods include:
- i. Scan in the original and email a copy to [pllresearch@daff.gov.za](mailto:pllresearch@daff.gov.za).
  - ii. Hand deliver to the Customer Services Centre (Ground Floor, Foretrust Building, Martin Hammerschlag Way). Certification and receipt of delivery will be confirmed by the copy of the catch statistics in the catch statistics book being stamped, dated and signed by an official of the Branch: Fisheries Management.
  - iii. Complete an electronic version of the catch statistics form and email to [pllresearch@daff.gov.za](mailto:pllresearch@daff.gov.za). The electronic version of the catch statistics form is available upon request from [pllresearch@daff.gov.za](mailto:pllresearch@daff.gov.za).
  - iv. Post to DAFF's Foretrust Building. Address in Clause 15.1. Attn: Large Pelagics Marine Research Technician.

Delivery methods i and iii require that the original catch statistics forms only be submitted for Attn: Marine Research Technician by the 31st January 2017, or when requesting a new log book, or when the originals are requested by the Department. Catch statistics logbook forms and notifications have to be submitted for the duration of the active permit.

- (c) Any errors in recording information in the catch statistics book shall only be rectified using a pen to strike out the incorrect information. (No correction fluid such as Tippex shall be used).
- (d) Actual weights (offload weights) of all fish landed have to be reported in the catch statistics logbook.
- (e) The Department will not issue the 2018/19 catch permit to the Permit Holder if the required catch statistics data are not provided or are incomplete.
- (f) Species identification guides for target and bycatch species are available online; contact the Large Pelagics Scientist (Table 2) for this link.

### 11.3 Landing catch summary

- (a) Permit Holders fishing for SBT shall e-mail regular trip summaries on an MS Excel spreadsheet summarising the total landed weight (kg) by species per vessel within two weeks after the vessel has discharged. The e-mail shall be sent to SAC, Assistant and Deputy Directors: Pelagic & High Seas Fisheries Management, [lpmm@daff.gov.za](mailto:lpmm@daff.gov.za).

### 11.4 Socio-Economic Information

- (a) The Permit Holder shall provide, on request, any economic, socio-economic or financial information in the format as requested by the Department.

## 12. RECORD KEEPING

12.1 The Permit Holder shall store at its registered place of business the original permit(s) issued to it over the duration of the rights period. The Permit Holder shall at all times have available a true certified copy of this permit(s) on board the vessel utilised to harvest Large Pelagic species.

12.2 The Permit Holder shall keep the duplicate copies of the catch statistics logbook forms for a minimum period of sixty (60) months.

## 13. LEVIES

13.1 The Permit Holder shall submit a levy declaration form by the last working day of the month following the harvesting periods stated below in paragraph 13.3.

13.2 The Permit Holder must pay the prescribed levies for the fish landed, according to the weight declared on the Landing Declaration (clause 10.3) for species as stipulated in the Government Gazette No. 33518, published on 10 September 2010.

13.3 All levies and fees shall be paid monthly in arrears and by the last working day of the month following the harvesting period stated below:

- (a) 1 February 2017 to 31 January 2018.

- 13.4 Non-compliance will result in a 10% penalty being charged on the late submission of the prescribed levy declaration form.
- 13.5 The permit holder must submit together with all levy payments a levy declaration form.
- 13.6 The Department may refuse to issue fishing permits to Right Holders who have any levies or fees outstanding for a period in excess of 30 days, or may suspend the Right Holder's fishing permit until all outstanding levies have been paid to the Department.
- 13.7 A "NIL" return must be submitted for every month where no fish has been landed.
- 13.8 All levy declarations forms shall be submitted to the Directorate: Revenue Management by either of the following:
- (a) Facsimile – 086 613 6256;
  - (b) Electronic mail – [revenue@daff.gov.za](mailto:revenue@daff.gov.za)
  - (c) Postage – Private Bag x2, Roggebaai, 8012
  - (d) By hand – Department of Agriculture, Forestry and Fisheries, Branch: Fisheries Management, Customer Service Centre, Ground Floor, Martin Hammerschlag Way, Foretrust Building, Foreshore, 8001.
  - (e) Enquiries can be directed to Assistant Director or Chief Debtors Clerk: Revenue Management or via telephone on numbers +2721 402 3016/3209.
- 13.9 The information required in condition 13.5 shall be submitted when paying levies to the cashier at the Department of Agriculture, Forestry and Fisheries, Branch: Fisheries Management, Branch: Fisheries Management, Customer Service Centre, Ground Floor, Foretrust Building, Martin Hammerschlag Way, Foreshore, Cape Town. Alternatively, payment can be made via direct deposit at any First National Bank (FNB) branch or Electronic Funds Transfer (EFT) to the following banking details:
- Branch code – 204109**  
**Account name – Marine Living Resources Fund**  
**Account number – 62123256382**  
**Deposit reference -**

**The Permit Holder must use its Customer (Party) Number as a deposit reference. The Permit Holder must ensure that proof of the payment together with a levy declaration is faxed to 086 613 6256 or email to [revenue@daff.gov.za](mailto:revenue@daff.gov.za).**

13.10 In light of the accession to the CCSBT and IOTC, and the increase in country allocations for southern Bluefin tuna and southern Atlantic albacore tuna, the Department will engage Rights Holders regarding a proposed increase in levies.

#### **14. VIOLATIONS**

14.1 A breach of the provisions of the MLRA or these permit conditions by the Permit Holder, or its employees (whether permanent, full-time or part-time), its contractors, agents or advisers and the skipper of the vessel, may result in the initiation of legal proceedings (which may include section 28 of the MLRA proceedings and/or criminal proceedings).

14.2 A breach referred in paragraph 14.1 includes, but is not limited to:

- (a) failure to provide information to which the Department is entitled to or to submit information which is not true or complete; or
- (b) failure to effectively utilise the permit.
- (c) The Permit Holder shall not land, sell, receive or process any fish taken by any means in contravention of the MLRA.

14.3 No transshipment of fish at sea is permitted. Transshipment in port shall be permitted subject to the application and issuance of a transshipment permit by the Department and complete monitoring of transshipment by FCOs. Should the permit holder tranship without the written authorisation of the Department, the Department may institute legal proceedings including but not limited to proceedings in terms of section 28 of the MLRA.

- 14.4 The Permit Holder may only harvest the amount of fish allocated to it in terms of the total allowable catch ("TAC") and/or total applied effort ("TAE") allocated to it under Section A. Fishing over these limits will result in the initiation of legal proceedings in terms of section 28 of the MLRA.
- 14.5 The Permit Holder shall safely store all inorganic waste material, garbage and pollutants on board the vessel. Should the Permit Holder discard any inorganic waste material, garbage or pollutants into the sea and/or not put such waste into dedicated waste bins at the landing site, this permit will be suspended for a period determined by the Department and the Permit Holder shall take those steps considered necessary in terms of NEMA to remedy any pollution caused.
- 14.6 Any contravention of the provisions of the MLRA shall immediately be reported telephonically to the Customer Service Centre at **086 000 3474** and thereafter shall be faxed to **(021) 402 3663**, Attention: The Chief Director: Monitoring, Control and Surveillance (MCS).
- 14.7 The Department may refuse to issue a subsequent permit should the conditions stipulated in this permit not be adhered to.

15. **CONSULTATION AND COMMUNICATION**

- 15.1 The Permit Holder may contact the Department in one of the following ways (all correspondence must be clearly marked as to subject matter:

**Table 2: Contact details of Departmental Officials (Marine Resource Management; Fisheries, Research and Development; and Revenue Management)**

By mail			By hand		
Subject: Customer Services Centre, Private Bag X2, Roggebaai, 8012 Attn: Insert below contact			Subject: Customer Services Centre, Ground Floor, Foretrust Building, Martin Hammerschlag Way, Foreshore, Cape Town Attn: Insert below contact		
Section	Designation	Name	Email	Tel	Fax
Marine and Resource Management	Deputy Director: Pelagic and High Seas Fisheries Management (PHSFM)	Qayiso Mketsu	<a href="mailto:QayisoMK@daff.gov.za">QayisoMK@daff.gov.za</a>	021 402 3048	021 402 3622021 402 3618
	Assistant Director: PHSFM	Johan De Goede	<a href="mailto:JohannesDG@daff.gov.za">JohannesDG@daff.gov.za</a>	021 402 3683	086 776 7038 or
	Senior Administration Officer: PHSFM	Aphiwe Nonkeneza	<a href="mailto:AphiweN@daff.gov.za">AphiweN@daff.gov.za</a>	021 402 3026	0867307335
Fisheries Research and Development	Large Pelagics Scientist	Henning Winker	<a href="mailto:HenningW@daff.gov.za">HenningW@daff.gov.za</a>	021 402 3120/3017	
	Chair: Large Pelagics and Sharks Scientific Working Group (LPSSWG)	Sven Kerwath	<a href="mailto:SvenK@daff.gov.za">SvenK@daff.gov.za</a>	021 402 3017	
	Large Pelagics Marine Research Technician	Melissa Meyer	<a href="mailto:MelissaG@daff.gov.za">MelissaG@daff.gov.za</a>	021 402 3627	021 402 3034
	Assistant Director: Revenue Management	Siyasanga Qaziyana	<a href="mailto:SiyasangaQ@daff.gov.za">SiyasangaQ@daff.gov.za</a>	021 402 3209	
Revenue Management	Chief Debtors Clerk: Revenue Management	Sarah Baartman	<a href="mailto:SarahB@daff.gov.za">SarahB@daff.gov.za</a>	021 402 3016	086 239 8448

- 15.2 The Department will prefer to consult and communicate with the Recognised Industrial Bodies for the sector, which are currently the South African Tuna Longline Association (SATLA) and the Shark Longline Association (SLA).

- 15.3 Communication regarding all permits and licences shall be addressed to the Department's Customer Service Centre, Ground Floor, Foretrust Building, Martin Hammerschlag Way, Foreshore, Cape Town. The Customer Service Centre may be contacted on **086 000 3474**.
- 15.4 The Chief Director: Marine Resources Management will consult with Permit Holders when conducting performance reviews to determine further criteria against which Permit Holders will be measured.
- 15.5 The Department (Attention: SAO, Assistant and Deputy Directors: Pelagic & High Seas Fisheries Management) shall be informed prior to the termination of fishing on this permit. In so doing the original permit and licenses shall be returned to the Department.

## 16. OBSERVER PROGRAMME

- 16.1 The Department shall require each Permit Holder to carry one or more scientific observers on board its vessel for a single trip during the fishing season so as to ensure that 20% of all fishing days per quarter are monitored. Failure to comply with this request shall result in the vessel being ordered to immediately return to port and may result in the initiation of proceedings under section 28 of the MLRA. It should however, be noted that the Department is in the process of recruiting a Service Provider to render services in respect of the Observer Programme and once the Service Provider is appointed, the Department will bear the costs of deploying Observers.
- 16.2 All foreign vessels fishing under joint venture shall have an observer on board for 100% of all fishing days and the cost shall be at the expense of the permit holder.
- 16.3 The Department will provide the sector with the lists of accredited observer companies that provide the Observer service in line with the Departmental requirements.
- 16.4 The Permit Holder shall bear the costs of the scientific observer deployment, read with 16.1.

- 16.5 The Observer shall be fully accommodated on board the vessel and provided with food and facilities of a level accorded to officers.
- 16.6 The Observer shall be responsible to verify fisheries data or as otherwise directed by the Department. The Observer shall monitor all fishing operations and shall record any transgressions of the MLRA.
- 16.7 Should the Department reasonably believe that an Observer is being prevented from carrying out his/her obligations in any way or threatened in any way while on board, the Department may implement proceedings under section 28 of the MLRA.
- 16.8 The Permit Holder shall, when requested, allow for land-based sampling of catches for scientific purposes by persons authorized by the Department.
- 16.9 Observers on board shall bring back whole specimens of all seabirds killed during longline fishing operations.

**17. PROCESSING AND SALE OF FISH**

- 17.1 The Permit Holder (or vessel owning company where catch agreements) shall keep at its registered place of business records of invoices issued for all fish sold for a maximum period of 60 months. The invoice shall reflect the name of the permit holder (or vessel owning company where there is a catch agreement), the name and address of the buyer, the date of delivery, the quantity of fish species sold by total weight and number.

**18. TRANSFER OF FISHING RIGHTS**

- 18.1 The Permit Holder may only transfer the long-term commercial fishing right allocated to it in terms of section 21 of the MLRA read together with the Policy for the Transfer of Commercial Fishing Rights (Gazette No 32449).



18.2 Any transfer of shares or sale of shares and/or or membership interest that results in a change in control or ownership of the Permit Holder must be approved by the Department in terms of section 21.

18.3 Failing to comply with 18.1 or 18.2 may lead to the initiation of further legal proceedings including but not limited to proceedings in terms of section 28 of the MLRA.

## 19. TRANSPORTATION OF FISH

19.1 A Large Pelagic Longline transport permit is required from Rights Holders if fish is being transported from landing point to fish processing facility outside of the harbour.

## 20. FISHING PERFORMANCE MEASURING

20.1 The Permit Holder shall be obliged to provide the Department with information required to carry out a performance measuring exercise, which information may include but not limited to:

- (a) Data regarding transformation levels;
- (b) Sustainable fishing practices;
- (c) Data regarding investments made in the fishery and jobs created and sustained;  
and
- (d) Data regarding compliance initiatives.

## 21. ECOSYSTEM EFFECTS OF FISHING

### 21.1 Plastic Pollution Interaction With Marine Animals

- a) The Permit Holder must take cognisance of sustainable fishing practices and impacts of tuna longline operations on the ecosystem. A specific concern is the impact of lost "strops" (cords used to hang fish during freezing) during discharge procedures. Marine animals subsequently become entangled in these strops resulting in mutilation and potential mortality of these animals (seals, birds, sharks, turtles). In order to solve this problem the Permit Holder is

to ensure that "strops" used during freezing and discharge is to be constructed according to the specifications as per paragraph 21.2 below.

- b) A double strand of polypropylene cord (or better still any biodegradable material) rather than being made into one large circle is to be restricted to a maximum size of circle by knotting the rope to limit the hole size to a maximum of 80mm between knots. (See Figure 1 below for clarity). The minimum stretched length between knots may not exceed the stipulated 80mm. This design allows the application of the strops as originally used but will ensure that seals cannot become entangled in the loops. Alternatively, the strops should be cut, so that they do not form a continuous loop.

#### 21.2 By-Catch Mitigation Measures and Release Procedures

- a) When fishing in South Africa's EEZ the start and completion of line setting shall be conducted at night only; defined by the period between nautical dusk and nautical dawn (Annexure 2).
- b) In addition to night setting, the vessel shall have on board an approved bird-scaring line (tori line), which must be flown during setting of each longline (See Annexure 3 for details).
- c) Vessels fishing on the high seas may set during daylight hours subject to the following conditions: 1) the vessel shall have an observer on board; 2) the vessel shall deploy two tori lines following the specifications of permit condition 21.2 (b) and Annex 3, and; 3) the branch lines shall be weighted as specified in permit condition 21.2 (d). The provision granted here for day setting may be revoked at any time should the Department consider that the seabird by-catch is too high.
- d) If line weighting is used as a seabird mitigation measure then branch lines (snoods) shall be properly weighted: 40 g or greater attached within 0.5 m of the hook (to minimize gear loss from shark bite-offs), or 60 g or greater

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- attached within 1 m of the hook, or 80 g or greater attached within 2 m of the hook.
- e) Deck lighting should be kept to a minimum, without compromising safety. All deck lights should be shaded in such a way that the beam is directed down towards the deck.
  - f) All bait must be appropriately thawed, and where necessary, the swim bladder punctured to ensure rapid sinking of bait.
  - g) All birds caught must first be brought on board to be identified by the observer and thereafter any live birds should be released according to release instructions in Annexure 4. Before any branch lines are to be cut off during hauling the crew shall provide an opportunity for the observer to confirm that no seabirds have been caught on the line. Any live turtles caught should also be released according to release instructions in Annexure 4.
  - h) It is the responsibility of the Permit Holder to ensure that the seabird mitigation checklist (Annexure 5) is signed off by an observer (if present) prior to departure. The checklist must also be signed off on a daily basis by the Skipper and by the on board Observer. The check list must be retained by the Permit Holder for the entire year.
  - i) The Permit holder is restricted to an initial seabird mortality limit of 25 birds per year irrespective of vessel replacements. No further setting shall be permitted once this limit is reached. The Permit holder is required to immediately contact the Department (Attention: Assistant and Deputy Directors: Pelagic & High Seas Fisheries Management). The Department will review the Permit Holder's compliance with permit conditions 21.2 (a & b) using the seabird mitigation checklist (Annexure 5) for vessels fishing in the EEZ and permit conditions 21.2 (c & d) for vessels fishing on the high seas. If in the Department's view there has been satisfactory compliance with permit conditions 21.2 (a-d) then the vessel will be authorized to continue fishing with the following additional mitigation measures: 1) for vessels fishing in the EEZ a second tori line must be

flown (as described in Annexure 3) and the Permit Holder shall weight all branch lines as prescribed in permit condition 21.2 (d), and; 2) for vessels fishing on the high seas no further fishing will be permitted 3 days around full moon.

- j) Permit Holders which have reached a mortality of 50 seabirds shall immediately stop fishing (i.e no further sets may be made). The Permit holder is required to immediately contact the Department Assistant and Deputy Directors: Pelagic & High Seas Fisheries Management). The Department will review the Permit Holder's compliance with permit conditions 21.2 (a-d) and the additional mitigation measure deployed using the seabird mitigation checklist (Annexure 5). If the Permit holder has not complied 100% with the permit conditions then the vessel shall be ordered to return to port and no further fishing shall be permitted for the permit holder for the remainder of the year irrespective of vessel changes. However, if in the Department's view there has been 100% compliance with these permit conditions then the vessel will be authorized to continue fishing, but shall be required to make regular e-mail contact with the Department every three days and provide information on how the mitigation measures are deployed in order for the Department to assist in determining the nature of the high bird mortality rate. Once the seabird mitigation measures have been resolved the vessel will not be required to make regular contact with the Department. If deemed necessary the Department may also require that a seabird expert instead of a scientific observer be placed on board the vessel to resolve any mitigation challenges. All mitigation measures adopted at the 25 bird limit shall be complied with 100% of the time otherwise the vessel shall be ordered to immediately return to port and no further fishing shall be permitted for the permit holder for the remainder of the year irrespective of vessel changes.
- k) Provisions in paragraphs 21.2 (i) and (j) may be reviewed.
- l) The onus is on the Permit Holder to provide training to skipper(s)/ officers/ crew on environmentally sustainable fishing practices. The Department also

encourages permit holders to work closely with WWF and Birdlife SA in this regard.

- m) The Department strongly encourages Permit Holders to conduct independent research to improve bird mitigation measures.

### 21.3 Ecosystem Considerations

- a) The Department will, in consultation with Rights Holders, implement measures to minimise the impact of destructive fishing practices on ecosystems.
- b) Turtle, seabird and shark by-catch may be a problem but the extent of this problem and the solutions thereof can only be determined through an Observer programme. Hence, a dedicated Observer programme is essential for the tuna longline fishery.
- c) The Permit Holder must take cognisance of sustainable fishing practices and impacts of Large Pelagic Longline operations on the ecosystem. A specific concern is the impact of lost “strops” (cords used to hang fish during freezing). In order to solve this problem the permit holder is to ensure that “strops” used during freezing and discharge are to be constructed according to the following specifications (see paragraph 21.1 (b) above);
- d) A double strand of polypropylene cord (or better still any biodegradable material) rather than being made into one large circle is to be restricted to a maximum size of circle by knotting the rope to limit the hole size to a maximum of 80mm between knots. (See Figure 1 for clarity). The minimum stretched length between knots may not exceed the stipulated 80mm. This design allows the application of the strops as originally used but will ensure that seals and sharks cannot become entangled in the loops. Alternatively, the strops should be cut, so that they do not form a continuous loop.



Figure 1. An example of correct "strops" to use to avoid seal entanglement.

#### 21.4 Fisheries Management Areas

- a) The Department intends to declare fisheries management areas in the future.

A handwritten signature in black ink, appearing to be 'D.L.', is positioned above the printed name of the Director.

**DIRECTOR: OFFSHORE AND HIGH SEAS FISHERIES MANAGEMENT**

**DATE: 24 January 2017**

## Annexure 1

## Example of Large Pelagic Catch Summary

Permit Holder	Vessel	Trip No	Trip start date	Trip end date	Albacore in kg	Bigeye in kg	Yellowfin in kg	Bluefin in kg	Swordfish in kg	Bilfish in kg	Sharks in kg	Other in kg
Lucky Trading	Swift	1	1/5/2009	13/5/2009	100	1560	3000	0	4500	300	1000	330
Lucky Trading	Swift	2	29/5/2009	10/6/2009	200	3030	1210	75	3500	150	970	100
Lucky Trading	Delta	3	1/8/2009	14/8/2009	900	1900	900	350	4110	230	790	460

\* Catch Summaries to be submitted after every trip on the same spreadsheet.

Annexure 2

Monthly charts indicating averaged nautical dawn (upper time) and nautical dusk (lower time) for the various geographic co-ordinates. Times are indicated as GMT+2.

	5 E	10 E	15 E	20 E	25 E	30 E	35 E	40 E	45 E	
20 S	5h37 21h30	5h17 21h10	<b>January</b>				3h37 19h30	3h17 19h10		
25 S	5h22 21h45	5h02 21h25	4h42 21h05			3h42 20h05	3h22 19h45	3h02 19h25		
30 S	5h03 22h05	4h43 21h43	4h23 21h23	3h45 21h21	3h43 20h43	3h23 20h23	3h03 20h03	2h43 19h43		
35 S	4h41 22h26	4h21 22h06	4h01 21h46	3h41 21h26	3h21 21h06	3h01 20h46	2h41 20h26	2h21 20h06		
40 S										

	5 E	10 E	15 E	20 E	25 E	30 E	35 E	40 E	45 E	
20 S	5h03 21h24	5h43 21h04	<b>February</b>				4h03 19h24	3h43 19h04		
25 S	5h52 21h35	5h32 21h15	5h12 20h55			4h12 19h55	3h52 19h35	3h32 19h15		
30 S	5h38 21h48	5h18 21h28	4h58 21h08	4h25 21h01	4h18 20h29	3h58 20h09	3h38 19h49	3h18 19h29		
35 S	5h22 22h05	5h02 21h45	4h42 21h25	4h22 21h05	4h02 20h45	3h42 20h25	3h22 20h05	3h02 19h45		
40 S										

	5 E	10 E	15 E	20 E	25 E	30 E	35 E	40 E	45 E	
20 S	6h25 21h00	6h05 20h40	<b>March</b>				4h25 19h00	4h05 18h40		
25 S	6h19 21h05	5h59 20h45	5h39 20h26			4h39 19h25	4h19 19h05	3h59 18h46		
30 S	6h11 21h13	5h51 20h53	5h31 20h33	5h04 20h19	4h51 19h53	4h31 19h33	4h11 19h13	3h51 18h53		
35 S	6h03 21h21	5h43 21h01	5h23 20h41	5h03 20h21	4h43 20h01	4h23 19h41	4h03 19h21	3h43 19h01		
40 S										

	5 E	10 E	15 E	20 E	25 E	30 E	35 E	40 E	45 E	
20 S	6h40 20h28	6h20 20h08	<b>April</b>				4h40 18h28	4h20 18h08		
25 S	6h40 20h27	6h20 20h07	6h00 19h47			6h30 18h47	4h40 18h27	4h20 18h07		
30 S	6h39 20h28	6h19 20h08	5h59 19h48	5h39 19h28	5h19 19h08	4h59 18h48	4h39 18h28	4h19 18h08		
35 S	6h39 20h28	6h19 20h08	5h59 19h48	5h39 19h28	5h19 19h08	4h59 18h48	4h39 18h28	4h19 18h08		
40 S										

SP



	5 E	10 E	15 E	20 E	25 E	30 E	35 E	40 E	45 E	
20 S	6h47 20h07	6h27 19h47	<b>May</b>				4h47 18h07	4h27 17h47		
25 S	6h52 20h02	6h32 19h42	6h12 19h22			5h12 18h22	4h52 18h02	4h32 17h42		
30 S	6h58 19h58	6h38 19h38	6h18 19h218	6h00 18h54	5h37 18h38	5h16 18h18	4h56 17h58	4h38 17h38		
35 S	7h01 19h53	6h41 19h33	6h21 19h13	6h01 18h53	5h41 18h33	5h21 18h13	5h01 17h53	4h41 17h33		
40 S										

	5 E	10 E	15 E	20 E	25 E	30 E	35 E	40 E	45 E	
20 S	6h57 19h59	6h37 19h39	<b>June</b>				4h57 17h59	4h37 17h39		
25 S	7h05 19h51	6h45 19h31	6h25 19h11			5h25 18h11	5h05 17h51	4h45 17h31		
30 S	7h12 19h43	6h52 19h23	6h32 19h03	6h19 18h37	5h54 18h20	5h32 18h03	5h12 17h43	4h52 17h23		
35 S	7h20 19h35	7h00 19h15	6h40 18h55	6h20 18h35	6h00 18h15	5h40 17h55	5h20 17h35	5h00 17h15		
40 S										

	5 E	10 E	15 E	20 E	25 E	30 E	35 E	40 E	45 E	
20 S	7h00 20h13	6h40 19h53	<b>July</b>				5h00 18h13	4h40 17h53		
25 S	7h06 20h07	6h46 19h47	6h26 19h27			5h26 18h27	5h06 18h07	4h46 17h47		
30 S	7h12 19h01	6h52 19h41	6h32 19h21	6h16 18h57	5h53 18h39	5h32 18h21	5h12 18h01	4h52 17h41		
35 S	7h18 19h55	6h58 19h35	6h38 19h15	6h18 18h55	5h58 18h36	5h38 18h16	5h18 17h56	4h58 17h36		
40 S										

	5 E	10 E	15 E	20 E	25 E	30 E	35 E	40 E	45 E	
20 S	6h41 20h19	6h21 19h59	<b>August</b>				4h41 18h19	4h21 17h59		
25 S	6h43 20h18	6h23 19h58	6h03 19h38			5h03 18h38	4h43 18h18	4h23 17h58		
30 S	6h44 20h17	6h24 19h57	6h04 19h37	5h45 19h16	5h24 18h56	5h04 18h37	4h44 18h17	4h24 17h57		
35 S	6h45 20h16	6h25 19h56	6h05 19h36	5h45 19h16	5h25 18h56	5h05 18h36	4h45 18h16	4h25 17h56		
40 S										

SP

	5 E	10 E	15 E	20 E	25 E	30 E	35 E	40 E	45 E	
20 S	5h11 20h29	5h51 20h09	<b>September</b>				4h11 18h29	3h51 18h09		
25 S	5h07 20h33	5h47 20h13	5h27 19h53			4h27 18h53	4h07 18h33	3h47 18h13		
30 S	5h02 20h38	5h42 20h18	5h22 19h58	4h57 19h43	4h42 19h18	4h22 18h58	4h02 18h38	3h42 18h18		
35 S	5h58 20h44	5h38 20h24	5h18 20h04	4h58 19h44	4h38 19h24	4h18 19h04	3h58 18h44	3h38 18h24		
40 S										

	5 E	10 E	15 E	20 E	25 E	30 E	35 E	40 E	45 E
20 S	5h40 20h47	5h20 20h27	<b>October</b>				3h40 18h47	3h20 18h27	
25 S	5h31 20h57	5h11 20h37	4h51 20h17			3h31 18h17	3h11 18h57	3h11 18h37	
30 S	5h19 21h09	4h59 20h49	4h39 20h29	4h08 20h20	3h59 19h49	3h39 19h29	3h19 19h09	2h59 18h49	
35 S	5h05 21h23	4h45 21h03	4h25 20h43	4h05 20h23	3h45 20h03	3h25 19h43	3h05 19h23	2h45 19h03	
40 S									

	5 E	10 E	15 E	20 E	25 E	30 E	35 E	40 E	45 E
20 S	5h26 21h12	5h06 20h52	<b>November</b>				3h26 19h12	3h06 18h52	
25 S	5h12 21h26	4h52 21h06	4h32 21h46			3h32 19h46	3h12 19h26	2h52 19h06	
30 S	4h58 21h44	4h38 21h24	4h18 21h04	3h38 21h00	3h35 20h24	3h15 20h04	2h55 19h44	2h35 19h24	
35 S	4h34 22h05	4h14 21h45	3h54 21h25	3h34 21h05	3h14 20h45	2h54 20h25	2h34 20h05	2h14 19h45	
40 S									

	5 E	10 E	15 E	20 E	25 E	30 E	35 E	40 E	45 E
20 S	5h32 21h27	5h12 21h07	<b>December</b>				3h31 19h27	3h12 19h07	
25 S	5h18 21h43	4h58 21h23	4h38 21h03			3h38 20h03	3h18 19h43	2h58 19h23	
30 S	4h58 22h01	4h38 21h41	4h18 21h21	3h39 21h19	3h39 20h41	3h18 20h21	2h57 20h01	2h37 19h41	
35 S	4h34 22h25	4h14 22h05	3h54 21h45	3h34 21h25	3h14 21h05	2h54 20h45	2h34 20h25	2h14 20h05	
40 S									

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## Annexure 3

**BIRD-SCARING LINE**

**Streamer Lines** (Also termed a “bird-scaring line or “*tori* line”)

**Specifications for construction and Deployment**

The line must be a minimum of 150 meters in length and the attachment point of the line at the stern of the vessel must be a minimum of eight (8) meters above the surface of the water. The optimum aerial extent of the line, (the portion of the line that extends from the vessel to the sea surface astern of the vessel) should extend for at least 100 meters.

The construction of the streamer line is divided into four sections. The first three sections of the line should consist of a lightweight cord that is ultra-violet (UV) resistant and have a tensile strength to withstand the tension of the drag of the line and maintain the optimum aerial extent.

Specifications for each section;

**Section 1** (From the stern, the first 50 meters)

Attach a minimum of nine (9) single or paired streamers that meet the following minimum specified lengths

- 2 streamers 8 m long
- 2 streamers 7 m long
- 2 streamers 6m long
- 1 streamer 5 m long
- 1 streamer 4 m long
- 1 streamer 3 m long

Commencing with the longest streamer in the range and in order of decreasing length,

- The first streamer must be attached within 10 m from stern,
- The second streamer must be attached not more than 15 m from stern, and
- Subsequent streamers (numbers 3 to 9) shall to be attached at not more than 5 m intervals in order of decreasing length.

**Section 2** (51 to 75 meters from the stern of the vessel)

Attach streamers of a minimum of one (1) meter in length at intervals of a minimum of one (1) meter apart.

**Section 3** (76 –100 meters from the stern of the vessel)

Attach streamers of a minimum of 50 centimetres in length, at intervals of a minimum of one (1) meter apart.

**Section 4 (101 to 150 meters, in-water section)**

Attach groups or bundles of streamers spaced approximately 3-5 meters apart. These are designed to create drag and tension the streamer-line as well as deterring birds from landing on the sea surface and diving down to the baits.

**Bird-Scaring Streamer / (Tori) Line deployment**

The line must be deployed on the side to which the baited hooks are deployed. If baits are cast to both port and starboard during a set, streamer-lines must be deployed on both sides. The streamer line must also be deployed prior to the first baited hook entering the water. An additional streamer line that meets the required specifications should be kept on board and ready for immediate deployment if required.

It is highly recommended that two streamer lines are deployed at all times, one on either side of the mainline being set.

**Streamer Line Recommendations (What makes an effective bird scaring-line?)**

**Maximising aerial coverage:** The key to an effective bird-scaring line is maximising the portion of the line which is in the air. The best way to achieve this is to make the point of attachment on the vessel as high as possible, at least 8 meters above sea level. On small vessels where a high attachment point is not accessible, an outrigger pole can be mounted to provide this height.

Increasing the drag or tension on the line also increases the aerial extent of the line and its resultant effectiveness. Extending the length of the line to more than 150 meters or by adding a length of thicker rope will provide additional drag and tension.

*Buoys, road cones and similar devices are not recommended for creating drag as they 'bounce' through the water and result in an uneven tension or "snatching" on the line that can cause the tori poles to break and can injure crew members when deploying or recovering the line.*

A "Break-off" point or "weak link" should be built into the junction between the sections 3 and 4 to allow section four to break off should this section of the line become entangled with the fishing line and prevent damage to the tori pole or fishing line.

Affixing backstays to the tori pole to counteract the drag of the streamer line, reduce bending and wear, is also highly recommended.

**The importance of streamers:** it is advised that streamers should be paired, but single reflective streamers may also be considered. The longer streamers of Section-1 should be of a light-weight, UV-protected material that does not become entangled easily (such as bright Sekiyama cord sheathed in clear tubing)

Streamer material for sections 2-4 should be light-weight and brightly coloured, such as yellow and red package straps.

The bundles of short streamers attached to section 4 of the line are designed to create drag and tension on the streamer-line. Extending the length of this section will both assist in increasing the effective aerial extent as well as deterring seabird from diving on baits for an extended area astern of the vessel.

**Adjusting the bird-scaring line:** Once a bird-scaring line is operating at its full height a "lazy line" attached and tied off at a convenient point on the stern allows the bird-scaring line to be quickly retrieved. This is particularly important if the line gets snagged as it can be quickly pulled down, unclipped and clipped onto the mainline, allowing the vessel to continue setting. The line can then be retrieved during hauling. The lazy line also allows the line to be adjusted according to wind conditions. To be effective a streamer line should be over the point where the gear enters the water.

#### **Bait-Casting Machine (BCM)**

When fishers use a bait-casting machine (BCM), they must ensure coordination of streamer line and machine by:

- (i) Ensuring the BCM casts the baits within or directly under the streamer line protection, and
- (ii) When using a BCM that allows throwing to port and starboard, ensure that two streamer lines are used.

When casting branchlines by hand, fishers should ensure that the baited hooks and coiled branchline sections are

- (i) Thrown under the streamer line protection, defined as the area between the propeller wash and the sea directly beneath the streamers,
- (ii) Avoiding throwing the baits and coiled branchline sections into the propeller turbulence, which may slow the sink rate.

## Annexure 4:

**RELEASE PROCEDURES****Seabirds**

Birds released from longline hooks have a good chance of survival if they are treated correctly.

Carefully lift the bird aboard, preferably using a net, or by holding the bill, wing tips and body – never pull the bird up with the line. Once aboard, keep hold of the bill and carefully fold the wings into the body.

Hold the bird securely, without squeezing.

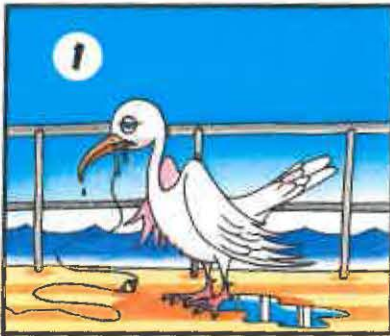
Hooks can then be extracted easily from wings, legs or bill tips using bolt cutters to remove the barb.

If an albatross has swallowed a hook, and its position can be found, the following procedure is recommended, but must only be attempted with access to the correct equipment:

Reach down the bird's throat, grasp the hook and gently push it so it bulges under the skin. Make a small cut to allow the hook to pass through. If you cannot remove the hook, cut the line as short as possible and let the bird go.

When releasing a bird, allow it to move away from the vessel before proceeding with fishing operations.

# HOW TO HANDLE A LIVE BIRD THAT HAS BEEN HOOKED



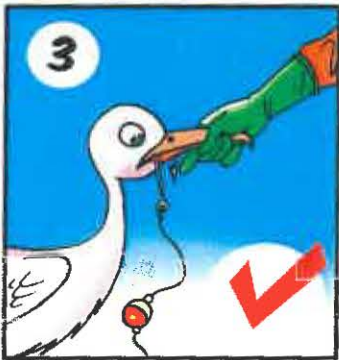
**1**  
**LIVE BIRD THAT HAS BEEN HOOKED**



**2**  
**WEAR GLOVES**



**DO NOT HOLD THE BIRD AROUND THE NECK**



**3**  
**HOLD THE BIRD BY THE BILL, NOT COVERING ITS NOSTRILS.**



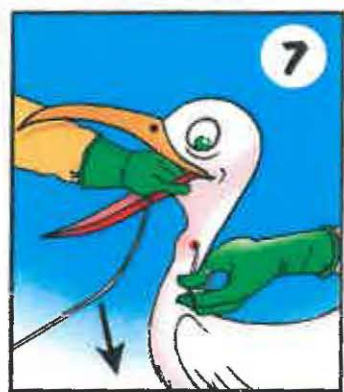
**4**  
**CONTROL THE BIRD BY STRADDLING IT - HOLD THE BOTTOM BILL WITH YOUR ONE HAND**



**5**  
**IF THE HOOK IS LIGHTLY HOOKED, GENTLY WIGGLE IT FREE**



**6**  
**IF THE HOOK IS DEEPLY HOOKED AND CANNOT BE PULLED OUT WITHOUT HURTING THE BIRD SERIOUSLY, RATHER PUSH THE HOOK THROUGH THE BIRDS SKIN AND REMOVE.**



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## Turtles

All turtles alive on the line should be treated correctly to improve their chances of post release survival.

If the turtle is too large to bring on board, manoeuvre the boat as close to the turtle as possible, avoiding putting too much strain on the line. If the turtle is hooked and the barb visible, use a long handled de-hooker to remove the hook. Otherwise, cut the line as close to the turtle as possible and remove any entangling line. Let the turtle swim away from the vessel before continuing fishing operations.

If the turtle is small enough to be safely handled, use a net to bring it on board. Avoid pulling on the line. A tyre is useful to demobilise the turtle once on board. If the hook has been swallowed, or is in the mouth, place a gag in its mouth so it cannot bite.

If the turtle is hooked in its mouth use bolt cutters, or a de-hooker to remove the hook.

If the turtle is hooked in its throat and the barb is visible, use a de-hooker.

If the turtle is deeply hooked and the barb is not visible, remove as much of the line as possible, without pulling on it.

Keep the turtle on board in a cool location to recover. Gently release the animal headfirst, ensuring the water is clear of fishing gear and the boat is stationary.

### How to use a de-hooker:

Thread the line through the eye of the de-hooker.

Keeping the line taught, push the de-hooker down the turtle's throat until it reaches the hook.

A sharp downward movement will dislodge the hook.

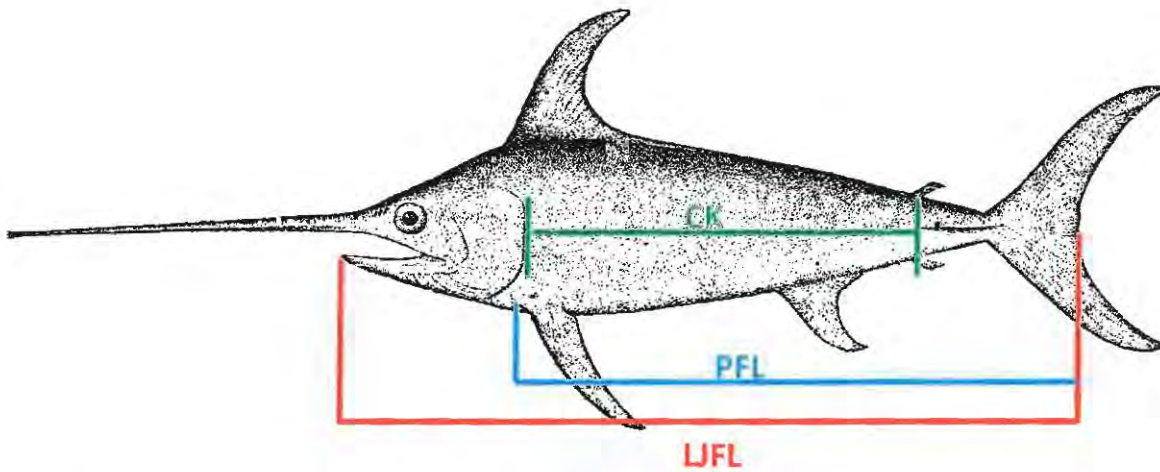
Turn the handle 45° and slowly remove the de-hooker.

De-hookers and instructions can be obtained from [www.dehooker4arc.com](http://www.dehooker4arc.com)





## Types of length measurements



Lower Jaw Fork Length (LJFL): lower jaw to fork of the tail

Pectoral Fork Length (PFL): insertion of pectoral fin to fork of the tail

Cleithrum to Keel (CK): Bony area right behind the gill slit, to the horizontal ridge right before the tail fin.

**Annexure 7**



**agriculture,  
forestry & fisheries**

Department:  
Agriculture, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

**LARGE PELAGIC LONGLINE  
LANDING DECLARATION SHEET**

Tel: 021-402 3627 Fax: 021-402 3034

*\*Submit with the corresponding catch statistics sheet(s)*

Vessel name: \_\_\_\_\_  
Rights Holder: \_\_\_\_\_  
Factory Name: \_\_\_\_\_  
Harbour Name: \_\_\_\_\_

Registration No: \_\_\_\_\_  
Permit No: \_\_\_\_\_  
Date: \_\_\_\_\_  
Gear Type: \_\_\_\_\_

SPECIES	NUMBER OF FROZEN FISH	NUMBER OF FRESH FISH	TOTAL WEIGHT PER SPECIES (kg)
Swordfish			
Yellowfin tuna			
Southern bluefin tuna			
Bigeye tuna			
Longfin tuna (albacore)			
Marlin			
Mako shark			
Blue shark			
Copper / Bronze Whaler shark			
Other shark			
Shark fins			
Oilfish			
Escolar			
Dorado			
Other:			
.....			
.....			
.....			

*Declaration: To the best of my knowledge, the figures reported are correct and are the true reflection of the vessel's landed catch.*

	Print Name	Signature	Date
Skipper/Owner:	_____	_____	_____
Monitor:	_____	_____	_____
Fishery Control Officer:	_____	_____	_____

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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