



SECTION B

Permit Conditions: Large Pelagic Longline Fishery

Fishing Season: 2019/2020

DATE OF APPROVAL: 14 February 2020



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;

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- (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 **(ANNEXURE 8)** 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 (currently under review);
- (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 (currently under review).

- 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 is 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 is 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) and 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 hours 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.

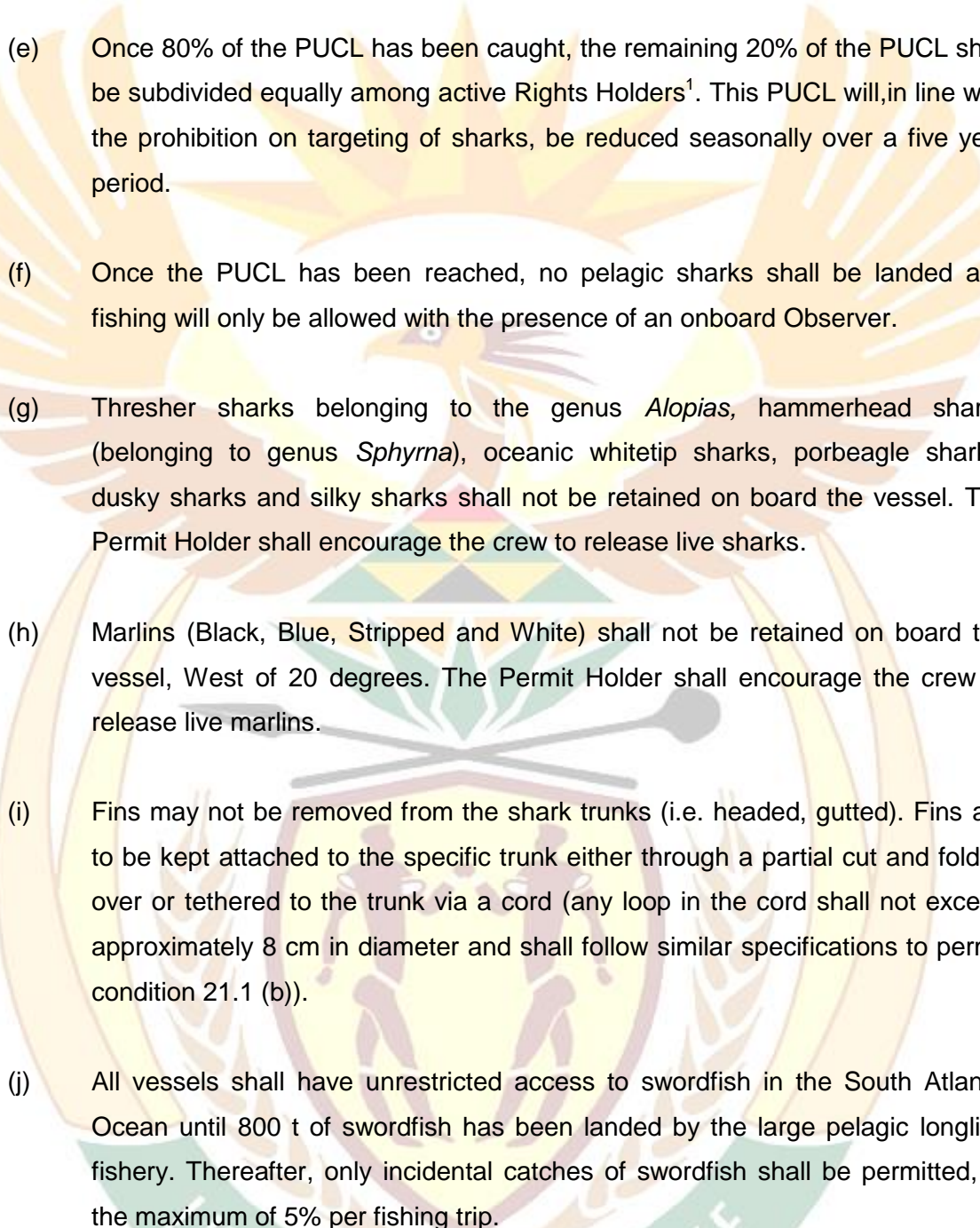
<u>LANDING SITES: Large Pelagic Longline</u>		
Designated Landing Sites	Addresses for FCO Offices	RESPONSIBLE OFFICER
Cape Town Harbour	Cape Town Harbour Office Foretrust Building Cape Town	Mr M Mgqomo Tel: 021 402 3428/ 3361 Fax: 021 402 3113/ 3367 Cell: Email: MatsoloM@daff.gov.za
Hout Bay Harbour	Hout Bay Harbour Office Hout Bay	Mr L. Finnish Tel: 021 790 1440/ 2530 Fax: 021 790 2808 Cell: 083 443 5462 Email: LucasF@daff.gov.za
Gansbaai Harbour	Gansbaai Harbour Office	Mr. P.J Mersna Tel: 028 384 0321 Fax: 028 384 1546 Cell: 082 645 4795 Email: PetrusME@daff.gov.za
Hermanus Harbour	Hermanus Harbour Office	Mr M Grootboom Tel: 028 312 2609 Fax: 028 313 0502 Cell: 071 581 1581 Email: MzwandileGR@daff.gov.za
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: ThisiweF@daff.gov.za
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: WadeT@daff.gov.za
Durban Harbour: Office still needs to be established. In the meantime, use Mzamba Office	Port Edward	Thanduxolo Ntshangase / Dino Govender Tel: 039 3111240/30 Cell: 0794449951 / 072 231 6070 Email: ThanduxoloN@daff.gov.za or Email: DinoG@daff.gov.za
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: DennisM@daff.gov.za
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: WillemB@daff.gov.za

5. EFFORT LIMITATIONS AND GEAR RESTRICTIONS

- 5.1 The Permit Holder shall utilize pelagic longline 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.
- 5.4 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.
- 5.5 The use of wire traces is prohibited.

6. CATCH CONTROLS AND LIMITATIONS

- 6.1 This permit shall only be used for commercial longline fishing for tuna and tuna like species with the following applicable management measures:
 - (a) Billfishes of the genera Makaira, Tetrapturus, Istiophorus are designated as secondary species.
 - (b) Targeting of sharks is prohibited. Targeting is defined as landing 50% or more sharks per fishing season in terms of landed total mass.
 - (c) The Permit Holder is restricted to landings of less than 60% sharks in terms of landed total mass in any quarter. If quarterly landings exceed 60%, the Permit Holder will be required to have 100% observer coverage for the remainder of the fishing season.

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- (d) A Precautionary Upper Catch Limit (PUCL) applies to the total landed shark mass.
 - (e) Once 80% of the PUCL has been caught, the remaining 20% of the PUCL shall be subdivided equally among active Rights Holders¹. This PUCL will, in line with the prohibition on targeting of sharks, be reduced seasonally over a five year period.
 - (f) Once the PUCL has been reached, no pelagic sharks shall be landed and fishing will only be allowed with the presence of an onboard Observer.
 - (g) 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. The Permit Holder shall encourage the crew to release live sharks.
 - (h) Marlins (Black, Blue, Stripped and White) shall not be retained on board the vessel, West of 20 degrees. The Permit Holder shall encourage the crew to release live marlins.
 - (i) Fins may not be removed from the shark trunks (i.e. headed, gutted). Fins are 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)).
 - (j) 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.

¹ Active Rights Holders are defined as Right Holders that have uplifted their 2020/21 Large Pelagic Longline Catch Permit and have submitted catch statistics reflecting at least one gear set on or before 30 June 2020.

- (k) No hake (*Merluccius* spp.), kinglip (*Genypterus capensis*), wreckfish (*Polyprion* spp.) or Patagonian toothfish (*Dissostichus* spp.) shall be caught or retained on board.
- (l) 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)).
- (m) If the undersize fish or incidentally caught, unwanted or prohibited fish or shark is alive when retrieving the longline, it should be returned to the sea alive.
- (n) Discards as well as release data and details regarding the release condition must be filled in the logbooks.
- (o) 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) SBT allocated in this sector shall be equally divided to all the Rights Holders. It should be noted that the Minister will be establishing a development plan and has identified 32 appellants which may fall within the developmental plan, accordingly and depending on the finalisation of the aforesaid, the individual Right holder catch limits shall be amended.
- (b) 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).
- (c) 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).

- (d) As of the 30 June 2020, quotas of non-active Rights Holders shall be equally divided among active Large Pelagic Longline Rights Holders (as defined above).
 - (e) 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-19 for the 2019/2020 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 Director: Pelagic & High Seas Fisheries Management, lpmm@daff.gov.za) prior to the vessel landing.
- 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.
- 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 personnel and

Observers on board to tag and release, or sample large pelagic species, which are in suitable condition. No more than 5 tuna and swordfish specimens above the minimum size limit, where applicable, in total, may be tagged or sampled per fishing trip, unless otherwise permitted by the Permit Holder. Permit Holders are also encouraged to allow for the tag and release or sampling 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 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 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 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

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 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/ Rights Holder/ 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 All the fish caught under in terms of this permit, shall only be landed in South Africa.
- 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 or 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 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 CCSBT, ICCAT or IOTC catch statistical documents must accompany all SBT, bigeye tuna and swordfish consignment to be exported / transshipped.

- 10.7 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 and Assistant Director: Pelagic & High Seas Fisheries Management for further information). A Landing Declaration has to accompany all catch statistical documents during authorisation.
- 10.8 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, Vlaeberg, 8018) 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.
 - 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. The electronic version of the catch statistics form is available upon request from 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 2019, 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 2019/20 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.

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 March 2020 to 28 February 2021.
- 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
 - (c) Postage – Private Bag x2, Vlaeberg, 8018
 - (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 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.**

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) landing, selling, receiving or processing of 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 only be permitted subject to the application and issuance of a transshipment permit by the Department and 100% complete monitoring of transshipment by the FCOs.

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") limits 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, Vlaeberg, 8018 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	QayisoMK@daff.gov.za	021 402 3048	021 402 3622021 402 3618
	Assistant Director: PHSFM	Johan De Goede	JohannesDG@daff.gov.za	021 402 3683	086 776 7038 or
	Senior Administration Officer: PHSFM	Aphiwe Nonkeneza	AphiweN@daff.gov.za	021 402 3026	0867307335
Fisheries Research and Development	Large Pelagics Scientist	Henning Winker	HenningW@daff.gov.za	021 402 3120/3017	021 402 3034
	Chair: Large Pelagics and Sharks Scientific Working Group (LPSSWG)	Sven Kerwath	SvenK@daff.gov.za	021 402 3017	
	Large Pelagics Marine Research Technician	Melissa Meyer	MelissaG@daff.gov.za	021 402 3627	
Revenue Management	Assistant Director: Revenue Management	Siyasanga Qaziyana	SiyasangaQ@daff.gov.za	021 402 3209	086 239 8448
	Chief Debtors Clerk: Revenue Management	Sarah Baartman	SarahB@daff.gov.za	021 402 3016	

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 Association (SATA), the South African Tuna Longline Association (SATLA), the Shark Longline Association (SLA), the Eastern Cape Pelagic Association, the National Black Rights Holders Association and the Large Pelagic SMME Association.

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 on request (72 hours), a minimum of one per quarter 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 remain in port and may result in the initiation of proceedings under section 28 of the MLRA. Annual observer coverage per vessel is required to be spatially representative of annual fishing effort and needs to fulfill RFMO specific requirements. If coverage of observed trips is not temporally and spatially representative of effort, the Department shall require vessels to carry scientific observers on board additional trips.

16.2 The Permit Holder shall bear the costs of the Scientific Observer deployment. 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.

16.3 Observer companies need to be accredited and provide the Observer service in line with the Departmental requirements. In order to be listed as an accredited scientific

observer company a company must employ on its register of available observers individuals who have been recognised by Regional Fisheries Management Organisations (RFMOs) and subsequently been allocated a unique RFMO observer ID number. Those observers will have received RFMO-accredited training with respect to the roles and responsibilities of scientific observers on-board commercial fishing vessels.

- 16.4 RFMO observer IDs need to be provided to the department in order for the trip to be recognised as an observed trip. Rights holders are responsible to ensure that the department receives all relevant data and information pertaining to observed trips no later than 15 days after the trip has ended.
- 16.5 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.
- 16.6 The Observer shall be fully accommodated on board the vessel and provided with food and facilities of a level accorded to officers.
- 16.7 The Observer shall be responsible to verify fisheries data or as otherwise directed by the Department. The information collected by the observer shall be standardised to the departments' requirements. The Observer shall monitor all fishing operations and shall record any transgressions of the MLRA.
- 16.8 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.
- 16.9 The Permit Holder shall, when requested, allow for land-based sampling of catches for scientific purposes by persons authorized by the Department.
- 16.10 Observers on board shall bring back whole specimens of all seabirds and turtles killed during longline fishing operations and communicate

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.
- 19.2 In the event that an alternative truck to that which is referred to on the transport permit is used for the transportation of the fish, the Right holder shall note the registration details of the truck in the comments section of the landing declaration and the FCO shall verify these truck registration details.

- 19.3 The Fish Processing Establishment receiving the fish shall verify that the details of the truck and the details on the landing declaration are the same.

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. MARINE PROTECTED AREAS

22. ECOSYSTEM EFFECTS OF FISHING

22.1 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.

22.2 By-Catch Mitigation Measures and Release Procedures

- a) When fishing in South Africa's EEZ the start and completion of the 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 choose between using a bird-scaring line or using line weighting.
- c) If a bird-scaring line is used as the second seabird bycatch mitigation measure, vessels shall have on board an approved bird-scaring line (tori line, see Annexure 3 for details, to be reviewed during the next permit conditions), which must be deployed before setting starts each night and may only be retrieved after setting ends.
- d) If line weighting is used as the second seabird bycatch mitigation measure, the 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 attached within 1 m of the hook, or 80 g or greater attached within 2 m of the hook. The gear shall be configured with weights attached for port inspections if this measure is chosen by the vessel.
- e) Vessels may use 'hook shielding devices' (as approved by the Agreement on the Conservation of Albatross and Petrels), which in 2018 are limited to Smart Tuna Hooks® and Hookpods®. If either method is chosen, each hook set shall have the chosen device attached. If vessels choose to use the Smart Tuna

Hook shielding devices, the Department may request evidence that the Rights Holder or Vessel Operator has purchased sufficient units to be used on all sets for each trip. If vessels choose to use the Hookpod shielding device they shall keep the devices attached correctly to the gear at all times, for each trip where this system is in use. In addition, vessels shall simultaneously use one of the measures specified in permit condition 21.2 a or 21.2 c.

- f) 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.
- g) 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 has been 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 (c & d) for vessels fishing in 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 all three mitigation measures described in 21.2 a-d shall be used for all sets and 2) for vessels fishing in the high seas no further fishing will be permitted in 3 days around full moon.
- h) 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.

- i) Provisions in paragraphs 21.2 (i) and (j) may be reviewed.
- j) 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, Birdlife SA and other relevant NGOs in this regard.
- k) The Department strongly encourages Permit Holders to conduct independent research to improve by-catch mitigation measures.

22.3 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 plastic pollution, for an example, the impact of lost “strops” (cords used to hang fish during freezing) .In order to solve this particular 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.

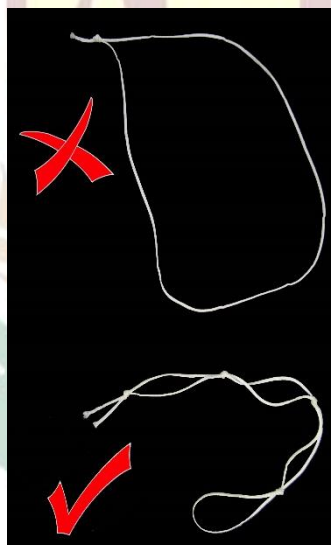


Figure 1. An example of correct “strops” to use to avoid seal entanglement.

22.4 Fisheries Management Areas

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

DIRECTOR: OFFSHORE AND HIGH SEAS FISHERIES MANAGEMENT

DATE: 14 February 2020



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	Billfish 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	6h47 20h07	6h27 19h47	May				4h47 18h07	4h27 17h47	
25 S	6h52 20h02	6h32 19h42	6h12 19h22				5h12 18h22	4h52 18h02	4h32 17h42
30 S	6h56 19h58	6h36 19h38	6h16 19h218	6h00 18h54	5h37 18h36	5h16 18h18	4h56 17h58	4h36 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	June				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	July				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 18h35	5h38 18h15	5h18 17h55	4h58 17h35	
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	August				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									

	5 E	10 E
20 S	5h37 21h30	5h27 21h30
25 S	5h22 21h45	5h12 21h45
30 S	5h03 22h03	4h53 22h03
35 S	4h41 22h26	4h31 22h26
40 S		

	5 E	10 E
20 S	6h03 21h24	5h53 21h24
25 S	5h52 21h35	5h42 21h35
30 S	5h38 21h48	5h28 21h48
35 S	5h22 22h05	5h12 22h05
40 S		

	5 E	10 E
20 S	6h25 21h00	6h15 21h00
25 S	6h19 21h05	6h09 21h05
30 S	6h11 21h13	6h01 21h13
35 S	6h03 21h21	5h53 21h21
40 S		

	5 E	10 E
20 S	6h40 20h28	6h30 20h28
25 S	6h40 20h27	6h30 20h27
30 S	6h39 20h28	6h29 20h28
35 S	6h39 20h28	6h29 20h28
40 S		

	5 E	10 E	15 E	20 E	25 E	30 E	35 E	40 E	45 E
20 S	6h11 20h29	5h51 20h09	September				4h11 18h29	3h51 18h09	
25 S	6h07 20h33	5h47 20h13	5h27 19h53			4h27 18h53	4h07 18h33	3h47 18h13	
30 S	6h02 20h38	5h42 20h18	5h22 19h58	4h57 19h43	4h42 19h18	4h22 18h58	4h02 18h38	3h42 18h18	
35 S	5h56 20h44	5h36 20h24	5h16 20h04	4h56 19h44	4h36 19h24	4h16 19h04	3h56 18h44	3h36 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	October				3h40 18h47	3h20 18h27	
25 S	5h31 20h57	5h11 20h37	4h51 20h17			3h51 19h17	3h31 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	November				3h26 19h12	3h06 18h52	
25 S	5h12 21h26	4h52 21h06	4h32 21h46			3h32 19h46	3h12 19h26	2h52 19h06	
30 S	4h55 21h44	4h35 21h24	4h15 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	December				3h31 19h27	3h12 19h07	
25 S	5h16 21h43	4h56 21h23	4h36 21h03			3h36 20h03	3h16 19h43	2h56 19h23	
30 S	4h58 22h01	4h38 21h41	4h18 21h21	3h39 21h19	3h38 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									

Annexure 3

BIRD-SCARING LINE

Specifications for bird scaring lines for vessels >35 m total length

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.

Specifications for bird scaring lines for vessels <35 m total length

The development of a bird scaring line configuration for small vessels was recognised as a mitigation research priority by the Agreement on the Conservation of Albatrosses. Recent research has suggested the following recommended design specifications for vessels UNDER 35 m.

Two design options have been shown to be effective:

1. a design with a mix of long and short (1 m) streamers (Fig. 1). A total of 9 single long streamers, each cut to varying lengths as follows: (1) 5 m, (2) 4.5 m, (3) 4.0 m, (4) 3.5 m, (5) 3.0 m, (6) 2.5 m, (7) 2.0 m, (8) 1.5 m and (9) 1.5 m. Long streamers are placed at 5 m intervals with two short (1 m) streamers in between over at least the first 55 m of the BSL. The first long streamer is placed 10 m from the stern to reduce the chances of tangles with the longline fishing gear. Over the next 20 m short 1 m streamers placed at 2 m intervals. The last 5 m has no streamers attached, and
2. a design that only uses short streamers (Fig. 2). Short streamers should be no less than 1 m in length and placed at 1 m intervals along the length of the aerial extent, minimum 75 m. The first streamer should be placed at 10 m.

In all cases:

- i) Total length of the BSL should be a minimum of 90 m (excluding towing device) with a minimum aerial section of 75 m,
- ii) Streamers must be bright yellow/orange in colour,
- iii) To achieve a minimum recommended aerial extent of 75 m, the BSLs must be attached so that the start of the BSL is suspended at a minimum of 6 m above the water at the stern. This may require the erection of an attachment pole. Use of a towing device will further assist in achieving the necessary aerial extent.
- iv) Towing devices such as floats, trawl braids or lengths of rubber tubing are possible options.

Rights Holders wishing to deploy a modified BSL design following the specifications given above, can do so while research is carried out on a final longline design. Rights Holders

wishing to use an updated bird scaring line shall inform and seek approval from the Department.

Figure 1.

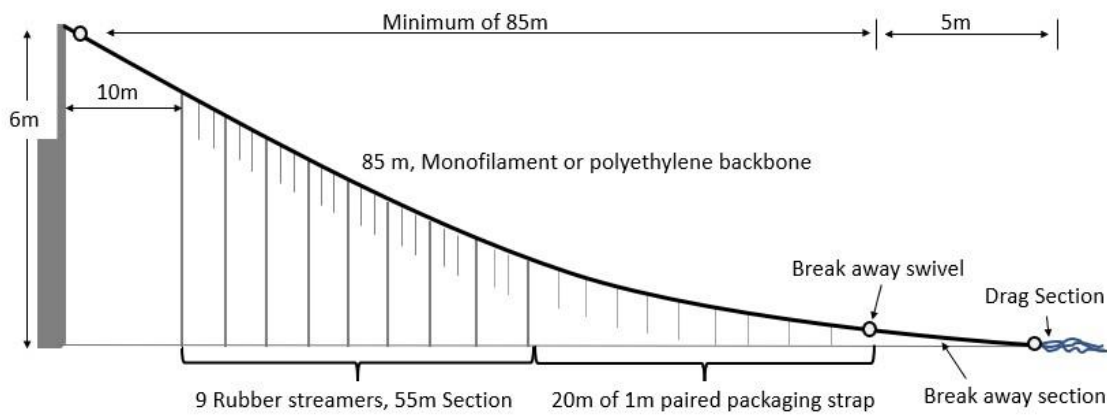
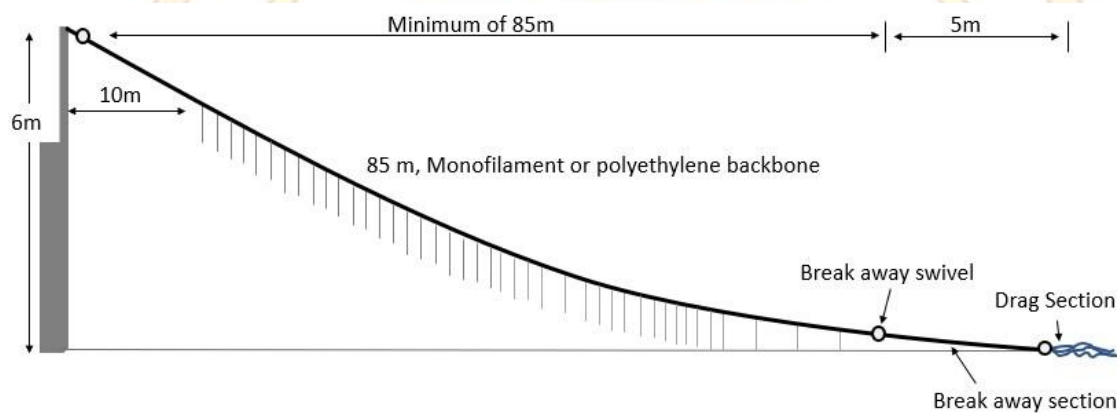


Figure 2.



For further guidelines and options for materials please contact BirdLife South Africa:

Andrea Angel, Email: andrea.angel@birdlife.org.za or Reason Nyengera, Email: reason.nyengera@birdlife.org.za ; Tel: 021 419 7347

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.

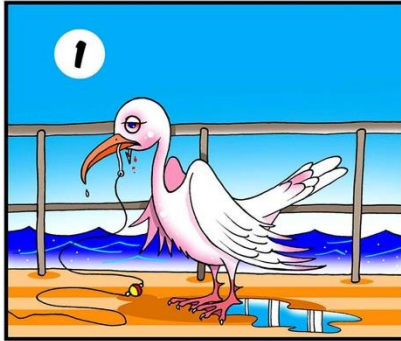
Hooks can then be extracted easily from wings, legs or bill tips using bolt cutters to remove the barb.

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.

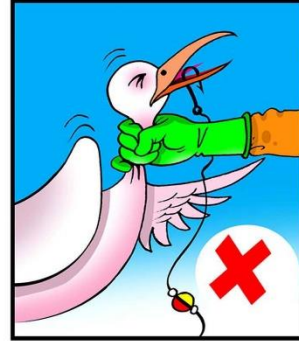
HOW TO HANDLE A LIVE BIRD THAT HAS BEEN HOOKED



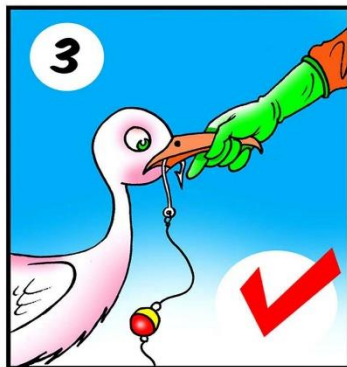
LIVE BIRD THAT HAS BEEN HOOKED



WEAR GLOVES



DO NOT HOLD THE BIRD AROUND THE NECK



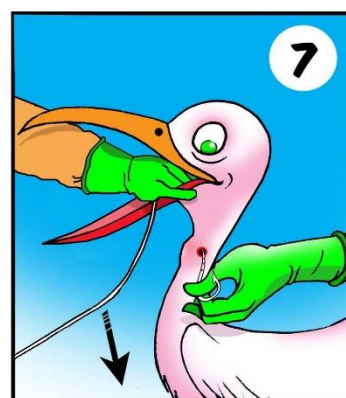
HOLD THE BIRD BY THE BILL, NOT COVERING ITS NOSTRILS.



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



IF THE HOOK IS LIGHTLY HOOKED, GENTLY WIGGLE IT FREE



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.

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

Annexure 5

Seabird Mitigation Checklist for Tuna Vessels

Section A (Check sheet by Observer)

Date	Tori line length (150m)	Attachment point for tori line (>7 m high)	Dehooker device	Observer Name	Observer signature

Section B (Observer Report On Compulsory Measures)

Date	Tori line(s) deployed?	Night setting / (weighted lines)?	Comments	Skipper signature	Observer Name & signature

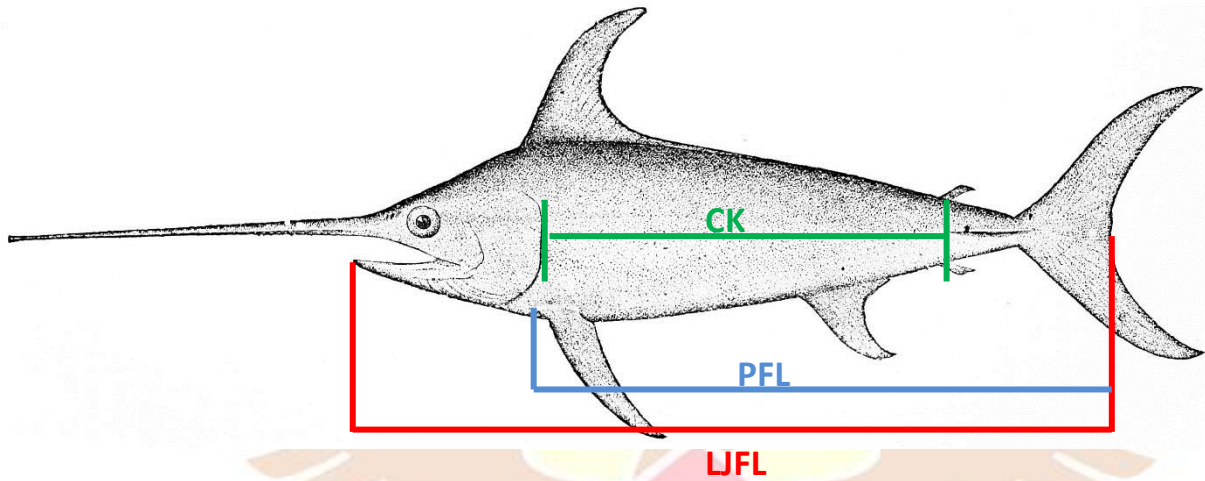
Section C (Observer Report On Additional Measures)

Date	Second tori line / (no full moon fishing)?	Weighted branch lines?	Skipper signature	Observer Name & signature

Instructions: mark boxes with TICK if Permit Holder complies or with a CROSS if Permit Holder does not comply

Annexure 6

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: _____ Registration No: _____
 Rights Holder: _____ Permit No: _____
 Factory Name: _____ Date: _____
 Harbour Name: _____ 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.*

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

Annexure 8



agriculture,
forestry & fisheries

Department:
Agriculture, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

APPLICABLE CONSERVATION MANAGEMENT MEASURES AS ADOPTED BY VARIOUS TUNA REGIONAL FISHERIES MANAGEMENT ORGANISATIONS

Commission for the Conservation of Southern Bluefin Tuna (CCSBT)

RESOLUTIONS		
Number	Title	Status
	Mandatory use of Tori poles is required by all Members in all longline SBT fisheries below 30° south.	As per permit conditions
	Resolution for a CCSBT Scheme for Minimum Standards for Inspection in Port	All foreign fishing vessels are subjected to port inspection
	Resolution on a CCSBT Record of Vessels Authorised to Fish for Southern Bluefin Tuna	Only authorised vessels shall fish and land SBT
	Resolution on the CCSBT Vessel Monitoring System (VMS)	All authorised vessels fishing for SBT are required to have a fully functional VMS on board
	Resolution on the Implementation of a CCSBT Catch Documentation Scheme	For all transshipments, landings of domestic product, exports, imports and re-exports, all SBT shall be accompanied by a statistical document
	Resolution on Establishing a Program for Transshipment by Large-Scale Fishing Vessels	At sea transshipment is prohibited. 100% monitoring of transshipment in port
	Resolution on Establishing a List of Vessels Presumed to have Carried Out Illegal, Unreported and Unregulated Fishing Activities for SBT	Vessels found to be fishing for SBT but not authorised shall be reported to the CCSBT Secretariat and will be listed

		under the IUU vessel list
	Resolution on large-scale driftnet fishing	Use of large-scale driftnets is prohibited in this sector
	Recommendation to Mitigate the Impact on Ecologically Related Species of Fishing for SBT	As per permit conditions

International Commission for the Conservation of Atlantic Tunas (ICCAT)

RECOMMENDATIONS		
Number	Title	Status
17-01	Recommendation by ICCAT on Prohibition on Discards of Tropical Tunas by Purse Seine	Purse Seine fishing is strictly prohibited in the Large Pelagic Longline sector
16-01	Recommendation by ICCAT on Multi-Annual Conservation and Management Programme for Tropical Tunas	Only authorised vessels (20m or greater) fishing in the ICCAT Convention Area are required to be registered on the ICCAT authorized vessel list, shall fish for Bigeye, Yellowfin and Skipjack tunas in the ICCAT Convention Area
16-15	Recommendation by ICCAT on Transshipment	At sea transshipment is prohibited. 100% monitoring of transshipment in port
15-06	Recommendation by ICCAT on Porbeagle caught in association with ICCAT fisheries	Retention of Porbeagle is prohibited
13-13	Recommendation by ICCAT concerning the establishment of an ICCAT record of vessels 20 metres in length overall or greater authorized to operate in the Convention Area	Only authorised vessels (20m or greater) fishing in the ICCAT Convention Area are required to be registered on the ICCAT authorized vessel list
13-11	Recommendation by ICCAT on the by-catch of Sea Turtles in ICCAT fisheries	As per permit conditions
12-07	Recommendation by ICCAT for an ICCAT Scheme for minimum standards for inspection in Port	All foreign fishing vessels are subjected to port inspection
12-05	Recommendation by ICCAT on compliance	Hammerhead sharks (belonging

	with existing measures on shark Conservation and Management	to genus <i>Sphyrna</i>), oceanic whitetip sharks, porbeagle sharks, dusky sharks and silky sharks shall not be retained on board the vessel. Fins may not be removed from the shark trunks (i.e. headed, gutted).
11-18	Recommendation by ICCAT further amending Recommendation 09-10 Establishing a list of vessels presumed to have carried out illegal, unreported and unregulated fishing in the ICCAT Convention Area	Vessels found to be fishing in the ICCAT Convention Area (for ICCAT species) without authorization shall be reported to the ICCAT Secretariat and will be listed under the IUU vessel list
11-09	Supplemental Recommendation by ICCAT on reducing incidental by-catch of Seabirds in ICCAT Longline fisheries	As per permit conditions
11-08	Recommendation by ICCAT on the conservation of Silky sharks caught in association with ICCAT fisheries	Silky sharks shall not be retained on board the vessel
10-08	Recommendation by ICCAT on Hammerhead sharks (Family Sphyrnidae) caught in association with fisheries managed by ICCAT	Hammerhead sharks shall not be retained on board the vessel
10-07	Recommendation by ICCAT on Oceanic Whitetip sharks caught in association with fisheries in the ICCAT Convention Area	Oceanic Whitetip sharks shall not be retained on board the vessel

Indian Ocean Tuna Commission (IOTC)

RESOLUTIONS		
Number	Title	Status
18-01	On an Interim Plan for Rebuilding The Indian Ocean Yellowfin Tuna Stock in the IOTC Area of Competence	Purse Seine, FADs and Supply vessels not permitted; YFT catches below 5000mt in 2014
18-02	On Management Measures for the Conservation Of Blue Shark Caught in Association with IOTC Fisheries	All catch data is required to be submitted to the Department
18-03	On Establishing a List of Vessels Presumed	Only vessels registered on the

	to Have Carried Out Illegal, Unreported and Unregulated Fishing in the IOTC Area of Competence	IOTC Record of Authorised Vessels shall fish for IOTC species in the IOTC Area of Competence. Any other vessel that is carrying tuna and tuna like species and not registered with the IOTC shall be reported for IUU and will be listed in the IUU vessel list. Further, S28 of the MLRA shall be initiated.
18-05	On Management Measures for the Conservation of the Billfishes: Striped Marlin, Black Marlin, Blue Marlin and Indo-Pacific Sailfish	<p>CPCs shall endeavour to ensure that the overall catches, of the Indian Ocean Striped Marlin, Black Marlin, Blue Marlin and Indo Pacific Sailfish in any given year do not exceed either the MSY level or, in its absence, the lower limit of the MSY range of central values as estimated by the Scientific Committee.</p> <p>3. The limits referred to in paragraph 2 correspond to the following:</p> <ul style="list-style-type: none"> a. Striped Marlin: 3,260 t b. Black Marlin: 9,932 t c. Blue Marlin: 11,930 t d. Indo Pacific Sailfish: 25,000 t <p>CPCs shall not retain on board, trans-ship, land, any specimen smaller than 60 cm Lower Jaw Fork Length (LJFL) of any of the species</p>
18-06	On Establishing a Programme for Transshipment by Large-Scale Fishing Vessels	At-sea transshipment is prohibited. 100% monitoring of transshipment in port
18-08	Procedures on a Fish Aggregating Devices (FADs) Management Plan, Including a	FADs related fishing is prohibited

	Limitation on the Number of FADs, More Detailed Specifications of Catch Reporting from FAD Sets, and the Development of Improved FAD Designs to Reduce the Incidence of Entanglement of Non-Target Species	
18-10	On Vessel Chartering in the IOTC Area of Competence	Only vessels registered in the IOTC authorised vessel list are permitted
17-05	On the conservation of sharks caught in association with fisheries managed by IOTC	Hammerhead sharks (belonging to genus Sphyrna), oceanic whitetip sharks, porbeagle sharks, dusky sharks and silky sharks shall not be retained on board the vessel. Fins may not be removed from the shark trunks (i.e. headed, gutted).
17-07	Resolution 17/07 On The Prohibition to Use Large-Scale Driftnets in The IOTC Area	Use of Large Scale Driftnets is prohibited
16-02	On harvest control rules for skipjack tuna in the IOTC area of competence	Not applicable. South Africa's total skipjack catch in the IOTC area was less than 1 ton, hence the HCR's have not been applied
16-07	On the use of artificial lights to attract fish	The use, installing or operating surface or submerged artificial lights is prohibited
16-08	On the prohibition of the use of aircrafts and unmanned aerial vehicles as fishing aids	Use of aircrafts and unmanned aerial vehicles as fishing aids is prohibited
15-03	On the vessel monitoring system (VMS) programme	A fully functional VMS is mandatory on all vessels
15-04	Concerning the IOTC record of vessels authorised to operate in the IOTC area of competence	Only vessels registered on the IOTC Record of Authorised Vessels shall be authorised to fish for, retain on board, tranship or land tuna and tuna-like species in the IOTC Area of

		Competence.
12/04	On the conservation of Marine Turtles	As per permit conditions

