

SECTION B

# Permit Conditions: Traditional Linefish (Zone B)

---

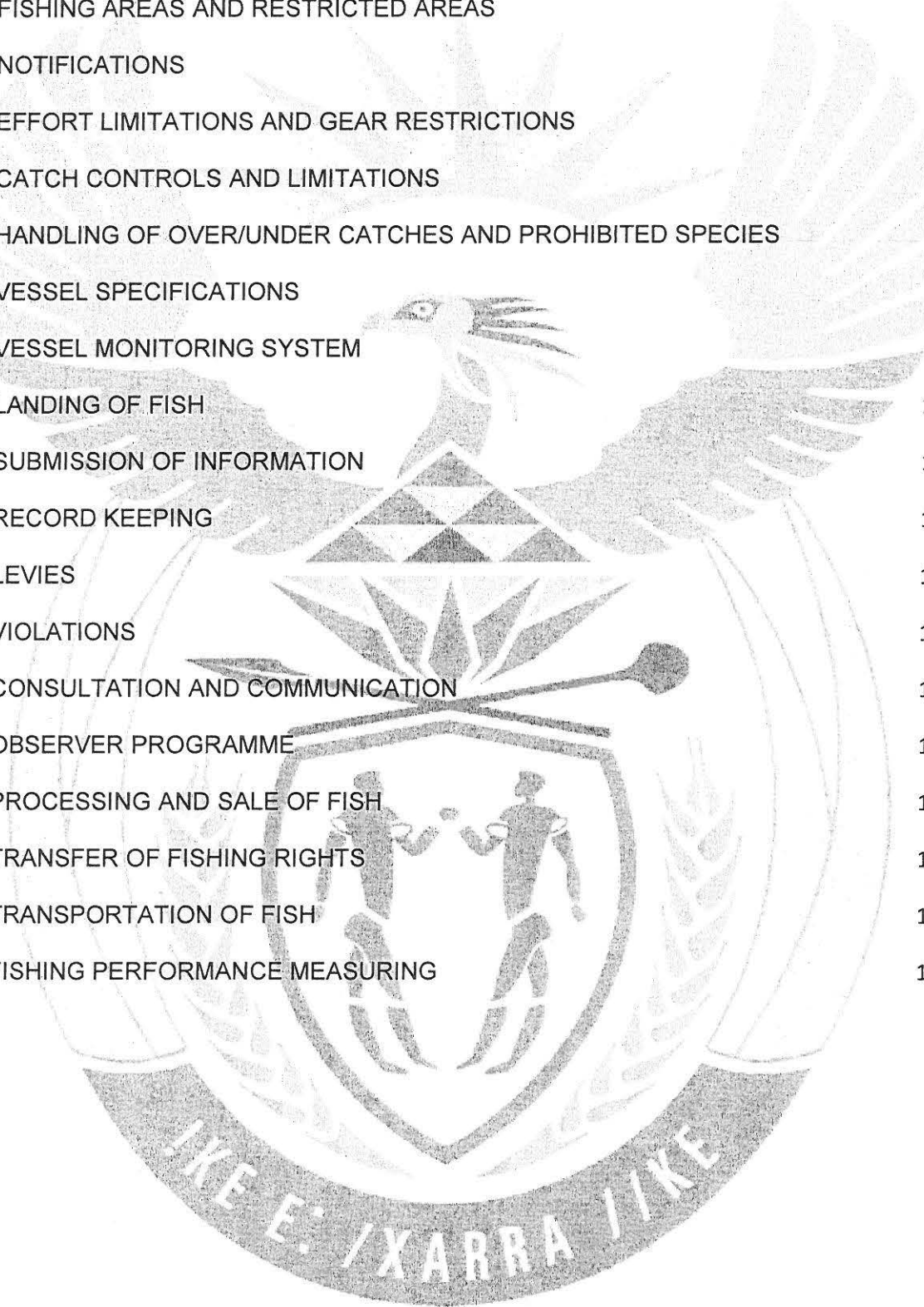
Fishing season: 2014



*CM*  
30.12.2013

**TABLE OF CONTENTS**

1. APPLICABLE ACTS, POLICIES AND DELEGATIONS	3
2. VALIDITY OF PERMIT	4
3. FISHING AREAS AND RESTRICTED AREAS	4
4. NOTIFICATIONS	5
5. EFFORT LIMITATIONS AND GEAR RESTRICTIONS	5
6. CATCH CONTROLS AND LIMITATIONS	6
7. HANDLING OF OVER/UNDER CATCHES AND PROHIBITED SPECIES	9
8. VESSEL SPECIFICATIONS	9
9. VESSEL MONITORING SYSTEM	9
10. LANDING OF FISH	10
11. SUBMISSION OF INFORMATION	12
12. RECORD KEEPING	12
13. LEVIES	13
14. VIOLATIONS	14
15. CONSULTATION AND COMMUNICATION	15
16. OBSERVER PROGRAMME	15
17. PROCESSING AND SALE OF FISH	15
18. TRANSFER OF FISHING RIGHTS	15
19. TRANSPORTATION OF FISH	16
20. FISHING PERFORMANCE MEASURING	16



A handwritten signature or set of initials is located in the bottom right corner of the page.

## 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:

- 1.1.1 The Marine Living Resources Act, 1998 (Act No. 18 of 1998) (MLRA) and regulations promulgated thereunder;
- 1.1.2 The National Environmental Management Act, 1998 (Act No.107 of 1998) (NEMA), and regulations promulgated thereunder;
- 1.1.3 The National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) (NEMBA) and regulations promulgated thereunder;
- 1.1.4 The National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003) (NEMPA) and regulations promulgated thereunder;
- 1.1.5 The National Environmental Management: Integrated Coastal Management Act, 2008 (Act No.24 of 2008) (NEMA:ICMA) and regulations promulgated thereunder;
- 1.1.6 National Environmental Management Waste Act (Act No. 59 of 2008) (NEMWA) and the Regulations promulgated thereunder.
- 1.1.7 The Sea Birds and Seals Protection Act, 1973 (Act No. 46 of 1973) (SBSPA) and regulations promulgated thereunder;
- 1.1.8 The Fire Arms Controls Act, 2000 (Act No. 60 of 2000) (FACA) and regulations promulgated thereunder;
- 1.1.9 The International Convention for the Prevention of Pollution from Ships Act, 1986 (Act No. 2 of 1986) (ICPPSA) and regulations promulgated thereunder;
- 1.1.10 South African Maritime Safety Authority Act, 1998 (Act 5 of 1998) (SAMSAA) and regulations promulgated thereunder;
- 1.1.11 The Animals Protection Act, 1962 (Act No. 71 of 1962) (APA) and the Regulations promulgated thereunder;
- 1.1.12 The Standards Act, 2008 (Act No. 8 of 2008) (SA) and the Regulations promulgated thereunder;
- 1.1.13 The National Regulator for Compulsory Specifications Act, 2008 (Act No. 5 of 2008) (NRCSA) and the Regulations promulgated thereunder;
- 1.1.14 National Ports Authority Act, 2005 (Act No. 12 of 2005) (NPAA) and the Regulations promulgated thereunder; and
- 1.1.15 The Companies Act, 2008 (Act No. 71 of 2008) (CA) and the Regulations promulgated thereunder.

1.2 This permit is issued subject to the further provisions of the following policies:

- 1.2.1 General policy on the Allocation of Fishing Rights, 2013;
- 1.2.2 Policy for the Allocation and Management of Fishing Rights in the Traditional Line Fishery: 2013; and

### 1.2.3 Policy for the transfer of Commercial Fishing Rights: 2009.

- 1.3 The Director: Inshore Fisheries Management (D: IFM) shall be entitled to amend these Permit Conditions after consultation with relevant stakeholders. In case of an emergency the D: IFM shall be entitled to amend these conditions without consultation.

## 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 should one or more of the following occur:
- 2.2.1 the right be cancelled or revoked in terms of Section 28 of the MLRA;
  - 2.2.2 the permit be cancelled, suspended or revoked in terms of Section 28 of the MLRA; and
  - 2.2.3 the fishing season is closed, terminated or ends.

## 3. FISHING AREAS AND RESTRICTED AREAS

- 3.1 This permit is valid only in South African waters within the geographic management zone B (excluding tidal lagoons, tidal rivers and estuaries).
- (a) Zone B – Cape Infanta to Port St Johns, being the area bounded by an imaginary line drawn due south from the light house at Cape Infanta and an imaginary line running 128° True from the northern headland of the Mbotyi River.
  - (b) The imaginary border line at Cape Infanta must be understood to have a five nautical mile (5nm) buffer area on each side. In the buffer area permit holders from the adjacent Zone A and Zone B may harvest Traditional Linefish.
- 3.2 The Permit Holder or any of its employees or agents shall not undertake fishing, or take or destroy any fauna or flora, or in any way disturb, alter or destroy the natural environment, or carry out any activity which may adversely impact on the ecosystems in Marine Protected Areas (MPA's) except where so permitted by the legislation.
- 3.3 A vessel is not allowed to stop or fish in any Marine Protected Area, or any other similar marine protected or conservation area.

- 3.4 In case of emergency, the Permit Holder shall notify the Department before the fishing vessel enters or intends to enter into a Marine Protected Area or any other area closed for fishing. The notification shall describe the nature of emergency and the reason required for entering the area. Such request shall be sent via e-mail to: [daffops@daff.gov.za](mailto:daffops@daff.gov.za) or faxed to: (021) 425 6497.

#### 4. NOTIFICATIONS

- 4.1 In the event where the permit holder requires a short term relief onboard the nominated vessel due to unforeseen circumstances, the Permit Holder shall notify the Local Fishery Control Officer either by phone, fax or SMS indicating the name and the identity of the representative. Should the period exceed seven consecutive days, the Permit Holder must obtain written permission from the Director: Inshore Fisheries Management.
- 4.2 The Vessel Owner or its agent who is granted permission to conduct fishing without a functional Vessel Monitoring System (VMS) shall notify the Department's Operations Room (OPS Room) for each fishing trip undertaken during the permission validity period. Notification shall be given to the OPS Room prior proceeding to sea, and upon arrival back in port on telephone number(s) 021 402 3076 or 021 402 3077.
- 4.3 The Permit Holder shall submit to the Department (Right Holder Information, Attention: Deputy Director: Line and Net Fisheries Management, The 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.

#### 5. EFFORT LIMITATIONS AND GEAR RESTRICTIONS

- 5.1 The Permit Holder shall only utilise the maximum number of crew approved for the vessel, as set out in the permit. For this purpose, "crew" includes the Permit Holder or his/her duly authorised representative and any person on board such a vessel.
- 5.2 The use of any line or connected lines or fishing gear to which a total of more than ten (10) fishing hooks is attached is prohibited.
- 5.3 **Multi-sector involvement:** The Permit Holder may not utilise any other permit afforded to him/her whilst operating in terms of the provisions of this permit. The Permit Holder shall only activate his/her permit on an authorised commercial fishing

vessel and no recreational fishing shall be conducted on any Traditional Linefish commercial fishing boat.

**6. CATCH CONTROLS AND LIMITATIONS**

6.1 The Permit Holder shall adhere to restrictions such as bag, size and mass limits, area restrictions and closed seasons stipulated herein, whilst fishing making reference to species restrictions set out in table 1.



**TABLE 1. SPECIES SPECIFIC REGULATIONS APPLICABLE TO HOLDERS OF A COMMERCIAL TRADITIONAL LINEFISH PERMIT**

1. The taxa, i.e. genus (denoted by "spp."), family or class mentioned in this Annexure refer to all species in the genus, family or class, as the case may be.
2. The size of the fish shall be measured in a straight line from the tip of the snout to the extreme end of the tail.
3. All fish that are landed, except sharks, rays, skates, and chimaeras (Class Chondrichthyes), must have the head and tail intact such that it can be established whether the fish conforms to the minimum size and / or mass, provided that it may be gutted.
4. Any fish caught in contravention of the provisions of the Act or the permit conditions must immediately be returned to the sea with as little injury as possible.
5. All species in the taxon Pisces not listed in this Table (e.g. yellowtail) may be caught and sold in unlimited quantities by the Permit Holder.
6. Special note should be taken of the size, bag & area limitations with regards to kob (*Argyrosomus* spp.)
7. Squid may be caught for own use only and may not be sold.

**THE PERMIT HOLDER SHALL NOT CATCH, LAND, BE IN POSSESSION OF, OR SELL SPECIES LISTED IN THE "PROHIBITED SPECIES LIST"**

PROHIBITED SPECIES LIST	
COMMON NAME	SCIENTIFIC NAME
Bardman (bellman, tasselfish)	<i>Umbrina</i> spp.
Banded galjoen	<i>Dichistius multifasciatus</i>
Basking shark	<i>Cetorhinus maximus</i>
Billfishes (marlin, sailfish)	Family Istiophoridae
Blacktail (dassie)	<i>Diplodus sargus capensis</i>
Brindle bass	<i>Promicrops lanceolatus</i>
Bronze bream (bluefish)	<i>Pachymetopon grande</i>
Cape knifejaw	<i>Oplegnathus conwayi</i>
Cape stumprnose	<i>Rhabdosargus holubi</i>
Galjoen	<i>Dichistius capensis</i>
Garrick (leervis)	<i>Lichia amia</i>
Coelacanth	<i>Latimeria chalumnae</i>
Great white shark	<i>Carcharodon carcharias</i>
John Brown	<i>Gymnocrotaphus curvidens</i>
Kingfishes	<i>Caranx</i> spp. and <i>Carangoides</i> spp.
Large-spot pompano (moony, wave garrick)	<i>Trachinotus botla</i>
Leopard cat shark	<i>Poroderma pantherinum</i>
Natal knifejaw (cuckoo bass)	<i>Oplegnathus robinsoni</i>
Natal stumprnose (yellowfin bream)	<i>Rhabdosargus sarba</i>
Natal wrasse	<i>Anchichoerops natalensis</i>
Pipefish & seahorses	Family Syngnathidae
Potato bass	<i>Epinephelus tukula</i>
Ragged tooth shark	<i>Carcharias taurus</i>
Red steenbras (copper steenbras)	<i>Petrus rupestris</i>
River bream (perch)	<i>Acanthopagrus</i> sp.
River snapper (rock salmon)	<i>Lutjanus argentimaculatus</i>
Sawfishes	Family Pristidae
Seventy-four	<i>Polysteganus undulosus</i>
Southern pompano	<i>Trachinotus africanus</i>
Spotted grunter (tiger)	<i>Pomadasys commersonii</i>
Spotted gulley shark	<i>Triakis megalopterus</i>
Springer (ten pounder)	<i>Elops machnata</i>
Stonebream	<i>Neoscorpis lithophilus</i>
Striped cat shark	<i>Poroderma africanum</i>
Swordfish	<i>Xiphias gladius</i>
West coast steenbras	<i>Lithognathus aureti</i>
Whale shark	<i>Rhinocodon typus</i>
White musselcracker (brusher, cracker)	<i>Sparodon durbanensis</i>
White steenbras (pignose grunter)	<i>Lithognathus lithognathus</i>
Zebra (wildeperd)	<i>Diplodus cervinus hottentotus</i>

TABLE 1 continues

The permit holder shall not on any one day land or be in possession of more than the species-specific bag limits as indicated in the "species list" below multiplied by the number of crew onboard the vessel up to the maximum number as stipulated in the allocated right. Furthermore, the permit holder may offer for sale the species listed in the "species list" within the restrictions indicated, except for squid (point 7 above).

SPECIES LIST					
COMMON NAME	SCIENTIFIC NAME	MINIMUM SIZE/ MASS	BAG LIMITS	CLOSED SEASON	AREA RESTRICTION
Carpenter (silverfish)	<i>Argyrozona argyrozona</i>	35 cm	Unlimited		
Catface (brown spotted) rockcod	<i>Epinephelus andersoni</i>	50 cm	5		
Dageraad	<i>Chrysoblephus cristiceps</i>	40 cm	1		
Elf (shad)	<i>Pomatomus saltatrix</i>	30 cm	Unlimited	1 October to 30 November in any year	No elf to be landed or sold in KZN
Englishman	<i>Chrysoblephus anglicus</i>	40 cm	Unlimited		
Geelbek (Cape salmon)	<i>Atractoscion aequidens</i>	60 cm	Unlimited		
Hake (stockfish)	<i>Merluccius capensis</i> & <i>M. paradoxus</i>		5		
Hottentot	<i>Pachymetopon blochii</i>	22 cm	Unlimited		
Kingklip	<i>Genypterus capensis</i>		1		
Kob	<i>Argyrosomus</i> spp.	50 cm	Unlimited		West of Cape Agulhas only
Kob	<i>Argyrosomus</i> spp.	50 cm	Unlimited, but may only land or be in possession of one kob > 110 cm per day		Cape Agulhas to Umtamvuna River
Kob	<i>Argyrosomus</i> spp.	40 cm			The Province of KwaZulu-Natal
Pinky (piggy)	<i>Pomadasys olivaceum</i>	75 mm	Unlimited		
Poenskop (black steenbras or musselcracker)	<i>Cymatoceps nasutus</i>	50 cm	1		
Red stumpnose (Miss Lucy)	<i>Chrysoblephus gibbiceps</i>	30 cm	Unlimited		
Roman	<i>Chrysoblephus laticeps</i>	30 cm	Unlimited		
Santer (soldier)	<i>Cheimerius nufar</i>	30 cm	Unlimited		
Scotsman	<i>Polysteganus praeorbitalis</i>	40 cm	1		
Slinger	<i>Chrysoblephus puniceus</i>	25 cm	Unlimited		
Snoek (Cape snoek)	<i>Thysites atun</i>	60 cm	Unlimited		
Strepie (karanteen)	<i>Sarpa salpa</i>	15 cm	Unlimited		
Squid (Chokka)	<i>Loligo vulgaris reynaudii</i>		20	18 October to 22 November in any year.	
Tunas (tunny)	<i>Thunnus</i> spp.		10 in total for all <i>Thunnus</i> species		
Albacore	<i>Thunnus alalunga</i>				
Bigeye tuna	<i>Thunnus obesus</i>	3.2 kg			
Bluefin tuna	<i>Thunnus thynnus</i>	6.4 kg			
Yellowfin tuna	<i>Thunnus albacares</i>	3.2 kg			
White edged (Captain Fine) rockcod	<i>Epinephelus albomarginatus</i>	40 cm	Unlimited		
White stumpnose	<i>Rhabdosargus globiceps</i>	25 cm	Unlimited		
Yellowbelly rockcod	<i>Epinephelus marginatus</i>	60 cm	1		

6.2 The Permit Holder shall not on any one day exceed or be in possession of more than the stipulated Linefish bag limits. Therefore daily bag limits may not be accumulated over the duration of a trip, thus for all practical purposes daily bag limits are also trip limits.



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

- 7.1 No upper limit is set on total landings for the Traditional Linefish commercial fishing sector except the species specific bag limits. No prohibited species may be landed whilst operating in terms of the permit.
- 7.2 In the event that the Permit Holder catches any fish which may not be landed or possessed, such fish must be returned to the sea immediately, irrespective if it is dead or alive

## 8. VESSEL SPECIFICATIONS

- 8.1 The Permit Holder shall only utilize a vessel that is compliant with all requirements as set out by the South African Maritime Safety Authority (SAMSA).
- 8.2 The vessel shall be fitted with an approved and functional VMS.
- 8.3 The Permit Holder shall not use the nominated fishing vessel unless it bears the registration letters and numbers assigned thereto by the Director-General. Such letters and numbers shall 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" excepted) and 2 cm in thickness (width of stroke). The space between adjacent letters and figures shall be between 2 cm and 5 cm.
- 8.4 The Permit Holder shall display, on the vessel next to the registration letters and numbers (area number) assigned to the vessel by the Director-General, the letters "LT" (Traditional Linefish) followed by the number of crew and the zone of operation reflected in Section A of the permit (e.g. **CT415 LT 8 ZA**).
- 8.5 Only the SAMSA approved measurement is regarded as the "vessel length".

## 9. VESSEL MONITORING SYSTEM

- 9.1 The Permit Holder shall ensure that the fishing vessel is fitted with a functioning vessel monitoring system ("VMS"), which is approved by the Department.
- 9.2 It is the responsibility of the Permit Holder/Rights Holder/Vessel Owner/ Skipper to ensure that the VMS is fully operational and that the VMS continues to transmit to the Department's Operations Room prior to sailing and throughout whilst at sea.
- 9.3 The Permit Holder shall establish that the VMS unit is functional by contacting the Operations Room on telephone numbers 021-402 3076 or 021-402 3077, prior to

sailing (voice mail message shall be recorded in an event when there is no operator at site). Should the power supply be interrupted or the equipment become non-functional (for whatever reason), and the problem persists, the vessel shall proceed to port within twenty four hours of being informed of the problem by the Department.

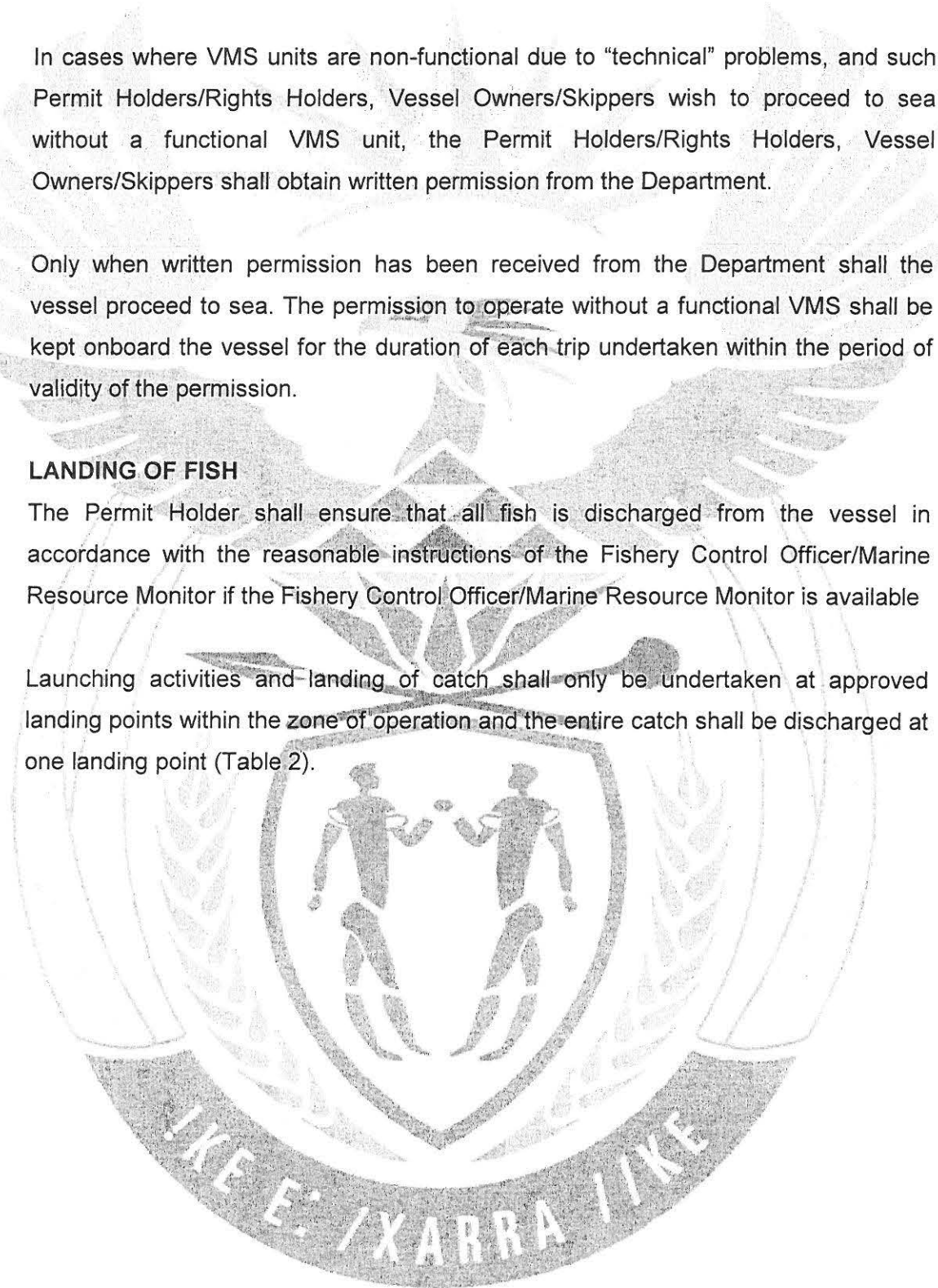
9.4 In cases where VMS units are non-functional due to "technical" problems, and such Permit Holders/Rights Holders, Vessel Owners/Skippers wish to proceed to sea without a functional VMS unit, the Permit Holders/Rights Holders, Vessel Owners/Skippers shall obtain written permission from the Department.

9.5 Only when written permission has been received from the Department shall the vessel proceed to sea. The permission to operate without a functional VMS shall be kept onboard the vessel for the duration of each trip undertaken within the period of validity of the permission.

## 10. LANDING OF FISH

10.1 The Permit Holder shall ensure that all fish is discharged from the vessel in accordance with the reasonable instructions of the Fishery Control Officer/Marine Resource Monitor if the Fishery Control Officer/Marine Resource Monitor is available

10.2 Launching activities and landing of catch shall only be undertaken at approved landing points within the zone of operation and the entire catch shall be discharged at one landing point (Table 2).



**TABLE 2. DESIGNATED LANDING SITES FOR THE LANDING OF CATCHES MADE BY THE TRADITIONAL LINEFISH PERMIT HOLDERS**

EAST COAST COMPLIANCE DIVISION		
AREA	ADDRESS	RESPONSIBLE OFFICER
Port Elizabeth Swartkops River Noordhoek Ski Club	Port Elizabeth Harbour Tiger Bay and Amsterdamhoek Marine Drive, Port Elizabeth	Mr. D Mostert Cell: 082 771 8906 Fax: 041 586 0385
Jeffreys Bay Port St Francis	Jeffreys Bay, Main Beach Port St Francis harbor	Mr. M Maziko Cell: 082 771 8905 Fax: 042 293 2968
Port Alfred Kenton-on-sea Boknes	Kowie River and Port Small Boat Harbour, Halyard hotel Middle Beach The public slipway at Boknes and Hamburg	Mr. A Maki Cell: 071 876 1039 Fax: 046 624 2101
Plettenberg Bay Knysna Kaaimans	Plettenberg Bay central beach Knysna Angling Club, waterfront Drive, Knysna Wildemis	Ms H October Cell: 082 784 6988 Fax: 044 382 6567
Mossel Bay	Mossel Bay Harbour	Ms. T Fono Cell: 083 663 9155 Fax: 044 691 1617
Port St. Johns	The public slipway at Port St. Johns	Ms. Z Gebe Cell: 072 133 2480 Fax: 047 564 1338
East London	East London Harbour	Mr. L Nodwala 082 829 3903
SOUTH WEST COAST COMPLIANCE DIVISION		
AREA	ADDRESS	RESPONSIBLE OFFICER
Breede River	Malgas	Ms Z Mvelakubi Cell: 083 346 0524 Fax: 028 7445 9215
Stilbaai Gouritz Mouth Duivenhoks River	The slipway at Stilbaai harbour Gouritz River Slipway Die Puntjie	Mr C Jones Cell: 082 950 4126 Fax: 028 754 1463

## 11. SUBMISSION OF INFORMATION

11.1 All information submitted to the Department shall be hand-delivered to The Customer Services Centre, Ground Floor, Foretrust Building, Martin Hammerschlag Way, Foreshore, Cape Town or 21 Stanley Street, Central, Port Elizabeth or posted to Private Bag X2, Roggebaai, 8012.

11.2 Enquiries shall be directed to the following share call number: 086 000 3474.

### 11.3. Catch Statistics:

11.3.1 The Permit Holder shall submit catch returns and shall be recorded in the Commercial Linefish Catch Return Book ("**the Blue Book**") issued for such purpose.

11.3.2 The Permit Holder shall render statistics as defined in the Blue Book for commercial Linefish catch returns, before the **15<sup>th</sup> of each month** in respect of the previous month as per instructions in the Blue Book.

11.3.3 A nil return must be submitted for the period where no fish has been harvested.

11.3.4 Catch return sheets may be hand delivered to; The Customer Services Centre (CSC) , Ground Floor, Foretrust Building) or posted by registered mail (**Traditional Linefish Catch Statistics**, Department of Agriculture, Forestry and Fisheries, Private Bag X2, Roggebaai, Foreshore, Cape Town, Attention Linefish Section).

11.3.5 In cases where the catch return sheets are submitted at CSC, receipt of delivery will be confirmed by the copy of the catch statistics in the Blue Book being stamped, dated and signed by an official of the Department.

## 12. RECORD KEEPING

12.1 The Permit Holder shall store at its registered place of business the original permit issued to it over the duration of the right. The Permit Holder shall at all times have available a true certified copy of the permit on board the vessel utilized to harvest Traditional linefish.

12.2 The Permit Holder shall retain duplicate copies of the catch return sheets for a minimum of 60 months.

**13. LEVIES**

13.1 The Permit Holder shall submit a levy declaration form on or before the last working day of January following the year in which fish was harvested.

13.2 All declaration forms shall be submitted to the Directorate: Revenue Management via fax number **086 613 6256** or email to [revenue@daff.gov.za](mailto:revenue@daff.gov.za) or hand delivered to: Department of Agriculture, Forestry and Fisheries, Branch: Fisheries Management, Customer Service Centre, Ground Floor, Foretrust Building, Martin Hammerschlag Way, Foreshore, Cape Town, 8001, or post to: Marine Living Resources Fund Revenue Management, Private Bag x2, Roggebaai, 8012.

13.3 The Permit Holder shall pay all levy fees on or before the last working day of the month following the month in which levies were declared.

13.4 The Permit Holder shall pay the prescribed levy per category (on whole mass of fish caught) as stipulated in the Government Gazette Notice.

13.5 Levies are payable to the cashier at the Department of Agriculture, Forestry and Fisheries, Branch: Fisheries Management, Customer Service Centre, Ground Floor, Foretrust Building, Martin Hammerschlag Way, Foreshore, Cape Town, alternatively payment may be made via direct deposit at any First National Bank (FNB) branch or Electronic Funds Transfer (EFT) to the following banking details:

<b>Bank:</b>	<b>First National Bank</b>
<b>Branch code:</b>	<b>204109</b>
<b>Account name:</b>	<b>Marine Living Resources Fund</b>
<b>Account number:</b>	<b>62123256382</b>
<b>Deposit reference:</b>	<b>Customer (Party) Number + LEV (e.g P12345LEV) to be used as a deposit reference where an invoice has not been issued, invoice number to be used as a deposit reference where the Department has issued an invoice.</b>

The Permit Holder must ensure that proof of payment together with the levy declaration form is faxed to 086 613 6256 or emailed to [revenue@daff.gov.za](mailto:revenue@daff.gov.za) .

13.6 Non-compliance will result in a **10%** penalty being charged on the late submission of the prescribed levy declaration form.

13.7 The Department may refuse to issue fishing permits to Right Holders who have any levies or fees outstanding for a period of 30 days, or may suspend the Right Holder's fishing permit until all outstanding levies are paid to the Department.

## 14. VIOLATIONS

- 14.1 A breach of the provisions of the MLRA, its regulations and/or these Permit Conditions by the Permit Holder, its employees (whether permanent or temporary), its contractors, agents, advisers or the skipper of the vessel may result in the initiation of legal proceedings (which may include section 28 proceedings and or criminal proceedings).
- 14.2 A breach referred to in paragraph 14.1 includes, but is not limited to:
- 14.2.1 failure to provide information which the Department is entitled to or to submit information which is not true or correct;
  - 14.2.2 failing to effectively utilise this permit.
- 14.3 The Permit Holder shall not land, sell, receive or process any fish taken by any means in contravention of the MLRA and applicable laws.
- 14.4 The Permit Holder shall not discard any waste material, garbage or pollutants into the sea or harbour or landing/launching site. The Permit Holder shall safely store all waste material, garbage and pollutants on board the vessel. All waste must be placed into dedicated waste bins at port.
- 14.5 No fishing hooks or lines may be discarded. All fishing hooks shall be removed before the offal is dumped. Fishing hooks must be removed from discards, save where the removal of hooks from live discards (e.g. sharks) may endanger the safety of the crew or be detrimental to the survival of the animal.
- 14.6 No transshipment of catches is allowed.
- 14.7 Failure to report any contravention of the provisions of the MLRA by a Permit Holder is a criminal offence. Any contravention shall immediately be reported telephonically to the Customer Service Centre at (021) 402 3180 or faxed to 086 505 8180 and thereafter shall be faxed as well to (021) 425 7324, for attention: The Chief Director: Monitoring, Control and Surveillance (MCS).
- 14.8 The Department may refuse to issue a subsequent permit should these Permit Conditions not be adhered to.

**15. CONSULTATION AND COMMUNICATION**

15.1 The Department will prefer to consult and communicate with the Recognised Industrial Bodies which are representative of Right Holders in the Traditional Linefish fishery and Interest Groups in terms of the MLRA.

15.2 Communication regarding all permits and licences shall be addressed to the Department's Customer Services Centre, Ground Floor, Foretrust Building, Martin Hammerschlag Way, Foreshore, Cape Town or Private Bag X2, Roggebaai, 8012. The Customer Service Centre may be contacted on 021 402-3443/402-3180 or share call number 086 000 3474.

**16. OBSERVER PROGRAMME**

16.1 The Permit Holder shall, when requested, allow for land-based sampling of catches for scientific purposes by persons authorised by the Department.

**17. PROCESSING AND SALE OF FISH**

17.1 The Permit Holder shall not sell or deliver any fish caught under the authority of this permit, unless he/she issues an invoice or receipt in respect of such fish to the person purchasing or acquiring it.

17.2 The above consideration implies that crew removing fish from the vessel for own use must be authorised in writing by the Permit Holder.

17.3 A copy of the invoice referred to in paragraph 17.1, shall be kept for not less than 60 months by the Permit Holder and shall contain at least the following details:

17.3.1 Full particulars including full names, identity numbers and or registration numbers of the parties to the sale;

17.3.2 The number and date of issue of the permit authorising the sale of the fish;

17.3.3 The vessel name, registration letters and number as stipulated in the permit;

17.3.4 The quantity and/or mass of fish or part of product thereof sold; and

17.3.5 The date of delivery of the fish.

**18. TRANSFER OF FISHING RIGHTS**

18.1 The Right Holder shall only transfer the long-term commercial fishing right allocated to his/her in terms of section 21 of the MLRA, read together with the Policy for the Transfer of Commercial Fishing Rights (Government Gazette No 32449, 31 July 2009).

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

**19. TRANSPORTATION OF FISH**

19.1 Right Holders shall be in possession of this permit at all times when transporting Traditional Linefish and no additional transport permit is required.

19.2 Non-right holders shall be in possession of proof of purchase (e.g. receipt) when transporting Traditional Linefish and no additional transport permit is required.

**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. Such information shall include but is not limited to:

20.1.1 Data regarding transformation levels;

20.1.2 Sustainable fishing practices;

20.1.3 Data regarding investments made in the fishery and jobs created and sustained; and

20.1.4 Data regarding compliance initiatives.

SIGNATURE: 

DIRECTOR: INSHORE FISHERIES MANAGEMENT (IFM)

DATE: 30.12.2013

