



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

BRANCHES: OCEANS AND COASTS AND FISHERIES MANAGEMENT

INFORMATION FOR APPLICANTS FOR MARINE RESEARCH PERMITS

Research permits are issued under Section 83 of the Marine Living Resources Act, 1998 (MLRA). The Department of Forestry, Fisheries and the Environment (DFFE) is currently coordinating the application and evaluation process for such permits. All applications are required to be submitted through this structured process, to enable proper and timely evaluation of the applications. The DFFE is cognisant of the dynamic nature of the research environment which may necessitate occasional *ad-hoc* permit applications. It is requested that such *ad-hoc* applications be limited only to exceptional circumstances.

1. Incomplete applications

DFFE urges all applicants to conduct due diligence before submitting their applications as incomplete applications slow down the process as they have to be referred back to the applicant. An application will be considered incomplete where, amongst others, the application form has not been properly completed, supporting documents are not attached and where certifications are outdated. Applicants are therefore requested to read this document in full prior to submission of an application, and to refer to the checklist in the application form.

2. Eligibility

The following categories of persons are eligible to apply for a research permit:

- (a) A recognised South African research institution.
- (b) an organ of state with a research mandate.
- (c) a South African organisation which has a formal affiliation, or written research agreement, with a South African university, a recognised or registered research institution or an organ of state with research mandate.
- (d) a non-South Africa university or institution that has a written memorandum of understanding (MOU) or service level agreement (SLA) with a South African institution stipulated in paragraphs (a) – (b) above which governs the research project and use of research data. If such entity will be utilising a research vessel registered in another sovereign state, applicants should contact the Department of International Relations and Cooperation (DIRCO) to ensure that all requirements for foreign visiting vessels are fulfilled.

3. Exclusions

The following categories are ineligible to apply for a research permit:

- (a) a commercial marine aquaculture organization unless they are undertaking research and are affiliated with any of the institutions/organisations detailed in 2 above.
- (b) an organisation wanting to conduct marine bioprospecting in terms of the National Environmental Management: Biodiversity Act, 2004.
- (c) no student is eligible to apply. Applications must be made via the student's supervisor employed at the relevant university /institution identified in 2 above.

(Note: an organisation wanting to conduct marine bioprospecting in terms of the National Environmental Management: Biodiversity Act, 2004". Such organisation requires a research permit under the MLRA and if they also intend to use it for bioprospecting, they will need a discovery and commercial permit under NEMBA as well.)

4. Deadlines for applications

Applications must be submitted to and received by the DFFE by close of business (i.e., 17h00) on Monday 9 December 2024.

5. Ad-hoc applications

Ad-hoc applications will be considered under exceptional circumstances.

6. Research effort

The DFFE reserves the right to decline applications if, amongst others, the proposed research project, or cumulative impact of research projects, will result in significant and unacceptable disturbance to the target species; particularly where the species is listed in the Threatened or Protected Marine Species Lists 2017, or a species for which the known stock status is "heavily depleted". Applicants are therefore urged to first explore collaborative approaches to similar research questions on the same species for ToPS species, or explore the possibility of utilization of alternative species for those in which the known stock status is "heavily depleted".

7. Decision letters and appeals

Where the application for a permit has been declined, the DFFE will issue a decision letter containing the reasons for the decision. Where the decision is taken by a person acting under a delegated power, the applicant may appeal the decision to the Minister.

8. Universities and large institutions

Generic permit applications inclusive of sampling requests will be considered for teaching permits. However, the application must contain sufficient detail of each research project and proposed sampling if significant quantities are required or invasive sampling of threatened, protected or prohibited species are included to enable the delegated authority to take an informed decision on the application.

9. Application form

- a) Only applications submitted on the official application form which can be obtained from Sancor or the DFFE website will be considered.
- b) Application forms must be submitted in **Word format to facilitate the process**.
- c) In the sample request section of the application form, one can add as many lines as needed. Do not attach sample requests in a separate sheet.
- d) Completed applications must be submitted by e-mail to researchpermits@dfffe.gov.za and contain the subject-line heading "Research permit application".
- e) Note that there is a restriction on the maximum size of attachments that can be received of **4MB**. Should the application and supporting documents exceed 4MB, applicants are urged to use online file-sharing platforms and provide a link to the documents in the e-mail text.
- f) The DFFE will endeavor, within 7 working days after the closing date, to issue a reference number to the applicants for each application received. Should you not receive a reference number, please contact: Research Permits using researchpermits@dfffe.gov.za to ensure that your application has been received.

[There has, in previous years been a practice of completing the application form sparsely and then to attach a research proposal. This will not be accepted, and applicants are requested to kindly complete the application form in as much detail as possible.]

10. Activities requiring mandatory supporting documents

10.1. Research activities inside a Marine Protected Area (MPA)

All research activities conducted inside of MPAs are required to be registered with, and approved by, the relevant Management Authority. Applications for research within MPAs must accordingly be accompanied by proof of registration and approval from the relevant Management Authority. In the event that concurrent applications are lodged with the DFFE and a Management Authority, the DFFE will not issue a permit until such time as the responsible Management Authority has confirmed approval of the project in writing.

10.2. Applications involving invasive sampling techniques on animals

- a) A guideline on the care and use of animals for scientific purposes was published by the South African Bureau of Standards (South African National Standard 10386:2021.1). *"This standard covers all live non-human vertebrates It also covers eggs, fetuses and embryos and their treatment in a humane manner where development of an integrated nervous system is evident"*. Research must comply with the standards set out in this Guideline.
- b) Subject to paragraph (e) below, where lethal or invasive research is proposed, such research will be approved under the ethics clearance from the relevant Research institutions listed under 2a-c. No separate ethics approval required.
- c) The DFFE reserves the right to seek a second opinion on approved techniques should it be deemed necessary.
- d) Additional requirements or confirmation of ethics clearance may be requested from applications requesting species listed under either Marine TOPS or the MLRA prohibited list.

11. Applications from researchers outside of South Africa

- a) Researchers from academic institutions and research organisations registered outside South Africa must work in collaboration with a recognised South African Academic Institution or recognised organisation stipulated in paragraphs 2(a)-(b).
- b) Involvement of students who are South African citizens and/or registered at a South African University is encouraged.
- c) Copies of letters of cooperation/ agreement/ collaboration or signed formal agreements must be submitted with the application.
- d) Samples and data collected that will be leaving the country and fall within the definition of 'bioprospecting' as detailed in the National Environmental Management Biodiversity Act, 2004 (NEMBA) must have the relevant permits and benefit sharing agreements in place as provided for under NEMBA.

12. Period of issue of permits

Permits will be issued for a maximum of twelve months as per section 13 of the MLRA. It is therefore not possible to issue permits for longer than a one year at a time.

13. Permits for related activities

Research involving beach driving (Off Road Driving (ORV) in the Coastal Zone)

A separate permit must be applied for from the DFFE Chief Directorate: Integrated Coastal Management (ORVPermitting@dffe.gov.za). The application for the ORV permit must be accompanied by the research permit. Application forms are available at https://www.dffe.gov.za/branches/oc_documents_forms

Research involving diving in dive ban areas

A separate permit must be applied for from the Customer service section at CSCApplications@dffe.gov.za. (Contact person A Davids, Z Galant) Applications forms are available at <https://www.dffe.gov.za/FisheriesManagementForms>

Export of commercial fish, or any part or product thereof are required in terms of regulation 27(1)(f) of the MLRA General Regulations. A separate permit must be applied for from the Customer service section at CSCApplications@dffe.gov.za (contact person H Coetzee)

Export of CITES or Marine TOPS species (dead or alive) or parts thereof for research and/or educational purposes

A separate export permit must be made to OCPPermits@dffe.gov.za. The application for the research permit must precede that for the export permit.

Export of research samples that are not restricted by CITES or not a Marine TOPS species (dead or alive) or parts thereof; please contact the research administrator for assistance in the documentation/letter needed.

Museums and public display only

A separate permit must be applied for from the Directorate: Oceans Conservation Strategies. (OCPPermits@dffe.gov.za).

Approaching listed Marine TOPS species for filming

A separate permit must be applied for from the Directorate: Oceans Conservation Strategies. (OCPermits@dffe.gov.za).

Foreign vessels wishing to undertake research in South African waters

A separate foreign vessel permit must be applied for through the Department of International Relations and Co-operation (DIRCO).

Transporting Marine TOPS species

For transport of live or dead TOPS species within SA a permit is required from the DFFE Chief Directorate: Integrated Coastal Management. (OCPermits@dffe.gov.za).

Aquaculture-related activities

Application forms for various aquaculture related activities, including research activities, are available at <https://www.dffe.gov.za/FisheriesManagementForms>

Examples:

Collecting samples for other researchers

A Museum called A is collecting samples for a researcher from a university B. Museum A does not need to apply for a research permit. They need to be working under university B's permit.

It is up to Researcher B to make sure that all the agencies that are collecting samples for them are listed in a table in the application.

This permission to collect samples will be put into university B's permit that Museum A is collecting samples for them.

University B will make sure that all the agencies collecting samples for them have a certified copy of the permit under which they will be working for the year.

Collaborating with overseas researchers

The Nagoya protocol ensures that data collected by overseas researchers is not lost by South Africa and is also available for use by South Africa.

If you are a researcher A collaborating with an overseas researcher B.

You both need full access to the data collected. You need a collaboration agreement that includes full data sharing to be compliant with the Nagoya protocol.

Copy of this agreement should be included into your application.

Both need their own research permit for their contribution to the research.

Collaborating with other institutions within SA

Several researchers from various universities and institutions working together.

You need to submit a data sharing and collaboration letter with your application.

The lead scientist in the project needs to have a research permit and collaborators need to be specifically named for their contribution to the research (boats, students, equipment, etc). This can be done in a table as part of the research proposal.