SECTION B

Permit Conditions (Amendment):

Commercial Beach Seine Net Fishery

Area L&O: False Bay

Fishing season: 2025/2026

DATE OF APPROVAL: 06.03.2025

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1. APPLICABLE ACTS, POLICIES AND DELEGATIONS

1.1 This Permit is issued in terms of section 13 of the Marine Living Resources Act, 1998 (Act No. 18 of 1998) (MLRA).

1.2 This permit does not absolve the Permit Holder from complying with all other applicable laws, including but not limited to the:

1.2.1 National Environmental Management Act, 1998 (Act No.107 of 1998);
1.2.2 National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004).
1.2.3 National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003).
1.2.4 National Environmental Management: Integrated Coastal Management Act, 2008 (Act No.24 of 2008);
1.2.5 National Environmental Management Waste Act (Act No. 59 of 2008) (NEMWA);
1.2.6 Sea Birds and Seals Protection Act, 1973 (Act No. 46 of 1973).
1.2.7 Firearms Control Act, 2000 (Act No. 60 of 2000).
1.2.8 International Convention for the Prevention of Pollution from Ships Act, 1986 (Act No. 2 of 1986).
1.2.9 South African Maritime Safety Authority Act, 1998 (Act 5 of 1998).
1.2.10 Animals Protection Act, 1962 (Act No. 71 of 1962).
1.2.11 Standards Act, 2008 (Act No. 8 of 2008).
1.2.12 National Regulator for Compulsory Specifications Act, 2008 (Act No. 5 of 2008).
1.2.13 National Ports Authority Act, 2005 (Act No. 12 of 2005); and
1.2.14 Companies Act, 2008 (Act No. 71 of 2008),

1.3 This permit is issued subject to the provisions of the following policies the:
(a) General Policy on the Allocation and Management of Fishing Rights:2021; and
(b) Policy for the Allocation of Commercial Fishing Rights in the Netfish Fishery: 2015, as amended from time to time.

1.4 The Director: Inshore Fisheries Management (D: IFM) is entitled to amend these Permit Conditions where necessary.

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1.5 Any reference to the Permit Holder in these Permit Conditions includes the entity or person in whose name the Permit has been issued and includes any employees (whether permanent or temporary), agents/contractors, divers or skippers or advisers, whether permanent or temporary), agents/contractors, divers or skippers or advisers, whether permanent, full-time or part-time, acting in the course in the course and scope of their contractual relationship.

1.6 The Permit Holder, or in the case of a juristic person, a duly authorized representative, shall be on board the nominated vessel or at the site of fishing during fishing operations. Prior written permission shall be obtained from the D: IFM to deviate from this permit condition.

2. VALIDITY OF PERMIT

2.1 This Permit shall be valid for the period indicated in Section A of the Permit (the Permit).

2.2 This Permit shall automatically expire and become invalid if:

(a) the right was granted to the Permit Holder in terms of section18 of the MLRA is cancelled or revoked in terms of section 28 of the MLRA;

(b) the Permit is revoked or cancelled in terms of section 28 of the MLRA;

(c) the fishing season is terminated or ends;

(d) the validity period in 2.1 expires.

3. FISHING AREAS AND RESTRICTED AREAS

3.1 The Permit Holder shall carry the original permit or a certified copy of the original permit undertaking commercial Netfishing.

3.2 Fishing in other marine areas controlled by the South African National Parks, is subject to regulations promulgated under the National Environmental Management: Protected Areas Act, 2003 as amended. The Areas and boundaries are provided in Table 1.

Table 1 Fishing areas and boundaries.

Area	Boundaries descriptions
Area L	Smitwinkel Bay-Simonstown-Fishoek

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Area O	Macassar: Monwabisi tidal pool to the western boundary fence of the AECI security area

3.3 The Permit Holder shall not undertake fishing; take or destroy any fauna or flora; in any way disturb, alter or destroy the natural environment; or carry out any activity which may adversely impact on the ecosystems in MPAs, except where so permitted by relevant legislation.

3.4 A vessel may not enter; fish; or carry fishing gear on board in any MPA, or any other similar marine protected or conservation area.

3.5 In case of an emergency, the Permit Holder shall notify the Department before the fishing vessel enters or intends to enter into a MPA or any other area closed for fishing. The notification shall describe the nature of the emergency and the reason requiring the vessel enter the Marine Protected Area. Such request shall be sent via e-mail to: VMSops@dffe.gov.za or faxed to: 021 425 6497 or phone to: 021 402 3077/76.

3.6 The Permit Holder shall only operate the beach seine net in the area designated and with the understanding that this permit provides no right of access to private property and that, when applicable, the Permit Holder shall only operate with the permission of the relevant authority in:

3.6.1 Marine Protected Areas
3.6.2 National Parks
3.6.3 Provincial Parks and Nature Reserves
3.6.4 ESKOM areas
3.6.5 National Ports Authority areas
3.6.6 South African National Defence Force areas or
3.6.7 Areas as specified by the Minerals Act, 1991 (Act No. 50 of 1991).

4. NOTIFICATIONS

4.1 The Permit Holder shall inform the Local Fishery Control Officer (Ms. Anél Nortier) prior intended trekking via telephone or SMS on cellular number 082 771 8890.

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4.2 The Local Fishery Control Officer shall be notified of dead non retainable species and the fish must be surrendered to the Fishery Control Officer at the site of operation.

4.3 In the event where the permit holder requires a short term relief at the site of operation due to unforeseen circumstances, the Permit Holder shall notify the Local Fishery Control Officer either by fax or SMS indicating the name and identity number of the representative. If the permit holder put in more than one short term relief request during a month or make such a request for two consecutive months, the local Fishery Control Officer must refer such requests to the Director: Inshore Fisheries Management for consideration and a decision. Short term relief may only be granted for a maximum period of seven consecutive days, should the period exceed seven consecutive days, the Permit Holder must obtain written permission from the Director: Inshore Fisheries Management.

5. EFFORT LIMITATIONS AND GEAR RESTRICTIONS

5.1 This permit may only be used by the Permit Holder or an authorised representative. Written permission for an authorised representative must be obtained from the D: IFM. The Permit Holder shall be held responsible for any infringements of the permit conditions by his/her crew or delegated representative.

5.2 The Permit Holder shall, including the net being used, only have **two nets on the beach or site of operation and/or within the designated vehicle or vessel** at any one time.

5.3 The Permit Holder shall not operate more than **one beach-seine** at any given time i.e. the Permit Holder should not have more than one beach-seine net in the water at any one time.

5.4 The Permit Holder may however deploy the second net whilst the other net remain soaked. The soaked net must have both ends attached to the shore, be it to a vessel, vehicle, or any other fixed object and only the net bag shall remain soaked.

5.5 All non-retainable species are to be released prior soaking the net and that soaking shall only occur to preserve fish quality when need rise. **Non retainable species should be released with caution to ensure chances of survival.**

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5.6 The Permit Holder may utilise a maximum of two vessels whilst conducting fishing activities given that the Permit Holder operates in terms of paragraph 5.2.

5.7 The overall length, measured along the cork or lead line, of the beach-seine, including the bag shall not exceed 275 metres.

5.8 The depth, measured as the stretched distance between the lead and the cork line, of the beach-seine shall not exceed 10 metres.

5.9 The mesh-size of the bag (cod end) and wings shall not be less than 44 mm or greater than 90 mm (stretched mesh).

5.10 The bag (cod end) and wings of the beach-seine net will be made from woven (multi-strand) nylon mesh provided that 10 m of the trailing end of each wing may be made from monofilament (single-strand) nylon mesh.

5.11 The bag (cod end) will have a drawstring or "zip" such that the bag shall be opened to release, and allow survival of, marine mammals, birds and fish species that the Permit Holder is not permitted to catch or retain.

5.12 The total length of the hauling ropes coupled to the net shall not exceed 600 metres on either side of the beach-seine net.

5.13 The net shall be positively buoyant in that it will float with the corks on the surface when set in water deeper than the distance between the lead and cork-lines.

5.14 The Permit Holder shall not use motorised boats to deploy the beach-seine net.

5.15 The Permit Holder shall not use electric winches, fuel driven winches, vehicles and motorised boats to haul the beach-seine net. Hand powered mechanical winches; block-and-tackle and or pulley systems may be used to haul the beach-seine net.

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5.16 No person shall, except on authority of the permit use any beach-seine net, staked net, set-net or cast net for fishing from sunset to sunrise. The onus is on the permit holder to prove beyond reasonable doubt that fishing commenced and ended within sunset and sunrise.

6. CATCH CONTROLS AND LIMITATIONS

6.1 The Permit Holder shall only catch fish that appear on the exploitable, bait and protected lists as defined by the Marine Living Resources Act, 1998 (Act No. 18 of 1998). The Permit Holder shall not catch and retain any fish below the legal minimum size or species that appear on the recreational and specially protected lists and all these and other bycatch species shall be released to the water unharmed.

6.2 Exploitation categories and species lists indicating which fish may or may not be caught and sold by the Permit Holder as set out in Table 2.

TABLE 2. Exploitation categories and species lists indicating which fish may or may not be caught and sold by the permit-holder. Where applicable, minimum size limits are included.

SPECIES	SIZE LIMIT	CATCH & TRADE
Closed list		
Basking shark (*Cetorhinus maximus*)		No
Brindle bass (*Promicrops lanceolatus*)		No
Great white shark (*Carcharodon carcharias*)		No
Natal wrasse (*Anchichoerops natalensis*)		No
Potato bass (*Epinephelus tukula*)		No
Sawfishes (family Pristidae)		No
Seventy-four (*Polysteganus undulosus*)		No
Whale shark (*Rhinocodon typus*)		No
Decommercialised (recreational) list		
Baardmans (bellman, tasselfish) (*Umbrina* spp)	40 cm	No
Banded galjoen (*Dichistius multifasciatus*)		No
Billfishes (marlin, sailfish) (family Istiophoridae)		No
Blacktail (dassie) (*Diplodus sargus capensis*)	20 cm	No
Bronze bream (bluefish) (*Pachymetopon grande*)	30 cm	No
Cape knifejaw (*Oplegnathus conwayi*)		No
Cape stumpnose (*Rhabdosargus holubi*)	20 cm	No
Galjoen (*Dichistius capensis*)	35 cm	No
Garrick (leervis) (*Lichia amia*)	70 cm	No
John Brown (*Gymnocrotaphus curvidens*)		No
Kingfishes (genera *Caranx* or *Carangoides*)		No
Large-spot pompano (*Trachinotus botla*)		No
Leopard cat shark (*Poroderma pantherinum*)		No
Natal knifejaw (cuckoo bass) (*Oplegnathus robinsoni*)		No
Natal stumpnose (yellowfin bream) (*Rhabdosargus sarba*)	25 cm	No
Ragged tooth shark (*Carcharias taurus*)		No
Red steenbras (copper steenbras) (*Petrus rupestris*)	60 cm	No
River bream (perch) (*Acanthopagrus berda*)	25 cm	No
River snapper (rock salmon) (*Lutjanus argentimaculatus*)	40 cm	No
Southern pompano (*Trachinotus africanus*)		No
Spotted grunter (tiger) (*Pomadasys commersonnii*)	40 cm	No
Spotted gulley shark (*Triakis megalopterus*)		No
Springer (ten pounder) (*Elops machnata*)		No
Stonebream (*Neoscorpis lithophilus*)		No
Striped cat shark (*Poroderma africanum*)		No

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Table 2. continues	SIZE LIMIT	CATCH & TRADE
Decommercialised (recreational) list		
Swordfish (*Xiphias gladius*)	25 kg	No
West coast steenbras (*Lithognathus aureti*)	40 cm	No
White musselcracker (*Sparodon durbanensis*)	60 cm	No
White (pignose grunter) (*Lithognathus lithognathus*)	60 cm	No
Zebra (wildeperd) (*Diplodus cervinus hottentotus*)	30 cm	No
Exploitable & protected lists		
Barbel (Sea catfish) *Galeichthys* spp.		Yes
Bigeye tuna (*Thunus obesus*)	3.2 Kg	Yes
Bludger (kingfish) (*Carangoides gymnostethus*)		Yes
Blue Hottentot (copper bream) (*Pachymetopon aeneum*)		Yes
Blueskin (trawl soldier) (*Polysteganus caeruleopunctatus*)		Yes
Cape gurnard (Cape sea robin) (*Chelidonichthys capensis*)		Yes
Cape snoek (*Thyrsites atun*)	60 cm	Yes
Cape yellowtail (*Seriola lalandi*)		Yes
Carpenter (silverfish) (*Argyrozona argyrozona*)	30 cm	Yes
Catfaced rockcod (*Epinephalus andersoni*)	50 cm	Yes
Dageraad (*Chrysoblephus cristiceps*)	40 cm	Yes
Dane (*Porcostoma dentata*)		Yes
Dorado (dolphinfish) (*Coryphaena hippurus*)		Yes
Dusky kob (*Argyrosomus japonicus*)	50 cm	Yes
Elf (shad) (*Pomatomus saltatrix*)	30 cm	Yes
Englishman (*Chrysoblephus anglicus*)	40 cm	Yes
Geelbek (Cape salmon) (*Atractoscion aequidens*)	60 cm	Yes
Hake (stockfish) (*Merluccius capensis* and *M. paradoxus*)		Yes
Hottentot (*Pachymetopon blochii*)	22 cm	Yes
Javelin grunter (*Pomadasys kaakan*)		Yes
King mackerel (couta) (*Scomberomorus commerson*)		Yes
Panga (*Pterogymnus laniarius*)		Yes
Poenskop (black musselcracker) (*Cymatoceps nasutus*)	50 cm	Yes
Queen mackerel (*Scomberomorus plurilineatus*)		Yes
Red stumpnose (Miss Lucy) (*Chrysoblephus gibbiceps*)	30 cm	Yes
Red tjor-tjor (sand soldier) (*Pagellus natalensis*)		Yes
Rock cods (groupers) (family Serranidae)		Yes
Roman (*Chrysoblephus laticeps*)	30 cm	Yes
Santer (soldier) (*Cheimerius nufar*)	30 cm	Yes
Scotsman (*Polysteganus praeorbitalis*)	40 cm	Yes
Sharks and rays (subclass Elasmobranchii)		Yes
Silver kob (*Argyrosomus inodorus*)	50 cm	Yes

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Slinger (*Chrysoblephus puniceus*)	25 cm	Yes
Table 2. continues	**SIZE LIMIT**	**CATCH & TRADE**
Exploitable & protected lists		
Snapper salmon (*Otolithes ruber*)		Yes
Squaretail kob (*Argyrosomus thorpei*)	40 cm	Yes
Tunas (tunny)		Yes
White edged rockcod (*Epinephalus albomarginatus*)	40 cm	Yes
White stumpnose (*Rhabdosargus globicebs*)	25 cm	Yes
Yellowbelly rockcod (*Epinephalus marginatus*)	60 cm	Yes
Yellowfin tuna (*Thunnus albacares*)	3.2 kg	Yes
Bait list		
Anchovies (family Engraulidae)		Yes
Chub mackerel (*Scomber japonicus*)		Yes
Cutlassfish (walla walla) (*Trichiurus lepturus*)		Yes
Fransmadam (Karel groot oog) (*Boopsoidea inornata*)		Yes
Garfishes (family Belonidae)		Yes
Glassies (family Ambassidae)		Yes
Halfbeaks (family Hemiramphidae)		Yes
Horse mackerel / maasbunker (*Trachurus trachurus capensis*)		Yes
Mullets / harders (family Mugilidae)		Yes
Pinky (piggy) (*Pomadasys olivaceum*)	7.5 cm	Yes
Sardines (pilchard, red-eye) (family Clupeidae)		Yes
Sauries (family Scomberesocidae)		Yes
Scads (*Decapterus* spp.)		Yes
Strepie (karanteen) (*Sarpa salpa*)	15 cm	Yes
Steentjie (*Spondyliosoma emarginatum*)		Yes
Wolfherring (*Chirocentrus dorab*)		Yes

6.2 The Permit Holder or a duly authorised representative shall be at the site of fishing during fishing operations. Written permission shall be obtained from the D: IFM to deviate from this permit condition.

6.3 Whilst operating in terms of the provisions of this permit, the Permit Holder or any of the Permit Holder's employees or agents may not activate any other right and/ or exemption granted to the Permit Holder in terms of the MLRA including recreational fishing permits.

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6.4 The Permit Holder shall comply with the regulations issued in terms of the NEMA, 1998 (Act No. 107 of 1998) as set out in Government Notice 1399 of 21 December 2001 (as amended) should vehicle access to the shore be necessary during launching and retrieval of the fishing vessel and nets.

7. HANDLING OF OVER/UNDER CATCHES AND PROHIBITED SPECIES

7.1 No fish designated as not for sale in Table 2 shall be retained or sold. All incidental by catch are to be released to the water unharmed or, if dead, declared and handed to the Fishery Control Officer at the site of operation.

8. VESSEL SPECIFICATIONS

8.1 The letter **"N"** must be displayed on the vessel next to the area number.

8.2 The Permit Holder shall not use any 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.

9. LANDING OF FISH

9.1 The Permit Holder shall ensure that all fish is discharged in accordance with the reasonable instructions of the Fishery Control Officer/Marine Resource Monitor/ Law Enforcement Officer if the Fishery Control Officer/Marine Resource Monitor/ Law Enforcement Officer is available at the site of discharge/landing.

10. VESSEL MONITORING SYSTEM (VMS)

10.1 Not applicable in the Commercial Beach Seine Net fishery.

11. SUBMISSION OF INFORMATION

11.1 The Permit Holder shall submit to the Department notification of any change of contact details within 30 days of such change by completing the application form available at the Customer Services Centre. This notification must be submitted to: Permit Holder

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Information, Attention: Deputy Director: Line and Net Fisheries Management, Customer Services Centre, Ground Floor, Foretrust Building, Martin Hammerschlag Way, Foreshore, Cape Town or Private Bag X2, Vlaeberg, 8018)

11.2. Catch Statistics:

11.2.1 Catch returns shall be recorded in the Commercial Drift and Beach Seine nets Catch Return Books issued for such purpose.

11.2.2 The Permit Holder shall render statistics as required in the Catch Return Book before the **15th day of each month** in respect of the previous month fished.

11.2.3 Catch return sheets may alternatively be hand delivered to: The Customer Services Centre (CSC), Ground Floor, Foretrust Building, Martin Hammerschlag Way, Foreshore, Cape Town or posted by registered mail: **Netfish Catch Statistics**, Department of Forestry, Fisheries and the Environment, Private Bag X2, Vlaeberg, 8018 (Attention Inshore Resources Research).

11.2.4 In cases where the catch return sheets are submitted at CSC, receipt of delivery shall be confirmed by the copy of the catch statistics in the Catch Return 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 for the duration of the right. The Permit Holder shall at all times have available a true certified copy of this permit in the area of net fishing operations.

12.2 The Permit Holder shall retain the receipts for all submitted catch return books as well as duplicate copies of the said books for a minimum of 60 months after submission.

13. LEVIES

13.1 No levy fees are applicable to the Commercial Beach Seine Fisheries sector.

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14. NON-COMPLIANCE

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 temporal), its contractors, agents, advisers or the skipper of the vessel may result in the initiation of legal proceedings.

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

14.2.1 failure to provide information to 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 site of operation.

14.5 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 086 000 3474 or faxed to 021 402 3362 and thereafter shall be faxed as well to 021 425 7324, for attention: The Chief Director: Monitoring, Control and Surveillance (MCS).

14.6 The Department may refuse to issue subsequent permits or may cancel existing fishing permits 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 Permit Holders in the Commercial Beach Seine Fishery in terms of the MLRA.

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15.2 Communication regarding all permits and licenses shall be addressed to CSCenquiries@dffe.gov.za or the Department's Customer Services Centre, Ground Floor, Foretrust Building, Martin Hammerschlag Way, Foreshore, Cape Town or Private Bag X2, Vlaeberg, 8018. The Customer Service Centre may be contacted on 086 000 3474.

16. OBSERVER PROGRAMME

16.1 The Permit Holder shall, when requested by the Department or its agent, shall allow the Observer unrestricted access to monitor fishing activity and compliance with permit conditions and all applicable laws.

16.2 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 on 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 shall be authorised in writing by the Permit Holder.

18. TRANSFER OF FISHING RIGHTS

18.1 The Right Holder shall 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 (Government Gazette No 32449, 31 July 2009).

19. TRANSPORTATION OF FISH

19.1 Right Holders shall be in possession of this permit at all times when transporting fish caught in the Commercial Beach Seine Fishery 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 fish caught in the Commercial Beach Seine Fishery 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.

ODWA DUBULA
DIRECTOR: INSHORE FISHERIES MANAGEMENT
DATE: 06.03.2025