



SECTION B

Permit Conditions: Abalone Fishery

Fishing season: 2023/2024

DATE OF APPROVAL: 31.10.2023

SECTION B

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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).
- 1.2 The permit does not absolve the permit holder from complying with all other applicable laws, including but not limited to:
- (a) The National Environmental Management Act, 1998 (Act No.107 of 1998) (NEMA), and Regulations promulgated thereunder;
 - (b) The National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) (NEMBA) and Regulations promulgated thereunder;
 - (c) The National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003) (NEMPAA) and Regulations promulgated thereunder;
 - (d) The National Environmental Management: Integrated Coastal Management Act, 2008 (Act No.24 of 2008) (ICM Act) and Regulations promulgated thereunder;
 - (e) The Sea Birds and Seals Protection Act, 1973 (Act No. 46 of 1973) (SBSPA) and Regulations promulgated thereunder;
 - (f) The Fire Arms Controls Act, 2000 (Act No. 60 of 2000) (FACA) and regulations promulgated thereunder;
 - (g) The International Convention for the Prevention of Pollution from Ships Act, 1986 (Act No. 2 of 1986) (ICPPSA) and Regulations promulgated thereunder;
 - (h) South African Maritime Safety Authority Act, 1998 (Act 5 of 1998) (SAMSAA) and Regulations promulgated thereunder;
 - (i) 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) (NPAA) and the Regulations promulgated thereunder;
 - (n) The Companies Act, 2008 (Act No. 71 of 2008) (CA) and the Regulations promulgated thereunder; and

- (o) National Environmental Management Waste Act (Act No. 59 of 2008) (NEMWA) and the Regulations promulgated thereunder.

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

- (a) The general policy on the allocation and management of fishing rights; and
- (b) The policy for the allocation of commercial fishing rights in the Abalone fishery, as amended from time to time.

1.3 The Director: Inshore Fisheries Management shall be entitled to amend these Permit Conditions where necessary.

1.4 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 of the Permit Holder.

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 The Permit shall automatically expire and become invalid if :

- (a) the exemption is cancelled or revoked in terms of Section 81 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 quantum of abalone allocated to the Permit Holder is caught; or
- (e) the validity period in 2.1 expires.

3. FISHING AND RESTRICTED AREAS

3.1 The Permit Holder shall only harvest his, or her or its abalone allocation in the secondary zone as set out in Section A of the Permit and subject to condition 3.10 below.

3.2 The latitudes and longitudes of the secondary zones are indicated in Table 1 below.

Table 1: The latitudes and longitudes of the secondary zones

Secondary zones		Degree South	Minutes	Decimals	Degree East	Minutes	Decimals
A 1	Die Dam	34	45	795	19	41	413
	Buffeljagsbaai slip	34	44	740	19	36	207
A 2	Buffeljagsbaai slip	34	44	740	19	36	207
	Soetfontuin	34	42	299	19	33	143
A3	Soetfontuin	34	42	299	19	33	143
	Pearly beach	34	39	796	19	28	625
B1	Uilskraalmond to	34	36	320	19	24	506
	Danger Point	34	37	761	19	17	806
B 2	Danger Point (left side of office)	34	37	761	19	17	806
	De Kelders	34	32	863	19	22	386
C 1	De Kelders	34	32	863	19	22	386
	Hermanus harbour	34	26	002	19	13	496
	Onrus East side	34	25	191	19	10	664
C2	Onrus East side	34	25	191	19	10	664
	Hawston slip	34	24	141	19	07	310
D1	Kleinmond East side	34	20	603	19	02	429
	Betties Bay Beacon 4	34	22	380	18	56	200
D 2	Betties Bay Beacon 1	34	22	456	18	53	762
D3	Cape Hangklip (marker pole)	34	23	197	18	49	624
	<i>Steenbras River</i>						
E (Extended)	Sandvlei Mouth	34	06	211	18	28	336
(Extended)	Castle Rock	34	14	100	18	28	508
E 1	Cape Point lighthouse	34	21	400	18	29	880
	Chapmans Peak	34	04	580	18	21	290
E 2	Chapmans Peak	34	04	580	18	21	290
	Cape Town breakwater	33	53	855	18	26	082
E3	<i>Millers Point north</i>						
	<i>Muizenberg</i>						
F 1	Robben Island						
G 1	Cape Town breakwater	33	53	855	18	26	082
	Bokpunt (marker pole)	33	34	345	18	19	175
G 2	Dassen Island						

G 3	Bokpunt (marker pole)	33	34	345	18	19	175
	St Helena breakwater	32	44	500	18	01	213

- 3.3 If a vessel wishes to fish in more than one secondary zone on the same day, that vessel shall ensure that all abalone taken from one secondary zone are landed and recorded in terms of condition 10 below, prior to launching to fish in another secondary zone.
- 3.4 The Permit Holder shall not engage in fishing, harvesting, collecting or disturbing any abalone beyond two (2) nautical miles measured from the high-water mark in any secondary zone for which an allocation has been made.
- 3.5 The Permit Holder shall not undertake fishing of abalone in the area from the high water mark to 500 metres seawards measured from the low water mark between, as a northern limit a line (270° true bearing) drawn from the boundary fence of the Cape of Good Hope Nature Reserve at Schuster Bay, Scarborough, and as southern limit a line (270° true bearing), drawn from the point of Hoek van die Bobbejaan at Cape Point.
- 3.6 The Permit Holder shall not undertake fishing of abalone north of a line drawn from the lighthouse at Cape Point to the Lighthouse at Cape Hangklip with the exception of the Permit Holders permitted to harvest in Area E extended.
- 3.7 The Marine Protected Area (MPA) at Betty's Bay from Beacon B1 (34 22.450S 18 53.765E) to Beacon B4 (34 21.357S 18 56.240E) is closed to all abalone harvesting. No Permit Holder shall be permitted to enter this MPA for the purposes of diving for abalone and no Permit Holder's vessel shall be permitted within 200m of Betty's Bay MPA for the purposes of diving for abalone.
- 3.8 The Permit Holder shall not undertake fishing of abalone north in the area between the Eastern Boundary of the secondary zone D1 and Western Boundary of the secondary zone C2.

- 3.9 The Permit Holder shall not engage in fishing, collecting or disturbing any abalone within a distance of two (2) nautical miles from the high-water mark of Dyer Island, inclusive of “Clyde” kelp beds.
- 3.10 The Permit Holder shall not undertake fishing in restricted zones within MPAs, or any controlled zones where abalone fishing is not authorised or allowed, as stipulated in Section 48A of the NEMPAA or as specifically stipulated in the relevant MPA regulations.
- 3.11 Additional conditions when Fishing in secondary zone F1 (Robben Island):
- (a) Those Permit Holders who wish to utilise a vessel and/or divers other than the Permit Holder’s nominated vessel and/ or divers in secondary Zone F1, but which vessels and/ or divers are operational within the abalone sector, must submit the name of the vessel and a list of divers who will be diving from that vessel to the Department of Forestry Fisheries and the Environment (Department) submitted 24 hours prior to harvesting via email to KarenL@robben-island.org.za or Sabelom@robben-island.org.za
 - (b) The Permit Holder shall only utilise vessel(s) and diver(s) that have been nominated in its Permit or in terms of which notification has been given in terms of condition 3.9(a) to harvest within the secondary Zone F1 area, except where the Department provides a Permit Holder with prior written approval to use an alternative vessel(s) and/ or diver(s).
 - (c) The Department will approve a maximum of ten (10) Permit Holders per vessel in secondary Zone F1.
 - (d) No more than 10 vessels will be allowed in the secondary Zone F1 area at any given time.
 - (f) Permit Holders shall launch and land daily catches only at the Oceana Power Boat Club and Granger Bay.
 - (g) The Permit Holder must make his or her or its own arrangements to launch its boats and to land its catch at Oceana Power Boat Club and Granger Bay.

4. NOTIFICATIONS

- 4.1 The Permit Holder shall only launch his or her or its vessel after providing the relevant Fishery Control Officer (FCO) with full details of the vessel and diver(s), the time he or she or it expects to launch and the expected time of landing the catch.
- 4.2 The FCO must be notified by short message service (SMS) or mobile numbers in Table 2 below, before 16:00 on the day before diving. The notification must include at least the following information:
- the date when fishing will commence;
 - the estimated time of departure from the launching site to the abalone harvesting zone or secondary zone;
 - the estimated time of arrival at the landing site;
 - the zone and or secondary zone where fishing will take place;
 - the total allocation which remains for an Exemption Holder; and
 - the secondary zonal allocation remaining for an Exemption Holder.

Table 2: Fishery Control Office contact details

FISHERY CONTROL OFFICE	TELEPHONE NUMBER	FACSIMILE NUMBER	CELLPHONE NUMBER	CONTACT PERSON
Cape Town	(021) 402 3361 or (021) 402 3430	(021) 4023113	0664710766	Buyekezwa Polo
Gansbaai	(028) 384 0321	(028) 3841546	0826454795	Petrus Mersna
Hermanus	(028) 312 2609	(028) 3130502	0797875681	Mzwandile Grootboom
Kleinmond	(028) 271 5256	(028) 2714768	0844086159	Johan Fouche
Kalk Bay	(021) 788 8313	(021) 7881038	0827718890	Anel Nortier
Kommetjie	(021) 783 2295	(021) 7835853	0721954957	Dakalo Gadisi
Struis Bay	(028) 435 6220	(028) 4356383	0761996711	Tebogo Kekana
Saldanha	(022) 714 1710	(022) 7143997	0827718910	Wade Theron
Yzerfontein	(022) 451 2267 or (022) 451 2344	(022) 4512267	0837457092	Maungedzo Mapholi
St Helena Bay	(022) 736 1118 or (022) 736 1125	(022) 7361530	082 8293905	Willem Basson

- 4.3 Should the Permit Holder fail to launch, the FCO must be notified by 8:00 on the day of the intended diving.
- 4.4 Should the Permit Holder fail to reach the FCO on the above listed numbers, he or she or it must contact Customer Service Centre (CSC) at CSCenquiries@dffe.gov.za and or OPS room at 021 402 3076 or 021 402 3077 and be provided with an alternative number.
- 4.5 When fishing at Robben Island, the Permit Holder shall, in addition to the reporting required in paragraphs 4.1 to 4.3 above, also report by SMS to the FCO and report by an email to the Robben Island Harbour Master and inform them of the full details of the vessel(s) to be used, diver(s), the time he or she or it expects to launch and the expected time of landing the catch.

Table 3: Fishery Control Office and Robben Island Harbour contact details

OFFICE	TELEPHONE NUMBER (S)	NAMES & E-MAIL ADDRESS
Robben Island Harbour	Karen Lloyd 083 796 0880 Sabelo Madlala 073 442 1092	Karen Lloyd KarenL@robben-island.org.za Sabelo Madlala Sabelom@robben-island.org.za .
Cape Town	(021) 402 3361 or (021) 402 3430	

- 4.6 The email and telephone numbers may change and it is the responsibility of the Permit Holder to obtain the correct number(s) from the local FCO and Robben Island before commencing with fishing.

5. EFFORT LIMITATIONS AND GEAR RESTRICTIONS

- 5.1 The Permit Holder shall harvest abalone only on week days, excluding public holidays.
- 5.2 The Permit Holder shall launch his or her or its vessel after 07h00 and must land his or her or its catch before 16h00 on the same day.
- 5.3 The Permit Holder shall only utilise a “hookah system” (surface air supply) for the harvesting of abalone.
- 5.4 The Permit Holder shall only be allowed a maximum of two air-hoses of 60m in length, which are attached to the vessel indicated in the permit, when undertaking commercial fishing of abalone.
- 5.5 The number of persons, including Permit Holders, on board the vessel shall not exceed the number stated in the SAMSA Certificate.
- 5.6 Each vessel shall only be allowed a total of three (3) collecting or diving bags onboard. The collecting or diving bags shall be tagged, with a tag issued by the Department. No other type of bags shall be permitted onboard the vessel.
- 5.7 Sheets of material may be used to keep the abalone covered.

6. CATCH CONTROLS AND LIMITATIONS

The Permit Holder shall only harvest the amount of abalone allocated to him or her or it in terms of the Total Allowable Catch (TAC) allocated to him or her or it in this permit.

7. HANDLING OF OVER OR UNDER CATCHES AND PROHIBITED SPECIES

- 7.1 The Permit Holder may not overcatch or exceed his or her or its quantum allocation.
- 7.2 In the event that the Permit Holder exceeds his, her or its allocation above 20kg, the Department will institute legal proceedings (criminal, civil and/ or administrative proceedings) against the Permit Holder, which process may result in the Permit or

Exemption being cancelled and/or any new Exemption and/or permit not being issued. In addition, any amount more than the 20kg allowance will be deducted from the allocation of the Permit Holder in the next fishing season if such permit or exemption has not been revoked or cancelled.

7.3 The Permit Holder will not be allowed to export an overcatch which is above 20kg allowance of his or her or its allocation.

7.4 In the event that the allocation of the Permit Holder is discovered to have been under caught or uncaught, the Department will not consider any application for rollovers.

8. VESSELS SPECIFICATIONS

8.1 The Permit Holder shall when fishing or harvesting abalone, use a vessel that is not more than eight (8) metres in length, compliant with all the necessary requirements to conduct fishing as set out by the South African Maritime Safety Authority (SAMSA), fitted with an approved and functioning Vessel Monitoring System (VMS).

8.2 The Permit Holder shall not use –

- (a) an inflatable boat;
- (b) a semi-rigid inflatable boat; or
- (c) a vessel equipped with outboard motors of more than 90 hp each.

8.3 The Permit Holder shall affix the letter “H” on all vessel(s) used for the catching of abalone. The letter must at all times be clear, and legible, and the size of the letter "H" shall not be smaller than 20cm in height and 2cm in thickness and must be white on a black background.

8.4 The vessel name and area numbers must be clearly marked on the bow section of the vessel. All identification numbers and letters on the vessels must be 20cm in height and 2cm in thickness and must be white on a black background.

9. VESSEL MONITORING SYSTEM (VMS)

- 9.1 The Permit Holder's nominated fishing vessel shall be fitted with a functional VMS approved by the Chief Director: Monitoring, Control and Surveillance (CD: MCS).
- 9.2 It is the responsibility of the Permit Holder to ensure that the VMS is fully operational and that the VMS continues to transmit to the Department's Operations Room. The Permit Holder shall establish that the VMS unit is functional by contacting the Operations Room on telephone number (021) 402 3076 or (021) 402 3077 or VMSops@dffe.gov.za prior to launching or sailing.
- 9.3 The VMS shall report every 15 minutes. Should the power supply to the satellite-tracking system be interrupted or the equipment become non-functional (for whatever reason), and the problem persist for more than two hours, the vessel shall proceed to Port or landing site to have the VMS unit repaired.
- 9.4 In cases where VMS units are non-functional due to technical problems and such Permit Holder wishes to proceed to sea without a functional VMS unit, the Permit Holder shall obtain prior written permission from the Department's CD: MCS.
- 9.5 Only when written permission pursuant to condition 9.4 has been received from the CD: MCS shall the vessel be permitted to proceed to sea. The permission to operate without a functional VMS shall be kept on board 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 only launch his, her or its vessels at the following designated landing or launching sites:

Table 4: Abalone designated landing or launching sites

Landing or launching sites
Buffeljagsbaai slipway
Cape Town (Oceana Power Boat Club) slipway
Gansbaai harbour
Harbour Island (Gordon's Bay)

Hout Bay harbour
Kleinbaai slipway
Kleinmond slipway
Kommetjie slipway
Miller's Point slipway
Saldanha Bay harbour
St Helena Bay harbour
Witsands slipway
Yzerfontein harbour
Maasbaai slipway

- 10.2 The Permit Holder or authorised representative shall at all times be present on the vessel used to harvest abalone.
- 10.3 The Permit Holder shall only land the abalone in a whole state in the presence of a FCO or Marine Resource Monitor (MRM) at a designated landing or launching site from which he, she or it launched.
- 10.4 The Permit Holder shall ensure that all abalone landed is of legal size of 114mm shell breadth. Each vessel shall have a measuring gauge on board to ensure that all abalone landed is of a legal size.
- 10.5 The Permit Holder shall be deemed to have landed all the abalone once the vessel has been removed from the sea. All abalone must be weighed and recorded over the mass-meter situated at the landing or launching site. The Abalone or Perlemoen Statistics form must be fully completed, signed and the original form must be submitted to the FCO or MRM.
- 10.6 All catches must be weighed at the landing or launching site. No weight loss allowance for water loss will be allowed when the abalone is weighed at the landing site. The weight at the landing or launching site will be the recorded weight for the purposes of quantum control.
- 10.7 The onus is on the Permit Holder to ensure that the weights that are recorded at the landing site are correctly recorded on the Abalone or Perlemoen Statistics form (i.e. the weight of the holding bin was deducted).

10.8 The Permit Holder must ensure that only the diver(s) as indicated in the permit shall operate on the vessel and that such diver(s) shall at all times have proof of identification with him or her when harvesting abalone.

10.9 If there is more than one diver onboard the vessel, then the abalone caught by each diver must be separated on board the vessel, and must be weighed separately for each diver, and recorded as such on the Abalone or Perlemoen Statistics form.

11. SUBMISSION OF INFORMATION

11.1 The Permit Holder shall submit to the Department's Customer Service Centre, Ground Floor, Foretrust Building, Martin Hammerschlag Way, Foreshore, Cape Town or Private Bag X 2, Vlaeberg, 8018 the notification of any change of contact details within 30 days of such change by completing the application form available at the Customer Service Centre.

11.2 Catch Statistics:

- (a) The Permit Holder shall provide accurate details of catch and effort as required in the Abalone or Perlemoen Statistics forms. The form shall be signed by the Permit Holder or its authorised representative and the local FCO once all abalone have been weighed.
- (b) The Abalone or Perlemoen Statistics form shall clearly reflect the Permit Holder, the diver and shall be fully completed by the Permit Holder or authorised representative.
- (c) No amendment(s) on the Abalone or Perlemoen Statistics form whatsoever is permitted after it has been signed by the Permit Holder or authorised representative and the FCO.
- (d) A "NIL" return and the time spent without getting or harvesting or catching any abalone shall be submitted for every period where no fish has been landed as this information is important for calculation and analysis of Catch Per Unit Effort.
- (e) The properly completed and signed (original) Abalone or Perlemoen Statistics form or white landing slip shall be handed to the local FCO at the landing site.

- (f) The Permit Holder shall provide the first copy of all landing slips or the yellow landing slip to the nominated Fish Processing Establishment (FPE).

11.3 Socio-Economic Information:

The Permit Holder must provide any economic, socio-economic or financial information in the format as stipulated by the Department, when required by the Department.

12. RECORD KEEPING

12.1 The Permit Holder shall store at his or her or its registered place of business the original Permit issued to him or her or it over the duration of the exemption. The Permit Holder shall at all times have available a true certified copy of this permit on board the vessel utilised to harvest Abalone.

12.2 The Permit Holder shall keep the second copy of all landing slips or blue landing slip 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 shall pay the prescribed levies as stipulated in the Government Gazette (Gazette No.33518, dated 10 September 2010).

13.3 All levies, in arrears, shall be paid by the last working day of the month following the harvesting periods stated below:

- (a) 31 August 2023 (levy for 01 November 2022 – 31 July 2023).

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

13.5 A “NIL” return shall be submitted for every period where no fish has been landed.

- 13.6 It is the responsibility of the Permit Holder to ensure that levies are submitted as per Paragraph 13.1 above and that his or her or its account is also fully paid up.
- 13.7 The Department may refuse to issue fishing permits to Permit Holders who have any Levies or fees outstanding for a period in excess of 30 days, or may suspend the Permit Holder's fishing permit until all outstanding levies have been paid to the Department.
- 13.8 All declaration returns shall be submitted to the Directorate: Revenue Management via or email to revenue@dfre.gov.za or hand delivered to: Department of Forestry, Fisheries and the Environment, Branch: Fisheries Management, Customer Service Centre, Ground Floor, Foretrust Building, Martin Hammerschlag Way, Foreshore, Cape Town, 8001, or post to: Private Bag X 2, Vlaeberg, 8018. All enquiries related to levy accounts shall be directed to revenue@dfre.gov.za or telephone numbers: (021) 402 3472 or 021 402 3334.
- 13.9 The information required in paragraph 13.8 shall be submitted when paying levies to the cashier at the Department of Forestry, Fisheries and the Environment, 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:

Bank:	First National Bank
Branch code:	210651
Account name:	Marine Living Resources Fund Deposit Account
Account number:	62123256382
Deposit reference:	Kindly use the Customer (Party) number as a deposit reference.

- 13.10 Requests for statements and or receipts and or invoices should be directed to RMEnquiries@dfre.gov.za.

14. VIOLATIONS

- 14.1 A breach of the provisions of the MLRA, its regulations and or these Permit Conditions by the Permit Holder may result in the initiation of legal proceedings (which may include section 28 proceedings and/ or criminal proceedings).
- 14.2 The Permit Holder shall not land, sell, receive or process any fish taken by any means in contravention of the MLRA.
- 14.3 The Permit Holder shall not discard any waste material, garbage or pollutants into the sea or harbour or landing or 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.
- 14.4 The Permit Holder shall not trans-ship any fish whether at sea or at the landing or launching site.
- 14.5 The Permit Holder shall not simultaneously collect any other species or engage in the execution of any other fishing right/exemption, when undertaking commercial fishing of abalone in terms of this permit.
- 14.6 Failure to report any contravention of the provisions of the MLRA by a Permit Holder is a criminal offence and may result in the initiation of legal proceedings (which may include section 28 proceedings and or criminal proceedings). Any contravention shall immediately be reported via email to the Customer Service Centre at CSCenquiries@dffe.gov.za and thereafter shall be faxed as well to (021) 402 3113, for attention: The Chief Director: Monitoring, Control and Surveillance (MCS).
- 14.7 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 bodies and interest groups in terms of the MLRA and which are representative of Exemption Holders in this fishery.
- 15.2 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 or Private Bag X 2, Vlaeberg, 8018. The Customer Service Centre may be contacted on CSCenquiries@dffe.gov.za.
- 15.3 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.

16. OBSERVER PROGRAMME

- 16.1 The Permit Holder shall accommodate an observer on board the Permit Holder's nominated vessel when required to do so by the department or its agent.
- 16.2 The Permit Holder shall bear the costs of the observer deployment when required by the Department.
- 16.3 The Permit Holder shall allow the Observer unrestricted access to monitor fishing activity and compliance with permit conditions and all applicable laws.
- 16.4 Should the Department reasonably believe that an Observer is being prevented from carrying out his or her obligations in any way or threatened in any way while on board, the Department may implement proceeding under section 28 of the MLRA.

17. PROCESSING AND SALE OF FISH

- 17.1 The Permit Holder shall issue a receipt to the purchaser indicating the particulars of the FPE, Purchaser, Permit Holder, the whole mass of abalone sold, the number of abalone and the date of delivery, and a copy of this receipt shall be kept for a period of sixty (60) months at the registered place of business as indicated in the permit.

17.2 The Permit Holder shall ensure that it only makes use of a properly permitted Fish Processing Facility (FPE) which FPE also holds a Health Guarantee certificate issued by the National Regulator for Compulsory Specifications (NRCS).

18. TRANSFER OF FISHING RIGHTS

Not applicable to the abalone fishing sector which is currently being managed on exemption.

19. TRANSPORTATION OF FISH

19.1 The Permit Holder shall only load the harvested abalone onto the vehicle indicated in the transport permit after it has been weighed.

19.2 The Permit Holder shall only utilise an authorised vehicle that is clearly marked with the letter “H” on the front and or back of the vehicle, to launch and tow the nominated vessel and transport the harvested abalone.

19.3 The Permit Holder shall not transport abalone without being in possession of the following:

- (a) a valid abalone transport permit and
- (b) a duly completed Abalone or Perlemoen Statistics form in the Abalone or Perlemoen Statistics Book, signed by the Permit Holder and the FCO or MRM.

19.4 The Permit Holder shall transport and deliver abalone only to the FPE as stipulated in the permit in a whole state.

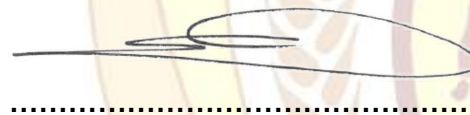
19.5 The Permit Holder shall deliver the abalone harvested to the FPE on the same day that it has been landed using the shortest main route between the landing site and the FPE.

19.6 The Permit Holder shall ensure that the abalone is not contaminated (for example by hydrocarbons) or exposed to excessive temperatures (not greater than 17°C) during transport by sea or road to an FPE.

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. This information shall include:

- (a) Data regarding transformation levels,
- (b) Sustainable fishing practices,
- (c) Data regarding investments made in the fishery and jobs created and sustained,
- (d) Data regarding compliance initiatives and
- (e) any other relevant information required by the Department.



.....
ODWA DUBULA
DIRECTOR: INSHORE FISHERIES MANAGEMENT
DATE: 31.10.2023