



SECTION C

Sector Specific
Permit Conditions:

Demersal Shark

These permit Conditions must be read with the Fishing Permit Conditions For: Hake; Sole, Horse Mackerel and Demersal Shark Sectors ("SECTION B") for 2023.

Fishing season: 2023.

DATE OF APPROVAL: 08 /12 /2022

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1. APPLICABLE POLICIES AND PERMIT CONDITIONS

- 1.1. This permit is issued subject to the provisions of the Policy for the Allocation and Management of Fishing Rights in the Demersal Shark Fishery: 2021 and the General Policy on the Allocation and Management of Fishing Rights: 2021.
- 1.2. This permit is issued subject to the further provisions of the following once finalised and/or promulgated;
 - 1.2.1. Demersal Shark Longline Fishery Manual (to be developed), and;
 - 1.2.2. National Plans of Action for the Conservation and Management of Sharks (NPOA-sharks) and Seabirds (NPOA-seabirds).
- 1.3. These permit Conditions must be read with the applicable Fishing Permit Conditions For: Hake; Sole; Horse Mackerel and Demersal Shark Sectors ("SECTION B") for 2023.

2. FISHING AND RESTRICTED AREAS

- 2.1. No fishing shall take place east of a line drawn due south of East London Harbour (27°55' E).
- 2.2. No fishing may take place in the Marine Protected Areas as proclaimed in the Government Gazette No. 42478 dated 23 May 2019.
- 2.3. Fishing and/or the removal or disturbance of any marine life in the National Parks is prohibited. Fishing in other marine and estuarine areas controlled by the South African National Parks, is subject to regulations promulgated under the National Parks Act, 1976 (Act No. 57 of 1976) as amended.
- 2.4. No person shall use any fishing equipment within the Bird Island Marine Protected Area, a rectangle around Bird Island in Algoa Bay defined by the latitudes 33°48'0S and 33°52'0S and the longitudes 026°14'5E and 026°20'0E.

2.5. During the period 1 September to 31 December, no fishing shall take place within the quadrilateral described by lines joining the following four points:—

- A: 34°48'S 024°00'E;
- B: 34°38'S 025°00'E;
- C: 34°44'S 025°00'E; and
- D: 34°57'S 024°00'E.

3. EFFORT LIMITATIONS AND GEAR RESTRICTIONS

3.1. When longline fishing at night, only the minimum ship's lights necessary for safety shall be used. All deck lights should be shaded in such a way that the beam is directed down towards the deck.

3.2. Dumping of offal must be minimised and must take place only on the opposite side of the vessel from that on which lines are hauled. Where possible, vessels must be fitted with a mechanism (e.g. a chute or conveyor belt) to convey and dump offal. No dumping of offal may take place during setting.

3.3. Fishing operations shall be conducted in such a way that hooklines (defined as the groundline or mainline to which the baited hooks are attached by snoods) sink beyond the reach of seabirds as soon as possible after they are put in the water. Specifications of the line weighting adopted by CCAMLR serve as a guideline for achieving the desired sink rate.

3.3.1. Vessels using autoline systems should add weights to the hookline or use integrated weight hooklines while deploying longlines. Integrated weight (IW) longlines of a minimum of 50 g/m or attachment to non-IW longlines of 5 kg weights at 50 to 60 m intervals are recommended; and

3.3.2. Vessels using the Spanish method of longline fishing (double line) should release weights before line tension occurs. Weights of at least 8.5 kg mass, spaced at intervals of no more than 40 m, or weights of at least 6 kg mass spaced at intervals of no more than 20 m are recommended.

3.4 The Permit Holder must ensure that the vessel has bird-scaring lines (tori lines) onboard. The bird-scaring line/s shall be deployed during longline setting to deter birds from approaching the hookline. Specifications of the bird-scaring line and its method of deployment are given below:

3.4.1 A bird-scaring line must achieve at least 150 m aerial coverage. It must therefore be attached to the vessel at least 7 m above sea level, be at least 150 m long, have at least 28 paired streamers spaced 5 m apart (starting 10 m astern the vessel) and have sufficient drag (e.g., buoy, road cone or sea-anchor).

Streamers (minimum requirement):

6 pairs of 4m

6 pairs of 3m

8 pairs of 2m

8 pairs of 1m i.e. a total of 28 pairs of streamers

3.4.2 The bird-scaring line must be deployed on the windward side of the main line, unless two streamers are used, in which case they must be deployed on either side of the main line (See Annexure A for more information on improving the effectiveness of bird-scaring lines).

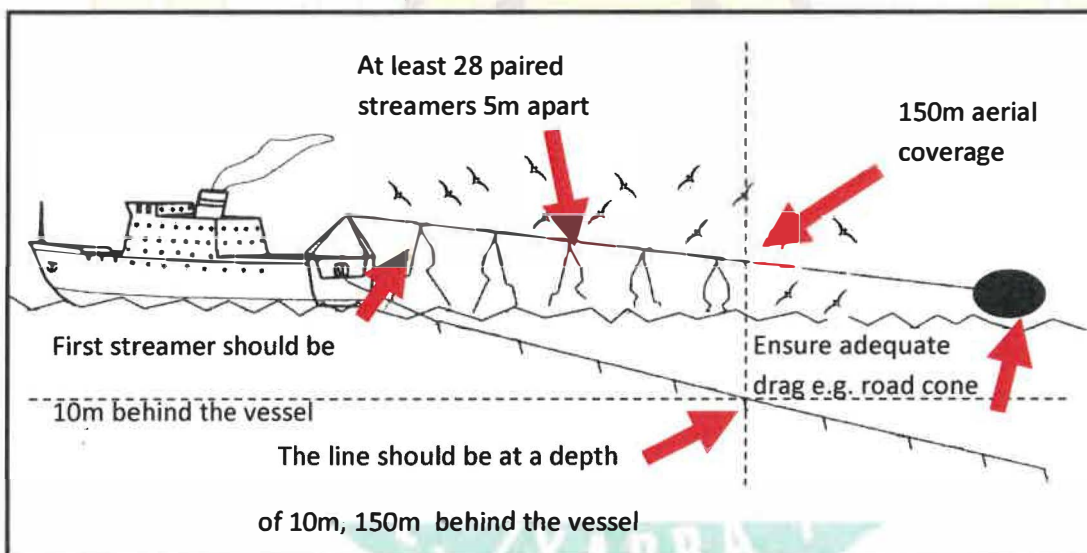


Figure 1: Bird-scaring line and longline sink rate specifications

- 3.5 All banded birds killed must be retained whole (frozen or on ice) and returned to port. Other birds killed must be retained, either whole (preferable) or heads and feet (the heads and feet from each bird to be tied together) and returned to port. On landing the birds must be handed over to the Fishery Control Officer. Information contained on bands recovered from seabirds must be reported to: **Central Data Bank for Antarctic Bird Banding, SAFRING, University of Cape Town, Rondebosch, 7701, South Africa; or faxed to: 021 689 7578.**
- 3.6 No fishing hooks, fishing line or plastics may be discarded. All fishing hooks must be removed from offal before the offal is dumped. All fishing hooks must be removed from discards, save where the removal of hooks from live discards may endanger the safety of the crew or be detrimental to the survival of the animal.
- 3.7 Discarding of any long lining gear at sea is prohibited and Permit Holders must attempt to recover all long line gear lost during fishing operations at sea.
- 3.8 All live seabirds and turtles caught must be released and where possible the hooks must be removed before release. See Annexure A for information on the correct procedure to use a de-hooking device and for guidelines on the handling of sea birds and turtles.
- 3.9 Fishing gear lost at sea must be documented and the navigational position of the lost gear recorded in the Fishing logbook provided by the Department

4. CATCH CONTROLS AND LIMITATIONS

- 4.1. Whilst operating in terms of the provisions of this permit, the Permit Holder shall:
- 4.1.1. not utilise or exercise any other fishing rights, permit or exemption in any other sector on the vessel while conducting demersal shark fishing;
- 4.1.2. target only the following species:
- soufín (*Galeorhinus galeus*)
 - smooth-hound sharks (*Mustelus* spp.)
 - spiny dogfish (*Squalus* spp)
 - St. Joseph sharks (*Callorhynchus capensis*)

e) *Carcharhinus* spp. (but see **paragraph 5.1**)

4.1.3. not target the following species but if caught can also be landed:

- a) Cape gunards (*Chelidonichthys capensis*)
- b) Jacopever (*Helicolenus dactylopterus*)
- c) Smooth Hammerhead (*Sphyrna zygaena*)
- d) Rays and skates

4.1.4. Utilize only bottom-set longline gear, which will be the only fishing gear permitted on board the vessel.

4.2. The target species list may be revised annually by the Traditional Linefish Scientific Working Group.

4.3. The use of stainless-steel hooks is prohibited.

4.4. Shark finning, i.e., the removal of fins and the discarding of the trunks at sea, is prohibited. If the fins are not attached to the trunks when landed then the fin-weight to (trunk) dressed-weight ratio shall not exceed 8%.

4.5. The vessel shall not have any sharks or shark products on board prior to the commencement of a fishing trip.

5. NON COMMERCIAL SPECIES AND BY-CATCHES

5.1 The targeting of bull sharks (*Carcharhinus leucas*), hammerhead sharks (*Sphyrna zygaena*, *S. lewini* and *S. mokarran*), tresher sharks (*Alopias vulpinus*, *A. superciliosus*, *A. pelagicus*), oceanic white-tip (*Carcharhinus longimanus*) and sevengill sharks (*Notorynchus cepedianus*) is prohibited.

5.2 Turtle, seabird and linefish by-catch may be a problem but the extent of this problem and the solutions thereof can only be determined through an Observer programme. Hence, a dedicated Observer programme is essential for the Demersal Shark Longline fishery.

- 5.3 No sharks of the genus *Poroderma* or *Haploblepharus* or any oceanic sharks (i.e., mako, blue, oceanic white-tip, thresher, and hammerhead) are permitted to be caught or used as bait.
- 5.4 Ragged-tooth sharks, great white sharks and sawfishes are protected species and are not permitted to be caught.
- 5.5 All fish of the Class Osteichthyes are prohibited with the exceptions of hake and kingklip. A precautionary catch limit of 2% for hake and kingklip combined as by-catch per landing. This limit will be reviewed annually. These limits on hake and kingklip shall not apply if an Observer has been onboard the vessel to collect all the bycatch information.
- 5.6 Should the Permit Holder inadvertently exceed its per trip by-catch allowance (as specified in **paragraph 5.5**), the vessel must notify the Department (**Excess Catch**) the local Fishery Control Officer (**Table 1**) in writing (with reasons for such over-catch) at least 24 hours prior to landing. The Department may then seize the excess catch and, will not initiate further legal sanctions against the Permit Holder provided that such excess catches do not occur on a frequent basis. Failure to notify the Department timeously may result in legal action against the Permit Holder.
- 5.7 The greatest care shall be taken to release any protected or prohibited species alive (**Annexure A**).
- 5.8 Dead prohibited specimens and excess by-catch must be retained whole and declared to the Fishery Control Officer where the catch will be landed at least 24 (twenty-four) hours prior to landing of the catch. Dead specimen and excess by-catch must be handed over to the Fishery Control Officer who will dispose of this fish in the prescribed manner. Failure to adhere to the provision of this condition will lead to legal proceedings.
- 6. HANDLING OF OVER/UNDER CATCHES AND PROHIBITED SPECIES**
- 6.1 The Department will confiscate the unauthorised fish, gear, equipment or vehicles, as the case may be.
- 6.2 The Permit Holder may harvest only the amount of fish allocated to it in terms of the total applied effort ("TAE") allocated to it under Section A ("The Permit").

7. **LANDING OF FISH**

- 7.1 The Permit Holder shall confirm the time of landing 2 hours prior to the intended time of berthing.
- 7.2 Discharging may take place in the week and over weekends and public holidays between 08:00-16:00 in the presence of a Fishery Control Officer or Marine Resource Monitor. Discharging after hours or on weekends and public holidays is subject to the availability of Fishery Control Officers or Marine Resource Monitors and would be the responsibility of the Permit Holder to co-ordinate with the relevant offices (**Table 1**).
- 7.3 The Permit Holder shall ensure that all fish (including by-catch) is discharged from the vessel in accordance with reasonable instructions of the Fishery Control Officer. The fish and/or fish products must be weighed by species within 24 hours of discharge.
- 7.4 The Permit Holder shall ensure that all catch is offloaded at an approved processing facility with a valid Fish Processing Establishment Permit.
- 7.5 All sharks, and shark fins caught on one fishing trip shall be discharged together and weighed.
- 7.6 The Permit Holder must ensure that on receipt of the fish and/or fish products by the processing facility all fish are counted, weighed and sorted by species, product type and size by the processing facility store and a copy of the Goods Received Voucher must reflect the landing classification. A record of all documents should be retained by both the Right Holder and the Processing Facility and copies of which should be submitted to the Department.
- 7.7 No Permit Holder shall discharge fish until it has notified the Department as stipulated above and approval is obtained from the Department to proceed.

Table 1: Designated landing sites for the landing of catches made by Permit Holders

Designated Landing Sites	Addresses for FCO Offices	Fishery Control Office
Cape Town Harbour	Fisheries Fore Trust Building Cape Town	Tel: 021 402 3430/3361 Fax: 021 402 3367 Cell: 073 323 2364 E-Mail Address: BMamaila@dffe.gov.za
Hout Bay Harbour	Harbour Road Fisheries Office Hout Bay	Fax 021 790 2808 Cell: 082 829 3918 E-Mail Address: MSylvester@dffe.gov.za
Mossel Bay Harbour	104 Plaza Aquada Marsh Street Mossel Bay	Tel: 044 691 0096 Fax: 044 691 1617 Cell: 084 404 6483 E-Mail Address: HOctober@dffe.gov.za
Plettenberg Bay	Fisheries Offices Central Beach Plettenberg Bay	Tel: 044 382 1938 Fax: 044 382 6567 Cell: 084 404 6483 E-Mail Address: HOctober@dffe.gov.za
Port St Francis	St Francis Harbour Port St Francis	Tel: 042 293 1757 Fax: 042 293 2968 Cell: 084 607 1783 E-Mail Address: MtMaziko@dffe.gov.za
Saldanha Bay harbour	Saldanha Bay Harbour President Street Saldanha Bay Harbour	Tel: 022 714 1710 Fax: 022 714 3997 Cell: 082 771 8910 E-Mail Address: WTheron@dffe.gov.za
St Helena Bay	Sandy Point Harbour St Helena Bay	Tel: 022 736 1188/1125 Fax: 022 736 1530 Cell: 078 714 7422 E-Mail Address: WBasson@dffe.gov.za
Gansbaai Harbour	Gansbaai Harbour Office	Tel: 028 313 2703 Fax: 028 384 1546 Cell: 067 843 8175 E-mail: LErasmus@dffe.gov.za
Qgeberha Harbour	21 Stanley Street Central Ggeberha	Tel: 041 586 4051 Fax: 041 585 0385 Cell: 082 771 8906 E-Mail Address: DMostert@dffe.gov.za

8. **SUBMISSION OF INFORMATION**

- 8.1. A log of each daily catch must be record on the stipulated **Longline Daily Logsheet (HK/LL 1)** in the Longline logbook, and must be signed by the Skipper.
- 8.2. A **Landing Declaration Sheet (LLF/4)** must be completed when the catch is landed. The Landing Declaration Sheet must be signed by the Right Holder (or authorised representative) and by the local Fishery Control Officer or Fisheries Monitor before any authorization will be given to discharge.
- 8.3. The Landing Declaration Sheet must state to which factory/processor the catch is to be delivered, and if it is split, the landing sheet must be endorsed to this effect.
- 8.4. The duly completed and signed Longline Daily Logsheets and Landing Declaration Sheet must be submitted to the Department either by hand or by registered mail (**Demersal Shark Longline Catch Statistics**) to reach the Department before the 15th of the following month. If the Permit Holder has not fished for a particular month then a nil catch return must be submitted to the Department before the 15th of the following month.

9. **SLOT LIMITS**

- 9.1. The Right Holder shall only capture and land the soupfin sharks, smoothhound sharks and requiem sharks (*Carcharhinus* species) within the slot limits from 70 cm to 130 cm total length (TL).
- 9.2. All sharks (including Skates and Chimaeras) must be landed with heads and fins naturally attached in their bodies to allow for monitoring of the size limits as stipulated in the permit condition 9.1 above.
- 9.3. The vessel shall not have any sharks or shark products on board prior to the commencement of a fishing trip.
- 9.4. All sharks (“soupfin sharks, smoothhound sharks and requiem sharks (*Carcharhinus* species)”) below or above the mandatory slot limits must be released, with release and

release condition recorded on logbook. Prohibited sharks mortally wounded during fishing operations must be declared in logbook, landed and handed over to Fisheries Control Officers during offload in an unprocessed state.

9.5. The Right Holder shall follow the best practice for shark release as set below:

9.5.1 for sharks above the slot limit (big sharks): Bring the shark to the side of the vessel as quickly as possible. Avoid taking the shark out of the water while releasing it from the line. Cut the line as close to the hook as possible.

9.5.2 for sharks below the slot limit (small sharks): Bring the shark to the side of the vessel as quickly as possible. Keep the line under tension to avoid entanglement. Handle animal as little as possible, avoid contact with eyes and gills, and preferably handle with wet hands/gloves. Support the weight of the animal if removed from the water, and do not hold by its tail. Cut the line as close to the hook as possible if the barb of hook is not visible, or if handling the hook is unsafe. If correctly hooked, and removal of the hook is safe and the barb is visible, cut the line and remove hook in the direction of the tip.

10. **OBSERVER PROGRAMME**

10.1. The Department require each Right holder to carry one or more Fisheries Observer on board its vessel on their fishing trip at least on a minimum of 10% observer coverage per annum.

10.2. The Right Holder shall bear the costs of the Fisheries Observer deployment.

10.3. Fisheries Observers should be an employees of registered and accredited Fisheries Observer company and shall provide the Observer service in line with Departmental requirements. This is to ensure that there is basic scientific data collection requirements are met.

10.4. The Observer shall be fully accommodated on board the vessel and provided with food and facilities of a level accorded to officers.

- 10.5. The Observer shall be responsible to verify fisheries data or as otherwise directed by the Department. The information collected by the observer shall be standardized to the Department's requirements. The Observer shall monitor all fishing operations and shall record any transgressions of the Marine Living Resources Act ("MLRA").
- 10.6. The Permit Holder shall, when requested, allow for land-based sampling of catches for scientific purposes by persons authorized by the Department or allow sampling at sea by Observers as requested by the Department.
- 10.7. Observers on board shall bring back whole specimens of seabirds and prohibited species mortally injured during fishing operations.
- 10.8. Alternative to the deployment of the Fisheries Observer, rights holders are encouraged to use an Electronic Monitoring System in consultation with the Department.

SIGNATURE: *Re*

DIRECTOR: OFFSHORE & HIGH SEAS FISHERIES MANAGEMENT

DATE: 08 / 12 / 2022

ANNEXURE A

Improving the effectiveness of a bird-scaring line:

Maximising aerial coverage: The key to an effective bird-scaring line is maximising the portion of the line that is in the air. The best way to achieve this is to make the point of attachment on the vessel as high as possible. 7 m above sea level should be considered a minimum. On small vessels where a high attachment point is not accessible, an outrigger pole can be mounted to provide this height. The aerial coverage is also improved by attaching an item e.g. a buoy which creates drag to lift the line out of the water.

The importance of streamers: Streamers can be made from plastic strapping or PVC tubing. They should be a bright colour, preferably red. Streamers should be placed every 5 m along the entire aerial section of the line. The erratic movement of the streamers increases its efficacy. Attaching light sticks to streamers may increase the efficacy of the bird-scaring line when setting at night.

Adjusting the bird-scaring line: Once a bird-scaring line is operating at its full height a “lazy line” attached and tied off at a convenient point on the stern allows the bird-scaring line to be quickly retrieved. This is particularly important if the line gets snagged as it can be quickly pulled down, unclipped and clipped onto the backbone, allowing the vessel to continue setting. The bird-scaring line can then be retrieved during hauling. The lazy line also allows the bird-scaring line to be adjusted according to wind conditions. To be effective a bird-scaring line should be over the point where gear enters the water. By tying the “lazy line” on the windward side of the vessel, it can be effectively used to adjust the bird-scaring line so that it is positioned directly over the gear.

Ease of use: It is important that the bird-scaring line is easy to use. To save space it can be stored in a plastic hose reel or in a fish bin. It is important that the line does not foul the gear being set. To prevent this from happening floats and mid-buoys should be thrown downwind so that they do not float back onto the bird-scaring line. Altering the course slightly when radio buoys are thrown into the water may also prevent them from becoming snagged.

Seabirds release procedures

1. Carefully lift the bird aboard, preferably using a net, or by holding the bill, wing tips and body – never pull the bird up with the line. Once aboard, keep hold of the bill and carefully fold the wings into the body.
2. Hold the bird securely, without squeezing.
3. Hooks can then be extracted easily from wings, legs or bill tips using bolt cutters to remove the barb.
4. If an albatross has swallowed a hook, and its position can be found, the following procedure is recommended, but must only be attempted by trained people with access to the correct equipment: Reach down the bird's throat, grasp the hook and gently push it so it bulges under the skin. Make a small cut to allow the hook to pass through. Cut the barb

off the hook and remove it. Never try to remove the hook with the barb. **If you cannot remove the hook, cut the line as short as possible and let the bird go.**

5. When releasing a bird, allow it to move away from the vessel before proceeding with fishing operations.

Turtle release procedures

1. Discarding of any long lining gear at sea is prohibited and Permit Holders must attempt to recover all long line gear lost during fishing operations at sea.
2. All turtles alive on the line should be treated correctly to improve their chances of post release survival.
3. If the turtle is too large to bring on board, manoeuvre the boat as close to the turtle as possible, avoiding putting too much strain on the line. If the turtle is hooked and the barb visible, use a long handled de-hooker to remove the hook. Otherwise, cut the line as close to the turtle as possible and remove any entangling line. Let the turtle swim away from the vessel before continuing fishing operations.
4. If the turtle is small enough to be safely handled, use a net to bring it on board. Avoid pulling on the line.
5. A tyre is useful to demobilise the turtle once on board.
6. If the hook has been swallowed, or is in the mouth, place a gag in its mouth so it cannot bite.
7. If the turtle is hooked in its mouth use bolt cutters, or a de-hooker to remove the hook.
8. If the turtle is hooked in its throat and the barb is visible, use a de-hooker.
9. If the turtle is deeply hooked and the barb is not visible, remove as much of the line as possible, without pulling on it.
10. Keep the turtle on board in a cool location to recover.
11. Gently release the animal headfirst, ensuring the water is clear of fishing gear and the boat is stationary

How to use a de-hooker:

- Thread the line through the eye of the de-hooker.
- Keeping the line taught, push the de-hooker down the turtle's throat until it reaches the hook.
- A sharp downward movement will dislodge the hook.
- Turn the handle 45° and slowly remove the de-hooker.

De-hookers and instructions can be obtained from www.dehooker4arc.com.