



# SECTION B

## Permit Conditions: Commercial Export of Wild Captured Fish and Fish Products

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2023/2024

DATE OF APPROVAL: 08 /12 /2022

## TABLE OF CONTENTS

1.	GENERAL.....	3
2.	VALIDITY OF THE PERMIT .....	4
3.	SUBMISSION OF INFORMATION .....	4
4.	DOCUMENTATION TO BE RETAINED BY THE PERMIT HOLDER.....	5
5.	DOCUMENTATION REQUIRED TO ACCOMPANY THE EXPORT OF FISH AND FISH PRODUCTS .....	6
6.	IDENTIFICATION OF FISH/FISH PRODUCTS TO BE EXPORTED .....	7
7.	OTHER.....	7
8.	TRANSPORTATION OF FISH AND FISH PRODUCTS TO BE EXPORTED .....	7
9.	EXPORTS TO EUROPEAN UNION.....	7
10.	EXPORT NOTIFICATION .....	8
11.	CONTRAVENTION OF THE PERMIT CONDITIONS .....	9

**1. GENERAL**

- 1.1. Section A (“the permit”) is issued under the provisions of the Marine Living Resources Act, 1998 (Act No. 18 of 1998) (“the MLRA”) and the Regulations promulgated thereunder.
- 1.2. The Chief Director: Marine Resources Management, Director: Inshore Fisheries Management, Director: Offshore & High Seas Fisheries Management, Director: Small-Scale Fisheries Management, Chief Director: Aquaculture & Economic Development and Director: Sustainable Aquaculture Management shall be entitled to amend these permit conditions where necessary.
- 1.3. A breach of the provisions of the MLRA or these Permit Conditions by the Permit Holder, or its employees whether permanent or temporary, its contractors agents or advisers may result in the initiation of legal proceedings (which may include Section 28 proceedings and/or criminal proceedings). A breach includes, but is not limited to:
  - (a) furnishing false information to the Department of Forestry, Fisheries and the Environment (‘the Department’);
  - (b) contravening or failure to comply with a Permit Condition imposed;
  - (c) contravening or failure to comply with a provision of the MLRA; and or
  - (d) being convicted of an offence in terms of the MLRA; or
- 1.4. The Permit Holder is obliged to report to the Minister any contravention of the provisions of the MLRA by any other person. Any such contravention must be reported to the Department in writing and should be faxed to the (021 402 3663) for attention Chief Director: Monitoring, Control & Surveillance.
- 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 (“the Permit Holder”) its employees whether permanent or temporary, its contractors, agents (Clearing Agents) or advisors.
- 1.6. Any wild captured fish or fish products that are deemed for export in Section A shall be covered by the permit and permit conditions.

## 2. VALIDITY OF THE PERMIT

- 2.1. This permit shall be valid for the period indicated in Section A of the Permit (“the Permit”).
- 2.1 The Permit shall automatically expire and become invalid if:
- (a) the Permit is revoked or cancelled in terms of Section 28 of the MLRA;
  - (b) the fish or fish product that is permitted to be exported is exported; or
  - (c) the validity period in 2.1 expires.

## 3. SUBMISSION OF INFORMATION

- 3.1. The Permit Holder shall submit the following information by the 15<sup>th</sup> of the month following the month in which the export was made except in the case of first time exporters.
- (a) Completed electronic monthly export summaries must be e-mailed to ImportExport@dffe.gov.za. The electronic formats can be obtained from the relevant DFFE officials listed in 3.2 or it may be obtained from the DFFE website (www.environment.gov.za).
  - (b) The electronic monthly export summary file must be saved in the companies’ abbreviated name; month and year e.g., Marine Exports submitting data in January 2014 would save the file name as follows ME012014.
  - (c) The export summary shall only contain the previous month information.
  - (d) Annexure A (must be stamped by SARS) for all abalone exports and shall be provided to the relevant DFFE official in paragraph 3.2.
- 3.2. Queries pertaining to the information requested in paragraph 3.1 (a) to (d) shall be directed to the relevant DFFE official responsible for the particular species being exported:

Species to be exported	DFFE Official	E-mail Address	Tel No
Hake, kingklip, sole, monk, demersal sharks, horse mackerel and other trawl caught species	Ms Regina Dyasi	MDyasi@dffe.gov.za	021 402 3042
	Mr Mandisile Mqoqi	MMqoqi@dffe.gov.za	021 402 3342
Tuna, billfish, pelagic sharks, Patagonian toothfish, anchovy, sardine,	Ms Vatiswa Ngqumba Or	VNgqumba@dffe.gov.za	021 402 3216



redeye and other purse seine by-catch	Mr Aphiwe Nonkeneza	<a href="mailto:ANonkeneza@dffe.gov.za">ANonkeneza@dffe.gov.za</a>	021 402 3026
	Mr Qayiso Mketsu	<a href="mailto:QMketsu@dffe.gov.za">QMketsu@dffe.gov.za</a>	021 402 3048
	Mr Johannes De Goede	<a href="mailto:JDeGoede@dffe.gov.za">JDeGoede@dffe.gov.za</a>	021 402 3683 022 714 1880
Prawns, crabs and shrimps	Heidie Coetzee	<a href="mailto:HCoetzee@dffe.gov.za">HCoetzee@dffe.gov.za</a>	021 402 3091
Linefish, netfish, and squid	Mr Benjamin Mdledle	<a href="mailto:BMdledle@dffe.gov.za">BMdledle@dffe.gov.za</a>	021 402 3570
	Ms Siphokazi Mayalo	<a href="mailto:SMayalo@dffe.gov.za">SMayalo@dffe.gov.za</a>	021 402 3460
	Ms Bernacia Mullins	<a href="mailto:BMullins@dffe.gov.za">BMullins@dffe.gov.za</a>	021 402 3577
Seaweed, mussels and other small invertebrates	Mr Odwa Dubula	<a href="mailto:ODubula@dffe.gov.za">ODubula@dffe.gov.za</a>	021 402 3680
	Ms Busisiwe Ntola	<a href="mailto:BNtola@dffe.gov.za">BNtola@dffe.gov.za</a>	021 402 3008

3.3. The renewal of an export permit will only be considered if all requested information in paragraph 3.1 has been submitted.

3.4. The Permit Holder shall provide, on request, any economic, socio-economic or financial information in the format as requested by the Department

#### 4. DOCUMENTATION TO BE RETAINED BY THE PERMIT HOLDER

4.1. The Permit Holder shall retain copies of the following documentation relating to each export of fish and fish products and shall make these available to the Department on request:

- (a) Waybills or bills of lading or delivery note;
- (b) Customs declarations (DA550, SAD:500) and F178 (where applicable);
- (c) Original Export permits and or certified copies of export permits;
- (d) National Regulator for Compulsory Specifications (NRCS) and Health Certificates (where applicable);
- (e) Invoices reflecting the full details of the seller of the fish and fish products to the Permit Holder for export, including the address and contact details, the date of delivery of fish/fish products to the Permit Holder, the quantity and/or mass of the fish or fish products sold;
- (f) Certificate of Origin (where applicable);
- (g) Annexure A of the permit for abalone exports.

4.2. The Permit Holder shall retain the abovementioned documentation for a period of not less than five years (60 months).

**5. DOCUMENTATION REQUIRED TO ACCOMPANY THE EXPORT OF FISH AND FISH PRODUCTS**

5.1. The following documentation must accompany each consignment of fresh chilled fish and fresh chilled fish products exported or deemed to be exported:

- (a) The certified copies of the original export permit(s);
- (b) Waybill or delivery note or dispatch note.

5.2. Fish or fish products deemed for export should be properly labeled to be clearly identifiable;

- (a) Date;
- (b) Product to be exported;
- (c) Quantity in kilograms;
- (d) Waybill number; (not applicable to frozen fish and fish products) and
- (e) Company exporting the product.

5.3. In the case of abalone the attachment of the export document must be completed for each consignment of fish and fish products and stamped by South African Revenue Services (Customs) (Annexure A).

5.4. In the case of swordfish, bigeye tuna, southern bluefin tuna, Patagonian Toothfish, and Antarctic Toothfish validated trade documents (e.g. statistical documents, such as catch monitoring forms and catch tagging forms) must be sent to the importing country. These documents shall only be validated by DFFE officials for South African product. Enquiries in this regard can be addressed to Mr. Aphiwe Nonkeneza (Tel: 021 402 3026; ANonkeneza@dffe.gov.za) or Mr. Johannes de Goede (Tel: 021 402 3683 or 022 714 1880; JDeGoede@dffe.gov.za).

**6. IDENTIFICATION OF FISH/FISH PRODUCTS TO BE EXPORTED**

- 6.1. The Permit Holder shall in all export documentation properly identify any fish and fish products by its common name and/or species names and in accordance with the South African Revenue Services, Customs and Excise Code.

**7. OTHER**

- 7.1. The Permit Holder may only receive fish for export if received from a person or entity who is the holder of a valid commercial fishing right or Fish Processing Establishing right issued in terms of Section 18(1) of the MLRA, and a permit issued in terms of Section 13 or 83 or an exemption in terms of section 81 of the MLRA to harvest such fish and fish products, or is in possession of a valid import permit in terms of Regulation 27(e) of the MLRA. No fish or fish products may be exported under the auspices of a recreational fishing permit.

**8. TRANSPORTATION OF FISH AND FISH PRODUCTS TO BE EXPORTED**

- 8.1. The Permit Holder must be in possession of a certified copy of the permit when transporting fish and fish products to be exported from the Fish Processing Establishment to the point of export.

**9. EXPORTS TO EUROPEAN UNION**

- 9.1. All requests for EU Catch Certificates must be submitted through the online system using the link <https://www.catchcertificate.co.za>.
- 9.2. Once a Certificate has been created, Exporters are to transmit the Certificate electronically as issued by the Electronic System to the importing Entity in the European Union.
- 9.3. Verification of catch certificates– once new license information has been added on the system, kindly contact your respective Fisheries Manager informing him/her of such change in information.

CONTACT PERSON	CONTACT DETAILS	
	Tel and/ Cell	Email
<b>DEMERSAL FISHERIES MANAGEMENT</b>		
Mandisile Mqoqi	021 402 3342 / 084 607 2921	MMqoqi@dfef.gov.za
Regina Dyasi	021 402 2042 / 083 390 4010	RDyasi@dffe.gov.za
<b>PELAGICS &amp; HIGH SEAS FISHERIES MANAGEMENT</b>		
Johan De Goede	021 402 3683 / 083 461 4522	JDeGoede@dffe.gov.za
Aphiwe Nonkeneza	021 402 3026	ANonkeneza@dffe.gov.za
Qayiso Mketsu	021 402 3048 / 083 655 1550	QMketsu@dffe.gov.za
<b>LINE &amp; NET FISHERIES MANAGEMENT</b>		
Benjamin Mdledle	021 402 3570	BMdledle@dffe.gov.za
Siphokazi Mayalo	021 402 3460 / 083 208 9383	SMayalo@dffe.gov.za
<b>LARGE CRUSTACEAN FISHERIES MANAGEMENT</b>		
Heidie Coetzee	021 402 3091	HCoetzee@dffe.gov.za
<b>SMALL INVERTEBRATES &amp; SEAWEED MANAGEMENT</b>		
Odwa Dubula	021 402 3680 / 072 276 5170	ODubula@dffe.gov.za
Busisiwe Ntola	021 402 3008	BNtola@dffe.gov.za

## 10. EXPORT NOTIFICATION

10.1. Prior to each Export in terms of this Permit, the Permit Holder or its Representatives shall notify the Department via e-mail to Exports@dffe.gov.za of such export taking place. The notification shall be submitted 12 hours prior to the export and shall include the following information:

- (a) Date;
- (b) Port of Exit;
- (c) Permit Holder;
- (d) Permit Number;
- (e) Product to be exported (e.g. Snoek, Rock Lobster, Hake, etc);
- (f) Product type (Fresh, Canned, Frozen, Dried, etc.);
- (g) Kilograms to be exported;
- (h) Balance of kilograms remaining on the permit;
- (i) Supplier;
- (j) Consignee address; and



(k) Clearing Agent Name & Contact Details (Cell and e-mail).

10.2. The subject of the e-mail should be: Export: Permit Holders Name.

10.3. Should the information provided on the notification change then a subsequent final notification reflecting the amendments shall be sent 4 hours prior to the product being exported.

**11. CONTRAVENTION OF THE PERMIT CONDITIONS**

11.1. Contravening or failing to comply with the MLRA, these Permit Conditions or providing false and/or misleading information on the by the Permit Holder may result in the non-issuing of any permit or the initiation of legal proceedings, which may include Section 28 proceedings.



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**Name:** Mr. Saasa Pheeha  
**Designation:** Chief Director: Marine Resources Management  
**Date:** 08 / 12 / 2022