

2023 PERMIT CONDITIONS: FOREIGN VESSELS ENTERING SOUTH AFRICA'S EXCLUSIVE ECONOMIC ZONE (EEZ) AND DESIGNATED PORTS

SECTION B

1. The Permit Holder shall provide at least 24 hours' notice of the vessel's Estimated Time of Arrival (ETA) and port of call to Fisheries Management's Fishery Control Officers (FCOs), for Cape Town Harbour (Attention: Compliance, telephone number 021 402 3457, fax 021 402 3113 or Operations Centre, telephone number 021 402 3076/3077 fax: 021 425 6497, e-mail address: VMSops@dffe.gov.za and/or BMamaila@dffe.gov.za); for Durban Harbour (Attention: Nomvuyiso Dubazana: 083 376 0536, e-mail address: NDubazana@dffe.gov.za and Thanduxolo Ntshangase: 079 444 9951, e-mail: MNtshangase@dffe.gov.za); and for Port Elizabeth Harbour (Attention: Nomtandazo Hoza, telephone number 041 585 4051 e-mail address: NHoza@dffe.gov.za and Dennis Mostert, telephone number 041 585 4051 e-mail address: DMostert@dffe.gov.za
2. The permit is valid for a single entry.
3. This permit is issued subject to conditions that all fishing activity pertaining to marine products on board has been caught in accordance with the Marine Living Resources Act (Act No. 18 of 1998) (MLRA) and the Conservation and Management Measures of the relevant Regional Fisheries Management Organizations (RFMOs) as well as the Antarctic Treaties that South Africa is a Cooperating Contracting Party to, including, but not limited to:
 - (a) Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR);
 - (b) Commission for the Conservation of Southern Bluefin Tuna (CCSBT);
 - (c) Indian Ocean Tuna Commission (IOTC);
 - (d) International Commission for the Conservation of Atlantic Tunas (ICCAT); and
 - (e) South East Atlantic Fisheries Organisation (SEAFO).
4. Upon entering South Africa's Exclusive Economic Zone (EEZ), all foreign vessels (fishing, reefer or carrier) will be subjected to the MLRA and all Regulations promulgated there under while within South African waters. As such, foreign vessels may be boarded and inspected at any time while in South Africa's EEZ.
5. When entering the South African EEZ, all fishing gear on-board the fishing vessel shall be properly stowed as prescribed by section 49 of the MLRA and Regulation 81. In addition, the master of the vessel shall ensure that the Automatic Identification System and/or Vessel Monitoring System is (are)

functional and reporting, 50 nautical miles (NM) prior to entering South African EEZ and whilst within South African EEZ (except when it is docking in port).

6. Permit Holders must adhere to all lawful orders and requirements of a FCO.
7. Permit Holders shall accommodate the boarding and inspection of their vessel by a FCO(s) at any time while in South African waters in accordance with the powers granted to such officers in terms of section 51 of the MLRA.
8. Fins may not be removed from the shark trunks (i.e. headed, gutted). If they are, shark fins shall not be discharged without the trunks and vice versa.
9. The skipper of the foreign vessel is required to accurately report the weight of the catch on board by species. Any fish exceeding the 15% tolerance limit by species shall be considered to be deliberately mis-reported and may be confiscated. The skipper may also be liable to pay a fine in this regard. These matters may also be brought to the attention of the relevant RFMOs and flag States.
10. When offloading is being monitored by the FCO or Monitor, all fish must be offloaded in a manner which will allow the total weight of each species to be determined.
11. Fish species not listed on the application form and which accounts for less than 100kg per species on board the vessel are not required to be included in the application for a permit provided that such fish species remain on board the vessel.
12. If the discharged fish is no longer "in bond", an import permit as well as relevant Customs authorisations for such is required.
13. Any import of Bigeye tuna, southern Bluefin tuna and Swordfish must be accompanied by a statistical documents as stipulated by CCSBT, ICCAT and IOTC.
14. Fish (including fins) that are discharged shall not exceed the amounts as indicated in Section A of the permit, taking into account the 15% tolerance limit in paragraph 9.
15. The following documents shall be provided by the skipper of a foreign fishing vessel on inspection by Fisheries Management's FCOs and Monitors. The documents include but not limited to:
 - (a) Original EEZ & Gear permit;
 - (b) Original fishing license or true certified copy by the flag state as stipulated in the RFMO's (e.g CCSBT, IOTC and ICCAT,);

- (c) True certified copy of the ship registration certificate;
 - (d) True certified copy of the tonnage certificate;
 - (e) Up-to-date certified drawings or descriptions of the layout of the fishing vessel, and in particular the number of fish holds of the fishing vessel, with their storage capacity expressed in cubic metres;
 - (f) Bound / electronic fishing logbooks; and
 - (g) Crew list
16. The following documents shall be provided by the skipper of a foreign reefer/carrier vessel on inspection by Fisheries Management's FCOs and Monitors. The documents include but not limited to:
- (a) Original EEZ permit;
 - (b) Cargo manifest and/or transshipment documentation;
 - (c) True certified copy of the ship registration certificate;
 - (d) True certified copy of the tonnage certificate;
 - (e) Up-to-date certified drawings or descriptions of the layout of the reefer vessel; and
 - (f) Crew list.
17. Amendments to the permit (including amendments to the cargo manifest) shall be considered provided that the request and a motivation are submitted to the Department prior to the indicated ETA of the vessel. Such amendments will incur a fee for issuing a new permit.
18. Failure to meet any of these conditions shall be considered as a material breach of permit conditions and may lead to the cancellation or withdrawal of the permit, but may also lead to criminal prosecution. Furthermore, the Department may institute section 28 proceedings in terms of the MLRA against the Permit Holder for failing to comply with the permit conditions.
19. This permit may at any time be withdrawn or its permit conditions amended by the Director: Offshore and High Seas Fisheries Management.



DIRECTOR: OFFSHORE AND HIGH SEAS FISHERIES MANAGEMENT

DATE: 30 / 11 / 2022