



SECTION C

Sector Specific
Permit Conditions:

Hake / Horse Mackerel

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.

Fishing season: 2023

DATE OF APPROVAL: 08 / 12 / 2022

TABLE OF CONTENTS

1. APPLICABLE POLICIES AND PERMIT CONDITIONS..... 3

2. FISHING AND RESTRICTED AREAS 3

3. NOTIFICATIONS 4

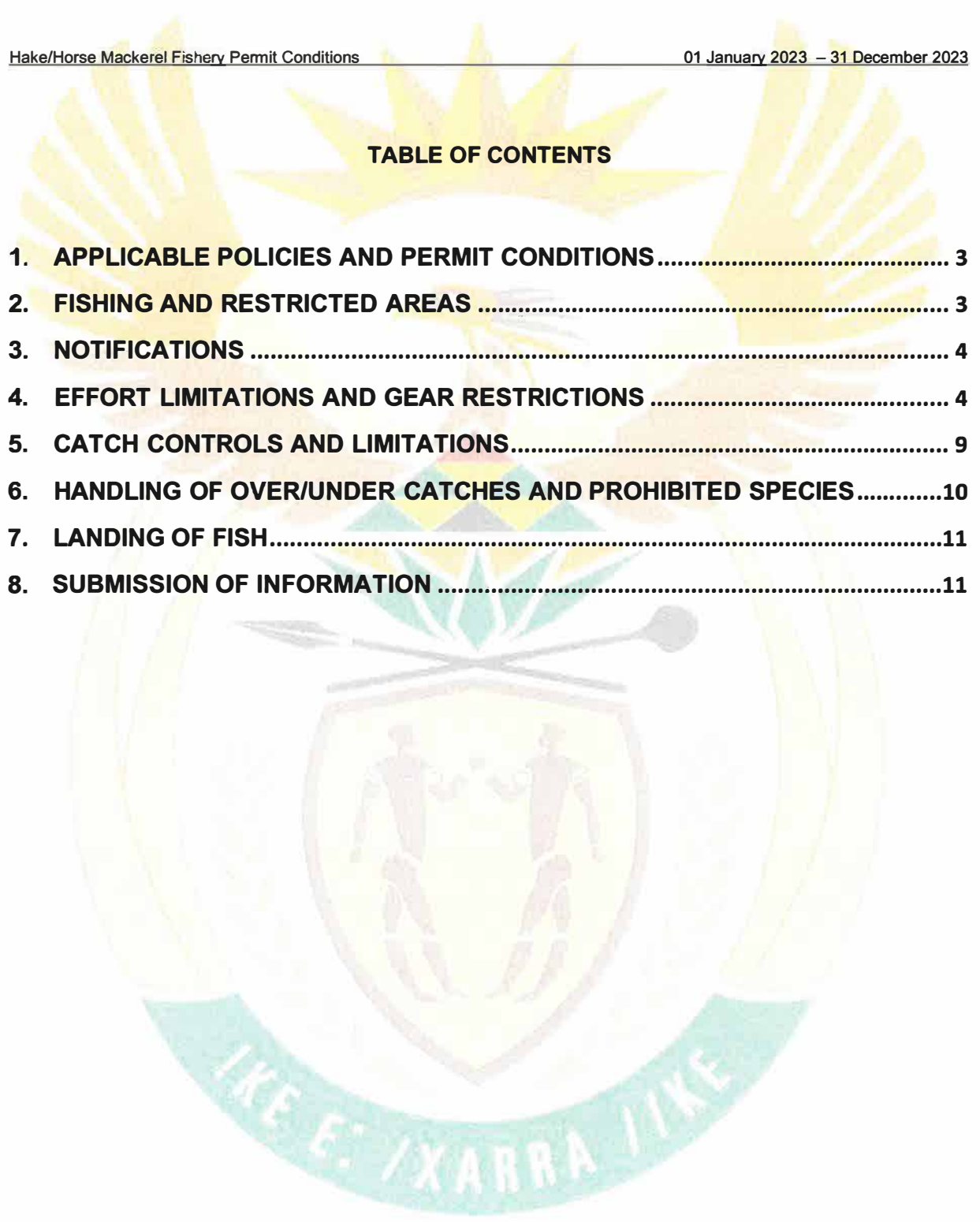
4. EFFORT LIMITATIONS AND GEAR RESTRICTIONS 4

5. CATCH CONTROLS AND LIMITATIONS..... 9

6. HANDLING OF OVER/UNDER CATCHES AND PROHIBITED SPECIES.....10

7. LANDING OF FISH.....11

8. SUBMISSION OF INFORMATION11



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1. APPLICABLE POLICIES AND PERMIT CONDITIONS

- 1.1 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 This permit is valid only in South African waters (excluding tidal lagoons, tidal rivers and estuaries).
- 2.2 In the area east of 020°E longitude, no fishing may take place in water depths of less than 110 metres or within 20 nautical miles from the coast, whichever is the greater distance from the coast.
- 2.3 In the area west of 020°E longitude, no fishing may take place within 5 nautical miles of the coast.
- 2.4 During the period 1 September to 30 November, no fishing may take place within the quadrilateral described by the 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
- 2.5 No fishing may take place outside of the areas defined as the “Hake Trawl Ring Fence” as described in the DFFE VMS MaxSea file “Trawl Ringfenced 2009 Release V1.ptf”. This file is available for incorporation into MaxSea navigational software upon request from DFFE”.

- 2.6 No fishing may take place in the Marine Protected Areas as proclaimed in the Government Gazette No. 42478 dated 23 May 2019.

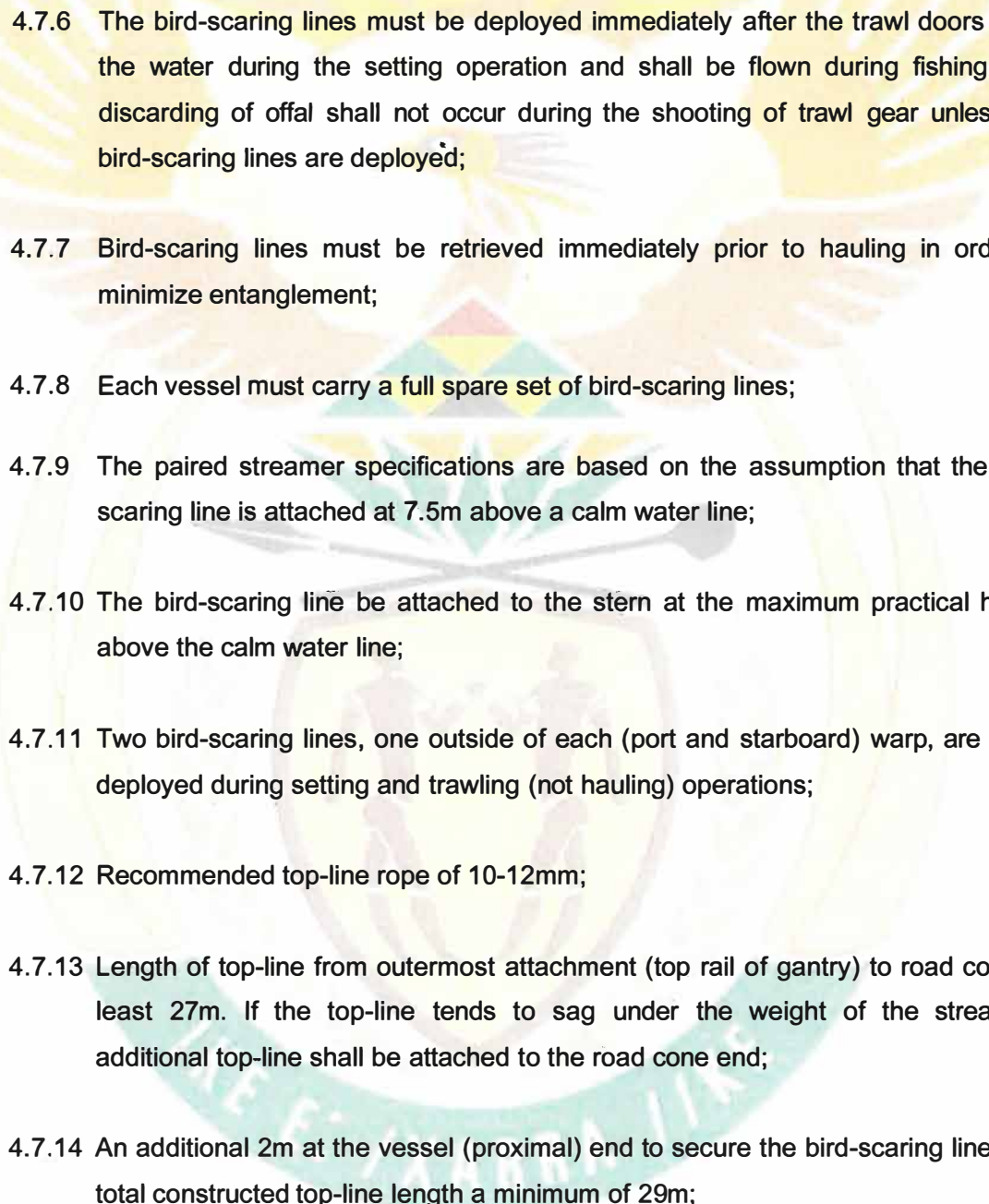
3. NOTIFICATIONS

- 3.1 If the Permit Holder / Vessel Owner wishes to fish in the Exclusive Economic Zones (EEZ) of another country (e.g., Namibia) for part of the year, the Permit Holder / Vessel Owner is required to follow procedures as stipulated in Annexure 1 of these permit conditions. Any fish caught under this charter agreement will not accrue to South Africa. Furthermore, this performance will not be considered in any fishery performance reviews.

4. EFFORT LIMITATIONS AND GEAR RESTRICTIONS

- 4.1 A fishing plan must be developed for the fishing fleet of each cluster for the 2023 fishing season and the fishing Plan must be signed by the Cluster Manager as authorized by the Right Holder.
- 4.2 Whilst the vessel is operating in terms of the provisions of this permit, it may activate multiple Hake Deep-sea Trawl Fishing Rights and Horse Mackerel Fishing permits simultaneously on the vessel, but no other rights may be activated on the vessel, and primary target species must be hake and/or horse mackerel.
- 4.3 Fishing Gear: Only the following types of trawl gear may be used and shall be the only types of fishing gear on board the vessel. The fishing gear used for each tow must be indicated in the Trawl Fishing Logbook.
- 4.3.1 Bottom Trawl with a minimum, mesh size (measured inside mesh diameter and stretched to a maximum tension of 5kgs) of 110mm.
- 4.3.2 Midwater Trawl with a maximum, mesh size (measured inside mesh diameter and stretched to a maximum tension of 5kgs) of 85mm (in the area west of 020°E longitude) or 75mm (in the area east of 020°E longitude).

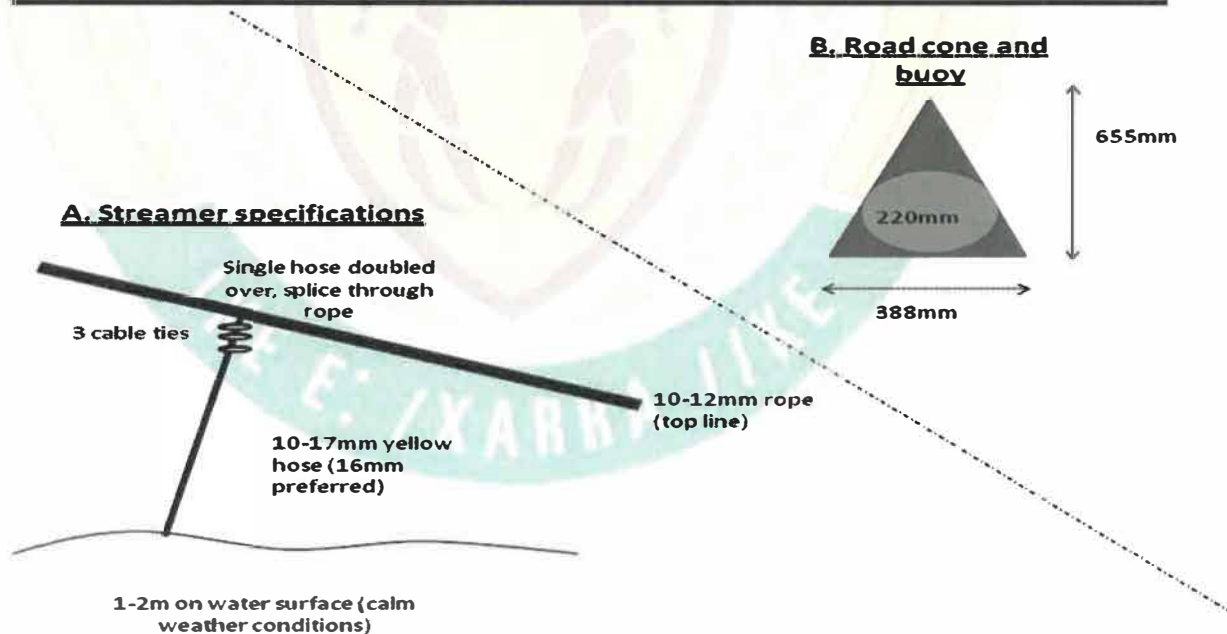
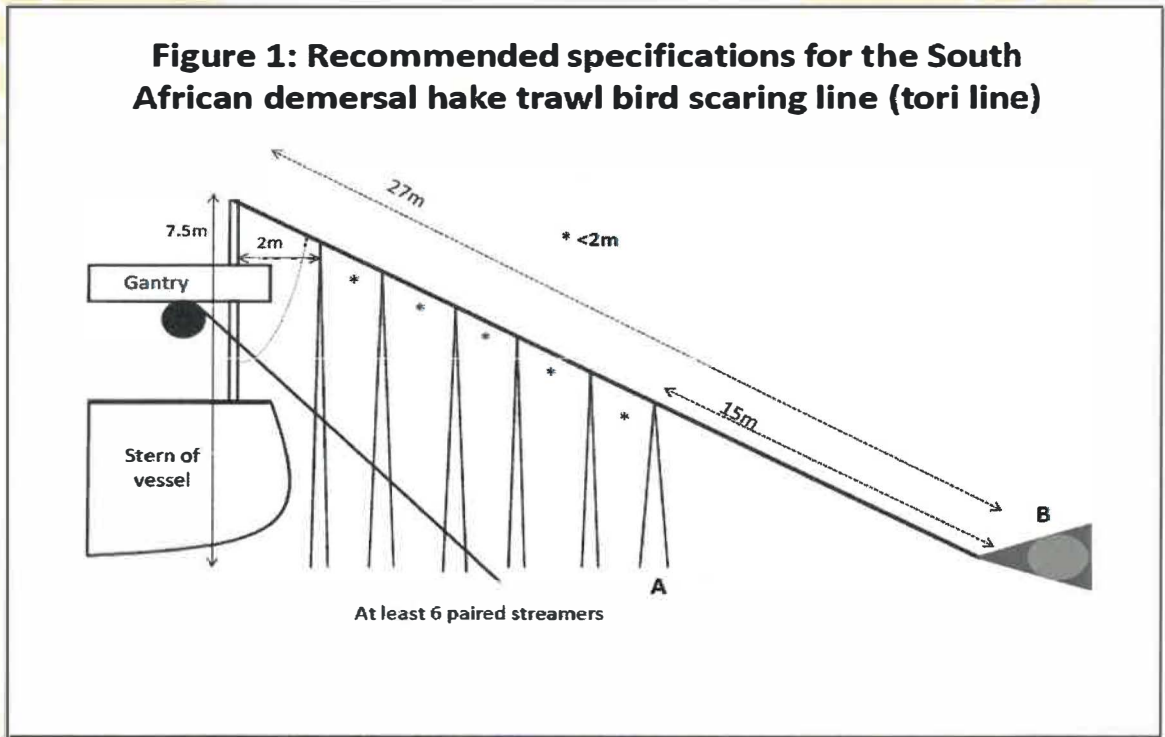
- 4.4 No bobbins or other devices whatsoever, with a diameter in excess of 750mm or a weight in excess of 200 kgs may be deployed with, or as a part of, the trawl gear, except for floats and the single pair of otter boards (trawl doors). Twin trawls may not be used.
- 4.5 The use of cod-end liners is prohibited.
- 4.6 Any modification to the trawl gear configuration that will or could substantially change the fishing efficiency of the gear (e.g., a change in the mesh size; inclusion of escape panels or selector grids) shall be noted *in the Trawl Fishing log* in the *Remarks* section of the appropriate *Header Information per Activity Period page*.
- 4.7 The permit holder shall only use the new bird-scaring lines for the 2023 fishing season as follows:
- 4.7.1 The specifications for approved bird-scaring lines to be flown on deep-sea trawl and midwater trawl vessels are contained in the diagram in Figure 1 below;
- 4.7.2 The Permit Holder must deploy bird-scaring lines outside each trawl warp (Port and Starboard) to reduce the incidence of sea bird mortality;
- 4.7.3 Each streamer (or bird-scaring) line must be attached to the stern at the maximum practical height above the waterline and as far to port or starboard as practical in order to minimize the danger of entanglement;
- 4.7.4 Each bird-scaring line must consist of 30-50m of rope with a buoy and road cone attached at the seaward end for tension, and shall be deployed such that the seaward end enters the water at least 10m behind the point at which the trawl warp enters the water;
- 4.7.5 Each bird-scaring line must have at least six paired streamers (preferably of 10-17mm diameter garden hose to prevent possible entanglement with warps) attached at intervals of no more than 2m, commencing 2m from the stern. Each streamer should reach the water's surface in calm conditions;

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- 4.7.6 The bird-scaring lines must be deployed immediately after the trawl doors enter the water during the setting operation and shall be flown during fishing. The discarding of offal shall not occur during the shooting of trawl gear unless the bird-scaring lines are deployed;
- 4.7.7 Bird-scaring lines must be retrieved immediately prior to hauling in order to minimize entanglement;
- 4.7.8 Each vessel must carry a full spare set of bird-scaring lines;
- 4.7.9 The paired streamer specifications are based on the assumption that the bird-scaring line is attached at 7.5m above a calm water line;
- 4.7.10 The bird-scaring line be attached to the stern at the maximum practical height above the calm water line;
- 4.7.11 Two bird-scaring lines, one outside of each (port and starboard) warp, are to be deployed during setting and trawling (not hauling) operations;
- 4.7.12 Recommended top-line rope of 10-12mm;
- 4.7.13 Length of top-line from outermost attachment (top rail of gantry) to road cone at least 27m. If the top-line tends to sag under the weight of the streamers additional top-line shall be attached to the road cone end;
- 4.7.14 An additional 2m at the vessel (proximal) end to secure the bird-scaring line, i.e., total constructed top-line length a minimum of 29m;
- 4.7.15 First set of paired streamers attached not more than 2m from the outermost attachment;

- 4.7.16 Subsequent five sets of paired streamers to be spaced at intervals of not more than 2m;
- 4.7.17 Top-line of at least 15m between last set (number 6) of streamers to road cone;
- 4.7.18 Paired streamers consisting of 16mm yellow (for visibility) hose. Each streamer shall drag/float on the surface (1-2m under calm conditions);
- 4.7.19 The paired streamer consists of a single length of hosing doubled over the top-line;
- 4.7.20 Streamers to be secured to the top-line by appropriate material spliced into the top-line and tied to the streamer. Alternatively, streamers could also be attached to a shark clip and removed and stored prior to hauling;
- 4.7.21 Three (3) cable ties to fasten paired streamers below the top-line;
- 4.7.22 Placement of swivel before the road cone to prevent the top-line becoming twisted. A second swivel is optional at the outermost attachment point;
- 4.7.23 Tension device at the end of the top-line consisting of an orange road cone (height 655mm and a width at base 388mm). A plastic buoy (single or double eye) 220mm diameter placed inside the road cone and attached to the top-line. A floating road cone reduces the risk of propeller entanglement should the trawl gear become snagged while the bird-scaring line is deployed;
- 4.7.24 Bird-scaring lines can be deployed and retrieved from the aft/fishing deck by the use of an additional rope (lazy line). This rope should be attached from the aft deck to the top-line between the first and second set of streamers. This arrangement ensures that crew do not need to be deployed to the gantry platform each trawl; and

4.7.25 Storage of the bird-scaring line on deck either in a plastic bin or wound on a metal reel.

Figure 1: Recommended specifications for the South African demersal hake trawl bird scaring line (tori line)



- 4.8 Splices in the trawl warps shall be “neat” i.e., loose ends shall be trimmed off and whipped to remove potential snags that can hook seabirds.
- 4.9 The permit holder must ensure that trawl warps are lightly greased, specifically: the individual wires of the outer strands shall be clearly visible and the greasing on the crowns of the warp shall not exceed 1mm.
- 4.10 Lubricants containing bitumen are prohibited.

5. CATCH CONTROLS AND LIMITATIONS

- 5.1. Whilst the vessel is operating in terms of the provisions of this permit, the Hake harvested must be recorded against the hake allocations of a Hake Deep-sea Trawl Right Holder issued with a valid permit in terms of Section 13 of the Marine Living Resources Act No. 18 of 1998 (“the MLRA”). No other Rights shall be activated on the vessel, and primary target species shall be Horse Mackerel and hake.
- 5.2. The limits on kingklip and monkfish imposed in terms of these permit conditions (paragraph 5.3 to 5.5) are intended to cap the escalation of effort directed at these species and may be reviewed based on most recent stock assessments.
- 5.3. The kingklip by-catch for the trawl and line hake-directed fisheries should not exceed a precautionary maximum catch limit of 4047 tons.
- 5.4. The monkfish by-catch for the trawl and line hake-directed fisheries should not exceed a precautionary maximum catch limit of 7780 tons.
- 5.5. The Permit Holder must take immediate steps to reduce its by-catch of kingklip and monkfish to a level not exceeding its average catch over the period 1998 to 2002 inclusive except for new entrants in this fishing season.
- 5.6. If the Permit Holder’s by-catch of kingklip or monkfish harvested in terms of this permit exceeds the limit set in paragraphs, 5.3 and 5.5 the Department may prevent the Permit Holder from fishing in terms of this permit.

- 5.7. On approaching the set limit in paragraphs 5.3 to 5.5, the Permit Holder may be required to take onboard a scientific observer, at their own expense, on every trip for the remaining period of validity of the permit.
- 5.8. The Permit Holder shall ensure that the authorised target species (hake and horse mackerel) accounts for a minimum of 50% (by weight) of each landing.
- 5.9. Should the catch of chub mackerel in any given drag (irrespective of the gear being employed) be greater than 50% of the total hake and horse mackerel catch in that drag, then the vessel must move to a position where the depth differs by at least 50 meters from that where the catch was made
- 5.10. The snoek catch (landed weight) shall not exceed 20% of any landing in terms of landed (processed) weight should the snoek catch (processed weight) in any one trawl exceed 25% of the total catch (processed weight), then the vessel shall move to a depth of at least 50 meters deeper which will be different from that fishing position depth.

6. HANDLING OF OVER/UNDER CATCHES AND PROHIBITED SPECIES

- 6.1. Processing of squalene from shark is strictly prohibited when fishing under these permit conditions.
- 6.2. The Permit Holder is allowed to land the following species, oreo dory (Family Oreosomatidae), orange roughy (*Hoplostethus atlanticus*) and alfonsino (*Beryx splendens*) listed in Regulation 54 (Annexure 12) of the MLRA provided that:
 - 6.2.1. they are caught as incidental by-catch during hake-directed fishing operations;
and
 - 6.2.2. the combined weight of the three species is not more than 4% of the total landed catch (processed weight) of any one landing.



7. LANDING OF FISH

- 7.1. The Permit Holder must ensure that all fish (including all by-catch) is discharged from the vessel in accordance with the reasonable instructions of the Fishery Control Officer. The fish and/or fish products shall be weighed by species within 48 hours of discharge.
- 7.2. The Permit Holder must ensure that all catch is offloaded at an approved processing facility with a valid Fish Processing Establishment Permit.
- 7.3. 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 and a copy of the Goods Received Voucher shall reflect the landing classification. A record of all documents should be retained by both the Right Holder and the Fish Processing Establishment and copies of which should be submitted to Fisheries Management upon request.
- 7.4. Fish processed and landed in a form of “sausage” or of “mince” will be assumed to be hake and will be deducted from the Right Holders hake allocation on a 1:1 conversion basis.
- 7.5. Permit Holders whose vessel docks between the 15th of December of one year (the current year) and the 15th of January of the following year, shall elect to have their entire catch (or part thereof) deducted from their allocation for either year, provided that the quantum transferred between allocation years is less than 10% of the Right Holders entire allocation in that year.

8. SUBMISSION OF INFORMATION

- 8.1. The Factory Declaration *Sheet* contained in the TRAWL FISHING LOG shall be completed and must be signed by the Permit Holder or its authorised representative. This should not be done before discharging is completed.
- 8.2. The *Header Information per Activity Period* sheets must be completed according to the instructions contained in the TRAWL FISHING LOG, and the skipper of the vessel shall sign the sheets.

- 8.3. The *Distribution of Catch Among Rights Allocations* sheet contained in the TRAWL FISHING LOG shall be completed and be signed by the Permit Holder or its authorized representative.

- 8.4. The properly completed and signed TRAWL FISHING LOG must be submitted to the Department either by hand or registered mail (***Trawl Fishing Logs***) by the last day of the month following the month in which the catch was discharged from the vessel. In the case of freezer vessels, a copy of the Goods Received (GRV) must be submitted with the TRAWL FISHING LOG.

SIGNATURE: 

DIRECTOR: OFFSHORE & HIGH SEAS FISHERIES MANAGEMENT

DATE: 08 / 12 / 2022

Annexure 1

PROCEDURES FOR CHARTERING OF SOUTH AFRICAN VESSEL BY OTHER COUNTRIES

The following procedures shall apply:

1. It is the Right Holder's responsibility to return the original catch permit to the Department (Attention: Assistant: Demersal Fisheries Management) for cancellation. Upon cancellation of the permit the Department will provide written authorization for the vessel to be chartered. It should be noted that the fish hold is to be cleared before departure and no fishing may take place on route to the chartering country (fishing gear to be stowed). Similarly, before returning to South African all fish caught under charter agreement must be discharged in the ports of the chartering country. No fishing is to take place while vessel is on route to South African ports (all fishing gear to be stowed).
2. Should the charter period straddle two fishing seasons then the Right Holder shall notify the Department of the vessel's intention to fish in the South African fishery later in the new fishing season by submitting relevant permit applications prior to 1 January of the new season. (On the application the right should inform the Department that the vessel is currently chartered in a foreign country and will only collect the permit upon the vessel's return to South Africa).
3. Prior the issuing of the South African catch permit, the Permit Holder would need to demonstrate that the vessel's VMS is reporting to Department's base. In addition, a FCO has to inspect the vessel on docking to ensure that no fish is on board. Lastly, the Right Holder shall provide an electronic overall catch summary by species in an Excel format to the Department of catches made under charter.
4. Catches made while chartering for another country will not be accepted by the Department when conducting the sector-specific performance reviews. Moreover, permit holders who primarily fish for other countries may have their South African fishing rights revoked.