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## GENERAL NOTICE

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### NOTICE 103 OF 2009

#### DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM

#### MARINE LIVING RESOURCES ACT, 1998 (Act No. 18 of 1998)

#### **INVITATION TO APPLY FOR RIGHTS TO UNDERTAKE COMMERCIAL FISHING OF LARGE PELAGIC (TUNA AND SWORDFISH LONGLINE) IN TERMS SECTION 18 OF THE MARINE LIVING RESOURCES ACT, 1998 (ACT NO. 18 OF 1998)**

The Minister of Environmental Affairs and Tourism hereby invites applications for rights to undertake commercial fishing of Large Pelagic (Tuna and Swordfish) by Longline.

The fishing rights will be allocated in terms of section 18 of the Marine Living Resources Act, 1998 (Act No. 18 of 1998). The following schedule is also published herewith:

1. Schedule A: The Policy for the Management and Allocation of Commercial Fishing Rights in the Large Pelagic (Tuna and Swordfish Longline) fishery;

The registration and application form distribution process will commence on Monday 9 February 2009 at the Customer Service Centre of the offices of the Department of Environmental Affairs and Tourism; Branch Marine and Coastal Management, Martin Hammerschlag Way, Foretrust Building, Foreshore, Cape Town. The registration and application distribution process will be open between **8h30 and 16h00 from Monday 9 February 2009 to Wednesday 11 February 2009**.

Applications for rights must be submitted on **Monday 9 March 2009 (between 8h30 and 16h00)** or **Tuesday 10 March 2009 (between 8h30 and 16h00)** at the Department's Customer Service Centre.

Applicants will be required to pay an application fee of R7000.00 as determined by the Minister in consultation with the Minister of Finance in terms of section 25(2) of the Marine Living Resources Act, 1998 (Act No. 18 of 1998).

**IN THE CASE OF INCONSISTENCY BETWEEN THE ENGLISH, AFRIKAANS, ISIXHOSA AND ISIZULU TEXTS OF ANY POLICY, FORM OR OTHER DOCUMENT, THE ENGLISH TEXT PREVAILS.**



environment  
& tourism

Department:  
Environmental Affairs and Tourism  
REPUBLIC OF SOUTH AFRICA

**POLICY FOR THE MANAGEMENT AND ALLOCATION OF  
COMMERCIAL FISHING RIGHTS IN THE LARGE PELAGIC (TUNA  
AND SWORDFISH LONGLINE) FISHERY: 2008**

Website address: [www.deat.gov.za](http://www.deat.gov.za)

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## 1. Introduction

This policy on the allocation and management of commercial fishing rights in the large pelagic longline fishery ("the fishery") is issued by the Minister of Environmental Affairs and Tourism ("the Minister").

*Large pelagic* refers to pelagic sharks and all fish stocks that fall within the management jurisdiction of the International Commission for the Conservation of Atlantic Tunas (ICCAT), the Indian Ocean Tuna Commission (IOTC) and the Commission for the Conservation of Southern Bluefin Tuna (CCSBT).

The purpose of this policy is to set out the considerations that will apply to the allocation of rights in respect of any Total Allowable Effort (TAE) which remains after the 2005 allocation process in this fishery. Furthermore, it is to provide for the consolidation of the tuna, swordfish and pelagic shark longline fisheries.

The Minister intends to delegate the power granted to him under section 18 of the Marine Living Resources Act, 1998 (Act No. 18 of 1998) ("the MLRA") to allocate the remaining long-term commercial large pelagic fishing rights to an official of the Department of Environmental Affairs and Tourism: Branch Marine and Coastal Management ("the Department") in terms of section 79 of the MLRA. This policy document will guide the delegated authority in taking decisions on applications for rights in this fishery.

## 2. Profile of the Fishery

The participation of South African operators in large pelagic longlining is fairly new. Historically, the harvesting of tuna and swordfish by longline was conducted by Japanese and Taiwanese fleets fishing in South African waters under bilateral licensing agreements. These agreements terminated at the end of January 2003 and the Minister then decided not to renew the international fishing licences.

At that stage there existed only an experimental tuna longline fishery. The objectives for the experimental fishery were to –

- develop a performance history in tuna fishing in order to motivate for country allocations to South Africa by the relevant Regional Fisheries Management Organisations (RFMOs);

- develop local technological and fishing expertise in tuna longlining; and
- collect biological and fisheries data in order to establish a scientific basis for the management of a South African commercial large pelagic fishery.

The experimental fishery demonstrated that South African operators are capable of adequately performing in catching swordfish. However, it also showed that there is a need to develop fishing expertise and a performance history in respect of the harvesting of tunas.

Large pelagic species were also caught in the commercial shark longline fishery, tuna pole fishery, traditional linefish fishery and the recreational sector. The tunas caught by these sectors are mostly longfin (albacore) and yellowfin tuna. The shark longline fishery was restricted in terms of permit conditions to a tuna bycatch of 10% of their total catch (by weight) of the target species. Commercial traditional linefish vessels and recreational fishers are restricted by bag limits.

In 2005 the Department allocated, for the first time, long-term rights (duration 10 years) in the large pelagic (tuna and swordfish) longline fishery. The objectives of the *Policy for the Management of and Allocation of Commercial Fishing Rights in the Large Pelagic (Tuna and Swordfish Longline) Fishery: 2004* were as follows:

- the consolidation of fisheries targeting large pelagic species;
- creating a South African large pelagic longline fishery; and
- establishing a catch performance record and catch database in respect of the fishery.

Consolidation of the tuna, swordfish and pelagic shark longline fisheries was not achieved in the 2005 allocation process. The pelagic shark longline fishery was terminated on 31 December 2005, but nine (9) exemptions were subsequently granted under the MLRA for pelagic shark longline fishing. Of the nine, two (2) exemptions were not renewed, leaving seven (7) current exemption holders in the shark longline fishery.

The total allowable effort for the large pelagic longline fishery allowed the allocation of 20 swordfish rights and 30 tuna rights in 2005. Seventeen (17) rights were allocated in swordfish, with one additional right allocated after a court review. Twenty-six (26) tuna rights were allocated. This leaves two swordfish and four tuna rights unallocated.