



**forestry, fisheries
& the environment**

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

Foretrust Building, Martin Hammerslag Way, Foreshore, Cape Town, 8001

Permit Reference Number: RES2023/65
Enquiries: M. Attwood (permit administrator)
E-mail: researchpermits@dfpe.gov.za

FISHERIES RESEARCH AND DEVELOPMENT PERMIT TO ENGAGE IN SCIENTIFIC INVESTIGATION OR PRACTICAL EXPERIMENT ISSUED IN TERMS OF SECTION 83 OF THE MARINE LIVING RESOURCES ACT, 1998 (ACT NO. 18 OF 1998).

SECTION A

Permit Reference Number: RES2023/65

Permit Holder: The Director: Aquaculture and Economic Development

Institution: Department of Forestry, Fisheries and the Environment, Branch: Fisheries Management

Validity Period: 1 January 2023 until 31 December 2023

Scientific Investigation or Practical Experiment Authorised: Collection, possession and transportation of marine organisms for the purposes of research

Location of activities: Various locations along the South African coast.

This permit is issued subject to the general conditions in Section B and the special conditions in Section C.


NAME: DR KIM PROCHAZKA
CHIEF DIRECTOR: FISHERIES RESEARCH AND DEVELOPMENT
DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT
DATE 22/12/2022



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

Foretrust Building, Martin Hammerschlag Way, Foreshore, Cape Town, 8001

SECTION B: SCIENTIFIC INVESTIGATION OR PRACTICAL EXPERIMENT PERMIT CONDITIONS

1. GENERAL

1.1. This Permit is issued subject to, among others, the following legislation:

- 1.1.1. Marine Living Resources Act, 1998 (Act No. 18 of 1998) (the Act);
- 1.1.2. National Environmental Management Act, 1998 (Act No. 107 of 1998), and in particular, the Control of Use of Vehicles in the Coastal Area Regulations (GNR.496 of 27 June 2014);
- 1.1.3. National Environmental Management Biodiversity Act, 2004 (Act No. 10 of 2004);
- 1.1.4. National Environmental Management Protected Areas Act, 2003 (Act No. 57 of 2003);
- 1.1.5. Sea Birds and Seals Protection Act, 1973 (Act No. 46 of 1973);
- 1.1.6. Prevention of Pollution from Ships Act (Act No. 2 of 1986);
- 1.1.7. National Environmental Management Integrated Coastal Management Act, 2008 (Act No. 24 of 2008); and
- 1.1.8. any other relevant law.

1.2. This permit is intended to authorise *bona fide* research: the primary purpose of the use of the permit may not be commercial gain.

1.3. This permit may not be used in marketing materials of the Permit Holders, or in any way which seeks to solicit business for the Permit Holder

1.4. The relevant Delegated Authority shall be entitled to amend these permit conditions when deemed necessary.

1.5. Any reference to the Permit Holder in these permit conditions is a reference to the entity or person that holds the permit; and shall in the case of an entity include the directors; and in the case of either an entity or a person include his/her/its employees (whether permanent, full-time or part-time), his/her/its contractors, agents or advisers, - acting in course and scope of their contractual relationship and in the case of a university shall include authorised students.

2. DOCUMENTATION

- 2.1. This permit shall only be utilised by the Permit Holder.
- 2.2. If the permit is in the name of an institution/company/close corporation the individual utilising the permit shall, in addition to a certified copy of this permit, be in possession of identification and a document which letter identifies the individual as being authorised to participate in the authorised activities. [If this does not happen it will be a breach of a permit condition.
- 2.3. The Permit Holder shall store at their/its registered place of business/residence the original permit issued.
- 2.4. The Permit Holder shall, at all times, have available a certified copy of the permit, inclusive of the permit conditions, which must be produced on demand by any law enforcement official.
- 2.5. Where an additional exemption or permit is required under the Act in order to utilise the permit, the Permit Holder must, at all time when acting in terms of the permit, be in possession of a certified copy of the additional exemption and/ or permit issued under the Act.
- 2.6. The Permit Holder must submit a progress report to researchpermits@dffe.gov.za

3. VALIDITY OF PERMIT

- 3.1. This permit is valid for the period indicated in section A after which it shall lapse and be of no force or effect.
- 3.2. This permit shall automatically expire and become invalid should it be cancelled or revoked in terms of section 28 of the Act.

4. COMPLIANCE

- 4.1. A breach of the provisions of the Act, its regulations and/or these permit conditions by the Permit Holder may result in the initiation of legal proceedings, which may include proceedings in terms of section 28 of the Act and/or criminal proceedings).
- 4.2. An application for a future permit may be refused if the conditions of this permit are not adhered to and/ or if the applicant is under criminal investigation for an offence in terms of the Act or any other environmental legislation.
- 4.3. In terms of section 57 of the Act, the Permit Holder is obliged to report to the Minister any contravention of the provisions of the Act by any other person.

5. STORAGE OF WASTE AND REMOVAL OF INSTALLATIONS

- 5.1. The Permit Holder must safely store all inorganic waste material, garbage and pollutants on board the vessel or at the site of research activities if on land and safely dispose of it according to any relevant laws.
- 5.2. Any installations/structures must be removed and any adverse impact must be rehabilitated upon termination of the project(s) or expiry of the permit, whichever comes first.

6. TREATMENT OF SPECIMENS

- 6.1. Specimens collected in terms of this permit shall not be sold or offered for sale.
- 6.2. No harmful chemicals may be used when collecting marine species.
- 6.3. Limited use of fish anaesthetics (including rotenone) is permitted if no other suitable technique is available to collect fish, which should be kept to a minimum. Local authorities should be advised when rotenone is to be used to collect fish.
- 6.4. No specimens collected in terms of this permit may be used for bioprospecting.

7. USE OF VEHICLES

- 7.1. No vehicle may be used in the coastal zone unless the permit holder is in possession of a valid permit to use a vehicle in the coastal area in terms of the Regulations for the Control of Use of Vehicles in the Coastal Area (GNR 496 of 27 June 2014).

8. SUBMISSION OF INFORMATION

- 8.1. Reports required in terms of these permit conditions must be submitted to the Directorate: Biodiversity and Coastal Research for the attention of L Swart by email to researchpermits@dffe.gov.za.
- 8.2. The reports referred to in condition 8.1 must be submitted within the timeframes provided and shall provide the dates, locations, species and quantities collected where applicable.
- 8.3. Reporting templates provided by the Department must be utilised.
- 8.4. No renewal of this permit or application for any other permit will be considered unless and until the information required in terms of these permit conditions has been received.



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

Foretrust Building, Martin Hammerschlag Way, Foreshore, Cape Town, 8001

SECTION C: SPECIFIC CONDITIONS

9. SPECIFIC CONDITIONS FOR FISHERIES RESEARCH AND DEVELOPMENT

- 9.1 This permit allows the collection, possession and transportation of marine species for *bona fide* research purposes of the Chief Director: Fisheries Research and Development, of the Department of Forestry, Fisheries and the Environment, Branch: Fisheries Management as authorized by the Chief Director.
- 9.2 Activities conducted in terms of this permit shall be appropriately authorized by the Chief Director or a duly authorized alternate and properly recorded and monitored by the supervisor and/or project manager for the research project in question. Proper completed official journey forms and/or sailing orders, duly signed by the Director or a duly authorized alternate, shall serve as appropriate documents of authorization.

10. SPECIFIC CONDITIONS FOR MARINE PROTECTED AREAS/ HABITATS AND PROTECTED SPECIES

- 10.1 This permit may not be utilised within a marine protected area as defined in the National Environmental Management Protected Areas Act, 2003 unless specifically authorised in this permit and only in the areas specifically described.
- 10.2 Collecting of species within Marine Protected Areas is conditional upon prior written permission of the relevant Management Authority.
- 10.3 The holder must provide the relevant Management Authority with a certified copy of this permit.
- 10.4 The holder shall inform the relevant Management Authority at least one (1) week prior to undertaking a collecting trips within a Marine Protected Area