



Government Gazette

REPUBLIC OF SOUTH AFRICA

Vol. 478 Pretoria 11 April 2005 **No. 27476**



AIDS HELPLINE: 0800-0123-22 Prevention is the cure

GENERAL NOTICE ALGEMENE KENNISGEWING

NOTICE 592 OF 2005

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM

INVITATION TO COMMENT ON THE DRAFT POLICY CONCERNING THE ALLOCATION AND MANAGEMENT OF LONG TERM FISHING RIGHTS IN THE TRADITIONAL LINE FISHERY, 2005.

The Minister of Environmental Affairs and Tourism hereby issues for notice and comment a draft fisheries policy on the allocation and management of long term commercial fishing rights in the Traditional Line Fishery. Interested and affected parties are invited to submit written comment on this Draft Policy on the Allocation and Management of Long Term Fishing Rights 2005 in the manner set out in this Notice.

This policy must be read with the Draft General Policy on the Allocation and Management of Long Term Fishing Rights, 2005 (available at www.mcm-deat.gov.za)

In order to solicit comments from members of communities who may need special assistance in order to participate, a series of public meetings will be held where the applicable policies and their consequences will be explained, questions will be answered, written comments will be invited, oral comments will be recorded and views from members of the audience will be minuted.

Port Nolloth Venue: Port Nolloth City Hall Date: 18 April 2005 Time: 09h00	Hondeklipbaai Venue: Hondeklipbaai Community Centre Date: 18 April 2005 Time: 13h00	Lamberts Bay Venue: Lamberts Bay Community Hall Date: 19 April 2005 Time: 09h00
Saldanha Bay Venue: Diazville Community Hall Date: 20 April 2005 Time: 12h00	Cape Town Venue: Good Hope Centre Date: 21 April 2005 Time: 14h00	Hermanus Venue: Moffat Community Hall Date: 22 April 2005 Time: 12h00
Arniston Venue: Die Vissers Unie Saal Date: 25 April 2005 Time: 09h00	Vermaaklikheid Venue: Vermaaklikheid Community Hall Date: 25 April 2005 Time: 14h00	Mossel Bay Venue: Delmade Community Hall Date: 26 April 2005 Time: 09h00
Plettenberg Bay Venue: Simunye Hall Date: 26 April 2005 Time: 14h00	Port Elizabeth Venue: PE City Hall Date: 27 April 2005 Time: 10h00	Port St Johns Venue: Port St Johns Town Hall Date: 28 April 2005 Time: 12h00
Port Edwards Venue: Ebenezer Hall, Mzamba Date: 29 April 2005 Time: 09h00	Durban Venue: NSRI Hall Date: 30 April 2005 Time: 09h00	

Participants will be required to register on arrival at the venue, and are requested to arrive half an hour prior to the start of the meeting.

Interested parties may also submit written comments to the Department by 17h00 on Friday 20 May 2005 in the following manner:

By Fax: Fax Number: (021) 670-1782 Attention: The head Rights Allocation Unit Traditional Linefish Comments	By Mail: Attention: The Head Rights Allocation Unit The Deputy Director-General The Department of Environmental Affairs and Tourism P.O Box 44963 Claremont 7735 Traditional Linefish Policy Comment	By E-mail: RVU@deloitte.co.za Attention: The Head Rights Allocation Unit Traditional Linefish Policy Comments
		By Hand Attention: The Head Rights Allocation Unit The Rights Verification Unit 11 Landsdown Road Claremont Traditional Linefish Policy Comments

The draft policy is also available on Marine and Coastal Management's website www.mcm-deat.gov.za. Hard copies may also be collected from the Department's fishery control offices along the coast. More information regarding the Long Term Rights Allocation Process can be obtained from the following helpline: 0861 123 626. Please note that comments received after the closing date may be disregarded. Telephonic queries regarding the submission of comments may directed to the Rights Verification Unit at (021) 670-3669.

DRAFT



**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM
BRANCH MARINE AND COASTAL MANAGEMENT**

DRAFT TRADITIONAL LINE FISH POLICY

**POLICY FOR THE ALLOCATION AND MANAGEMENT OF
COMMERCIAL FISHING RIGHTS IN THE
TRADITIONAL LINE FISHERY: 2005**

This Policy is also available at www.mcm-deat.gov.za

TABLE OF CONTENTS

1.	Introduction	3
2.	Profile of the Line Fishery	4
4.	The Medium Term Rights Allocation Process	6
5.	Objectives of Allocating Commercial Traditional Line Fish Rights	7
7.	Duration of Rights	8
8.	New Entrants	8
9.	Full Commercial & Limited Commercial Rights and Exemptions	9
10.	Evaluation Criteria	9
10.1	Exclusionary Criteria	9
(a)	Form of Right Holder:	9
(b)	Compliance:	10
(c)	Paper Quota Applicants:	10
(d)	Non-utilisation:	10
(e)	Personal involvement in harvesting of the resource:	10
(f)	Dependency on the resource:	11
(g)	Vessel access:	11
10.2	Balancing Criteria	11
(a)	Transformation	11
(b)	Investment in the Fishery	11
(c)	Deck Boats	12
(d)	Fishing Performance	12
(e)	Job creation	12
(f)	Traditional Fishing Communities	12
(g)	Historical involvement	13
(h)	Reliance on line fishing	13
(i)	Compliance	13
10.3	Effort Allocations	13
11.	Suitable Vessels	14
12.	Multi-sector Involvement	14
13.	Regional management	15
14.	Application Fees and Levies	16
15.	Management Measures	17
15.1	Ecosystem Approach to Fisheries Management	17
15.2	Access to Snoek	17
15.3	Marine Protected Areas	17
16.	Performance Measuring	17
17.	Provisional lists	18
18.	Observer and Monitoring Programme	18
19.	Permit Conditions	18

1. Introduction

This is a draft policy on the allocation and management of commercial fishing rights in the traditional line fishery and is issued by the Department of Environmental Affairs and Tourism: Branch Marine and Coastal Management ("the Department") for public comment. Interested and affected parties must submit written comment by **20 May 2005**. Comments submitted after this date will not be considered. Comments shall be submitted as follows:

By Fax: (021) 670-1782 Attention: The Deputy Director-General Traditional Line Fish Policy Comments	By Mail Attention: Deputy Director-General The Department of Environmental Affairs and Tourism PO Box 44963, Claremont, 7735 Traditional Line Fish Policy Comments
------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

It is important to note that the General Fisheries Policy issued for public comment in March 2005 **will apply to this policy**. The traditional line fishery is the only commercial fishery subject to an environmental emergency declared by the Minister of Environmental Affairs and Tourism. This draft policy sets out the criteria in terms of which commercial applications for traditional line fish rights will be evaluated.

In addition to this policy, the Department will develop a Traditional Line Fishery Management Manual in consultation with the fishery's recognised industrial body (ies) during the course of 2006. This manual will stipulate in detail the management methodology and procedures for the sector. In particular, the Manual will detail the management procedure to manage this fishery on a regional basis.

Finally, with respect to allocating commercial traditional line fishing rights, the Minister of Environmental Affairs and Tourism intends delegating his section 18 powers in terms of section 79 of the Marine Living Resources Act 18 of 1998 (*the MLRA*) to a senior official of the Department.

2. Profile of the Line Fishery

The origins of the South African boat-based line fishery can be traced back to the fishing activities of European seafarers in the 1500s. The Dutch colonised the Cape in 1652, but because of various restrictions, the fishery was slow to develop despite an abundance of fish. When the British captured the Cape Colony in 1795, all fishing restrictions were removed, and by the mid-1800s the commercial line fishery had become a thriving industry. The next spurt in the growth of the fishery occurred after the Second World War when both fishing effort and line fish catches increased substantially as a result of the simultaneous introduction of motorised vessels, the construction of small boat harbours along the coast and the availability of echo-sounding technology.

In spite of the 200 year history of the fishery, the basic life histories of many species have only recently been described. The first attempts at managing line fish resources were marked by the introduction of minimum size limits for selected species in 1940. However, the absence of life-history information about line fish stocks meant that these regulations were determined on a fairly arbitrary basis. As a result of growing concerns for the line fish resources, biological studies on a few important species (e.g. *seventy four*, *hottentot*, *carpenter*) were initiated in the 1960's. With the exception of a closed season for elf in KwaZulu-Natal, and *snoek* in the Cape, no other restrictions were promulgated until a comprehensive management framework was introduced for the line fishery in early 1985.

The 1985 management framework included revised minimum size limits, daily bag limits, closed seasons, commercial fishing bans for certain species and the capping of the commercial effort at the 1984 level. Owing to a lack of biological and fisheries data, the level of protection afforded to each species depended largely on qualitative indications of its vulnerability to exploitation, rather than on quantitative evaluations. Furthermore, the absence of clear management guidelines and the existence of strong lobby groups resulted in considerable compromise between managers and fishers regarding the implementation of management action for certain species.

The South African line fishery is a multi-user, multi-species fishery consisting of approximately 200 species of which 95 contribute significantly to commercial and recreational catches. The user groups may be broadly divided into recreational, commercial and subsistence components. The

recreational component consists of approximately 450 000 users and may be divided into estuarine anglers, who fish from boats or river banks, rock and surf anglers and a recreational skiboat sector which operates in a similar environment to the commercial component. The subsistence sector is a new component, having first been recognised by the Marine Living Resources Act of 1998. The subsistence sector exists along the east coast from the Eastern Cape to Northern KwaZulu–Natal and comprises shore-based and estuarine fishing activity. Due to high operating costs, the boat-based fishery does not include a subsistence sector. This policy concerns the commercial fishery only.

The traditional line fishery is a boat-based activity and currently consists of 3450 crew operating from about 450 commercial vessels of between 4.5m and 15m in length. These vessels use hand line or rod-and-reel to target approximately 200 species of marine fish along the full 3000 km coastline, of which 50 species may be regarded as economically important. To distinguish between line fishing and long lining, line fishers are restricted to a maximum of 10 hooks per line. Target species include resident reef-fish, coastal migrants and nomadic species. Annual catches prior to the reduction of the commercial effort were estimated at 16000 tons for the traditional commercial line fishery. Almost all of the traditional line fish catch is consumed locally.

Owing to the large number of users, launch sites, species targeted and the operational range, the line fishery is managed in terms of a total applied effort (“TAE”), bag limits for species, closed areas, limitations of the gear used and restraints on the trade of collapsed and over-exploited species.

Geographically, line fishing takes place from Port Nolloth on the west coast to Richards Bay on the east coast. The fishery is not capital intensive and exceptionally traditional in nature with fisher families having participated, in many instances, for generations and centuries. The fishery is, however, characterised by high levels of insecure labour relations, including *ad hoc* employment.

3. The Biological Status of Line Fish Stocks

Stock assessments conducted since the mid 1980's have revealed that with the exception of fast growing species, such as *snoek* and *yellowtail*, most commercially exploited traditional line fishes have been depleted to dangerously low levels. One of the problems with reducing fish populations to such low levels is that productivity and hence annual catch are much lower than they could be; with obvious ramifications for job creation, tourism and conservation. Apart from these losses, the risk of stock collapse and commercial extinction, as has occurred for *seventy-four*, is extremely high.

Taking cognisance of the poor status of most traditional line fish resources, the Minister of Environmental Affairs and Tourism declared an environmental emergency in this fishery in December 2000. In terms of the emergency, the Minister determined that no more than 3450 persons may fish commercially for traditional line fish. The TAE allocated to the traditional commercial line fishery is an attempt to stabilise the declining trends in the fishery and then re-build over-exploited species.

Given their long life span and complex life histories and continuing fishing pressures, it is unlikely that significant positive changes will occur within a decade. During the World Summit on Sustainable Development ("WSSD"), countries undertook to maintain or rebuild fish stocks to levels that can produce the maximum sustainable yields. The goal is to be achieved on an urgent basis for depleted stocks, and if possible, by not later than 2015.

4. The Medium Term Rights Allocation Process

Commercial fishing rights for the traditional line fishery were allocated for the very first time in July 2003. Of the 3450 crew available for allocation, the Department accommodated 2048 line fishers on 346 boats. The Minister of Environmental Affairs and Tourism subsequently accommodated a further 448 fishers. On 28 August 2003, the Minister issued a statement that addressed the particular challenges faced in allocating commercial line fish rights. He stated:

"In evaluating the appeals, it became abundantly clear that the majority of appellants fell into one of the following categories:

- ❖ *They are right holders in other commercial fisheries.* This fact was particularly evident amongst appellants from Arniston, Kalk Bay and Hout Bay. Some appellants hold two, three and even four commercial rights such as hake long line, pelagic and squid; or
- ❖ *They are weekend fishers.* Many appellants unashamedly stated that they are employed in fulltime employment as consultants, undertakers, teachers or managers but their lifestyles require the additional income which they derive from line fishing. The commercial line fishery, which is in state of environmental crisis, is not intended to supplement and support such lifestyles."

In the end, 2496 commercial line fishers were accommodated. However, 954 crew remained unallocated. The Department then undertook an extensive coastal consultation process to determine which line fishers were excluded by the commercial process. This process endured for the remainder of 2003. In 2004, the balance of the crew TAE was allocated by way of exemptions under section 81 of the Marine Living Resources Act.

5. Objectives of Allocating Commercial Traditional Line Fish Rights

The over-all objectives of allocating long term fishing rights in this fishery are to:

- Increase the participation levels of black traditional line fishers;
- Allocate rights to traditional line fishers reliant on traditional line fishing for their income;
- Affirm fishing communities and coastal regions who depend on traditional line fishing;
- Ensure fair labour practices are adhered to;
- Carefully manage the effort to which line fish stocks are currently subjected to ensure that over-exploited and collapsed fish stocks recover;
- Lay the foundations for the management of this fishery on a regional basis; and
- Ensure substantially higher levels of compliance by fishers.

6. Empowerment of Line Fish Crew

To empower line fish crew, the Department will require all traditional line fish crew to register on a "line fish crew list". All right holders requiring crew for their vessels will be obliged to crew their vessels from persons registered on the crew list. The Department will only register persons on the crew list if they have successfully undertaken a SAMSA safety training course, establish a reliance on line fishing and are able to demonstrate some form of historical involvement in line fishing.

In turn, the traditional line fish crew registered on the crew list may only fish from vessels authorised to catch line fish.

7. Duration of Rights

Having regard to the biological status of line fish stocks, the need to encourage higher levels of compliance and adherence to fisheries laws and the need to affirm line fishers from traditional line fish villages along our entire coast, rights will be allocated for a period of 8 years (01 January 2006 to 31 December 2013). However, as will be explained below, each right holder will be tested at regular intervals against predetermined performance criteria.

8. New Entrants

The traditional line fishery is oversubscribed. The Department estimates that the ratio of oversubscription (fishers:TAE) may be as high as 2:1. In addition, this fishery remains in a state of environmental emergency. Finally, the TAE set by the Minister remains at 3450 crew and 450 vessels. Accordingly, the Department will not allocate additional fishing rights (including exemptions) in this fishery. The Department will however, replace current right holders and exemption holders who do not rely on line fishing for their income, have not fished in accordance with their permit conditions or who have failed to transform their businesses as undertaken in their applications for rights or exemptions, as the case may be.

The Department will look to replace these fishers with traditional line fishers who were unsuccessful in applying for a medium term right in 2003 or line fish exemption in 2003/2004.

9. Full Commercial & Limited Commercial Rights and Exemptions

The Department will not allocate “limited commercial” and “full commercial” long term line fish commercial rights. The Department will only allocate commercial fishing rights in terms of section 18 of the Marine Living Resources Act.

Exemptions and limited commercial fishing rights will not be re-allocated. Instead, exemption holders and limited commercial fishing right holders must apply for commercial fishing rights. Commercial fishing rights are intended for small scale commercial line fishers who rely on line fishing for their income or a substantial part of their income.

10. Evaluation Criteria

All applications for commercial line fish rights will be considered in terms of a set of “*exclusionary criteria*”. All applicants will thereafter be separately scored in terms of a set of “*comparative balancing criteria*”. A cut-off will then be determined in order to select the successful applicants.

10.1 Exclusionary Criteria

Apart from the criteria described in the General Policy pertaining to the lodgement of the applications and material defects, the Department will exclude applicants that fail to meet the following requirements:

- (a) Form of Right Holder:** Only natural persons will be considered. Right-holders who previously operated in the form of juristic persons (i.e. close corporations, trusts or companies) will have to apply in their individual capacities, but will be considered to be “*right-holders*” for purposes of the allocation process.

- A nuclear family (comprising a couple, their parents and their children) may not be granted more than one right so as to avoid monopolies and to broaden access to line fish. Applicants may be required to disclose their relationship to applicants in other commercial fisheries. If more than one member of a household applies for a right, all the applications from the family may be excluded, unless the applicants clearly and convincingly demonstrate that they have established separate small commercial operations. Applications from trusts, close corporations and companies will not be considered.
- (b) **Compliance:** Applicants that have been convicted of an offence in terms of the Marine Living Resources Act (without the option of the payment of a fine) will not be allocated a traditional line fish right. Applicants that have had any fishing right cancelled or revoked in terms of the Marine Living Resources Act will also not be allocated a traditional line fish right. Other breaches of the Marine Living Resources Act will adversely affect the evaluation of applications.
- (c) **Paper Quota Applicants:** Paper quotas (as defined in the General Policy) will be excluded. Large groups of identical, or very similar applications, that are sponsored by consultants or commercial fishing companies and other entities, will be excluded as fronts for paper quotas, regardless of the merits of individual applications.
- (d) **Non-utilisation:** Those right holders that have failed to utilise their medium term commercial traditional fishing right or traditional line fish exemption between 2003 and 31 December 2004 will not be allocated a line fish right. The Department will have particular regard to the frequency and regularity of the submission of catch effort data by right and exemption holders.
- (e) **Personal involvement in harvesting of the resource:** Applicants will have to be involved on a full-time basis in traditional line fishing, be on board the nominated line fish vessels and accordingly participate in the operation of the business.

- (f) **Dependency on the resource:** Right and exemption holder applicants who are presently not dependant on the harvesting of traditional line fish for at least 50% of their annual gross income will be excluded. Potential new entrants will be required to demonstrate their historical dependency on traditional line fishing for a livelihood.
- (g) **Vessel access:** Applicants will have to demonstrate that they have access to a suitable line fish vessel (*see further paragraph 11 below*).

10.2 **Balancing Criteria**

All applicants will be evaluated in terms of the following balancing criteria, which will be weighted in order to assess the strength of each application:

(a) **Transformation**

To increase the transformation profile of the traditional line fishery, applicants will be scored positively if they are black. Gender may be used as a tie-breaking factor (i.e. where more than one applicant scores the same, a female applicant will be preferred over a male applicant).

Applicants will also be assessed and scored on –

- Affirmative procurement; and
- Corporate social investment.

(b) **Investment in the Fishery**

Applicants will be evaluated having regard to investments made in the traditional line fishery.

Applicants will be considered having regard to whether they had invested in a suitable vessel as at 31 December 2004 and whether they invested in any line fish processing initiatives or intend investing in any line fish processing initiatives. The Department will have regard to whether the applicant has invested or intends

investing in processing initiatives to add further value to traditional line fish caught.

(c) Deck Boats

Applicants resident along the west and south east coasts who intend to use their traditional wooden deck boats (provided they are 10m or less) will be rewarded.

(d) Fishing Performance

Right holder applicants will be assessed having regard to their traditional line fishing performance and record during the medium term rights allocation process.

New entrant applicants will be assessed having regard to whether they have the ability, knowledge and skills to fish for traditional line fish stocks.

(e) Job creation

Job creation and the nature of jobs provided in this fishery are of concern to the Department. The Department will reward right holder and exemption holder applicants that have provided employees with –

- Full time secure employment;
- Medical and pension benefits;
- Safe working conditions;
- Any other employment benefits.

As far as new entrant applicants are concerned, the Department will have regard to how many crew they intend to employ and under what conditions.

(f) Traditional Fishing Communities

A number of traditional fishing communities along South Africa's coast have historically been the centres of traditional line fishing.

The Department will reward those applicants that have been resident in a

traditional line fishing community for at least the past 10 years and who intend to fish from a local harbour or slipway only. Along the KwaZulu-Natal coast, the Department will prefer those applicants who intend to fish off the KwaZulu-Natal coastline only.

(g) Historical involvement

All applicants will be rewarded for demonstrating historical involvement in the traditional line fishing industry, such as being a skipper or a crew member in the fishery.

(h) Reliance on line fishing

The Department will prefer those traditional line fishers who are exclusively or substantially reliant on traditional line fishing for their gross annual income (ie. more than 75%).

(i) Compliance:

Minor infringements of Marine Living Resources Act, the Regulations and permit conditions will be negatively scored. Applicants who cannot demonstrate that they comply with the Skills Development Act, 97 of 1998, the Skills Development Levies Act, 9 of 1999, and the Occupational Health and Safety Act 85 1993, will be negatively scored.

10.3 Effort Allocations

The Department will allocate a maximum of 450 vessels capable of carrying a maximum of 3450 crew. Each successful applicant will be allocated one vessel. If all 450 vessels are not allocated, the Department will allocate the remaining vessels to those who scored the most points in the comparative balancing process and who nominated more than one suitable line fish vessel to which they have a right of access.

The number of crew that may fish from any vessel will depend on the SAMSA safety certificate for that vessel.

The Department intends to allocate the 450 vessels along the coastline as follows. The numbers of vessels allocated to each area is calculated having regard to the levels of sustainable effort to which line fish in that area may be subjected:

- Port Nolloth to Cape Point: 123 vessels
- False Bay to Breede River: 172 vessels
- Breede River to Port St Johns: 103 vessels
- KwaZulu-Natal: 52 vessels

11. Suitable Vessels

All applicants need to demonstrate access to a suitable line fish vessel. A suitable vessel in the traditional line fishery is a vessel that:

- is either a skiboat or traditional wooden deck boat of 10m or less that is currently operating in the fishery. These vessels must be certified by SAMSA as being safe for fishing; and
- is geared for hand line fishing.

The Department may require each right holder to invest in an acceptable vessel monitoring system pursuant to the allocation of fishing rights.

12. Multi-sector Involvement

Right holders in the traditional line fishery may not hold (whether directly or as a shareholder, member or beneficiary) or be involved in the management of any right holder in the Cluster A or Cluster B fisheries. Right holders in the traditional line fishery may however hold the following rights, in addition to their line fishing right:

- Right holders domiciled between Port Nolloth and Gansbaai may hold west coast rock lobster fishing rights (near shore only), provided that the person does not hold an abalone right as well;
- Right holders domiciled between the Breede River and Port St Johns may hold hake handline fishing rights; and
- Right holders in KwaZulu-Natal may hold net fishing rights (such as shove nets etc), including beach seine rights.

The provisions of Government Notice 4727 of 29 December 2000, in so far as it prohibits the holder of a commercial section 18 traditional line fishing right from holding any other commercial fishing right, is hereby amended by authorising the holders of a traditional line fish right to hold the following fishing rights only:

- West coast rock lobster (near shore);
- Hake handline; and
- KwaZulu-Natal Beach seine nets (including shove nets).

Traditional line fishing right holders who are also allocated lobster fishing rights will not be permitted to carry any gear for the harvesting of lobster while traditional line fishing. Traditional line fishing right holders who also hold a hake handline fishing right will not be permitted to fish for both hake and line fish on the same fishing trip. While traditional line fishing, the right holder shall only be permitted to carry on board its original traditional line fishing permit. All other original commercial fishing permits shall be lodged with the local fishery control officer.

13. Regional management

The Department intends to manage this fishery on a regional basis, restricting the movement of vessels from one region to the next. Applicants in this fishery will have to nominate certain licensed

landing sites¹ or harbours from which they will operate within a nominated region. Should an applicant be successful in its application, the right holder will then be restricted to operating from that region. In addition, the Department will prohibit the harvesting of line fish stocks that are either over-exploited or collapsed in particular regions.

The Department will allocate traditional line fish rights in the following four regions:

- Port Nolloth to Cape Point
- False Bay to Breede River
- Breede River to Port St Johns
- KwaZulu-Natal

Traditional line fishers domiciled in KwaZulu-Natal may only operate in waters adjacent to KwaZulu Natal and may launch from any licensed landing site or beach along the KwaZulu-Natal coast.

14. Application Fees and Levies

The Department has proposed a two part application fee for this fishery as follows. An upfront application fee, applicable to all applicants for a traditional line fish right, of R400 (four hundred rand) is proposed. Thereafter, should an applicant be successful in applying for a line fish right, the right holder will have to pay a further R204 (two hundred and four rand) per crew member.

The Department is currently reviewing its levies for traditional line fish.

¹ A licenced boat launching site is a boat launching site licenced under regulation 7 of the Off Road Vehicle Regulations (GN Regulation 1399 of 21 December 2001, as amended). See <http://www.mcm-deat.gov.za/4x4/regulations.html>

15. Management Measures

The management measures discussed below reflect a number of the Department's principal post right allocation management intentions for this fishery.

15.1 Ecosystem Approach to Fisheries Management

This fishery will be managed in accordance with the ecosystem approach to fisheries ("EAF"). An ecosystem approach to fisheries management is an holistic and integrated policy which recognises that fishing and various land based activities impacts on the broader marine environment. The EAF will be detailed further in the Fishery Management Manual for the traditional line fishery. South Africa remains committed to the target date of 2010 for the implementation of an EAF in the commercial fisheries.

15.2 Access to Snoek

The Department will continue to permit traditional line fishers access to *snoek*. The Department had previously stated that a separate *snoek* fishery is not viable as *snoek* is a highly nomadic species, as is presently evident.

15.3 Marine Protected Areas

Further marine protected areas will be designated during the duration of the line fish rights. In particular, during 2005, the Minister will designate the Namaqualand Marine Protected Area. The Department remains committed to protecting 20% of its marine area from fishing.

16. Performance Measuring

The Department will institute a number of formal performance measuring exercises for the duration of the commercial fishing rights. It is intended that the first set of performance measuring exercises

may take place on the first anniversary of the right, and thereafter every three years.

Although the Department will finalise the precise criteria against which right holders will be measured after the allocation of commercial fishing rights, and after consulting with right holders, the following broad performance-related criteria may be used:

- crew empowerment;
- investment in processing and value adding to line fish stocks;
- job creation; and
- compliance with applicable laws and regulations.

17. Provisional lists

Before the Department makes a final decision on who will be allocated rights to participate in the traditional line fishery, it will issue a provisional list of successful applicants. The provisional lists will be circulated in each fishing region. Interested and affected parties in these areas may then inform the Department if any persons on the list are not traditional line fishers.

18. Observer and Monitoring Programme

The Department's current monitoring programme will be expanded to this fishery. Right holders will be required to bear the costs of a land-based observer monitoring programme.

19. Permit Conditions

Permit conditions for this fishery will be issued annually. Permit conditions may be amended at any time during the season but after consulting with right holders and/or any recognised industrial body(ies) or interest group(s).