



## **Fishing off the side of the vessel – permits may be required**

Although fishing off the side of a vessel while anchored in port may be a common pastime, many national waters require fishermen to obtain fishing permits. There may also be restrictions on the number and types of fish that can be caught. Crew members should respect and follow the fishing regulations of each country or risk legal and financial consequences.

Published 02 September 2024

Fishing off the side of the vessel while anchored in port may be a common and relaxing recreational activity for seafarers. However, many national waters require fishing permits in order to fish and have restrictions on the number and types of catches. Vessels may also be required to disclose all fresh fish products on board and their origins.

Local authorities in South Africa have been cracking down on illegal fishing in a bid to protect the country's marine resources. The Department of Fisheries and Forestry (DAFF) has also appointed inspectors to attend vessels to check for undeclared fish and fresh fish products on board.

A recent incident in Durban, South Africa, saw three seafarers narrowly escape arrest and prosecution under the South African [Marine Living Resources Act No. 18 of 1988](#). This particular incident was resolved with a plea deal of R 15,000 (approximately USD 1,000) and the vessel was able to depart from Durban the same night. If prosecuted in South Africa, each seafarer can be fined up to R 2,000,000 (approximately USD 135,000) or have to serve up to five years in prison.

Below is a summary of the fishing regulations applicable to South African waters:

- Vessels must declare any fresh fish products on board as well as where they come from
- Permits are required to fish in South African waters
- Failure to adhere to the regulations will result in a fine of R2,000,000 or five years imprisonment

Gard advises Members to comply with any fishing regulations in force in any port or country, as any breach may result in vessels being detained or delayed, crew being fined or prosecuted. The practice of unlicensed leisure fishing is becoming a concern to the authorities around the world. Ship's crew are therefore recommended to not engage in fishing activities unless proper permits have been obtained.

*We would like to thank Gard's correspondent P&I Associates (Pty) Ltd. for their assistance in the preparation of this update.*