

Guidelines and regulations for whale watching

Page 7: Criteria 1.1

Q15 1.1 Guidelines and/or regulations related to the interactions between humans and cetaceans support international best practice and are appropriate to local context. Guidelines and/or regulations must be developed collaboratively by all of the key stakeholders, reviewed regularly, and clearly communicated to relevant audiences. Do you wish to meet the requirements of this criterion 1.1? **Yes**

Page 8: Criteria in detail - criterion 1.1

Q16 Please briefly describe the guidelines and/or regulations used within the WHS below.

The marine code of conduct is adopted and adhered to in the WHS. Briefly, only operators with valid boat based whale watching permits allocated by the South African Department of Environmental Affairs - DEA (now Dept. of Environment, Forestry and Fisheries - DEFF) are allowed to conduct boat tours in the WHS, of which there are two permit holders within the proposed WHS.

Q17 Please describe how and by whom these guidelines and/or regulations were developed?(300 word limit)

These guidelines are developed by the South African Department of Environmental Affairs. This is enforced by the local contracted government authority – Ezemvelo Kwa-Zulu Natal Wildlife.

Q18 What percentage of local whale or dolphin watching tour operators participate in the ongoing development and implementation of these guidelines? **100**

Q19 Is there an active whale watching association within the proposed Whale Heritage Site? **Yes,**

If yes, what percentage of local whale or dolphin watching tour operators participate in this association? How many times per year does this association meet?:
100% - The two permitted whale watching operators are required to register with the South African Whale Watching Association

Page 9: Criteria 1.2

Q22 1.2 Guidelines and/or regulations are monitored by a minimum of two authorities, one of which can be advisory, but the other should be a responsible government body authorised to take effective action. There should be a clear process for any breaches including consequences for offenders. Do you wish to meet the requirements of criterion 1.2? **Yes**

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Q23 Please list all regulatory and advisory authorities responsible for monitoring compliance with local guidelines and/or regulations for cetacean-human interactions.

The provincial authority, Ezemvelo KZN Wildlife is the delegated authority by the South African National Department of Environment, Forestry and Fisheries.

Q24 Is at least one of these authorities a government body that is empowered to take action against non-compliance? For example, this could include the National Park or Marine Park authority, the navy, the coastguard, or the Department for the Environment.

Yes,
If yes, describe the processes for any compliance breaches, including consequences for offenders (200 word limit):
For permitted whale watching operations, compliance and enforcement includes fines, review of permits or potentially removal of permit. For general public, fines and potentially imprisonment.

Q25 Is at least one of these authorities an advisory or non-governmental body? For example, this could include a university or NGO responsible for reporting bad practices.

Yes,
If yes, describe how they monitor compliance and report bad practice? (200 word limit):
WildOceans is a Non Profit Organisation and are not authorized to take action but they do work closely with Ezemvelo who remains the platform for reporting any illegal behaviour.

Page 11: Criterion 1.3

Q28 1.3 Regular training takes place for skippers, crew, guides, onshore staff, and other stakeholders to ensure ownership and maintenance of responsible standards for interactions. Do you wish to meet the requirements of criterion 1.3?

Yes

Page 12: Criteria in detail - criteria 1.3

Q29 Please describe when training is available, what it involves, and who attends? 300 word limit

Our Whale Time guides receive lengthy boat based and land based training .
We are still awaiting feedback from our 2 permit holders

Page 13: Criterion 1.4

Q31 1.4 A permit system exists that manages and limits licences for cetacean interactions according to the best available local research and includes regular assessment and reapplication. Do you wish to meet the requirements of criterion 1.4?

Yes

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Q32 Describe the general process and requirements for obtaining a permit at the proposed site, with emphasis on its effectiveness in ensuring that whale or dolphin watching is managed responsibly? 300 word limit

Permits are granted only if the applicant complies with the boat-based whale watching (BBWW) regulations set by the South African Department of Environmental Affairs. The Department of Environmental Affairs goes through a lengthy application process every 5 years, after which operators meeting the requirements are awarded permits.
Please see attached BBWW Regulations.

Q33 What percentage of operators within the proposed site currently hold a permit / licence? **100**

Q34 How many licences are available annually for whale and dolphin watching activities?

5 Licenses are available for the province of Kwa-Zulu Natal; 2 for this WHS. Our 2 permit holders are Isle of Capri and Umhlanga Charters.

Q35 Is the number of permits limited or restricted in some way?

Yes,

If yes, please describe what information or evidence led to these restrictions? (300 word limit):

They are restricted to the province, and number of boats are controlled by very strict permit requirements.

https://www.environment.gov.za/projectprogrammes/boatbasedwhalewatching_permitallocationprocess
