KNOW THE RULES

A GUIDE TO **LEGAL** AND **ETHICAL** BOAT-BASED WHALE WATCHING

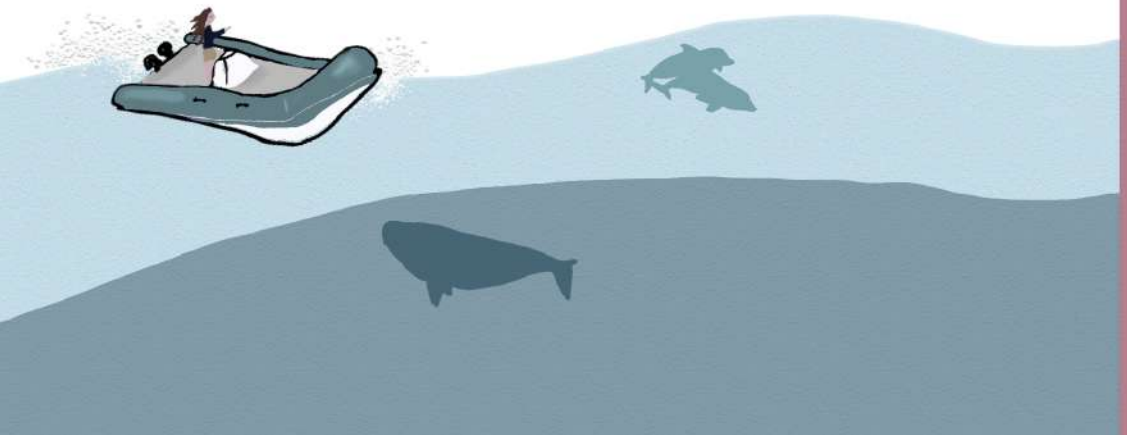


South Africa

30 YEARS OF IGNITING NEW WAYS
WWF NEDBANK GREEN TRUST
NELSON MANDELA UNIVERSITY
NMT

CONTENTS

INTRODUCTION TO THE INDUSTRY 2
CLIENT BRIEFING 3-4
WHALE REGULATIONS 5-6
DOLPHIN REGULATIONS 7-8
SEAL AND SEABIRD REGULATIONS 9-10
CETACEAN HARASSMENT INDICATORS 11-12
COMPANY REQUIREMENTS 13
MULTIPLE BOAT RULES 14



INTRODUCTION

The marine wildlife tourism industry is one of the fastest growing tourism sectors worldwide, providing substantial social and economic benefits. When moments that were once only witnessed through a screen suddenly became accessible to the public, the lure of that magical wildlife encounter drove a boom in the industry. The economy of many coastal towns is now dependent on the marine life in its adjacent waters to support a financially lucrative industry that contributes to social upliftment and environmental awareness.

Initially, boat-based whale watching was seen as a non-impactful way to appreciate marine life and an ethical alternative to whaling. Although whale watching has a less destructive impact than whaling did, if not conducted responsibly, it can have negative impacts on the behaviours and welfare of the species it targets. In 1998 the South African boat-based whale watching industry was formalised and permits were introduced to help mitigate these impacts by introducing regulations, guidelines of best practices, and limitations on the location and quantity of vessels allowed to operate in an area.. These regulations make South Africa one of the global industry leaders, minimising disturbance to marine life while supporting socio-economic growth.

In order to be effective these permit regulations and protocols must be understood and adhered to. This booklet aims to summarise the key permit regulations for the permitted whale watching industry to ensure the needs of the industry, community and wildlife are utilised in a sustainable and ethical manner.



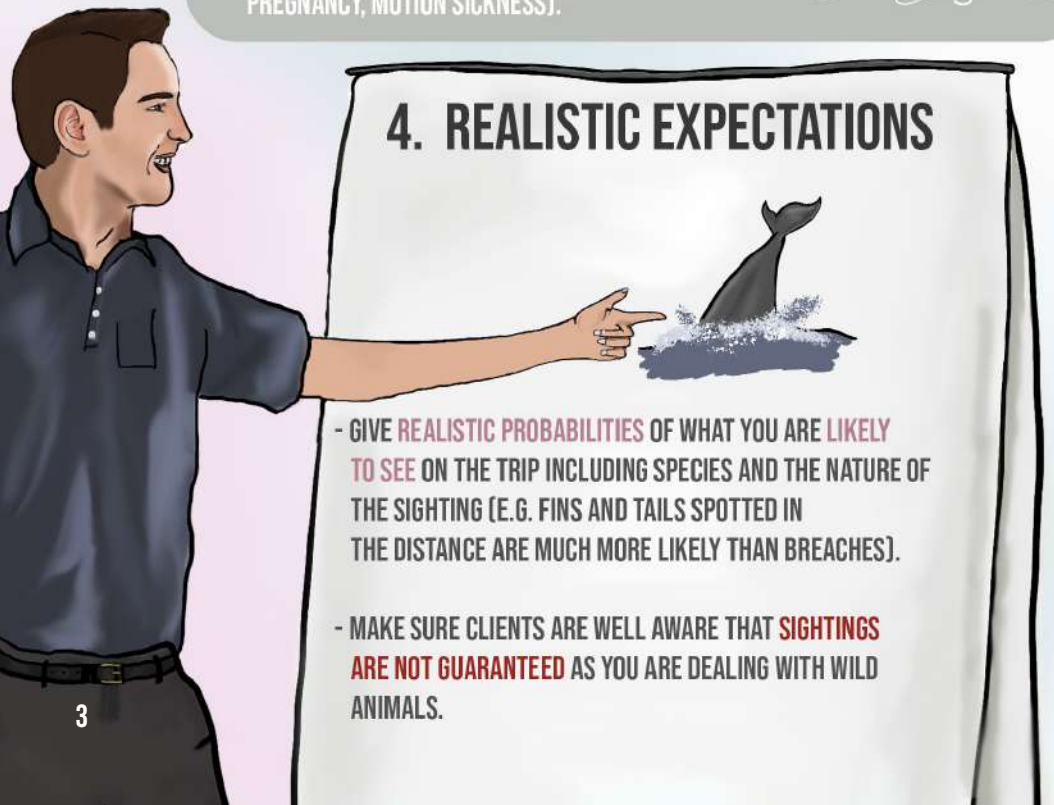
CLIENT BRIEFING (PRE-TRIP)

1. GENERAL INTRODUCTION

- INTRODUCE YOURSELF (SKIPPER/GUIDE) AND THE COMPANY.
- GO THROUGH A GENERAL DESCRIPTION OF THE EVENTS FOR THE DAY (E.G. ROUTE AND TIME AT SEA)
- HIGHLIGHT YOUR RESPONSIBILITIES AS A SERVICE PROVIDER.
- ALLOW TIME FOR ANY PRE-TRIP QUESTIONS.

2. WEATHER CONDITIONS

- MAKE SURE CLIENTS ARE AWARE OF AND PREPARED FOR THE WEATHER AND SEA CONDITIONS.
- IDENTIFY PASSENGERS THAT MAY NEED SPECIAL ASSISTANCE IN ROUGH CONDITIONS (E.G. BACK INJURIES, PREGNANCY, MOTION SICKNESS).



4. REALISTIC EXPECTATIONS

- GIVE REALISTIC PROBABILITIES OF WHAT YOU ARE LIKELY TO SEE ON THE TRIP INCLUDING SPECIES AND THE NATURE OF THE SIGHTING (E.G. FINS AND TAILS SPOTTED IN THE DISTANCE ARE MUCH MORE LIKELY THAN BREACHES).

- MAKE SURE CLIENTS ARE WELL AWARE THAT SIGHTINGS ARE NOT GUARANTEED AS YOU ARE DEALING WITH WILD ANIMALS.

3. BOAT SAFETY

- EXPLAIN THE DO'S AND DON'TS OF PASSENGER CONDUCT ON BOARD .
- REVIEW THE SAFETY EQUIPMENT.
- GO THROUGH EMERGENCY PROTOCOL.
- HIGHLIGHT THAT SMOKING AND ALCOHOL CONSUMPTION ARE PROHIBITED.



5. PERMIT CONDITIONS



- BRING THE PERMIT TO THE ATTENTION OF THE CLIENTS.
- MAKE THEM AWARE OF THE INFORMATION IT CONTAINS.
  FOR EXAMPLE:
  - LEGAL DISTANCES TO ANIMALS AND SPEED REGULATIONS AND WHY THESE RESTRICTIONS ARE IN PLACE.
  - WHY CERTAIN ANIMALS MAY NOT BE APPROACHED (E.G. MOTHER AND CALF PAIRS, ANIMALS THAT HAVE BEEN PREVIOUSLY ENCOUNTERED).
  - WHY ANIMALS MUST BE APPROACHED IN CERTAIN WAYS AND HOW PASSENGERS SHOULD BEHAVE DURING AN INTERACTION.

6. REFUND POLICY

- MAKE CLIENTS AWARE OF YOUR REFUND POLICY (IF ANY) AND THE DETAILS OF WHEN THIS WOULD BE APPLICABLE.

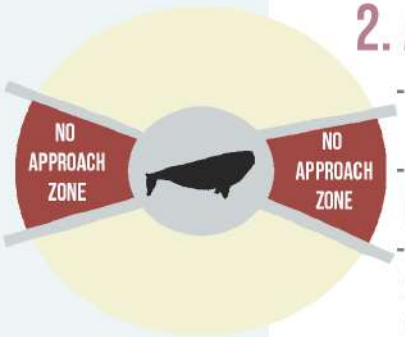
WHALE REGULATIONS

PLAYING UNDERWATER SOUNDS OR ACOUSTICS FROM THE VESSEL IS **PROHIBITED.**
NO PERSON SHOULD MAKE ANY LOUD OR DISRUPTIVE NOISE.

1. SPEED

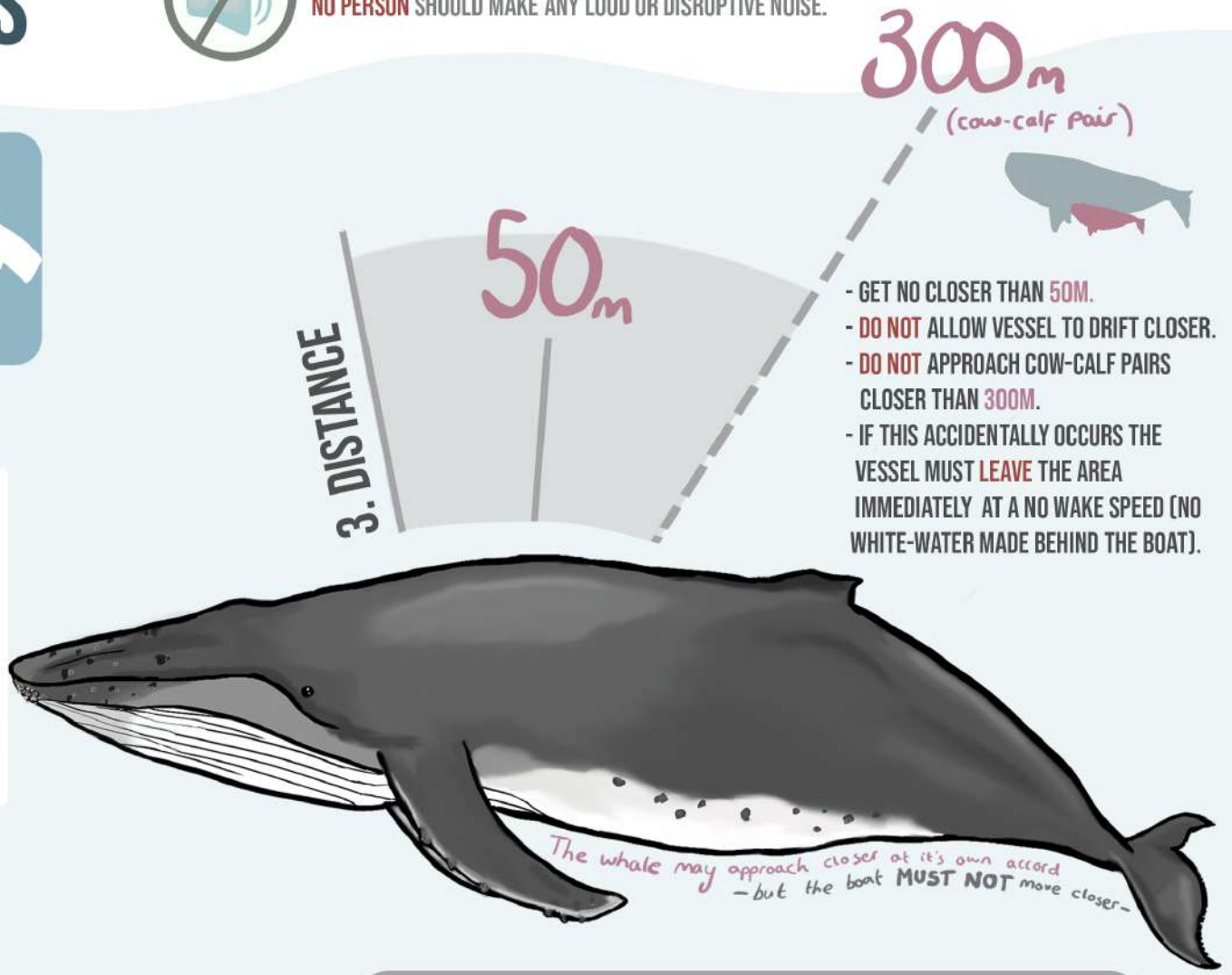
- YOU MUST BE TRAVELLING AT A **NO WAKE SPEED** WITHIN 300M OF ANY WHALE.
- WITHIN 500M OF WHALES YOU MUST PROCEED AT LESS THAN 10 KNOTS.

2. APPROACH ANGLE



- APPROACHES MUST BE **PARALLEL** WITH THE WHALE FROM THE SIDE.
- **DO NOT** APPROACH FROM THE REAR OR HEAD-ON TO THE WHALE.
- ANIMALS **MUST NOT** BE ENCIRCLED, SEPARATED, OR THE VESSEL POSITIONED IN THE MIDDLE OF A GROUP.

3. DISTANCE



- GET NO CLOSER THAN 50M.
- **DO NOT** ALLOW VESSEL TO DRIFT CLOSER.
- **DO NOT** APPROACH COW-CALF PAIRS CLOSER THAN 300M.
- IF THIS ACCIDENTALLY OCCURS THE VESSEL MUST **LEAVE** THE AREA IMMEDIATELY AT A NO WAKE SPEED (NO WHITE-WATER MADE BEHIND THE BOAT).

4. INTERACTION

- ALLOW THE **WHALE TO GUIDE** THE NATURE AND DURATION OF THE INTERACTION.
- **NO** TOUCHING OR FEEDING THE ANIMALS.
- ALWAYS REMAIN PARALLEL TO THE WHALE.
- **AVOID** REGULAR ENGAGEMENT AND DISENGAGEMENT OF THE ENGINES.
- IF THE WHALE DIVES, PROPELLERS **MUST** BE DISENGAGED UNTIL RESURFACE.

5. TIME

- MAXIMUM TIME AT CLOSE CONTACT IS 20 MINUTES.
- AT THE END OF THE ENCOUNTER PROCEED ON A STRAIGHT, SLOW COURSE AWAY FROM THE WHALE.
- THE ANIMAL **MUST NOT** BE REVISITED MORE THAN TWICE IN A DAY BY THE SAME OPERATOR.
- THERE MUST BE AT LEAST 3 HOURS BEFORE REVISITS.

DOLPHIN REGULATIONS

1. SPEED

- DURING AN APPROACH, REDUCE SPEED TO LESS THAN 10 KNOTS WHEN 300M AWAY FROM DOLPHINS.
- DO NOT EXCEED THE SPEED OF THE SLOWEST MOVING DOLPHIN WHEN AT 25M FROM THE POD.



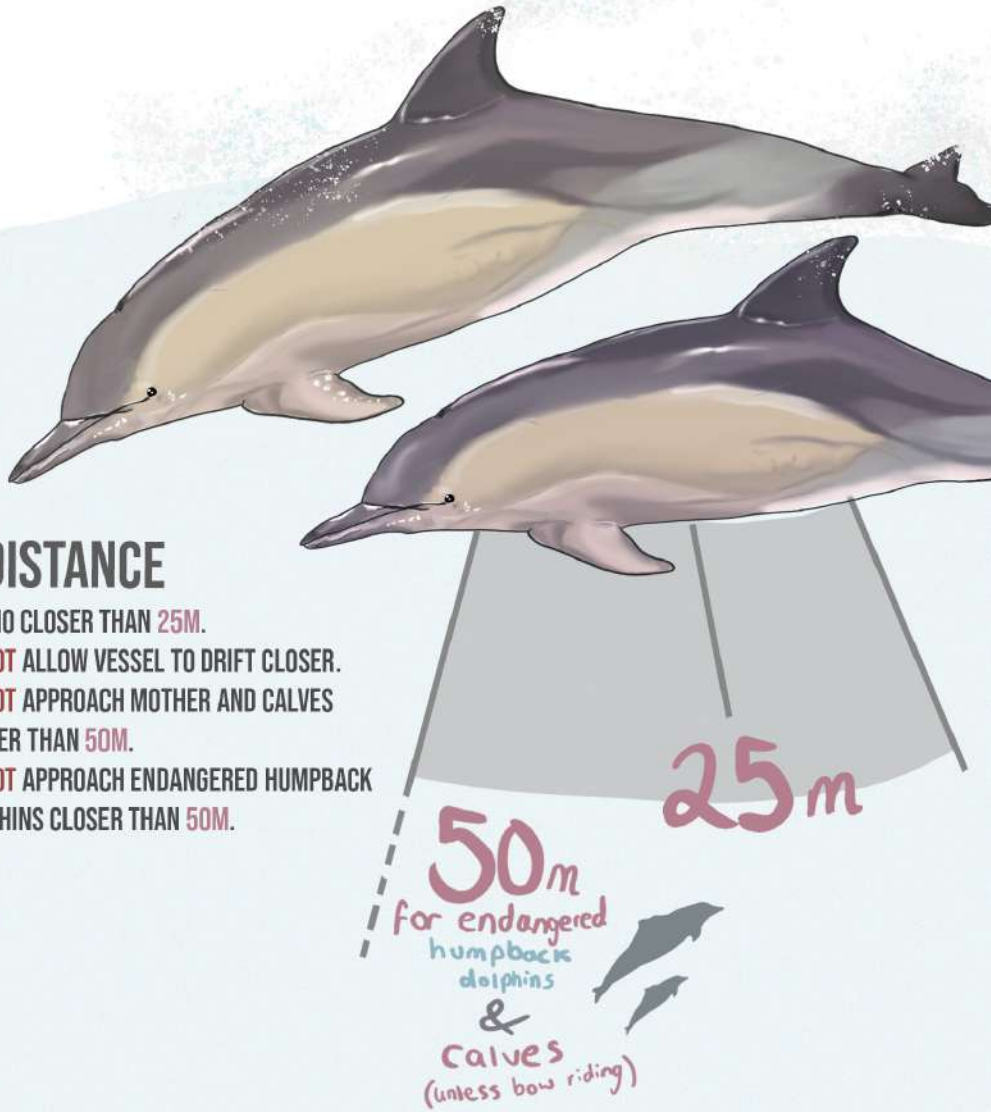
2. APPROACH

- DO NOT TRAVEL THROUGH A SCHOOL OF DOLPHINS OR SEPARATE THE POD.
- DO NOT APPROACH FROM THE REAR OR HEAD ON. DO APPROACH PARALLEL.



4. INTERACTION

- ALLOW THE DOLPHINS TO CONTROL THE NATURE AND DURATION OF THE INTERACTION.
- THE ANIMAL MAY APPROACH CLOSER OF IT'S OWN ACCORD, INCLUDING BOW-RIDING, BUT THE VESSEL MUST KEEP IT'S COURSE.
- AVOID SUDDEN DIRECTION AND SPEED CHANGES.



3. DISTANCE

- GET NO CLOSER THAN 25M.
- DO NOT ALLOW VESSEL TO DRIFT CLOSER.
- DO NOT APPROACH MOTHER AND CALVES CLOSER THAN 50M.
- DO NOT APPROACH ENDANGERED HUMPBACK DOLPHINS CLOSER THAN 50M.

5. TIME

- MAXIMUM TIME AT CLOSE CONTACT IS 20 MINUTES.
- WHEN DISENGAGING CONTACT, SPEED MUST INCREASE GRADUALLY AND NOT EXCEED 10 KNOTS WITHIN 300M OF DOLPHINS.
- HUMPBACK DOLPHINS MUST HAVE A BREAK OF 3 HOURS BETWEEN REVISITS BY THE SAME VESSEL.

SEAL AND SEABIRD REGULATIONS

1. SPEED

- ALWAYS TRAVEL AT A NO WAKE SPEED WITHIN 15M OF A COLONY OF SEABIRDS OR SEALS.



NEVER DRIVE THROUGH A FLOCK OF BIRDS SITTING ON THE WATER.



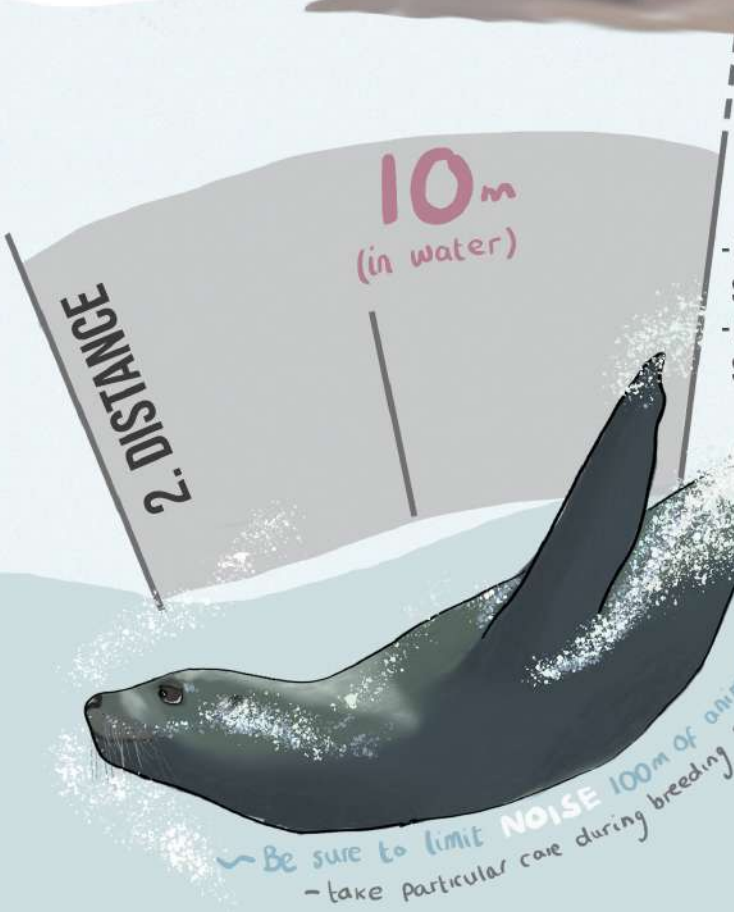


3. INTERACTION

- APPROACH TO COLONIES SHOULD BE DOWN-WIND IF TOPOGRAPHY AND LANDSCAPE ALLOW IT.
- IF THE VESSEL STOPS TO VIEW SEABIRDS OR SEALS IN THE WATER, THE ENGINE PROPELLER MUST NOT BE ENGAGED UNTIL THE END OF CONTACT.
- AVOID SUDDEN CHANGES OF SPEED AND DIRECTION.







- GET NO CLOSER THAN 10M TO SEALS OR SEABIRDS IN THE WATER.
- GET NO CLOSER TO 15M OF A SEABIRD OR SEAL COLONY.

4. TIME

- MAXIMUM TIME AT CLOSE CONTACT IS 20 MINUTES.

IF ANY OF THESE BEHAVIOURS OCCUR, THE INTERACTION SHOULD BE ABANDONED:

- SUBSTANTIAL NUMBER OF ANIMALS RAISE THEIR HEADS AND STARE AT VESSEL.
- SUBSTANTIAL NUMBER OF SEALS HURRIEDLY ENTER INTO THE WATER.
- SEABIRDS LEAVE NESTS OR A SUBSTANTIAL NUMBER FLY OFF.
- INCREASED VOCALISATION AND AGGRESSION AMONGST SURROUNDING ANIMALS.

CETACEAN HARASSMENT INDICATORS

IF THESE INDICATORS OF HARRASSMENT OCCUR THE VESSEL SHOULD MOVE SLOWLY (NO-WAKE) AWAY FROM THE ENCOUNTER

1. EVASIVE SWIMMING PATTERNS SUCH AS RAPID SWIMMING AT THE SURFACE.

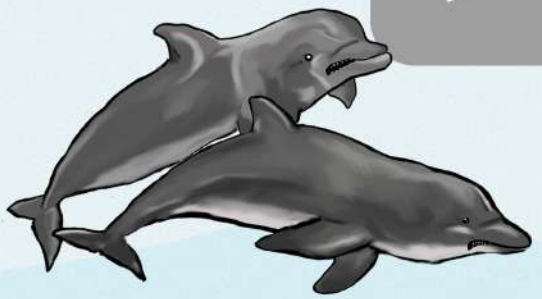


3. Surface behaviour such as Tail Slaps & Flipper slaps.

2. ESCAPE TACTICS SUCH AS PROLONGED DIVING, UNDERWATER COURSE CHANGES OR UNDERWATER EXHALATIONS.

4. RAPID CHANGES IN SPEED AND DURATION OF MOVEMENT OF ANIMALS.







5. CHECK FOR CHANGES IN RESPIRATION PATTERNS.

COMPANY REQUIREMENTS

- THE INFORMATION PROVIDED IN THE PERMIT MUST BE PROMINENTLY DISPLAYED ON THE VESSEL AND BROUGHT TO THE ATTENTION OF THE CLIENTS.

- A CERTIFIED COPY OF THE PERMIT SHOULD BE ON BOARD.

- ALL PERMIT HOLDERS AND THEIR STAFF MUST UNDERGO TRAINING ON BOAT-BASED WHALE WATCHING APPROACHES.

- A REGISTERED TOUR GUIDE MUST BE ON BOARD AND AN ADEQUATE EDUCATION SERVICE PROVIDED.

- AN EMERGENCY FLOW CHART, PHONE NUMBER AND PROCEDURES TO FOLLOW IN AN EMERGENCY, AND HOW TO REPORT NON-COMPLIANCE OF OPERATING PROCEDURES MUST BE DISPLAYED ON THE VESSEL.

- DAILY LOGBOOKS MUST BE KEPT ON BOARD, BE UPDATED WITH SIGHTINGS OF EACH TRIP, AND SUBMITTED TO THE DEPARTMENT OF ENVIRONMENT, FORESTRY AND FISHERIES (DEFF) MONTHLY.

- THE VESSEL MUST ALSO BE FITTED WITH A VESSEL MONITORING SYSTEM (VMS) LOGGING GPS.

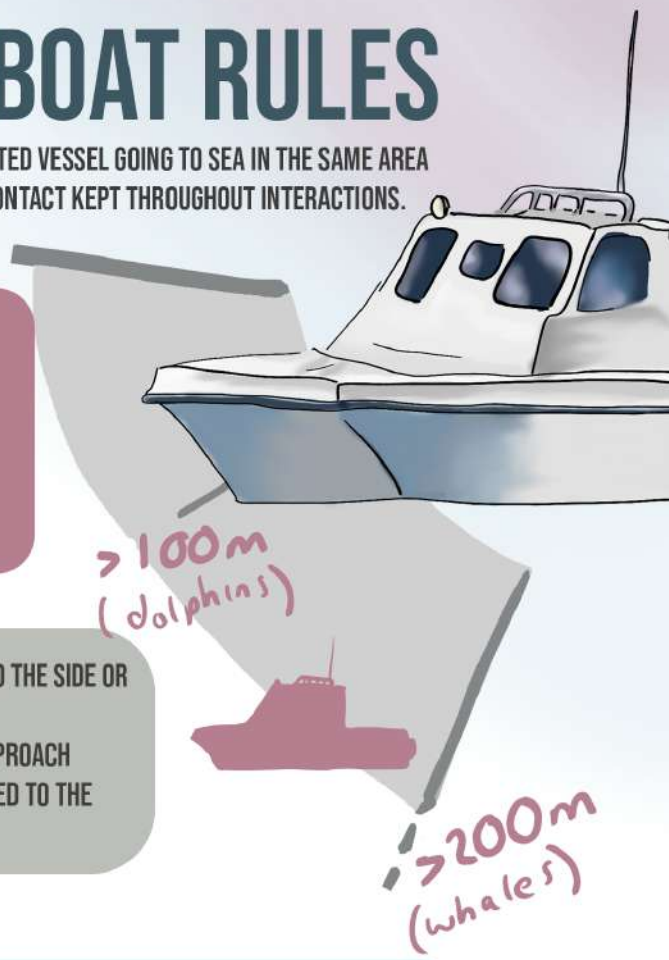


MULTIPLE BOAT RULES

WHEN THERE IS MORE THAN ONE PERMITTED VESSEL GOING TO SEA IN THE SAME AREA VIEWINGS MUST BE COORDINATED AND CONTACT KEPT THROUGHOUT INTERACTIONS.

THE SECOND VESSEL AT A VIEWING MUST WAIT IN THE STANDBY ZONE.

- FOR DOLPHINS THIS IS 100M AWAY.
- FOR WHALES THIS IS 200M AWAY.



- THE SECONDARY VESSEL MUST WAIT TO THE SIDE OR BEHIND THE ANIMAL.
- THE SECONDARY VESSEL MAY ONLY APPROACH AFTER THE PRIMARY VESSEL HAS MOVED TO THE STANDBY DISTANCES SHOWN ABOVE.

- WHALES MUST NOT BE REVISITED MORE THAN TWICE A DAY BY THE SAME OPERATOR AND THERE SHOULD BE AT LEAST A THREE HOUR GAP IN BETWEEN.
- ALTHOUGH A PERMITTED OPERATOR MAY HAVE TWO VESSELS ONLY ONE SHOULD BE LAUNCHED AT A TIME.



If multiple vessels are following a **MOVING WHALE** the time of the contact is reduced to 15 mins for each vessel.

KNOW THE RULES

A GUIDE TO **LEGAL** AND **ETHICAL** BOAT-BASED WHALE WATCHING

AS THE BOAT-BASED WHALE WATCHING INDUSTRY GROWS, IT IS VITAL THAT PERMIT REGULATIONS ARE ADHERED TO IN ORDER TO CREATE A SUSTAINABLE AND ETHICAL FUTURE. THIS GUIDE AIMS TO CLEARLY ILLUSTRATE THE MAIN REGULATIONS IN SOUTH AFRICA IN ORDER TO PROTECT OUR OCEANS AND SUPPORT A THRIVING MARINE TOURISM INDUSTRY.

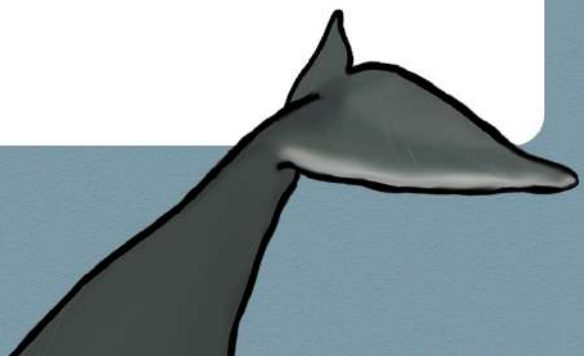
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30 YEARS OF IGNITING NEW WAYS WWF NEDBANK GREEN TRUST

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