



agriculture, forestry & fisheries

Department:
Agriculture, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

Reference: Jacqueline Leggett – WCNA15439

THE MINISTER

REPORT IN TERMS OF REGULATION 5(3) OF THE REGULATIONS PROMULGATED UNDER THE MARINE LIVING RESOURCES ACT, 1998 (ACT No. 18 OF 1998) (“THE MLRA”): APPEAL IN TERMS OF SECTION 80 OF THE MLRA: JACQUELINE LEGGETT (WCNA15439): WEST COAST ROCK LOBSTER FISHERY

1. PURPOSE

- 1.1 To submit a report as provided for in terms of Regulation 5(3) of the Regulations promulgated under the MLRA, with regard to an appeal by Jacqueline Leggett (“the Appellant”).

2. GROUNDS OF APPEAL

- 2.1 The Appellant does not place any substantial grounds of appeal to the Minister of the Department of Agriculture, Forestry and Fisheries (“the Minister”) other than appearing to complain about non submission of her 2015/16 Fishing Rights Application Form (“the application form”). The Appellant argues that its application form was filed late due to reasons beyond her control.

3. DELIBERATIONS

- 3.1 In terms of the “Important Information” as stipulated in the 2015/16 Fishing Rights Allocation Process (“FRAP 2015/16”) application form (“the application form”), application form and a copy must reach one of the Receipting Centre’s before the stipulated closing date and time listed in the Government Gazette

Notice. It further stipulates that late applications will not be accepted and will not be considered.

- 3.2 In light of the above, the Delegated Authority does not have the authority to condone non-compliance with prescribed lodgement requirements of the application forms. Therefore the late filing of the application cannot be condoned by the Delegated Authority nor the Minister.



BELEMANE SEMOLI
DEPUTY DIRECTOR-GENERAL (ACTING)
FISHERIES MANAGEMENT
DATE: 21 AUGUST 2018