



**MINISTER
FORESTRY, FISHERIES AND THE ENVIRONMENT
REPUBLIC OF SOUTH AFRICA**

**PROVISIONAL GENERAL PUBLISHED REASONS FOR RECONSIDERATION OF THE REMITTED AND
SUPPLEMENTARY APPEALS IN THE SMALL PELAGIC: SARDINE SECTOR DECISIONS
IN THE SMALL PELAGIC SECTOR: SARDINE
FISHING RIGHT ALLOCATION PROCESS 2021/2022**

INTRODUCTION AND BACKGROUND

1. This document is the *Provisional General Published Reasons for the Reconsideration of the Remitted and Supplementary Appeals in the Small Pelagic Sardine (SPS) Sector*, issued by the Minister of Forestry, Fisheries and the Environment (the Minister).
2. During February 2022, the Department of Forestry, Fisheries and the Environment (the Department) completed the Fishing Rights Allocation Process of 2021/2022 (FRAP 2021/22), in the Small Pelagic (Sardine) sector. The Deputy Director General: Fisheries Management, in her capacity as the Delegated Authority, published her decisions in respect of the FRAP 2021/2022 in the “*General Published Reasons for the Decisions on the Allocation of 2021/22 Fishing Rights and Quantum in the Small Pelagic: Sardine sector*” (GPR).
3. Applicants who were dissatisfied with the Delegated Authority’s decision were entitled to appeal against the decision(s) of the Delegated Authority, in terms of section 80 of the Marine Living Resources Act 18 of 1998 (MLRA), read with regulation 5 of the Regulations to the MLRA, via the Department’s FRAP Appeals online system. The Department received one hundred and sixty-nine (169) appeals in the Small Pelagic (Sardine) sector across the different categories of applicants.
4. In or during December 2024, the then Minister of Forestry, Fisheries and the Environment, erstwhile Minister Barbara Dallas Creecy, in her capacity as the Appeal Authority in terms of section 80 of the MLRA, finalised her consideration of these appeals; and she issued her “General Published Reasons for Decisions on Appeal in the Sardine Sector: 2021/2022” (Appeal GPR). The erstwhile Minister recorded her decision on the allocation of rights in each Category of the Sardine Sector in Annexure A, B and C to the Appeal GPR.
5. Thereafter, several judicial review applications were instituted out of the Western Cape Division of the High Court against the decisions of the Delegated Authority and/or that of former Minister Creecy, which led to consent orders handed during February 2025, by the honourable Judge Mantame of the Western Cape High Court. In terms of these orders, I as Minister was directed to inter alia, reconsider 24 appeals in the small pelagic sector (13 Appeals in the Sardine sector) with due regard to the grounds of review raised by the applicants in the above mentioned review proceedings.
6. As part of the reconsideration of the remitted appeals, the orders expressly authorise and direct that, amongst other:
 - 6.1 The Minister is to revisit any and all decisions originally made on appeal and to make such alterations and/or new decisions (including, without limitation, the revocation, cancellation or reduction of any rights and/or permits and/or quantum granted or issued pursuant to any decisions previously made on appeal) as are

- necessary to give effect to the determinations and allocations following my reconsideration of the appeals read together with the grounds of review, and to do so in a manner consistent with the MLRA and the applicable Regulations and policies;
- 6.2 That the applicants/appellants will be advised if there is any information from the Department's database as contemplated in paragraph 8.4.1(d) of the General Policy, or any other information outside of their application or appeal that had been relied on by the DA, and simultaneously will be provided with such information, and any other reasons relevant to their application, within 30 (thirty) calendar days from the date of this order (the further information date);
- 6.3 Applicants/appellants will be afforded 30 (thirty) calendar days from the date of the further information date, with an opportunity to supplement their appeals to the Minister or make representations arising solely in relation to such information or reasons, including being afforded an opportunity to confirm or make written representations in relation to the correctness of information contained in the Department's database as contemplated in paragraph 8.4.1(d) of the General Policy insofar as such information was relied on by the DA;
- 6.4 The Minister to publish and email to the applicants/appellants any proposed outcome of the reconsidered decision in respect of or affecting the rights of the applicants/appellants (which shall include a proposed reduction of the percentage of the total allowable catch allocated to each of the applicants/appellants by the DA, or a proposed alteration of their score on appeal, or a proposed decision adversely affecting the applicants/appellants rights or the allocation made to it by the DA), together with the proposed reasons for the reconsidered decision, and all information and documents relevant to the proposed decision (but not yet provided to the applicants/appellants), affording them and all interested and affected parties with an opportunity to state their case in relation thereto, within 30 (thirty) calendar days thereafter;
- 6.5 Pending the final outcome of the Minister's reconsidered appeal decision by no later than Friday, 29 August 2025, the appeal decision taken on 20 December 2023 (of the DA) shall in the interim remain in force and in effect;
- 6.6 The Deputy Director General: Fisheries Management (DDG:FM) within the Department of Forestry Fisheries and the Environment is directed to issue permits to the applicants/appellants for commercial fishing rights in the Small Pelagic, Sardine sector pursuant to the abovementioned steps on application by such applicants/appellants and subject to fulfilling the prescribed requirements for such permits to enable such applicants/appellants to utilise their aforementioned fishing rights from a date following on the above process which date shall be no later than 1 September 2025.
7. In compliance with the orders, on or about 4 April 2025, the DDG: FM addressed a letter (DDG:FM's letter) to the relevant applicants/appellants, informing them of the information obtained from the Department's internal database as contemplated in Paragraph 8.4.1(d) of the General Policy, which had been relied upon in the

assessment of the applications. The letter provided the applicant/ appellants with such information and afforded them the opportunity to supplement their appeals to me as the appeal authority or make representations solely in relation to such information or reasons, within 30 days thereof.

8. In further compliance of the order, I have considered the remitted appeals, the supplementary appeal grounds and the grounds of review as set out in the review applications. Each Appellant related to the remitted appeal has been provided with a Provisional Appeal Decision. I have set out my reasons for the proposed outcome of the reconsidered appeals and several options for the proposed outcome on the allocation of rights and allocation of Total Allowable Catch (TAC) in this document. The relevant applicants/appellants, as interested and affected parties, are afforded an opportunity to provide their comments on any aspect of their individual provisional appeals decision pertaining to their remitted appeal and on the various options for the adoption of the Quantum Allocation Methodology (QAM) as proposed for the allocation of rights and Total Allowable Catch (TAC) in this sector
9. The Provisional Appeals GPR for Remitted and Supplemented Appeals in the SPS Sector does not deal with specifics of each of the remitted appeals and their scoring concerns. In that regard, the applicants/appellants are referred to the individual provisional appeal decisions, which must be read in conjunction with their scoresheet and herewith.

DELEGATED AUTHORITY'S QUANTUM ALLOCATION METHODOLOGY (QAM) AND RIGHTS ALLOCATION PROCESS

10. On the comparative balancing criteria, the Delegated Authority determined that Category A applicants with a final weighted score of 50% or more ($\geq 50\%$) would be granted a right, and applications with a final weighted score of less (i.e. $< 50\%$) would not be successful.
11. The top 5 scoring Category B applicants and the top 5 scoring Category C applicants (in terms of their Final Score), were examined in detail on the following criteria:
 - 11.1 Evidence of developed or in-development methods for product beneficiation and hence value-adding to the landed raw product.
 - 11.2 Demonstrated investment in fishing-related industries;
 - 11.3 Their previous job creation performance;
 - 11.4 Their location, as broadening access to impoverished coastal regions, particularly on the East Coast, was considered important.
12. In terms of the DA's decision:
 - 12.1 Ten percent (10%) of the TAC tonnage was reserved for appeals;

- 12.2 46 of the 80 Category A applicants were successful sharing 92, 592% of the TAC;
- 12.3 2 of the 59 Category B applicants were successful sharing 1,6667% of the TAC; and
- 12.4 4 of the 105 Category C applicants were successful sharing 5.7407% of the TAC.

OUTCOME OF THE APPEALS UNDER THE FORMER MINISTER

- 13. In considering the 169 appeals submitted against the decisions taken by the Delegated Authority in this sector, the former Minister determined the following outcome on appeal:
 - 13.1 14 additional Category A appellants qualified on appeal to be awarded a right, having scored higher than the 50% threshold. The Minister also undertook a re-evaluation of all successful applicants/appellants. In terms of their performance results, some previous above-average performers become below-average performers and vice-versa and incorporated those adjustments in her appeal decisions.
 - 13.2 1 additional Category B appellant qualified to be awarded a right on appeal.
 - 13.3 All allocations were reduced by 10% given that the DA had already awarded 100% of the resource allocation.
- 14. The DA allocated 100% of the TAC to successful applicants. The DA applied the following QAM:
 - 14.1 The 5 largest successful Category A right holders (based on their previous allocations) had their TAC values reduced by 5% (ie. to 95% of what they had under the previous rights allocation process);
 - 14.2 This reduction in allocation resulted in TAC being available for reallocation to new entrants as well as smaller Category A applicants that had performed better than others of a similar size;
 - 14.3 The Delegated Authority divided successful Category A applicants into 10%-percentile groups according to the size of their previous allocations and their performance was evaluated relative to the average of that group. Applicants that performed higher than average had their initial allocation increased slightly whereas applicants that performed below average had their allocations reduced slightly.
- 15. The former Minister followed a similar approach on appeal, but gave consideration to the following:
 - 15.1 Although the DA had determined the minimum TAC to be 200 t she did not allocate TAC below 225t, so in effect, a minimum allocation of 225t on appeal was adopted;
 - 15.2 The 10% reserved TAC tonnage (3,000t) was distributed amongst the 14 successful Category A appellants and 1 successful Category B appellant, using the minimum 225t, and incorporating the evaluation of performance of Category A appellants during the previous rights period.

PROPOSED OUTCOMES ON CONSIDERATION OF THE REMITTED APPEALS

16. The court orders having set aside the DA's QAM, specifically insofar as it did not follow adequate process specifically per the section 80(3) MLRA, have necessitate that I consider a QAM that would be fair and reasonable taking into account all relevant factors. This includes notifying affected parties of any revocation of rights and/or any proposed reduction in the percentage of the TAC to each applicant or appellant by the DA, or any other proposed decision that may adversely affect their rights or the allocation previously made by the DA.
17. Having reconsidered the remitted appeals, I now set out my proposed outcome regarding allocation of rights and TAC. I propose hereinbelow various options on the allocation of rights and TAC, thereby affording the affected parties an opportunity to state their case in relation thereto, within 30 (thirty) calendar days from the date of publication of this Provisional Appeals GPR for Remitted and Supplemented Appeals in the SPA Sector.
18. Each of the options provided is guided by the following considerations:
 - 18.1. The number of successful applicants in each category;
 - 18.2. The need for stability in the sector;
 - 18.3. The need to admit new entrants in a sector that is already highly transformed;
 - 18.4. The level of access to fishing vessels, investment in the sector and job creation amongst others;
 - 18.5. The anticipated sardine TAC over the short to medium term;
 - 18.6. The determination of a minimum meaningful allocation; and
 - 18.7. The projected average annual TAC of 30 000 t used by the DA as a basis for allocating rights in 2021. At that time, it was anticipated that the Sardine TAC would decrease sharply and remain low over the next few years as the resource was under strain.
19. The above factors are guided by:
 - 19.1. The General Policy on the Allocation of Commercial Fishing Rights: 2021 (the General Policy) and the Sector Specific Policy on the Allocation of Commercial Fishing Rights in the Sardine Sector: 2021 (the Sector Specific Policy), both of which informed and guided the FRAP 2021/2022.
 - 19.2. The objectives and principles of the MLRA: (a) the need to achieve optimum utilisation and ecologically sustainable development of marine living resources; (b) the need to conserve marine living resources for both present and future generations; (c) the need to apply precautionary approaches in respect of the management

and development of marine living resources; (d) the need to utilise marine living resources to achieve economic growth, human resource development, capacity building within fisheries and mariculture branches, employment creation and a sound ecological balance consistent with the development objectives of the national government; (e) the need to protect the ecosystem as a whole, including species which are not targeted for exploitation; (f) the need to preserve marine biodiversity; (g) the need to minimise marine pollution; (h) the need to achieve to the extent practicable a broad and accountable participation in the decision-making processes provided for in this Act; (i) any relevant obligation of the national government or the Republic in terms of any international agreement or applicable rule of international law; and (j) the need to restructure the fishing industry to address historical imbalances and to achieve equity within all branches of the fishing industry.

20. Each appellant whose appeal has been remitted to me for reconsideration, has received a provisional appeal decision and is afforded an opportunity to state their case in relation thereto, within 30 (thirty) calendar days from the date of receipt thereof.
21. In considering the allocation of commercial fishing rights of the remitted appeals, there are 5 possible options that I have set out below, having consulted the Technical Advisory Team in the Small Pelagic Sector on the resource as well as the recommendations of the appeal team:

22. Option 1:

- 22.1. The first option is to follow a similar QAM to that adopted during the previous appeals process in that:
 - 22.1.1. The same percentage (%) decrease of the largest 5 companies (14.5%) and of poor performers (25%) is undertaken;
 - 22.1.2. A minimum TAC of 225 t is applied.
 - 22.1.3. However, in allocating rights to new entrants, only the highest ranking Category B and C applicants are considered for allocation of a right (in an amount that would fall equal to or less than the number of entrants previously admitted by the former Minister).
 - 22.1.4. In addition, the recalculation of some scores during the reconsideration process of the appeals and the subsequent detection of a few errors in the capturing of revised appeal scores in the evaluation of performance spreadsheets, required a new evaluation of the performance of applicants relative to their 10 percentile groups. Some applicants who were previously above average were now below average and vice-versa. This freed up 2.34% of the 100% allocation of the TAC, which is to be allocated as a bonus for above-average performers within this sector.

23. Option 2:

- 23.1. This option differs from Option 1 in that the number of Category C right holders is reduced by 2, such that the new entrants decreased from a total of 7 to a total of 5.
- 23.2. A minimum TAC of 200 t is applied.
- 23.3. In addition, the TAC allocation to Afro Fishing is decreased from 2.92% to 2.33% so that the total percentage (%) TAC allocated to new entrants is reduced from 7.42% to 5%.
- 23.4. The freed-up TAC allows for a substantial decrease in the percentage by which the TACs allocated to the largest 5 companies is reduced (from -14.5% to -5%) as well as a small increase in the bonus of above-average performers (from +2.34 to +3.5%) and a reduction in the penalty of poor performers from -25% to -19%.

24. Option 3:

- 24.1. This option reduces the number of Category B new entrants from 3 to 2. The decreases in the allocations to the 5 largest companies are reduced and increases the bonus to above-average performers from 3.5% to 5% while keeping the size of allocations to poor performers approximately the same as in option 2 above. The percentage by which the largest 5 companies is reduced (relative to their previous allocations) is 4.5% and the % decrease of poor performers increases slightly from option 2 (-19.1% to -19.6%). The total percentage allocated to new entrants is reduced from 5 to 4.5%.

25. Option 4:

- 25.1. This option mirrors option 3 above, save that the minimum threshold of Category A applicants is increased by 1 % (to 51%) which results in 3 right holders losing their commercial fishing rights.
- 25.2. This allows for a further reduction in the percentage (%) decrease of the largest 5 companies (from -4.5% in **option 3** to -2.5%) and enables above-average performers to be rewarded slightly more (+5.78%) while poor performers are reduced by a more reasonable 10%.

26. Option 5:

- 26.1. This option mirrors option 4 above, save that although the minimum threshold of Category A applicants is increased by 1 % (to 51%), which results in 3 right holders losing their commercial fishing rights, the largest

5 companies are evaluated in terms of their performance rather than having a fixed percentage (%) deducted upfront. This results in a reduction in the reward for above-average performers (from +5.78% to +4%) and an increase in the reduction for below-average performers (from -10% to -16.2%).

27. Attached herewith the following documents

27.1. Annexure A - Provisional Score Rankings

27.2. Annexure B - Proposed outcome options on the allocation of Total Allowable Catch (TAC)

28. Appellants and affected parties are requested to provide their comments on the proposed QAM options set out above, in terms of section 80 (3) of the MLRA. Additionally, appellants whose scores are set out in the provisional appeal decisions are requested to provide comments thereon. All comments are to be submitted in writing within 30 days of issuance hereof. All submissions may be directed to the following email address: MLRAAppeals@dffe.gov.za.



MR D W MACPHERSON, MP

ACTING MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

DATE: 11 July 2025

ANNEXURE A – PROVISIONAL SCORE RANKINGS

SMALL PELAGIC – SARDINE				
PROVISIONAL SCORE RANKINGS - CATEGORY A				
NO	APPLICATION NO	CATEGORY	ENTITY NAME	WEIGHTED (%) SCORE
1	SPS21059	A	LUCKY STAR LIMITED	85.82
2	SPS21044	A	SEA HARVEST CORPORATION (PTY) LTD	85.72
3	SPS21073	A	FISHERMAN FRESH CC	85.38
4	SPS21053	A	AMAWANDLE PELAGIC (PTY) LTD	83.70
5	SPS21001	A	BALOBI PROCESSORS (PTY) LTD	83.27
6	SPS21195	A	PIONEER FISHING (WEST COAST) (PTY) LTD	82.59
7	SPS21054	A	KOMICX PRODUCTS (PTY) LTD	81.85
8	SPS21039	A	WEST POINT FISHING CORPORATION (PTY) LTD	81.26
9	SPS21093	A	EYETHU FISHING (PTY) LTD	78.62
10	SPS21086	A	VISKO SEA PRODUCTS (PTY) LTD	77.23
11	SPS21153	A	EXTRA DIMENSIONS 70 (PTY) LTD	76.48
12	SPS21274	A	EIGELAARS BOTE (PTY) LTD	73.98
13	SPS21037	A	PREMIER FISHING SA (PTY)LTD	73.02
14	SPS21204	A	ULWANDLE FISHING (PTY) LTD	72.72
15	SPS21058	A	SOUTH EAST ATLANTIC SEA PRODUCTS (PTY) LTD	67.81
16	SPS21078	A	SEAVUNA FISHING CO (PTY) LTD	70.11
17	SPS21083	A	IMPALA FISHING (PTY) LTD	70.62
18	SPS21137	A	UKLOBA FISHING (PTY) LTD	69.26
19	SPS21090	A	SOUNDPROPS 1167 INVESTMENTS (PTY) LTD	68.76
20	SPS21171	A	OFFSHORE FISHING COMPANY(PTY)LTD	65.39
21	SPS21092	A	UMZAMANI FISHING CC	65.25
22	SPS21192	A	SCEPTRE FISHING (PTY) LTD	65.22

Fishing Right Allocation Process 2021/2022: Provisional General Published Reasons for Reconsideration of the Remitted and Supplementary Appeals in the Small Pelagic: Sardine Sector

23	SPS21108	A	ITHEMBA LABANTU FISHING (PTY) LTD	63.94
24	SPS21028	A	IXIA TRADING 501 (PTY) LTD	63.90
25	SPS21043	A	LETAP CC	62.71
26	SPS21036	A	COMBINED FISHING ENTERPRISES (PTY) LTD	61.52
27	SPS21190	A	RISAR FISHING CC	60.32
28	SPS21025	A	THE CAPE PENINSULA LINEFISHERMAN CC	60.38
29	SPS21116	A	UMZAMOWETHU (OYSTER BAY) FISHERMENS CORPORATION CC	60.00
30	SPS21063	A	DYER EILAND VISSERYE (EDMS) BPK	59.64
31	SPS21034	A	GANSBAAI MARINE (PTY) LTD	59.69
32	SPS21071	A	CAPE PILCHARD PIONEER CC	59.27
33	SPS21069	A	MEERMIN VISSERYE (PTY) LTD	58.45
34	SPS21273	A	MARION DAWN FISHING CC	57.97
35	SPS21227	A	TIRADEPROPS 153 (PTY) LTD	57.66
36	SPS21048	A	NOORDBAAI VISSERS (PTY) LTD	57.36
37	SPS21027	A	SEA POINT FISHING CC	56.34
38	SPS21229	A	CAPE FISH PROCESSORS (PTY) LTD	56.28
39	SPS21052	A	SINETHEMBA FISHING CC	56.18
40	SPS21022	A	82 BOUNDARY ROAD CC	56.02
41	SPS21193	A	ZIMELE FISHING ENTERPRISES	54.96
42	SPS21282	A	MANETRADE 2094 CC	54.42
43	SPS21194	A	AL-AMAN FISHING	53.72
44	SPS21260	A	OKUSELWANDLE FISHING CC	53.62
45	SPS21020	A	NTSHONALANGA FISHING (PTY) LLTD	53.18
46	SPS21064	A	EDWARDS FISHING CC	53.11
47	SPS21152	A	BAYANA BAYANA FISHING CC	52.88
48	SPS21035	A	JC FISHING CC	52.97

Fishing Right Allocation Process 2021/2022: Provisional General Published Reasons for Reconsideration of the Remitted and Supplementary Appeals in the Small Pelagic: Sardine Sector

49	SPS21100	A	PELAGIC FISHING ENTERPRISES (PTY) LTD	52.84
50	SPS21121	A	COMMUNITY PROCESSORS AND DISTRIBUTORS (PTY) LTD	52.46
51	SPS21060	A	TRAKPROPS 22 PTY LTD	52.45
52	SPS21042	A	AZANIAN FISHING (PTY) LTD	52.24
53	SPS21198	A	STAMATIS FISHING CC	51.76
54	SPS21168	A	ARNISTON FISH PROCESSORS (PTY) LTD	51.61
55	SPS21199	A	PHAKAMISA FISHING (PTY) LTD	51.44
56	SPS21289	A	LATIEF ALBERTYN FISHERIES CC	51.03
57	SPS21049	A	MASOMELELE FISHING (PTY) LTD	51.00
58	SPS21026	A	HUMANSDORP COMMUNITY FACTORY WORKERS PTY LTD	50.38
59	SPS21147	A	YOLUNTU SEA PRODUCTS CC	50.43
60	SPS21162	A	MAYIBUYE FISHING (PTY) LTD	50.10
61	SPS21070	A	JAFFA S BAY FISHING CC	49.46
62	SPS21143	A	BLUEFIN HOLDING (PTY) LTD	49.40
63	SPS21133	A	MOUNT PLEASANT FISHING (PTY) LTD	49.11
64	SPS21222	A	BASIC TRADING COMPANY (PTY) LTD	48.14
65	SPS21098	A	KHULANI FISHING (PTY) LTD	47.61
66	SPS21305	A	MARINATA VISSERSVROUE ORGANISASIE CC	46.64
67	SPS21196	A	HS WILLIAMS FISHING CC	46.58
68	SPS21285	A	DROMEDARIS VISSERYE (PTY) LTD	46.29
69	SPS21202	A	TRADEMANE (PTY) LTD	46.25
70	SPS21212	A	RAAFF FISHERIES CC	45.54
71	SPS21055	A	ITHUBA YETHU FISHING (PTY) LTD	45.52
72	SPS21114	A	VM YOUNG VISSERYE BK	44.95
73	SPS21131	A	PENGUIN VISSERYE CC	43.48

74	SPS21112	A	JALOERSBAAI (PTY)LTD	40.92
75	SPS21286	A	PALM SPRINGS FISHING	36.19
76	SPS21269	A	REIGER VISSERYE BK	35.00
77	SPS21265	A	LAAGGETY VISSERYE CC	29.82
78	SPS21280	A	J ENGELBRECHT VISSERYE CC	29.02
79	SPS21211	A	PATERNOSTER VISSERY EDMS BPK	69.94
80	SPS21237	A	AFRO FISHING WORKERS (PTY) LTD	42.80

SMALL PELAGIC – SARDINE				
PROVISIONAL SCORE RANKINGS - CATEGORY B				
NO	APPLICATION NO	CATEGORY	ENTITY NAME	WEIGHTED (%) SCORE
1	SPS21003	B	BALOBİ FISHING ENTERPRISES (PTY) LTD	76.88
2	SPS21310	B	ARGENTO TRADING 69 CC	76.06
3	SPS21105	B	ATLANTIS SEAFOOD PRODUCTS (PTY) LTD	75.17
4	SPS21012	B	INTERFISH (PTY) LTD	73.45
5	SPS21094	B	NALITHA FISHING GROUP PTY LIMITED	73.59
6	SPS21002	B	RUSTEE (PTY) LTD	72.85
7	SPS21004	B	LM FISHERIES (PTY) LTD	70.90
8	SPS21163	B	ZIMKHITHA FISHING (PTY)LTD	67.97
9	SPS21008	B	TRAWL INVESTMENTS CC	66.36
10	SPS21122	B	AFD FISHING CC	65.41
11	SPS21136	B	SOUTH AFRICAN FISHING EMPOWERMENT CORPORATION (PTY) LTD	63.18
12	SPS21160	B	GAMKA FISHING(PTY)LTD	61.55
13	SPS21172	B	ANG JERRY FISHING CC	58.86
14	SPS21146	B	THE TUNA HAKE FISHING CORPORATION LTD	58.46

Fishing Right Allocation Process 2021/2022: Provisional General Published Reasons for Reconsideration of the Remitted and Supplementary Appeals in the Small Pelagic: Sardine Sector

15	SPS21159	B	TAMARIN FISHING(PTY)LTD	58.53
16	SPS21015	B	MERCA FISHING (PTY) LTD	57.57
17	SPS21029	B	BIZ AFRIKA 1504 (PTY) LTD	53.78
18	SPS21127	B	TARIDOR FIVE CC	52.81
19	SPS21061	B	GIBBISEPS VISSERYE PTY LTD	51.48
20	SPS21079	B	CHAPMANS SEAFOOD COMPANY (PTY) LTD	49.18
21	SPS21166	B	J&J VISSERYE	48.69
22	SPS21272	B	BMC VISSERYE BK	48.29
23	SPS21306	B	CHANGING TIDES 113 PTY LTD	46.47
24	SPS21145	B	HACKY FISHING (PTY) LTD	45.78
25	SPS21281	B	VERSATEX TRADING 249 PTY LTD	45.52
26	SPS21033	B	ALLIE-VIS FISHING ENTERPRISES CC	44.11
27	SPS21214	B	KUPOKANI FISHING (PTY) LTD	43.36
28	SPS21161	B	CHETTY'S FISHERIES CC	42.45
29	SPS21095	B	AT ALL TIMES FISHING (PTY) LTD	42.07
30	SPS21189	B	KREEFBAAI VISSERYE (PTY) LTD	41.74
31	SPS21215	B	NPS AGENCIES CC	40.66
32	SPS21148	B	DIPPA DISTRIBUTORS (PTY) LTD	40.45
33	SPS21262	B	BOAT ROCK FISHING CC	40.34
34	SPS21258	B	UKULoba KULUNGILE INVESTMENTS (PTY) LTD	40.21
35	SPS21184	B	PJF MARINE CC	39.68
36	SPS21226	B	PAKAMANI FISHING (PTY) LTD	39.61
37	SPS21165	B	COMMUNITY WORKERS FISHING ENTERPRISES (PTY) LTD	39.36
38	SPS21220	B	DD REID FISHERY CC	38.51
39	SPS21298	B	TIMOWIZE (PTY) LTD	38.49

40	SPS21218	B	RIETVLEI FISHING CC	38.36
41	SPS21208	B	ISIVILE MASIKHANE (PTY) LTD	36.28
42	SPS21186	B	J-BAY SQUID CATCHERS (PTY) LTD	36.56
43	SPS21065	B	AX FISHING (PTY) LTD	34.18
44	SPS21248	B	ARROW LINE FOURTEEN	33.07
45	SPS21293	B	EZABANTU FISHING (PTY)LTD	32.48
46	SPS21246	B	FG FISHING ENTERPRISES	31.09
47	SPS21107	B	BOVENTREK BELEGGINGS (PTY) LTD	30.75
48	SPS21233	B	A PENGLIDES (PTY) LTD	30.15
49	SPS21169	B	KORANA FISHING PTY LTD	29.91
50	SPS21173	B	RED HAWK FISHING CC	29.39
51	SPS21294	B	SEVLAC INVESTMENTS NO.51 CC	29.22
52	SPS21188	B	ROMANSBAAI VISSERYE (PTY)LTD	28.91
53	SPS21320	B	SEAFREEZE FISHING (PTY) LTD	27.95
54	SPS21259	B	VILLET DE WET 100BK	26.69
55	SPS21197	B	PELIKAAN VISSRYE (PTY) LTD	26.16
56	SPS21252	B	KLIPBANK VISSERYE PERSONEEL (PTY) LTD	25.90
57	SPS21239	B	BUSIBENYOSI	25.74
58	SPS21312	B	GOLD BLACKWOOD TRADING AND INVESTMENT (PTY)LTD	24.31
59	SPS21113	B	ABBA LANGEBAAN FISHING CC	22.18

SMALL PELAGIC – SARDINE				
PROVISIONAL SCORE RANKINGS - CATEGORY C				
NO	APPLICATION NO	CATEGORY	ENTITY NAME	WEIGHTED (%) SCORE
1	SPS21103	C	AFRO FISHING PTY LTD	79.90
2	SPS21110	C	KHANYISILE FISHING (PTY) LTD	76.73

3	SPS21019	C	UVIMBA TRADING AND SUPPLIES (PTY) LTD	75.79
4	SPS21150	C	IZEMBE TRADING 78 CC	70.59
5	SPS21046	C	WESTSHORE FISHING (PTY) LTD	68.50
6	SPS21023	C	THALASSA INVESTMENTS (PTY) LTD	67.09
7	SPS21203	C	KAYTRAD COMMODITIES PTY LTD	66.00
8	SPS21277	C	IBHAYI SEA FOOD WHOLESALERS	65.66
9	SPS21236	C	ATLANTIC CHOICE TRADING (PTY) LTD	62.64
10	SPS21056	C	WITSANDS FISHING CC	62.61
11	SPS21158	C	SOUTH AFRICAN FISHMEAL AND PROTEIN COMPANY (PTY) LTD	61.96
12	SPS21181	C	PREMIUM SEAFOOD INTERNATIONAL (PTY) LTD	59.73
13	SPS21149	C	MNATHA MARINE TECHNOLOGIES (PTY) LTD	59.15
14	SPS21125	C	AFRICAN COMMUNITY FISHING (PTY) LTD	57.49
15	SPS21089	C	LATERAL ANCHOR BRANDS (PTY) LTD	56.93
16	SPS21279	C	SPOT-ON DEALS FORTY ONE CC	56.61
17	SPS21104	C	WALMER SARDINE PROCESSORS (PTY) LTD	56.54
18	SPS21180	C	THE NETWORK OF TRAINING CAPE	56.03
19	SPS21016	C	IQHAWE FISHING (PTY) LTD	55.23
20	SPS21128	C	SINGAMANDLA BAFAZI FISHING (PTY) LTD	53.25
21	SPS21292	C	MARINE EMPOWERMENT (PTY) LTD	53.14
22	SPS21096	C	DORMEX 149 (PTY) LTD	52.22
23	SPS21032	C	MOHZEEN TRADING (PTY) LTD	51.34
24	SPS21117	C	BM FISHERIES PTY LTD	50.79
25	SPS21118	C	BUCCANEER FISHING (PTY) LTD	51.06
26	SPS21217	C	BULUMKO MARINE (PTY) LTD	50.94
27	SPS21135	C	LILITHA AND LUBANZI ENTERPRISES (PTY) LTD	50.87

28	SPS21175	C	LCMCM (PTY) LTD	50.59
29	SPS21170	C	MJLN GROUP (PTY) LTD	50.21
30	SPS21074	C	ALGOASPACE (PTY)LTD	49.85
31	SPS21174	C	HARRYS BAY MARINE (PTY) LTD	49.77
32	SPS21283	C	BELLARIA FISHING PTY LTD	49.37
33	SPS21323	C	NOMZAPROJECTS (PTY) LTD	49.37
34	SPS21126	C	NONTOZIKHOYO GENERAL TRADING (PTY) LTD	49.26
35	SPS21207	C	STRUISBAAI VISSERVEREENEGING LTD	49.26
36	SPS21287	C	IMPROCARE134	48.80
37	SPS21264	C	WALKER BAY PELAGIES	48.25
38	SPS21249	C	J C M FISHING (PTY) LTD	46.16
39	SPS21123	C	ABANTU BASELWANDLE	46.08
40	SPS21209	C	MOSSFISH	46.02
41	SPS21106	C	THE ROCK FISHING PTY LTD	45.83
42	SPS21243	C	KHOLWA FISHING (PTY) LTD	45.19
43	SPS21213	C	NEKWAYA AND COMPANY FISHING (PTY) LTD	45.55
44	SPS21030	C	G AND G FISHERIES	44.75
45	SPS21179	C	BHH UKULoba FISHING (PTY) LTD	44.97
46	SPS21091	C	GO FISH ENTERPRISES (PTY) LTD	44.89
47	SPS21178	C	MEATRITR GOODWOOD (PTY) LTD	43.36
48	SPS21072	C	LA VIE SEAFOOD PRODUCTS (PTY) LTD	43.22
49	SPS21319	C	MCR FISHING CC (PTY) LTD	43.11
50	SPS21031	C	CHINAFRIC FISHING (PTY) LTD	42.09
51	SPS21255	C	JUA FISHERIES	42.20
52	SPS21132	C	MISTY SEA TRADING 350 (PTY) LTD	42.09

53	SPS21309	C	BLINK WATERS PRIMARY CO-OPERATIVE LIMITED	41.18
54	SPS21223	C	GURIQUA XAM DEVELOPMENT CORPORATION (PTY) LTD	41.15
55	SPS21263	C	TUBBY TRANSPORT (PTY) LTD	41.10
56	SPS21314	C	BEYOND FISHING (PTY) LTD	40.55
57	SPS21151	C	SEA SPRAY MARINE (PTY) LTD	40.16
58	SPS21302	C	RUNTU EMPLOYEES	40.16
59	SPS21167	C	CORDELIA WEST COAST MARINE	40.11
60	SPS21232	C	IMBO FISHING (PTY) LTD	39.81
61	SPS21045	C	L AND A EMPIRE HOLDINGS	39.74
62	SPS21101	C	CAMISSA FISHING (PTY)LTD	39.53
63	SPS21129	C	MTYINGIZANA FISHING (PTY) LTD	38.94
64	SPS21024	C	DECON FOODS (PTY) LTD	38.89
65	SPS21251	C	DIE LIGHUIS VISSERS VROUJE (PTY) LTD	38.56
66	SPS21164	C	UMNATHA FISHING(PTY) LTD	38.24
67	SPS21284	C	ZANOZUKO FISHING) PTY LTD	38.48
68	SPS21244	C	KUMKANI FISHING PTY LTD	37.88
69	SPS21235	C	SHAMODE TRADING AND INVESTMENTS (PTY) LTD	37.47
70	SPS21021	C	HOOK AND LINE FRESH (PTY)LTD	36.60
71	SPS21261	C	BOWLINE FISHING VELDDRIF (PTY) LTD	36.22
72	SPS21297	C	COLOMBINE COMMUNITY PROJECTS (PTY) LTD	36.05
73	SPS21271	C	IMBUMBA FISHERIES PTY LTD	35.98
74	SPS21316	C	TIDE SIDE PROCESSORS (PTY) LTD.	35.98
75	SPS21247	C	BIKUTULA FISHING ENTERPRISE LIMITED	35.66
76	SPS21267	C	TCB FISHING ENTERPRISES (PTY) LTD	35.62

77	SPS21097	C	UMFANA FISHING	35.33
78	SPS21156	C	SEA WOMEN INVESTMENTS	33.99
79	SPS21254	C	WALLEYS TRANSPORT	33.46
80	SPS21288	C	SIKULUNGELE ISHISHINI	32.68
81	SPS21242	C	EUMAR FISHING (PTY) LTD	32.51
82	SPS21275	C	LUFRA TRADERS (PTY)LTD	31.84
83	SPS21225	C	ABALOBIBENTLANZI (PTY) LTD	31.04
84	SPS21253	C	MAMJOLI MARINE ENTERPRISE	30.84
85	SPS21075	C	UKUDOKA MARINE (PTY) LTD	30.26
86	SPS21291	C	HILLMORE FISHING (PTY) LTD	29.72
87	SPS21307	C	VALOTYPE 76 CC	27.06
88	SPS21290	C	UYEKRAAL BELEGGINGS (PTY) LTD	26.90
89	SPS21256	C	OLEGADO HOLDINGS PTY LTD	25.75
90	SPS21311	C	BHOTANI GROUP CC	24.86
91	SPS21313	C	ZONE B SAKHILE FISHING GROUP (PTY) LTD	20.60
92	SPS21257	C	SPASIBA PTY LTD	20.00
93	SPS21176	C	BENGUELA FISH SHOP (PTY) LTD	51.65
94	SPS21241	C	CAPE AGULHAS MARINE (PTY) LTD	41.77
95	SPS21185	C	ABASEBENZI NGEENTLANZI	41.01
96	SPS21201	C	KHUYAKHANYO PRIMARY CO-OPERATIVE LIMITED	36.30
97	SPS21216	C	MUSTANG FISHING (PTY) LTD	35.56
98	SPS21119	C	LINOMTHA FISHING (PTY)LTD	35.47
99	SPS21318	C	SOUTH AFRICAN PELAGIC FISHERMEN S UNION	34.59
100	SPS21085	C	ULWANDLE LWETHU FISHING (PTY) LTD	34.41
101	SPS21278	C	YANGINKOSI (PTY)LTD	29.85

102	SPS21299	C	SOTH EASTERN FISHING (PTY) LTD	25.08
103	SPS21322	C	AL-HAADI TRADING 300CC	24.96
104	SPS21295	C	MOON LIGHT FISHING VELDDRIF (PTY) LTD	24.56
105	SPS21317	C	UMPHONGOLO PETROLEUM	18.04

ANNEXURE B: PROPOSED OUTCOME OPTIONS ON THE ALLOCATION OF TOTAL ALLOWABLE CATCH (TAC)

App num	Entity name	Cat	Previous right %	DA	Appeal	Option 1	Option 2	Option 3	Option 4	Option 5
SPS21198	Stamatis Fishing cc	A	0.119	0.833	0.750	0.750	0.667	0.667	0.667	0.667
SPS21274	Eigelaars Bote (Pty) Ltd	A	0.140	0.833	0.833	0.768	0.690	0.700	0.705	0.693
SPS21289	Latief Albertyn Fisheries	A	0.159		0.750	0.750	0.667	0.667	0.667	0.667
SPS21052	Sinethemba Fishing CC	A	0.185		0.750	0.750	0.667	0.667	0.667	0.667
SPS21092	Umzamani Fishing CC	A	0.200	0.833	0.833	0.768	0.690	0.700	0.705	0.693
SPS21027	Sea Point Fishing CC	A	0.238	0.833	0.750	0.750	0.667	0.667	0.667	0.667
SPS21152	Bayana Bayana Fishing CC	A	0.246		0.750	0.750	0.667	0.667	0.667	0.667
SPS21116	Umzamowethu (Oyster Bay) Fishermans Corporation	A	0.268		0.833	0.768	0.690	0.700	0.705	0.693
SPS21063	Dyer Eiland Visserie (Pty) Ltd	A	0.271	0.833	0.833	0.768	0.690	0.700	0.705	0.693
SPS21108	Ithemba Labantu Fishing (PTY) LTD	A	0.351	0.833	0.833	0.768	0.690	0.700	0.705	0.693
SPS21100	Pelagic Fishing Enterprises (Pty) Ltd	A	0.352	0.833	0.750	0.750	0.667	0.667	0.667	0.667
SPS21168	Arniston Fish Processors (Pty) Ltd	A	0.356	0.833	0.750	0.750	0.667	0.667	0.667	0.667
SPS21035	JC Fishing CC	A	0.375	0.833	0.750	0.750	0.667	0.667	0.667	0.667
SPS21028	Ixia Trading 501 (Pty) Ltd	A	0.378	0.833	0.833	0.768	0.690	0.700	0.705	0.693
SPS21049	Masomelele Fishing (Pty) Ltd	A	0.378	0.833	0.750	0.750	0.667	0.667	0.667	0.667
SPS21073	Fisherman Fresh CC	A	0.378	0.833	0.833	0.768	0.690	0.700	0.705	0.693
SPS21162	Mayibuye Fishing (Pty) Ltd	A	0.378		0.750	0.750	0.667	0.667		
SPS21069	Meermin Visserie (Pty) Ltd	A	0.381		0.750	0.750	0.667	0.667	0.667	0.667
SPS21064	Edwards Fishing CC	A	0.388	0.833	0.750	0.750	0.667	0.667	0.667	0.667
SPS21199	Phakamisa Fishing (Pty) Ltd	A	0.389		0.750	0.750	0.667	0.667	0.667	0.667
SPS21025	The Cape Peninsula Linefisherman CC	A	0.406	0.833	0.833	0.768	0.690	0.700	0.705	0.693
SPS21060	Trakprops 22 Pty Ltd	A	0.422	0.833	0.750	0.750	0.667	0.667	0.667	0.667
SPS21260	Okuselwandle Fishing CC	A	0.426		0.833	0.750	0.667	0.667	0.667	0.667
SPS21147	Yoluntu Sea Products cc	A	0.434	0.833	0.750	0.750	0.667	0.667		
SPS21022	82 Boundary Road CC	A	0.447		0.750	0.750	0.667	0.667	0.705	0.693
SPS21026	Humansdorp Community Factory Workers (PTY) LTD	A	0.450	0.833	0.750	0.750	0.667	0.667		

App num	Entity name	Cat	Previous right %	DA	Appeal	Option 1	Option 2	Option 3	Option 4	Option 5
SPS21042	Azanian Fishing (Pty) Ltd	A	0.496		0.750	0.750	0.667	0.667	0.667	0.667
SPS21001	Balobi Processors (Pty) Ltd	A	0.529	0.833	0.833	0.768	0.690	0.700	0.705	0.693
SPS21273	MARION DAWN FISHING CC	A	0.541		0.750	0.750	0.667	0.667	0.667	0.667
SPS21058	South East Atlantic Sea Products (PTY) LTD	A	0.542	0.833	0.833	0.768	0.690	0.700	0.705	0.693
SPS21048	Noordbaai Vissers (Pty) Ltd	A	0.543	0.833	0.750	0.750	0.667	0.667	0.667	0.667
SPS21071	CAPE PILCHARD PIONEER CC	A	0.561	0.833	0.750	0.750	0.667	0.667	0.667	0.667
SPS21171	Offshore Fishing company	A	0.619	0.833	0.833	0.768	0.690	0.700	0.705	0.693
SPS21036	Combined Fishing Enterprises (Pty) Ltd	A	0.695	0.833	0.750	0.750	0.667	0.667	0.667	0.667
SPS21121	Community Processors and Distributors (PTY) LTD	A	0.762		0.750	0.750	0.667	0.667	0.686	0.639
SPS21086	Visko Sea Products (Pty) Ltd	A	0.834	1.046	0.834	0.854	0.863	0.876	0.882	0.868
SPS21282	Manetrade2049 CC	A	0.851		0.708	0.750	0.688	0.684	0.766	0.713
SPS21083	Impala Fishing (Pty) Ltd	A	0.902	0.902	0.902	0.923	0.933	0.947	0.812	0.756
SPS21204	ULWANDLE FISHING	A	0.984	1.196	0.984	1.007	1.019	1.033	1.041	1.023
SPS21153	Extra Dimensions 70 (Pty) Ltd	A	1.010	1.010	1.010	1.033	1.045	1.060	1.068	1.050
SPS21227	Tiradeprops 153 (Pty) Ltd	A	1.051	1.051	0.787	0.788	0.850	0.845	0.946	0.881
SPS21137	Ukloba Fishing (Pty) Ltd	A	1.054	1.266	1.054	1.079	1.091	1.107	1.115	1.097
SPS21193	Zimele Fishing Enterprises cc	A	1.071	1.071	0.803	0.803	0.867	0.861	0.964	0.898
SPS21192	Sceptre Fishing (Pty) Ltd	A	1.148	1.148	1.148	1.175	1.188	1.205	1.214	1.194
SPS21020	Ntshonalanga Fishing (Pty) Ltd	A	1.198		0.897	0.898	0.969	0.962	1.078	1.004
SPS21054	Komicx Products (Pty) Ltd	A	1.256	1.468	1.256	1.285	1.300	1.319	1.328	1.306
SPS21043	LETAP FISHING CC	A	1.392	1.603	1.043	1.044	1.126	1.118	1.252	1.167
SPS21190	Risar Fishing CC	A	1.441	1.653	1.080	1.081	1.166	1.158	1.297	1.208
SPS21194	Al-Aman Fishing cc	A	1.445	1.445	1.083	1.084	1.169	1.161	1.301	1.212
SPS21229	Cape Fish Processors Pty Ltd	A	1.467	1.467	1.099	1.100	1.187	1.179	1.321	1.230
SPS21090	Soundprops 1167 Investments (Pty) Ltd	A	1.536	1.536	1.151	1.572	1.589	1.613	1.624	1.597
SPS21093	Eyethu Fishing (Pty) Ltd	A	2.132	2.343	2.132	2.182	2.206	2.238	2.255	2.217
SPS21078	SeaVuna Fishing Company (Pty) Ltd	A	2.410	2.621	2.410	2.466	2.494	2.530	2.169	2.020
SPS21044	Sea Harvest Corporation (Pty) Ltd	A	2.484	2.696	2.484	2.542	2.571	2.608	2.627	2.583

App num	Entity name	Cat	Previous right %	DA	Appeal	Option 1	Option 2	Option 3	Option 4	Option 5
SPS21034	Gansbaai Marine (Pty) Ltd	A	4.264	4.264	3.194	3.198	3.450	3.426	3.837	3.574
SPS21039	West Point Fishing Corporation (Pty)Ltd	A	5.911	5.615	5.053	5.053	5.615	5.645	5.763	6.147
SPS21195	Pioneer Fishing (West Coast) (Pty) Ltd	A	6.352	6.034	5.431	5.431	6.034	6.066	6.193	6.606
SPS21037	Premier Fishing SA	A	7.426	7.054	6.349	6.349	7.054	7.091	7.240	6.225
SPS21053	Amawandle Pelagic (Pty) Ltd	A	11.221	10.660	9.594	9.594	10.660	10.716	10.941	11.670
SPS21059	Lucky Star Limited	A	15.027	14.276	12.848	12.848	14.276	14.351	14.652	15.628
SPS21003	*BALOBI FISHING ENTERPRISES (PTY) LTD	B				0.750	0.667	0.667	0.667	0.667
SPS21310	ARGENTO TRADING 69 CC	B		0.833	0.750	0.750	0.667	0.667	0.667	0.667
SPS21105	Atlantis Seafood Products (Pty) Ltd	B			0.750	0.750	0.667			
SPS21012	Interfish (Pty) Ltd	B								
SPS21094	Nalitha Fishing Group Pty Limited	B		0.833	0.750					
SPS21103	Afro Fishing Pty Ltd	C		3.241	2.917	2.917	2.330	2.500	2.500	2.500
SPS21110	Khanyisile Fishing (Pty) Ltd	C		0.833	0.750	0.750	0.667	0.667	0.667	0.667
SPS21019	Uvimba Trading and Supplies (Pty) Ltd	C		0.833	0.750	0.750				
SPS21150	Izembe Trading 78 CC	C				0.750				
SPS21046	Westshore Fishing (Pty) Ltd	C								
SPS21023	Thalassa Investments (Pty) Ltd	C		0.833	0.750					
		Total	89.667	100.000	100.000	100.000	100.000	100.000	100.000	100.000

* The applicant has disclosed that it is in a brother-sister relationship with a successful Category A applicant, namely Balobi Processors (Pty) Ltd. In this regard, section 8.6.1 of the General Policy on the Allocation and Management of Commercial Fishing Rights: 2021 provides that: "A company and its subsidiary/ies may not be granted more than one right in the sector applied for, to avoid fronts and monopolies and to broaden access to the marine resources." Further, section 8.6.2 of the General Policy stipulates that: "If two or more companies which are owned and controlled by the same shareholders apply for a commercial fishing right in any fishing sector, the Delegated Authority will consider allocating a fishing right to one of the companies if two or more of the brother-sister companies qualify for a fishing right in that particular sector. The Delegated Authority may also consider dividing one fishing right between the brother-sister companies if they all qualify for a fishing right in the fishing sector applied for." In making my final determination on the allocation of rights, due consideration will be given to the implications of this relationship in terms of the applicable policy provisions.