



# agriculture, forestry & fisheries

Department:  
Agriculture, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

Reference: West Coast Rock Lobster (Nearshore): Zone E Appeals

## THE MINISTER

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### 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: WEST COAST ROCK LOBSTER (NEARSHORE) FISHERY: ZONE E APPELLANTS

#### 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 74 Appellants in the West Coast Rock Lobster (Nearshore) Fishery: Zone E ("the Appellants").
- 1.2 The 74 Appellant's details are attached to this report as Appendix 1.

#### 2. GROUNDS OF APPEAL

- 2.1 The grounds of appeal by 74 Appellants relates to the decision of the Delegated Authority not to allow new entrants (Category B and Category C Applicants) into the West Coast Rock Lobster (Nearshore) fishing sector.

#### 3. DELIBERATIONS

- 3.1 The Department received 3423 applications in the West Coast Rock Lobster (Nearshore) fishing sector. Section 6(b) of the General Policy on the Allocation and Management of Fishing Rights: 2013 ("the General Policy") indicates that the Department expects a large number of applications for fishing rights and anticipates that, given the current limits on catch and effort in all the fisheries, not all applicants will be granted rights.

- 3.2 From the outset it was clear that number of applicants could not be accommodated in the fishery, particularly given Government's priority for the need to set aside meaningful allocations to the Small-scale sector and the fact that the fishery is over-subscribed.
- 3.3 The Delegated Authority noted the many comments received during the comment period regarding the general unhappiness around the decision to allocate 90% of the Nearshore TAC to the Small-scale sector. The Delegated Authority therefore reviewed her decision and decided to allocate 20% of the Offshore TAC to the Small-scale sector. This adjustment increased the number of successful Category A Applicants from 75 to 410. However, this still meant that a number of previous right holders would become unsuccessful in FRAP2015/16.
- 3.4 In order to accommodate the larger number of Category A Applicants (from 75 to 410), and in order to provide meaningful allocations to the Small-scale sector, the Delegated Authority decided not to allow new entrants (Category B and Category C Applicants) into the West Coast Rock Lobster (Nearshore) sector.



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



<b>West Coast Rock Lobster (Nearshore) Fishery: Zone E New Entrants</b>			
<b>No.</b>	<b>Name</b>	<b>Surname</b>	<b>Application Number</b>
1.	JACOBS	EDWIN	WCNE150532
2.	LEIGH ROBERT	JACOBUS	WCNE150552
3.	ABIGAIL DORIAN	LEIBRANDT	WCNE150641
4.	LLEWELLYN KELVIN	LEIBRANDT	WCNE150699
5.	ANDREW MARTHINUS	JAARS	WCNE151501
6.	RAYMOND DEREK	SEPTEMBER	WCNE150523
7.	MORGAN EDWARD	ARENDSE	WCNE150328
8.	NANTHIER	CAMIELDIEN	WCNE150556
9.	ABRAHAM JOSEPH	ALLARD	WCNE150461
10.	JOHN FREDERICK	PRETORIUS	WCNE150433
11.	CORNEL	OLIVIER	WCNE150081
12.	DERICK	KOCH	WCNE150080
13.	SIYANDA	MANKAYI	WCNE150536
14.	ZAKHELE	GENU	WCNE150467
15.	RESHELL	MCKENZIE	WCNE150438
16.	EDWARD WAYNE	WEMBE	WCNE150323
17.	SALIE	GALANT	WCNE150563
18.	SIVUYILE ALFRED	TYHOLWENI	WCNE150574
19.	MARTIN JOHANNES	BRITZ	WCNE150338
20.	THEMBIKAYA W.	NKOMOMBINI	WCNE150591
21.	LUYANDA ARMSTRONG	KATIKATI	WCNE150502
22.	ABDUL GAKIEM	JENKINS	WCNE150403
23.	RICARDO	SAMSON	WCNE150533
24.	WARREN K.F.	DAMPIES	WCNE150414
25.	DAVID	JAFTHA	WCNE150567
26.	NONTOBEKO	THUTHU	WCNE150606
27.	WOWO MZWAKUTHI	MPANTSHA	WCNE150575
28.	ISMAIL	TRENOSE	WCNE150326
29.	MNTUNGWA	MASHABALA	WCNE150303
30.	MAXWELL MAYOSI	NGALA	WCNE150349

**West Coast Rock Lobster (Nearshore) Fishery: Zone E New Entrants**

<b>Surname</b>	<b>Surname</b>	<b>Surname</b>	<b>Surname</b>
31	CHARLES ROBERT	ARENDSE	WCNE150332
32	DEBORAH	DREYER	WCNE150335
33	THALIA MARGARET	DREYER	WCNE150337
34	ANTHEA DORIS	ARENDSE	WCNE150442
35	NEVILLE MARTIN	FISHER	WCNE150339
36	DONOVAN BAZIL	ARNOLDS	WCNE150186
37	LAMEEZA	TRENOSE	WCNE150185
38	NIEL CHRISTIAN	JANTJIES	WCNE150381
39	EMMANUAL JOHN	ARENDSE	WCNE150431
40	HENRY	VAN DEN HEEVER	WCNE150631
41	MARGARET	VAN STADEN	WCNE150307
42	GEOFFREY ISAAC	VAN STADEN	WCNE150306
43	MOGAMAT S.	DAVIDS	WCNE150689
44	LIONEL JOHN	BENJAMIN	WCNE150312
45	PAZAMILE TEMBELIZWE	XEZU	WCNE150526
46	BENEDIKTUS	NEKWAYA	WCNE150318
47	SEBENZILE	GAWUSHE	WCNE150549
48	WARWICK	MORGAN	WCNE150542
49	MARGARET FLORENCE	DU TOIT	WCNE150629
50	WILLIAM JOHN	ARENDSE	WCNE151502
51	KEANU EDWARD	HAYDRICKS	WCNE150604
52	LAVERNE	MCKENZIE	WCNE150437
53	CADIN LANDO	LEIBRANDT	WCNE150634
54	JO-ANN	BUIS	WCNE150436
55	JACOBUS DANIEL	MICHAELS	WCNE150662
56	VIONA CARMENITH	LOURENS	WCNE150347
57	MALCOLM	BAARD	WCNE150416
58	YUSUF	WENTZEL	WCNE150673
59	CLIVE EDGAR	LEIBRANDT	WCNE150698
60	DENVER	MULLER	WCNE150674



**West Coast Rock Lobster (Nearshore) Fishery: Zone E New Entrants**

<b>Surname</b>	<b>Surname</b>	<b>Surname</b>	<b>Surname</b>
61	NICOLE	DRIVER	WCNE150646
62	ZOLEKA	PEZA	WCNE150621
63	JOHANNES HENDRIK	NIEMAND	WCNE150644
64	DAWN CATHERINE	WYNGAARD	WCNE150618
65	NOEL ISAACS	CLARENCE	WCNE150568
66	ARNO	DE VILLIERS	WCNE150642
67	XOLISILE	NDIBI	WCNE150620
68	BRENT	DRIVER	WCNE150647
60	GADIJA	WILLIAMS	WCNE150597
70	ANDRIES ALBERTUS	JULIES	WCNE150527
71	EUGENE	NIEMAND	WCNE150643
72	TARREN	DRIVER	WCNE150645
73	MOHAMED	FEROZA	WCNE150481
74	JOSEPH	CLARENCE	WCNE150569

