



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

PUBLIC NOTICE

4 April 2022

For Immediate release

SUBMISSION OF APPEALS ON THE FISHING RIGHTS ALLOCATION PROCESS (FRAP) ONLINE SYSTEM IN THE DEMERSAL SHARK LONGLINE, HAKE DEEPSEA TRAWL, HAKE LONGLINE, KWAZULU-NATAL CRUSTACEAN PRAWN TRAWL, SMALL PELAGIC (SARDINES AND ANCHOVY), SOUTH COAST ROCK LOBSTER, SQUID, TRADITIONAL LINEFISH AND TUNA POLE-LINE IN TERMS OF SECTION 80 OF THE MARINE LIVING RESOURCES ACT, 1998 (ACT NO. 18 OF 1998)

On 28 February 2022, the Department of Forestry, Fisheries and the Environment; Branch: Fisheries Management published the decisions of allocation of fishing rights in the Demersal Shark Longline, Hake Deepsea Trawl, Hake Longline, Kwa-Zulu Natal Crustacean Prawn Trawl, Small Pelagic (Sardines and Anchovy), South Coast Rock Lobster, Squid, Traditional Linefish and Tuna Pole-Line fishing sectors.

According to the Marine Living Resources Act, 1998 (Act No. 18 of 1998), the General Policy on the Allocation of Commercial Fishing Rights: 2021 and the Fisheries Sector Specific Policies, any applicants or affected or interested person may appeal to the Minister against the decisions of the Delegated Authority in any respective fishing sector. The appeal may be lodged against an exclusion, a refusal to grant a right or against the decision, process, and/or methodology on quantum or effort.

The Minister, as the Appellate Authority, will consider the facts and supporting documents as presented by the appellant as they were at the closing date for applications and will not take into account facts that came into existence thereafter.

For example, should the applicant disagree with the scores allocated to any particular criterion, the appellant should provide the reasons why it considers the score awarded to be incorrect, similarly, should the applicant disagree with the quantum of the right or quantum allocated, the appellant should set out the reasons for appeal in detail. All appellants are required to retain a copy of their original appeals submitted to the Department with proof of submission until the decision on appeals is made.

Subject to the outcomes of the appeals received and the assessment thereof, the rights registers may change and the proportion of the available Total Allowable Catch (TAC), Total Applied Effort (TAE) or a combination thereof to successful and/or existing right holders may be adjusted upwards or downwards so as not to exceed the approved TAC/TAE. The implementation of adjustments will differ per sector as outlined in the fishery sector specific policies. Should the appellants still not be happy with the decisions of the Appeals Authority, appellants may approach the courts for judicial review within 180 days after the appellant has been informed of the decision of the Appellate Authority.

Appeals must be lodged electronically online on the prescribed Appeals Form through the FRAP 2021 website starting from 29 March 2022 until the closing date of 29 April 2022.

Applicants shall log on to the FRAP2021 Online Application Website (<https://www.frap2021.co.za/>) using their logon credentials to access and download their Grant of Right Letter and Scoresheets. In the event applicants experience any challenges in accessing the online system and their outcomes, they can contact the Department on telephone: 021 402 3727 or 084 3040170 or email to: FRAPeng2020@dfpe.gov.za. Applicants who require IT support must contact 010 5002323 / 0800 0145304 or email frapitsupport@navayugainfotech.com

Applicants who want to lodge appeals and require guidance can visit one of the nine (9) Decentralized Centers from the 4th of April 2022 until the 14th of April 2022 at 08h00-16h00 (including Saturday the 9th from 08h00-13h00) **except for Mzamba, Port Edward which will open from the 9th of April 2022 until the 14th of April 2022.**

Fishery Compliance Office, Port Nolloth
Beach Road, Port Nolloth, 8280

Monitoring & Surveillance Office, Saldanha
Van Riebeeck Street, Saldanha

Customer Service Centre, Cape Town
Martin Hammerschlag Way, Foreshore, Cape Town

Fishery Compliance Office, Hermanus
248 Stilstraat, Nuwe Hawe, Hermanus, 7299

Fishery Compliance Office, Arniston
Harbour Road, Arniston, 7280

Research Office, Mossel Bay
82 Marsh Street (Corner of Marsh and Church Street), Mossel Bay, 6500, 6500

Marine Resource Management and MCS Office, East London
9 St Peters Roads, Southern Wood, East London, 5201

Fishery Compliance Office, Port Elizabeth
21 Stanley Street, Central, Port Elizabeth, 6000

Fishery Compliance Office, Mzamba, Port Edward
Lot 147, Ramsey Avenue, Port Edward, 4295

For further information regarding the appeals process, appellants shall direct their enquiries by e-mail to FRAPAppeals2020@dfpe.gov.za

For all FRAP Enquiries

The Call Centre number is 021 402 3727 (FRAP)

An anonymous tip-off line has been set up for reporting unethical behaviour, theft, fraud or related activities, the tip-off line is 0800 203 589