



agriculture, forestry & fisheries

Department:
Agriculture, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

MEDIA STATEMENT

24 October 2017

FINAL DECISIONS OF FISHING RIGHTS ALLOCATION PROCESS 2015/16 (FRAP 2015/16) FOR THE WEST COAST ROCK LOBSTER (OFFSHORE) FISHING SECTOR

Cape Town, Monday; 23 October 2017: The Delegated Authority for the FRAP 2015/16 of the Department of Agriculture, Forestry and Fisheries; Branch: Fisheries Management (“the Delegated Authority”), Ms Siphokazi Ndudane has concluded the allocation of fishing rights and quantum for the West Coast Rock Lobster (Offshore) fishing sector. The fishing rights allocated in this fishing sector are for a period of 15 years.

The Addendum to the General Published Reasons for the decisions on the allocation of 2015/16 Fishing Rights and final decision lists in the West Coast Rock Lobster (Offshore) fishing sector is available on the Department’s website and will be displayed along the coast in all Departmental Compliance Offices.

The appeals period for this fishery will commence on **Monday, 6 November 2017**, and will close on **Friday, 23 February 2018 at 16H00**. All appeals must be received by the Department not later than **16H00, Friday, 23 February 2018**. Appeals submitted via email must be in a PDF format and emailed to FRAP2015appeals@daff.gov.za Appeals that are hand delivered, faxed, posted or emailed to any other email address may not be accepted. Late appeals will not be considered.

All applicants who wish to submit appeals against the decision of the Delegated Authority are advised to download the relevant appeal form(s) on the Departmental website: www.daff.gov.za. NOTE: APPLICANTS are advised that the values printed on the scoresheet for the Exclusionary Criteria "C" (Essential Requirements) and "D" (Improperly Lodged) are the outcomes of the evaluation. If an 'N' is printed, it means the applicant was not excluded on that question. In cases where there is a "Y", the applicant would have been excluded on that criterion.

The Minister may make provision for the hearing of oral submissions where considered necessary and appropriate. The appeal must be marked as follows:

WEST COAST ROCK LOBSTER (OFFSHORE) APPEAL
APPELLANT'S FULL NAME AS IT APPEARS ON THE APPLICATION FORM
APPELLANT'S WEST COAST ROCK LOBSTER (OFFSHORE) APPLICATION
NUMBER

Appellants **SHALL** set out all the relevant facts as well as the grounds of appeal and shall be accompanied by any relevant document. All documentation appended to the appeal must be certified by a Commissioner of Oaths as being **a true copy of the original**. The Department will not extend the closing date for the submission of appeals in this fishing sector.

The Delegated Authority has decided to make available to all applicants in this fishing sector, the application forms and scoresheets of other applicants in the manner prescribed below:

1. **The scoresheets for all other applicants in this fishing sector.**
The scoresheets will be made available on www.daff.gov.za and through the Fishery Control Offices along the coast. PDF versions of the scoresheets will be emailed on request from the appellants.
2. **Access to the application forms of applicants for fishing rights.**
Viewing of the FRAP 2015/16 application forms will only be provided at Foretrust Building, Martin Hammerschlag Way, Foreshore, Cape Town during the normal working hours i.e., 08:00 – 16:00, Monday to Friday,

excluding Public holidays and weekends. To view the FRAP 2015/16 applications, applicants are requested to contact Mr Msimelelo Mdledle and/or Ms Natasha Philander at MsimeleloM@daff.gov.za and/or NatashaP@daff.gov.za to book a date and time.

The Department will refuse access to the record of a third party in certain circumstances particularly if the record contains financial, commercial and technical information which if disclosed is likely to cause harm to the commercial or financial interests of the third party and disclosure of which could reasonably be expected to prejudice the third party in contractual or other negotiations. Furthermore, the Department will refuse access to confidential information of third party specifically where such information could reasonably be expected to prejudice the future supply of similar information.

Viewing of application forms will commence on **Monday, 6 November 2017** until **Friday, 16 February 2018**.

An independent forensic company will be appointed to investigate the accuracy of the information submitted by applicants for fishing rights. Such investigations will take place during and after the allocation process. The forensic company will carry out investigations as and when required by the Department. If any applicant is found to have provided false information or false documents or failed to disclose material information, or had sought to influence the Minister and/or the Delegated Authority, proceedings in terms of Section 28 of the MLRA will be undertaken, which may result in the revocation, suspension, cancellation, alteration or reduction of the right granted.

Important note:

Applicants that were granted fishing rights in 2005/2006 will be required to provide proof that they are up to date with payment of their levies on fish landed and/or all outstanding fees in terms of section 7.10.1 of the General Policy for the Allocation and Management of Fishing Rights: 2013, before submission of their catch and/or Fish Processing Establishment permit application(s).

All successful applicants must ensure that all their nominated fishing vessel(s) have a functioning Vessel Monitoring System (VMS) before the submission of a commercial catch permit application. Under no circumstances a fishing vessel will be allowed to fish without a functioning VMS.

SIPHOKAZI NDUDANE

DEPUTY DIRECTOR-GENERAL: FISHERIES MANAGEMENT

Designation: Delegated Authority: West Coast Rock Lobster Offshore Fishery

Date:

For all FRAP Enquiries

The Call Centre number is 021 402 3727 (FRAP)

**An anonymous tip-off line telephone number to be provided
in due course.**