

REQUEST FOR QUOTATION

YOU ARE HEREBY INVITED TO QUOTE FOR REQUIREMENTS OF THE MARINE LIVING RESOURCES FUND

REQUEST FOR QUOTATIONS: RFQ000984 CLOSING DATE: 06 DECEMBER 2024

CLOSING TIME: 11:00

DESCRIPTION:

Request to appoint a service provider (SP) to provide the Fisheries Management branch of the Department of Forestry, Fisheries and the Environment (DFFE) /MLRF for the Monitoring of the Ad hoc Processing of Confiscated dried abalone.

NB: Suppliers should be registered on the CSD

The successful bidder will be required to fill in and sign a written Contract Form (SBD 7).

RFQ DOCUMENTS MAY BE EMAILED TO:

nfono@dfpe.gov.za

Bidders should ensure that bids are delivered timeously to the correct address. If the bid is late, it will not be accepted for consideration.

ALL RFQ'S MUST BE SUBMITTED ON THE OFFICIAL FORMS

THIS RFQ IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT

THE FOLLOWING PARTICULARS MUST BE FURNISHED
(FAILURE TO DO SO MAY RESULT IN YOUR BID BEING DISQUALIFIED)

NAME OF BIDDER	.....
POSTAL ADDRESS	.....
STREET ADDRESS	.....
TELEPHONE NUMBER	CODE.....NUMBER.....
CELLPHONE NUMBER	.....
FACSIMILE NUMBER	CODE .....NUMBER.....
E-MAIL ADDRESS	.....
VAT REGISTRATION NUMBER	.....
HAS AN ORIGINAL AND VALID TAX CLEARANCE CERTIFICATE BEEN SUBMITTED? (SBD 2)	YES or NO

HAS A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE BEEN SUBMITTED? (SBD 6.1)

YES or NO

IF YES, WHO WAS THE CERTIFICATE ISSUED BY?

AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA).....

A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS);
OR.....
A REGISTERED AUDITOR
[TICK APPLICABLE BOX]

ARE YOU THE ACCREDITED REPRESENTATIVE
IN SOUTH AFRICA FOR THE GOODS / SERVICES / WORKS OFFERED?
NO

YES or

[IF YES ENCLOSE PROOF]

SIGNATURE OF BIDDER

DATE

CAPACITY UNDER WHICH THIS BID IS SIGNED

TOTAL BID PRICE..... TOTAL NUMBER OF ITEMS OFFERED

ANY ENQUIRIES REGARDING THIS RFQ PROCEDURE MAY BE DIRECTED TO:

Contact person: Nomlibo Fono-Ncedo
Tel: (066) 471 1235
Email address: nfono@dfre.gov.za

ANY ENQUIRIES REGARDING TECHNICAL INFORMATION MAY BE DIRECTED TO:

Contact person: Nomlibo Fono -Ncedo
Tel:
Email address: nfono@dfre.gov.za

PRICING SCHEDULE
(Professional Services)

NAME OF BIDDER:	RFQ NO.: RFQ 000984
CLOSING TIME 11:00	CLOSING DATE: 06 December 2024

OFFER TO BE VALID FOR 60 DAYS FROM THE CLOSING DATE OF BID.

ITEM NO 01	DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)
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Request to appoint a service provider (SP) to provide the Fisheries Management branch of the Department of Forestry, Fisheries and the Environment (DFFE) /MLRF for the Monitoring of the Ad hoc Processing of Confiscated dried abalone.

NB: Suppliers should be registered on the CSD

1. The accompanying information must be used for the formulation of proposals.
2. Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project. R.....

3. PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF)

4. PERSON AND POSITION	HOURLY RATE	DAILY RATE
.....	R.....	.....
.....	R.....	.....
.....	R.....	.....
.....	R.....	.....
.....	R.....	.....

5. PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN-DAYS TO BE SPENT

.....	R.....	..... days
.....	R.....	..... days
.....	R.....	..... days
.....	R.....	..... days

- 5.1 Travel expenses (specify, for example rate/km and total km, class of airtravel, etc). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
.....	R.....
.....	R.....
.....	R.....

Name of Bidder:

R.....

TOTAL: R.....

** "all applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance contributions and skills development levies.

- 5.2 Other expenses, for example accommodation (specify, eg. Three star hotel, bed and breakfast, telephone cost, reproduction cost, etc.). On basis of these particulars, certified invoices will be checked for correctness. Proof of the expenses must accompany invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
.....	R.....
.....	R.....
.....	R.....
.....	R.....

TOTAL: R.....

6. Period required for commencement with project after acceptance of bid
 7. Estimated man-days for completion of project
 8. Are the rates quoted firm for the full period of contract? *YES/NO
 9. If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index.

*[DELETE IF NOT APPLICABLE]

Any enquiries regarding bidding procedures may be directed to the –

DEPARTMENT OF FORESTRY, FISHERIES & THE ENVIRONMENT

ATTENTION Mrs. N Fono-Ncedo

Tel: 066 471 1235

Or for technical information –

ATTENTION:

TEL:



forestry, fisheries & the environment

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

MARINE LIVING RESOURCES FUND

REQUEST FOR PRICE QUOTATIONS

The Marine Living Resources Fund (MLRF), Schedule 3A entity, is an entity within the Department of Forestry, Fisheries and the Environment, hereby request your quotation on the goods/service/works listed hereunder.

RFQ Number	CON/142/015/24
Description	APPOINTMENT OF A SERVICE PROVIDER FOR THE MONITORING OF THE ADHOC PROCESSING OF CONFISCATED DRIED ABALONE
Detailed Specification/scope of work and functionality	Attached as Annexure A
Local Production & Content Requirements <i>(To be completed by SCM)</i>	
Construction Industry Development Board (CIDB) Minimum Category and level <i>(To be completed by SCM)</i>	
Briefing Session	N/A
RFQ Publication date	22/11/2024
Responses MUST be submitted to	NForo@dffe.gov.za
RFQ Closing Details	08/12/2024
Delivery Address	For the attention of: XXXXXXXXXXXX

Initials:

CONFIDENTIAL

	Foretrust building, Martin Hammerschlag Way, Foreshore, Cape Town, 8001
Quotation Validity Period	30 Days from the Closing Date
Mandatory Requirement/Pre-Qualification Criteria	Not Applicable
Evaluation Criteria	See Annexure A.
NO HAND DELIVERED RFQ RESPONSES WILL BE ACCEPTED PROSPECTIVE BIDDERS MUST BE REGISTERED ON NATIONAL TREASURY'S CENTRAL SUPPLIER DATABASE (CSD) PRIOR TO SUBMITTING BIDS AND THEIR TAX MATTERS MUST BE IN ORDER	

TERMS AND CONDITIONS OF REQUEST FOR QUOTATION (RFQ)

1. Terms and conditions of Request for Quotation (RFQ)

- 1.1 This document may contain confidential information that is the property of the Marine Living Resources Fund [MLRF].
- 1.2 No part of the contents may be used, copied, disclosed, or conveyed in whole or in part to any party in any manner whatsoever other than for preparing a proposal in response to this RFQ without prior written permission from MLRF.
- 1.3 All copyright and intellectual property herein vests with MLRF.
- 1.4 **Late and incomplete submissions will not be considered. Submissions received after closing time and date will be classified as LATE and WILL NOT be considered.**
- 1.5 No services must be rendered, or goods delivered before an official MLRF Purchase Order form has been issued by a duly authorised official from the MLRF and received by the bidder. Please note that this is not an instruction to proceed with supply of any goods or service unless the quotation is approved, and a Purchase Order is supplied to you.
- 1.6 Please note that if you receive the Purchase Order, delivery of goods or rendering of services must be done within 14 calendar days or upon agreed time frames. Failing to deliver upon agreed times will result in your Purchase Order being cancelled.
- 1.7 This RFQ will be evaluated in terms of the 80/20 preference point system if is equal to or below R50 million.
- 1.8 Bidders are required to register on the Central Supplier Database at www.csd.gov.za if you are not registered on the CSD.
- 1.9 All questions regarding this RFQ must be forwarded to @dffe.gov.za within 24 hours after the RFQ has been issued.
- 1.10 Any bidder who has reasons to believe that the RFQ specification is based on a specific brand must inform MLRF within two (2) days before the RFQ closing date.
- 1.11 Where quotations/proposals submitted are equal to or below R50 million, bidders are required to submit the original and valid proof for preference points claimed or certified copies thereof; to substantiate their preference points claims. SBD 6.1 must also be duly completed, signed, and submitted alongside the bid to claim preference points. Failure to do so will result in preference points being forfeited.

- 1.12 As per section 4(1) of the Preferential Procurement Regulations of 2022, the maximum 20 points may be awarded based on specific goals. The 20 points will be allocated as follows:

SPECIFIC GOAL	POINTS TO BE ALLOCATED
51% black owned	8 points
50% women	4 points
Youth	4 points
Disability	4 points
TOTAL POINTS	20 points

- 1.13 Bidders are required to duly complete, sign and submit the new SBD 4 together with their quotations/proposals. Failure to do so may result in your quotation/proposal **not** being accepted.
- 1.14 For designated sectors for local production and content, SBD 6.2 and Annexures C, D & E must be duly completed, signed and SBD 6.2 together with Annex E must be submitted with your quotation/proposal.
- 1.15 All quotations/proposals submitted must be inclusive of Value Added Tax (VAT) if you are VAT registered and must be quoted in South African Rands (ZAR) and price must be firm.
- 1.16 The full costs must be disclosed as there will be no variances that will be entertained, and no price adjustment will be entertained after the Purchase Order has been issued.
- 1.17 These terms and conditions supersede any terms and conditions that may be issued by the service provider/supplier on their quotations or any other document similar to that.
- 1.18 Full and updated CSD report must be submitted with the quotation and MLRF will only contract with supplier's/service providers that their tax matters are in order.
- 1.19 The MLRF pays within 30 (thirty) days after receipt of a valid tax invoice and after approval of relevant invoice and reports and does not make upfront payments or deposits.
- 1.20 It is the responsibility of prospective bidders to ensure that all bid documents are submitted before the closing date and time of the RFQ.

2. PROTECTION OF PERSONAL INFORMATION

In responding to this RFQ, MLRF acknowledges that it may obtain and have access to personal data of the respondents. MLRF agrees that it shall only process the information disclosed by bidders in their response to this RFQ for the purpose of evaluating and subsequent award of business and in accordance with any applicable law. Furthermore, MLRF will not otherwise modify, amend, or alter any personal data submitted by Respondents or disclose or permit the disclosure of any personal data to any Third Party without the prior written consent from the Respondents. Similarly,


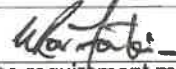
CONFIDENTIAL


MLRF requires Respondents to process any process any personal information disclosed by MLRF in the bidding process in the same manner.

MLRF RESERVES THE RIGHT NOT TO MAKE ANY APPOINTMENT AND SHALL NOT ENTERTAIN ANY CLAIM FOR COSTS THAT MAY HAVE BEEN INCURRED IN THE PREPARATION AND THE SUBMISSION OF THIS QUOTATION/PROPOSAL

Approvals of RFQ

W. ROOIFONTEIN

End User	Requester	V Damorse	Rank	Administrative	Cost Centre Manager	CFO: MLRF	Rank	
	Signature		Date	11/11/24	Signature		Date	11/11/24
It is hereby certified that all the information supplied in this form is correct, that the requirement may be procured and that funds are available.								

SCM Only								
Official verifier (buyer)	Name	N Fano	Signature		Date	22/11/2024		
Approver as per Delegations	Name	NMATIWANE	Signature	N Mat	Date	20241114		

**forestry, fisheries
& the environment**

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

THE MARINE LIVING RESOURCES FUND, A SCHEDULE 3A PUBLIC ENTITY ESTABLISHED IN TERMS OF THE PUBLIC FINANCE MANAGEMENT ACT, 1999 (ACT NO 1 of 1999) AND THE DEPARTMENT OF FORESTRY, FISHERIES AND ENVIRONMENT ("DFFE") (IN ITS COMMITMENT TO THE PRINCIPLES ENSHRINED IN THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1996) ADHERES TO THE PROVISIONS OF THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 5 OF 2000 ("PPPF") AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022.

TERMS OF REFERENCE

TO APPOINT A SERVICE PROVIDER (SP) TO PROVIDE THE DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT (DFFE) / MARINE LIVING RESOURCES FUND (MLRF) WITH MONITORING SERVICES OF THE AD HOC PROCESSING OF CONFISCATED DRIED ABALONE.

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1. PURPOSE

The Department of Forestry, Fisheries and the Environment ("DFFE") / MLRF requires the services of a Service Provider (SP) for the monitoring of ad hoc processing of Confiscated Dried Abalone.

2.

SPECIFICATION

- The service provider must provide accurate monitoring of the processing of confiscated dried abalone, this must include the grading, sizing, weighing and packing processes.
- The service provider will conduct a final verification of the packing list and product before the sale and a detail report of the entire process.
- Included in the monitoring team, provision must be made for an independent abalone grading specialist for the final grading. This specialist must also oversee the initial grading of confiscated dried abalone.

Mandatory Requirement/Pre-Qualification Criteria:

Requirement	Required Proof to Be Submitted with Quotation	Comply Yes or No
The applicable experience of the service provider in the field of monitoring of grading and sizing of abalone.	<p>Provide a detailed company profile with contactable references</p> <p>The profile should indicate the following:</p> <ul style="list-style-type: none"> • At least three (3) years of experience in monitoring of grading and sizing of Abalone. 	
The service provide must not have any convictions or pending charges or are liable in any section of the Marine Living Resources Act (MLRA)	Sworn Affidavit signed by the representative of the service provide and commissioned by the Commissioner of Oath.	

Pricing Schedule:

Total Amount for the Project	Rand/Hour
Amount	

3. EVALUATION METHOD

3.1. PHASE 1: Preferential Points (80/20 system)

- 3.1.1. An evaluation of Price and Specific Goals Preference points on the suppliers, that successful qualified to this stage of evaluation.
- 3.1.2. **Calculation of points for price** - The Preferential Procurement Policy Framework Act (PPPFA) prescribes that the lowest acceptable bid will score 80 points (for tenders under R50m) or 90 points (for tenders above R50m) for price. Suppliers that quoted higher prices will score lower points for price on a pro-rata basis. Where functionality is set as criteria, only bid proposals that meets functionality requirements will be considered for evaluation on price and specific goals preference points.
- 3.1.3. The 80/20 as an appropriate preference point system will be used in the evaluation and adjudication of this quote. However, it must be extended that the lowest acceptable quote will be used to determine the applicable preference point system as per regulation (Section 3(2)(b) of the Preferential Procurement Regulations (PPR) 2022, which states: "If it is unclear which preference point system will be applicable, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable proposal will be used to determine the applicable preference point system". Therefore, either 80 or 90 points, depending on the rand value of the proposal, will be awarded to the suppliers who offers the lowest price, and proportionately fewer points are awarded to those with higher prices. Either 20 or 10 points are then available as preference points for Specific Goals, as applicable. The contract will be awarded to the suppliers that scores the highest total number of adjudication points per category.

Calculating of points for Specific Goals

- 3.1.4. Points will be awarded to a supplier for specific goals. Bidders are required to submit the original and valid proof for preference points claimed or certified copies thereof; to substantiate their preference points claims. SBD 6.1 must also be duly completed, signed, and submitted alongside the bid to claim preference points. Failure to do so will result in Specific Goals preference points being forfeited.
- 3.1.5. The 80/20 as an appropriate preference point system will be used in the evaluation and adjudication of this quotation. However, it must be extended that the lowest acceptable supplier will be used to determine the applicable preference point system as per regulation (Section 3(2)(b) of the Preferential Procurement Regulations (PPR) 2022, which states: "If it is unclear which preference point system will be applicable, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable supplier will be used to determine the applicable preference point system". Therefore, either 80 or 90 points, depending on the rand value of the quotation, will be awarded to the suppliers who offers the lowest price, and proportionately fewer points are awarded to those with higher prices. Either 20 or 10 points are then available as preference points for specific goals, as applicable. The contract will be awarded to the suppliers that scores the highest total number of adjudication points per category.

- 3.1.6. Points will be awarded to a supplier for specific goals in accordance with the table below:

B.	PRICE	80
C.	Specific Goal	Number of points (20)
	51% black ownership	8
	50% women ownership	4
	Youth ownership	4
	Disability	4
	Non-compliant contributor	0

- 3.1.7. The SCM unit of the DFFE / MLRF will allocate preferential points (Specific Goals) to each company for its contribution towards empowerment of the black designated groups as prescribed in the Preferential Procurement Regulations of 2022, women, people with disabilities, youth as well as local economic development.

- 3.1.8. A supplier will not be disqualified from the quotation process if the suppliers does not submit supporting documents substantiating the specific goals preference points claimed or is a non-compliant contributor. Such some suppliers will score 0 for Specific Goals.
- 3.1.9. Suppliers will be subject to SCM conditions of the Department – MLRF and the Preferential Procurement Regulations, 2022 issued in terms of section 5 of the Preferential Procurement Policy Framework Act (Act No 5 of 2000) (PPPFA).
- 3.1.10. The PPPFA prescribes that the lowest acceptable bid will score 80 or 90 points for price (as explained above, depending on whether the bid prices is more or less than R50million). Suppliers that quoted higher prices will score lower points for price on a pro-rata basis. Where functionality is set as a criterion, only bid proposals that meets functionality requirements will be considered to be evaluated on price and Specific Goals.
- 3.1.11. The contract will be awarded to the supplier scoring the highest points subject to section 2(1) (f) of the PPPFA, 2000.

4. SUBMISSION REQUIREMENTS

- 4.1 Suppliers should ensure that the following submission requirements, which will be needed for evaluation purposes are included in their bid proposal and are as follows:
- 4.1.1 The SP must draft a table of content which will indicate where each document is located in the proposal.
- 4.1.2 The proposal shall consist of two parts, namely the technical bid and the pricing bid (master and copies).
- 4.1.3 Add documents that are required to be submitted with the bids. These documents include those included in phase one (1) and two (2) of evaluation criteria.
- 4.1.4 Standard bidding documents (SBD1, 2, 3.1/3.3, 4, 6.1) completed and signed.
- A valid copy of the Tax Clearance Certificate/ Tax Compliance Status Pin issued by SARS to the supplier/copy of Central Supplier Database (CSD)/ MA supplier Number must be submitted together with the bid.
 - In case of bids where Consortia / Joint Ventures / Sub-contractors are involved; such must be clearly indicated and each party must submit a separate copy of a valid Tax Clearance Certificate or copy of Tax Compliance Status Pin or CSD/ MAAA supplier Number together with the bid.
 - Certified copies of identity documents of directors and shareholders of the company.
 - Entity registration Certificate (CK1).
 - Letter of Authority to sign documents on behalf of the company.

5. SPECIAL CONDITIONS OF CONTRACT

- 5.1 On appointment, the performance measures for the delivery of the agreed services will be closely monitored by Department / MLRF.
- 5.2 The Department / MLRF will not be held responsible for any costs incurred by the SPs in the preparation, presentation and submission of the proposal.
- 5.3 All the conditions specified in the General Conditions of Contract (GCC) will apply and where the conditions in the special conditions of contract contradicts the conditions in the general conditions of contract, the special conditions of contract will prevail.

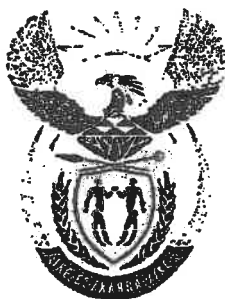
6. PAYMENT TERMS

- 6.1 The DFFE / MLRF undertakes to pay out in full or as per deliverables within 30 (thirty) days all valid claims for work done to its satisfaction upon presentation of a substantiated claim and the required reports stipulated in special conditions. No payment will be made where there is outstanding information/work not submitted by the Service Provider/s until that outstanding information is submitted.
- 6.2 Payment by the DFFE / MLRF shall be made by means of an electronic transfer into the SP's bank account.
- 6.3 Payment requirements
- The successful Service Provider shall render services to the DFFE / MLRF in accordance with the Project Plan and Project Scope.
 - The amounts are inclusive of VAT and all disbursements shall be paid in South African Rands.

7. ENQUIRIES

- 7.1 Should you require any further information in this regard, please do not hesitate to email:

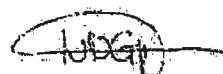
Name	Email address



environment
& tourism

Department:
Environmental Affairs and Tourism
REPUBLIC OF SOUTH AFRICA

NORMS AND STANDARDS FOR THE HANDLING OF CONFISCATED ABALONE

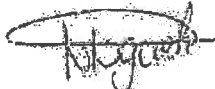
A handwritten signature, possibly "J. D. G.", is written over a horizontal line.

3. SECTION C

3.1 NON COMPLIANCE:

Non compliance with any provisions contained within this policy by any Departmental official may lead to disciplinary steps in terms of the Public Service Act and Regulations being instituted against the official concerned. Where officials from other organs of State are involved, the requirements of the SLA / MOU will be applied together with their internal procedures.

3.2 APPROVAL AND ACCEPTANCE:


DIRECTOR-GENERAL
DATE: 27/11/09

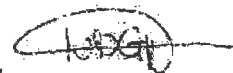
This document contains the norms and standards for the handling of confiscated abalone and should be read in conjunction with the Departmental policy on the handling of confiscated abalone.

1. CONFISCATION OF ABALONE:

- 1.1 The arresting officer receives information of illegal activities through whistle blowers or through routine inspections and investigations. The arresting officer will assess the situation in terms of Section 51 of the MLRA and other applicable legislation to determine the most appropriate procedure to apprehend the suspect and whether other organs of State need to be contacted for a co-ordinated joint operation.
- 1.2 Once the suspect is apprehended and it has been determined that the suspect is in possession of illegally obtained abalone, the arresting officer will inform the suspects of the alleged contraventions in terms of the MLRA and that the abalone will be confiscated. The requirements and processes in terms of the Criminal Procedure Act will also be simultaneously executed where applicable and will include the registration of the offence with the SAPS in which jurisdiction the seizure took place. When the abalone is handed over to the SAPS official, a SAP13 number will be issued.
- 1.3 Officials from other organs of State such as SAPS, SARS and SANParks may also confiscate abalone in terms of applicable legislation and are required to notify and hand over the confiscated abalone to the Department who is responsible for transporting, storing and ultimately selling the confiscated abalone.

2. RECORDING, SEALING AND STORAGE

- 2.1 The arresting officer must count the confiscated abalone in the presence of the suspects at the scene of the crime or at the nearest SAPS station. The abalone must be bagged and sealed in the presence of the suspects. If the counting process took place at the crime scene, the sealed bags of abalone must be transported to the nearest SAPS station within the jurisdiction where the offence took place.
- 2.2 The bags must be fastened with a plastic cable tie (to tighten the contents). Thereafter it must be sealed with a uniquely numbered official metal seal. The seal numbers must be shown to the suspects. The metal seal must be woven through the plastic bag immediately above the plastic cable tie. This is to ensure that the contents remain secure and the metal seal cannot be tampered with or removed other than by cutting it. A white plastic tag with the name of Accused, the CAS number, SAP13 number, the numbered bag and the quantity in the specific bag (100 or less) must be attached to each bag.

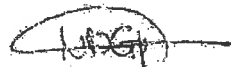


- 2.3 The arresting officer responsible for the counting process will draft and complete an affidavit with the full details of the counting process as to how many units of abalone were counted, the number of bags, seal numbers, and the state of the abalone (whole or out of the shell). This affidavit will be filed in the case docket with the SAPS.
- 2.4 In instances where abalone is discovered in various places but relates to the same case, the number of abalone found at each place (in the freezer, in the fridge, in a cooking pot, on the dry racks, in boxes, in the garage, etc.) must be recorded in the affidavit of the responsible official and the suspect must be informed accordingly.
- 2.5 Any other items seized at the crime scene must be recorded in the SAP13 exhibit register and will remain in the safe custody of the SAPS until the case has been finalised and the appropriate forfeiture order has been issued by a court. Where SAPS is unable to safely store other items seized they may be released by SAPS to the Department for storage in its Main store. Where items are confiscated from an illegal abalone drying plant, all equipment and consumables used in the drying of the abalone must be recorded in the SAP13 and transferred to the Main store of the Department for disposal in accordance with the MLRA.
- 2.6 When the confiscated abalone is handed over to the Department, the SAPS official will complete the SAP136 form as proof of return of the abalone and the receiving FCO will sign receipt in the SAP13 register and SAP136. Under no circumstances must the bags of abalone leave the SAPS station without the SAPS CAS and SAP13 numbers. In instances of abandoned abalone, the CAS number is not required.
- 2.7 Where abalone is confiscated outside the Western Cape, the arresting officer will determine the most suitable manner of storage in order to preserve the abalone. This will take into account factors such as the available local facilities including freezer capacity and immediately notify the Department of the confiscated abalone through the designated contact numbers.
- 2.8 If the abalone was seized in the Western Cape the abalone must be transported to the designated storage sites of the Department. These sites will be made available to the responsible officer prior to the transport of the abalone.
- 2.9 The arresting officer must then transport the bags of abalone to the local storage facility. This must be a secure and locked facility to which a maximum of two MCM officials have access. If the arresting officer is not one of the responsible officers, the bags must be handed over to such officers. The details of the case will then be recorded in the Exhibit Register of the local storage facility

- 2.10 An official at the identified storage facility must immediately contact the delegated official from the Department to collect the abalone for transporting to the Main Store of the Department. Before the abalone is released for transporting, to the Main store, the officials of the Department will formally receive the abalone and this process will include acknowledging receipt of the abalone including the number of bags and weights where possible, the case details and seal numbers which must be recorded in writing.
- 2.11 The details of the confiscated abalone must then be recorded in the exhibit / transgression register at the relevant local MCM office. The details will include the name of the accused, CAS no., SAP13 no., number of abalone in the bag, number of the bag, the weight where possible, the receipt number (if received from another station). An exhibit register number is available from the Departmental exhibit register.
- 2.12 The transport of confiscated abalone to the Department's Main Store will take place under strict control of the Department with an armed escort and once the abalone has been recorded and loaded onto a vehicle, the vehicle must be locked and sealed and the seal number recorded before departure. This seal can only be broken by an authorised official at another site where confiscated abalone has to be loaded or at its final destination.
- 2.13 The details of the confiscated abalone must then be recorded in the exhibit / transgression register at the relevant MCM office or at the Main store located in Cape Town. The details will include the name of the accused, CAS no., SAP13 no., number of abalone in the bag, number of the bag, the weight where possible, the receipt number (if received from another station). An exhibit register number is available from the Departmental exhibit register.

3. IDENTIFICATION AND SAMPLING

- 3.1 Once the abalone is received by the Department, arrangements will be made for the recording of the consignment which will include the date of receipt, CAS No., SAP13 No., number of animals, weight of the abalone, Name of the SAPS station.
- 3.2 The abalone is then stored and formally identified by an expert from the Department for court purposes.
- 3.3 The expert will in the presence of another official break the seals of the bags and record the seal numbers in an affidavit in order to maintain the "Chain of Evidence". A full recording of the number of animals must be made including an assessment of the state of the abalone (sized, undersized, shucked, unshucked, frozen, cooked, dried or unfit)



- 3.4 Through examination, the expert must identify the abalone and a sample of up to 10% of the abalone must be kept at the Main stores of the Department for record and court purposes which may be presented as evidence during a criminal trial. The samples are separately bagged and sealed with the following details reflected on the tags; CAS No., SAP13 No. and the name of SAPS station. Samples are stored separately from the remaining abalone and kept in a separate freezer at the Department's Main Store. The expert must then seal all the remaining bags that were opened and record the relevant information and the seal numbers in an affidavit.
- 3.5 The expert must visit the local storage facility weekly or as is necessary depending on the circumstances to identify the abalone.
- 3.6 The details of the samples must be recorded on a register by the officials responsible for the storage of the abalone at the Main store and the information must be provided to the officials from the Chief Directorate: Monitoring Control and Surveillance from the Department who are responsible for the monitoring of the related criminal cases. The progress and outcomes of the cases must be submitted to the CFO: Marine Living Resources Fund on a quarterly basis to enable the efficient processing and selling of the samples and other forfeited items.

4. TRANSPORT OF ABALONE FOR PROCESSING

- 4.1 The Department directs the appointed external monitors to supervise and schedule the transfer of the confiscated abalone to the appointed processor. The consignment of abalone must be transported at the cost of the processor who takes full responsibility for safe-guarding the product during transport under the supervision of the monitoring service provider.
- 4.2 Confiscated abalone that does not require any processing (dried) will be graded by the staff from the processors and the monitors and made available to the processors appointed by the Department to market and sell the dried abalone.
- 4.3 The service providers appointed to process, market and sell the abalone receive confiscated abalone for processing based on its availability. Where more than one processor has been appointed, the abalone is released on a rotational basis and when one of the processors is unable to receive the product, the other one will be used. The monitors will notify the responsible official of the Department of the delivery details of every consignment of abalone.
- 4.4 A representative of the processor will receive the abalone in the presence of a representative of the monitors. A copy of the exhibit register kept at the

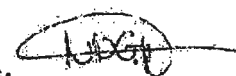


Main Store is presented to the relevant monitors and both representatives will then sign proof of acceptance. The monitor retains a copy of this document.

- 4.5 The abalone is then checked and weighed and a Goods Received Voucher (GRV) is issued to the representative of the processor. The details on the GRV includes the number of bags, the weight of each bag, the seal number of each bag, the SAP 13 number, the case number and the exhibit register number. The monitor signs the document and the Department retains a copy.
- 4.6 The Department will issue a transport permit reflecting the details of the vehicle transporting the confiscated abalone to the premises of the processors including the identification details of the driver. This permit is made available to the monitors and can only be used on the date designated for the transport of the confiscated abalone from the Main Store to the appointed processor.
- 4.7 Once the delivery vehicle has been sealed, the abalone is then transported under armed escort provided by the processor and accompanied by the monitor to the premises of the processor.
- 4.8 Any problems experienced during the transporting of the confiscated abalone must immediately be reported to the Department and to the nearest SAPS station if required.
- 4.9 The processor receiving the confiscated abalone records receipt of the product and may only process the abalone on approval and under the supervision of the monitors. The confiscated abalone will be stored separately in refrigeration units on the processor's premises which will be locked by the monitors.
- 4.10 When the abalone is prepared for processing and determined not fit to be processed (unfit abalone), the processor together with the monitors will contact the Department. The product is then transferred back to the Main store and will be disposed of in terms of Section 63 of the Act. Unfit product will be dumped under the supervision of the Department.
- 4.11 Once court cases have been finalised and the confiscated abalone is forfeited to the State by court order, the Department will retrieve the stored samples and present same for processing in accordance with the above procedure.

5. PROCESSING AND GRADING OF CONFISCATED ABALONE:

- 5.1 Once the date to commence processing of the confiscated abalone has been confirmed between the processor and the monitors, arrangements will be made to remove the abalone from the refrigeration unit to thaw.



- 5.2 The monitors will record all the details from the bags and record the weight of all items including that of the bag, seal and any other waste. The abalone is also counted to verify the original count.
- 5.3 Once the abalone is completely thawed, the status of the abalone is checked in order to remove any unfit abalone. Unfit abalone is recorded, bagged and stored separately.
- 5.4 The abalone is then cleaned and all waste is recorded including the weight of each item.
- 5.5 The processor will then be able to apply a unique processing technique under the strict supervision of the monitors. This process will include the cooking of the abalone and thereafter placing the abalone on racks for drying.
- 5.6 The monitor records the temperature of the drying rooms and monitors the drying process.
- 5.7 Once the abalone has been dried, the abalone is then cooled and placed in a safe area for grading.
- 5.8 The requirements as set out in the approved Norms and Standard document will apply. These norms and standards will be reviewed from time to time.
- 5.9 The results obtained after grading and sizing of the dried abalone will be used to create a packing list. This list will be made available to the foreign buyers of the processor to obtain a competitive price.
- 5.10 The packing list is also used to determine the projected price to be offered to the Department based on the previous prices obtained for sales.

6. SELLING OF CONFISCATED DRIED ABALONE (PROCESSED ABALONE):

- 6.1 The processor is required to present to the monitors at least three independent quotes from the foreign buyers. The document containing this information is lodged with the monitors. Prices offered are in USD (\$) per kilogram per quality grade and individual size.
- 6.2 If the prices offered to the Department are unreasonable by comparing the prices offered with previous offers, the monitors will inform the processor to obtain more quotations with competitive prices.
- 6.3 Once a ceiling price has been reached, the monitors can also offer the packing list to the other processor in order to obtain competitive prices

- 6.4 The processor who processed the particular consignment of confiscated abalone will be allowed to make a final offer whereafter the prices will be presented to the Department and recommended for approval.
- 6.5 The monitors will also monitor the possible benefits of foreign exchange gains and losses which accrue to the Department.
- 6.6 Once approval is granted, the approval documents are presented to the monitors who will arrange with the processor for the transfer of the funds to the bank account of the MLRF in South African Rands (ZAR) within three working days.
- 6.7 Once confirmation is received that the funds have been transferred to the MLRF, arrangement will be made for the export of the dried abalone. The processor will present to the Department the application for the applicable permits.
- 6.8 Once the permits have been issued, the monitors will acknowledge receipt thereof and arrange with the processor for the export of the abalone. The export permit will have a validity period not exceeding five working days.
- 6.9 The processor is required to package the dried abalone and transport the boxes to Cape Town International Airport under the supervision of the monitors who will also be present when the boxes are booked in at the freight agent for export.
- 7. SELLING OF CONFISCATED DRIED ABALONE (ADHOC SALES / AUCTIONS):**
- 7.1 When dried abalone is confiscated which does not require any processing, the abalone can be made available for immediate sale through an auction.
- 7.2 After identification, counting, sampling and weighing the dried product, the dried abalone is placed on drying racks in the Main store to reach room temperature.
- 7.3 In consultation with the processors and the monitors, the product is graded by the staff of the processors and the monitors and sized to create a packing list at the Main Store.
- 7.4 The afore-mentioned packing list will form the basis of an auction which will be conducted at a date determined by the Department following prior approval processes.
- 7.5 Auction rules are made available to the processors and must be signed and accepted before the commencement of the auction. A reserve price can be

placed on the consignment available for auction. Offers are increased at intervals of at least \$500.00 per subsequent offer.

- 7.6 Once the highest price has been reached, the auction is stopped and the necessary approval on the sale is obtained.
- 7.7 Once approval is granted, the approval documents are presented to the monitors who will arrange with the processor for the transfer of the funds to the bank account of the MLRF in South African Rands (ZAR) within three working days.
- 7.8 The requirements as set out in paragraphs 6.7 to 6.9 will then apply.

8. ISSUE OF CONFISCATED ABALONE IN TERMS OF SECTION 252(A) OF THE CRIMINAL PROCEDURE ACT, 1977.

- 8.1 Applications are received in terms of section 252A of the Criminal Procedure Act to utilise abalone for controlled deliveries as part of undercover operations. These requests are dealt with through the Directorate: Special Investigation Unit in the Department.

9. REFUND OF THE PROCEEDS FROM THE SALE OF CONFISCATED ABALONE

- 9.1 Upon finalisation of a criminal case if the accused is acquitted and the Department may be ordered to return the proceeds of the sale of the relevant confiscated abalone to the accused.
- 9.2 The monitors will be notified of the case details and must compile a full report containing the details of what had happened to that specific confiscated abalone and the proceeds obtained from the sale thereof.
- 9.3 On receipt of the afore-mentioned information, the Department will liaise with the claimant for the refund of the net proceeds of the sale less all associated costs (including processing, marketing and monitoring costs).
- 9.4 If the proceeds are to be repaid, the applicant will be required to register on the Financial System of the MLRF for the payment to be effected. Approval for the refund will be obtained from the CFO: MLRF and the payment will be made in terms of the requirements of the Public Finance Management Act, 1999 and the Treasury Regulations issued in terms thereof

10. GRADING OF DRIED ABALONE:

- 13.1** The grading specification shall be used by the processor and the monitors to guide the sorting, sizing and grading of confiscated dried abalone. The specification includes the criteria that will be used to conduct the sorting, sizing and grading of finished product that will be marketed and sold to the international market.

13.2 SEQUENCE OF ACTIVITIES BEFORE GRADING:

13.2.1 PROCESSING

The Department will release confiscated abalone in the form of wet, cooked, semi-dried and dried product to the processor to produce dried finished product that will be sold to the international market. The processor will process the abalone with generally accepted techniques to prepare the abalone for marketing and selling. These techniques will include thawing, cooking, bleaching and drying to achieve the best grade of abalone for the international market.

13.2.2 STYLES OF PREPARATION

The processor shall be required to inform the monitors of the style of preparation so that this can be considered when conducting the final grading.

The processor may select to process the product by the chemical method or by natural method.

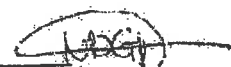
The processors selection of the style of preparation will need to ensure that the finished product produces the highest quality grades and resultant financial yields for the Department. The selection of the style of preparation will also need to consider the needs of the international market with regard to the colour, shape and dryness of the finished product.

13.2.2.1 Chemical method

The correct utilisation of the method will result in finished product that has a light colour (light brown; light green or caramel colour). Any deviations from the light colour will indicate that the quality of the product is compromised and will need to be independently assessed to validate the product grade.

13.2.2.2 Natural method

The utilisation of the method will result in finished product that is brown to dark brown in colour and in some instances



black. Finished product that is black will need to be independently assessed to validate the product grade.

13.3 SORTING AND GRADING:

13.3.1 Initial grading and sorting

The processor shall conduct the initial sorting and grading of finished product and the grades will be approved by the processing manager. The processing manager must inform the monitors once the initial sorting and grading has been completed so that the final grading can commence.

Finished product can be sorted and graded in batches but the processor must ensure that the batches are isolated and secured to avoid product swapping and tampering.

13.3.2 Final sorting and grading

The final grading shall be conducted jointly by the processing manager and the monitors to determine the final grade of each finished product. The final grading shall be used by the processor to offer the finished product for sale to the international market once approval has been obtained from the Department.

13.3.3 Disputed sorting and grading

If there is a dispute over the joint grading of finished product then the product must be isolated, secured and the incident must be reported to the head of the monitors for resolution. The head of the monitors will implement a resolution plan to determine the final grade of the disputed product.

13.4 QUALITY CHARACTERISTICS:

Six quality characteristics have been defined for the allocation of a quality grade to finished product:

Characteristic Criteria

Flesh colour	<p>Chemical method: The colour of the flesh is assessed to determine its likeness to a light colour (light green; light brown or caramel colour).</p> <p><u>optimal:</u> The likeness of the flesh colour to be light.</p> <p>Natural method: The colour of the flesh is assessed to determine its likeness to a brown or dark brown colour.</p> <p><u>optimal:</u> The likeness of the flesh colour to be brown or dark brown.</p>
Hair / frill	<p>The frill is assessed to determine whether any hairs have been damaged.</p> <p><u>optimal:</u> a frill that has upright and unbroken hairs</p>
Distinctive markings	<p>The flesh is assessed to determine whether there are any markings (i.e. scratches) on the abductor muscle or foot (cooking cracks on side is acceptable).</p> <p><u>optimal:</u> Foot and abductor muscle that has no markings</p>
Physical shape	<p>The physical shape of the flesh is assessed to determine its conformity to an oval shape.</p> <p><u>optimal:</u> flesh that is oval</p>
Thickness	<p>The thickness of the flesh is assessed.</p> <p><u>optimal:</u> the optimal thickness of the flesh is 1 to 5 cm</p>
Odour	<p>The product should have a fresh smell and should not have any strong odours.</p> <p><u>optimal:</u> Fresh</p>

13.5 QUALITY GRADES:

Five quality grades have been defined to grade the purity of the dried abalone:

Grade	Purity
A	Premium
B	High grade
C	Medium grade
D	Low grade
D - minus (sub standard)	Inferior

13.6 QUALITY SIZING:

Six size definitions have been defined to support the grading of dried abalone:

Size	Purity
≤ 17	Size 1
18 to 29	Size 2
30 to 60	Size 3
61 to 80	Size 4
81 to 95	Size 5
96+	Size 6

13.7 ABALONE GRADING:

The quality characteristics and size of the dried abalone will be assessed to determine the quality grading. The finished product will be graded to A, B, C, D or D-minus grade so that the product can be marketed and sold to the international market.

13.7.1 A grade abalone

The specifications to be allocated an A grade are:

Characteristic Criteria

Flesh colour	<ul style="list-style-type: none">• <u>Chemical</u>: The optimal flesh colour is a light colour (light green; light brown or caramel colour).• <u>Natural</u>: The optimal colour is brown or dark brown.
Hair / frill	<ul style="list-style-type: none">• The hairs are upright and unbroken making a perfect frill
Distinctive markings	<ul style="list-style-type: none">• Light scratches are permitted on the abductor muscle, the foot and on the flesh• Light indentations are permitted
Physical shape	<ul style="list-style-type: none">• An oval shape; no severe deformities
Thickness	<ul style="list-style-type: none">• Range from 1 cm to 5cm
Odour	<ul style="list-style-type: none">• Fresh

13.7.2 B grade abalone

The specifications to be allocated a B grade are:

Characteristic Criteria

Flesh colour	<ul style="list-style-type: none">• <u>Chemical</u>: The optimal flesh colour is light (light green; light brown or caramel colour).• <u>Natural</u>: The optimal colour is brown or dark brown.
Hair / frill	<ul style="list-style-type: none">• The hairs and frill are present with some broken/bent hairs

Characteristic Criteria

Distinctive markings	<ul style="list-style-type: none"> Cuts and scratches are permitted on both sides of the abalone No deep lacerations Indentations are permitted
Physical shape	<ul style="list-style-type: none"> Likeness to the oval shape
Thickness	<ul style="list-style-type: none"> Range from 1 to 5cm
Odour	<ul style="list-style-type: none"> Fresh

13.7.3 C grade abalone

The specifications to be allocated a C grade are:

Characteristic Criteria

Flesh colour	<ul style="list-style-type: none"> <u>Chemical</u>: The optimal flesh colour is light (light green; light brown or caramel colour). <u>Natural</u>: The optimal colour is brown or dark brown.
Hair / frill	<ul style="list-style-type: none"> Minimal hair and frill
Distinctive markings	<ul style="list-style-type: none"> Deep cuts, lacerations and/or indentations are present on abductor muscle. Some discolouration may be present beneath the abductor muscle Limited white dots will be permitted
Physical shape	<ul style="list-style-type: none"> Non-oval and deformed shape
Thickness	<ul style="list-style-type: none"> No specification: any thickness
Odour	<ul style="list-style-type: none"> Fresh

13.7.4 D grade abalone

The specifications to be allocated a D grade are:

Characteristic	Criteria
Flesh colour	<ul style="list-style-type: none">• <u>Chemical</u>: black (or dark pitch)• <u>Natural</u>: black (or dark pitch)
Hair / frill	<ul style="list-style-type: none">• No hair and frill
Distinctive markings	<ul style="list-style-type: none">• Deep cuts, lacerations and/or indentations are present
Physical shape	<ul style="list-style-type: none">• The shape must still resemble an abalone
Thickness	<ul style="list-style-type: none">• No specification: any thickness
Odour	<ul style="list-style-type: none">• Fresh to slight putrid smell

13.7.5 D minus (-) grade abalone/inferior

The specifications to be allocated a D-minus grade are:

Characteristic	Criteria
Flesh colour	<ul style="list-style-type: none">• <u>Chemical</u>: black (or dark pitch)• <u>Natural</u>: black (or dark pitch)
Hair / frill	<ul style="list-style-type: none">• No hair and frill
Distinctive markings	<ul style="list-style-type: none">• Deep cuts, lacerations and/or indentations are present• Soft centres and/or "fat boys"• Rotten on the inside of the flesh
Physical shape	<ul style="list-style-type: none">• The shape must still resemble an abalone
Thickness	<ul style="list-style-type: none">• No specification: any thickness

Characteristic Criteria

Odour


- Chemical: slight odour
- Natural: putrid smell

13.8 Unfit abalone

Abalone that has been processed by the chemical style of preparation and that has a strong odour must be declared unfit. This product will be returned to the Department for disposal.


DIRECTOR GENERAL

DATE: 27/11/09





environment & tourism

Department:
Environmental Affairs and Tourism
REPUBLIC OF SOUTH AFRICA

Specification for the grading of confiscated abalone

Annexure A

1. **INTRODUCTION:**

The grading specification shall be used by the processor and the monitors to guide the sorting, sizing and grading of confiscated dried abalone. The specification includes the criteria that will be used to conduct the sorting, sizing and grading of finished product that will be marketed and sold to the international market.

2. **SEQUENCE OF ACTIVITIES:**

2.1. **PROCESSING**

The Department will release confiscated abalone in the form of wet, cooked, semi-dried and dried product to the processor to produce dried finished product that will be sold to the international market. The processor will process the abalone with generally accepted techniques to prepare the abalone for marketing and selling. These techniques will include thawing, cooking, bleaching and drying to achieve the best grade of abalone for the international market.

2.2. **STYLES OF PREPARATION**

The processor shall be required to inform the monitors of the style of preparation so that this can be considered when conducting the final grading.

The processor may select to process the product by the chemical method or by natural method.

The processors selection of the style of preparation will need to ensure that the finished product produces the highest quality grades and resultant financial yields for the Department. The selection of the style of preparation will also need to consider the needs of the international market with regard to the colour, shape and dryness of the finished product.

2.2.1. **Chemical method**

The correct utilisation of the method will result in finished product that has a light colour (light brown; light green or caramel colour). Any deviations from the light colour will indicate that the quality of the product is compromised and will need to be independently assessed to validate the product grade

2.2.2 **Natural method**

The utilisation of the method will result in finished product that is brown to dark brown in colour and in some instances

black. Finished product that is black will need to be independently assessed to validate the product grade.

2.3. SORTING AND GRADING

2.3.1. Initial grading and sorting

The processor shall conduct the initial sorting and grading of finished product and the grades will be approved by the processing manager. The processing manager must inform the monitors once the initial sorting and grading has been completed so that the final grading can commence.

Finished product can be sorted and graded in batches but the processor must ensure that the batches are isolated and secured to avoid product swapping and tampering.

2.3.2. Final sorting and grading

The final grading shall be conducted jointly by the processing manager and the monitors to determine the final grade of each finished product. The final grading shall be used by the processor to offer the finished product for sale to the international market once approval has been obtained from the Department.

2.3.3. Disputed sorting and grading

If there is a dispute over the joint grading of finished product then the product must be isolated, secured and the incident must be reported to the head of the monitors for resolution. The head of the monitors will implement a resolution plan to determine the final grade of the disputed product.

3. SPECIES:

The most common specie of confiscated abalone that will be processed is known as *Haliotis midae*, which is widely distributed around the coastline from St. Helena on the west coast to just north of Port St. Johns along the east coast. The highest concentrations of the resource are located between Cape Columbine and Quoin Point, where most of the commercial fishery was based. Other species of abalone may be confiscated and released to processors to be processed, marketed and sold.

4. QUALITY CHARACTERISTICS:

Six quality characteristics have been defined for the allocation of a quality grade to finished product:

Characteristic	Criteria
Flesh colour	<p>Chemical method: The colour of the flesh is assessed to determine its likeness to a light colour (light green; light-brown or caramel colour). <u>optimal:</u> The likeness of the flesh colour to be light.</p> <p>Natural method: The colour of the flesh is assessed to determine its likeness to a brown or dark brown colour. <u>optimal:</u> The likeness of the flesh colour to be brown or dark brown.</p>
Hair / frill	<p>The frill is assessed to determine whether any hairs have been damaged. <u>optimal:</u> a frill that has upright and unbroken hairs</p>
Distinctive markings	<p>The flesh is assessed to determine whether there are any markings (i.e. scratches) on the abductor muscle or foot (cooking cracks on side is acceptable). <u>optimal:</u> Foot and abductor muscle that has no markings</p>
Physical shape	<p>The physical shape of the flesh is assessed to determine its conformity to an oval shape. <u>optimal:</u> flesh that is oval</p>
Thickness	<p>The thickness of the flesh is assessed. <u>optimal:</u> the optimal thickness of the flesh is 1 to 5 cm</p>
Odour	<p>The product should have a fresh smell and should not have any strong odours. <u>optimal:</u> Fresh</p>

5. **QUALITY GRADES:**

Five quality grades have been defined to grade the purity of the dried abalone:

Grade	Purity
A	Premium
B	High grade
C	Medium grade
D	Low grade
D - minus (sub standard)	Inferior

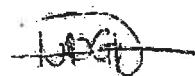
6. **QUALITY SIZING:**

Six size definitions have been defined to support the grading of dried abalone:

Size	Purity
<= 17	Size 1
18 to 29	Size 2
30 to 60	Size 3
61 to 80	Size 4
81 to 95	Size 5
96+	Size 6

7. **ABALONE GRADING:**

The quality characteristics and size of the dried abalone will be assessed to determine the quality grading. The finished product will be graded to A, B, C, D or D-minus grade so that the product can be marketed and sold to the international market.



7.1. A grade abalone

The specifications to be allocated an A grade are:

Characteristic	Criteria
Flesh colour	<ul style="list-style-type: none">• <u>Chemical</u>: The optimal flesh colour is a light colour (light green; light brown or caramel colour).• <u>Natural</u>: The optimal colour is brown or dark brown.
Hair / frill	<ul style="list-style-type: none">• The hairs are upright and unbroken making a perfect frill
Distinctive markings	<ul style="list-style-type: none">• Light scratches are permitted on the abductor muscle, the foot and on the flesh• Light indentations are permitted
Physical shape	<ul style="list-style-type: none">• An oval shape; no severe deformities
Thickness	<ul style="list-style-type: none">• Range from 1 cm to 5cm
Odour	<ul style="list-style-type: none">• Fresh

7.2. B grade abalone

The specifications to be allocated a B grade are:

Characteristic	Criteria
Flesh colour	<ul style="list-style-type: none">• <u>Chemical</u>: The optimal flesh colour is light (light green; light brown or caramel colour).• <u>Natural</u>: The optimal colour is brown or dark brown
Hair / frill	<ul style="list-style-type: none">• The hairs and frill are present with some broken/bent hairs

Characteristic	Criteria
Distinctive markings	<ul style="list-style-type: none"> Cuts and scratches are permitted on both sides of the abalone No deep lacerations Indentations are permitted
Physical shape	<ul style="list-style-type: none"> Likeness to the oval shape
Thickness	<ul style="list-style-type: none"> Range from 1 to 5cm
Odour	<ul style="list-style-type: none"> Fresh

7.3. C grade abalone

The specifications to be allocated a C grade are:

Characteristic	Criteria
Flesh colour	<ul style="list-style-type: none"> <u>Chemical</u>: The optimal flesh colour is light (light green; light brown or caramel colour). <u>Natural</u>: The optimal colour is brown or dark brown.
Hair / frill	<ul style="list-style-type: none"> Minimal hair and frill
Distinctive markings	<ul style="list-style-type: none"> Deep cuts, lacerations and/or indentations are present on abductor muscle. Some discolouration may be present beneath the abductor muscle Limited white dots will be permitted
Physical shape	<ul style="list-style-type: none"> Non-oval and deformed shape
Thickness	<ul style="list-style-type: none"> No specification: any thickness
Odour	<ul style="list-style-type: none"> Fresh

7.4. D grade abalons

The specifications to be allocated a D grade are:

Characteristic	Criteria
Flesh colour	<ul style="list-style-type: none">• <u>Chemical</u>: black (or dark pitch)• <u>Natural</u>: black (or dark pitch)
Hair / frill	<ul style="list-style-type: none">• No hair and frill
Distinctive markings	<ul style="list-style-type: none">• Deep cuts, lacerations and/or indentations are present
Physical shape	<ul style="list-style-type: none">• The shape must still resemble an abalone
Thickness	<ul style="list-style-type: none">• No specification: any thickness
Odour	<ul style="list-style-type: none">• Fresh to slight putrid smell

7.5. D minus (-) grade abalone/inferior

The specifications to be allocated a D-minus grade are:

Characteristic	Criteria
Flesh colour	<ul style="list-style-type: none">• <u>Chemical</u>: black (or dark pitch)• <u>Natural</u>: black (or dark pitch)
Hair / frill	<ul style="list-style-type: none">• No hair and frill
Distinctive markings	<ul style="list-style-type: none">• Deep cuts, lacerations and/or indentations are present• Soft centres and/or "fat boys"• Rotten on the inside of the flesh
Physical shape	<ul style="list-style-type: none">• The shape must still resemble an abalone
Thickness	<ul style="list-style-type: none">• No specification: any thickness

LDG


Characteristic Criteria

Odour

- Chemical: slight odour
- Natural: putrid smell

13.8 Unfit abalone

Abalone that has been processed by the chemical style of preparation and that has a strong odour must be declared unfit. This product will be returned to the Department for disposal.


DIRECTOR-GENERAL
DATE: 27/11/09

From: Esther Theron
To: Betta Coetzee; Nasir Daniels
Date: 2009/11/27 11:30 AM
Subject: Re: Fwd: POLICY FOR THE HANDLING OF CONFISCATED ABALONE

Thanks for the info, Nasir

Betta, can you print from EDMS as she will then have to approve as hard copy to meet the date requirement.

Esther Theron
 Deputy Director: Administration
 Office of the Director-General
 (012) 310 3786
 0723223241

>>> Nasir Daniels 2009/11/27 11:07 AM >>>
 Hi Esther

It is loaded as EDMS submission Number 46038. We did make a commitment to issue the policy by 27 November 2009 and in order to meet that requirement it was agreed by the MCM management to present both to the DG. Can you possibly request her to sign it as 27 November 2009.

Nasir Daniels
 Director: Support Services
 Department of Environmental Affairs & Tourism
 Branch: Marine and Coastal Management
 Cape Town
 >>> Esther Theron 11/27/09 7:35 AM >>>
 Dear Nasir

Can this wait for DG to consider when it comes to her EDMS?

Esther Theron
 Deputy Director: Administration
 Office of the Director-General
 (012) 310 3786
 0723223241

>>> Nasir Daniels 2009/11/26 03:26 PM >>>
 Hi DG

Emanating from our OPS meeting this morning, the final improvements have been effected to the policy and norms and standards documents for your approval.
 The documents will also be loaded on EDMS shortly.

Nasir Daniels
 Director: Facilities Support Management
 Department of Environmental Affairs & Tourism
 Branch: Marine and Coastal Management
 Cape Town

Office: 021 402 3015
 Cell: 082 771 88 99

(2009/1141) Delta Cuelzer - Re: Two. Policy for the handling of contaminated evidence

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Facsimile: 021 402 3364

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state? **YES/NO**

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

2.2 Do you, or any person connected with the bidder, have a relationship

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

2.3.1 If so, furnish particulars:

.....

3 **DECLARATION**

I, _____ the _____ undersigned,
 (name)..... in
 submitting the accompanying bid, do hereby make the following
 statements that I certify to be true and complete in every respect:

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring

² Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature	Date
.....
Position	Name of bidder

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 **To be completed by the organ of state**

a) The applicable preference point system for this tender is the **80/20** preference point system.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 **To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \mathbf{Ps} = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right) & \mathbf{or} & \mathbf{Ps} = 90 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right) \end{array}$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.2.1. POINTS AWARDED FOR PRICE

A maximum of 80 or 90 points is allocated for price on the following basis:

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \\ \mathbf{Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)} & \mathbf{or} & \mathbf{Ps = 90 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)} \end{array}$$

Where

- Ps = Points scored for price of tender under consideration
Pt = Price of tender under consideration
Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
 - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,
- then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
51% Black ownership	N/A	8	N/A	
50% Women ownership	N/A	4	N/A	
Youth ownership	N/A	4	N/A	
Disability	N/A	4	N/A	
Non-compliant contributor	N/A	0	N/A	

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

Partnership/Joint Venture / Consortium

One-person business/sole propriety

Close corporation

Public Company

Personal Liability Company

(Pty) Limited

Non-Profit Company

State Owned Company

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm,

certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution, if deemed necessary.

.....
SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

.....

.....

.....

