

**FURTHER SUPPLEMENTARY DECISIONS ON THE ADDENDUM TO THE  
GENERAL PUBLISHED REASONS FOR THE DECISIONS ON THE ALLOCATION  
OF 2015/16 FISHING RIGHTS AND EFFORT IN THE LARGE PELAGIC LONGLINE  
FISHERY**



**DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT  
BRANCH FISHERIES MANAGEMENT**

7 May 2021

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## **1. Introduction**

On 25 January 2017, the Delegated Authority published her final decisions on the allocation of rights and effort in the Large Pelagic Longline Fishery where the Delegated Authority decided to reserve her decision on the application submitted by NGUMZAMO FISHING (PTY) LTD (“NGUMZAMO”) pending submission of additional information.

On 24 November 2017, the Delegated Authority published her supplementary decisions on the allocation of rights and effort in the Large Pelagic Longline Fishery where the Delegated Authority decided to exclude NGUMZAMO on the basis that the applicant poses paper quota risk in the Large Pelagic Longline Fishery.

In terms of section 80 of Marine Living Resources Act, (Act No. 18 of 1998) (“the MLRA”), NGUMZAMO was afforded an opportunity to submit its appeal to the former Minister, on/or before 16h00 on 23 February 2018. Upon consideration of the appeal of NGUMZAMO, the Minister of Forestry, Fisheries and the Environment (“the Minister”) upheld the appeal and referred the matter back to the Delegated Authority to undertake its task of evaluating to what extent NGUMZAMO succeeds or does not succeed in the evaluation and assessment of the balancing criteria and to determine appropriate allocation in the sector, if successful.

This Supplementary Decisions on the Addendum to the General Published Reasons for the Decisions on the Allocation of Rights and Effort in the Large Pelagic Longline Fishery: 2015/16 of 25 January 2017 (“GPR”) records and confirms the Delegated Authority’s final decisions and must be read together with the Addendum to the GPR of 25 January 2017 and the GPR of 10 November 2016. The content of these GPRs shall be considered final unless explicitly amended by this Supplementary Decisions.

## **2. Final Decisions**

The Delegated Authority decided to grant a right to undertake commercial fishing to NGUMZAMO in the Large Pelagic Longline Fishing Sector (a “successful applicant”) on the vessel CHIHO MARU 18. The right granted to NGUMZAMO will commence from the date of approval of the GPR and expire on 31 December 2032.



### **3. Final Effort Allocation Methodology**

The final effort allocation methodology adopted for this fishery is as follows:

- (a) The successful applicant is allocated the right to utilise the vessel(s) nominated in its respective application, provided that -
  - (i) Where a successful applicant has nominated more than 2 vessels, this applicant will have to confirm its preferred vessel within the time period specified by the Delegated Authority;
  - (ii) No successful applicant will be permitted to utilise more than 2 large pelagic longline fishing vessels;
  - (iii) The applicant will be permitted to place more than 1 Large Pelagic Longline fishing right on the same fishing vessel, provided that only a single fishing permit is utilised during any one fishing voyage; and
  - (iv) Where a successful applicant has nominated a foreign flagged fishing vessel, utilization of a foreign flagged fishing vessel will be subject to authorization for use in South African waters by the Department prior to be allowed in the sector, if the conditions set out below are met.
- (b) Foreign flagged fishing vessels may only be permitted to fish in South African waters under a Large Pelagic fishing right if the conditions set out in clause 7.2(e) of the Policy on the Allocation and Management of Fishing Rights in the Large Pelagic Fishery: 2015 are met.
- (c) If the successful applicant did not nominate either a vessel or a suitable fishing vessel will be required to secure access to a suitable fishing vessel within 90 days of the publication by the Delegated Authority of the final decision. Where a successful applicant fails to secure access to a suitable vessel, the Minister may implement the provisions of Section 28(4) of the MLRA and revoke the fishing right.

### **4. Appeals**

Any affected person may appeal to the Minister against any aspect of the decision taken by any person acting under a power delegated in terms of the MLRA in terms of Section 80, read with Regulation 5 of Government Gazette Notice 1111 of 2 September 1998.



Appeals must be filed by not later than 16h00 on Friday, 18 June 2021. Appeals shall only be emailed to [FRAP2015appeals@environment.gov.za](mailto:FRAP2015appeals@environment.gov.za). Hand-delivered, faxed or posted appeals will **not** be accepted. Late appeals will **not** be considered.



**SUE MIDDLETON**

**DEPUTY DIRECTOR-GENERAL: FISHERIES MANAGEMENT (ACTING)**

**Designation: Delegated Authority: FRAP2015/16 Large Pelagic Longline Fishery**

**DATE: 7 MAY 2021**