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GENERAL NOTICE

NOTICE 1771 OF 2001**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM****INVITATION TO APPLY FOR RIGHTS TO UNDERTAKE COMMERCIAL FISHING OR TO ENGAGE IN MARICULTURE OR TO OPERATE A FISH PROCESSING ESTABLISHMENT IN TERMS OF SECTION 18 OF THE MARINE LIVING RESOURCES ACT, 1998 (ACT NO. 18 OF 1998)**

The Department of Environmental Affairs and Tourism hereby announces for general information that it is the intention of the Honourable Minister of Environmental Affairs and Tourism to allocate rights to undertake commercial fishing or to engage in mariculture or to operate a fish processing establishment in terms of section 18 of the Marine Living Resources Act, 1998 (Act No. 18 of 1998) ("the Act").

Interested parties may apply for the rights set out in the table hereunder:

| SECTOR/FISHERY | OPENING DATE FOR APPLICATIONS | CLOSING DATE FOR APPLICATIONS |
|---------------------------------|-------------------------------|-------------------------------|
| ABALONE | 27/08/2001 | 13/09/2001 |
| BEACH SEINE | 27/08/2001 | 13/09/2001 |
| FISH PROCESSING ESTABLISHMENT | 27/08/2001 | 13/09/2001 |
| HAKE (HANDLINE) | 27/08/2001 | 13/09/2001 |
| HAKE (LONGLINE) | 27/08/2001 | 13/09/2001 |
| HAKE (DEEPPSEA TRAWL) | 27/08/2001 | 13/09/2001 |
| HAKE/SOLE (INSHORE TRAWL) | 27/08/2001 | 13/09/2001 |
| HORSE MACKEREL (MIDWATER TRAWL) | 27/08/2001 | 13/09/2001 |
| LINEFISH (TRADITIONAL) | 27/08/2001 | 13/09/2001 |
| MARICULTURE | 27/08/2001 | 13/09/2001 |
| OYSTERS | 27/08/2001 | 13/09/2001 |
| PELAGIC | 27/08/2001 | 13/09/2001 |
| PRAWN TRAWL (OFFSHORE) | 27/08/2001 | 13/09/2001 |

| | | |
|--|------------|------------|
| PRAWN TRAWL (INSHORE) | 27/08/2001 | 13/09/2001 |
| SMALL NETS (Mixed shoal fish, Gill/Drift, Drag, Cast, Shove) | 27/08/2001 | 13/09/2001 |
| SEAWEED | 27/08/2001 | 13/09/2001 |
| SHARK (LONGLINE) | 27/08/2001 | 13/09/2001 |
| SOUTH COAST ROCK LOBSTER | 27/08/2001 | 13/09/2001 |
| SQUID | 27/08/2001 | 13/09/2001 |
| TUNA (HANDLINE) | 27/08/2001 | 13/09/2001 |
| WEST COAST ROCK LOBSTER | 27/08/2001 | 13/09/2001 |
| WHITE MUSSELS FOR BAIT PURPOSES | 27/08/2001 | 13/09/2001 |

Note 1: FISH PROCESSING ESTABLISHMENT AND MARICULTURE

The Department will provide a further opportunity in 2002 for those wishing to apply for rights to operate a fish processing establishment or to engage in mariculture.

Important Information

A designated verification unit, independent of the Department, has been appointed and tasked to undertake any relevant investigative measure to verify or ascertain information submitted in any application.

Applicants should note that in terms of Section 28 of the Act the Minister may cancel or revoke any right granted to applicants who presented a document, made a statement or gave a return or information to the Department that was false or misleading in any material particular.

Duration of Rights

Rights will generally be awarded for a period not exceeding four years except in the case of rights to engage in mariculture or to operate a fish processing establishment which will be awarded for a period not exceeding 15 years. Abalone rights will be awarded for a period of two years.

Application fees

An application fee of **R 6000,00 (six thousand rand)** will be charged for lodging an application for a right to undertake commercial fishing, or to engage in mariculture or to operate a fish processing establishment.

An application fee of **R 500,00 (five hundred rand)** will be charged for lodging an application for a right to undertake commercial fishing of:

- 1) No more than 60 000 oysters per annum using no more than four harvesters;

- 2) White mussels for bait purposes;
- 3) 850 kg or less Abalone;
- 4) 1.5 tonnes or less west coast rock lobster;
- 5) Linefish Traditional with no more than four crew members;
- 6) By means of small nets (beach seine for mixed shoal fish, drag, gill/drift, cast and shove).

All applicants are herewith informed that any application submitted without proof of proper and timeous payment of the stipulated fee at the time of lodgement will not be considered.

No money is to be sent with the Application Form. Application fees must be paid into the bank account of the Rights Verification Unit and proof of such deposit, by way of a deposit slip, must be attached to each Application Form. Full details are given in the Application Form.

Application fees are not refundable. In exceptional circumstances, the Minister may refund application fees.

Application Forms and Policy Guidelines

The Department, through its Branch: Marine and Coastal Management will make available at all its offices Application Forms and Policy Guidelines.

The Application Forms and Policy Guidelines (see Annexures A and B) will be available at the following offices from 1 August 2001:

| Name | Address | City/Town | Postal Code | Telephone Number |
|---------------------------|---|-----------------------|-------------|------------------|
| Ariston/Waenhuiskrans | Harbour office, Ariston/Waenhuiskrans | Ariston/Waenhuiskrans | 7280 | (028) 44 59720 |
| Doring Bay | Harbour office, Doring Bay | Doring Bay | 8151 | (027) 215 1211 |
| Durban | KZN Wildlife, 3 Elton Place, Congella | Durban | 4013 | (031) 274 1150 |
| East London | Magistrate's Office, Buffalo Street 2, East London | East London | 5201 | (04372) 20894 |
| Eland's Bay | Harbour office, Eland's Bay | Eland's Bay | 8110 | (022) 972 1706 |
| Gans Bay | Harbour office, Gans Bay | Gans Bay | 7220 | (02838) 40321 |
| Gordon's Bay | Harbour office, Gordons Bay | Gordon's Bay | 7150 | (021) 856 1482 |
| Hermanus | New Harbour office, Hermanus | Hermanus | 7200 | (028) 312 2609 |
| Hondeklip Bay | Municipality Service Point, Hondeklip Bay | Hondeklip Bay | 8222 | (027) 652 3066 |
| Hout Bay | Harbour Road, Harbour, | Hout Bay | 7800 | (021) 790 1750 |
| Jeffrey's Bay | Beach Centre, Da Gama Road | Jeffrey's Bay | 6330 | (042) 293 1757 |
| Kalk Bay | Harbour office, Harbour | Kalk Bay | 7975 | (021) 788 8313 |
| Knysna | Jonker Building, Main Street | Knysna | 6570 | (044) 382 1938 |
| Kommetjie | Harbour office, Kommetjie | Kommetjie | 7975 | (021) 783 2295 |
| Laaipek | Harbour office, Harbour | Laaipek | 7465 | (022) 783 0447 |
| Lambert's Bay | Harbour office, Harbour | Lambert's Bay | 8130 | (027) 432 1631 |
| Marine Control, Sea Point | Beach Road, Sea Point, Cape Town | Cape Town | 8001 | (021) 430 7000 |

| | | | | |
|----------------|---|----------------|------|----------------|
| Mossel Bay | Harbour office, 1 st Floor, Plaza Building, Maas Street | Mossel Bay | 6500 | (044) 691 2939 |
| Port Alfred | Port Alfred Magistrate Court, Pascoe Crescent | Port Alfred | 6170 | (046) 624 2101 |
| Port Elizabeth | 7 th Floor, Norwich Life Building, Markplein, Govan Mbeki Avenue | Port Elizabeth | 6000 | (041) 58 54051 |
| Port Nolloth | Old Post Office Building, Kusweg | Port Nolloth | 8280 | (027) 851 8363 |
| Richard's Bay | Meerensee Mall (KZN Wildlife Info Centre), Anglers Rod Road | Richard's Bay | | (031) 753 2212 |
| Saldanha Bay | President Street, Pepper Bay | Saldanha Bay | 7395 | (022) 714 1710 |
| Sandy Point | Harbour office, Sandy Point, St Helena Bay | St Helena Bay | 7390 | (022) 736 1125 |
| Stil Bay | Harbour office, Stil Bay | Stil Bay | 6674 | (02875) 41026 |
| Struis Bay | Harbour office, Struis Bay | Struis Bay | 7285 | (02843) 56220 |
| Yzerfontein | Harbour office, Yzerfontein | Darling | 7345 | (022) 451 2267 |

While the information that the Department will make available, will to the best of its knowledge, be true and correct at the time of preparation, it will be up to the applicants to inform themselves of any additional information, any changes or developments and to satisfy themselves of the veracity of the information supplied.

Submission of Applications

Applications may only be made on the numbered Application Forms supplied by the Department. Applications submitted on any form other than the approved Application Form will not be considered.

An applicant must submit one original Application Form and two copies of the Application Form and all its annexures, per sector or fishery applied for.

Only one application per sector or fishery will be accepted in respect of an applicant. Where more than one application relating to a specific sector or fishery is received in respect of a particular applicant, then, unless the applicant formally withdraws the first application in writing, any subsequent application will be deemed invalid. Where more than one application relating to a sector or fishery is received at the same time (eg. same mail delivery) then all applications will be considered invalid.

Applications transmitted by facsimile will not be accepted.

No applications received after 12h00, Friday, 13 September 2001 will be accepted or considered. It is the applicant's responsibility to ensure that the application reaches the Rights Verification Unit/Department by the closing date. Delays by the Post Office, courier or other delivery services will not be considered a valid reason for accepting a late application.

The Rights Verification Unit will issue applicants with a receipt. Such receipts will be issued at the time of delivery at the physical address and within 48 hours of receiving a postal application. Storage of Application Forms submitted will be the responsibility of the Rights Verification Unit.

It is the responsibility of applicants to provide any information, which they wish the Department to consider in relation to their applications at the time of lodging an application. In assessing applications, the Rights Verification Unit or the Department may conduct its own investigation to determine additional information or to verify any information provided. However, the Department is under no obligation to seek out or consider any information other than that which is provided by the applicant at the time of lodging its application.

No amendments, alterations or additions can be made to an application after the closing date, except where such amendment, alteration or addition is in response to a specific request from the Rights Verification Unit or the Department.

Submissions by way of prepaid registered post will be received from 6 August 2001 to 13 September 2001 at the following address:

Rights Verification Unit
PO Box 44873
CLAREMONT
7795

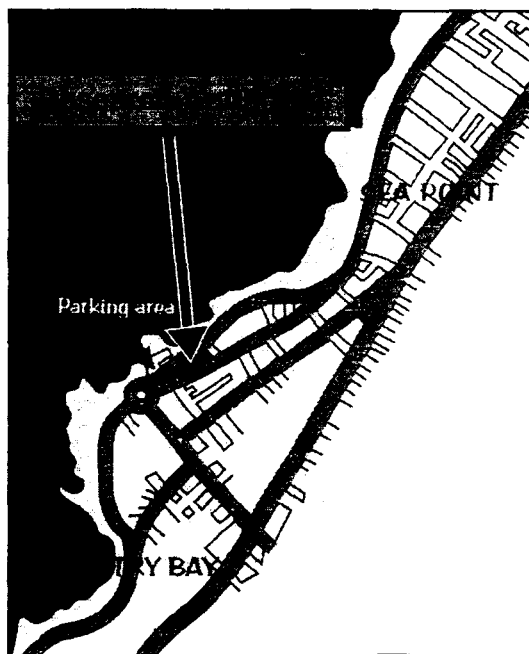
The Department will also receive submissions from 08h00, 27 August 2001 to 12h00, 13 September 2001 at the following address:

Rights Verification Unit
C/o Research Aquarium Building
Beach Road
SEA POINT

The above office will receive applications between 08h00 and 17h00 Mondays to Fridays and between 09h00 and 13h00 on Saturdays.

IMPORTANT INFORMATION - YOU MUST READ THIS CAREFULLY BEFORE FILLING IN YOUR APPLICATION

1. You must fill in the Application Form and attach the necessary documents in the manner described below.
2. The form is numbered and has been laid out in order to permit it to be scanned electronically. You may not submit the application in any other form. If you fail to comply with this requirement your application will be rejected.
3. The Application Form is issued together with a copy of the policy guidelines. The guidelines inform you of the policy considerations that the Minister, or his delegate, will take into account in considering the application. You are accordingly advised to read the Policy Guidelines carefully and to ensure that your application deals fully with issues raised in the guidelines.
4. This Application Form makes provision for supplying only the minimum required information and it is your responsibility to ensure that all pages are properly completed and that all the required documents are submitted together with the form.
5. All documents attached **must** be true and certified copies of the originals.
6. If a part of the form does not apply to you, you do not have to fill that part in or supply the documents required in that part. Applicants may however submit any additional information, documentation and motivation, as they deem appropriate. This may be done as annexures to the form. Wherever possible, the title of such supplementary information must include a reference to the question number to which you are responding.
7. Part 7 of the Application Form summarises the list of certificates and other documents concerning yourself or the entity you represent. It is intended to assist you in ensuring that you submit all the documents required.
8. Part 6 of the application form contains outline Fishing and Operational Plans for each sector/fishery. You are required to complete the appropriate plan and attach it to your application form.
9. It is your responsibility to ensure that all pages are properly completed and that all the required documents are submitted together with the Application Form.
10. You must submit one (1) original and two (2) copies of the application.
11. If you intend to submit an application for another sector/fishery, a separate application in a separate form with separate documentation must be completed. There must be a separate application for each sector/fishery in respect of which you are applying for a right.
12. The Application Form must reach one of the following addresses before the stipulated closing date and time as set out in the Government Gazette Notice dated 27 July 2001. The application must be delivered physically or be sent by prepaid registered post. Kindly note that applications will not be received at any other address.
 - Addressee: Rights Verification Unit
 - Postal Address: P O Box 44873, Claremont 7735
 - Physical Address: Marine and Coastal Management Research Aquarium, Lower Beach Road, Sea Point (See diagram)
13. If you use a courier service, the application must be delivered to the physical address.
14. You may not submit an application by telefax. An application submitted by way of telefax will **not** be considered.
15. You must pay the application fee by direct deposit as follows:
 - Name of account holder: Rights Verification Unit
 - Bank: ABSA
 - Account Number: 405-375-3361
16. You must pay the application fee properly and timeously and must use the application form number as the reference number on the bank deposit slip. Proof of payment (bank deposit slip) must accompany the application.
17. Application fees are not refundable. Only in exceptional circumstances, will the Minister refund application fees.
18. Please take note that by completing and submitting an application, you are not entitled to an allocation of fishing rights.
19. If you furnish any information that is not true or complete, you may be disqualified from applying or your application refused or, if granted, revoked or suspended. An application is not true and complete if-
 - you provide false documentation, or
 - you falsify documents, or
 - you make misleading or false statements, or
 - you fail to disclose material information or information which may materially affect the assessment of this Application,
20. If you fail to comply with the requirements set out in the Government Gazette Notice Policy Guidelines and Application Form your Application may **not** be considered, or, if considered, refused.
21. In order to allow for the proper verification of this application, you are required to authorise any institution, organ of state, person or body, who possesses or acquires any information concerning or related to your application or to the Applicant, to disclose or make same available to the Minister, his delegate or a duly authorised official of the Department of Environmental Affairs and Tourism.
22. All applications will be subject to verification. For purposes of verification the Minister reserves the right, among other things, to inspect any of the vessels, or processing establishments referred to in your application.
22. The Minister reserves the right to call upon you to make further representations, provide additional information and documentation, or to verify any aspect of the application.
23. This Application Form must be signed by the Applicant or a duly authorised representative of the Applicant, before a commissioner of oaths. If this Application is prepared or compiled by, or in consultation or on the advice of, any person other than the Applicant, the details of that person are required, and that person must sign the Application Form.
24. You may call the following information line for assistance: **0881-227-943**
You may obtain further information at the following website: <http://www.environment.gov.za>



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PART 1: GENERAL INFORMATION

NOTE 1 Reference in this Application form to "person" includes a reference to a South African person as defined in the Act.
NOTE 2 If you are applying for a right in one of the following sectors:
 ■ to harvest no more than 60 000 oysters per annum using no more than four harvesters
 ■ to collect white mussels for bait purposes
 ■ to conduct fishing by means of small nets (beach seine for mixed shoal fish, gill, drift, drag, cast and shove)
 ■ to catch 850 kg or less of Abalone
 ■ to catch 1,5 ton or less of West coast rock lobster
 ■ commercial (Traditional) linefishing rights with five or less crew members
 then you need only complete PART 1 (A), (B), (C), (E), (F), PART 7 (where applicable) and PART 8.
 Fishing Plans as set out in PART 6 are also required for Abalone, West Coast rock lobster and Linefish applications.
 The application fee for all the above sectors will be R500.

(A) PARTICULARS OF APPLICANT

PARTICULARS OF INDIVIDUAL/ SOLE PROPRIETOR

1.1 Are you a South African Citizen? Yes No 1.2 Title:

1.3 First name(s):

1.4 Surname:

1.5 Postal address:

1.6 Residential address:

1.7 Telephone number - work:

1.8 Fax number - work:

1.9 Telephone number - home:

1.10 Cellular telephone number:

1.11 E-mail address:

1.12 Identity number:

1.13 Passport number:

1.14 Date of birth: Year

 Month

 Day

1.15 Occupation:

1.16 Income Tax number:

1.17 VAT no: (if applicable)

1.18 PAYE no: (if applicable)

PARTICULARS OF COMPANY / CLOSE CORPORATION / TRUST

1.19 Is your Company/ Close Corporation/Trust a South African entity as defined in the Act? Yes No

1.20 Registered Name of entity:

1.21 Trade Name:

1.22 Postal address:

1.23 Physical Business address:

1.24 Principal place of business:

1.25 Registered office:

1.26 Auditor's / Accounting Officer's - name:

- business address:

- contact number:

1.27 Income Tax Number:

1.28 Company/Close Corporation/Trust Registration Number:

1.29 Date of Registration:

1.30 Tel number:

1.31 Fax number:

1.32 VAT number:

Authorised Principal Contact Person/Representative:

1.33 Title: 1.34 Position:

1.35 First Names:

1.36 Surname:

1.37 Tel number:

1.38 Fax number:

1.39 Cell number:

1.40 Postal address:

1.41 Email address:

Authorised Alternate Contact Person/Representative:

1.42 Title: 1.43 Position:

1.44 First Names:

1.45 Surname:

1.46 Tel number:

1.47 Fax number:

1.48 Cell number:

1.49 Postal address:

1.50 Email address:

(B) THIS SECTION ONLY TO BE COMPLETED BY AN APPLICANT FOR A RIGHT IN THOSE SECTORS/ FISHERIES DEFINED UNDER NOTE 2 ABOVE

1.51 Previous involvement in the West Coast rock Lobster or Abalone subsistence fishery

1.51.1 Did you apply for subsistence permits during:

| Season | Rock lobster | Abalone | Successful? Yes / |
|-----------|--------------|---------|---|
| No | | | |
| 1998/1999 | | | <input type="checkbox"/> <input type="checkbox"/> |
| 1999/2000 | | | <input type="checkbox"/> <input type="checkbox"/> |

1.51.2 If your application was successful provide certified copies of the relevant subsistence permits.

1.52 Previous commercial history:

1.52.1 Have you previously applied for any commercial rights in this sector/fishery? Yes No

1.52.2 Have you previously applied for any commercial rights in any other sectors/fisheries, individually or as part of a legal entity? Yes No

1.52.3 Provide details as per the table on the right: Use the sector/fishery codes given in C 1.54 below

| Year | Sector Code | Application Successful? Yes / No |
|------|-------------|---|
| | | <input type="checkbox"/> <input type="checkbox"/> |
| | | <input type="checkbox"/> <input type="checkbox"/> |
| | | <input type="checkbox"/> <input type="checkbox"/> |

1.53 Personal History

1.53.1 Are you a Historically Disadvantaged Person as defined in Note 3, Part 4? Yes No

1.53.2 Where is your nearest landing site?

1.53.3 What distance do you reside from the nearest landing site? _____

1.53.4 Give full details of how many persons you intend to employ and what they would do? _____

1.53.5 Do you intend selling the right? Yes No

1.53.6 If yes, provide the details of the intended purchaser

Name:

Business address:

Contact number:

SPECIMEN

1.53.7 Have you sold your right in the past three years: Yes No

If Yes provide the following information:

- (i) a copy of any agreement concluded;
- (ii) the monetary or other benefits received by the Applicant in return;
- (iii) the proportion of the Applicant's allocation so sold or transferred in respect of each year;
- (iv) full details of the person to whom the proportion of the Applicant's allocation so sold or transferred

1.53.8 Provide details of arrangements made to sell or market your catch, including:

- (i) The name of the intended purchaser(s) and the respective percentages
 %
- (ii) A copy of any agreement(s) concluded in that regard;
- (iii) The anticipated selling price of the catch:

(C) SECTOR/FISHERY AND QUANTITIES/NUMBER APPLIED FOR

1.54 Sector details: Tick appropriate Sector Code box and enter:

- 1.54.1 the proportion of the allowable commercial catch (Total Allowable Commercial Catch), expressed in tonnages / kilograms; or
- 1.54.2 the proportion of the allowable commercial effort (Total Allowable Applied Effort), expressed in the number of crew, gear, vessels, premises or effort, in respect of the right applied for. See example below

| CODE | SECTOR/FISHERY | MASS | EFFORT |
|----------------------------|----------------|------|--------|
| A <input type="checkbox"/> | ABALONE | 1500 | |

Note: You may only apply for one right per application form

| CODE | SECTOR/FISHERY | MASS | EFFORT |
|----------------------------|---|------|--------|
| A <input type="checkbox"/> | ABALONE | | |
| B <input type="checkbox"/> | FISH PROCESSING ESTABLISHMENT | | |
| C <input type="checkbox"/> | HAKE (DEEPSEA TRAWL) | | |
| D <input type="checkbox"/> | HAKE (HANDLINE) | | |
| E <input type="checkbox"/> | HAKE (LONGLINE) | | |
| F <input type="checkbox"/> | HAKE/SOLE (INSHORE TRAWL) | | |
| G <input type="checkbox"/> | HORSE MACKEREL (MIDWATER TRAWL) | | |
| H <input type="checkbox"/> | LINE FISH TRADITIONAL | | |
| I <input type="checkbox"/> | MARICULTURE | | |
| J <input type="checkbox"/> | SMALL NETS (BEACH SEINE FOR MIXED SHOAL FISH DRAG CAST, GILL DRIFT AND SHOVE) | | |
| K <input type="checkbox"/> | BEACH SEINE | | |

| CODE | SECTOR/FISHERY | MASS | EFFORT |
|----------------------------|-----------------------------------|------|--------|
| L <input type="checkbox"/> | OYSTERS | | |
| M <input type="checkbox"/> | PELAGIC | | |
| N <input type="checkbox"/> | PRAWN TRAWL (OFFSHORE) | | |
| O <input type="checkbox"/> | PRAWN TRAWL (INSHORE) | | |
| P <input type="checkbox"/> | SEAWEED | | |
| Q <input type="checkbox"/> | SHARK (LONGLINE) | | |
| R <input type="checkbox"/> | SOUTH COAST ROCK LOBSTER | | |
| S <input type="checkbox"/> | SQUID | | |
| T <input type="checkbox"/> | TUNA (HANDLINE) | | |
| U <input type="checkbox"/> | WEST COAST ROCK LOBSTER | | |
| V <input type="checkbox"/> | WHITE MUSSELS (FOR BAIT PURPOSES) | | |

1.55 Which catching method will be used:

(✓) Tick box where appropriate:

- Diving Handline or Pole Longline Bottom Trawl Midwater Trawl Purse Seine
- Ringnets Traps Jig By hand Other

1.56 If "other", please specify _____

1.57 For Oyster applications indicate which one of the areas is being applied for: Tick box where appropriate

- Heidelberg Riversdale Mossel Bay George Knysna Port Elizabeth

1.58 For White Mussel applications indicate which one of the areas is being applied for: Tick box where applicable

- North of the border of Koeberg Power station to Bokpunt Yzerfontein Britannia Bay Dwarskersbos
- North of Elandsbaai Hotel to Kreefbaai North of Strandfontein to Oliphants River mouth (Lamberts Bay)

1.59 Are you applying for rights in any other sector/fishery during this round of allocations? Yes No

1.60 If yes, specify the sectors/fisheries (make reference to the codes indicated above) and quantities/numbers applied for.

(D) DISTRIBUTION AND MARKETING INFORMATION

1.61 What proportion of the Applicant's catches from this sector is sold locally _____

1.62 What proportion of catches is exported. _____

- 1.63 In what proportion and to which countries are the catches exported _____
- 1.64 How are the products exported: by sea by air Other? (Specify)
- 1.65 Give a brief outline of the distribution and export infrastructure: _____

- 1.66 Does the Applicant comply with the Customs and Excise Act: Yes No
- 1.67 If the Applicant has been convicted of any offences in terms of this Act, details must be provided thereof and of the date of the conviction, the nature of the offence and the penalty imposed. _____

- 1.68 Copies of all export permits used during 2000 and 2001 must be attached.
- 1.69 The Applicant should explain how resource allocations will be marketed;
- 1.70 If the Applicant has an existing marketing plan, please attach this plan.
- 1.71 If the Applicant intends contracting out the marketing of its product to another person, details of this arrangement should be provided. _____

(E) FINANCIAL INFORMATION

- 1.72 Status of Applicant:
 A-Individual; B-Sole Proprietor; C-Trust;
 D-Private Company; E-Public Company; F-Close Corporation)
- 1.73 Most recently audited / verified / certified Annual Turnover: R _____;
 period audited:

| | | | |
|--|--|--|--|
| | | | |
|--|--|--|--|

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|--|--|--|--|
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(As reflected in the following documents: Company: Auditors' Report, Close Corporation: Accounting Officer Statement, Individuals/Sole Proprietor/Trusts: Most recent income tax return)
- 1.74 Amount of annual turnover derived from fishing related activities in Rand

| | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|
| | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|
- 1.75 This amount stated as a percentage of total annual turnover _____ %
- 1.76 Provide a brief description of such fishing related activities _____

(F) INVOLVEMENT / INVESTMENT IN THE FISHING INDUSTRY

- 1.77 Since what year has the Applicant been involved in the fishing industry:

| | | | |
|--|--|--|--|
| | | | |
|--|--|--|--|
- 1.78 In what capacity(ies) and sector(s)/fisheries has the Applicant been involved (provide details): _____

- 1.79 If the Applicant is a current right holder in the sector/fishery applied for, attach a copy of the relevant or most recent permit or allocation document
- 1.80 Has the Applicant, in the past 3 years, applied for a permit or fishing rights in this or any other sector before?
 Yes No

| Year | Code | Allocation | Application Successful Y/N | Tonnage fish caught by applicant | Tonnage fish caught by others on behalf of the applicant | For TAE: months per year permit utilised |
|------|------|------------|----------------------------|----------------------------------|--|--|
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- 1.81 If the Applicant did not catch or exploit its entire allocation, provide reasons _____

- 1.82 If any portion of the Applicant's allocation was caught by others, provide details in respect of the following:
 1.82.1 In what capacity was the allocation caught by others, i.e. In terms of a Joint Venture, catching agreement or by

virtue of joint shareholding in respect of the catching vessel?

- 1.82.2 Full details of the joint venture or catching arrangement must be provided, including:
- a a copy of any agreement concluded;
 - b details of the monetary or other benefits received by the owner(s) of the catching vessel or the Applicant in return;
 - c name of the vessel;
- 1.83 Was any portion of any of the Applicant's allocations in the past 3 years sold or transferred to others? If so, the details of such arrangement must be provided, including:
- a a copy of any agreement concluded;
 - b the monetary or other benefits received by the Applicant in return;
 - c the proportion of the Applicant's allocation so sold or transferred in respect of each year;
 - d full details of the person to whom the proportion of the Applicant's allocation was sold or transferred.
- 1.84 What percentage of the Applicant's 2000/2001 allocation was processed in the Applicant's own (or partly owned) Fish Processing Establishment
(✓ tick the appropriate box):
- 0% 1 - 24% 25 - 49% 50 - 74% 75 - 100%
- * for processing, refer to the definition given in the Act
- 1.85 If you were not successful in obtaining a right in recent years, or if you are an Historically Disadvantaged Person and you are thus unable to demonstrate performance according to all the criteria set out above, please indicate what initiatives/ steps you have taken that could be viewed as a commitment to become involved in the fishing industry.

(G) COMPLIANCE WITH STATUTORY PROVISIONS AND REGULATIONS

- 1.85 Is the Applicant in arrears with any levies due to the Department? Yes No
- 1.86 If Yes, provide full details. _____
- 1.87 Does the Applicant fully comply with the relevant provisions of the following legislation:
- 1.87.1 Compensation for Occupational Injuries and Diseases Act 130 of 1993; Yes No
 - 1.87.2 Occupational Health and Safety Act 85 of 1993; Yes No
 - 1.87.3 Basic Conditions of Employment Act 75 of 1997; Yes No
 - 1.87.4 Marine Living Resources Act 18 of 1998. Yes No
 - 1.87.5 Customs and Excise Act 91 of 1964 Yes No
- 1.88 Has the Applicant or, where applicable, any of the Applicant's directors/members/trustees or shareholders / beneficiaries, been convicted of any offences under any of the said Acts? Yes No
- 1.89 If Yes, provide full details including the date of the conviction, the nature of the offence and the penalty imposed.

PART 2: SHAREHOLDINGS / MEMBERS' INTERESTS / INTERESTS IN TRUSTS

2.1 Provide full particulars in the table below of the Shareholders / Members / Trustees and Beneficiaries of the Applicant.
[Companies need only list the particulars of the five major shareholders (These particulars do not have to be provided by public companies that are listed on the JSE)]

| | Full Name | Identity No./ Registration No. | Physical or registered address | Nationality | Number of shares, extent of members interest, trustee / beneficiary | % Interest | No. of years In fishing industry |
|----|-----------|--------------------------------------|-----------------------------------|-------------|--|---------------|--|
| 1 | | | | | | | |
| 2 | | | | | | | |
| 3 | | | | | | | |
| 4 | | | | | | | |
| 5 | | | | | | | |
| 6 | | | | | | | |
| 7 | | | | | | | |
| 8 | | | | | | | |
| 9 | | | | | | | |
| 10 | | | | | | | |

- 2.2 If the majority shareholding of the Applicant is held by a company(ies), the above information must be repeated in respect of each such company(ies).
- 2.3 If the majority of the Applicant's shareholding / members interests (or loan accounts, where applicable) are ceded or pledged to any person, full details of such transaction is required, including:
 - 2.3.1 The name of cessionary / pledgee;
 - 2.3.2 The reason for or cause of the cession / pledge.

PART 3: DISCLOSURE OF INTERESTS IN OTHER APPLICANTS OR PERSONS

The Applicant must make a full disclosure in respect of all other applicants or any other persons currently involved or engaged in, any sector/fishery of commercial fishing in South Africa, or that is applying for fishing rights in South Africa AND in respect of which the Applicant has any direct or indirect financial, proprietary or other beneficial interest.

- 3.1 If there is more than one Applicant or person in respect of which the Applicant has an interest as described above, then the particulars should be repeated in respect of each such Applicant/Person.

- 3.2 Name of other Applicant/Person:
- 3.3 Physical address:
- 3.4 Registered address:
- 3.5 Nature of Applicant's interest in other Applicant/Person: _____

- 3.6 Applicant's interest in other Applicant/Person stated as a percentage (if possible):
- 3.7 If the Applicant's interest is reflected in any specific document or agreement (for e.g. joint venture agreement), a copy should be annexed.
- 3.8 Amount invested by the Applicant in such other Applicant/Person:
- 3.9 Full details of all fishing rights held by any such Applicant/Person during the 2000/2001 season must be given, including:
 - 3.9.1 In which sector(s);
 - 3.9.2 The amount of the allocation / number of fishing rights allocated (in respect of each sector);
- 3.10 If the other Applicant/Person is applying for any permits or fishing rights for 2001/2002 season, give full details, including:
 - 3.10.1 In which sector(s) application will be made;
 - 3.10.2 The amount / number of fishing rights which will be applied for (in respect of each sector);
- 3.11 Full particulars of the person(s) with substantial interests in such other Applicants/Person (for example majority shareholding) should be provided.

PART 4: TRANSFORMATION

NOTE 3

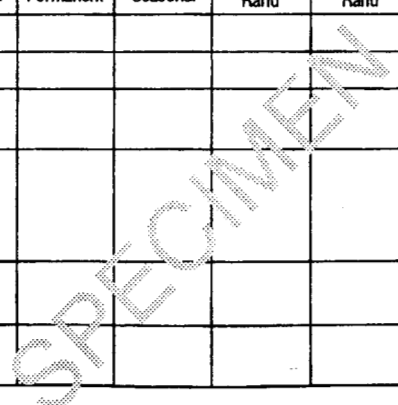
For the purpose of this part "historically disadvantaged persons" ("HDP") mean those persons or categories of persons, who prior to the new democratic dispensation marked by the adoption and coming into force of the Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996), were disadvantaged by unfair discrimination on the basis of their race and includes juristic persons or associations owned and controlled by such persons.

4.1a Ownership profile of Applicant

| Category | Numbers | | Asset value in Rands | |
|---------------|---------|-------|----------------------|------------|
| | Total | HDP's | Total | HDP's part |
| Owners | | | | |
| Directors | | | | |
| Shareholders | | | | |
| Members | | | | |
| Beneficiaries | | | | |

4.1 Employment Profile of Applicant at time of Application

| Occupational Levels (As defined in the Employment Equity Act 55 of 1998) | Total number of Employees | | Total number of HDP's | | Monthly income range for employee groups | | | |
|--|---------------------------|----------|-----------------------|----------|--|--------------|-------------|--------------|
| | Permanent | Seasonal | Permanent | Seasonal | Permanent | | Seasonal | |
| | | | | | Lowest Rand | Highest Rand | Lowest Rand | Highest Rand |
| Top management | | | | | | | | |
| Senior management | | | | | | | | |
| Professionally qualified, experienced specialists and mid-management | | | | | | | | |
| Skilled technical and academically qualified workers, junior management, supervisors, foremen, superintendents, including officers | | | | | | | | |
| Semi-skilled and discretionary decision making, including crew | | | | | | | | |
| Unskilled and defined decision making | | | | | | | | |



4.2 Income categories

| Category | Monthly income | Number of employees | Number of PDI's |
|----------|---------------------|---------------------|-----------------|
| 1 | < R2000 | | |
| 2 | R 2000 - R 5000 | | |
| 3 | R 5001 - R 10 000 | | |
| 4 | R 10001 - R 15 000 | | |
| 5 | R 15 001 - R 25 000 | | |
| 6 | > R 25 000 | | |

4.3 Distribution of the Applicant's Income, generated in 2000 /2001 fishing season

| Component | Total Rands | Percentage of Turnover | Paid to PDI's Rands |
|---|-------------|------------------------|---------------------|
| Salaries | | | |
| Repayments on loans, incl. interest | | | |
| Taxes | | | |
| Dividends paid | | | |
| Reinvestment | | | |
| Employee training and development costs | | | |
| Other | | | |
| Total distribution | | | |

4.4 Provide details of initiatives the Applicant intends to take in order to transform the Applicant to create economic empowerment for people who have been historically disadvantaged. You should specify the exact nature of these initiatives and state whether they involve:

- Changing the ownership of the Applicant
- Changing the structure of the Applicant;
- Transfer of management of the Applicant;
- Training and development initiatives;

You should also provide details regarding each of the initiatives you intend to take, and specify the date by which they will be implemented.

PLEASE NOTE THAT YOU MAY BE REQUIRED TO PROVIDE PROOF AND/OR FURTHER INFORMATION REGARDING THESE INITIATIVES IN THE ADJUDICATION PROCESS.

4.5 Is the Applicant a designated employer as defined in section 1 of the Employment Equity Act, 55 of 1998? Yes No

4.6 If the Applicant is designated, has the Applicant complied with the Employment Equity Act, 55 of 1998? Yes No

4.7 If the answer to 4.5 is no, please provide reasons why the Applicant has not complied. _____

4.8 If the Applicant is not designated, explain whether the Applicant has voluntarily complied (or intends to voluntarily comply) with the Employment Equity Act in terms of section 14 of the Act? _____

4.9 If the answer to 4.6 is yes, please indicate below which areas of the Employment Equity Act you have complied with and provide proof of compliance in relation to each area:

- Has the Applicant reported to the Department of Labour in terms of Section 20 of the Employment Equity Act?
 Yes No (If yes, attach a copy of the reports)
- Has the Applicant conducted an Analysis as required by Section 19 of the Employment Equity Act?
 Yes No (If yes, attach a copy of the analysis or information regarding the outcome of the analysis)
- Has the Applicant reported to the Department of Labour in terms of section 27 of the Employment Equity Act?
 Yes No (If yes, attach a copy of the report)
- Have you received a written acknowledgement or other communication regarding your report/s from the Department of Labour?
 Yes No (If yes, provide a copy)
- Has the Applicant developed an Employment Equity Plan?
 Yes No (If yes, attach a copy of the Plan)

4.10 Has the Applicant complied with the Skills Development Act, 97 of 1998? Yes No

4.11 If yes, indicate which Sector Education Training Authority ('SETA') the Applicant is registered. _____

4.12 If no, state why the Applicant has not complied. _____

4.13 Has the Applicant paid a levy in terms of the Skills Development Levies Act, 9 of 1999? If yes, state the amount of the levy paid. If no, state the reasons why the Applicant has not paid a levy. Yes No

4.14 Has the Applicant appointed a Skills Development Facilitator? If yes, state the name of the appointee. If no, state why not
 Yes Name of Facilitator _____ No _____

4.15 Has the Applicant developed a Workplace Skills Plan? If yes provide a copy. If no. state reasons why not. Yes No

PART 5: VESSEL DETAILS

Full details regarding the fishing vessel(s) to be utilised by the Applicant are to be submitted. Where more than one vessel is to be utilised, the required details must be provided in respect of each vessel separately. This section must be answered even if the vessel is not owned by the Applicant.

5.1 Name of Vessel: 5.2 Area Number:

5.3 Official Number (SAMSA):

5.4 Registered Owner:

5.5 ID No of vessel Owner: 5.6 Year of build:

5.7 Registered Length as per Safety Certificate (Metres)

5.8 Registered Tonnage as per Safety Certificate, if >25 tons:

5.9 Number of crew as per Safety Certificate: 5.10 Shaft Power kW:

5.11 Hold capacity tons: 5.12 Radio Call Sign:

5.13 Does the vessel have a Vessel Monitoring System (VMS): Yes No

5.14 Estimated replacement value of vessel: 5.15 Date of Purchase:

5.16 If the vessel is owned (or partly owned) by the Applicant, state whether the vessel is bonded? Yes No

5.17 If yes, state: 5.17.1 the amount of the bond;

5.17.2 the amount outstanding on the bond;

5.17.3 the name and registration or identity number of bond holder.

5.18 If the Registered Owner is not the Applicant then give the following details:

5.18.1 the nature of the Applicant's interest in the vessel;

5.18.2 the extent of the Applicant's interest in the vessel, if applicable, expressed as a percentage; %

5.18.3 provide a copy of any existing signed joint venture / catching / charter or other agreement between the Applicant and the Owner;

5.19 Value (at cost) of any direct or indirect investment, made by the Applicant, in respect of vessels in 1999, 2000 and 2001 respectively and provide details.

Only for vessels over 100 Gross Registered Tons

5.20 Vessel Type: Stern trawler Side trawler Freezer Wetfish

SPECIMEN

PART 6: FISHING PLANS, OPERATIONAL PLANS AND SUPPLEMENTARY INFORMATION

NOTE 4

All Applicants must complete the appropriate Fishing Plan or Operational Plan or Supplementary Information Sheet for the sector in which they are applying.

NOTE 5

Where more than one vessel is nominated, a separate Fishing Plan should be submitted for each vessel.

FISHING PLAN: ABALONE (A)

6.1 Name of Applicant:

6.2 Application Number:

6.3 Name of vessel:

6.4 Area Number:

6.5 Registered Owner:

6.6 Total quantity Abalone subscribed to the vessel Kg

6.7 Productive capacity (Expected catch rates):

6.8 Is the above vessel engaged in other Sectors: Yes No

6.9 If yes, what species:

6.10 If the catch is to be made by a third party vessel, complete the schedule of users as set out below. The schedule must be compiled in consultation with the vessel owner/operator and must include all other Applicants who have made arrangements to use the vessel.

| Name of Applicant | Mass Applied for | Estimated No. of fishing days |
|---------------------------|------------------|-------------------------------|
| Own Application | | |
| Names of other Applicants | | |
| 1 | | |
| 2 | | |
| 3 | | |
| 4 | | |
| 5 | | |
| 6 | | |
| 7 | | |
| 8 | | |
| 9 | | |
| 10 | | |
| Total | | |

6.11 Indicate at which of the official abalone slipways the catch is to be landed. (Tick appropriate box)

- St Helena Bay Saldanha Yzerfontein
- Ganzekraal Cape Town Hout Bay
- Witsands Buffelsbaai Maasbaai
- Kleinmond Hermanus Gansbaai
- Kleinbaai Buffelsjagsbaai

FISHING PLAN: HAKE LONGLINE (E)

6.1 Name of Applicant: 6.2 Application Number:

6.3 Total nominal mass applied for: Hake tons

6.4 Name of vessel:

6.5 Length of vessel (LoA): m 6.6 Area Number:

6.7 Registered Owner

6.8 Nominal mass to be fished by vessel (6.4 above):
 6.8.1 Hake: tons 6.8.2 Bycatch (estimated): tons

6.9 Targeting Strategy: Provide details _____

6.10 Bycatch strategy: Your strategy must address
 (a) ways to limit unwanted bycatch including sharks, finfish and seabirds
 (b) how the retained bycatch will be treated/utilised, specifically small hake, broken hake, kingklip, mackerel, panga, silver and jacobever

6.11 Do you have a plan for how to utilise the offal from the fishery? Yes No
 If yes, provide details _____

6.12 Operational Plan

| | |
|---|--|
| Average trip duration in days (fishing and steaming) | |
| Average turn-around time (days) | |
| Vessel utilisation rate (operational days as a percentage of total, i.e. taking account of lay-up days) | |
| Nature of longline gear used (single line / double line system) | |
| Number of hooks deployed per set | |
| Time period (months/days) required to catch mass of hake applied for | |
| Where less than full year is required, which consecutive months are nominated for catching? | |
| Average PQ hake landing (nominal mass) per trip in tons | |
| Average H&G hake landing (nominal mass) per trip in tons | |
| Average bycatch landing (nominal mass) per trip in tons | |
| Nature of products to be landed | |
| Area of Operation -West Coast or South Coast | |
| Port(s) where fish will be landed | |

6.13 If the catch is to be made by a third party vessel, complete the schedule of users as set out here. The schedule must be compiled in consultation with the vessel owner/operator and must include all other Applicants who have made arrangements to use the vessel.

| Name of Applicant | Mass Applied for | Estimated No. of fishing days |
|---------------------------|------------------|-------------------------------|
| Own Application | | |
| Names of other Applicants | | |
| 1 | | |
| 2 | | |
| 3 | | |
| 4 | | |
| 5 | | |
| 6 | | |
| 7 | | |
| 8 | | |
| 9 | | |
| 10 | | |
| Total | | |

6.14 Is the above vessel engaged in other sectors? Yes No

6.15 If Yes, which sector/fisheries/species?: _____

SPECIMEN

FISHING PLAN: HAKE DEEPSEA TRAWL, INSHORE HAKE / - SOLE TRAWL (C. F)

6.1 Name of Applicant:

6.2 Application Number:

6.3 Total nominal mass applied for: Hake tons: Sole tons (Inshore only)

6.4 Name of vessel:

6.5 Length of vessel (LoA) m

6.6 Nature of vessel: wetfish / freezer

6.7 Area Number

6.8 Registered Owner

6.9 Nominal mass to be fished by vessel (6.4 above): 6.9.1 Hake: tons 6.9.2 Bycatch: tons (estimated) 6.9.3 Sole: tons (Inshore only)

6.10 Targeting Strategy: Provide details _____

| Vessel length (metres) | Fishing strategy | Hake: sole ratio |
|------------------------|------------------------|------------------|
| 25 - 30 | Hake directed | 130:1 |
| 20 - 25 | Hake directed | 33:1 |
| 18 - 23 | Hake and sole directed | 10:1 |
| 14 - 18 | Sole directed | 2.5:1 |

Note:
For Inshore applications, preference will be given to Applicants who select hake: sole ratios as indicated left (in accordance with vessel size and intended fishing strategy). This ratio will be used as a guideline during the allocation process.

6.11 Bycatch strategy: Your strategy must address (a) ways to limit unwanted bycatch (b) how the retained bycatch will be treated/utilised, undersize hake, kingklip, monkfish, jacoever, john dory and horse mackerel.

6.12 Do you have a plan for how to utilise the offal from the fishery?
Heads: Yes No If yes, provide details Other offal: Yes No If yes, provide details

6.13 Operational Plan

| | |
|---|--|
| Average trip duration in days | |
| Number of trips per annum | |
| Annual vessel utilisation rate (operational days as a percentage of 365) | |
| Mesh size(s) of net(s) to be used in mm | |
| Nature of footrope to be used (chain / bobbin / rock hopper). Where bobbins and/or rock hopper gear is used, specify diameter in mm | |
| Average hake landing (nominal mass) per trip in tons | |
| Average sole landing (nominal mass) per trip in tons (Inshore only) | |
| Average bycatch landing (nominal mass) per trip in tons | |
| Nature of products to be landed | |
| Area of Operation - West Coast and/or South Coast | |
| Port(s) where fish will be landed | |

6.14 If the catch is to be made by a third party vessel, complete the schedule of users as set out here. The schedule must be compiled in consultation with the vessel owner/operator and must include all other Applicants who have made arrangements to use the vessel.

| Name of Applicant | Mass Applied for | Estimated No. of fishing days |
|---------------------------|------------------|-------------------------------|
| Own Application | | |
| Names of other Applicants | | |
| 1 | | |
| 2 | | |
| 3 | | |
| 4 | | |
| 5 | | |
| 6 | | |
| 7 | | |
| 8 | | |
| 9 | | |
| 10 | | |
| Total | | |

6.15 Is the above vessel engaged in other sectors?: Yes No

6.16 If Yes, which sectors/fisheries/species?: _____

SPECIMEN

FISHING PLAN: HORSE MACKEREL (G)

6.1 Name of Applicant:

6.2 Application Number:

6.3 Total nominal mass applied for: Horse Mackerel tons

6.4 Name of vessel:

6.5 Length of vessel (LoA) m

6.6 Nature of vessel: wetfish / freezer

6.7 Area Number:

6.8 Registered Owner:

6.9 Nominal mass to be fished by vessel (8.4 above):

6.9.1 Horse Mackerel: tons 6.9.2 Bycatch (estimated): tons

6.10 Targeting Strategy: Provide details _____

6.11 Bycatch strategy: Your strategy must address
 (a) ways to limit unwanted bycatch (e.g. hake; sunfish)
 (b) how the retained bycatch will be treated/utilised, e.g. mackerel, ribbonfish, swordfish

6.12 Do you have a plan for how to utilise the offal from the fishery?
 Heads: Yes No If yes, provide details _____
 Other offal: Yes No If yes, provide details _____

6.13 Operational Plan

| | |
|--|--|
| Average trip duration in days | |
| Number of trips per annum | |
| Annual vessel utilisation rate (operational days as a percentage of 365) | |
| Mesh size(s) of net(s) to be used in mm | |
| Average horse mackerel landing (nominal mass) per trip in tons | |
| Average bycatch landing (nominal mass) per trip in tons | |
| Nature of products to be landed | |
| Area of Operation | |
| Ports where fish will be landed | |

6.14 If the catch is to be made by a third party vessel, complete the schedule of users as set out here. The schedule must be compiled in consultation with the vessel owner/operator and must include all other Applicants who have made arrangements to use the vessel.

| Name of Applicant | Mass Applied for | Estimated No. of fishing days |
|---------------------------|------------------|-------------------------------|
| Own Application | | |
| Names of other Applicants | | |
| 1 | | |
| 2 | | |
| 3 | | |
| 4 | | |
| 5 | | |
| 6 | | |
| 7 | | |
| 8 | | |
| 9 | | |
| 10 | | |
| Total | | |

6.15 Is the above vessel engaged in other sectors?: Yes No

6.16 If Yes, which sectors/fisheries/species?: _____

SPECIMEN

FISHING PLAN: LINEFISH, HANDLINE HAKE, HANDLINE TUNA (H), (D), (T)

6.1 Name of Applicant:

6.2 Application Number:

6.3 Name of vessel:

6.4 Area Number:

6.5 Registered Owner:

6.6 Indicate main target species and anticipated catch (tons) by species;

| Species | Mass | Species | Mass |
|---------|------|---------|------|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

6.7 Indicate the intended area of operation: _____

6.8 Is the vessel engaged in other sectors: Yes No

6.9 If yes, which species and for what period of time _____

6.10 Provide an estimate of the daily running costs of the operation

Vessel: Wages _____

Tackle _____

Fuel _____

Bait _____

Other (define) _____

Tow vehicle: _____

6.11 Provide an estimate of annual overheads _____

Variable costs _____

Fixed costs _____

6.12 If the catch is to be made by a third party vessel, complete the schedule of users as set out here. The schedule must be compiled in consultation with the vessel owner/operator and must include all other Applicants who have made arrangements to use the vessel.

| Name of Applicant | Mass Applied for | Estimated No. of fishing days |
|---------------------------|------------------|-------------------------------|
| Own Application | | |
| Names of other Applicants | | |
| 1 | | |
| 2 | | |
| 3 | | |
| 4 | | |
| 5 | | |
| 6 | | |
| 7 | | |
| 8 | | |
| 9 | | |
| 10 | | |
| Total | | |

6.13 Is the above vessel engaged in other sectors?: Yes No

6.14 If Yes, which sectors/fisheries/species?: _____

SPECIMEN

FISHING PLAN: PELAGIC (M)

6.1 Name of Applicant: 6.2 Application Number:

6.3 Total nominal mass applied for: tons

6.4 Preferred target species: anchovy / directed pilchard / both

6.5 If both, what ratio of anchovy to directed pilchard is preferred (e.g. 75:25; 0:100 etc.)?: :

6.6 Name of vessel: 6.7 Length of vessel (LoA): m

6.8 Nature of vessel: CSW RSW Dry 6.9 Area Number:

6.10 Registered Owner:

6.11 Nominal mass to be fished by vessel (8.6 above):

6.11.1 Anchovy: tons 6.11.2 Directed pilchard: tons

6.11.3 Redeye: tons 6.11.4 Other bycatch (estimated): tons

6.12 Targeting strategy: Provide details

6.13 Bycatch strategy: Your strategy must address ways to limit unwanted bycatch, specifically juvenile pilchard

6.14 Operational Plan

| | |
|--|--|
| Average trip duration in days | |
| Number of trips per annum | |
| Annual vessel utilisation rate (operational days as a percentage of 365) | |
| Mesh size(s) of net(s) to be used (anchovy/directed pilchard/redeye) in mm | |
| Average anchovy landing (nominal mass) per trip in tons | |
| Average directed pilchard landing (nominal mass) per trip in tons | |
| Average redeye landing (nominal mass) per trip in tons | |
| Average bycatch landing (nominal mass) per trip in tons | |
| Nature of products to be landed (fishmeal/canning/human consumption) | |
| Area of Operation - West Coast and/or South Coast | |
| Port(s) where fish will be landed | |
| Factories to which fish will be supplied | |

6.15 If the catch is to be made by a third party vessel, complete the schedule of users as set out here. The schedule must be compiled in consultation with the vessel owner/operator and must include all other Applicants who have made arrangements to use the vessel.

| Name of Applicant | Mass Applied for | Estimated No. of fishing days |
|---------------------------|------------------|-------------------------------|
| Own Application | | |
| Names of other Applicants | | |
| 1 | | |
| 2 | | |
| 3 | | |
| 4 | | |
| 5 | | |
| 6 | | |
| 7 | | |
| 8 | | |
| 9 | | |
| 10 | | |
| Total | | |

6.16 Is the above vessel engaged in other sectors?: Yes No

6.17 If Yes, which sector/fisheries/species?: _____

SPECIMEN



FISHING PLAN: PRAWN TRAWL - INSHORE AND OFFSHORE (N. O)

6.1 Name of Applicant:

6.2 Application Number:

6.3 Total amount of vessels applied for: inshore; offshore

6.4 Name of vessel:

6.5 Length of vessel (LoA): m

6.6 Nature of vessel: wetfish freezer

6.7 Area Number:

6.8 Registered Owner:

6.9 Estimated nominal mass to be fished by vessel (6.4 above):

6.9.1 Crustaceans (specify species):

1. Kg; 2. Kg;

3. Kg; 4. Kg

6.9.2 Bycatch (specify (1) crustacean (2) finfish (3) cephalopod):

1. Kg; 2. Kg; 3. Kg

6.10 Targeting Strategy: Provide details

6.11 Bycatch strategy: Your strategy must address
 (a) ways to limit unwanted bycatch
 (b) how the retained bycatch will be treated/utilised, specifically finfish species (e.g. hake, john dory, ljacopever, snapper salmon, daga salmon, soles, mackerel) and cephalopods

6.12 Do you have a plan for how to utilise the offal from the fishery?
 Heads: Yes No If yes, provide details
 Other offal: Yes No If yes, provide details

6.13 Operational Plan

| | | |
|---|----|----|
| Average trip duration in days | | |
| Number of trips per annum | | |
| Annual vessel utilisation rate (operational days as a percentage of 365) | | |
| Mesh size(s) of net(s) to be used in mm | | |
| Average crustacean landing (nominal mass) per trip in Kg (specify species) | 1. | Kg |
| | 2. | Kg |
| | 3. | Kg |
| | 4. | Kg |
| Average (1) finfish (2) crustacean (3) cephalopod bycatch landing (nominal mass) per trip in Kg | 1. | Kg |
| | 2. | Kg |
| | 3. | Kg |
| Nature of products to be landed | | |
| Area of Operation - Inshore or Offshore | | |
| Ports where fish will be landed | | |

6.14 If the catch is to be made by a third party vessel, complete the schedule of users as set out here. The schedule must be compiled in consultation with the vessel owner/operator and must include all other Applicants who have made arrangements to use the vessel.

| Name of Applicant | Mass Applied for | Estimated No. of fishing days |
|---------------------------|------------------|-------------------------------|
| Own Application | | |
| Names of other Applicants | | |
| 1 | | |
| 2 | | |
| 3 | | |
| 4 | | |
| 5 | | |
| 6 | | |
| 7 | | |
| 8 | | |
| 9 | | |
| 10 | | |
| Total | | |

6.15 Is the above vessel engaged in other sectors?: Yes No

6.16 If Yes, which sector/fisheries/species?: _____

SPECIMEN

FISHING PLAN: SOUTH COAST ROCK LOBSTER (R)

6.1 Name of Applicant:

6.2 Application Number:

6.3 Name of vessel:

6.4 Area Number:

6.5 Registered Owner:

6.6 Total quantity South Coast rock lobster allocated to the vessel. Kg tail mass:

6.7 Expected catch rates (kg tail mass per fishing day):

6.8 If the catch is to be made by a third party vessel, complete the schedule of users as set out here. The schedule must be compiled in consultation with the vessel owner/operator and must include all other Applicants who have made arrangements to use the vessel.

| Name of Applicant | Mass Applied for | Estimated No. of fishing days |
|---------------------------|------------------|-------------------------------|
| Own Application | | |
| Names of other Applicants | | |
| 1 | | |
| 2 | | |
| 3 | | |
| 4 | | |
| 5 | | |
| 6 | | |
| 7 | | |
| 8 | | |
| 9 | | |
| 10 | | |
| Total | | |

6.9 Is the vessel rigged to fish for South Coast rock lobster: Yes No

6.10 Has the vessel previously been used in the South Coast rock lobster fishery: Yes No

6.11 How many South Coast rock lobster traps can the vessel carry: _____

6.12 What is the power of the winch: kg pull @ metres per second _____

6.13 How many chutes does the vessel have:

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FISHING PLAN: SHARK LONGLINE (Q)

6.1 Name of Applicant: 6.2 Application Number:

6.3 Name of vessel: 6.4 Area Number:

6.5 Registered Owner:

6.6 Indicate the number of months per year the nominated vessel will be utilised for shark fishing:

6.7 Provide details of the type of gear to be used: _____

6.8 Is the above vessel engaged in other Sectors: Yes No

6.9 If yes, which species: _____

SEAWEED SUPPLEMENTARY INFORMATION (P)

Submit a business plan, which should address the following:

6.1 Name of Applicant: 6.2 Application Number:

| | |
|--|---|
| <p>6.3 Overview of activity:</p> <p>6.3.1 Resource: nature and characteristics</p> <p>6.3.2 Market: anticipated pricing profile over one year</p> <p>6.4 Overview of infrastructure:</p> <p>6.4.1 Factories, offices, boats, plant, vehicles</p> <p>6.4.2 Production capacity</p> <p>6.5 Collecting/harvesting schedule for the year:</p> <p>6.5.1 Target species</p> <p>6.5.2 Likely collection/harvesting schedule</p> | <p>6.6 Financial budgets:</p> <p>6.6.1 Corporate structure, contractual arrangements, contingent and other liabilities</p> <p>6.6.2 Capital and repair budget</p> <p>6.6.3 Operational budget</p> <p>6.6.4 Cash Flow budget</p> <p>6.7 Human resource matters:</p> <p>6.7.1 Staffing</p> <p>6.7.2 Training and succession plan</p> <p>6.8 Long term strategy:</p> |
|--|---|

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FISHING PLAN: WEST COAST ROCK LOBSTER (U)

6.1 Name of Applicant:

6.2 Application Number:

6.3 Name of vessel:

6.4 Area Number:

6.5 Registered Owner:

6.6 Total quantity rock lobster allocated to the vessel: Kg whole mass

6.7 Expected catch rates: Kg whole mass per fishing day

6.8 Is the above vessel engaged in other sectors: Yes No

6.9 If yes, which sector/species: _____

6.10 If the catch is to be made by a third party vessel, complete the schedule of users as set out here. The schedule must be compiled in consultation with the vessel owner/operator and must include all other Applicants who have made arrangements to use the vessel.

| Name of Applicant | Mass Applied for | Estimated No. of fishing days |
|---------------------------|------------------|-------------------------------|
| Own Application | | |
| Names of other Applicants | | |
| 1 | | |
| 2 | | |
| 3 | | |
| 4 | | |
| 5 | | |
| 6 | | |
| 7 | | |
| 8 | | |
| 9 | | |
| 10 | | |
| Total | | |

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FISH PROCESSING ESTABLISHMENT DETAILS (B)

Applicants are to provide the details set out below with respect to each establishment site.

- 6.1 Name of Applicant: 6.2 Application Number:
- 6.3 Company Name:
- 6.4 Registered Owner:
- 6.5 Physical address of establishment :
- 6.6 Distance from nearest fishing harbour: 6.7 Floor area of establishment (m²):
- 6.8 Refrigeration capacity (m³): 6.9 Total capacity of live holding tanks (m³)
- 6.10 Estimated replacement value of Facility: R 6.11 Nature of fish processing: _____
- 6.12 If Applicant is the owner of the establishment, provide the following details:
- 6.10.1 In what year did Applicant purchase or acquire the establishment
- 6.10.2 In terms of a written agreement, attach a copy.
- 6.13 If the fish processing establishment previously utilised or to be utilised by the Applicant is not fully owned by the Applicant provide details in respect of the following:
- 6.13.1 the nature of the Applicant's interest in the establishment;
- 6.13.2 the extent of the Applicant's interest in the establishment, if applicable, expressed as a percentage;
- 6.13.3 provide a copy of any existing signed joint venture / cooperation or other agreement between the Applicant and the establishment or its owner;
- 6.13.4 In what year did the Applicant purchase or acquire an interest in the establishment;
- 6.13.5 If in terms of a written agreement, attach a copy;
- 6.13.6 Is there any other agreement / understanding / undertaking between the above parties that is material to the purchase / sale / processing agreement: Yes No
- 6.13.7 If yes, copies should be attached.
- 6.14 Provide full details of the person or entity who owns the remaining portion or the whole of the establishment;
- 6.15 If the Applicant is the owner or part owner of the establishment:
- 6.15.1 provide details of any processing agreements concluded with any other parties, and if in writing, attach a copy;
- 6.14 What is the value (at cost) of any direct or indirect investment, made by the Applicant, in respect of establishments in 1999, 2000 and 2001 respectively and provide details.

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OPERATIONAL PLAN: MARICULTURE OPERATIONAL PLAN AND SUPPLEMENTARY INFORMATION (I)

6.1 Name of Applicant:

| | | | | | | | | | | | | | | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|
| | | | | | | | | | | | | | | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|

6.2 Application Number:

| | | | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|--|--|
| | | | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|--|--|

6.3 Purpose of Application (This plan is to be completed in conjunction with the instructions on page 20)

Tick appropriate block

| Application for New Operation | | Years involved in the sector | |
|--|-----------------|------------------------------|---------------------|
| Category (mark only 1 category unless polyculture) | Specify species | | Indigenous/Imported |
| Shellfish | | | |
| Finfish | | | |
| Crustaceans | | | |
| Seaweeds | | | |
| Ornamentals | | | |
| Other | | | |
| Attach motivation for the use of exotic species (please number the attachment 6.3.1) | | | |

6.4 Site Details

Tick appropriate block and number attachments: Site at Sea Land-based Site

Site Description

Locality: _____ Erf No. or Geographical Position: _____

Zoned for: Municipality: _____ Province: _____

Please attach the following and number accordingly:

- Proof of ownership of site or lease of site - Annexure 6.4.1
- Map of site (1:50 000) indicating size of operation - Annexure 6.4.2
- Approval from other decision making authorities - Annexure 6.4.3
- Necessary environmental impact reports - Annexure 6.4.4
- Information on nearby activities impacting operation - Annexure 6.4.5
- Necessary water quality reports - Annexure 6.4.6
- Details of water intake and discharges - Annexure 6.4.7

6.5 Culture Operation and Production

Tick appropriate block

(✓)

Target Production

| | | | |
|----------|-----------------------------------|--|--|
| Hatchery | Use of cultivated breeding stock | | |
| | Use of wild breeding stock | | |
| | Purchase of breeding stock | | |
| Nursery | Use of own hatchery products | | |
| | Purchase of seed | | |
| Grow-out | Use of juveniles from own nursery | | |
| | Use of harvested wild juveniles | | |
| | Purchase of juveniles | | |

Please attach the following and number accordingly:

- Production data for current and previous years of operation - Annexure 6.5.1
- Details of supplier of imported stock - Annexure 6.5.2
- Detailed scale layout map of farm - Annexure 6.5.3
- Supplementary information on proposed operating procedures - Annexure 6.5.4
- Information on proposed usage of chemicals and feed - Annexure 6.5.5

6.6 Business Plan

Number attachments:

- Details of finances and resources available for development - Annexure 6.6.1
- Details of joint ventures - Annexure 6.6.2
- Details of supporting industries that may arise from the operation - Annexure 6.6.3

Continued overleaf

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Mariculture applicants are required to supply supplementary information relating to their operation. This may include authorizations from other decision making authorities, descriptions of proposed site and operations, environmental impact assessments, water quality reports, information pertaining to the use of exotic species, details of chemical and feed use, and details of business/development plans, amongst others. This information must be attached to the application form. The supplementary information requirements for new applications can be extensive and the applicant is encouraged to ascertain that all issues are covered prior to submission. For future permit renewals, these requirements will generally be limited to compliance with permit conditions and information requested in the permit application form.

1 - Purpose of the Application

State whether this is a Plan for a new or current operation. New applications include new entrants and existing operators applying for a new site or new species. A single Operational Plan may be submitted for polyculture practices in which the secondary species, cultivated at the same site, is not intended for the market. A primary example is the integrated culture of seaweeds in land-based operations as a feed source or biological filter. The Department of Environmental Affairs and Tourism (DEA & T) will advise on acceptable polyculture practices. State the category of organism (only one per application, except for polyculture) for which this application is being made. Shellfish includes bivalves such as mussels, oysters, scallops, clams and gastropods such as abalone, limpets and whelks. Finfish includes both marine and freshwater species for culture in seawater. Crustaceans include lobsters, prawns, shrimps and crabs. Seaweeds include all red, green and brown macroalgae. Ornamentals include all species for the aquarium trade such as marine fish and corals. Others include all species not addressed in the above categories.

Supply full **scientific and common names** (where possible) and state whether the species considered is indigenous or not. If an exotic species is being considered, a detailed motivation and assessment of potential invasiveness may be required (Annexure 6.3.1).

2 - Site

State whether the application is for sea space or is land-based. Provide a full description of the site: locality, erf number or geographical position, and province. Details of the applicants' ownership or tenure arrangements (right to use the premises or place) must accompany this application together with a copy of any relevant documents (Annexure 6.4.1). Provide a 1:50 000 scale map of the site clearly indicating position of operation (Annexure 6.4.2).

Approvals

Written approvals from a number of decision-making authorities may be required to support your application (Annexure 6.4.3). For **land-based** operations these include the Local Authority (eg. municipality, district council, rural council), the Department of Public Works (for state-owned land, the Admiralty reserve, fishing harbours), the Department of Water Affairs and Forestry (for estuaries and sea outfalls) and the relevant provincial conservation authority (eg Department of Environmental and Cultural Affairs and Sport (Cape), KwaZulu Natal Nature Conservation Services). Approval of proposed building plans should also be attached. In the case of **sea space**, approval and lease agreements will be required from Portnet or Parliament (National Assembly). Applications for sea space outside Portnet control will be routed to the National Assembly by DEA & T. Applications will not be considered unless they are accompanied by relevant approvals. Approval may be subject to a detailed Integrated Environmental Management procedure.

Environmental Impact assessments

According to the Environment Conservation Act No. 73 of 1989 and the Marine Living Resources Act, an environmental impact assessment by independent consultants may be required (Annexure 6.4.4). The objectives of Integrated Environmental Management provided in the National Environmental Management Act No. 107 of 1998 also apply. This process will also allow for public comment on the proposed venture as required by the Sea

Shore Act No. 21 of 1935 and the above. Decisions regarding the applicants' obligations in this regard will be made by the provincial conservation authority and DEA & T.

At present new environmental legislation is being formulated as the Integrated Environmental Management Regulations promulgated by the National Environmental Management Act, and the National Coastal Management Bill. Cognizance will need to be taken of this new legislation as and when it comes into force.

Attach information on **nearby activities** that may impact in a negative manner on water quality at the site and indicate **location of potential contaminant sources** on a map (Annexure 6.4.5). Particular concerns are sewage contamination from marine outfalls and nearby activities that may produce toxic or hazardous substances such as heavy metals and pesticides. Independent **water quality reports** may be required for certain areas (Annexure 6.4.6).

Attach details of **water intake and discharges** for land-based operations (Annexure 6.4.7). State whether water is abstracted from an estuary or the sea. Provide **specifications** for the intake and discharge (dimensions, depths, volume flow,) and whether provision is made for recirculation. Describe measures taken to **purify the effluent** prior to discharge and attach details of the system employed where relevant and additional information regarding your environmental management plan (if in place). Describe how the **position of intake and discharge pipelines** addresses issues such as dispersion of effluent, environmental and visual impact, and potential navigation and recreation hazards.

3 - Culture operation and production

If a hatchery is in existence or is planned, indicate source of **breeding stock**. (Note: a separate application must be submitted for collection of wild brood stock). In the case of a **nursery**, state whether stock is produced in own hatchery or is purchased. For **on-growing** of juveniles, state source of juvenile stock. Indicate anticipated target values of **production** for the different phases of the operation. Current operators should provide annual production data (i.e. placed on the market) and destination markets for the current year of operation and previous years of operation (Annexure 6.5.1).

If **imported seed** is to be used, provide the name of the supplier, the country of origin and proof that the imported stock is free of disease agents and introducible pests (Annexure 6.5.2). Copies of appropriate certification of the supplier and for shipments of stock should be included where available.

Provide a detailed **scale layout** of the farm (Annexure 6.5.3). For land-based operations, this must clearly indicate: water intake and discharge points; hatchery, nursery and/or on-growing facilities; reservoirs; filtration plants etc. If farming in the sea is practiced/intended, provide details regarding containment structures (eg. rafts, long-lines, net cages, baskets) and means of anchoring.

Supplementary Information

Describe the **operating procedures** for the culture facility, clearly differentiating separate life stages where applicable (Annexure 6.5.4). Provide information on the proposed **usage of chemicals** such as antifoulants, fertilizers, general disinfectants, therapeutants, pesticides, herbicides, feed additives, anaesthetics, hormones, etc. clearly indicating quantities involved (Annexure 6.5.5).

4 - Business plan

Attach details of the **finances and resources** available for the development, the **targets** of the operation and the ability to achieve these targets, and a description of the **marketing strategy** (Annexure 6.6.1).

If a **joint venture** is intended, provide full and certified details of the nature of this agreement and the role of the different parties in the venture, emphasizing the mutual benefits (Annexure 6.6.2). Indicate whether such co-operation will involve previously disadvantaged persons and/SMMEs.

Attach details of **supporting industries** or other job opportunities that may arise from the venture and how these may contribute to economic upliftment in coastal communities. Such activities may include product processing, feed and stock supply, farm maintenance etc (Annexure 6.6.3).

FISHING PLAN: SQUID (S)

6.1 Name of Applicant:

6.2 Application Number:

6.3 Name of vessel:

6.4 Area Number:

6.5 Registered Owner:

6.6 To which length category does the vessel (6.3) belong: (✓) Tick appropriate box

- Ski boat or non-freezer vessel 7 men
- Vessels up to 13 Metres 12 men
- Vessels > 13 metres - 15 metres 16 men
- Vessels > 15 metres - 17 metres 20 men
- Vessels > 17 metres - 19 metres 22 men
- Vessels > 19 metres 26 men

6.7 If the registered length of the above vessel is at variance with the category indicated above, the reasons for such variance must be submitted.

6.8 Indicate the intended area of operation: _____

6.9 State where your enterprise is situated: _____

6.10 If the catch is to be made by a third party vessel, complete the schedule of users as set out here. The schedule must be compiled in consultation with the vessel owner/operator and must include all other Applicants who have made arrangements to use the vessel.

| Name of Applicant | Mass Applied for | Estimated No. of fishing days |
|---------------------------|------------------|-------------------------------|
| Own Application | | |
| Names of other Applicants | | |
| 1 | | |
| 2 | | |
| 3 | | |
| 4 | | |
| 5 | | |
| 6 | | |
| 7 | | |
| 8 | | |
| 9 | | |
| 10 | | |
| Total | | |

6.11 Is the vessel engaged in other sectors: Yes No

6.12 If yes, what species and for what period of time _____

*For the purpose of this Fishing Plan, the length of a vessel is defined as the horizontal distance, in meters, from the forward most extremity of the bow to the furthest point at which the transom of the vessel meets the deck, excluding any extensions in length undertaken after 17 April 2001.

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PART 7: DOCUMENTATION REQUIRED AND CHECKLIST

7.1 Documentation is required in order to provide the person(s) evaluating and considering this Application with a coherent set of documents that form a clear, up to date and accurate picture of the commercial structure of the Applicant and the actual extent of transformation and the extent to which the Applicant is involved in the fishing industry.

In respect of Company Applicants Please (✓)

| Document | Attached | Not Applicable | Not Available | Number of Pages |
|--|----------|----------------|---------------|-----------------|
| Certificate of Incorporation of Company | | | | |
| Certificate to commence business | | | | |
| If shares are held by other companies, copies of their certificates of incorporation and to commence business and copies of the Applicant's share register - * | | | | |
| Organogram setting out company shareholding, or if Applicant belongs to a group of companies, an organogram setting out the group's structure | | | | |
| Shareholders Agreement (signed current version) - * | | | | |
| If any of the five major shareholders are individuals, copies of their Identity documents - * | | | | |
| Certificate from auditor confirming current shareholding | | | | |
| Signed financial statements for the last financial year | | | | |
| Most recent auditor's report | | | | |
| Income Tax clearance certificates for Company | | | | |
| The documents or agreements relating to the Applicant's interest in other entities referred to in Part 3. | | | | |
| (Documents marked " * " are not required in respect of Applicants that are public companies listed on the JSE) | | | | |
| In respect of Close Corporation Applicants | | | | |
| CK 1 and current CK 2 forms | | | | |
| Association Agreement | | | | |
| Certificate from Accounting Officer confirming current members' interests | | | | |
| The documents or agreements relating to the Applicant's interests in other entities referred to in PART 3 | | | | |
| Income Tax clearance certificate for CC | | | | |
| Signed financial statements for the last financial year | | | | |
| Most recent Accounting officer's statement | | | | |
| In respect of Individual / Sole Proprietor Applicants | | | | |
| Income Tax Clearance Certificate | | | | |
| The documents or agreements relating to the Applicant's interests in other entities referred to in PART 3. | | | | |
| Signed financial statements for the last financial year | | | | |
| Most recent income tax return | | | | |
| In respect of Trust Applicants | | | | |
| Letter of Authority | | | | |
| Trust Deed | | | | |
| Income Tax Clearance Certificate | | | | |
| The documents or agreements relating to the Applicant's interests in other entities referred to in PART 3 | | | | |
| Signed financial statements for the last financial year | | | | |
| Most recent income tax return | | | | |
| Certificate of Compliance with the provisions of the Employment Equity Act 55 of 1998 | | | | |

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Certificates and documentation required in respect of fishing vessels Please (✓)

| Document | Attached | Not Applicable | Not Available | Number of Pages |
|---|----------|----------------|---------------|-----------------|
| Copy of a current valid general SAMSA Safety Certificate | | | | |
| Copy of a current valid commercial fishing vessel licence from the Department | | | | |
| Copy of registration certificate from SAMSA | | | | |
| Copy of a current valid Safe-manning certificate | | | | |
| Copy of a current valid radio licence (SATRA) | | | | |
| Copy of Share certificate in vessel owning company | | | | |
| Copy of purchase agreement (signed) to vessel | | | | |
| Copy of current valid HACCP and SABS Certificate | | | | |
| Any existing signed joint venture / catching / charter or other agreement between the Applicant and the owner (or part owner) of the vessel | | | | |
| Documents and Certificates in Respect of the Employment Equity Act | | | | |
| EEA 2 or EEA 2A (Section 21) | | | | |
| Analysis in terms of Section 19 | | | | |
| EEA 4 or EEA 5A (Section 27) | | | | |
| Acknowledgement from the Department of Labour w.r.t the above | | | | |
| Employment Equity Plan (Section 20) | | | | |
| Report as per 4.4, Part 4 | | | | |

PART 8: DECLARATION BY APPLICANT

I, the undersigned, do hereby make oath and declare that the information submitted with and in this Application is true, correct and complete and that the copies of the documents submitted are true and certified copies of the original documents. I understand that if any information furnished in this Application is not true or complete, including:

- a providing false documentation, or
- b the falsification of any documents, or
- c the making of any misleading or false statements, or
- e the non-disclosure of any material information or information which might materially affect the assessment / evaluation of this Application,

this may disqualify the Application, or lead to it being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on strength of this Application, in terms of Section 28 of the Act.

In order to allow for the proper verification of this Application I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information concerning or related to this Application or to the Applicant, to disclose or make same available to the Minister, his delegate or a duly authorised official of the Department of Environmental Affairs and Tourism.

SIGNED AT _____ THIS _____ DAY OF _____ 2001

Applicant's signature
(Duly authorised) _____
Full name _____

The deponent declares that he/she knows and understands the contents and implications of the above declaration. The deponent further hereby confirms and verifies his/her authority

to make and depose to this Application on behalf of the Applicant.

Thus signed and dated in my presence

Commissioner of Oaths _____

Full name _____
Designation _____
Office _____
Address _____

If this Application is prepared or compiled by, or in consultation or on the advice of, any person or entity (other than the Applicant) the following information must be provided in respect of that person or entity:

Name: _____
Profession / Occupation / Designation: _____

Signature _____
Date: _____
ID Number/IT Number/Company Registration Number
(if applicable) _____
Address _____
Telephone number _____
Cellular telephone number _____
E-mail address: _____

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**ANNEXURE B****DEPARTMENT OF ENVIRONMENTAL
AFFAIRS AND TOURISM****Policy Guidelines with regard to applications for the
granting of rights in terms of the Marine Living
Resources Act 18 of 1998****Introduction**

The Minister of Environmental Affairs and Tourism and his Department is committed to an equitable and transparent process of rights allocation. To this end, an independent verification unit has been appointed to verify information contained in the applications and to co-ordinate and collate the applications. The assessment and allocation process will be similarly managed, with the Minister being assisted by a panel of specialists, who will be appointed following a public tender process.

The Minister intends to allocate rights for a period not exceeding four years (fifteen years in respect of mariculture and fish processing), which will greatly enhance opportunities for investment and the promotion of stability in the fishing industry. With reference to abalone, rights will be allocated for a period of two years only. This is to allow the abalone industry, together with other stakeholders and the Department, to develop a plan that will lead to better management of the resource and significantly address the issue of over-exploitation and poaching.

This document is provided to assist applicants in the preparation of applications for commercial fishing rights in terms of section 18 of the Marine Living Resources Act 18 of 1998 ("the Act").

Applicants should note that "Historically Disadvantaged Persons" ("HDP") means those persons or categories of persons, who prior to the new democratic dispensation marked by the adoption and coming into force of the Republic of South Africa Act, 1996 (Act No. 108 of 1996), were disadvantaged by unfair discrimination on the basis of their race and includes juristic persons or associations owned and controlled by such persons.

In completing the application forms, applicants are encouraged to demonstrate their initiative, experience and capability to participate in the sector or fishery applied for.

Evaluation of Applications

Applications will be evaluated in accordance with the objectives and principles set out in section 2 of the Act and with regard to the policy guidelines set out below. No precedence, ranking or weighting is implied by the order or content of the policy guidelines.

1. Business plan, fishing plan or operational and investment strategy

Cognisance has been taken of the fact that substantial investments have been made by many of the current rights holders. This factor, together with the need to create an environment that will promote further long-term investment in human and material resources are important considerations. Historical involvements, proof of investment and past performance are therefore important factors. Applicants that are able to demonstrate the creation of employment through the effective utilisation of their allocation will be viewed in a favourable light.

2. Equity, transformation, restructuring and empowerment

The transformation of South Africa from an unequal society rooted in discrimination and disparity to a constitutional democracy founded upon freedom, dignity and equality poses particularly profound challenges for the fishing industry. It is here that there are acute imbalances in personal wealth, infrastructure and access to financial and other resources. While it is acknowledged that transformation or restructuring of the fishing industry cannot be achieved overnight, it nevertheless is a primary objective to build a fishing industry that in its ownership and management, broadly reflects the demographics of South Africa today.

In determining the degree of transformation, the following factors will be taken into account:

- ownership of, or equity within the applicant;
- the distribution of wealth created gained through access to marine living resources;
- the extent to which the applicant provides employment to members of historically disadvantaged sectors of the community;

There is also a high degree of gender inequality throughout the fishing industry. The manner in which this is addressed, as well as racial and other historical imbalances in the context of contributing towards achieving equity, are important factors.

In the more capital-intensive sectors of the fishing industry, a higher level of internal transformation of current rights holders rather than the introduction of new entrants is encouraged.

To effectively address the injustices of the past in an orderly and just manner and to achieve equity in the fishing industry, it is the intention to allocate a notable proportion of the TAC/TAE to deserving applicants in order to encourage transformation, either through the internal restructuring of current rights holders, or through the accommodation of new entrants.

3. Impact on the resources, environment and the fishing industry

A key responsibility is the need to conserve the marine living resources for present and future generations, while at the same time achieving optimum utilisation and

ecologically sustainable development. In order to achieve this, the following considerations will apply:

- All South Africans and those in coastal communities especially, should as far as possible benefit from the limited marine living resources along our shores and in our oceans;
- The apportionment of the hake TAC will be maintained at the current proportions for the hake trawl and hake (longline) fisheries, i.e. the line caught hake will not exceed 10% of the global TAC. This apportionment will only be reviewed by way of thorough scientific investigations together with management considerations, which will be implemented through the proposed Management Working Groups and the Consultative Advisory Forum. This will be the manner in which all matters such as this will be addressed in future;
- The hake line sector (longline and handline) has been identified as a suitable vehicle for the promotion of HDI's in the hake sector, more specifically small- and- medium -sized enterprises (SMME'S). In order to achieve the objectives contemplated in section 2 of the Act, particular regard will be paid to the need to grant access to new entrants, particularly those from historically disadvantaged sectors of society;
- For the hake longline fishery it is the intention to demarcate a boundary at 20 degrees east (Cape Agulhas). This will serve two purposes:
 - (a) For conservation purposes to limit the number of vessels operating to the east thereby protecting the *M. Capensis* resource; and
 - (b) To afford preferential consideration to applicants living in the Southern and Eastern Cape;
- In the horse mackerel sector, an experimental step-wise increase in the Precautionary Maximum Catch Limit by as much as 10 000 tons over the next four years is proposed, subject to annual assessments of the stock, in order to gauge the response of the stock to higher levels of harvesting;
- The overcapacity of fish processing establishments and vessels in some sectors of the fishing industry is of great concern and applicants should note that the Department is in the process of developing a management plan aimed at reducing effort and applications should deal with this matter where applicable. This should not be seen as excluding participation by new entrants who wish to acquire or invest into existing effort or infrastructure or to acquire new fish processing establishments or bring new vessels into a particular sector or fishery;
- Overfishing, non-compliance with permit conditions and poaching seriously compromises the sustainable utilisation of marine resources. Any conviction or transgression committed by an applicant will impact negatively in the consideration of an application. It should be noted that the Department will not hesitate to invoke the provisions of section 28 of the Act (when appropriate) in order to revoke, suspend, cancel or alter a right, licence or permit;
- Insofar possible applicants should fish their allocations in the areas indicated in their applications.

4. New Entrants

Regard will be given to accommodating new entrants, particularly those from historically disadvantaged communities, in order to meet the requirement of restructuring the fishing industry to address historical imbalances and to achieve equity within all branches of the fishing industry.

It is recognised that new entrants often do not have access to sufficient capital to invest in the fishing industry. For this reason, applicants should note that non-ownership of a vessel or fish processing establishments will not disqualify new entrants.

New entrants should be able to demonstrate the following:

- Involvement in the fishing industry;
- A clear commitment to enter, invest and re-invest, and to share the risks of fully participating in the sector or fishery;
- Business acumen;
- Financial capability or capacity;
- Knowledge of the sector or fishery applied for; and
- The capacity or the ability to catch, process and market the right applied for.

It is the intention to assist small commercial enterprises in certain commercial fishing sectors instead of in subsistence fishing and informal fishing. With reference to abalone, West Coast rock lobster, oysters, white mussels for bait purposes and small nets (beach seine net for mixed shoal fish; gill/drift, cast, drag and shove), applicants should note that maximum allocation levels have been determined to promote small commercial enterprises from historically disadvantaged sectors of society having their origin in subsistence and informal fishing.

Transfer of rights

In determining whether to grant approval for the transfer of any fishing right, or part thereof, the following policy considerations will be taken into account:

- The extent to which "paper quotas" holders are created or prolonged
- Transformation performance
- The degree to which rational consolidation of and stability in the fishing industry will be achieved

In order to discourage "paper quotas", applications for the transfer of fishing rights, or part thereof, will generally not be favourably considered during the first two years from the date the allocation is made.

Employment

Improved employment conditions within the fishing industry, particularly onboard fishing vessels and a move away from seasonal employment towards permanent employment is encouraged.

Foreign fishing

To the extent possible, a broadening of access, by accommodating South Africans in sectors and fisheries that have been previously exploited by foreign fishing interests, is sought.

Experimental fishing

In an effort to extend and broaden access to marine living resources, further experimental fisheries will be initiated. The Department is currently investigating the opening of a number of experimental fisheries (including octopus, indian squid and red-eye herring) with a view to developing further commercial fisheries. An announcement will shortly be made to bring an end to the tuna longline experiment with a view to establishing a regular commercial fishery in that sector.

Development

Recognising the impoverished state of many fishing communities, it is the intention to introduce levy concessions in order to assist the development of remote fishing communities and harbours.

Compliance

To extend the compliance capacity of the Department, tenders have been issued for the supply of one offshore and three inshore fishery protection vessels. The objective is to address more adequately the question of illegal, unregulated and unreported (IUU) fishing within South Africa's Exclusive Economic Zone and on the high seas, and to deal with the question of under-reporting, overfishing and poaching. In addition, it is the intention to increase the use of Vessel Monitoring Systems to increase compliance and to curb IUU fishing.

Service delivery

There is a direct correlation between the resources available to the Department and its capacity to provide services within the context of Batho Pele. The Act allows the Department to charge fees and receive levies in order to enhance/improve its service to the fishing industry through effective and efficient resource management, compliance and research.

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