

## SCHEDULE C

**SPECIMEN MEDIUM TERM RIGHT HOLDER APPLICATION FORMS (TOGETHER WITH  
EXPLANATORY NOTES) AND PATAGONIAN TOOTHFISH EXPERIMENTAL PERMIT HOLDER  
APPLICATION FORM (TOGETHER WITH EXPLANATORY NOTES)**

APPLICATION NUMBER:

☐ lock the app no.

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM

BRANCH: MARINE AND COASTAL MANAGEMENT



# Hake Deep Sea Trawl

**Long Term Rights Allocation Process: 2005****Cluster A****Application Form For: Medium Term Right Holders**

Registered Name of Applicant

Company Registration Number  
or  
Close Corporation Registration  
Number


Principal Place of Business

Number of Vessels Nominated




**IMPORTANT INFORMATION****INSTRUCTIONS****GENERAL**

- 1) This application form must be read together with these instructions, the Explanatory Notes, the Schedules to the application form and the Procedures for Independent Auditors (available on the Public Accountants' and Auditors' Board website, [www.paab.co.za](http://www.paab.co.za) or [www.saica.co.za](http://www.saica.co.za)).
- 2) When completing the application form, applicants are advised to read carefully the General Policy on the Allocation and Management of Long Term Fishing Rights, as well as the applicable Fishery Specific Policy. These policies are available at [www.mcm-deat.gov.za](http://www.mcm-deat.gov.za). The policies guide the Minister or his delegate when considering the application.
- 3) Should the applicant have any queries regarding the completion of the application form, it must e-mail the Department at [clusters@deat.gov.za](mailto:clusters@deat.gov.za). Every query and response will be collated and circulated by e-mail to all the applicants in the sector and will be made available on [www.mcm-deat.gov.za](http://www.mcm-deat.gov.za). Should the applicant require technical assistance with the application form software, it must contact the Rights Verification Unit in one of the following ways:

Tel: (021) 670-3669

Fax: (021) 670-1782

E-mail: [RVU@deloitte.co.za](mailto:RVU@deloitte.co.za)

Applicants or their representatives may not communicate with the Minister, the delegated authority, or officials in the Department regarding their applications in any other manner. Moreover, no reliance may be placed on any information given or obtained in any other manner.

**ICONS**

- 4) Applicants must pay attention to the icons in the application form in order to determine whether:
  - the information provided will be treated as confidential;
  - there is any documentation or information required in response to a question in the form of an annexure;
  - the applicant's auditors need to verify a response; and
  - there are consequences of not answering a question.

- 5) The application form makes use of the following icons:



The books icon means that the information provided will be treated as confidential.



The clipboard icon means that the applicant must complete the corresponding Schedule to the application form. Applicants are instructed in the schedules regarding the documentation or information required as annexures. If the required documentation or information is not submitted, the application may be adversely affected. Failure to submit certain requested documents or information may result in the application being refused.



The magnifying glass icon means that the applicant's response to the question must be verified by an auditor (registered with the Public Accountants and Auditors board) engaged by the applicant as per the Procedures for Independent Auditors. The auditor must complete and sign the Audit Report on failing which the application will be refused.



The warning icon means that if the applicant fails to answer the question, the answer will be deemed to be adverse to the applicant.

**COMPLETION OF APPLICATION FORM**

- 6) The applicant must complete all sixteen sections of the application form. The applicant must respond in the spaces provided in the application form. Information may not be submitted by way of annexures except where applicants are specifically allowed to do so.
- 7) The application form must be completed electronically, and saved onto the two blank CDs provided on registration. One of these CDs must be submitted in the manner described below, while the other must be retained by the Applicant. Annexures to the application form do not need to be scanned and saved on to the CDs. The Department may request additional electronic copies of the application at a later stage.
- 8) This form is tagged and coded in order to facilitate electronic uploading of the application into a database. The applicant may not submit the application in any other form. If the applicant submits its application in any other form, the application will be refused.
- 9) The application must also be printed out and the declaration must be signed and attested by the Applicant's authorised representative, and, if applicable, the authorised representative(s) of the holding company, sister company(ies) and the joint venture partner(s). If the declaration is not signed and attested, the application will be refused.
- 10) The printed version of the electronic application, duly signed and attested, must be punched and placed into lever arch files with a divider before each annexure. The annexures must be numbered according to the schedules. Confidential information requested under questions marked by the books icon should be placed in a sealed A4 envelope marked with the application number, punched and placed in the lever arch file after the annexures.

**IMPORTANT INFORMATION****INSTRUCTIONS**

- 11) One true copy of the printed version of the application must be made. This copy must be punched and divided in the same manner as the original. The copy does not have to be certified as a true copy of the original, but it will be assumed to be the same as the original. Any discrepancy may invalidate the application.

**LODGE MENT OF APPLICATION**

- 12) The CD containing the application, the original printed version (signed and attested), and a copy of the printed version must be hand delivered to the place, on the dates and times stated below

Place: Good Hope Centre

Dates and Times: Thursday 14 July 2005 between 08h00 and 19h00, or Friday 15 July between 08h00 and 17h00

- 13) The application may not be submitted by post or by fax. An application not submitted by hand within the above times, on the above dates at the above address will be refused.

**IMPROPER LODGE MENT**

- 14) Improperly lodged applications will be refused.

An application is improperly lodged if:

- it is received late;
- the applicant makes no payment, or short payment, or late payment of the application fee;
- the application is lodged in a manner contrary to the instructions.

**MATERIAL DEFECTS**

- 15) Applications that are materially defective will be refused.

An application is materially defective if:

- the declaration is not signed and attested by the Applicant's authorised representative, and, if applicable, the authorised representative(s) of the holding company, sister company(ies) and the joint venture partner(s).
- the auditor's report is not submitted or signed;
- more than one application is received for a right in the same sector,
- the applicant, or, if applicable, the holding company, sister company(ies) and the joint venture partner(s) provides false information or documents, fails to disclose material information or attempts to influence the Minister or the delegated authority other than in the manner provided for in the General Policy and in this application form.

## Section 1

## Applicant Details

1.1 Registered Name of Applicant

☒


1.2 Trading Name of Applicant:

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1.3 Registration Number:

☒

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1.4 Income Tax Number:

--

1.5 Vat Number:

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1.6 Skills Development Levy Number:

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1.7 Have the applicant's details (1.8.1 - 1.8.7d) changed since the applicant registered?

☐ Yes ☐ No

1.8 If "Yes", complete only those details that have changed:

1.8.1 Principal Place of Business:

Number and Street

--

Suburb:

--

Town / City:

--

Postal Code:

--

1.8.2 Postal Address:

Number and Street / PO Box:

--

Suburb:

--

Town / City:

--

Postal Code:

--

Area Code:

1.8.3 Telephone Number:

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1.8.4 Additional Telephone Number:

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1.8.5 Fax Number:

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1.8.6 Authorised Contact Person First Name:

☒

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1.8.7 Authorised Contact Person Surname:

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a) Identity Number:

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b) Position Held/ Relationship to Applicant

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c) Cellular Number:

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d) E-mail Address:

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**Section 2****Form of Applicant**

2.1 Does the applicant currently hold a medium term fishing right in this sector?

☐ Yes ☐ No



2.2 If "Yes", to which entity or person was the medium term fishing right allocated in 2001/2002?

Company ☐  
Close Corporation ☐  
Trust ☐  
Individual ☐

Name  
Name  
Name  
Name


2.3 In what form of entity is the medium term fishing right currently held?

Company ☐  
Close Corporation ☐  
Trust ☐  
Individual ☐

Name  
Name  
Name  
Name


2.4 Is the applicant more than 50% South African owned?

☐ Yes ☐ No



2.5 Does the applicant have a valid tax clearance certificate?

☐ Yes ☐ No



2.6 Complete the following table in relation to asset value and turnover:

Year	Turnover	Gross Asset Value (excluding fixed property)
2004 (Financial Year End)		

2.7 Does the applicant hold any share(s) in any other company that is applying as a medium term right holder in this sector?

☐ Yes ☐ No



2.8 Does the applicant hold any share(s) in any company that is applying as a new entrant in this sector?

☐ Yes ☐ No

**Section 3****Compliance**

3.1 Has the applicant, or any of its members, shareholders or directors:

3.1.1 been convicted of a contravention of the MLRA, or the regulations, or permit conditions during the medium term right period?

☐ Yes ☐ No



3.1.2 entered into a plea bargain under the Criminal Procedure Act 51 of 1977, for a contravention of the MLRA, or the regulations, or permit conditions during the medium term right period?

☐ Yes ☐ No



3.1.3 paid an admission of guilt fine for a contravention of the MLRA, the regulations, or the permit conditions during the medium term right period?

☐ Yes ☐ No



**Section 3****Compliance**

3.1.4 been charged with an offence under the MLRA, or the regulations or permit conditions during the medium term right period?

☐

Yes

☐

No



3.2 Has a fishing vessel, motor vehicle, premises or any other assets of the applicant, or any of its shareholders, members or directors been detained, arrested or seized under the MLRA or restrained, preserved, confiscated or forfeited under the Prevention of Organised Crime Act 121 of 1998 during the medium term right period?

☐

Yes

☐

No



3.3 Was the applicant's right or permit suspended, revoked, cancelled, reduced or altered under section 28 of the MLRA during the medium term right period?

☐

Yes

☐

No

**Section 4****Vessel Details**

4.1 How many vessels has the applicant nominated for use in this fishery?

4.2 Fill in the relevant details in the tables below regarding each vessel nominated:



Vessel 1	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 2	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	

## Section 4

## Vessel Details



Vessel 3	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 4	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 5	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	

## Section 4

## Vessel Details



Vessel 6	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 7	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 8	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	

## Section 4

## Vessel Details



Vessel 9	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 10	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 11	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



## Section 4

### Vessel Details



Vessel 12	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 13	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 14	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	

## Section 4

## Vessel Details



Vessel 15	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 16	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 17	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	

## Section 4

## Vessel Details



Vessel 18	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 19	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 20	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	

**Section 5****Catch Utilisation**

5.1 Did the applicant over-catch or under-catch by more than 10% during the medium term rights period?

☐ Yes ☐ No



5.2 Complete the following in relation to the applicant's catch records.



Year	Annual Catch Allocation (in metric tons)	Total Actual Catch of Applicants Allocation (Nominal tons)	Percentage under-caught	Percentage over-caught
2002 Season				
2003 Season				
2004 Season				

**Section 6****Transformation****Management and Employment Equity**

6.1 Was the applicant a designated employer as defined in section 1 of the Employment Equity Act, 55 of 1998 as at 28 February 2005?

☐ Yes ☐ No



6.2.1 If "Yes", has the applicant complied with the Employment Equity Act, 55 of 1998?

☐ Yes ☐ No



6.2.2 If "No", has the applicant voluntarily complied with the Employment Equity Act, 55 of 1998?

☐ Yes ☐ No



## Section 6

## Transformation

## Management and Employment Equity

6.3.1 Complete the table below in respect of the applicant's board of directors (if a company) or members (if a close corporation) as at 28 February 2005.



	Director / Member Name (Initial & Surname)	Years of Service	Total Annual Remuneration (Total Cost to Company)	Black (Y/N)	Gender (M/F)	ID Number
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						

## Section 6

## Transformation


## Management and Employment Equity

6.3.2 Complete the table below in respect of employees at 28 February 2005.



Between 1 - 5 Employees	The Top Salary Earner (Total Cost to Company)
Between 6 - 30 Employees	The Top Two Salary Earners (Total Cost To Company)
Between 31 - 60 Employees	The Top 3 Salary Earners (Total Cost to Company)
Between 61 - 165 Employees	The Top 4 Salary (Total Cost to Company) Earners
More than 165 Employees	The Top 3% of Salary Earners (Total Cost to Company) up to 90 Employees

	Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black (Y/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							

**Section 6****Transformation****Management and Employment Equity**


	Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black (Y/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
20							
21							
22							
23							
24							
25							
26							
27							
28							
29							
30							
31							
32							
33							
34							
35							
36							
37							
38							
39							
40							
41							
42							
43							
44							
45							
46							
47							
48							
49							
50							
51							
52							
53							
54							
55							

## Section 6

## Transformation

## Management and Employment Equity



	Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black (Y/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
56							
57							
58							
59							
60							
61							
62							
63							
64							
65							
66							
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80							
81							
82							
83							
84							
85							
86							
87							
88							
89							
90							



## Section 6

## Transformation

## Management and Employment Equity

6.4.1 Complete the following table in relation to income levels of the applicant's permanent employees at 28 February 2005:

	Gross Monthly Income (Total Cost to Company)	Number of Employees	Percentage of Total Employees	Number of Black Employees	Percentage of Total Black Employees	Number of Female Employees
1	<R2 500					
2	Between R2 500 and R5 500					
3	Between R5 501 and R10 500					
4	Between R10 501 and R16 000					
5	Between R16 001 and R20 000					
6	Between R20 001 and R25 000					
7	Between R25 001 and R30 000					
8	Between R30 001 and R40 000					
9	Between R40 001 and R60 000					
10	>R60 000					
	Total		100%		100%	

6.4.2 Does the applicant contribute towards medical aid and pension for its employees?

☐ Yes ☐ No

6.4.3 Does the applicant provide any other type of benefits for its employees?

☐ Yes ☐ No

6.5 Complete the following table in relation to the applicant's employment equity profile as provided to the Department of Labour in October 2004. If the applicant is not designated or did not voluntarily comply then the table must be completed as at 28 February 2005.

Occupational Categories	Gender									Total	
		A No	A %	C No	C %	I No	I %	W No	W %	ACI %	F %
Top & Senior Management / Senior Officials and Managers	Male										
	Female										
Professionally Qualified and experienced specialists and mid-management / Professionals	Male										
	Female										
Skilled Technical and academically qualified workers, supervisors, foremen, and superintendents / Technicians and Associate Professionals	Male										
	Female										
Semi-skilled and discretionary decision-making / Clerks, Service & Sales Workers, Fishery Workers, Artisans & Related Trade Workers, Plant & Machine Operators & Assemblers, Elementary Occupations	Male										
	Female										
TOTAL	Male										
	Female										

A = African, C = Coloured, I = Indian, W = White, M = Male, F = Female, ACI = African, Coloured and Indian

## Section 6

## Transformation

## Management and Employment Equity

6.6.1 Complete the tables below in relation to employment equity figures for **Senior Officials and Managers** only.

[illegible]

### 6.6.2 Complete the tables below in relation to employment equity figures for Professionals only.

[illegible]

**Section 6****Transformation****Ownership - Companies Only**

6.7 Is the applicant a company?

☐ Yes ☐ No

6.7.1 If "Yes", complete the table below in respect of shareholding held by black persons:

Year	Percentage Shareholding Held by Black Persons	Percentage Voting Rights Held by Black Persons	Percentage of Dividends Black Shareholders are Entitled To
2001 (as in 2001 application form)			
2005 (at date of application)			

6.7.2 Complete the following table in relation to shareholding held by women based on the flow through principle:

Year	Percentage Shareholding Held by Women	Percentage Voting Rights Held by Women	Percentage of Dividends Women are Entitled To
2005 (at date of application)			

6.7.3 Did the applicant have a share scheme in place in 2004 for employees?

☐ Yes ☐ No

6.7.4 If "Yes", what is the percentage shareholding held by or for employees not listed under question 6.3.2, through the scheme?

6.7.5 Complete the following table in relation to monies paid to shareholders:

Year	Salaries Paid to Shareholders	Loans Made to Shareholders	Dividends Paid to Shareholders
2002 (financial year)			
2003 (financial year)			
2004 (financial year)			

6.7.6 Was the applicant managed by another entity, or was the catching, processing or marketing of the 2004 allocation in this fishery performed by another entity during the 2004 financial year?

☐ Yes ☐ No

6.7.7 If "Yes", complete the table below:

Function	Rand Amount Paid to Other Entity during the 2004 Financial Year	Rand Amount as a Percentage of Applicant's Total Turnover in 2004
Management		
Catching		
Processing		
Marketing		

## Section 6

## Transformation

## Ownership - Close Corporations Only

6.8 Is the applicant a close corporation?

☐ Yes ☐ No

6.8.1 If "Yes", complete the table below in respect of members interest held by black persons:

Year	Percentage Interest Held by Black Persons	Percentage Voting Rights Held by Black Persons	Percentage Profit Distribution Black Persons are Entitled To
2001 (as in 2001 application form)			
2005 (as at date of application)			

6.8.2 Complete the table below in relation to members interest held by women:

Year	Percentage Interest Held by Women	Percentage Voting Rights Held by Women	Percentage Profit Distribution Women are Entitled To
2005 (as at date of application)			

6.8.3 Did the applicant have a profit sharing scheme for employees in place in 2004?

☐ Yes ☐ No

6.8.4 If "Yes", what percentage of profit were employees not listed under question 6.3.2 entitled to?

6.8.5 Complete the following table in relation to monies paid to members:

Year	Salaries Paid to Members	Loans Made to Members	Profit Distributed to Members
2002 (financial year)			
2003 (financial year)			
2004 (financial year)			

6.8.6 Was the applicant managed by another entity, or was the catching processing or marketing performed by another entity during the 2004 financial year?

☐ Yes ☐ No

6.8.7 If "Yes", complete the table below:

Function	Rand Amount Paid to Other Entity	Rand Amount as a Percentage of the Applicant's Turnover in 2004
Management		
Catching		
Processing		
Marketing		

## Section 6

## Transformation

## Skills Development

6.9 Has the applicant met the targets set in the Transformation Plan submitted in 2001? ☐ Fully ☐ Somewhat/Partially ☐ Not at all ☒

6.10 Complete the following table in relation to compliance with the Skills Development Levies Act 9 of 1998:

Year	Did the applicant submit Workplace Skills Plan which was approved (Y/N)	Did the applicant submit an Annual Training Report which was approved (Y/N)	Rand Amount Paid to SARS in skills development levies	Percentage Salaries B <sub>1</sub> Spent on Training	Percentage of Training Budget Spent on Black Employees
2001 (financial year end)					
2002 (financial year end)					
2003 (financial year end)					
2004 (financial year end)					

6.11 Did the applicant participate in a learnership programme during the medium term rights period? ☐ Yes ☐ No ☒

6.12 If "Yes," indicate the number of learnerships as a percentage of the employees in respect of whom the applicant prepared IRP5 certificates in 2004 (tax year end).

6.13. Did the applicant participate in any other skills development programmes through its SETA in 2004 such as an SME Support Strategy? ☐ Yes ☐ No ☒

6.14.1 How many skippers are used by the applicant?

6.14.2 What percentage of these skippers are black?

## Corporate Social Investment

6.15 Does the applicant make donations of its annual taxable income which qualify for deduction in terms of section 18A of the Income Tax Act 58 of 1962?

☐ Yes ☐ No ☒

6.16 If "Yes", indicate what percentage of net profit earned in the 2004 financial year these donations amount to:

☐ 0 - 0.5% ☒

☐ 0.5 - 1% ☐

☐ > 1% ☐



**Section 6****Transformation****Corporate Social Investment**

6.17 Indicate the five largest tax deductible donations made per annum since 2001 in the table below.

Year	Benefiting Organisation	Rand Value of Amount Donated
2001 - 1		
2001 - 2		
2001 - 3		
2001 - 4		
2001 - 5		
Year	Benefiting Organisation	Rand Value of Amount Donated
2002 - 1		
2002 - 2		
2002 - 3		
2002 - 4		
2002 - 5		
Year	Benefiting Organisation	Rand Value of Amount Donated
2003 - 1		
2003 - 2		
2003 - 3		
2003 - 4		
2003 - 5		
Year	Benefiting Organisation	Rand Value of Amount Donated
2004 - 1		
2004 - 2		
2004 - 3		
2004 - 4		
2004 - 5		

6.18 Does the applicant make any other donations (in addition to those which qualify for deduction in terms of section 18A of the Income Tax Act 58 of 1962, but not including school fees)?

☐ Yes ☐ No



6.19 If "Yes", indicate what percentage of net profit earned in the 2004 financial year these other donations amount to :

☐ 0 - 0.5 %

☐ 0.5 - 1 %

☐ > 1 %



6.20 If other donations were made, indicate the five largest such donations made in 2004 in the table below:

Year	Benefiting Organisation	Rand Value of Amount Donated
2004 - 1		
2004 - 2		
2004 - 3		
2004 - 4		
2004 - 5		

**Section 6****Transformation****Affirmative Procurement**

6.21 Does the applicant have a written affirmative procurement policy?

☐ Yes ☐ No

6.22 Provide the following information in relation to the applicant's top ten South African suppliers (operational expenditure) in 2004:

Name of Supplier	Percentage of Black Ownership of Supplier	Amount Paid to Supplier in Rands in 2004	Percentage of Total Expenses

6.23 Has the applicant determined its affirmative procurement spend as a percentage of total procurement spend?

☐ Yes ☐ No

6.24 Has the applicant instituted a system to measure its affirmative procurement spend as a percentage of total procurement spend in future?

☐ Yes ☐ No

**Section 7****Vessel, Crew and Environmental Safety****Contraventions**

7.1 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of penalty under section 324 of the Merchant Shipping Act, 57 of 1951?

☐ Yes ☐ No

7.2 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of penalty for contravening the Maritime Occupational Safety Regulations of 1994?

☐ Yes ☐ No

## Section 7

## Vessel, Crew and Environmental Safety

## Contraventions

7.3 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of a penalty for contravening the Crew Accommodation Regulations, 1961?

☐ Yes ☐ No



## Crew Safety and Working Conditions

7.4 Has the applicant ever reported an accident in terms of section 6 of the Maritime Occupational Safety Regulations?

☐ Yes ☐ No



7.5 Has a qualified safety officer been appointed for each nominated vessel in terms of section 36 of the Maritime Occupational Safety Regulations?

☐ Yes ☐ No



7.6 Has every crew member on board each nominated vessel completed the approved safety induction training required by the Merchant Shipping Act, 57 of 1951?

☐ Yes ☐ No



7.7 If a nominated vessel is of 25 gross tonnage or more, has the vessel been issued with a valid SAMSA Safe Manning Document required in terms of the Merchant Shipping (Safe Manning) Regulations?

☐ Yes ☐ No



7.8 Has the applicant completed a formal safety assessment in terms of Marine Notice no 26 of 2004?

☐ Yes ☐ No



7.9 Has the applicant registered with the Commissioner in terms of the Compensation for Occupational Injuries and Diseases Act 130 of 1993?

☐ Yes ☐ No



7.10 Does the applicant have an HIV/AIDS policy?

☐ Yes ☐ No



## Vessel Safety

7.11 Have the nominated vessel(s) been issued with a valid Local General Safety Certificate?

☐ Yes ☐ No



7.12 Are any operational limits imposed on the nominated vessel(s) by its Local General Safety Certificate (E.g. No more than 200 nautical miles off the South African coast)?

☐ Yes ☐ No

## Environmental Safety

7.13 Has the applicant, during the medium term right period, been convicted or forfeited a deposit for contravening any part of the Marine Pollution (Prevention of Pollution from Ships) Act 2 of 1986 or Section 30 of the Marine Pollution (Control and Civil Liability) Act 6 of 1981?

☐ Yes ☐ No



7.14 Does the applicant have a Garbage Management Plan for each nominated vessel as stipulated in terms of Annex V of Marpol, as set out in the Schedule to the Marine Pollution (Prevention of Pollution from Ships) Act 2 of 1986?

☐ Yes ☐ No





## Section 8

## Job Creation

8.1 Complete the following tables in relation to job creation.

8.1.1 Table 1

Year	Employees in respect of which the applicant prepares IRP5 Certificates (Land Based)	Employees in respect of which the applicant prepares IRP5 Certificates (Sea Based)	Employees in respect of which the applicant does not prepare IRP5 Certificates (Land Based)	Employees in respect of which the applicant does not prepare IRP5 Certificates (Sea Based)	Total Number of Employees (Columns 1-4)	Total Amount of Salary Bill as per Financial Statements	Percentage increase or decrease in total number of employees
2001 (date of application)							
2002 (financial year end)							
2003 (financial year end)							
2004 (financial year end)							
2005 (28 February 2005)							

8.1.2 Table 2

Applicant's Annual Catch Allocation (in tons) to the applicant in this fishery in 2004	Total Annual Salary Bill (in relation to this fishery) 2004 Financial Year End as per Table 8.1.1	How much does the applicant spend on salaries/wages per ton allocated?

8.1.3 Table 3

Applicant's Annual Catch Allocation (in tons) in this fishery in 2004	Total Employees (in relation to this fishery) (28 February 2005)	How many people does the applicant employ per ton allocated?	Total Employees less Seasonal Employees (in relation to this fishery) (28 February 2005)	How many people (less seasonal employees) does the applicant employ per ton allocated?

8.1.4 Table 4

Applicant's five highest annual salaries (total cost to company) paid between 1 March 2004 and 28 February 2005	Average of top five salaries	What was the multiple between the average of the five lowest and the average of the five highest salaries at 28 February 2005?

Applicant's five lowest annual salaries (total cost to company) paid between 1 March 2004 and 28 February 2005	Average of lowest five salaries	

## Section 9

## Investment

9.1 Complete the following tables:

9.1.1 Table 1

Year	Book Value of Total Fixed Assets (in relation to this fishery)	Percentage Increase or Decrease in Rand Value of Total Fixed Assets (in relation to this fishery)	Total Book Value of Total Land Based Fixed Assets (in relation to this fishery)	Total Book Value of Harbour and Sea Based Fixed Assets (in relation to this fishery)
2002 (financial year end)				
2003 (financial year end)				
2004 (financial year end)				

9.1.2 Table 2

Year	Insured Value of Total Fixed Assets (in relation to this fishery)	Percentage Increase or Decrease in Rand Value of Total Fixed Assets (in relation to this fishery)	Total Insured Value of Total Land Based Fixed Assets (in relation to this fishery)	Total Insured Value of Harbour and Sea Based Fixed Assets (in relation to this fishery)
2002 (financial year end)				
2003 (financial year end)				
2004 (financial year end)				

9.1.3 Table 3

Annual Catch Allocation (in tons) to the applicant in 2004	Book Value (in rands) of harbour and sea-based assets at 2004 financial year end	Book Value (in rands) of land-based assets at 2004 financial year end	Book Value of Harbour and Sea-Based Assets per ton allocated to applicant	Book Value of Land-Based Assets per ton allocated to applicant

9.1.4 Table 4

Annual Catch Allocation (in tons) to the applicant in 2004	Insured Value (in rands) of harbour and sea-based assets at 2004 financial year end	Insured Value (in rands) of land-based assets at 2004 financial year end	Insured Value of Harbour and Sea-Based Assets per ton allocated to applicant	Insured Value of Land-Based Assets per ton allocated to applicant

9.1.5 A detailed explanation of all investment made in marketing activities must be included as an annexure.

9.1.6 A detailed explanation of all investment made in processing activities must be included as an annexure.

**Section 9****Investment**

9.1.7 Has the applicant invested in on-board or land based processing facilities?

☐ Yes ☐ No

9.1.8 If yes, please complete the following table:

Annual Catch Allocation (in metric tons) to the applicant in 2004	Nominal Tons of Applicant's Allocation Processed On Board Vessel	Nominal Tons of Applicant's Allocation Processed on Land	Nominal Tons Processed on Behalf of other Right Holders On Board Vessel	Nominal Tons Processed on Behalf of other Right Holders on Land

**Section 10****Local Economic Development**

10.1 Complete the following table in relation to harbours and landing sites used:

Harbour / Landing Site Name	Tons Landed at Harbour in 2004 calendar year	Percentage of Total Catch Landed in 2004 calendar year
<b>TOTAL</b>		

10.2 At which harbours and landing sites will the applicant land its catches?

Harbour / Landing Site Names	

10.3 Has the applicant made any investment in physical infrastructure at these harbours or landing sites in order to improve or make landing catches at these harbours possible?

☐ Yes ☐ No

**Section 11****Value Add & Enterprise Development**

11.1 Is the applicant directly involved in any value adding process in this fishery?

☐ Yes ☐ No



11.2 Has the applicant been responsible for any enterprise development?

☐ Yes ☐ No

**Section 12****Performance****Financial**

12.1 What is the applicant's **2004** audited, verified or certified Annual Turnover?



12.2 Indicate the rand value and percentage of total turnover derived from this fishery:

Annual Catch Allocation (tons) to the Applicant in 2004	Turnover Generated in 2004 financial year by Annual Catch Allocation	Percentage of Total Turnover

12.3 Complete the following table in relation to ratio performance:

Year	Return on Net Assets (RONA)	Debt: Equity Ratio	Current Ratio	Quick Ratio (Acid Test)
2001				
2002				
2003				
2004				

12.4 Provide the following information in relation to the applicant's income statements:

Year	Turnover	Profit After Tax	Retained Earnings	Dividends Paid / Distribution of Profits
2001				
2002				
2003				
2004				

**Section 12****Performance****Financial**

12.5 Provide the following information in relation to the applicant's balance sheet:

Year	Assets	Long-Term Liabilities	Current Liabilities	Shareholder's Equity / Member's Contribution
2001				
2002				
2003				
2004				

12.6 Provide the following information in relation to the applicant's cash flow:

Year	Net Cash Inflow / Outflow from Operations	Net Cash Inflow / Outflow from Investing Activities	Net Cash Inflow / Outflow from Financing Activities
2001			
2002			
2003			
2004			

**Section 13****Fishing Plan**

13.1 Does the applicant have a fishing plan?

☐ Yes ☐ No

**Section 14****By-Catch and Environmentally Sustainable Practices****By-Catch**

14.1 Indicate the proportion of the applicant's annual catch that is made up of by-catch species:



Year	Annual By-Catch (in tons)	Annual Utilised By-Catch as a Percentage of Total Catch	Annual Unutilised By-Catch, Juvenile Species and Endangered Species as a Percentage of Total Catch
2001			
2002			
2003			
2004			



## Section 14

## By-Catch and Environmentally Sustainable Practices

14.2 Has the applicant put in place any measures to reduce energy and fuel consumption on vessels, and in processing facilities?

☐ Yes ☐ No



14.3 Does the applicant intend to put in place any measures to reduce energy and fuel reduction consumption on vessels, and in processing facilities?

☐ Yes ☐ No



14.4 Has the applicant undertaken or sponsored any research in relation to environmentally sustainable practices?

☐ Yes ☐ No



14.5 Has the applicant put measures in place to reduce damage to sea beds?

☐ Yes ☐ No



## Section 15

## Fishing Levies

15.1 Please provide the following information in relation to levies paid since 2001:

Year	Species	Total Catch in Tons	Levies Paid
2001			
2001			
2001			
2001			
2001			
2002			
2002			
2002			
2002			
2002			
2003			
2003			
2003			
2003			
2003			
2004			
2004			
2004			
2004			
2004			

15.2 What was the date and amount of the applicant's most recent levy payment?

Date  
yyyy/mm/dd

Amount



## Section 16

## Applicant Declaration

I, the undersigned, do hereby make oath and declare that:

- (a) I have read the instructions set out on pages 2 and 3 of this application form;
- (b) the information submitted with and in this Application is true and correct and complete.
- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to my application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) The applicant undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (f) The applicant accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address

I, the undersigned, do hereby make oath and declare that:

## Holding Company Declaration

(a) I have read the instructions set out on pages 2 and 3 of this application form;

(b) the information submitted with and in this Application is true and correct and complete.

(c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;

(d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to the application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;

(e) \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;

(f) \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address

## Section 16

I, the undersigned, do hereby make oath that:

- (a) I have read the instructions set out on pages 2 and 3 of this form;  
 (b) the information submitted with and in this Application is true and correct and complete.

(c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;

(d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to my application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;

(e) \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;

(f) \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

## Sister Company Declaration

## Signature of Authorised Representative of Sister Company (if applicable)

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address

I, the undersigned, do hereby make oath and declare that:

- (a) I have read the instructions set out on pages 2 and 3 of this application form;  
 (b) the information submitted with and in this Application is true and correct and complete.

(c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;

(d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to the application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;

(e) \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;

(f) \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

## JV Partner Declaration

## Signature of Authorised Representative of JV Partner (if applicable)

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address



**SCHEDULES**

**THE APPLICANT CANNOT PROVIDE THE INFORMATION REQUESTED IN ANY OF THE SCHEDULES BELOW, THE APPLICANT MAY SUBMIT AN EXPLANATION FOR THIS IN PLACE OF THAT ANNEXURE**

**Schedule 1 - Applicant Details**

- a) Provide, as Annexure 1A a brief profile of the applicant organisation including an organogram which clearly indicates the applicant's business model including holding company, sister company and joint venture partner relationships. The applicant should pertinently indicate if it intends to apply in more than one sector, is involved in industries other than the fishing industry and if the applicant does rely on information of holding companies, sister companies and joint venture partners in this application. The profile may not exceed 5 pages.
- b) Section 1.3: Provide a copy of a valid company or close corporation registration certificate as Annexure 1B.
- c) Section 1.8.6: Provide a copy of a resolution duly authorising the person named in Section 1.8.6 to be the authorised contact person, as Annexure 1C.

**Schedule 2 - Form of Applicant**

- a) Section 2.1 : Provide a copy of the 2005 permit as Annexure 2A.
- b) Section 2.2: Provide a copy of the letter granting a right as Annexure 2B.
- c) Section 2.3: If the medium term right is currently held by an entity different from the one listed in Section 2.2, provide a detailed explanation as Annexure 2C.
- d) Section 2.5: Provide a copy of a valid SARS tax clearance certificate as Annexure 2D.
- e) Section 2.7: If "Yes," provide a detailed statement describing percentage of shareholding, the name and the registration number of the company as Annexure 2E.
- f) Section 2.8: If "Yes," provide a detailed statement describing percentage of shareholding, the name and the registration number of the company as Annexure 2G.

**Schedule 3 - Compliance**

- a) Section 3.1.1 : If "Yes", provide details and documentation regarding the conduct of the applicant, the identity and conduct of the members, shareholders or directors resulting in the conviction, the dates of conviction, and the penalties imposed as Annexure 3A.
- b) Section 3.1.2: If "Yes", provide details and any documentation of the plea bargain arrangement entered into, and details regarding the conduct and identity of the individuals giving rise to the plea bargain, the dates and specifics of the plea bargain, as Annexure 3B.
- c) Section 3.1.3: If "Yes", provide details and any documentation regarding the admission of guilt fine paid, including information regarding the conduct and identity of the individuals giving rise to the fine, the date of offence and amount paid as Annexure 3C.
- d) Section 3.1.4: If "Yes", provide details and any documentation regarding the offence including information regarding the conduct and identity of the individuals giving rise to the fine, the date of offence and penalty as Annexure 3D.
- e) Section 3.2: If "Yes", provide details regarding the detention, arrest or seizure, including information regarding the conduct and identity of individuals involved as Annexure 3E. Also provide details if a final confiscation or forfeiture order was / was not granted under the Prevention of Organised Crime Act.
- f) Section 3.3: If "Yes", provide details and any documentation including the identity and conduct of individuals giving rise to the Section 28 procedure as Annexure 3F.

**Schedule 4 - Vessel Details**

- a) Section 4.2: For each vessel nominated, provide copies of the following documents:
  - i) SAMSA Safety Certificate(s) as Annexure 4A;
  - ii) South African Certificate(s) of Registry as Annexure 4B;
  - iii) agreement(s) providing access to the vessel if the applicant is not the majority shareholder or the sole owner of the vessel as Annexure 4C;
  - iv) Local General Safety Certificate(s) as Annexure 4D.
- b) If the applicant is unable to furnish any of the above documents for any of the nominated vessels, the applicant must provide an explanation for this as Annexure 4E.

**Schedule 5 - Catch Utilisation**

- a) Section 5.2: If the applicant over- or under-caught by more than 10% in any year, a detailed explanation must be attached as Annexure 5A.

**Schedule 6 - Transformation**

- a) Section 6.3.1: If the applicant completed Section 6.3.1 in respect of the board of directors of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.3.1 for the applicant and the other entities separately, and submit these as Annexure 6A.
- b) Section 6.3.2: If the applicant completed Section 6.3.2 in respect of the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.3.2 for the applicant and the other entities separately, and submit these as Annexure 6B.
- c) Section 6.4.1 : If the applicant completed Section 6.4.1 in respect of the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.4.1 for the applicant and the other entities separately, and submit these as Annexure 6C.
- d) Section 6.4.2: If "Yes," the applicant must provide details of contributions made to medical aid and pension, including details of the classes of beneficiaries, the employer's contributions and the nature of the benefits as Annexure 6D.
- e) Section 6.4.3: If "Yes," the applicant must provide details of the nature of the benefits provided, classes of beneficiaries and the employer's contribution as Annexure 6E.
- 9 Section 6.5, 6.6.1 and 6.6.2: If the applicant completed Sections 6.5, 6.6.1 and 6.6.2 with reference to the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.5, 6.6.1 and 6.6.2 for the applicant and the other entities separately and submit these as Annexure 6F.
- g) Section 6.7.1 : Explain how black shareholding and black voting rights were calculated as Annexure 6G. This annexure should include details of any Black Economic Empowerment deals the applicant has concluded. The annexure must **also** include a complete list of all shareholders, following the flow through principle. This list should indicate the name, identification / registration number, whether the shareholder is black (if natural person), or what percentage of the shareholder is black (if company or close corporation), the gender of the shareholder (if natural person), or what percentage of the shareholder is female (if company or close corporation).
- h) Section 6.7.3: If "Yes," provide details regarding the applicant's employee share scheme, paying particular attention to actual benefits to employees, as well as a copy of the employee share scheme policy as Annexure 6H.

### Schedule 6 - Transformation

- i) Section **6.7.5**: Provide a breakdown of all salaries, loans and dividends paid to shareholders for each year including the name, identification number of the shareholder, as well as whether the shareholder is Black (if natural person, or name and company registration number and percentage black shareholding or interest if juristic person), as Annexure **6I**.
- j) Section **6.7.7**: If the applicant completed any part of the table in question **6.7.7**, the applicant must provide details regarding the entity, the relationship between the applicant and the entity, and whether the applicant or the applicant's holding company have any equity interest in the other entity, as Annexure **6J**.
- k) Section **6.8.1**: Provide a list of all the applicant's members names, identification number, whether the member is black and the gender of the member, as Annexure **6K**.
- l) Section **6.8.3**: If "Yes," provide details of the applicant's employee profit sharing scheme, paying particular attention to actual benefits to employees, as well as a copy of the employee share scheme policy as Annexure **6L**.
- m) Section **6.8.5**: Provide a breakdown of all salaries, loans and profit distribution paid to members for each year, including the name and identification number of the member, as well as whether the member is Black, as Annexure **6M**.
- n) Section **6.8.7**: If the applicant completed any part of the table in question **6.8.7**, the applicant must provide details regarding the entity, the relationship between the applicant and the entity, and whether the applicant or the applicant's holding company have any equity interest in the other entity as Annexure **6N**.
- o) Section **6.9**: Provide a summary of the targets set in the Transformation Plan, the extent to which these were met and the measures taken to reach the targets as Annexure **6O**.
- p) Section **6.10**: If the applicant completed Section **6.10** with reference to the payroll and training budgets of both the applicant and of any other entity(ies) as per the Explanatory Notes, the applicant must complete the table in Section **6.10** for both the applicant and the other entity(ies) separately and submit these as Annexure **6P**.
- q) Section **6.12**: If the applicant completed Section **6.12** with reference to the learnerships of both the applicant and of any other entities as per the Explanatory Notes, the applicant must provide a breakdown of the information required in Section **6.12** for both the applicant and the other entities separately and submit these as Annexure **6Q**.
- r) Section **6.13**: If "Yes" provide a detailed description of the applicant's participation in such skills development programmes, as well as any supporting documentation from the SETA, as Annexure **6R**.
- s) Section **6.14.1** and **6.14.2**: If the applicant completed Sections **6.14.1** and **6.14.2** with reference to the skippers of both the applicant and of any other entities as per the Explanatory Notes, the applicant must provide a breakdown of the information required in Section **6.14.1** and **6.14.2** for both the applicant and the other entities separately and submit these as Annexure **6S**.
- t) Section **6.15**, **6.16** and **6.17**: If the applicant completed Sections **6.15**, **6.16** and **6.17** with reference to the donations of both the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the table in Section **6.17** for both the applicant and the other entities separately and submit these as Annexure **6T**.
- u) Section **6.18**, **6.19** and **6.20**: If the applicant completed Sections **6.18** and **6.19** with reference to the donations of both the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the table in Section **6.20** for both the applicant and the other entities separately and submit these as Annexure **6U**.
- v) Section **6.21**: If "Yes" provide a copy of the Affirmative Procurement Policy as Annexure **6V**.
- w) Section **6.22**: Provide a breakdown of capital and operational expenditure paid to South African suppliers, including the percentage black ownership of these suppliers as Annexure **6W**.
- x) Section **6.23**: If "Yes," explain how the Applicant determined its affirmative procurement spend as Annexure **6X**.

**Schedule 7 - Safety**

- a) Section 7.1: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure 7A.
- b) Section 7.2: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure 7B.
- c) Section 7.3: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure 7C.
- d) Section 7.4: If "Yes," provide a detailed description of the accident as Annexure 7D.
- e) Question 7.5: If "Yes," provide the name, identity number and qualification of each safety officer for each vessel. If "No," please provide a detailed explanation of why the applicant has not appointed a qualified safety officer for each vessel. The information provided under this section must be contained in Annexure 7E.
- f) Section 7.6: If "No," provide a detailed explanation as Annexure 7F.
- g) Section 7.7: If "Yes," provide a copy of the Safe Manning Document as Annexure 7G. If "No," and the nominated vessel is of 25 gross tonnage or more, provide a detailed explanation as Annexure 7G.
- h) Section 7.10: If "Yes," provide a copy of the policy as Annexure 7H. If "No," an explanation of why the applicant does not have an HIV/AIDS policy must be provided as Annexure 7H.
- i) Section 7.11: If "Yes," provide a copy of the Local General Safety Certificate as Annexure 7I. If "No," a detailed explanation must be provided as Annexure 7I.
- j) Section 7.13: If "Yes," provide details and documentation regarding the conduct of the applicant, its members, shareholders or directors resulting in the convictions and penalties imposed as Annexure 7J.
- k) Section 7.14: If "Yes," provide a copy of the plan as Annexure 7K. If "No," provide a detailed explanation of why not as Annexure 7K.

**Schedule 8 - Job Creation**

- a) Section 8.1: The applicant must provide breakdowns as described in the Explanatory Notes as Annexure 8A.
- b) Section 8.1.4: If the applicant completed Questions 8.1.4 with reference to the payrolls of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the table in Question 8.1.4 for both the applicant and the other entities separately, and submit these as Annexure 8B.

**Schedule 9 - Investment**

- a) Section 9.1 and 9.1.2: Provide breakdowns as described in the Explanatory Notes as Annexure 9A.
- b) Section 9.1.5: Provide a detailed explanation of all investments in marketing activities, including investments in distribution channels, product research and market research as Annexure 9B.
- c) Section 9.1.6: Provide a detailed explanation of all investments in processing activities as Annexure 9C.

**Schedule 10 - Local Economic Development**

- a) Section 10.3: If "Yes," provide a detailed explanation of all investments made in order to make landing catches at identified harbours possible as Annexure 10A.

**Schedule 11 - Value Add & Enterprise Development**

- a) Section 11.1: If "Yes," provide a detailed explanation of how the applicant is involved in value adding processes, and what the processes are, as Annexure 11A.
- b) Section 11.2: If "Yes," provide a detailed explanation of how the applicant is responsible for enterprise development as Annexure 11B.

**Schedule 12 - Performance (Financial)**

- a) Section 12.1: Provide a copy of the applicant's 2004 audited financial statements as Annexure 12A. The applicant's auditors will be required to confirm its responses to all questions in Section 12.
- b) Section 12.2: If the applicant completed the table in Section 12.2 with reference to the turnover of both the applicant and of any other entity(ies) as per the Explanatory Notes, the applicant must complete the table in Section 12.2 for both the applicant and the other entity(ies) separately and submit these as Annexure 12B.

**Schedule 13 - Fishing Plan**

- a) Section 13: If "Yes," provide a synopsis of the applicant's fishing plan as Annexure 13A, paying particular attention to:
- a) days to be spent fishing per vessel nominated;
  - b) areas to be targeted;
  - c) species to be targeted and mix of species;
  - d) expected size of species to be targeted;
  - e) detailed information regarding:
    - Age
    - Size
    - Gear
    - Fishing capacity and
    - Processing capacity of each nominated vessel (where appropriate).

The fishing plan must clearly demonstrate the applicant's ability to perform effectively in the fishery.

**Schedule 14 - By-Catch and Environmentally Sustainable Practices**

- a) Section 14.1: Provide a detailed explanation of how the applicant manages bycatch, as Annexure 14A.
- b) Section 14.2: Provide a detailed explanation of measures put in place to reduce energy and fuel consumption on vessels and in processing facilities, as Annexure 14B.
- c) Section 14.3: Provide a detailed explanation of intended measures to reduce energy and fuel consumption on vessels and in processing facilities, as Annexure 14C.
- d) Section 14.4: Provide a detailed explanation of any research undertaken or sponsored by the applicant in relation to environmentally sustainable practices, as Annexure 14D.
- e) Section 14.5: Provide a detailed explanation of measures put in place to reduce damage to sea beds as Annexure 14E.

**FOR OFFICIAL USE ONLY: DO NOT TEAR OFF****RECEIPT**

Received by: \_\_\_\_\_

Date of Receipt: 14 July 2005 or 15 July 2005

Time of Receipt: \_\_\_\_\_ h \_\_\_\_\_

Application Number: \_\_\_\_\_

Departmental Stamp: \_\_\_\_\_

**Disclaimer:** The receipting of this application does not imply an acknowledgement of the completeness of the application or the correctness of its content.

**RECEIPT - FOR APPLICANT TO RETAIN**

Received by: \_\_\_\_\_

Date of Receipt: 14 July 2005 or 15 July 2005

Time of Receipt: \_\_\_\_\_ h \_\_\_\_\_

Application Number: \_\_\_\_\_

Departmental Stamp: \_\_\_\_\_

**Disclaimer:** The receipting of this application does not imply an acknowledgement of the completeness of the application or the correctness of its content.

APPLICATION NUMBER: ☐ lock the app no.

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM

BRANCH: MARINE AND COASTAL MANAGEMENT

# Horse Mackerel

**Long Term Rights Allocation Process: 2005****Cluster A****Application Form For: Medium Term Right Holders**

Registered Name of Applicant

Company Registration Number  
orClose Corporation Registration  
Number

Principal Place of Business

Number of Vessels Nominated



## INSTRUCTIONS

### GENERAL

- 1) This application form must be read together with these Instructions, the Explanatory Notes, the Schedules to the application form and the Procedures for Independent Auditors (available on the Public Accountants' and Auditors' Board website, [www.paab.co.za](http://www.paab.co.za) or [www.saica.co.za](http://www.saica.co.za)).
- 2) When completing the application form, applicants are advised to read carefully the General Policy on the Allocation and Management of Long Term Fishing Rights, as well as the applicable Fishery Specific Policy. These policies are available at [www.mcm-deat.gov.za](http://www.mcm-deat.gov.za). The policies guide the Minister or his delegate when considering the application.
- 3) Should the applicant have any queries regarding the completion of the application form, it must e-mail the Department at [clusters@deat.gov.za](mailto:clusters@deat.gov.za). Every query and response **will** be collated and circulated by e-mail to all the applicants in the sector and will be made available on [www.mcm-deat.gov.za](http://www.mcm-deat.gov.za). Should the applicant require technical assistance with the application form **software**, it must contact the Rights Verification Unit in one of the following ways:

Tel: (021) 670-3669

Fax: (021) 670-1782

E-mail: [RVU@deloitte.co.za](mailto:RVU@deloitte.co.za)

Applicants or their representatives may **not communicate** with the Minister, the delegated authority, or officials in the Department regarding their applications in any other manner. Moreover, no reliance may be placed on any information given or obtained in any other manner.

### ICONS

- 4) Applicants must pay attention to the icons in the application form in order to determine whether:

- the information provided will be treated as confidential;
- there is any documentation or information required in response to a question in the form of an annexure;
- the applicant's auditors need to verify a response; and
- there are consequences of not answering a question.

- 5) The application form makes use of the following icons:



The books icon means that the information provided will be treated as confidential.



The clipboard icon means that the applicant must complete the corresponding Schedule to the application form. Applicants are instructed in the schedules regarding the documentation or information required as annexures. If the required documentation or information is not submitted, the application may be adversely affected. Failure to submit certain requested documents or information may result in the application being refused.



The magnifying glass icon means that the applicant's response to the question must be verified by an auditor (registered with the Public Accountants and Auditors board) engaged by the applicant as per the Procedures for Independent Auditors. The auditor must complete and sign the Audit Report on failing which the application will be refused.



The warning icon means that if the applicant fails to answer the question, the answer will be deemed to be adverse to the applicant.

### COMPLETION OF APPLICATION FORM

- 6) The applicant must complete **all sixteen** sections of the application form. The applicant must respond in the spaces provided in the application form. Information may not be submitted by way of annexures except where applicants are specifically allowed to do so.
- 7) The application form must be completed electronically, and saved onto the **two** blank CDs provided on registration. One of these CDs must be submitted in the manner described below, while the other must be retained by the Applicant. Annexures to the application form do not need to be scanned and saved on to the CDs. The Department may request additional electronic copies of the application at a later stage.
- 8) This form is tagged and coded in order to facilitate electronic uploading of the application into a database. The applicant may not submit the application in any other form. If the applicant submits its application in any other form, the application will be refused.
- 9) The application must also be printed out and the declaration must be signed and attested by the Applicant's authorised representative, and, if applicable, the authorised **representative(s)** of the holding company, sister company(ies) and the joint venture partner(s). If the declaration is not signed and attested, the application will be refused.
- 10) The printed version of the electronic application, duly signed and attested, must be punched and placed into lever arch files with a divider before each annexure. The annexures **must** be numbered according to the schedules. Confidential information requested under questions marked by the books icon should be placed in a sealed A4 envelope marked with the application number, punched and placed in the lever arch file after the annexures.

**IMPORTANT INFORMATION****INSTRUCTIONS**

- 11) One true copy of the printed version of the application must be made. This copy must be punched and divided in the same manner as the original. The copy does not have to be certified as a true copy of the original, but it will be assumed to be the same as the original. Any discrepancy may invalidate the application.

**LODGEMENT OF APPLICATION**

- 12) The CD containing the application, the original printed version (signed and attested), and a copy of the printed version must be hand delivered to the place, on the dates and times stated below

Place: Good Hope Centre

Dates and Times: Thursday 14 July 2005 between 08h00 and 19h00, or Friday 15 July between 08h00 and 17h00

- 13) The application may not be submitted by post or by fax. An application not submitted by hand within the above times, on the above dates at the above address will be refused.

**IMPROPER LODGEMENT**

- 14) Improperly lodged applications will be refused.

An application is improperly lodged if:

- it is received late;
- the applicant makes no payment, or short payment, or late payment of the application fee;
- the application is lodged in a manner contrary to the instructions.

**MATERIAL DEFECTS**

- 15) Applications that are materially defective will be refused.

An application is materially defective if:

- the declaration is not signed and attested by the Applicant's authorised representative, and, if applicable, the authorised representative(s) of the holding company, sister company(ies) and the joint venture partner(s).
- the auditor's report is not submitted or signed;
- more than one application is received for a right in the same sector;
- the applicant, or, if applicable, the holding company, sister company(ies) and the joint venture partner(s) provides false information or documents, fails to disclose material information or attempts to influence the Minister or the delegated authority other than in the manner provided for in the General Policy and in this application form.

**Section 1****Applicant Details**

1. The applicant must supply a profile of its organisation including an organogram and a description of its fishing operations, as Schedule 1A. 

1.1 Registered Name of Applicant

1.2 Trading Name of Applicant:

1.3 Registration Number:

1.4 Income Tax Number:

1.5 Vat Number:

1.6 Skills Development Levy Number:

1.7 Have the applicant's details (1.8.1 - 1.8.7d) changed since the applicant registered?

☐ Yes ☐ No

1.8 If "Yes", complete only those details that have changed:

1.8.1 Principal Place of Business:

Number and Street

Suburb:

Town / City:

Postal Code:

1.8.2 Postal Address: Number and Street / PO Box:

Suburb:

Town / City:

Postal Code:

Area Code:

1.8.3 Telephone Number:

1.8.4 Additional Telephone Number:

1.8.5 Fax Number:

1.8.6 Authorised Contact Person First Name:

1.8.7 Authorised Contact Person Surname:

a) Identity Number:

b) Position Held/ Relationship to Applicant

c) Cellular Number:

d) E-mail Address:

## Section 2

## Form of Applicant

2.1 Does the applicant currently hold a medium term fishing right in this sector?

☐ Yes ☐ No



2.2 If "Yes", to which entity or person was the medium term fishing right allocated in 2001/2002?

<input checked="" type="checkbox"/> Company	<input type="checkbox"/>	Name	
<input type="checkbox"/> Close Corporation	<input type="checkbox"/>	Name	
<input type="checkbox"/> Trust	<input type="checkbox"/>	Name	
<input type="checkbox"/> Individual	<input type="checkbox"/>	Name	

2.3 In what form of entity is the medium term fishing right currently held?



<input type="checkbox"/> Company	<input type="checkbox"/>	Name	
<input type="checkbox"/> Close Corporation	<input type="checkbox"/>	Name	
<input type="checkbox"/> Trust	<input type="checkbox"/>	Name	
<input type="checkbox"/> Individual	<input type="checkbox"/>	Name	

2.4 Is the applicant more than 50% South African owned?

☐ Yes ☐ No



2.5 Does the applicant have a valid tax clearance certificate?

☐ Yes ☐ No



2.6 Complete the following table in relation to asset value and turnover:

Year	Turnover	Gross Asset Value (excluding fixed property)
2004 (Financial Year End)		

2.7 Does the applicant hold any share(s) in any other company that is applying as a medium term right holder in this sector?

☐ Yes ☐ No



2.8 Does the applicant hold any share(s) in any company that is applying as a new entrant in this sector?

☐ Yes ☐ No



## Section 3

## Compliance

3.1 Has the applicant, or any of its members, shareholders or directors:

3.1.1 been convicted of a contravention of the MLRA, or the regulations, or permit conditions during the medium term right period?

☐ Yes ☐ No



3.1.2 entered into a plea bargain under the Criminal Procedure Act 51 of 1977, for a contravention of the MLRA, or the regulations, or permit conditions during the medium term right period?

☐ Yes ☐ No



3.1.3 paid an admission of guilt fine for a contravention of the MLRA, the regulations, or the permit conditions during the medium term right period?

☐ Yes ☐ No



**Section 3****Compliance**

3.1.4 been charged with an offence under the MLRA, or the regulations or permit conditions during the medium term right period?

☐ Yes ☐ No



3.2 Has a fishing vessel, motor vehicle, premises or any other assets of the applicant, or any of its shareholders, members or directors been detained, arrested or seized under the MLRA or restrained, preserved, confiscated or forfeited under the Prevention of Organised Crime Act 121 of 1998 during the medium term right period?

☐ Yes ☐ No



3.3 Was the applicant's right or permit suspended, revoked, cancelled, reduced or altered under section 28 of the MLRA during the medium term right period?

☐ Yes ☐ No

**Section 4****Vessel Details**

4.1 How many vessels has the applicant nominated for use in this fishery?

4.2 Fill in the relevant details in the tables below regarding each vessel nominated:



Vessel 1	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 2	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	

## Section 4

## Vessel Details



Vessel 3	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 4	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 5	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	

**Section 5****Catch Utilisation**

5.1 Did the applicant over-catch or under-catch by more than 10% during the medium term rights period?

☒ Yes ☐ No



5.2 Complete the following in relation to the applicant's catch records.



Year	Annual Catch Allocation (in metric tons)	Total Actual Catch of Applicants Allocation (Nominal tone)	Percentage under-caught	Percentage over-caught
2002 Season				
2003 Season				
2004 Season				

**Section 6****Transformation****Management and Employment Equity**

6.1 Was the applicant a designated employer as defined in section 1 of the Employment Equity Act, 55 of 1998 as at 28 February 2005?

☐ Yes ☐ No



6.2.1 If "Yes", has the applicant complied with the Employment Equity Act, 55 of 1998?

☐ Yes ☐ No



6.2.2 If "No", has the applicant voluntarily complied with the Employment Equity Act, 55 of 1998?

☐ Yes ☐ No





**Section 6****Transformation****Management and Employment Equity**

6.3.1 Complete the table **below** in respect of the applicant's board of directors (if a company) or members (if a close corporation) as at 28 February 2005.



	Director / Member Name (Initial & Surname)	Years of Service	Total Annual Remuneration (Total Cost to Company)	Black (Y/N)	Gender (M/F)	ID Number
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						

## Section 6

## Transformation

## Management and Employment Equity

6.3.2 Complete the table below in respect of employees at 28 February 2005.



Between 1 - 5 Employees	The Top Salary Earner (Total Cost to Company)
Between 6 - 30 Employees	The Top Two Salary Earners (Total Cost To Company)
Between 31 - 60 Employees	The Top 3 Salary Earners (Total Cost to Company)
Between 61 - 165 Employees	The Top 4 Salary (Total Cost to Company) Earners
More than 165 Employees	The Top 3% of Salary Earners (Total Cost to Company) up to 90 Employees

	Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black (Y/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							

## Section 6

## Transformation

## Management and Employment Equity




	Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black (Y/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
20							
21							
22							
23							
24							
25							
26							
27							
28							
29							
30							
31							
32							
33							
34							
35							
36							
37							
38							
39							
40							
41							
42							
43							
44							
45							
46							
47							
48							
49							
50							
51							
52							
53							
54							
55							

## Section 6

## Transformation

## Management and Employment Equity



	Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black (Y/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
56							
57							
58							
59							
60							
61							
62							
63							
64							
65							
66							
67							
68							
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80							
81							
82							
83							
84							
85							
86							
87							
88							
89							
90							

## Section 6

## Transformation

## Management and Employment Equity

6.4.1 Complete the following table in relation to income levels of the applicant's permanent employees at 28 February 2005:

	Gross Monthly Income (Total Cost to Company)	Number of Employees	Percentage of Total Employees	Number of Black Employees	Percentage of Total Black Employees	Number of Female Employees
1	<R2 500					
2	Between R2 500 and R5 500					
3	Between R5 501 and R10 500					
4	Between R10 501 and R16 000					
5	Between R16 001 and R20 000					
6	Between R20 001 and R25 000					
7	Between R25 001 and R30 000					
8	Between R30 001 and R40 000					
9	Between R40 001 and R60 000					
10	>R60 000					
	Total		100%		100%	

6.4.2 Does the applicant contribute towards medical aid and pension for its employees?

☐ Yes ☐ No

6.4.3 Does the applicant provide any other type of benefits for its employees?

☐ Yes ☐ No

6.5 Complete the following table in relation to the applicant's employment equity profile as provided to the Department of Labour in October 2004. If the applicant is not designated or did not voluntarily comply then the table must be completed as at 28 February 2005.

Occupational Categories	Gender									Total	
		A No	A %	C No	C %	I No	I %	W No	W %	ACI %	F %
Top & Senior Management / Senior Officials and Managers	Male										
	Female										
Professionally Qualified and experienced specialists and mid-management / Professionals	Male										
	Female										
Skilled Technical and academically qualified workers, supervisors, foremen, and superintendents / Technicians and Associate Professionals	Male										
	Female										
Semi-skilled and discretionary decision-making / Clerks, Service & Sales Workers, Fishery Workers, Artisans & Related Trade Workers, Plant & Machine Operators & Assemblers, Elementary Occupations	Male										
	Female										
TOTAL	Male										
	Female										

A = African, C = Coloured, I = Indian, W = White, M = Male, F = Female, ACI = African, Coloured and Indian

## Section 6

## Transformation

## Management and Employment Equity

6.6.1 Complete the tables below in relation to employment equity figures for Senior **Officials** and **Managers** only.

[illegible]

6.6.2 Complete the tables below in relation to employment equity figures for **Professionals** only.

[illegible]

**Section 6****Transformation****Ownership - Companies Only**

6.7 Is the applicant a company?

☐ Yes ☐ No

6.7.1 If "Yes", complete the table below in respect of shareholding held by black persons:

Year	Percentage Shareholding Held by Black Persons	Percentage Voting Rights Held by Black Persons	Percentage of Dividends Black Shareholders are Entitled To
2001 (as in 2001 application form)			
2005 (at date of application)			

6.7.2 Complete the following table in relation to shareholding held by women based on the flow through principle:

Year	Percentage Shareholding Held by Women	Percentage Voting Rights Held by Women	Percentage of Dividends Women are Entitled To
2005 (at date of application)			

6.7.3 Did the applicant have a share scheme in place in 2004 for employees?

☐ Yes ☐ No

6.7.4 If "Yes", what is the percentage shareholding held by or for employees not listed under question 6.3.2, through the scheme?

6.7.5 Complete the following table in relation to monies paid to shareholders:

Year	Salaries Paid to Shareholders	Loans Made to Shareholders	Dividends Paid to Shareholders
2002 (financial year)			
2003 (financial year)			
2004 (financial year)			

6.7.6 Was the applicant managed by another entity, or was the catching, processing or marketing of the 2004 allocation in this fishery performed by another entity during the 2004 financial year?

☐ Yes ☐ No

6.7.7 If "Yes", complete the table below:

Function	Rand Amount Paid to Other Entity during the 2004 Financial Year	Rand Amount as a Percentage of the Applicant's Total Turnover in 2004
Management		
Catching		
Processing		
Marketing		



## Section 6

## Transformation

## Ownership - Close Corporations Only

6.8 Is the applicant a close corporation?

☐ Yes ☐ No

6.8.1 If "Yes", complete the table below in respect of members interest held by black persons:

Year	Percentage Interest Held by Black Persons	Percentage Voting Rights Held by Black Persons	Percentage Profit Distribution Black Persons are Entitled To
2001 (as in 2001 application form)			
2005 (as at date of application)			

6.8 Complete the table below in relation to members interest held by women:

Year	Percentage Interest Held by Women	Percentage Voting Rights Held by Women	Percentage Profit Distribution Women are Entitled To
2005 (as at date of application)			

6.8.3 Did the applicant have a profit sharing scheme for employees in place in 2004?

☐ Yes ☐ No

6.8.4 If "Yes", what percentage of profit were employees not listed under question 6.3.2 entitled to?

6.8.5 Complete the following table in relation to monies paid to members:

Year	Salaries Paid to Members	Loans Made to Members	Profit Distributed to Members
2002 (financial year)			
2003 (financial year)			
2004 (financial year)			

6.8.6 Was the applicant managed by another entity, or was the catching processing or marketing performed by another entity during the 2004 financial year?

☐ Yes ☐ No

6.8.7 If "Yes", complete the table below:

Function	Rand Amount Paid to Other Entity	Rand Amount as a Percentage of the Applicant's Turnover in 2004
Management		
Catching		
Processing		
Marketing		

## Section 6

## Transformation

## Skills Development

6.9 Has the applicant met the targets set in the Transformation Plan submitted in 2001? ☐ Fully ☐ Somewhat/Partially ☐ Not at all ☒

6.10 Complete the following table in relation to compliance with the Skills Development Levies Act 9 of 1998:

Year	Did the applicant submit Workplace Skills Plan which was approved (Y/N)	Did the applicant submit an Annual Training Report which was approved (Y/N)	Rand Amount Paid to SARS in skills development levies	Percentage Salaries Spent on Training	Percentage of Training Budget Spent on Black Employees
2001 (financial year end)					
2002 (financial year end)					
2003 (financial year end)					
2004 (financial year end)					

6.11 Did the applicant participate in a learnership programme during the medium term rights period? ☐ Yes ☐ No ☒

6.12 If "Yes," indicate the number of learnerships as a percentage of the employees in respect of whom the applicant prepared IRP5 certificates in 2004 (tax year end).

6.13. Did the applicant participate in any other skills development programmes through ~~its~~ SETA in 2004 such as an SME Support Strategy? ☐ Yes ☐ No ☒

6.14.1 How many skippers are used by the applicant?

6.14.2 What percentage of these skippers are black?

## Corporate Social Investment

6.15 Does the applicant make donations of its annual taxable income which qualify for deduction in terms of section 18A of the Income Tax Act 58 of 1962? ☐ Yes ☐ No ☒

6.16 If "Yes", indicate what percentage of net profit earned in the 2004 financial year these donations amount to: ☒

☐ 0 - 0.5%

☐ 0.5 - 1%

☐ > 1%

## Section 6

## Transformation

## Corporate Social Investment

6.17 Indicate the five largest tax deductible donations made per annum since 2001 in the table below.

Year	Benefiting Organisation	Rand Value of Amount Donated
2001 - 1		
2001 - 2		
2001 - 3		
2001 - 4		
2001 - 5		
Year	Benefiting Organisation	Rand Value of Amount Donated
2002 - 1		
2002 - 2		
2002 - 3		
2002 - 4		
2002 - 5		
Year	Benefiting Organisation	Rand Value of Amount Donated
2003 - 1		
2003 - 2		
2003 - 3		
2003 - 4		
2003 - 5		
Year	Benefiting Organisation	Rand Value of Amount Donated
2004 - 1		
2004 - 2		
2004 - 3		
2004 - 4		
2004 - 5		

6.18 Does the applicant make any other donations (in addition to those which qualify for deduction in terms of section 18A of the Income Tax Act 58 of 1962, but not including school fees)?

☐ Yes ☐ No

6.19 If "Yes", indicate what percentage of net profit earned in the 2004 financial year these other donations amount to :

☐ 0 - 0.5 %

☐ 0.5 - 1 %

☐ > 1 %

6.20 If other donations were made, indicate the five largest such donations made in 2004 in the table below:

Year	Benefiting Organisation	Rand Value of Amount Donated
2004 - 1		
2004 - 2		
2004 - 3		
2004 - 4		
2004 - 5		

**Section 6****Transformation****Affirmative Procurement**

6.21 Does the applicant have a written affirmative procurement policy?

☐ Yes ☐ No



6.22 Provide the following information in relation to the applicant's top ten South African suppliers (operational expenditure) in 2004:



Name of Supplier	Percentage of Black Ownership of Supplier	Amount Paid to Supplier in Rands in 2004	Percentage of Total Expenses

6.23 Has the applicant determined its affirmative procurement spend as a percentage of total procurement spend?

☐ Yes ☐ No



6.24 Has the applicant instituted a system to measure its affirmative procurement spend as a percentage of total procurement spend in future?

☐ Yes ☐ No

**Section 7****Vessel, Crew and Environmental Safety Contraventions**

7.1 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of penalty under section 324 of the Merchant Shipping Act, 57 of 1951?

☐ Yes ☐ No



7.2 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of penalty for contravening the Maritime Occupational Safety Regulations of 1994?

☐ Yes ☐ No



## Section 7

### Vessel, Crew and Environmental Safety Contraventions

- 7.3 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of a penalty for contravening the Crew Accommodation Regulations, 1961? ☐ Yes ☐ No ☒

### Crew Safety and Working Conditions

- 7.4 Has the applicant ever reported an accident in terms of section 6 of the Maritime Occupational Safety Regulations? ☐ Yes ☐ No ☒
- 7.5 Has a qualified safety officer been appointed for each nominated vessel in terms of section 36 of the Maritime Occupational Safety Regulations? ☐ Yes ☐ No ☒
- 7.6 Has every crew member on board each nominated vessel completed the approved safety induction training required by the Merchant Shipping Act, 57 of 1951? ☐ Yes ☐ No ☒
- 7.7 If a nominated vessel is of 25 gross tonnage or more, has the vessel been issued with a valid SAMSA Safe Manning Document required in terms of the Merchant Shipping (Safe Manning) Regulations? ☐ Yes ☐ No ☒
- 7.8 Has the applicant completed a formal safety assessment in terms of Marine Notice no 26 of 2004? ☐ Yes ☐ No ☒
- 7.9 Has the applicant registered with the Commissioner in terms of the Compensation for Occupational Injuries and Diseases Act 130 of 1993? ☐ Yes ☐ No ☒
- 7.10 Does the applicant have an HIV/AIDS policy? ☐ Yes ☐ No ☒

### Vessel Safety

- 7.11 Have the nominated vessel(s) been issued with a valid Local General Safety Certificate? ☐ Yes ☐ No ☒
- 7.12 Are any operational limits imposed on the nominated vessel(s) by the Local General Safety Certificate (E.g. No more than 200 nautical miles off the South African coast)? ☐ Yes ☐ No ☒

### Environmental Safety

- 7.13 Has the applicant, during the medium term right period, been convicted or forfeited a deposit for contravening any part of the Marine Pollution (Prevention of Pollution from Ships) Act 2 of 1986 or Section 30 of the Marine Pollution (Control and Civil Liability) Act 6 of 1981? ☐ Yes ☐ No ☒
- 7.14 Does the applicant have a Garbage Management Plan for each nominated vessel as stipulated in terms of Annex V of Marpol, as set out in the Schedule to the Marine Pollution (Prevention of Pollution from Ships) Act 2 of 1986? ☐ Yes ☐ No ☒

## Section 8

## Job Creation

8.1 Complete the following tables in relation to job creation.

8.1.1 Table 1

Year	Employees in respect of which the applicant prepares IRP5 Certificates (Land Based)	Employees in respect of which the applicant prepares IRP5 Certificates (Sea Based)	Employees in respect of which the applicant does not prepare IRP5 Certificates (Land Based)	Employees in respect of which the applicant does not prepare IRP5 Certificates (Sea Based)	Total Number of Employees (Columns 1- 4)	Total Amount of Salary Bill as per Financial Statements	Percentage increase or decrease in total number of employees
2001 (date of application)							
2002 (financial year end)							
2003 (financial year end)							
2004 (financial year end)							
2005 (28 February 2005)							

8.1.2 Table 2

Applicant's Annual Catch Allocation (in tons) to the applicant in this fishery in 2004	Total Annual Salary Bill (in relation to this fishery) 2004 Financial Year End as per Table 8.1.1	How much does the applicant spend on salaries/wages per ton allocated?

8.1.3 Table 3

Applicant's Annual Catch Allocation (in tons) in this fishery in 2004	Total Employees (in relation to this fishery) (28 February 2005)	How many people does the applicant employ per ton allocated?	Total Employees less Seasonal Employees (in relation to this fishery) (28 February 2005)	How many people (less seasonal employees) does the applicant employ per ton allocated?

8.1.4 Table 4

Applicant's five highest annual salaries (total cost to company) paid between 1 March 2004 and 28 February 2005	Average of top five salaries	What was the multiple between the average of the five lowest and the average of the five highest salaries at 28 February 2005?
Applicant's five lowest annual salaries (total cost to company) paid between 1 March 2004 and 28 February 2005	Average of lowest five salaries	

**Section 9****Investment**

9.1 Complete the following tables:

9.1.1 Table 1

Year	Book Value of Total Fixed Assets (in relation to this fishery)	Percentage Increase or Decrease in Rand Value of Total Fixed Assets (in relation to this fishery)	Total Book Value of Total Land Based Fixed Assets (in relation to this fishery)	Total Book Value of Harbour and Sea Based Fixed Assets (in relation to this fishery)
2002 (financial year end)				
2003 (financial year end)				
2004 (financial year end)				

9.1.2 Table 2

Year	Insured Value of Total Fixed Assets (in relation to this fishery)	Percentage Increase or Decrease in Rand Value of Total Fixed Assets (in relation to this fishery)	Total Insured Value of Total Land Based Fixed Assets (in relation to this fishery)	Total Insured Value of Harbour and Sea Based Fixed Assets (in relation to this fishery)
2002 (financial year end)				
2003 (financial year end)				
2004 (financial year end)				

9.1.3 Table 3

Annual Catch Allocation (in tons) to the applicant in 2004	Book Value (in rands) of harbour and sea-based assets at 2004 financial year end	Book Value (in rands) of land-based assets at 2004 financial year end	Book Value of Harbour and Sea-Based Assets per ton allocated to applicant	Book Value of Land-Based Assets per ton allocated to applicant

9.1.4 Table 4

Annual Catch Allocation (in tons) to the applicant in 2004	Insured Value (in rands) of harbour and sea-based assets at 2004 financial year end	Insured Value (in rands) of land-based assets at 2004 financial year end	Insured Value of Harbour and Sea-Based Assets per ton allocated to applicant	Insured Value of Land-Based Assets per ton allocated to applicant

9.1.5 A detailed explanation of all investment made in marketing activities must be included as an annexure.

9.1.6 A detailed explanation of all investment made in processing activities must be included as an annexure.



## Section 9

### Investment

9.1.7 Has the applicant invested in on-board or land based processing facilities?

☐ Yes ☐ No

9.1.8 If yes, please complete the following table:

Annual Catch Allocation (in metric tons) to the applicant in 2004	Nominal Tons of Applicant's Allocation Processed On Board Vessel	Nominal Tons of Applicant's Allocation Processed on Land	Nominal Tons Processed on Behalf of other Right Holders On Board Vessel	Nominal Tons Processed on Behalf of other Right Holders on Land

## Section 10

### Local Economic Development

10.1 Complete the following table in relation to harbours and landing sites used:

Harbour / Landing Site Name	Tons Landed at Harbour in 2004 calendar year	Percentage of Total Catch Landed in 2004 calendar year
<b>TOTAL</b>		

10.2 At which harbours and landing sites will the applicant land its catches?

Harbour / Landing Site Names

10.3 Has the applicant made any investment in physical infrastructure at these harbours or landing sites in order to improve or make landing catches at these harbours possible?

☐ Yes ☐ No



## Section 11

## Value Add &amp; Enterprise Development

11.1 Is the applicant directly involved in any value adding process in this fishery?

☐ Yes ☐ No



11.2 Has the applicant been responsible for any enterprise development?

☒ Yes ☐ No



## Section 12

## Performance

## Financial

12.1 What is the applicant's 2004 audited, verified or certified Annual Turnover?



12.2 Indicate the rand value and percentage of total turnover derived from this fishery:

Annual Catch Allocation (in tons) to the Applicant in 2004	Turnover Generated in 2004 financial year by Annual Catch Allocation	Percentage of Total Turnover

12.3 Complete the following table in relation to ratio performance:

Year	Return on Net Assets (RONA)	Debt: Equity Ratio	Current Ratio	Quick Ratio (Acid Test)
2001				
2002				
2003				
2004				

12.4 Provide the following information in relation to the applicant's income statements:

Year	Turnover	Profit After Tax	Retained Earnings	Dividends Paid / Distribution of Profits
2001				
2002				
2003				
2004				

**Section 12****Performance****Financial**

12.5 Provide the following information in relation to the applicant's balance sheet:

Year	Assets	Long-Term Liabilities	Current Liabilities	Shareholder's Equity / Member's Contribution
2001				
2002				
2003				
2004				

12.6 Provide the following information in relation to the applicant's cash flow:

Year	Net Cash Inflow / Outflow from Operations	Net Cash Inflow / Outflow from Investing Activities	Net Cash Inflow / Outflow from Financing Activities
2001			
2002			
2003			
2004			

**Section 13****Fishing Plan**

13.1 Does the applicant have a fishing plan?

☐ Yes ☐ No

**Section 14****By-Catch and Environmentally Sustainable Practices****By-Catch**

14.1 Indicate the proportion of the applicant's annual catch that is made up of by-catch species:

Year	Annual By-Catch (in tons)	Annual Utilised By-Catch as a Percentage of Total Catch	Annual Unutilised By-Catch, Juvenile Species and Endangered Species as a Percentage of Total Catch
2001			
2002			
2003			
2004			



## Section 14

## By-Catch and Environmentally Sustainable Practices

14.2 Has the applicant put in place any measures to reduce energy and fuel consumption on vessels, and in processing facilities?

☐ Yes ☐ No



14.3 Does the applicant intend to put in place any measures to reduce energy and fuel reduction consumption on vessels, and in processing facilities?

☒ Yes ☐ No



14.4 Has the applicant undertaken or sponsored any research in relation to environmentally sustainable practices?

☐ Yes ☐ No



14.5 Has the applicant put measures in place to reduce damage to sea beds?

☒ Yes ☐ No



## Section 15

## Fishing Levies

15.1 Please provide the following information in relation to levies paid since 2001:



Year	Species	Total Catch in Tons	Levies Paid
2001			
2001			
2001			
2001			
2001			
2002			
2002			
2002			
2002			
2002			
2003			
2003			
2003			
2003			
2003			
2004			
2004			
2004			
2004			
2004			

15.2 What was the date and amount of the applicant's most recent levy payment?

Date  
yyyy/mm/dd

Amount



## Section 16

## Applicant Declaration

I, the undersigned, do hereby make oath and declare that:

- (a) I have read the instructions set out on pages 2 and 3 of this application form;
- (b) the information submitted with and in this Application is true and correct and complete.
- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to my application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) The applicant undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (f) The applicant accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address

I, the undersigned, do hereby make oath and declare that:

- (a) I have read the instructions set out on pages 2 and 3 of this application form;
- (b) the information submitted with and in this Application is true and correct and complete.
- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to the application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (f) \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

## Holding Company Declaration

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address

**Section 16**

I, the undersigned, do hereby make oath and declare that:

- (a) I have read the instructions set out on pages 2 and 3 of this application form;
- (b) the information submitted with and in this Application is true and correct and complete.
- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to my application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (f) \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

**Sister Company Declaration****Signature of Authorised Representative of Sister Company (if applicable)**

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address

**JV Partner Declaration**

I, the undersigned, do hereby make oath and declare that:

- (a) I have read the instructions set out on pages 2 and 3 of this application form;
- (b) the information submitted with and in this Application is true and correct and complete.
- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to the application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (f) \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

**Signature of Authorised Representative of JV Partner (if applicable)**

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address



**SCHEDULES**

**IF THE APPLICANT CANNOT PROVIDE THE INFORMATION REQUESTED IN ANY OF THE SCHEDULES BELOW, THE APPLICANT MAY SUBMIT AN EXPLANATION FOR THIS IN PLACE OF THAT ANNEXURE**

**Schedule 1 - Applicant Details**

- a) Provide, as Annexure 1A a brief profile of the applicant organisation including an organogram which clearly indicates the applicant's business model including holding company, sister company and joint venture partner relationships. The applicant should pertinently indicate if it intends to apply in more than one sector, is involved in industries other than the fishing industry and if the applicant does rely on information of holding companies, sister companies and joint venture partners in this application. The profile may not exceed 5 pages.
- b) Section 1.3: Provide a copy of a valid company or close corporation registration certificate as Annexure 1B.
- c) Section 1.8.6: Provide a copy of a resolution duly authorising the person named in Section 1.8.6 to be the authorised contact person, as Annexure 1C.

**Schedule 2 - Form of Applicant**

- a) Section 2.1 : Provide a copy of the 2005 permit as Annexure 2A.
- b) Section 2.2: Provide a copy of the letter granting a right as Annexure 2B.
- c) Section 2.3: If the medium term right is currently held by an entity different from the one listed in Section 2.2, provide a detailed explanation as Annexure 2C.
- d) Section 2.5: Provide a copy of a valid SARS tax clearance certificate as Annexure 2D.
- e) Section 2.7: If "Yes," provide a detailed statement describing percentage of shareholding, the name and the registration number of the company as Annexure 2E.
- f) Section 2.8: If "Yes," provide a detailed statement describing percentage of shareholding, the name and the registration number of the company as Annexure 2G.

**Schedule 3 - Compliance**

- a) Section 3.1.1 : If "Yes", provide details and documentation regarding the conduct of the applicant, the identity and conduct of the members, shareholders or directors resulting in the conviction, the dates of conviction, and the penalties imposed as Annexure 3A.
- b) Section 3.1.2: If "Yes", provide details and any documentation of the plea bargain arrangement entered into, and details regarding the conduct and identity of the individuals giving rise to the plea bargain, the dates and specifics of the plea bargain, as Annexure 3B.
- c) Section 3.1.3: If "Yes", provide details and any documentation regarding the admission of guilt fine paid, including information regarding the conduct and identity of the individuals giving rise to the fine, the date of offence and the amount paid as Annexure 3C.
- d) Section 3.1.4: If "Yes", provide details and any documentation regarding the offence including information regarding the conduct and identity of the individuals giving rise to the fine, the date of offence and penalty as Annexure 3D.
- e) Section 3.2: If "Yes", provide details regarding the detention, arrest or seizure, including information regarding the conduct and identity of individuals involved as Annexure 3E. Also provide details if a final confiscation or forfeiture order was / was not granted under the Prevention of Organised Crime Act.
- f) Section 3.3: If "Yes", provide details and any documentation including the identity and conduct of individuals giving rise to the Section 28 procedure as Annexure 3F.

**Schedule 4 - Vessel Details**

- a) Section 4.2: For each vessel nominated, provide copies of the following documents:
- i) SAMSA Safety Certificate(s) as Annexure 4A;
  - ii) South African Certificate(s) of Registry as Annexure 4B;
  - iii) agreement(s) providing access to the vessel if the applicant is not the majority shareholder or the sole owner of the vessel as Annexure 4C;
  - iv) Local General Safety Certificate(s) as Annexure 4D.
- b) If the applicant is unable to furnish any of the above documents for any of the nominated vessels, the applicant must provide an explanation for this as Annexure 4E.

**Schedule 5 - Catch Utilisation**

- a) Section 5.2: If the applicant over- or under-caught by more than 10% in any year, a detailed explanation must be attached as Annexure 5A.

**Schedule 6 - Transformation**

- a) Section 6.3.1: If the applicant completed Section 6.3.1 in respect of the board of directors of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.3.1 for the applicant and the other entities separately, and submit these as Annexure 6A.
- b) Section 6.3.2: If the applicant completed Section 6.3.2 in respect of the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.3.2 for the applicant and the other entities separately, and submit these as Annexure 6B.
- c) Section 6.4.1: If the applicant completed Section 6.4.1 in respect of the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.4.1 for the applicant and the other entities separately, and submit these as Annexure 6C.
- d) Section 6.4.2: If "Yes," the applicant must provide details of contributions made to medical aid and pension, including details of the classes of beneficiaries, the employer's contributions and the nature of the benefits as Annexure 6D.
- e) Section 6.4.3: If "Yes," the applicant must provide details of the nature of the benefits provided, classes of beneficiaries and the employer's contribution as Annexure 6E.
- f) Section 6.5, 6.6.1 and 6.6.2: If the applicant completed Sections 6.5, 6.6.1 and 6.6.2 with reference to the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.5, 6.6.1 and 6.6.2 for the applicant and the other entities separately and submit these as Annexure 6F.
- g) Section 6.7.1: Explain how black shareholding and black voting rights were calculated as Annexure 6G. This annexure should include details of any Black Economic Empowerment deals the applicant has concluded. The annexure must also include a complete list of all shareholders, following the flow through principle. This list should indicate the name, identification / registration number, whether the shareholder is black (if natural person), or what percentage of the shareholder is black (if company or close corporation), the gender of the shareholder (if natural person), or what percentage of the shareholder is female (if company or close corporation).
- h) Section 6.7.3: If "Yes," provide details regarding the applicant's employee share scheme, paying particular attention to actual benefits to employees, as well as a copy of the employee share scheme policy as Annexure 6H.



### Schedule 6 - Transformation

- i) Section **6.7.5**: Provide a breakdown of all salaries, loans and dividends paid to shareholders for each year including the name, identification number of the shareholder, as well as whether the shareholder is Black (if natural person, or name and company registration number and percentage black shareholding or interest if juristic person), as Annexure **6I**.
- j) Section **6.7.7**: If the applicant completed any part of the table in question **6.7.7**, the applicant must provide details regarding the entity, the relationship between the applicant and the entity, and whether the applicant or the applicant's holding company have any equity interest in the other entity, as Annexure **6J**.
- k) Section **6.8.1**: Provide a list of all the applicant's members names, identification number, whether the member is black and the gender of the member, as Annexure **6K**.
- l) Section **6.8.3**: If "Yes," provide details of the applicant's employee profit sharing scheme, paying particular attention to actual benefits to employees, as well as a copy of the employee share scheme policy as Annexure **6L**.
- m) Section **6.8.5**: Provide a breakdown of all salaries, loans and profit distribution paid to members for each year, including the name and identification number of the member, as well as whether the member is Black, as Annexure **6M**.
- n) Section **6.8.7**: If the applicant completed any part of the table in Section **6.8.7**, the applicant must provide details regarding the entity, the relationship between the applicant and the entity, and whether the applicant or the applicant's holding company have any equity interest in the other entity as Annexure **6N**.
- o) Section **6.9**: Provide a summary of the targets set in the Transformation Plan, the extent to which these were met and the measures taken to reach the targets as Annexure **6O**.
- p) Section **6.10**: If the applicant completed Section **6.10** with reference to the payroll and training budgets of both the applicant and of any other entity(ies) as per the Explanatory Notes, the applicant must complete the table in Section **6.10** for both the applicant and the other entity(ies) separately and submit these as Annexure **6P**.
- q) Section **6.12**: If the applicant completed Section **6.12** with reference to the leanerships of both the applicant and of any other entities as per the Explanatory Notes, the applicant must provide a breakdown of the information required in Section **6.12** for both the applicant and the other entities separately and submit these as Annexure **6Q**.
- r) Section **6.13**: If "Yes" provide a detailed description of the applicant's participation in such skills development programmes, as well as any supporting documentation from the SETA, as Annexure **6R**.
- s) Section **6.14.1** and **6.14.2**: If the applicant completed Sections **6.14.1** and **6.14.2** with reference to the skippers of both the applicant and of any other entities as per the Explanatory Notes, the applicant must provide a breakdown of the information required in Section **6.14.1** and **6.14.2** for both the applicant and the other entities separately and submit these as Annexure **6S**.
- t) Section **6.15**, **6.16** and **6.17**: If the applicant completed Sections **6.15**, **6.16** and **6.17** with reference to the donations of both the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the table in Section **6.17** for both the applicant and the other entities separately and submit these as Annexure **6T**.
- u) Section **6.18**, **6.19** and **6.20**: If the applicant completed Sections **6.18** and **6.19** with reference to the donations of both the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the table in Section **6.20** for both the applicant and the other entities separately and submit these as Annexure **6U**.
- v) Section **6.21**: If "Yes" provide a copy of the Affirmative Procurement Policy as Annexure **6V**.
- w) Section **6.22**: Provide a breakdown of capital and operational expenditure paid to South African suppliers, including the percentage black ownership of these suppliers as Annexure **6W**.
- x) Section **6.23**: If "Yes," explain how the Applicant determined its affirmative procurement spend as Annexure **6X**.

**Schedule 7 - Safety**

- a) Section 7.1: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure 7A.
- b) Section 7.2: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure 7B.
- c) Section 7.3: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure 7C.
- d) Section 7.4: If "Yes," provide a detailed description of the accident as Annexure 7D.
- e) Question 7.5: If "Yes," provide the name, identity number and qualification of each safety officer for each vessel. If "No," please provide a detailed explanation of why the applicant has not appointed a qualified safety officer for each vessel. The information provided under this section must be contained in Annexure 7E.
- f) Section 7.6: If "No," provide a detailed explanation as Annexure 7F.
- g) Section 7.7: If "Yes," provide a copy of the Safe Manning Document as Annexure 7G. If "No," and the nominated vessel is of 25 gross tonnage or more, provide a detailed explanation as Annexure 7G.
- h) Section 7.10: If "Yes," provide a copy of the policy as Annexure 7H. If "No," an explanation of why the applicant does not have an HIV/AIDS policy must be provided as Annexure 7H.
- i) Section 7.11: If "Yes," provide a copy of the Local General Safety Certificate as Annexure 7I. If "No," a detailed explanation must be provided as Annexure 7I.
- j) Section 7.13: If "Yes," provide details and documentation regarding the conduct of the applicant, its members, shareholders or directors resulting in the convictions and penalties imposed as Annexure 7J.
- k) Section 7.14: If "Yes," provide a copy of the plan as Annexure 7K. If "No," provide a detailed explanation of why not as Annexure 7K.

**Schedule 8 - Job Creation**

- a) Section 8.1: The applicant must provide breakdowns as described in the Explanatory Notes as Annexure 8A.
- b) Section 8.1.4: If the applicant completed Questions 8.1.4 with reference to the payrolls of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the table in Question 8.1.4 for both the applicant and the other entities separately, and submit these as Annexure 8B.

**Schedule 9 - Investment**

- a) Section 9.1 and 9.1.2: Provide breakdowns as described in the Explanatory Notes as Annexure 9A.
- b) Section 9.1.5: Provide a detailed explanation of all investments in marketing activities, including investments in distribution channels, product research and market research as Annexure 9B.
- c) Section 9.1.6: Provide a detailed explanation of all investments in processing activities as Annexure 9C.

**Schedule 10 - Local Economic Development**

- a) Section 10.3: If "Yes," provide a detailed explanation of all investments made in order to make landing catches at identified harbours possible as Annexure 10A.

**Schedule 11 - Value Add & Enterprise Development**

- a) Section 11.1: If "Yes," provide a detailed explanation of how the applicant is involved in value adding processes, and what the processes are, as Annexure 11A.
- b) Section 11.2: If "Yes," provide a detailed explanation of how the applicant is responsible for enterprise development as Annexure 11B.

**Schedule 12 - Performance (Financial)**

- a) Section 12.1: Provide a copy of the applicant's 2004 audited financial statements as Annexure 12A. The applicant's auditors will be required to confirm its responses to all questions in Section 12.
- b) Section 12.2: If the applicant completed the table in Section 12.2 with reference to the turnover of both the applicant and of any other entity(ies) as per the Explanatory Notes, the applicant must complete the table in Section 12.2 for both the applicant and the other entity(ies) separately and submit these as Annexure 12B

**Schedule 13 - Fishing Plan**

- a) Section 13: If "Yes," provide a synopsis of the applicant's fishing plan as Annexure 13A, paying particular attention to:
- a) days to be spent fishing per vessel nominated;
  - b) areas to be targeted;
  - c) species to be targeted and mix of species;
  - d) expected size of species to be targeted;
  - e) detailed information regarding:
    - Age
    - Size
    - Gear
    - Type (dedicated midwater or deep sea trawler)
    - Fishing capacity and
    - Processing capacity of each nominated vessel (where appropriate).
  - e) whether the horse mackerel will be landed in South Africa for local processing and consumption, or whether the horse mackerel will be transhipped.

The fishing plan must clearly demonstrate the applicant's ability to perform effectively in the fishery.

**Schedule 14 - By-Catch and Environmentally Sustainable Practices**

- a) Section 14.1: Provide a detailed explanation of how the applicant manages bycatch, as Annexure 14A.
- b) Section 14.2: Provide a detailed explanation of measures put in place to reduce energy and fuel consumption on vessels and in processing facilities, as Annexure 14B.
- c) Section 14.3: Provide a detailed explanation of intended measures to reduce energy and fuel consumption on vessels and in processing facilities, as Annexure 14C.
- d) Section 14.4: Provide a detailed explanation of any research undertaken or sponsored by the applicant in relation to environmentally sustainable practices, as Annexure 14D.
- e) Section 14.5: Provide a detailed explanation of measures put in place to reduce damage to sea beds as Annexure 14E.

**FOR OFFICIAL USE ONLY: DO NOT TEAR OFF****RECEIPT**

Received by: \_\_\_\_\_

Date of Receipt: 14 July 2005 or 15 July 2005

Time of Receipt: \_\_\_\_\_ h \_\_\_\_\_

Application Number: \_\_\_\_\_

Departmental Stamp:

**Disclaimer:** The receipting of this application does not imply an acknowledgement of the completeness of the application or the correctness of its content.

**RECEIPT - FOR APPLICANT TO RETAIN**

Received by: \_\_\_\_\_

Date of Receipt: 14 July 2005 or 15 July 2005

Time of Receipt: \_\_\_\_\_ h \_\_\_\_\_

Application Number: \_\_\_\_\_

Departmental Stamp:

**Disclaimer:** The receipting of this application does not imply an acknowledgement of the completeness of the application or the correctness of its content.

APPLICATION NUMBER:)

☐ lock the app no.

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM

BRANCH: MARINE AND COASTAL MANAGEMENT



# Inshore Trawl

**Long Term Rights Allocation Process: 2005****Cluster A****Application Form For: Medium Term Right Holders**

Registered Name of Applicant

Company Registration Number

or

Close Corporation Registration  
Number

Principal Place of Business

Number of Vessels Nominated

**IMPORTANT INFORMATION****INSTRUCTIONS****GENERAL**

- 1) This application form must be read together with these instructions, the Explanatory Notes, the Schedules to the application form and the Procedures for Independent Auditors (available on the Public Accountants' and Auditors' Board website, [www.paab.co.za](http://www.paab.co.za) or [www.saica.co.za](http://www.saica.co.za)).
- 2) When completing the application form, applicants are advised to read carefully the General Policy on the Allocation and Management of Long Term Fishing Rights, as well as the applicable Fishery Specific Policy. These policies are available at [www.mcm-deat.gov.za](http://www.mcm-deat.gov.za). The policies guide the Minister or his delegate when considering the application.
- 3) Should the applicant have any queries regarding the completion of the application form, it must e-mail the Department at [clusters@deat.gov.za](mailto:clusters@deat.gov.za). Every query and response will be collated and circulated by e-mail to all the applicants in the sector and will be made available on [www.mcm-deat.gov.za](http://www.mcm-deat.gov.za). Should the applicant require technical assistance with the application form software, it must contact the Rights Verification Unit in one of the following ways:

Tel: (021) 670-3669

Fax: (021) 670-1782

E-mail: [RVU@deloitte.co.za](mailto:RVU@deloitte.co.za)

Applicants or their representatives may not communicate with the Minister, the delegated authority, or officials in the Department regarding their applications in any other manner. Moreover, no reliance may be placed on any information given or obtained in any other manner.

**ICONS**

- 4) Applicants must pay attention to the icons in the application form in order to determine whether:

- the information provided will be treated as confidential;
- there is any documentation or information required in response to a question in the form of an annexure;
- the applicant's auditors need to verify a response; and
- there are consequences of not answering a question.

- 5) The application form makes use of the following icons:



The books icon means that the information provided will be treated as confidential.



The clipboard icon means that the applicant must complete the corresponding Schedule to the application form. Applicants are instructed in the schedules regarding the documentation or information required as annexures. If the required documentation or information is not submitted, the application may be adversely affected. Failure to submit certain requested documents or information may result in the application being refused.



The magnifying glass icon means that the applicant's response to the question must be verified by an auditor (registered with the Public Accountants and Auditors board) engaged by the applicant as per the Procedures for Independent Auditors. The auditor must complete and sign the Audit Report on failing which the application will be refused.



The warning icon means that if the applicant fails to answer the question, the answer will be deemed to be adverse to the applicant.

**COMPLETION OF APPLICATION FORM**

- 6) The applicant must complete all sixteen sections of the application form. The applicant must respond in the spaces provided in the application form. Information may not be submitted by way of annexures except where applicants are specifically allowed to do so.
- 7) The application form must be completed electronically, and saved onto the ~~two~~ blank CDs provided on registration. One of these CDs must be submitted in the manner described below, while the other must be retained by the Applicant. Annexures to the application form do not need to be scanned and saved on to the CDs. The Department may request additional electronic copies of the application at a later stage.
- 8) This form is tagged and coded in order to facilitate electronic uploading of the application into a database. The applicant may not submit the application in any other form. If the applicant submits its application in any other form, the application will be refused.
- 9) The application must also be printed out and the declaration must be signed and attested by the Applicant's authorised representative, and, if applicable, the authorised representative(s) of the holding company, sister company(ies) and the joint venture partner(s). If the declaration is not signed and attested, the application will be refused.
- 10) The printed version of the electronic application, duly signed and attested, must be punched and placed into lever arch files with a divider before each annexure. The annexures must be numbered according to the schedules. Confidential information requested under questions marked by the books icon should be placed in a sealed A4 envelope marked with the application number, punched and placed in the lever arch file after the annexures.

**IMPORTANT INFORMATION****INSTRUCTIONS**

- 11) One **true** copy of the printed version of the application must be made. This copy must be punched and divided in the same manner as the original. The copy does not have to be **certified** as a true copy of the original, but it will be assumed to be the same as the original. Any discrepancy may invalidate the application.

**LODGEMENT OF APPLICATION**

- 12) The CD containing the application, the original printed version (signed and attested), and a copy of the printed version must be hand delivered to the place, on the dates and times stated below:

Place: Good **Hope** Centre

Dates and Times: Thursday 14 July 2005 between 08h00 and 19h00, or Friday 15 July between 08h00 and 17h00

- 13) The application may not be submitted by post or by fax. An application not submitted by hand within the above times, on the above dates at the above address will be refused.

**IMPROPER LODGEMENT**

- 14) Improperly lodged applications will be refused.

An application is **improperly** lodged if:

- it is received late;
- the applicant makes no payment, or short payment, or late payment of the application fee;
- the application is lodged in a manner contrary to the instructions.

**MATERIAL DEFECTS**

- 15) Applications that are materially defective will be refused.

An application is materially defective if:

- the declaration is not signed and attested by the Applicant's authorised representative, and, if applicable, the authorised **representative(s)** of the holding **company**, sister **company(ies)** and the joint venture **partner(s)**;
- the auditor's report is not submitted or signed;
- more than one application is received for a right in the same sector;
- the applicant, or, if applicable, the holding company, sister company(ies) and the joint venture partner(s) provides **false** information or documents, fails to disclose material information or attempts to influence the Minister or the delegated authority other than in the manner provided for in the General Policy and in this application form.

## Section 1

## Applicant Details

1. The applicant must supply a profile of its organisation including an organogram and a description of its fishing operations, as Schedule 1A. ☒

1.1 Registered Name of Applicant

1.2 Trading Name of Applicant:

1.3 Registration Number:

1.4 Income Tax Number:

1.5 Vat Number:

1.6 Skills Development Levy Number:

- 1.7 Have the applicant's details (1.8.1 - 1.8.7d) changed since the applicant registered?

☐ Yes ☐ No

- 1.8 If "Yes", complete only those details that have changed:

1.8.1 Principal Place of Business:

Number and Street

Suburb:

Town / City:

Postal Code:

1.8.2 Postal Address: Number and Street / PO Box:

Suburb:

Town / City:

Postal Code:

Area Code:

1.8.3 Telephone Number:

1.8.4 Additional Telephone Number:

1.8.5 Fax Number:

1.8.6 Authorised Contact Person First Name:

1.8.7 Authorised Contact Person Surname:

a) Identity Number:

b) Position Held / Relationship to Applicant

c) Cellular Number:

d) E-mail Address:



## Section 2

## Form of Applicant

2.1 Does the applicant currently hold a medium term fishing right in this sector? ☐ Yes ☐ No ☒

2.2 If "Yes", to which entity or person was the medium term fishing right allocated in 2001/2002?

<input checked="" type="checkbox"/>	Company	<input type="checkbox"/>	Name	
	Close Corporation	<input type="checkbox"/>	Name	
	Trust	<input type="checkbox"/>	Name	
	Individual	<input type="checkbox"/>	Name	

2.3 In what form of entity is the medium term fishing right currently held? ☒

<input type="checkbox"/>	Company	<input type="checkbox"/>	Name	
<input type="checkbox"/>	Close Corporation	<input type="checkbox"/>	Name	
<input type="checkbox"/>	Trust	<input type="checkbox"/>	Name	
<input type="checkbox"/>	Individual	<input type="checkbox"/>	Name	

2.4 Is the applicant more than 50% South African owned? ☐ Yes ☐ No ☒

2.5 Does the applicant have a valid tax clearance certificate? ☐ Yes ☐ No ☒

2.6 Complete the following table in relation to asset value and turnover:

Year	Turnover	Gross Asset Value (excluding fixed property)
2004 (Financial Year End)		

2.7 Does the applicant hold any share(s) in any other company that is applying as a medium term right holder in this sector? ☐ Yes ☐ No ☒

2.8 Does the applicant hold any share(s) in any company that is applying as a new entrant in this sector? ☐ Yes ☐ No ☒

## Section 3

## Compliance

3.1 Has the applicant or any of its members, shareholders or directors:







3.1.1 been convicted of a contravention of the MLRA, or the regulations, or permit conditions during the medium term right period? ☐ Yes ☐ No ☒

3.1.2 entered into a plea bargain under the Criminal Procedure Act 51 of 1977, for a contravention of the MLRA, or the regulations, or permit conditions during the medium term right period? ☐ Yes ☐ No ☒

3.1.3 paid an admission of guilt fine for a contravention of the MLRA, the regulations, or the permit conditions during the medium term right period? ☐ Yes ☐ No ☒

## Section 3


## Compliance

- 3.1.4 been charged with an offence under the **MLRA**, or the regulations or permit conditions during the medium term right period? ☐ Yes ☐ No  
- 3.2 Has a fishing vessel, motor vehicle, premises or any other assets of the applicant, or any of its shareholders, members or directors been detained, arrested or seized under the **MLRA** or restrained, preserved, confiscated or forfeited under the Prevention of Organised Crime Act 121 of 1998 during the medium term right period? ☐ Yes ☐ No  
- 3.3 Was the applicant's right or permit suspended, revoked, cancelled, reduced or altered under section 28 of the **MLRA** during the medium term right period? ☐ Yes ☐ No  

## Section 4

## Vessel Details

4.1 How many vessels has the applicant nominated for use in this fishery?

4.2 Fill in the relevant details in the tables below regarding each vessel nominated: 

Vessel 1	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	

Vessel 2	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	

## Section 4

## Vessel Details



Vessel 3	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 4	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 5	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	

**Catch Utilisation**

5.1 Did the applicant over-catch or under-catch by more than 10% during the medium term rights period?

☐ Yes ☐ No



5.2 Complete the following in relation to the applicant's catch records.



Year	Annual Catch Allocation (in metric tons)	Total Actual Catch of Applicants Allocation (Nominal tons)	Percentage under-caught	Percentage over-caught
2002 Season				
2003 Season				
2004 Season				

**Section 6****Transformation****Management and Employment Equity**

6.1 Was the applicant a designated employer as defined in section 1 of the Employment Equity Act, 55 of 1998 as at 28 February 2005?

☐ Yes ☐ No



6.2.1 If "Yes", has the applicant complied with the Employment Equity Act, 55 of 1998?

☐ Yes ☐ No



6.2.2 If "No", has the applicant voluntarily complied with the Employment Equity Act, 55 of 1998?

☐ Yes ☐ No



## Section 6

## Transformation

## Management and Employment Equity

6.3.1 Complete the table below in respect of the applicant's board of directors (if a company) or members (if a close corporation) as at 28 February 2005.



	Director / Member Name (Initial & Surname)	Years of Service	Total Annual Remuneration (Total Cost to Company)	Black (Y/N)	Gender (M/F)	ID Number
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						

## Section 6

## Transformation

## Management and Employment Equity

6.3.2 Complete the table below in respect of employees at 28 February 2005.



Between 1 - 5 Employees	The Top Salary Earner (Total Cost to Company)
Between 6 - 30 Employees	The Top Two Salary Earners (Total Cost To Company)
Between 31 - 60 Employees	The Top 3 Salary Earners (Total Cost to Company)
Between 61 - 165 Employees	The Top 4 Salary (Total Cost to Company) Earners
More than 165 Employees	The Top 3% of Salary Earners (Total Cost to Company) up to 90 Employees

	Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black (Y/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							

## Section 6

## Transformation

## Management and Employment Equity



	Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black (V/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
20							
21							
22							
23							
24							
25							
26							
27							
28							
29							
30							
31							
32							
33							
34							
35							
36							
37							
38							
39							
40							
41							
42							
43							
44							
45							
46							
47							
48							
49							
50							
51							
52							
53							
54							
55							

## Section 6

## Transformation

## Management and Employment Equity



	Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black (Y/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
62							
63							
64							
65							
66							
67							
68							
69							
70							
71							
72							
73							
74							
75							
76							
77							
78							
79							
80							
81							
82							
83							
84							
85							
86							
87							
88							
89							
90							



## Section 6

## Transformation

## Management and Employment Equity

6.4.1 Complete the following table in relation to income levels of the applicant's permanent employees at 28 February 2005:

	Gross Monthly Income (Total Cost to Company)	Number of Employees	Percentage of Total Employees	Number of Black Employees	Percentage of Total Black Employees	Number of Female Employees
1	<R2 500					
2	Between R2 500 and R5 500					
3	Between R5 501 and R10 500					
4	Between R10 501 and R16 000					
5	Between R16 001 and R20 000					
6	Between R20 001 and R25 000					
7	Between R25 001 and R30 000					
8	Between R30 001 and R40 000					
9	Between R40 001 and R60 000					
10	>R60 000					
	Total		100%		100%	

6.4.2 Does the applicant contribute towards medical aid and pension for its employees?

☐ Yes ☐ No

6.4.3 Does the applicant provide any other type of benefits for its employees?

☐ Yes ☐ No

6.5 Complete the following table in relation to the applicant's employment equity profile as provided to the Department of Labour in October 2004. If the applicant is not designated or did not voluntarily comply then the table must be completed as at 28 February 2005.

										Total	
Occupational Categories	Gender	A No	A %	C No	C %	I No	I %	W No	W %	ACI %	F %
Top & Senior Management / Senior Officials and Managers	Male										
	Female										
Professionally Qualified and experienced specialists and mid-management / Professionals	Male										
	Female										
Skilled Technical and academically qualified workers, supervisors, foremen, and superintendents / Technicians and Associate Professionals	Male										
	Female										
Semi-skilled and discretionary decision-making / unskilled and unskilled decision-making / Clerks, Service & Sales Workers, Fishery Workers, Artisans & Related Trade Workers, Plant & Machine Operators & Assemblers, Elementary Occupations	Male										
	Female										
TOTAL	Male										
	Female										

A = African, C = Coloured, I = Indian, W = White, M = Male, F = Female, ACI = African, Coloured and Indian

## Section 6

## Transformation

## Management and Employment Equity

**6.6.1 Complete the tables below in relation to employment equity figures for Senior Officials and Managers only.**

[illegible]

**6.6.2 Complete the tables below in relation to employment equity figures for Professionals only.**

[illegible]

**Section 6****Transformation****Ownership - Companies Only**

6.7 Is the applicant a company?

☐ Yes ☐ No

6.7.1 If "Yes", complete the table below in respect of shareholding held by black persons:

Year	Percentage Shareholding Held by Black Persons	Percentage Voting Rights Held by Black Persons	Percentage of Dividends Black Shareholders are Entitled To
2001 (as in 2001 application form)			
2005 (at date of application)			

6.7.2 Complete the following table in relation to shareholding held by women based on the flow through principle:

Year	Percentage Shareholding Held by Women	Percentage Voting Rights Held by Women	Percentage of Dividends Women are Entitled To
2005 (at date of application)			

6.7.3 Did the applicant have a share scheme in place in 2004 for employees?

☐ Yes ☐ No

6.7.4 If "Yes", what is the percentage shareholding held by or for employees not listed under question 6.3.2 through the scheme?

6.7.5 Complete the following table in relation to monies paid to shareholders:

Year	Salaries Paid to Shareholders	Loans Made to Shareholders	Dividends Paid to Shareholders
2002 (financial year)			
2003 (financial year)			
2004 (financial year)			

6.7.6 Was the applicant managed by another entity, or was the catching, processing or marketing of the 2004 allocation in this fishery performed by another entity during the 2004 financial year?

☐ Yes ☐ No

6.7.7 If "Yes", complete the table below:

Function	Rand Amount Paid to Other Entity during the 2004 Financial Year	Rand Amount as a Percentage of the Applicant's Total Turnover in 2004
Management		
Catching		
Processing		
Marketing		

## Section 6

## Transformation

## Ownership - Close Corporations Only

6.8 Is the applicant a close corporation?

☐ Yes ☐ No

6.8.1 If "Yes", complete the table below in respect of members interest held by black persons:

Year	Percentage Interest Held by Black Persons	Percentage Voting Rights Held by Black Persons	Percentage Profit Distribution Black Persons are Entitled To
2001 (as in 2001 application form)			
2005 (as at date of application)			

6.8.2 Complete the table below in respect of members interest held by women:

Year	Percentage Interest Held by Women	Percentage Voting Rights Held by Women	Percentage Profit Distribution Women are Entitled To
2005 (as at date of application)			

6.8.3 Did the applicant have a profit sharing scheme for employees in place in 2004?

☐ Yes ☐ No

6.8.4 If "Yes", what percentage of profit were employees not listed under question 6.3.2 entitled to?

6.8.5 Complete the following table in relation to monies paid to members:

Year	Salaries Paid to Members	Loans Made to Members	Profit Distributed to Members
2002 (financial year)			
2003 (financial year)			
2004 (financial year)			

6.8.6 Was the applicant managed by another entity, or was the catching processing or marketing performed by another entity during the 2004 financial year?

☐ Yes ☐ No

6.8.7 If "Yes", complete the table below:

Function	Rand Amount Paid to Other Entity	Rand Amount as a Percentage of the Applicant's Turnover in 2004
Management		
Catching		
Processing		
Marketing		

## Section 6

## Transformation

## Skills Development

6.9 Has the applicant met the targets set in the Transformation Plan submitted in 2001? ☐ Fully ☐ Somewhat/Partially ☐ Not at all

6.10 Complete the following table in relation to compliance with the Skills Development Levies Act 9 of 1998:

Year	Did the applicant submit Workplace Skills Plan which was approved (Y/N)	Did the applicant submit an Annual Training Report which was approved (Y/N)	Rand Amount Paid to SARS in skills development levies	Percentage Salaries Bill Spent on Training	Percentage of Training Budget Spent on Black Employees
2001 (financial year end)					
2002 (financial year end)					
2003 (financial year end)					
2004 (financial year end)					

6.11 Did the applicant participate in a learnership programme during the medium term rights period? ☐ Yes ☐ No

6.12 If "Yes," indicate the number of learnerships as a percentage of the employees in respect of whom the applicant prepared IRP5 certificates in 2004 (tax year end).

6.13. Did the applicant participate in any other skills development programmes through its SETA in 2004 such as an SME Support Strategy?

☐ Yes ☐ No

6.14.1 How many skippers are used by the applicant?

6.14.2 What percentage of these skippers are black?

## Corporate Social Investment

6.15 Does the applicant make donations of its annual taxable income which qualify for deduction in terms of section 18A of the Income Tax Act 58 of 1962?

☐ Yes ☐ No

6.16 If "Yes", indicate what percentage of net profit earned in the 2004 financial year these donations amount to:

☐ 0 - 0.5

☐ 0.5 - 1 %

☐ > 1 %

## Section 6 Transformation

### Corporate Social Investment

6.17 Indicate the five largest tax deductible donations made per annum since 2001 in the table below.

Year	Benefiting Organisation	Rand Value of Amount Donated
2001 - 1		
2001 - 2		
2001 - 3		
2001 - 4		
2001 - 5		
Year	Benefiting Organisation	Rand Value of Amount Donated
2002 - 1		
2002 - 2		
2002 - 3		
2002 - 4		
2002 - 5		
Year	Benefiting Organisation	Rand Value of Amount Donated
2003 - 1		
2003 - 2		
2003 - 3		
2003 - 4		
2003 - 5		
Year	Benefiting Organisation	Rand Value of Amount Donated
2004 - 1		
2004 - 2		
2004 - 3		
2004 - 4		
2004 - 5		

6.18 Does the applicant make any other donations (in addition to those which qualify for deduction in terms of section 18A of the Income Tax Act 58 of 1962, but not including school fees)?

☐ Yes ☐ No

6.19 If "Yes", indicate what percentage of net profit earned in the 2004 financial year these other donations amount to :

☐ 0 - 0.5 %

☐ 0.5 - 1 %

☐ > 1 %

6.20 If other donations were made, indicate the five largest such donations made in 2004 in the table below:

Year	Benefiting Organisation	Rand Value of Amount Donated
2004 - 1		
2004 - 2		
2004 - 3		
2004 - 4		
2004 - 5		

**Section 6****Transformation  
Affirmative Procurement**

6.21 Does the applicant have a written affirmative procurement policy?

☐ Yes ☐ No



6.22 Provide the following information in relation to the applicant's top ten South African suppliers (operational expenditure) in 2004:



Name of Supplier	Percentage of Black Ownership of Supplier	Amount Paid to Supplier in Rands in 2004	Percentage of Total Expenses

6.23 Has the applicant determined its affirmative procurement spend as a percentage of total procurement spend?

☐ Yes ☐ No



6.24 **Has** the applicant instituted a system to measure its affirmative procurement spend as a percentage of total procurement spend in future?

☐ Yes ☐ No

**Section 7****Vessel, Crew and Environmental Safety  
Contraventions**

7.1 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of penalty under section 324 of the Merchant Shipping Act, 57 of 1951?

☐ Yes ☐ No



7.2 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of penalty for contravening the Maritime Occupational Safety Regulations of 1994?

☐ Yes ☐ No





**Section 7****Vessel, Crew and Environmental Safety****Contraventions**

7.3 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of a penalty for contravening the Crew Accommodation Regulations, 1961?

☐ Yes ☐ No

**Crew Safety and Working Conditions**

7.4 Has the applicant ever reported an accident in terms of section 6 of the Maritime Occupational Safety Regulations?

☐ Yes ☐ No



7.5 Has a qualified safety officer been appointed for each nominated vessel in terms of section 36 of the Maritime Occupational Safety Regulations?

☐ Yes ☐ No



7.6 Has every crew member on board each nominated vessel completed the approved safety induction training required by the Merchant Shipping Act, 57 of 1951?

☐ Yes ☐ No



7.7 If a nominated vessel is of 25 gross tonnage or more, has the vessel been issued with a valid SAMSA Safe Manning Document required in terms of the Merchant Shipping (Safe Manning) Regulations?

☐ Yes ☐ No



7.8 Has the applicant completed a formal safety assessment in terms of Marine Notice no 26 of 2004?

☐ Yes ☐ No



7.9 Has the applicant registered with the Commissioner in terms of the Compensation for Occupational Injuries and Diseases Act 130 of 1993?

☐ Yes ☐ No



7.10 Does the applicant have an HIV/AIDS policy?

☐ Yes ☐ No

**Vessel Safety**

7.11 Have the nominated vessel(s) been issued with a valid Local General Safety Certificate?

☐ Yes ☐ No



7.12 Are any operational limits imposed on the nominated vessel(s) by its Local General Safety Certificate (E.g. No more than 200 nautical miles off the South African coast)?

☐ Yes ☐ No

**Environmental Safety**

7.13 Has the applicant, during the medium term right period, been convicted or forfeited a deposit for contravening any part of the Marine Pollution (Prevention of Pollution from Ships) Act 2 of 1986 or Section 30 of the Marine Pollution (Control and Civil Liability) Act 6 of 1981?

☐ Yes ☐ No



7.14 Does the applicant have a Garbage Management Plan for each nominated vessel as stipulated in terms of Annex V of Marpol, as set out in the Schedule to the Marine Pollution (Prevention of Pollution from Ships) Act 2 of 1986?

☐ Yes ☐ No





## Section 8

## Job Creation

8.1 Complete the following tables in relation to job creation.

8.1.1 Table 1

Year	Employees in respect of which the applicant prepares IRP5 Certificate (Land Based)	Employees in respect of which the applicant prepares IRP5 Certificate (Sea Based)	Employees in respect of which the applicant does not prepare IRP5 Certificate (Land Based)	Employees in respect of which the applicant does not prepare IRP5 Certificate (Sea Based)	Total Number of Employees (Columns 1-4)	Total Amount of Salary Bill as per Financial Statements	Percentage increase or decrease in total number of employees
2001 (date of application)							
2002 (financial year end)							
2003 (financial year end)							
2004 (financial year end)							
2005 (28 February 2005)							

8.1.2 Table 2

Applicant's Annual Catch Allocation (in tons) to the applicant in this fishery in 2004	Total Annual Salary Bill (in relation to this fishery) 2004 Financial Year End as per Table 8.1.1	How much does the applicant spend on salaries/wages per ton allocated?

8.1.3 Table 3

Applicant's Annual Catch Allocation (in tons) in this fishery in 2004	Total Employees (in relation to this fishery) (28 February 2005)	How many people does the applicant employ per ton allocated?	Total Employees less Seasonal Employees (in relation to this fishery) (28 February 2005)	How many people (less seasonal employees) does the applicant employ per ton allocated?

8.1.4 Table 4

Applicant's five highest annual salaries (total cost to company) paid between 1 March 2004 and 28 February 2005	Average of top five salaries	What was the multiple between the average of the five lowest and the average of the five highest salaries at 28 February 2005?

Applicant's five lowest annual salaries (total cost to company) paid between 1 March 2004 and 28 February 2005	Average of lowest five salaries	

## Section 9

## Investment

9.1 Complete the following tables:

9.1.1 Table 1

Year	Book Value of Total Fixed Assets (in relation to this fishery)	Percentage Increase or Decrease in Rand Value of Total Fixed Assets (in relation to this fishery)	Total Book Value of Total Land Based Fixed Assets (in relation to this fishery)	Total Book Value of Harbour and Sea Based Fixed Assets (in relation to this fishery)
2002 (financial year end)				
2003 (financial year end)				
2004 (financial year end)				

9.1.2 Table 2

Year	Insured Value of Total Fixed Assets (in relation to this fishery)	Percentage Increase or Decrease in Rand Value of Total Fixed Assets (in relation to this fishery)	Total Insured Value of Total Land Based Fixed Assets (in relation to this fishery)	Total Insured Value of Harbour and Sea Based Fixed Assets (in relation to this fishery)
2002 (financial year end)				
2003 (financial year end)				
2004 (financial year end)				

9.1.3 Table 3

Annual Catch Allocation (in tons) to the applicant in 2004	Book Value (in rands) of harbour and sea-based assets at 2004 financial year end	Book Value (in rands) of land-based assets at 2004 financial year end	Book Value of Harbour and Sea-Based Assets per ton allocated to applicant	Book Value of Land-Based Assets per ton allocated to applicant

9.1.4 Table 4

Annual Catch Allocation (in tons) to the applicant in 2004	Insured Value (in rands) of harbour and sea-based assets at 2004 financial year end	Insured Value (in rands) of land-based assets at 2004 financial year end	Insured Value of Harbour and Sea-Based Assets per ton allocated to applicant	Insured Value of Land-Based Assets per ton allocated to applicant

9.1.5 A detailed explanation of all investment made in marketing activities must be included as an annexure.

9.1.6 A detailed explanation of all investment made in processing activities must be included as an annexure.

**Section 9****Investment**

9.1.7 Has the applicant invested in on-board or land based processing facilities?

☐ Yes ☐ No

9.1.8 If yes, please complete the following table:

Annual Catch Allocation (in metric tons) to the applicant in 2004	Nominal Tons of Applicant's Allocation Processed On Board Vessel	Nominal Tons of Applicant's Allocation Processed on Land	Nominal Tons Processed on Behalf of other Right Holders On Board Vessel	Nominal Tons Processed on Behalf of other Right Holders on Land

**Section 10****Local Economic Development**

10.1 Complete the following table in relation to harbours and landing sites used:

Harbour / Landing Site Name	Tons Landed at Harbour in 2004 calendar year	Percentage of Total Catch Landed in 2004 calendar year
<b>TOTAL</b>		

10.2 At which harbours and  
landing sites will the  
applicant land its catches?

Harbour / Landing Site Names	

10.3 Has the applicant made any investment in physical infrastructure at these  
harbours or landing sites in order to improve or make landing catches at  
these harbours possible?

☐ Yes ☐ No



## Section 11

## Value Add &amp; Enterprise Development

11.1 Is the applicant directly involved in any value adding process in this fishery?

☐ Yes ☐ No



11.2 Has the applicant been responsible for any enterprise development?

☐ Yes ☐ No



## Section 12

## Performance

## Financial

12.1 What is the applicant's **2004** audited, verified or certified Annual Turnover?



12.2 Indicate the rand value and percentage of total turnover derived from this fishery:

Annual Catch Allocation (in tons) to the Applicant in 2004	Turnover Generated in 2004 financial year by Annual Catch Allocation	Percentage of Total Turnover

12.3 Complete the following table in relation to ratio performance:

Year	Return on Net Assets (RONA)	Debt: Equity Ratio	Current Ratio	Quick Ratio (Acid Test)
2001				
2002				
2003				
2004				

12.4 Provide the following information in relation to the applicant's income statements:

Year	Turnover	Profit After Tax	Retained Earnings	Dividends Paid / Distribution of Profits
2001				
2002				
2003				
2004				

**Section 12****Performance****Financial**

12.5 Provide the following information in relation to the applicant's balance sheet:

Year	Assets	Long-Term Liabilities	Current Liabilities	Shareholder's Equity / Member's Contribution
2001				
2002				
2003				
2004				

12.6 Provide the following information in relation to the applicant's cash flow:

Year	Net Cash Inflow / Outflow from Operations	Net Cash Inflow / Outflow from Investing Activities	Net Cash Inflow / Outflow from Financing Activities
2001			
2002			
2003			
2004			

**Section 13****Fishing Plan**

13.1 Does the applicant have a fishing plan?

☐ Yes ☐ No

**Section 14****By-Catch and Environmentally Sustainable Practices****By-Catch**

14.1 Indicate the proportion of the applicant's annual catch that is made up of by-catch species:



Year	Annual By-Catch (in tons)	Annual Utilised By-Catch as a Percentage of Total Catch	Annual Unutilised By-Catch, Juvenile Species and Endangered Species as a Percentage of Total Catch
2001			
2002			
2003			
2004			

## Section 14

## By-Catch and Environmentally Sustainable Practices

14.2 Has the applicant put in place any measures to reduce energy and fuel consumption on vessels, and in processing facilities?

☐ Yes ☐ No



14.3 Does the applicant intend to put in place any measures to reduce energy and fuel reduction consumption on vessels, and in processing facilities?

☐ Yes ☐ No



14.4 Has the applicant undertaken or sponsored any research in relation to environmentally sustainable practices?

☐ Yes ☐ No



14.5 Has the applicant put measures in place to reduce damage to sea beds?

☐ Yes ☐ No



## Section 15

## Fishing Levies

15.1 Please provide the following information in relation to levies paid since 2001:



Year	Species	Total Catch in Tons	Levies Paid
2001			
2001			
2001			
2001			
2001			
2002			
2002			
2002			
2002			
2002			
2003			
2003			
2003			
2003			
2003			
2004			
2004			
2004			
2004			
2004			

15.2 What was the date and amount of the applicant's most recent levy payment?

Date  
yyyy/mm/dd

Amount





## Section 16

## Applicant Declaration

I, the undersigned, do hereby make oath and declare that:

- (a) I have read the instructions set out on pages 2 and 3 of this application form;
- (b) the information submitted with and in this Application is true and correct and complete.
- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to my application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) The applicant undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (f) The applicant accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address

## Holding Company Declaration

I, the undersigned, do hereby make oath and declare that:

- (a) I have read the instructions set out on pages 2 and 3 of this application form;
- (b) the information submitted with and in this Application is true and correct and complete.
- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to the application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (f) \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address

## Section 16

I, the undersigned, do hereby make and declare that:

- (a) I have read the instructions set out on pages 2 and 3 of this application form;
- (b) the information submitted in and in this Application is true and correct and complete.
- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to my application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (f) \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

## Sister Company Declaration

## Signature of Authorised Representative of Sister Company (if applicable)

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address

I, the undersigned, do hereby make oath and declare that:

- (a) I have read the instructions set out on pages 2 and 3 of this application form;
- (b) the information submitted with and in this Application is true and correct and complete.
- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to the application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (f) \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

## JV Partner Declaration

## Signature of Authorised Representative of JV Partner (if applicable)

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address



**SCHEDULES**

**IF THE APPLICANT CANNOT PROVIDE THE INFORMATION REQUESTED IN ANY OF THE SCHEDULES BELOW, THE APPLICANT MAY SUBMIT AN EXPLANATION FOR THIS IN PLACE OF THAT ANNEXURE**

**Schedule 1 - Applicant Details**

- a) Provide, as Annexure 1A a brief profile of the applicant organisation including an organogram which clearly indicates the applicant's business model including holding company, sister company and joint venture partner relationships. The applicant should pertinently indicate if it intends to apply in more than one sector, is involved in industries other than the fishing industry and if the applicant does rely on information of holding companies, sister companies and joint venture partners in this application. The profile may not exceed 5 pages.
- b) Section 1.3: Provide a copy of a valid company or close corporation registration certificate as Annexure 1B.
- c) Section 1.8.6: Provide a copy of a resolution duly authorising the person named in Section 1.8.6 to be the authorised contact person, as Annexure 1C.

**Schedule 2 - Form of Applicant**

- a) Section 2.1 : Provide a copy of the 2005 permit as Annexure 2A.
- b) Section 2.2: Provide a copy of the letter granting a right as Annexure 2B.
- c) Section 2.3: If the medium term right is currently held by an entity different from the **one** listed in Section 2.2, provide a detailed explanation as Annexure 2C.
- d) Section 2.5: Provide a copy of a valid SARS tax clearance certificate as Annexure 2D.
- e) Section 2.7: If "Yes," provide a detailed statement describing percentage of shareholding, the name and the registration number of the company as Annexure 2E.
- f) Section 2.8: If "Yes," provide a detailed statement describing percentage of shareholding, the name and the registration number of the company as Annexure 2G.

**Schedule 3 - Compliance**

- a) Section 3.1.1 : If "Yes", provide details and documentation regarding the conduct of the applicant, the identity and conduct of the members, shareholders or directors resulting in the conviction, the dates of conviction, and the penalties imposed as Annexure 3A.
- b) Section 3.1.2: If "Yes", provide details and any documentation of the plea bargain arrangement entered into, and details regarding the conduct and identity of the individuals giving rise to the plea bargain, the dates and specifics of the plea bargain, as Annexure 3B.
- c) Section 3.1.3: If "Yes", provide details and any documentation regarding the admission of guilt fine **paid**, including information regarding the conduct and identity of the individuals giving rise to the fine, the date of offence and amount paid as Annexure 3C.
- d) Section 3.1.4: If "Yes", provide details and any documentation regarding the offence including information regarding the conduct and identity of the individuals giving rise to the fine, the date of offence and penalty as Annexure 3D.
- e) Section 3.2: If "Yes", provide details regarding the detention, arrest or seizure, including information regarding the conduct and identity of individuals involved as Annexure 3E. Also provide details if a final confiscation or forfeiture order was /was not granted under the Prevention of Organised Crime Act.
- f) Section 3.3: If "Yes", provide details and any documentation including the identity and conduct of individuals giving rise to the Section 28 procedure as Annexure 3F.

**Schedule 4 - Vessel Details**

- a) Section 4.2: For each vessel nominated, provide copies of the following documents:
- i) SAMSA Safety Certificate(s) as Annexure 4A;
  - ii) South African Certificate(s) of Registry as Annexure 4B;
  - iii) agreement(s) providing access to the vessel if the applicant is not the majority shareholder or the sole owner of the vessel as Annexure 4C;
  - iv) Local General Safety Certificate(s) as Annexure 4D.
- b) If the applicant is unable to furnish any of the above documents for any of the nominated vessels, the applicant must provide an explanation for this as Annexure 4E.

**Schedule 5 - Catch Utilisation**

- a) Section 5.2: If the applicant over- or under-caught by more than 10% in any year, a detailed explanation must be attached as Annexure 5A.

**Schedule 6 - Transformation**

- a) Section 6.3.1: If the applicant completed Section 6.3.1 in respect of the board of directors of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.3.1 for the applicant and the other entities separately, and submit these as Annexure 6A.
- b) Section 6.3.2: If the applicant completed Section 6.3.2 in respect of the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.3.2 for the applicant and the other entities separately, and submit these as Annexure 6B.
- c) Section 6.4.1 : If the applicant completed Section 6.4.1 in respect of the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.4.1 for the applicant and the other entities separately, and submit these as Annexure 6C.
- d) Section 6.4.2: If "Yes," the applicant must provide details of contributions made to medical aid and pension, including details of the classes of beneficiaries, the employer's contributions and the nature of the benefits as Annexure 6D.
- e) Section 6.4.3: If "Yes," the applicant must provide details of the nature of the benefits provided, classes of beneficiaries and the employer's contribution as Annexure 6E.
- f) Section 6.5, 6.6.1 and 6.6.2: If the applicant completed Sections 6.5, 6.6.1 and 6.6.2 with reference to the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.5, 6.6.1 and 6.6.2 for the applicant and the other entities separately and submit these as Annexure 6F.
- g) Section 6.7.1 : Explain how black shareholding and black voting rights were calculated as Annexure 6G. This annexure should include details of any Black Economic Empowerment deals the applicant has concluded. The annexure must also include a complete list of all shareholders, following the flow through principle. This list should indicate the name, identification / registration number, whether the shareholder is black (if natural person), or what percentage of the shareholder is black (if company or close corporation), the gender of the shareholder (if natural person), or what percentage of the shareholder is female (if company or close corporation).
- h) Section 6.7.3: If "Yes," provide details regarding the applicant's employee share scheme paying particular attention to actual benefits to employees, as well as a copy of the employee share scheme policy as Annexure 6H.

### Schedule 6 - Transformation

- i) Section **6.7.5**: Provide a breakdown of all salaries, loans and dividends paid to shareholders for each year including the name, identification number of the shareholder, as well as whether the shareholder is Black (if natural person, or name and company registration number and percentage black shareholding or interest if juristic person), as Annexure **6I**.
- j) Section **6.7.7**: If the applicant completed any part of the table in question **6.7.7**, the applicant must provide details regarding the entity, the relationship between the applicant and the entity, and whether the applicant or the applicant's holding company have any equity interest in the other entity, as Annexure **6J**.
- k) Section **6.8.1**: Provide a list of all the applicant's members names, identification number, whether the member is black and the gender of the member, as Annexure **6K**.
- l) Section **6.8.3**: If "Yes," provide details of the applicant's employee profit sharing scheme, paying particular attention to actual benefits to employees, as well as a copy of the employee share scheme policy as Annexure **6L**.
- m) Section **6.8.5**: Provide a breakdown of all salaries, loans and profit distribution paid to members for each year, including the name and identification number of the member, as well as whether the member is Black, as Annexure **6M**.
- n) Section **6.8.7**: If the applicant completed any part of the table in question **6.8.7**, the applicant must provide details regarding the entity, the relationship between the applicant and the entity, and whether the applicant or the applicant's holding company have any equity interest in the other entity as Annexure **6N**.
- o) Section **6.9**: Provide a summary of the targets set in the Transformation Plan, the extent to which these were met and the measures taken to reach the targets as Annexure **6O**.
- p) Section **6.10**: If the applicant completed Section **6.10** with reference to the payroll and training budgets of both the applicant and of any other entity(ies) as per the Explanatory Notes, the applicant must complete the table in Section **6.10** for both the applicant and the other entity(ies) separately and submit these as Annexure **6P**.
- q) Section **6.12**: If the applicant completed Section **6.12** with reference to the learnerships of both the applicant and of any other entities as per the Explanatory Notes, the applicant must provide a breakdown of the information required in Section **6.12** for both the applicant and the other entities separately and submit these as Annexure **6Q**.
- r) Section **6.13**: If "Yes" provide a detailed description of the applicant's participation in such skills development programmes, as well as any supporting documentation from the SETA, as Annexure **6R**.
- s) Section **6.14.1** and **6.14.2**: If the applicant completed Sections **6.14.1** and **6.14.2** with reference to the skippers of both the applicant and of any other entities as per the Explanatory Notes, the applicant must provide a breakdown of the information required in Section **6.14.1** and **6.14.2** for both the applicant and the other entities separately and submit these as Annexure **6S**.
- t) Section **6.15**, **6.16** and **6.17**: If the applicant completed Sections **6.15**, **6.16** and **6.17** with reference to the donations of both the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the table in Section **6.17** for both the applicant and the other entities separately and submit these as Annexure **6T**.
- u) Section **6.18**, **6.19** and **6.20**: If the applicant completed Sections **6.18** and **6.19** with reference to the donations of both the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the table in Section **6.20** for both the applicant and the other entities separately and submit these as Annexure **6U**.
- v) Section **6.21**: If "Yes" provide a copy of the Affirmative Procurement Policy as Annexure **6V**.
- w) Section **6.22**: Provide a breakdown of capital and operational expenditure paid to South African suppliers, including the percentage black ownership of these suppliers as Annexure **6W**.
- x) Section **6.23**: If "Yes," explain how the Applicant determined its affirmative procurement spend as Annexure **6X**.

**Schedule 7 - Safety**

- a) Section **7.1**: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure 7A.
- b) Section **7.2**: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure **7B**.
- c) Section **7.3**: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure 7C.
- d) Section **7.4**: If "Yes," provide a detailed description of the accident as Annexure 7D .
- e) Question **7.5**: If "Yes," provide the name, identity number and qualification of each safety officer for each vessel. If "No," please provide a detailed explanation of why the applicant has not appointed a qualified safety officer for each vessel. The information provided under this section must be contained in Annexure 7E.
- f) Section **7.6**: If "No," provide a detailed explanation as Annexure **7F**.
- g) Section **7.7**: If "Yes," provide a copy of the Safe Manning Document as Annexure **7G**. If "No," and the nominated vessel is of 25 gross tonnage or more, provide a detailed explanation as Annexure **7G**.
- h) Section **7.10**: If "Yes," provide a copy of the policy as Annexure **7H**. If "No," an explanation of why the applicant does not have an HIV/AIDS policy must be provided as Annexure **7H**.
- i) Section **7.11**: If "Yes," provide a copy of the Local General Safety Certificate as Annexure 7I. If "No," a detailed explanation must be provided as Annexure **7I**.
- j) Section **7.13**: If "Yes," provide details and documentation regarding the conduct of the applicant, its members, shareholders or directors resulting in the convictions and penalties imposed as Annexure 7J.
- k) Section **7.14**: If "Yes," provide a copy of the plan as Annexure **7K**. If "No," provided a detailed explanation of why not as Annexure **7K**.

**Schedule 8 - Job Creation**

- a) Section **8.1**: The applicant must provide breakdowns as described in the Explanatory Notes as Annexure 8A.
- b) Section **8.1.4**: If the applicant completed Questions **8.1.4** with reference to the payrolls of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the table in Question **8.1.4** for both the applicant and the other entities separately, and submit these as Annexure **8B**.

**Schedule 9 - Investment**

- a) Section **9.1** and **9.1.2**: Provide breakdowns as described in the Explanatory Notes as Annexure 9A
- b) Section **9.1.5**: Provide a detailed explanation of all investments in marketing activities, including investments in distribution channels, product research and market research as Annexure 9B.
- c) Section **9.1.6**: Provide a detailed explanation of all investments in processing activities as Annexure **9C**.

### **Schedule 10 - Local Economic Development**

- a) Section 10.3: If "Yes," provide a detailed explanation of all investments made in order to make landing catches at identified harbours possible as Annexure 10A.

### **Schedule 11 - Value Add & Enterprise Development**

- a) Section 11.1: If "Yes," provide a detailed explanation of how the applicant is involved in value adding processes, and what the processes are, as Annexure 11A.
- b) Section 11.2: If "Yes," provide a detailed explanation of how the applicant is responsible for enterprise development as Annexure 11B.

### **Schedule 12 - Performance (Financial)**

- a) Section 12.1: Provide a copy of the applicant's 2004 audited financial statements as Annexure 12A. The applicant's auditors will be required to confirm its responses to all questions in Section 12.
- b) Section 12.2: If the applicant completed the table in Section 12.2 with reference to the turnover of both the applicant and of any other entity(ies) as per the Explanatory Notes, the applicant must complete the table in Section 12.2 for both the applicant and the other entity(ies) separately and submit these as Annexure 12B

### **Schedule 13 - Fishing Plan**

- a) Section 13: If "Yes," provide a synopsis of the applicant's fishing plan as Annexure 13A, paying particular attention to:
- a) days to be spent fishing per vessel nominated;
  - b) areas to be targeted;
  - c) species to be targeted and mix of species;
  - d) expected size of species to be targeted;
  - e) detailed information regarding:
    - Age
    - Size
    - Gear
    - Fishing capacity and
    - Processing capacity of each nominated vessel (where appropriate).

The fishing plan must clearly demonstrate the applicant's ability to perform effectively in the fishery.

### **Schedule 14 - By-Catch and Environmentally Sustainable Practices**

- a) Section 14.1: Provide a detailed explanation of how the applicant manages bycatch, as Annexure 14A.
- b) Section 14.2: Provide a detailed explanation of measures put in place to reduce energy and fuel Consumption on vessels and in processing facilities, as Annexure 14B.
- c) Section 14.3: Provide a detailed explanation of intended measures to reduce energy and fuel consumption on vessels and in processing facilities, as Annexure 14C.
- d) Section 14.4: Provide a detailed explanation of any research undertaken or sponsored by the applicant in relation to environmentally sustainable practices, as Annexure 14D.
- e) Section 14.5: Provide a detailed explanation of measures put in place to reduce damage to sea beds as Annexure 14E.

**FOR OFFICIAL USE ONLY: DO NOT TEAR OFF****RECEIPT**

Received by: \_\_\_\_\_

Date of Receipt: 14 July 2005 or 15 July 2005

Time of Receipt: \_\_\_\_\_ h \_\_\_\_\_

Application Number: \_\_\_\_\_

Departmental Stamp:



**Disclaimer:** The receipting of this application does not imply an acknowledgement of the completeness of the application or the correctness of its content.

**RECEIPT - FOR APPLICANT TO RETAIN**

Received by: \_\_\_\_\_

Date of Receipt: 14 July 2005 or 15 July 2005

Time of Receipt: \_\_\_\_\_ h \_\_\_\_\_

Application Number: \_\_\_\_\_

Departmental Stamp:



**Disclaimer:** The receipting of this application does not imply an acknowledgement of the completeness of the application or the correctness of its content.

APPLICATION NUMBER: ☐ lock the app no.

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM

BRANCH: MARINE AND COASTAL MANAGEMENT



# KwaZulu-Natal Prawn Trawl

**Long Term Rights Allocation Process: 2005****Cluster A****Application Form For: Medium Term Right Holders**

Registered Name of Applicant

Company Registration Number

or

Close Corporation Registration  
Number

Principal Place of Business

Number of Vessels Nominated

**IMPORTANT INFORMATION****INSTRUCTIONS****GENERAL**

- 1) This application form must be read together with these Instructions, the Explanatory Notes, the Schedules to the application form and the Procedures for Independent Auditors (available on the Public Accountants' and Auditors' Board website, [www.paab.co.za](http://www.paab.co.za) or [www.saica.co.za](http://www.saica.co.za)).
- 2) When completing the application form, applicants are advised to read carefully the General Policy on the Allocation and Management of Long Term Fishing Rights, as well as the applicable Fishery Specific Policy. These policies are available at [www.mcm-deat.gov.za](http://www.mcm-deat.gov.za). The policies guide the Minister or his delegate when considering the application.
- 3) Should the applicant have any queries regarding the completion of the application form, it must e-mail the Department at [custera@deat.gov.za](mailto:custera@deat.gov.za). Every query and response will be collated and circulated by e-mail to all the applicants in the sector and will be made available on [www.mcm-deat.gov.za](http://www.mcm-deat.gov.za). Should the applicant require technical assistance with the application form software, it must contact the Rights Verification Unit in one of the following ways:

Tel: (021) 670-3669

Fax: (021) 670-1782

E-mail: [RVU@deloitte.co.za](mailto:RVU@deloitte.co.za)

Applicants or their representatives may not communicate with the Minister, the delegated authority, or officials in the Department regarding their applications in any other manner. Moreover, no reliance may be placed on any information given or obtained in any other manner.

**ICONS**

- 4) Applicants must pay attention to the icons in the application form in order to determine whether:
  - the information provided will be treated as confidential;
  - there is any documentation or information required in response to a question in the form of an annexure;
  - the applicant's auditors need to verify a response; and
  - there are consequences of not answering a question.

- 5) The application form makes use of the following icons:



The books icon means that the information provided will be treated as confidential.



The clipboard icon means that the applicant must complete the corresponding Schedule to the application form. Applicants are instructed in the schedules regarding the documentation or information required as annexures. If the required documentation or information is not submitted, the application may be adversely affected. Failure to submit certain requested documents or information may result in the application being refused.



The magnifying glass icon means that the applicant's response to the question must be verified by an auditor (registered with the Public Accountants and Auditors board) engaged by the applicant as per the Procedures for Independent Auditors. The auditor must complete and sign the Audit Report on failing which the application will be refused.



The warning icon means that if the applicant fails to answer the question, the answer will be deemed to be adverse to the applicant.

**COMPLETION OF APPLICATION FORM**

- 6) The applicant must complete all sixteen sections of the application form. The applicant must respond in the spaces provided in the application form. Information may not be submitted by way of annexures except where applicants are **specifically** allowed to do so.
- 7) The application form must be completed electronically, and saved onto the **two** blank CDs provided on registration. **One** of these CDs must be submitted in the manner described below, while the other must be retained by the Applicant. Annexures to the application form do not need to be scanned and saved on to the CDs. The Department may request additional **electronic** copies of the application at a later stage.
- 8) This form is tagged and coded in order to facilitate electronic uploading of the application into a database. The **applicant may** not submit the application in any other form. If the applicant submits its application in any other form, the application **will** be refused.
- 9) The application must also be printed out and the declaration must be signed and attested by the Applicant's authorised representative, and, if applicable, the authorised representative(s) of the holding company, sister company(ies) and the joint venture partner(s). If the declaration is not signed and attested, the application **will** be refused.
- 10) The printed version of the electronic application, duly signed and attested, must be punched and placed into lever arch files with a divider before each annexure. The annexures must be numbered **according** to the schedules. **Confidential** information requested under questions marked by the books icon should be placed in a sealed A4 envelope marked **with** the application number, punched and placed in the lever arch file **after** the annexures.



**IMPORTANT INFORMATION****INSTRUCTIONS**

- 11) One true copy of the printed version of the application must be made. This copy must be punched and divided in the same manner as the original. The copy does not have to be certified as a true copy of the original, but it will be assumed to be the same as the original. Any discrepancy may invalidate the application.

**LODGE MENT OF APPLICATION**

- 12) The CD containing the application, the original printed version (signed and attested), and a copy of the printed version must be hand delivered to the place, on the dates and times stated below

Place: Good Hope Centre

Dates and Times: Thursday 14 July 2005 between 08h00 and 19h00, or Friday 15 July between 08h00 and 17h00

- 13) The application may not be submitted by post or by fax. An application not submitted by hand within the above times, on the above dates at the above address will be refused.

**IMPROPER LODGEMENT**

- 14) Improperly lodged applications will be refused.

An application is improperly lodged if:

- it is received late;
- the applicant makes no payment, or short payment, or late payment of the application fee;
- the application is lodged in a manner contrary to the instructions.

**MATERIAL DEFECTS**

- 15) Applications that are materially defective will be refused.

An application is materially defective if:

- the declaration is not signed and attested by the Applicant's authorised representative, and, if applicable, the authorised representative(s) of the holding company, sister company(ies) and the joint venture partner(s).
- the auditor's report is not submitted or signed;
- more than one application is received for a right in the same sector;
- the applicant, or, if applicable, the holding company, sister company(ies) and the joint venture partner(s) provides false information or documents, fails to disclose material information or attempts to influence the Minister or the delegated authority other than in the manner provided for in the General Policy and in this application form.

## Section

## Applicant Details

1. The applicant must supply a description of its organisation and an organogram and a description of its fishing operations, as 1A.

1.1 Registered Name of Applicant

1.2 Trading Name of Applicant:

1.3 Registration Number:

1.4 Income Tax Number:

1.5 Vat Number:

1.6 Skills Development Levy Number:

1.7 Have the applicant's details (1.8.1 - 1.8.7d) changed since the applicant registered?

☐ Yes ☐ No

1.8 If "Yes", complete only those details that have changed:

1.8.1 Principal Place of Business:

Number and Street:

Suburb:

Town / City:

Postal Code:

1.8.2 Postal Address: Number and Street / PO Box:

Suburb:

Town / City:

Postal Code:

Area Code:

1.8.3 Telephone Number:

1.8.4 Additional Telephone Number:

1.8.5 Fax Number:

1.8.6 Authorised Contact Person First Name:

1.8.7 Authorised Contact Person Surname:

a) Identity Number:

b) Position Held / Relationship to Applicant

c) Cellular Number:

d) E-mail Address:

## Section 2

## Form of Applicant

2.1 Does the applicant currently hold a medium term fishing right in this sector?

☐ Yes ☐ No



2.2 If "Yes", to which entity or person was the medium term fishing right allocated in 2001/2002?

Company ☐

Name

Close Corporation ☐

Name

Trust ☐

Name

Individual ☐

Name



2.3 In what form of entity is the medium term fishing right currently held?

Company ☐

Name

Close Corporation ☐

Name

Trust ☐

Name

Individual ☐

Name



2.4 Is the applicant more than 50% South African owned?

☐ Yes ☐ No



2.5 Does the applicant have a valid tax clearance certificate?

☐ Yes ☐ No



2.6 Complete the following table in relation to asset value and turnover:

Year	Turnover	Gross Asset Value (excluding fixed property)
2004 (Financial Year End)		

2.7 Does the applicant hold any share(s) in any other company that is applying as a medium term right holder in this sector?

☐ Yes ☐ No



2.8 Does the applicant hold any share(s) in any company that is applying as a new entrant in this sector?

☐ Yes ☐ No



## Section 3

## Compliance

3.1 Has the applicant, or any of its members, shareholders or directors:

3.1.1 been convicted of a contravention of the MLRA, or the regulations, or permit conditions during the medium term right period?

☐ Yes ☐ No



3.1.2 entered into a plea bargain under the Criminal Procedure Act 51 of 1977, for a contravention of the MLRA, or the regulations, or permit conditions during the medium term right period?

☐ Yes ☐ No






3.1.3 paid an admission of guilt fine for a contravention of the MLRA, the regulations, or the permit conditions during the medium term right period?

☐ Yes ☐ No




**Section 3****Compliance**


- 3.1.4 been charged with an offence under the **MLRA**, or the regulations or permit conditions during the medium term right period? ☐ Yes ☐ No 
- 3.2 Has a fishing vessel, motor vehicle, premises or any other assets of the applicant, or any of its shareholders, members or directors been detained, arrested or seized under the **MLRA** or restrained, preserved, confiscated or forfeited under the Prevention of Organised Crime Act 121 of 1998 during the medium term right period? ☐ Yes ☐ No 
- 3.3 Was the applicant's right or permit suspended, revoked, cancelled, reduced or altered under section 28 of the **MLRA** during the medium term right period? ☐ Yes ☐ No 

**Section 4****Vessel Details**

4.1 How many vessels has the applicant nominated for use in this fishery?

4.2 Fill in the relevant details in the tables below regarding each vessel nominated: 

Vessel 1	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 2	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	

# Section 4

## Vessel Details



Vessel 3	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as Indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 4	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 5	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	

**Section 5****Catch Utilisation**

5.1 Complete the following in relation to the applicant's catch records.



Year	Number of Vessels Allocated	Total Actual Catch (in metric tons) in South African Waters	Number of Fishing Days in South African Waters	Total Actual Catch (in metric tons) in Non- South African Waters	Number of Fishing Days in Non-South African Waters
2002					
2003					
2004					

**Section 6****Transformation****Management and Employment Equity**

6.1 Was the applicant a designated employer as defined in section 1 of the Employment Equity Act, 55 of 1998 as at 28 February 2005?

☐ Yes ☐ No



6.2.1 If "Yes", has the applicant complied with the Employment Equity Act, 55 of 1998?

☐ Yes ☐ No



6.2.2 If "No", has the applicant voluntarily complied with the Employment Equity Act, 55 of 1998?

☐ Yes ☐ No



## Section 6

## Transformation

## Management and Employment Equity

6.3.1 Complete the table **below** in respect of the applicant's board of directors (if a company) or members (if a close corporation) as at 28 February 2005.



	Director / Member Name (Initial & Surname)	Years of Service	Total Annual Remuneration (Total Cost to Company)	Black (Y/N)	Gender (M/F)	ID Number
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						

6

## Transformation Management and Employment Equity

6.3.2 Complete the table below in respect of employees at 28 February 2005.



Between 1 - 5 Employees	The Top Salary Earner (Total Cost to Company)
Between 6 - 30 Employees	The Top Two Salary Earners (Total Cost To Company)
Between 31 - 60 Employees	The Top 3 Salary Earners (Total Cost to Company)
Between 61 - 165 Employees	The Top 4 Salary (Total Cost to Company) Earners
More than 165 Employees	The Top 3% of Salary Earners (Total Cost to Company) up to 90 Employees

	Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black (Y/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							



## Section 6

## Transformation

## Management and Employment Equity



	Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black (Y/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
20							
21							
22							
23							
24							
25							
26							
27							
28							
29							
30							
31							
32							
33							
34							
35							
36							
37							
38							
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41							
42							
43							
44							
45							
46							
47							
48							
49							
50							
51							
52							
53							
54							
55							

## Section 6

## Transformation

## Management and Employment Equity



	Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black (Y/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
56							
57							
58							
59							
60							
61							
62							
63							
64							
65							
66							
67							
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81							
82							
83							
84							
85							
86							
87							
88							
89							
90							

## Section 6

## Transformation

## Management and Employment Equity

6.4.1 Complete the following table in relation to income levels of the applicant's permanent employees at 28 February 2005:

	Gross Monthly Income (Total Cost to Company)	Number of Employees	Percentage of Total Employees	Number of Black Employees	Percentage of Total Black Employees	Number of Female Employees
1	<R2 500					
2	Between R2 500 and R5 500					
3	Between R5 501 and R10 500					
4	Between R10 501 and R16 000					
5	Between R16 001 and R20 000					
6	Between R20 001 and R25 000					
7	Between R25 001 and R30 000					
8	Between R30 001 and R40 000					
9	Between R40 001 and R60 000					
10	>R60 000					
	Total		100%		100%	

6.4.2 Does the applicant contribute towards medical aid and pension for its employees? ☐ Yes ☐ No

6.4.3 Does the applicant provide any other type of benefits for its employees? ☐ Yes ☐ No

6.5 Complete the following table in relation to the applicant's employment equity profile as provided to the Department of Labour in October 2004. If the applicant is not designated or did not voluntarily comply then the table must be completed as at 28 February 2005.

Occupational Categories	Gender									Total	
		A No	A %	C No	C %	I No	I %	W No	W %	ACI %	F%
Top & Senior Management / Senior Officials and Managers	Male										
	Female										
Professionally Qualified and experienced specialists and mid-management / Professionals	Male										
	Female										
Skilled Technical and academically qualified workers, supervisors, foremen, and superintendents / Technicians and Associate Professionals	Male										
	Female										
Semi-skilled and discretionary decision-making and unskilled and undefined decision-making / Clerks, Service & Sales Workers, Fishery Workers, Artisans & Related Trade Workers, Plant & Machine Operators & Assemblers, Elementary Occupations	Male										
	Female										
TOTAL	Male										
	Female										

A = African, C = Coloured, I = Indian, W = White, M = Male, F = Female, ACI = African, Coloured and Indian

## Section 6

## Transformation

## Management and Employment Equity

6.6.1 Complete the tables below in relation to employment equity figures for **Senior Officials and Managers** only.

[illegible]

**6.6.2 Complete the tables below in relation to employment equity figures for Professionals only.**

[illegible]

## Section 6

## Transformation

## Ownership - Companies Only

6.7 Is the applicant a company?

☐ Yes ☐ No

6.7.1 If "Yes", complete the table below in respect of shareholding held by black persons:

Year	Percentage Shareholding Held by Black Persons	Percentage Voting Rights Held by Black Persons	Percentage of Dividends Black Shareholders are Entitled To
2001 (as in 2001 application form)			
2005 (at date of application)			

6.7.2 Complete the following table in relation to shareholding held by women based on the flow through principle:

Year	Percentage Shareholding Held by Women	Percentage Voting Rights Held by Women	Percentage of Dividends Women are Entitled To
2005 (at date of application)			

6.7.3 Did the applicant have a share scheme in place in 2004 for employees?

☐ Yes ☐ No

6.7.4 If "Yes", what is the percentage shareholding held by or for employees not listed under question 6.3.2, through the scheme?

6.7.5 Complete the following table in relation to monies paid to shareholders:

Year	Salaries Paid to Shareholders	Loans Made to Shareholders	Dividends Paid to Shareholders
2002 (financial year)			
2003 (financial year)			
2004 (financial year)			

6.7.6 Was the applicant managed by another entity, or was the catching, processing or marketing of the 2004 allocation in this fishery performed by another entity during the 2004 financial year?

☐ Yes ☐ No

6.7.7 If "Yes", complete the table below:

Function	Rand Amount Paid to Other Entity during the 2004 Financial Year	Rand Amount as a Percentage of the Applicant's Total Turnover in 2004
Management		
Catching		
Processing		
Marketing		

## Section 6

## Transformation

## Ownership - Close Corporations Only

6.8 Is the applicant a close corporation ?

☐ Yes ☐ No

6.8.1 If "Yes", complete the table below in respect of members interest held by Black persons:

Year	Percentage Interest Held by Black Persons	Percentage Voting Rights Held by Black Persons	Percentage Profit Distribution Black Persons are Entitled To
2001 (as in 2001 application form)			
2005 (as at date of application)			

6.8.2 Complete the table below in relation to members interest held by women:

Year	Percentage Interest Held by Women	Percentage Voting Rights Held by Women	Percentage Profit Distribution Women are Entitled To
2005 (as at date of application)			

6.8.3 Did the applicant have a profit sharing scheme for employees in place in 2004?

☐ Yes ☐ No

6.8.4 If "Yes", what percentage of profit were employees not listed under question 6.3.2 entitled to?

6.8.5 Complete the following table in relation to monies paid to members:

Year	Salaries Paid to Members	Loans Made to Members	Profit Distributed to Members
2002 (financial year)			
2003 (financial year)			
2004 (financial year)			

6.8.6 Was the applicant managed by another entity, or was the catching processing or marketing performed by another entity during the 2004 financial year?

☐ Yes ☐ No

6.8.7 If "Yes", complete the table below:

Function	Rand Amount Paid to Other Entity	Rand Amount as a Percentage of the Applicant's Turnover in 2004
Management		
Catching		
Processing		
Marketing		



## Section 6

## Transformation

## Skills Development

6.9 Has the applicant met the targets set in the Transformation Plan submitted in 2001? ☐ Fully ☐ Somewhat/Partially ☐ Not at all ☒

6.10 Complete the following table in relation to compliance with the Skills Development Levies Act 9 of 1998:

Year	Did the applicant submit Workplace Skills Plan which was approved (Y/N)	Did the applicant submit an Annual Training Report which was approved (Y/N)	Rand Amount Paid to SARS in skills development levies	Percentage Salaries Bill Spent on Training	Percentage of Training Budget Spent on Black Employees
2001 (financial year end)					
2002 (financial year end)					
2003 (financial year end)					
2004 (financial year end)					

6.11 Did the applicant participate in a learnership programme during the medium term rights period? ☐ Yes ☐ No ☒

6.12 If "Yes," indicate the number of learnerships as a percentage of the employees in respect of whom the applicant prepared IRP5 certificates in 2004 (tax year end).

6.13 Did the applicant participate in any other skills development programmes through its SETA in 2004 such as an SME Support Strategy? ☐ Yes ☐ No ☒

6.14.1 How many skippers are used by the applicant?

6.14.2 What percentage of these skippers are black?

## Corporate Social Investment

6.15 Does the applicant make donations of its annual taxable income which qualify for deduction in terms of section 18A of the Income Tax Act 58 of 1962 ?

☐ Yes ☐ No ☒

6.16 If "Yes", indicate what percentage of net profit earned in the 2004 financial year these donations amount to:

☐ 0 - 0.5% ☒

☐ 0.5 - 1%

☐ > 1%

## Section 6

Transformation  
Corporate Social Investment

6.17 Indicate the five largest tax deductible donations made per annum since 2001 in the table below.

Year	Benefiting Organisation	Rand Value of Amount Donated
2001 - 1		
2001 - 2		
2001 - 3		
2001 - 4		
2001 - 5		
Year	Benefiting Organisation	Rand Value of Amount Donated
2002 - 1		
2002 - 2		
2002 - 3		
2002 - 4		
2002 - 5		
Year	Benefiting Organisation	Rand Value of Amount Donated
2003 - 1		
2003 - 2		
2003 - 3		
2003 - 4		
2003 - 5		
Year	Benefiting Organisation	Rand Value of Amount Donated
2004 - 1		
2004 - 2		
2004 - 3		
2004 - 4		
2004 - 5		

6.18 Does the applicant make any other donations (in addition to those which qualify for deduction in terms of section 18A of the Income Tax Act 58 of 1962, but not including school fees)?

☐ Yes ☐ No



6.19 If "Yes", indicate what percentage of net profit earned in the 2004 financial year these other donations amount to :

☐ 0 - 0.5 %

☐ 0.5 - 1 %

☐ > 1 %



6.20 If other donations were made, indicate the five largest such donations made in 2004 in the table below:

Year	Benefiting Organisation	Rand Value of Amount Donated
2004 - 1		
2004 - 2		
2004 - 3		
2004 - 4		
2004 - 5		



**Section 6****Transformation****Affirmative Procurement**

6.21 Does the applicant have a written affirmative procurement policy?

☐ Yes ☐ No



6.22 Provide the following information in relation to the applicant's top ten South African suppliers (operational expenditure) in 2004:



Name of Supplier	Percentage of Black Ownership of Supplier	Amount Paid to Supplier in Rands in 2004	Percentage of Total Expenses

6.23 Has the applicant determined its affirmative procurement spend as a percentage of total procurement spend?

☐ Yes ☐ No



6.24 Has the applicant instituted a system to measure affirmative procurement spend as a percentage of total procurement spend in future?

☐ Yes ☐ No

**Section 7****Vessel, Crew and Environmental Safety****Contraventions**

7.1 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of penalty under section 324 of the Merchant Shipping Act, 57 of 1951?

☐ Yes ☐ No



7.2 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of penalty for contravening the Maritime Occupational Safety Regulations of 1994?

☐ Yes ☐ No



**Section 7****Vessel, Crew and Environmental Safety  
Contraventions**

- 7.3 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of a penalty for contravening the Crew Accommodation Regulations, 1961? ☐ Yes ☐ No ☒

**Crew Safety and Working Conditions**

- 7.4 Has the applicant ever reported an accident in terms of section 6 of the Maritime Occupational Safety Regulations? ☐ Yes ☐ No ☒
- 7.5 Has a qualified safety officer been appointed for each nominated vessel in terms of section 36 of the Maritime Occupational Safety Regulations? ☐ Yes ☐ No ☒
- 7.6 Has every crew member on board each nominated vessel completed the approved safety induction training required by the Merchant Shipping Act, 57 of 1951? ☐ Yes ☐ No ☒
- 7.7 If a nominated vessel is of 25 gross tonnage or more, has the vessel been issued with a valid SAMSA Safe Manning Document required in terms of the Merchant Shipping (Safe Manning) Regulations? ☐ Yes ☐ No ☒
- 7.8 Has the applicant completed a formal safety assessment in terms of Marine Notice no 26 of 2004? ☐ Yes ☐ No ☒
- 7.9 Has the applicant registered with the Commissioner in terms of the Compensation for Occupational Injuries and Diseases Act 130 of 1993? ☐ Yes ☐ No ☒
- 7.10 Does the applicant have an HIV/AIDS policy? ☐ Yes ☐ No ☒

**Vessel Safety**

- 7.11 Have the nominated vessel(s) been issued with a valid Local General Safety Certificate? ☐ Yes ☐ No ☒
- 7.12 Are any operational limits imposed on the nominated vessel(s) by its Local General Safety Certificate (E.g. No more than 200 nautical miles off the South African coast)? ☐ Yes ☐ No

**Environmental Safety**

- 7.13 Has the applicant, during the medium term right period, been convicted or forfeited a deposit for contravening any part of the Marine Pollution (Prevention of Pollution from Ships) Act 2 of 1986 or Section 30 of the Marine Pollution (Control and Civil Liability) Act 6 of 1981? ☐ Yes ☐ No ☒
- 7.14 Does the applicant have a Garbage Management Plan for each nominated vessel as stipulated in terms of Annex V of Marpol, as set out in the Schedule to the Marine Pollution (Prevention of Pollution from Ships) Act 2 of 1986? ☐ Yes ☐ No ☒

## Section 8

## Job Creation

8.1 Complete the following tables in relation to job creation.

8.1.1 Table 1

Year	Employees in respect of which the applicant prepares IRPS Certificates (Land Based)	Employees in respect of which the applicant prepares IRPS Certificates (Sea Based)	Employees in respect of which the applicant does not prepare IRPS Certificates (Land Based)	Employees in respect of which the applicant does not prepare IRPS Certificates (Sea Based)	Total Number of Employees (Columns 1 - 4)	Total Amount of Salary Bill as per Financial Statements	Percentage increase or decrease in total number of employees
2001 (date of application)							
2002 (financial year end)							
2003 (financial year end)							
2004 (financial year end)							
2005 (28 February 2005)							

8.1.2 Table 2

Number of vessels allocated to applicant in this fishery in 2004	Total Annual Salary Bill (in relation to this fishery) 2004 Financial Year End as per Table 8.1.1	How much does the applicant spend on salaries/wages per vessel allocated?

8.1.3 Table 3

Number of vessels allocated to applicant in this fishery in 2004	Total Employees (in relation to this fishery) (28 February 2005)	How many people does the applicant employ per vessel allocated?	Total Employees less Seasonal Employees (in relation to this fishery) (28 February 2005)	How many people (less seasonal employees) does the applicant employ per vessel allocated?

8.1.4 Table 4

Applicant's five highest annual salaries (total cost to company) paid between 1 March 2004 and 28 February 2005	Average of top five salaries	What was the multiple between the average of the five lowest and the average of the five highest salaries at 28 February 2005?
Applicant's five lowest annual salaries (total cost to company) paid between 1 March 2004 and 28 February 2005	Average of lowest five salaries	

## Section 9

## Investment

9.1 Complete the following tables:

9.1.1 Table 1

Year	Book Value of Total Fixed Assets (in relation to this fishery)	Percentage Increase or Decrease in Rand Value of Total Fixed Assets (in relation to this fishery)	Total Book Value of Total Land Based Fixed Assets (in relation to this fishery)	Total Book Value of Harbour and Sea Based Fixed Assets (in relation to this fishery)
2002 (financial year end)				
2003 (financial year end)				
2004 (financial year end)				

9.1.2 Table 2

Year	Insured Value of Total Fixed Assets (in relation to this fishery)	Percentage Increase or Decrease in Rand Value of Total Fixed Assets (in relation to this fishery)	Total Insured Value of Total Land Based Fixed Assets (in relation to this fishery)	Total Insured Value of Harbour and Sea Based Fixed Assets (in relation to this fishery)
2002 (financial year end)				
2003 (financial year end)				
2004 (financial year end)				

9.1.3 Table 3

Number of vessels allocated to the applicant in this fishery in 2004	Book Value (in rands) of harbour and sea-based assets at 2004 financial year end	Book Value (in rands) of land-based assets at 2004 financial year end	Book Value of Harbour and Sea-Based Assets per vessel allocated to applicant	Book Value of Land-Based Assets per vessel allocated to applicant

9.1.4 Table 4

Number of vessels allocated to the applicant in this fishery in 2004	Insured Value (in rands) of harbour and sea-based assets at 2004 financial year end	Insured Value (in rands) of land-based assets at 2004 financial year end	Insured Value of Harbour and Sea-Based Assets per vessel allocated to applicant	Insured Value of Land-Based Assets per vessel allocated to applicant

9.1.5 A detailed explanation of all investment made in marketing activities must be included as an annexure.

9.1.6 A detailed explanation of all investment made in processing activities must be included as an annexure.

## Section 9

### Investment

9.1.7 Has the applicant invested in on-board or land based processing facilities?

☐ Yes ☐ No

9.1.8 If yes, please complete the following table:

Number of vessels allocated to the applicant in 2004	Nominal Tons of Applicant's Catch Processed On Board Vessel	Nominal Tons of Applicant's Catch Processed on Land	Nominal Tons Processed on Behalf of other Right Holders On Board Vessel	Nominal Tons Processed on Behalf of other Right Holders on Land

## Section 10

### Local Economic Development

10.1 Complete the following table in relation to harbours and landing sites used:

Harbour / Landing Site Name	Tons Landed at Harbour in 2004 calendar year	Percentage of Total Catch Landed in 2004 calendar year
TOTAL		

10.2 At which harbours and landing sites will the applicant land its catches?

Harbour / Landing Site Names

10.3 Has the applicant made any investment in physical infrastructure at these harbours or landing sites in order to improve or make landing catches at these harbours possible?

☐ Yes ☐ No



**Section 11****Value Add & Enterprise Development**

11.1 Is the applicant directly involved in any value adding process in this fishery?

☐ Yes ☐ No



11.2 Has the applicant been responsible for any enterprise development?

☐ Yes ☐ No

**Section 12****Performance****Financial**

12.1 What is the applicant's 2004 audited, verified or certified Annual Turnover?



12.2 Indicate the rand value and percentage of total turnover derived from this fishery:

Number of vessels allocated to the Applicant in 2004	Turnover Generated in 2004 financial year by Vessels Allocated	Percentage of Total Turnover

12.3 Complete the following table in relation to ratio performance:

Year	Return on Net Assets (RONA)	Debt: Equity Ratio	Current Ratio	Quick Ratio (Acid Test)
2001				
2002				
2003				
2004				

12.4 Provide the following information in relation to the applicant's income statements:

Year	Turnover	Profit After Tax	Retained Earnings	Dividends Paid / Distribution of Profits
2001				
2002				
2003				
2004				



**Section 12****Performance****Financial**

12.5 Provide the following information in relation to the applicant's balance sheet:

Year	Assets	Long-Term Liabilities	Current Liabilities	Shareholder's Equity / Member's Contribution
2001				
2002				
2003				
2004				

12.6 Provide the following information in relation to the applicant's cash flow:

Year	Net Cash Inflow / Outflow from Operations	Net Cash Inflow / Outflow from Investing Activities	Net Cash Inflow / Outflow from Financing Activities
2001			
2002			
2003			
2004			

**Section 13****Fishing Plan**

13.1 Does the applicant have a fishing plan?

☐ Yes ☐ No

**Section 14****By-Catch and Environmentally Sustainable Practices****By-Catch**

14.1 Indicate the proportion of the applicant's annual catch that is made up of by-catch species:



Year	Annual By-Catch (in tons)	Annual Utilised By-Catch as a Percentage of Total Catch	Annual Unutilised By-Catch, Juvenile Species and Endangered Species as a Percentage of Total Catch
2001			
2002			
2003			
2004			

## Section 14

## By-Catch and Environmentally Sustainable Practices

14.2 Has the applicant put in place any measures to reduce energy and fuel consumption on vessels, and in processing facilities?

☐ Yes ☐ No



14.3 Does the applicant intend to put in place any measures to reduce energy and fuel reduction consumption on vessels, and in processing facilities?

☐ Yes ☐ NO



14.4 Has the applicant undertaken or sponsored any research in relation to environmentally sustainable practices?

☐ Yes ☐ NO



14.5 Has the applicant put measures in place to reduce damage to sea beds?

☐ Yes ☐ No



## Section 15

## Fishing Levies

15.1 Please provide the following information in relation to levies paid since 2001:

Year	Species	Total Catch in Tons	Levies Paid
2001			
2001			
2001			
2001			
2001			
2002			
2002			
2002			
2002			
2002			
2003			
2003			
2003			
2003			
2003			
2004			
2004			
2004			
2004			
2004			

15.2 What was the date and amount of the applicant's most recent levy payment?

Date  
yyyy/mm/dd

Amount





## Section 16

## Applicant Declaration

- I, the undersigned, do hereby make oath and declare that:
- I have read the instructions set out on pages 2 and 3 of this application form;
  - the information submitted with and in this Application is true and correct and complete.
  - I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
  - In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to my application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
  - The applicant undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
  - The applicant accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address

## Holding Company Declaration

- I, the undersigned, do hereby make oath and declare that:
- I have read the instructions set out on pages 2 and 3 of this application form;
  - the information submitted with and in this Application is true and correct and complete.
  - I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
  - In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to the application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
  - \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
  - \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address

## Section 16

I, the undersigned, do hereby make oath and declare that:  
 (a) I have read the instructions set out on pages 2 and 3 of this application form;  
 (b) the information submitted with and in this Application is true and correct and complete.

**Sister Company Declaration**

- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to my application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (f) \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

**Signature of Authorised Representative of Sister Company (if applicable)**

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address

I, the undersigned, do hereby make oath and declare that:

(a) I have read the instructions set out on pages 2 and 3 of this application form:

(b) the information submitted with and in this Application is true and correct and complete.

(c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;

(d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to the application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;

(e) \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;

(f) \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

**JV Partner Declaration****Signature of Authorised Representative of JV Partner (if applicable)**

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address

**SCHEDULES**

**IF THE APPLICANT CANNOT PROVIDE THE INFORMATION REQUESTED IN ANY OF THE SCHEDULES BELOW, THE APPLICANT MAY SUBMIT AN EXPLANATION FOR THIS IN PLACE OF THAT ANNEXURE**

**Schedule 1 - Applicant Details**

- a) Provide, as Annexure 1A a brief profile of the applicant organisation including an organogram which clearly indicates the applicant's business model including holding company, sister company and joint venture partner relationships. The applicant should pertinently indicate if it intends to apply in more than one sector, is involved in industries other than the fishing industry and if the applicant does rely on information of holding companies, sister companies and joint venture partners in this application. The profile may not exceed 5 pages.
- b) Section 1.3: Provide a copy of a valid company or close corporation registration certificate as Annexure 1B.
- c) Section 1.8.6: Provide a copy of a resolution duly authorising the person named in Section 1.8.6 to be the authorised contact person, as Annexure 1C.

**Schedule 2 - Form of Applicant**

- a) Section 2.1: Provide a copy of the 2005 permit as Annexure 2A.
- b) Section 2.2: Provide a copy of the letter granting a right as Annexure 2B.
- c) Section 2.3: If the medium term right is currently held by an entity different from the one listed in Section 2.2, provide a detailed explanation as Annexure 2C.
- d) Section 2.5: Provide a copy of a valid SARS tax clearance certificate as Annexure 2D.
- e) Section 2.7: If "Yes," provide a detailed statement describing percentage of shareholding, the name and the registration number of the company as Annexure 2E.
- 9 Section 2.8: If "Yes," provide a detailed statement describing percentage of shareholding, the name and the registration number of the company as Annexure 2G.

**Schedule 3 - Compliance**

- a) Section 3.1.1: If "Yes", provide details and documentation regarding the conduct of the applicant, the identity and conduct of the members, shareholders or directors resulting in the conviction, the dates of conviction, and the penalties imposed as Annexure 3A.
- b) Section 3.1.2: If "Yes", provide details and any documentation of the plea bargain arrangement entered into, and details regarding the conduct and identity of the individuals giving rise to the plea bargain, the dates and specifics of the plea bargain, as Annexure 3B.
- c) Section 3.1.3: If "Yes", provide details and any documentation regarding the admission of guilt fine paid, including information regarding the conduct and identity of the individuals giving rise to the fine, the date of offence and amount paid as Annexure 3C.
- d) Section 3.1.4: If "Yes", provide details and any documentation regarding the offence including information regarding the conduct and identity of the individuals giving rise to the fine, the date of offence and penalty as Annexure 3D.
- e) Section 3.2: If "Yes", provide details regarding the detention, arrest or seizure, including information regarding the conduct and identity of individuals involved as Annexure 3E. Also provide details if a final confiscation or forfeiture order was / was not granted under the Prevention of Organised Crime Act.
- f) Section 3.3: If "Yes", provide details and any documentation including the identity and conduct of individuals giving rise to the Section 28 procedure as Annexure 3F.

**Schedule 4 - Vessel Details**

- a) Section 4.2: For each vessel nominated, provide copies of the following documents:
- i) SAMSA Safety Certificate(s) as Annexure 4A;
  - ii) South African Certificate(s) of Registry as Annexure 4B;
  - iii) agreement(s) providing access to the vessel if the applicant is not the majority shareholder or the sole owner of the vessel as Annexure 4C;
  - iv) Local General Safety Certificate(s) as Annexure 4D.
- b) If the applicant is unable to furnish any of the above documents for any of the nominated vessels, the applicant must provide an explanation for this as Annexure 4E.

**Schedule 5 - Catch Utilisation**

Not applicable

**Schedule 6 - Transformation**

- a) Section 6.3.1: If the applicant completed Section 6.3.1 in respect of the board of directors of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.3.1 for the applicant and the other entities separately, and submit these as Annexure 6A.
- b) Section 6.3.2: If the applicant completed Section 6.3.2 in respect of the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.3.2 for the applicant and the other entities separately, and submit these as Annexure 6B.
- c) Section 6.4.1: If the applicant completed Section 6.4.1 in respect of the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.4.1 for the applicant and the other entities separately, and submit these as Annexure 6C.
- d) Section 6.4.2: If "Yes," the applicant must provide details of contributions made to medical aid and pension, including details of the classes of beneficiaries, the employer's contributions and the nature of the benefits as Annexure 6D.
- e) Section 6.4.3: If "Yes," the applicant must provide details of the nature of the benefits provided, classes of beneficiaries and the employer's contribution as Annexure 6E.
- f) Section 6.5, 6.6.1 and 6.6.2: If the applicant completed Sections 6.5, 6.6.1 and 6.6.2 with reference to the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.5, 6.6.1 and 6.6.2 for the applicant and the other entities separately and submit these as Annexure 6F.
- g) Section 6.7.1: Explain how black shareholding and black voting rights were calculated as Annexure 6G. This annexure should include details of any Black Economic Empowerment deals the applicant has concluded. The annexure must also include a complete list of all shareholders, following the flow through principle. This list should indicate the name, identification / registration number, whether the shareholder is black (if natural person), or what percentage of the shareholder is black (if company or close corporation), the gender of the shareholder (if natural person), or what percentage of the shareholder is female (if company or close corporation).
- h) Section 6.7.3: If "Yes," provide details regarding the applicant's employee share scheme, paying particular attention to actual benefits to employees, as well as a copy of the employee share scheme policy as Annexure 6H.

### Schedule 6 - Transformation

- i) Section **6.7.5**: Provide a breakdown of all salaries, loans and dividends paid to shareholders for each year including the name, identification number of the shareholder, **as** well as whether the shareholder is Black (if natural person, or name and company registration number and percentage black shareholding or interest if juristic person), **as** Annexure **6I**.
- j) Section **6.7.7**: If the applicant completed any part of the table in question **6.7.7**, the applicant must provide details regarding the entity, the relationship between the applicant and the entity, and whether the applicant or the applicant's holding company have any equity interest in the other entity, **as** Annexure **6J**.
- k) Section **6.8.1**: Provide a list of all the applicant's members names, identification number, whether the member is black and the gender of the member, **as** Annexure **6K**.
- l) Section **6.8.3**: If "Yes," provide details of the applicant's employee profit sharing scheme, paying particular attention to actual benefits to employees, **as** well as a copy of the employee share scheme policy **as** Annexure **6L**.
- m) Section **6.8.5**: Provide a breakdown of all salaries, loans and profit distribution paid to members for each year, including the name and identification number of the member, **as** well as whether the member is Black, **as** Annexure **6M**.
- n) Section **6.8.7**: If the applicant completed any part of the table in question **6.8.7**, the applicant must provide details regarding the entity, the relationship between the applicant and the entity, and whether the applicant or the applicant's holding company have any equity interest in the other entity **as** Annexure **6N**.
- o) Section **6.9**: Provide a summary of the targets set in the Transformation Plan, the extent to which these were met and the measures taken to reach the targets **as** Annexure **6O**.
- p) Section **6.10**: If the applicant completed Section **6.10** with reference to the payroll and training budgets of both the applicant and of any other entity(ies) **as** per the Explanatory Notes, the applicant must complete the table in Section **6.10** for both the applicant and the other entity(ies) separately and submit these **as** Annexure **6P**.
- q) Section **6.12**: If the applicant completed Section **6.12** with reference to the leanerships of both the applicant and of any other entities **as** per the Explanatory Notes, the applicant must provide a breakdown of the information required in Section **6.12** for both the applicant and the other entities separately and submit these **as** Annexure **6Q**.
- r) Section **6.13**: If "Yes" provide a detailed description of the applicant's participation in such skills development programmes, **as** well **as** any supporting documentation from the SETA, **as** Annexure **6R**.
- s) Section **6.14.1** and **6.14.2**: If the applicant completed Sections **6.14.1** and **6.14.2** with reference to the skippers of both the applicant and of any other entities **as** per the Explanatory Notes, the applicant must provide a breakdown of the information required in Section **6.14.1** and **6.14.2** for both the applicant and the other entities separately and submit these **as** Annexure **6S**.
- t) Section **6.15**, **6.16** and **6.17**: If the applicant completed Sections **6.15**, **6.16** and **6.17** with reference to the donations of both the applicant and of any other entities **as** per the Explanatory Notes, the applicant must complete the table in Section **6.17** for both the applicant and the other entities separately and submit these **as** Annexure **6T**.
- u) Section **6.18**, **6.19** and **6.20**: If the applicant completed Sections **6.18** and **6.19** with reference to the donations of both the applicant and of any other entities **as** per the Explanatory Notes, the applicant must complete the table in Section **6.20** for both the applicant and the other entities separately and submit these **as** Annexure **6U**.
- v) Section **6.21**: If "Yes" provide a copy of the Affirmative Procurement Policy **as** Annexure **6V**.
- w) Section **6.22**: Provide a breakdown of capital and operational expenditure paid to South African suppliers, including the percentage black ownership of these suppliers **as** Annexure **6W**.
- x) Section **6.23**: If "Yes," Explain how the Applicant determined its affirmative procurement spend **as** Annexure **6X**.

**Schedule 7 - Safety**

- a) Section 7.1: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure 7A.
- b) Section 7.2: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure 7B.
- c) Section 7.3: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure 7C.
- d) Section 7.4: If "Yes," provide a detailed description of the accident as Annexure 7D .
- e) **Question 7.5:** If "Yes," provide the name, identity number and qualification of each safety officer for each vessel. If "No," please provide a detailed explanation of why the applicant has not appointed a qualified safety officer for each vessel. The information provided under this section must be contained in Annexure 7E.
- f) Section 7.6: If "No," provide a detailed explanation as Annexure 7F.
- g) Section 7.7: If "Yes," provide a copy of the Safe Manning Document as Annexure 7G. If "No," and the nominated vessel is of 25 gross tonnage or more, provide a detailed explanation as Annexure 7G.
- h) Section 7.10: If "Yes," provide a copy of the policy as Annexure 7H. If "No," an explanation of why the applicant does not have an HIV/AIDS policy must be provided as Annexure 7H.
- i) Section 7.11: If "Yes," provide a copy of the Local General Safety Certificate as Annexure 7I. If "No," a detailed explanation must be provided as Annexure 7I.
- j) Section 7.13: If "Yes," provide details and documentation regarding the conduct of the applicant, its members, shareholders or directors resulting in the convictions and penalties imposed as Annexure 7J.
- k) Section 7.14: If "Yes," provide a copy of the plan as Annexure 7K. If "No," provide a detailed explanation of why not as Annexure 7K.

**Schedule 8 - Job Creation**

- a) Section 8.1: The applicant must provide breakdowns as described in the Explanatory Notes as Annexure 8A.
- b) Section 8.1.4: If the applicant completed Questions 8.1.4 with reference to the payrolls of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the table in Question 8.1.4 for both the applicant and the other entities separately, and submit these as Annexure 8B.

**Schedule 9 - Investment**

- a) Section 9.1 and 9.1.2: Provide breakdowns as described in the Explanatory Notes as Annexure 9A
- b) Section 9.1.5: Provide a detailed explanation of all investments in marketing activities, including investments in distribution channels, product research and market research as Annexure 9B.
- c) Section 9.1.6: Provide a detailed explanation of all investments in processing activities as Annexure 9C.

**Schedule 10 - Local Economic Development**

- a) Section 10.3: If "Yes," provide a detailed explanation of all investments made in order to make landing catches at identified harbours possible as Annexure 10A.

**Schedule 11 - Value Add & Enterprise Development**

- a) Section 11.1: If "Yes," provide a detailed explanation of how the applicant is involved in value adding processes, and what the processes are, as Annexure 11A.
- b) Section 11.2: If "Yes," provide a detailed explanation of how the applicant is responsible for enterprise development as Annexure 11B.

**Schedule 12 - Performance (Financial)**

- a) Section 12.1: Provide a copy of the applicant's 2004 audited financial statements as Annexure 12A. The applicant's auditors will be required to confirm its responses to all questions in Section 12.
- b) Section 12.2: If the applicant completed the table in Section 12.2 with reference to the turnover of both the applicant and of any other entity(ies) as per the Explanatory Notes, the applicant must complete the table in Section 12.1 for both the applicant and the other entity(ies) separately and submit these as Annexure 12B.

**Schedule 13 - Fishing Plan**

- a) Section 13: If "Yes," provide a synopsis of the applicant's fishing plan as Annexure 13A, paying particular attention to:
- a) days to be spent fishing per vessel nominated;
  - b) areas to be targeted (inshore or offshore fishing activities or both);
  - c) species to be targeted and mix of species;
  - d) expected size of species to be targeted;
  - e) detailed information regarding:
    - Age
    - Size
    - Gear
    - Fishing capacity and
    - Processing capacity of each nominated vessel (where appropriate).

The fishing plan must clearly demonstrate the applicant's ability to perform effectively in the fishery.

**Schedule 14 - By-Catch and Environmentally Sustainable Practices**

- a) Section 14.1: Provide a detailed explanation of how the applicant manages bycatch, as Annexure 14A.
- b) Section 14.2: Provide a detailed explanation of measures put in place to reduce energy and fuel consumption on vessels and in processing facilities, as Annexure 14B.
- c) Section 14.3: Provide a detailed explanation of intended measures to reduce energy and fuel consumption on vessels and in processing facilities, as Annexure 14C.
- d) Section 14.4: Provide a detailed explanation of any research undertaken or sponsored by the applicant in relation to environmentally sustainable practices, as Annexure 14D.
- e) Section 14.5: Provide a detailed explanation of measures put in place to reduce damage to sea beds as Annexure 14E.

**FOR OFFICIAL USE ONLY: DO NOT TEAR OFF****RECEIPT**

Received by: \_\_\_\_\_

Date of Receipt: 14 July 2005 or 15 July 2005

Time of Receipt: \_\_\_\_\_ h \_\_\_\_\_

Application Number: \_\_\_\_\_

Departmental Stamp:

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**Disclaimer:** The receipting of this application does not imply an acknowledgement of the completeness of the application or the correctness of its content.

**RECEIPT - FOR APPLICANT TO RETAIN**

Received by: \_\_\_\_\_

Date of Receipt: 14 July 2005 or 15 July 2005

Time of Receipt: \_\_\_\_\_ h \_\_\_\_\_

Application Number: \_\_\_\_\_

Departmental Stamp:

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**Disclaimer:** The receipting of this application does not imply an acknowledgement of the completeness of the application or the correctness of its content.



APPLICATION NUMBER: ☐ lock the app no.

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM

BRANCH: MARINE AND COASTAL MANAGEMENT

# Patagonian Toothfish

**Long Term Rights Allocation Process: 2005****Cluster A****Application Form For: Experimental Permit Holders**

Registered Name of Applicant

Company Registration Number  
or  
Close Corporation Registration  
Number

Principal Place of Business

Number of Vessels Nominated

**IMPORTANT INFORMATION****INSTRUCTIONS****GENERAL**

- 1) This application form must be read together with these Instructions, the Explanatory Notes, the Schedules to the application form and the Procedures for Independent Auditors (available on the Public Accountants' and Auditors' Board website, [www.paab.co.za](http://www.paab.co.za) or [www.saica.co.za](http://www.saica.co.za)).
- 2) When completing the application form, applicants are advised to read carefully the General Policy on the Allocation and Management of Long Term Fishing Rights, as well as the applicable Fishery Specific Policy. These policies are available at [www.mcm-deat.gov.za](http://www.mcm-deat.gov.za). The policies guide the Minister or his delegate when considering the application.
- 3) Should the applicant have any queries regarding the completion of the application form, it must e-mail the Department at [clusters@deat.gov.za](mailto:clusters@deat.gov.za). Every query and response will be collated and circulated by e-mail to all the applicants in the sector and will be made available on [www.mcm-deat.gov.za](http://www.mcm-deat.gov.za). Should the applicant require technical assistance With the application form software, it must contact the Rights Verification Unit in one of the following ways:

Tel: (021) 670-3669

Fax: (021) 670-1782

E-mail: [RVU@deloitte.co.za](mailto:RVU@deloitte.co.za)

Applicants or their representatives may not communicate with the Minister, the delegated authority, or officials in the Department regarding their applications in any other manner. Moreover, no reliance may be placed on any information given or obtained in any other manner.

**ICONS**

- 4) Applicants must pay attention to the icons in the application form in order to determine whether:

- the information provided will be treated as confidential;
- there is any documentation or information required in response to a question in the form of an annexure;
- the applicant's auditors need to verify a response; and
- there are consequences of not answering a question.

- 5) The application form makes use of the following icons:



The books icon means that the information provided will be treated as confidential.



The clipboard icon means that the applicant must complete the corresponding Schedule to the application form. Applicants are instructed in the schedules regarding the documentation or information required as annexures. If the required documentation or information is not submitted, the application may be adversely affected. Failure to submit certain requested documents or information may result in the application being refused.



The magnifying glass icon means that the applicant's response to the question must be verified by an auditor (registered with the Public Accountants and Auditors board) engaged by the applicant as per the Procedures for Independent Auditors. The auditor must complete and sign the Audit Report on failing which the application will be refused.



The warning icon means that if the applicant fails to answer the question, the answer will be deemed to be adverse to the applicant.

**COMPLETION OF APPLICATION FORM**

- 6) The applicant must complete **all** fifteen sections of the application form. The applicant must respond in the spaces provided in the application form. Information may not be submitted by way of annexures except where applicants are specifically allowed to do so.
- 7) The application form must be completed electronically, and saved onto the **two** blank CDs provided on registration. One of these CDs must be submitted in the manner described below, while the other must be retained by the Applicant. Annexures to the application form do not need to be scanned and saved on to the CDs. The Department may request additional electronic copies of the application at a later stage.
- 8) This form is tagged and coded in order to facilitate electronic uploading of the application into a database. The applicant may not submit the application in any other form. If the applicant submits its application in any other form, the application will be refused.
- 9) The application must also be printed out and the declaration must be signed and attested by the Applicants authorised representative, and, if applicable, the authorised representative(s) of the holding company, sister company(ies) and the joint venture partner(s). If the declaration is not signed and attested, the application will be refused.
- 10) The printed version of the electronic application, duly signed and attested, must be punched and placed into lever arch files with a divider before each annexure. The annexures must be numbered according to the schedules. Confidential information requested under questions marked by the books icon should be placed in a sealed A4 envelope marked with the application number, punched and placed in the lever arch file after the annexures.

**IMPORTANT INFORMATION****INSTRUCTIONS**

- 11) One true copy of the printed version of the application must be made. This copy must be punched and divided in the same manner as the original. The copy does not have to be certified as a true copy of the original, but it will be assumed to be the same as the original. Any discrepancy may invalidate the application.

**LODGE MENT OF APPLICATION**

- 12) The CD containing the application, the original printed version (signed and attested), and a copy of the printed version **must** be hand delivered to the place, on the dates and times **stated** below:

Place: Good **Hope** Centre

Dates and Times: Thursday 14 July 2005 between 08h00 and 19h00, or Friday 15 July between 08h00 and 17h00

- 13) The application may not be submitted by post or by fax. An application not submitted by hand within the above times, on the above dates at the above address will be refused.

**IMPROPER LODGE MENT**

- 14) Improperly lodged applications will be refused.

An application is improperly lodged if:

- it is received late;
- the applicant makes no payment, or short payment, or late payment of the application fee;
- the application is lodged in a manner contrary to the instructions.

**MATERIAL DEFECTS**

- 15) Applications that are materially defective will be refused.

An application is materially defective if:

- the declaration is not signed and attested by the Applicant's authorised representative, and, if applicable, the authorised **representative(s)** of the **holding** company, **sister company(ies)** and the joint venture **partner(s)**.
- the **auditor's** report is not submitted or signed;
- more than one application is received for a right in the same sector;
- the applicant, or, if applicable, the holding company, **sister company(ies)** and the joint venture **partner(s)** provides false information or documents, fails to disclose material information or attempts to influence the Minister or the delegated authority other than in the manner provided for in the General Policy and in this application form.

## Section 1

## Applicant Details

1. The applicant must supply a profile of its organisation including an **organogram** and a description of its fishing operations, as Schedule 1A. 

1.1 Registered Name of Applicant

1.2 Trading Name of Applicant:

1.3 Registration Number:

1.4 Income Tax Number:

1.5 Vat Number:

1.6 Skills Development Levy Number:

- 1.7 Have the applicant's details (1.8.1 - 1.8.7d) changed since the applicant registered?

☐ Yes ☐ No

- 1.8 If "Yes", complete only those details that have changed:

1.8.1 Principal Place of Business:

Number and Street:

Suburb:

Town / City:

Postal Code:

1.8.2 Postal Address: Number and Street / PO Box:

Suburb:

Town / City:

Postal Code:

Area Code:

1.8.3 Telephone Number:

1.8.4 Additional Telephone Number:

1.8.5 Fax Number:

1.8.6 Authorised Contact Person First Name:

1.8.7 Authorised Contact Person Surname:

a) Identity Number:

b) Position Held/ Relationship to Applicant

c) Cellular Number:

d) E-mail Address:

## Section 2

## Form of Applicant

2.1 Does the applicant currently hold an experimental permit in this sector?

☐ Yes ☐ No



2.2 If "Yes", to which entity or person was the experimental permit allocated in 2004?

<input checked="" type="checkbox"/> Company	<input type="checkbox"/>	Name	
<input type="checkbox"/> Close Corporation	<input type="checkbox"/>	Name	
<input type="checkbox"/> Trust	<input type="checkbox"/>	Name	
<input type="checkbox"/> Individual	<input type="checkbox"/>	Name	

2.3 In what form of entity is the experimental permit currently held?



<input type="checkbox"/> Company	<input type="checkbox"/>	Name	
<input type="checkbox"/> Close Corporation	<input type="checkbox"/>	Name	
<input type="checkbox"/> Trust	<input type="checkbox"/>	Name	
<input type="checkbox"/> Individual	<input type="checkbox"/>	Name	

2.4 Is the applicant more than 50% South African owned?

☐ Yes ☐ No



2.5 Does the applicant have a valid tax clearance certificate?

☐ Yes ☐ No



2.6 Complete the following table in relation to asset value and turnover:

Year	Turnover	Gross Asset Value (excluding fixed property)
2004 (Financial Year End)		

2.7 Does the applicant hold any share(s) in any other company that is applying as a medium term right holder in this sector?

☐ Yes ☐ No



2.8 Does the applicant hold any share(s) in any company that is applying as a new entrant in this sector?

☐ Yes ☐ No



## Section 3

## Compliance

3.1 Has the applicant, or any of its members, shareholders or directors:

3.1.1 been convicted of a contravention of the MLRA, or the regulations, or permit conditions during the medium term right period?

☐ Yes ☐ No



3.1.2 entered into a plea bargain under the Criminal Procedure Act 51 of 1977, for a contravention of the MLRA, or the regulations, or permit conditions during the medium term right period?

☐ Yes ☐ No



3.1.3 paid an admission of guilt fine for a contravention of the MLRA, the regulations, or the permit conditions during the medium term right period?

☐ Yes ☐ No



## Section 3

## Compliance

- 3.1.4 been charged **with** an offence under the MLRA, or the regulations or permit conditions during the medium term right period? ☐ Yes ☐ No ☒
- 3.2 Has a fishing vessel, motor vehicle, premises or any other assets of the applicant, or any of its shareholders, members or directors been detained, arrested or seized under the MLRA or restrained, preserved, confiscated or forfeited under the Prevention of Organised Crime Act 121 of 1998 during the medium term right period? ☐ Yes ☐ No ☒
- 3.3 Was the applicant's right or permit suspended, revoked, cancelled, reduced or altered under section 28 of the MLRA during the medium term right period? ☐ Yes ☐ No ☒

## Section 4

## Vessel Details

4.1 How many vessels has the applicant nominated for use in this fishery?

4.2 Fill in the relevant details in the tables below regarding each vessel nominated: ☒

Vessel 1	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	

Vessel 2	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	

## Section 4

### Vessel Details



Vessel 3	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 4	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 5	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	

## Section 5

## Catch Utilisation

5.1 Did the applicant over-catch or under-catch by more than 10% during the experimental period?

☐ Yes ☐ No



5.2 Complete the following in relation to the applicant's catch records.



Year	Annual Catch Allocation (in metric tons)	Total Actual Catch of Applicant's Allocation (Nominal tons)	Percentage under-caught	Percentage over-caught
2002 Season				
2003 Season				
2004 Season				

## Section 6

## Transformation

## Management and Employment Equity

6.1 Was the applicant a designated employer as defined in section 1 of the Employment Equity Act, 55 of 1998 as at 28 February 2005?

☐ Yes ☐ No



6.2.1 If 'Yes', has the applicant complied with the Employment Equity Act, 55 of 1998?

☐ Yes ☐ No



6.2.2 If 'No', has the applicant voluntarily complied with the Employment Equity Act, 55 of 1998?

☐ Yes ☐ No





## Section 6

## Transformation

## Management and Employment Equity

6.3.1 Complete the table below in respect of the applicant's board of directors (if a company) or members (if a close corporation) as at 28 February 2005.



	Director / Member Name (Initial & Surname)	Years of Service	Total Annual Remuneration (Total Cost to Company)	Black (Y/N)	Gender (M/F)	ID Number
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						

## Section 6

## Transformation

## Management and Employment Equity

6.3.2 Complete the table below in respect of employees at 28 February 2005.



Between 1 - 5 Employees	The Top Salary Earner (Total Cost to Company)
Between 6 - 30 Employees	The Top Two Salary Earners (Total Cost to Company)
Between 31 - 50 Employees	The Top 3 Salary Earners (Total Cost to Company)
Between 61 - 165 Employees	The Top 4 Salary (Total Cost to Company) Earners
More than 165 Employees	The Top 3% of Salary Earners (Total Cost to Company) up to 50 Employees

	Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black (Y/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							

## Section 6

## Transformation

## Management and Employment Equity




	Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black (Y/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
20							
21							
22							
23							
24							
25							
26							
27							
28							
29							
30							
31							
32							
33							
34							
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43							
44							
45							
46							
47							
48							
49							
50							
51							
52							
53							
54							
55							

## Section 6

## Transformation

## Management and Employment Equity



	Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black (Y/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
56							
57							
58							
59							
60							
61							
62							
63							
64							
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82							
83							
84							
85							
86							
87							
88							
89							
90							

## Section 6

## Transformation

## Management and Employment Equity

6.4.1 Complete the following table in relation to income levels of the applicant's permanent employees at 28 February 2005:

	Gross Monthly Income (Total Cost to Company)	Number of Employees	Percentage of Total Employees	Number of Black Employees	Percentage of Total Black Employees	Number of Female Employees
1	<R2 500					
2	Between R2 500 and R5 500					
3	Between R5 501 and R10 500					
4	Between R10 501 and R16 000					
5	Between R16 001 and R20 000					
6	Between R20 001 and R25 000					
7	Between R25 001 and R30 000					
8	Between R30 001 and R40 000					
9	Between R40 001 and R60 000					
10	>R60 000					
	Total		100%		100%	

6.4.2 Does the applicant contribute towards medical aid and pension for its employees?

☐ Yes ☐ No

6.4.3 Does the applicant provide any other type of benefits for its employees?

☐ Yes ☐ NO

6.5 Complete the following table in relation to the applicant's employment equity profile as provided to the Department of Labour in October 2004. If the applicant is not designated or did not voluntarily comply then the table must be completed as at 28 February 2005.

Occupational Categories	Gender									Total	
		A No	A %	C No	C %	I No	I %	W No	W %	ACI %	F %
Top & Senior Management / Senior Officials and Managers	Male										
	Female										
Professionally Qualified and experienced specialists and mid-management / Professionals	Male										
	Female										
Skilled Technical and academically qualified workers, supervisors, foremen, and superintendents / Technicians and Associate Professionals	Male										
	Female										
Semi-skilled and discretionary decision-making / Clerks, Service & Sales Workers, Fishery Workers, Artisans & Related Trade Workers, Plant & Machine Operators & Assemblers, Elementary Occupations	Male										
	Female										
TOTAL	Male										
	Female										

A = African, C = Coloured, I = Indian, W = White, M = Male, F = Female, ACI = African, Coloured and Indian

Section C  
TRANSITION

## Management and Employment Equity

6.6.1 Complete the tables below in relation to employment and remuneration for **Managers** only.

[illegible]

**6.6.2 Complete the tables below in relation to employment equity figures for Professionals only.**

[illegible]

## Section 6

Transformation  
Ownership - Companies Only

6.7 Is the applicant a company?

☐ Yes ☐ No

6.7.1 If "Yes", complete the table below in respect of shareholding held by black persons:

Year	Percentage Shareholding Held by Black Persons	Percentage Voting Rights Held by Black Persons	Percentage of Dividends Black Shareholders are Entitled To
2001 (as in 2001 application form)			
2005 (at date of application)			

6.7.2 Complete the following table in relation to shareholding held by women based on the flow through principle:

Year	Percentage Shareholding Held by Women	Percentage Voting Rights Held by Women	Percentage of Dividends Women are Entitled To
2005 (at date of application)			

6.7.3 Did the applicant have a share scheme in place in 2004 for employees?

☐ Yes ☐ No

6.7.4 If "Yes", what is the percentage shareholding held by or for employees not listed under question 6.3.2, through the scheme?

6.7.5 Complete the following table in relation to monies paid to shareholders:

Year	Salaries Paid to Shareholders	Loans Made to Shareholders	Dividends Paid to Shareholders
2002 (financial year)			
2003 (financial year)			
2004 (financial year)			

6.7.6 Was the applicant managed by another entity, or was the catching, processing or marketing of the 2004 allocation in this fishery performed by another entity during the 2004 financial year?

☐ Yes ☐ No

6.7.7 If "Yes", complete the table below:

Function	Rand Amount Paid to Other Entity during the 2004 Financial Year	Rand Amount as a Percentage of the Applicant's Total Turnover in 2004
Management		
Catching		
Processing		
Marketing		



## Section 6

## Transformation

## Ownership - Close Corporations Only

6.8 Is the applicant a close corporation?

☐ Yes ☐ No

6.8.1 If "Yes", complete the table below in respect of members interest held by black persons:

Year	Percentage Interest Held by Black Persons	Percentage Voting Rights Held by Black Persons	Percentage Profit Distribution Black Persons are Entitled To
2001 (as in 2001 application form)			
2005 (as at date of application)			

6.8.2 Complete the table below in relation to members interest held by women:

Year	Percentage Interest Held by Women	Percentage Voting Rights Held by Women	Percentage Profit Distribution Women are Entitled To
2005 (as at date of application)			

6.8.3 Did the applicant have a profit sharing scheme for employees in place in 2004?

☐ Yes ☐ No

6.8.4 If "Yes", what percentage of profit were employees not listed under question 6.3.2 entitled to?

6.8.5 Complete the following table in relation to monies paid to members:

Year	Salaries Paid to Members	Loans Made to Members	Profit Distributed to Members
2002 (financial year)			
2003 (financial year)			
2004 (financial year)			

6.8.6 Was the applicant managed by another entity, or was the catching processing or marketing performed by another entity during the 2004 financial year?

☐ Yes ☐ No

6.8.7 If "Yes", complete the table below:

Function	Rand Amount Paid to Other Entity	Rand Amount as a Percentage of the Applicant's Turnover in 2004
Management		
Catching		
Processing		
Marketing		



**Section 6****Transformation  
Skills Development**

6.9 Has the applicant met the targets set in the Transformation Plan submitted in 2001? ☐ Fully ☐ Somewhat/Partially ☐ Not at all

6.10 Complete the following table in relation to compliance with the Skills Development Levies Act 9 of 1998:

Year	Did the applicant submit Workplace Skills Plan which was approved (Y/N)	Did the applicant submit an Annual Training Report which was approved (Y/N)	Rand Amount Paid to SARS in skills development levies	Percentage Salaries Spent on Training	Percentage of Training Budget Spent on Black Employees
2001 (financial year end)					
2002 (financial year end)					
2003 (financial year end)					
2004 (financial year end)					

6.11 Did the applicant participate in a learnership programme during the medium term rights period? ☐ Yes ☐ No

6.12 If "Yes," indicate the number of learnerships as a percentage of the employees in respect of whom the applicant prepared IRP5 certificates in 2004 (tax year end).

6.13. Did the applicant participate in any other skills development programmes through its SETA in 2004 such as an SME Support Strategy?

☐ Yes ☐ No

6.14.1 How many skippers are used by the applicant?

6.14.2 What percentage of these skippers are black?

**Corporate Social Investment**

6.15 Does the applicant make donations of its annual taxable income which qualify for deduction in terms of section 18A of the Income Tax Act 58 of 1962?

☐ Yes ☐ No

6.16 If "Yes", indicate what percentage of net profit earned in the 2004 financial year these donations amount to:

☐ 0 - 0.5%

☐ 0.5 - 1%

☐ > 1%

## Section 6

## Transformation

## Corporate Social Investment

6.17 Indicate the five largest tax deductible donations made per annum since 2001 in the table below.

Year	Benefiting Organisation	Rand Value of Amount Donated
2001 - 1		
2001 - 2		
2001 - 3		
2001 - 4		
2001 - 5		
Year	Benefiting Organisation	Rand Value of Amount Donated
2002 - 1		
2002 - 2		
2002 - 3		
2002 - 4		
2002 - 5		
Year	Benefiting Organisation	Rand Value of Amount Donated
2003 - 1		
2003 - 2		
2003 - 3		
2003 - 4		
2003 - 5		
Year	Benefiting Organisation	Rand Value of Amount Donated
2004 - 1		
2004 - 2		
2004 - 3		
2004 - 4		
2004 - 5		

6.18 Does the applicant make any other donations (in addition to those which qualify for deduction in terms of section 18A of the Income Tax Act 58 of 1962, but not including school fees)?

☐ Yes ☐ No



6.19 If "Yes" indicate what percentage of net profit earned in the 2004 financial year these other donations amount to :

☐ 0 - 0.5%

☐ 0.5 - 1%

☐ > 1%



6.20 If other donations were made, indicate the five largest such donations made in 2004 in the table below:

Year	Benefiting Organisation	Rand Value of Amount Donated
2004 - 1		
2004 - 2		
2004 - 3		
2004 - 4		
2004 - 5		

## Section 6

Transformation  
Affirmative Procurement

6.21 Does the applicant have a written affirmative procurement policy?

☐ Yes ☐ No



6.22 Provide the following information in relation to the applicant's top ten South African suppliers (operational expenditure) in 2004:



Name of Supplier	Percentage of Black Ownership of Supplier	Amount Paid to Supplier in Rands in 2004	Percentage of Total Expenses

6.23 Has the applicant determined its affirmative procurement spend as a percentage of total procurement spend?

☐ Yes ☐ No



6.24 Has the applicant instituted a system to measure its affirmative procurement spend as a percentage of total procurement spend?

☐ Yes ☐ No

## Section 7

Vessel, Crew and Environmental Safety  
Contraventions

7.1 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of penalty under section 324 of the Merchant Shipping Act, 57 of 1951?

☐ Yes ☐ No



7.2 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of penalty for contravening the Maritime Occupational Safety Regulations of 1994?

☐ Yes ☐ No



**Section 7****Vessel, Crew and Environmental Safety  
Contraventions**

7.3 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of a penalty for contravening the Crew Accommodation Regulations, 1961?

☐ Yes ☐ No

**Crew Safety and Working Conditions**

7.4 Has the applicant ever reported an accident in terms of section 6 of the Maritime Occupational Safety Regulations?

☐ Yes ☐ No



7.5 Has a qualified safety officer been appointed for each nominated vessel in terms of section 36 of the Maritime Occupational Safety Regulations?

☐ Yes ☐ No



7.6 Has every crew member on board each nominated vessel completed the approved safety induction training required by the Merchant Shipping Act, 57 of 1951?

☐ Yes ☐ No



7.7 If a nominated vessel is of 25 gross tonnage or more, has the vessel been issued with a valid SAMSA Safe Manning Document required in terms of the Merchant Shipping (Safe Manning) Regulations?

☐ Yes ☐ No



7.8 Has the applicant completed a formal safety assessment in terms of Marine Notice no 26 of 2004?

☐ Yes ☐ No



7.9 Has the applicant registered with the Commissioner in terms of the Compensation for Occupational Injuries and Diseases Act 130 of 1993?

☐ Yes ☐ No



7.10 Does the applicant have an HIV/AIDS policy?

☐ Yes ☐ No

**Vessel Safety**

7.11 Have the nominated vessel(s) been issued with a valid Local General Safety Certificate?

☐ Yes ☐ No



7.12 Are any operational limits imposed on the nominated vessel(s) by its Local General Safety Certificate (E.g. No more than 200 nautical miles off the South African coast)?

☐ Yes ☐ No

**Environmental Safety**

7.13 Has the applicant, during the medium term right period, been convicted or forfeited a deposit for contravening any part of the Marine Pollution (Prevention of Pollution from Ships) Act 2 of 1986 or Section 30 of the Marine Pollution (Control and Civil Liability) Act 6 of 1981?

☐ Yes ☐ No



7.14 Does the applicant have a Garbage Management Plan for each nominated vessel as stipulated in terms of Annex V of Marpol, as set out in the Schedule to the Marine Pollution (Prevention of Pollution from Ships) Act 2 of 1986?

☐ Yes ☐ No



## Section 8

## Job Creation

8.1 Complete the following tables in relation to job creation.

8.1.1 Table 1

Year	Employees in respect of which the applicant prepares IRP5 Certificates (Land Based)	Employees in respect of which the applicant prepares IRP5 Certificates (Sea Based)	Employees in respect of which the applicant does not prepare IRP5 Certificates (Land Based)	Employees in respect of which the applicant does not prepare IRP5 Certificates (Sea Based)	Total Number of Employees (Columns 1 - 4)	Total Amount of Salary Bill as per Financial Statements	Percentage increase or decrease in total number of employees
2001 (date of application)							
2002 (financial year end)							
2003 (financial year end)							
2004 (financial year end)							
2005 (28 February 2005)							

8.1.2 Table 2

Applicant's Annual Catch Allocation (in tons) to the applicant in this fishery in 2004	Total Annual Salary Bill (in relation to this fishery) 2004 Financial Year End as per Table 8.1.1	How much does the applicant spend on salaries/wages per ton allocated?

8.1.3 Table 3

Applicant's Annual Catch Allocation (in tons) in this fishery in 2004	Total Employees (in relation to this fishery) (28 February 2005)	How many people does the applicant employ per ton allocated?	Total Employees less Seasonal Employees (in relation to this fishery) (28 February 2005)	How many people (less seasonal employees) does the applicant employ per ton allocated?

8.1.4 Table 4

Applicant's five highest annual salaries (total cost to company) paid between 1 March 2004 and 28 February 2005	Average of top five salaries	What was the multiple between the average of the five lowest and the average of the five highest salaries at 28 February 2005?

Applicant's five lowest annual salaries (total cost to company) paid between 1 March 2004 and 28 February 2005	Average of lowest five salaries	

## Section 9

### Investment

#### 9.1 Complete the following tables:

9.1.1 Table 1

Year	Book Value of Total Fixed Assets (in relation to this fishery)	Percentage Increase or Decrease in Rand Value of Total Fixed Assets (in relation to this fishery)	Total Book Value of Total Land Based Fixed Assets (in relation to this fishery)	Total Book Value of Harbour and Sea Based Fixed Assets (in relation to this fishery)
2002 (financial year end)				
2003 (financial year end)				
2004 (financial year end)				

9.1.2 Table 2

Year	Insured Value of Total Fixed Assets (in relation to this fishery)	Percentage Increase or Decrease in Rand Value of Total Fixed Assets (in relation to this fishery)	Total Insured Value of Total Land Based Fixed Assets (in relation to this fishery)	Total Insured Value of Harbour and Sea Based Fixed Assets (in relation to this fishery)
2002 (financial year end)				
2003 (financial year end)				
2004 (financial year end)				

9.1.3 Table 3

Annual Catch Allocation (in tons) to the applicant in 2004	Book Value (in rands) of harbour and sea-based assets at 2004 financial year end	Book Value (in rands) of land-based assets at 2004 financial year end	Book Value of Harbour and Sea-Based Assets per ton allocated to applicant	Book Value of Land-Based Assets per ton allocated to applicant

9.1.4 Table 4

Annual Catch Allocation (in tons) to the applicant in 2004	Insured Value (in rands) of harbour and sea-based assets at 2004 financial year end	Insured Value (in rands) of land-based assets at 2004 financial year end	Insured Value of Harbour and Sea-Based Assets per ton allocated to applicant	Insured Value of Land-Based Assets per ton allocated to applicant

9.1.5 A detailed explanation of all investment made in marketing activities must be included as an annexure.

9.1.6 A detailed explanation of all investment made in processing activities must be included as an annexure.

## Section 10

## Local Economic Development

**10.1 Complete the following table in relation to harbours and landing sites used:**

Harbour / Landing Site Name	Tons Landed at Harbour in 2004 calendar year	Percentage of Total Catch Landed in 2004 calendar year
TOTAL		

**10.2 At which harbours and landing sites will the applicant land its catches?**

Harbour / Landing Site Names	

**10.3 Has the applicant made any investment in physical infrastructure at these harbours or landing sites in order to improve or make landing catches at these harbours possible?**

☐ Yes      ☐ NO





## Section 11

## Performance

## Financial

11.1 What is the applicant's 2004 audited, verified or certified Annual Turnover?

11.2 Indicate the rand value and percentage of total turnover derived from this fishery:

Annual Catch Allocation (in tons) to the Applicant in 2004	Turnover Generated in 2004 financial year by Annual Catch Allocation	Percentage of Total Turnover

11.3 Complete the following table in relation to ratio performance:

Year	Return on Net Assets (RONA)	Debt: Equity Ratio	Current Ratio	Quick Ratio (Acid Test)
2001				
2002				
2003				
2004				

11.4 Provide the following information in relation to the applicant's income statements:

Year	Turnover	Profit After Tax	Retained Earnings	Dividends Paid / Distribution of Profits
2001				
2002				
2003				
2004				



**Section 11****Performance****Financial**

11.5 Provide the following information in relation to the applicant's balance sheet:

Year	Assets	Long-Term Liabilities	Current Liabilities	Shareholder's Equity / Member's Contribution
2001				
2002				
2003				
2004				

11.6 Provide the following information in relation to the applicant's cash flow:

Year	Net Cash Inflow / Outflow from Operations	Net Cash Inflow / Outflow from Investing Activities	Net Cash Inflow / Outflow from Financing Activities
2001			
2002			
2003			
2004			

**Section 12****Fishing Plan**

12.1 Does the applicant have a fishing plan?

☐ Yes ☐ No

**Section 13****By-Catch and Environmentally Sustainable Practices****By-Catch**

13.1 Indicate the proportion of the applicant's annual catch that is made up of by-catch species:



Year	Annual By-Catch (in tons)	Annual Utilised By-Catch as a Percentage of Total Catch	Annual Unutilised By-Catch, Juvenile Species and Endangered Species as a Percentage of Total Catch
2001			
2002			
2003			
2004			

**Section 13****By-Catch and Environmentally Sustainable Practices**

13.2 Has the applicant put in place any measures to reduce energy and fuel consumption on vessels, and in processing facilities?

☐ Yes ☐ No



13.3 Does the applicant intend to put in place any measures to reduce energy and fuel reduction consumption on vessels, and in processing facilities?

☐ Yes ☐ No



13.4 Has the applicant undertaken or sponsored any research in relation to environmentally sustainable practices?

☐ Yes ☐ No

**Section 14****Fishing Levies**

14.1 Please provide the following information in relation to levies paid since 2001:



Year	Species	Total Catch in Tons	Levies Paid
2001			
2001			
2001			
2001			
2001			
2002			
2002			
2002			
2002			
2002			
2003			
2003			
2003			
2003			
2003			
2004			
2004			
2004			
2004			
2004			

14.2 What was the date and amount of the applicant's most recent levy payment?

Date  
yyyy/mm/dd

Amount



## Section 15

I, the undersigned, do hereby make oath and declare that:

## Applicant Declaration

- (a) I have read the instructions set out on pages 2 and 3 of this application form;
- (b) the information submitted with and in this Application is true and correct and complete.
- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to my application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) The applicant undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (f) The applicant accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address

I, the undersigned, do hereby make oath and declare that:

## Holding Company Declaration

- (a) I have read the instructions set out on pages 2 and 3 of this application form;
- (b) the information submitted with and in this Application is true and correct and complete.
- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to the application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (f) \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address

## Section 15

## Sister Company Declaration

I, the \_\_\_\_\_ do hereby make oath ~~I declare~~ that:

- (a) I have read the instructions set out on pages 2 and 3 of this application form;  
 (b) the information submitted with and in this Application is true and correct and complete;  
 (c) I accept that if any information in this \_\_\_\_\_ is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;  
 (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to my application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;  
 (e) \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;  
 (f) \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

## Signature of Authorised Representative of Sister Company (if applicable)

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address

## JV Partner Declaration

I, the undersigned, do hereby make oath and declare that:

- (a) I have read the instructions set out on pages 2 and 3 of this application form;  
 (b) the information submitted with and in this Application is true and correct and complete;  
 (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;  
 (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to the application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;  
 (e) \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;  
 (f) \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

## Signature of Authorised Representative of JV Partner (if applicable)

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address

**SCHEDULES**

**IF THE APPLICANT CANNOT PROVIDE THE INFORMATION REQUESTED IN ANY OF THE SCHEDULES BELOW, THE APPLICANT MAY SUBMIT AN EXPLANATION FOR THIS IN PLACE OF THAT ANNEXURE**

**Schedule 1 - Applicant Details**

- a) Provide, as Annexure 1A a brief profile of the applicant organisation including an organogram which clearly indicates the applicant's business model including holding company, sister company and joint venture partner relationships. The applicant should pertinently indicate if it intends to apply in more than one sector, is involved in industries other than the fishing industry and if the applicant does rely on information of holding companies, sister companies and joint venture partners in this application. The profile may not exceed 5 pages.
- b) Section 1.3: Provide a copy of a valid company or close corporation registration certificate as Annexure 1B.
- c) Section 1.8.6: Provide a copy of a resolution duly authorising the person named in Section 1.8.6 to be the authorised contact person, as Annexure 1C.

**Schedule 2 - Form of Applicant**

- a) Section 2.1 : Provide a copy of the 2005 permit as Annexure 2A.
- b) Section 2.2: Provide a copy of the letter granting a right as Annexure 2B.
- c) Section 2.3: If the medium term right is currently held by an entity different from the one listed in Section 2.2, provide a detailed explanation as Annexure 2C.
- d) Section 2.5: Provide a copy of a valid SARS tax clearance certificate as Annexure 2D.
- e) Section 2.7: If "Yes," provide a detailed statement describing percentage of shareholding, the name and the registration number of the company as Annexure 2E.
- f) Section 2.8: If "Yes," provide a detailed statement describing percentage of shareholding, the name and the registration number of the company as Annexure 2G.

**Schedule 3 - Compliance**

- a) Section 3.1.1 : If "Yes", provide details and documentation regarding the conduct of the applicant, the identity and conduct of the members, shareholders or directors resulting in the conviction, the dates of conviction, and the penalties imposed as Annexure 3A.
- b) Section 3.1.2: If "Yes", provide details and any documentation of the plea bargain arrangement entered into, and details regarding the conduct and identity of the individuals giving rise to the plea bargain, the dates and specifics of the plea bargain, as Annexure 3B.
- c) Section 3.1.3: If "Yes", provide details and any documentation regarding the admission of guilt fine paid, including information regarding the conduct and identity of the individuals giving rise to the fine, the date of offence and amount paid as Annexure 3C.
- d) Section 3.1.4: If "Yes", provide details and any documentation regarding the offence including information regarding the conduct and identity of the individuals giving rise to the fine, the date of offence and penalty as Annexure 3D.
- e) Section 3.2: If "Yes", provide details regarding the detention, arrest or seizure, including information regarding the conduct and identity of individuals involved as Annexure 3E. Also provide details if a final confiscation or forfeiture order was / was not granted under the Prevention of Organised Crime Act.
- f) Section 3.3: If "Yes", provide details and any documentation including the identity and conduct of individuals giving rise to the Section 28 procedure as Annexure 3F.

**Schedule 4 - Vessel Details**

- a) Section 4.2: For each vessel nominated, provide copies of the following documents:
- i) SAMSA Safety Certificate(s) as Annexure 4A;
  - ii) South African Certificate(s) of Registry as Annexure 4B;
  - iii) agreement(s) providing access to the vessel if the applicant is not the majority shareholder or the sole owner of the vessel as Annexure 4C;
  - iv) Local General Safety Certificate(s) as Annexure 4D.
- b) If the applicant is unable to furnish any of the above documents for any of the nominated vessels, the applicant must provide an explanation for this as Annexure 4E.

**Schedule 5 - Catch Utilisation**

- a) Section 5.2: If the applicant over- or under-caught by more than 10% in any year, a detailed explanation must be attached as Annexure 5A.

**Schedule 6 - Transformation**

- a) Section 6.3.1: If the applicant completed Section 6.3.1 in respect of the board of directors of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.3.1 for the applicant and the other entities separately, and submit these as Annexure 6A.
- b) Section 6.3.2: If the applicant completed Section 6.3.2 in respect of the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.3.2 for the applicant and the other entities separately, and submit these as Annexure 6B.
- c) Section 6.4.1: If the applicant completed Section 6.4.1 in respect of the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.4.1 for the applicant and the other entities separately, and submit these as Annexure 6C.
- d) Section 6.4.2: If "Yes," the applicant must provide details of contributions made to medical aid and pension, including details of the classes of beneficiaries, the employer's contributions and the nature of the benefits as Annexure 6D.
- e) Section 6.4.3: If "Yes," the applicant must provide details of the nature of the benefits provided, classes of beneficiaries and the employer's contribution as Annexure 6E.
- f) Section 6.5, 6.6.1 and 6.6.2: If the applicant completed Sections 6.5, 6.6.1 and 6.6.2 with reference to the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.5, 6.6.1 and 6.6.2 for the applicant and the other entities separately and submit these as Annexure 6F.
- g) Section 6.7.1: Explain how black shareholding and black voting rights were calculated as Annexure 6G. This annexure should include details of any Black Economic Empowerment deals the applicant has concluded. The annexure must also include a complete list of all shareholders, following the flow through principle. This list should indicate the name, identification / registration number, whether the shareholder is black (if natural person), or what percentage of the shareholder is black (if company or close corporation), the gender of the shareholder (if natural person), or what percentage of the shareholder is female (if company or close corporation).
- h) Section 6.7.3: If "Yes," provide details regarding the applicant's employee share scheme, paying particular attention to actual employee benefits, as well as a copy of the employee share scheme policy as Annexure 6H.



**Schedule 6 - Transformation**

- i) Section 6.7.5: Provide a breakdown of all salaries, loans and dividends paid to shareholders for each year including the name, identification number of the shareholder, as well as whether the shareholder is Black (if natural person, or name and company registration number and percentage black shareholding or interest if juristic person), as Annexure 6I.
- j) Section 6.7.7: If the applicant completed any part of the table in question 6.7.7, the applicant must provide details regarding the entity, the relationship between the applicant and the entity, and whether the applicant or the applicant's holding company have any equity interest in the other entity, as Annexure 6J.
- k) Section 6.8.1: Provide a list of all the applicant's members names, identification number, whether the member is black and the gender of the member, as Annexure 6K.
- l) Section 6.8.3: If "Yes," provide details of the applicant's employee profit sharing scheme, paying particular attention to actual benefits to employees, as well as a copy of the employee share scheme policy as Annexure 6L.
- m) Section 6.8.5: Provide a breakdown of all salaries, loans and profit distribution paid to members for each year, including the name and identification number of the member, as well as whether the member is Black, as Annexure 6M.
- n) Section 6.8.7: If the applicant completed any part of the table in question 6.8.7, the applicant must provide details regarding the entity, the relationship between the applicant and the entity, and whether the applicant or the applicant's holding company have any equity interest in the other entity as Annexure 6N.
- o) Section 6.9: Provide a summary of the targets set in the Transformation Plan, the extent to which these were met and the measures taken to reach the targets as Annexure 6O.
- p) Section 6.10: If the applicant completed Section 6.10 with reference to the payroll and training budgets of both the applicant and of any other entity(ies) as per the Explanatory Notes, the applicant must complete the table in Section 6.10 for both the applicant and the other entity(ies) separately and submit these as Annexure 6P.
- q) Section 6.12: If the applicant completed Section 6.12 with reference to the learnerships of both the applicant and of any other entities as per the Explanatory Notes, the applicant must provide a breakdown of the information required in Section 6.12 for both the applicant and the other entities separately and submit these as Annexure 6Q.
- r) Section 6.13: If "Yes" provide a detailed description of the applicant's participation in such skills development programmes, as well as any supporting documentation from the SETA, as Annexure 6R.
- s) Section 6.14.1 and 6.14.2: If the applicant completed Sections 6.14.1 and 6.14.2 with reference to the skippers of both the applicant and of any other entities as per the Explanatory Notes, the applicant must provide a breakdown of the information required in Section 6.14.1 and 6.14.2 for both the applicant and the other entities separately and submit these as Annexure 6S.
- t) Section 6.15, 6.16 and 6.17: If the applicant completed Sections 6.15, 6.16 and 6.17 with reference to the donations of both the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the table in Section 6.17 for both the applicant and the other entities separately and submit these as Annexure 6T.
- u) Section 6.18, 6.19 and 6.20: If the applicant completed Sections 6.18 and 6.19 with reference to the donations of both the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the table in Section 6.20 for both the applicant and the other entities separately and submit these as Annexure 6U.
- v) Section 6.21: If "Yes" provide a copy of the Affirmative Procurement Policy as Annexure 6V.
- w) Section 6.22: Provide a breakdown of capital and operational expenditure paid to South African suppliers, including the percentage black ownership of these suppliers as Annexure 6W.
- x) Section 6.23: If "Yes," explain how the Applicant determined its affirmative procurement spend as Annexure 6X.

**Schedule 7 - Safety**

- a) Section 7.1: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure 7A.
- b) Section 7.2: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure 7B.
- c) Section 7.3: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure 7C.
- d) Section 7.4: If "Yes," provide a detailed description of the accident as Annexure 7D .
- e) Question 7.5: If "Yes," provide the name, identity number and qualification of each safety officer for each vessel. If "No," please provide a detailed explanation of why the applicant has not appointed a qualified safety officer for each vessel. The information provided under this section must be contained in Annexure 7E.
- f) Section 7.6: If "No," provide a detailed explanation as Annexure 7F.
- g) Section 7.7: If "Yes," provide a copy of the Safe Manning Document as Annexure 7G. If "No," and the nominated vessel is of 25 gross tonnage or more, provide a detailed explanation as Annexure 7G.
- h) Section 7.10: If "Yes," provide a copy of the policy as Annexure 7H. If "No," an explanation of why the applicant does not have an HIV/AIDS policy must be provided as Annexure 7H.
- i) Section 7.11: If "Yes," provide a copy of the Local General Safety Certificate as Annexure 7I. If "No," a detailed explanation must be provided as Annexure 7I.
- j) Section 7.13: If "Yes," provide details and documentation regarding the conduct of the applicant, its members, shareholders or directors resulting in the convictions and penalties imposed as Annexure 7J.
- k) Section 7.14: If "Yes," provide a copy of the plan as Annexure 7K. If "No," provided a detailed explanation of why not as Annexure 7K.

**Schedule 8 - Job Creation**

- a) Section 8.1: The applicant must provide breakdowns as described in the Explanatory Notes as Annexure 8A.
- b) Section 8.1.4: If the applicant completed Questions 8.1.4 with reference to the payrolls of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the table in Question 8.1.4 for both the applicant and the other entities separately, and submit these as Annexure 8B.

**Schedule 9 - Investment**

- a) Section 9.1 and 9.1.2: Provide breakdowns as described in the Explanatory Notes as Annexure 9A
- b) Section 9.1.5: Provide a detailed explanation of all investments in marketing activities, including investments in distribution channels, product research and market research as Annexure 9B.
- c) Section 9.1.6: Provide a detailed explanation of all investments in processing activities as Annexure 9C.



**Schedule 10 - Local Economic Development**

- a) Section 10.3: If "Yes," provide a detailed explanation of all investments made in order to make landing catches at identified harbours possible as Annexure 10A.

**Schedule 11 - Performance (Financial)**

- a) Section 11.1: Provide a copy of the applicant's 2004 audited financial statements as Annexure 11A. The applicant's auditors will be required to confirm its responses to all questions in Section 11.
- b) Section 11.2: If the applicant completed the table in Section 11.2 with reference to the turnover of both the applicant and of any other entity(ies) as per the Explanatory Notes, the applicant must complete the table in Section 11.2 for both the applicant and the other entity(ies) separately and submit these as Annexure 11B

**Schedule 12 - Fishing Plan**

- a) Section 12: If "Yes," provide a synopsis of the applicant's fishing plan as Annexure 12A, paying particular attention to:
- a) demonstration of knowledge of the fishery;
  - b) research undertaken regarding this fishery;
  - c) days to be spent fishing per vessel nominated;
  - d) areas to be targeted;
  - e) species to be targeted and mix of species;
  - f) expected size of species to be targeted;
  - g) detailed information regarding:
    - Age
    - Size
    - Gear
    - Fishing capacity
    - Whether the nominated vessel(s) is ice strengthened and
    - Whether the nominated vessel(s) has ever been listed on a fishery organisation's negative list.

The fishing plan must clearly demonstrate the applicant's ability to perform effectively in the fishery.

**Schedule 13 - By-Catch and Environmentally Sustainable Practices**

- a) Section 13.1: Provide a detailed explanation of how the applicant manages bycatch, as Annexure 13A.
- b) Section 13.2: Provide a detailed explanation of measures put in place to reduce energy and fuel consumption on vessels and in processing facilities, as Annexure 13B.
- c) Section 13.3: Provide a detailed explanation of intended measures to reduce energy and fuel consumption on vessels and in processing facilities, as Annexure 13C.
- d) Section 13.4: Provide a detailed explanation of any research undertaken or sponsored by the applicant in relation to environmentally sustainable practices, as Annexure 13D.

**FOR OFFICIAL USE ONLY: DO NOT TEAR OFF****RECEIPT****Received by:** \_\_\_\_\_**Date of Receipt:** 14 July 2005 or 15 July 2005**Time of Receipt:** \_\_\_\_\_ h \_\_\_\_\_**Application Number:** \_\_\_\_\_**Departmental Stamp:**

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**Disclaimer:** The receipting of this application does not imply an acknowledgement of the completeness of the application or the correctness of its content.

**RECEIPT - FOR APPLICANT TO RETAIN****Received by:** \_\_\_\_\_**Date of Receipt:** 14 July 2005 or 15 July 2005**Time of Receipt:** \_\_\_\_\_ h \_\_\_\_\_**Application Number:** \_\_\_\_\_**Departmental Stamp:**

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APPLICATION NUMBER:

☐ lock the app no.

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM

BRANCH: MARINE AND COASTAL MANAGEMENT

# South Coast Rock Lobster

**Long Term Rights Allocation Process: 2005****Cluster A****Application Form For: Medium Term Right Holders**

Registered Name of Applicant

Company Registration Number  
or  
Close Corporation Registration  
Number  

Principal Place of Business

Number of Vessels Nominated

**IMPORTANT INFORMATION****INSTRUCTIONS****GENERAL**

- 1) This application form must be read together with these Instructions, the Explanatory Notes, the Schedules to the application form and the Procedures for Independent Auditors (available on the Public Accountants' and Auditors' Board website, [www.paab.co.za](http://www.paab.co.za) or [www.saica.co.za](http://www.saica.co.za)).
- 2) When completing the application form, applicants are advised to read carefully the General Policy on the Allocation and Management of Long Term Fishing Rights, as well as the applicable Fishery Specific Policy. These policies are available at [www.mcm-deat.gov.za](http://www.mcm-deat.gov.za). The policies guide the Minister or his delegate when considering the application.
- 3) Should the applicant have any queries regarding the completion of the application form, it must e-mail the Department at [clusters@deat.gov.za](mailto:clusters@deat.gov.za). Every query and response will be collated and circulated by e-mail to all the applicants in the sector and will be made available on [www.mcm-deat.gov.za](http://www.mcm-deat.gov.za). Should the applicant require technical assistance with the application form software, it must contact the Rights Verification Unit in one of the following ways:

Tel: (021) 670-3669

Fax: (021) 670-1782

E-mail: [RVU@deloitte.co.za](mailto:RVU@deloitte.co.za)

Applicants or their representatives may not communicate with the Minister, the delegated authority, or officials in the Department regarding their applications in any other manner. Moreover, no reliance may be placed on any information given or obtained in any other manner.

**ICONS**

- 4) Applicants must pay attention to the icons in the application form in order to determine whether:
  - the information provided will be treated as confidential;
  - there is any documentation or information required in response to a question in the form of an annexure;
  - the applicant's auditors need to verify a response; and
  - there are consequences of not answering a question.

- 5) The application form makes use of the following icons:



The books icon means that the information provided will be treated as confidential.



The clipboard icon means that the applicant must complete the corresponding Schedule to the application form. Applicants are instructed in the schedules regarding the documentation or information required as annexures. If the required documentation or information is not submitted, the application may be adversely affected. Failure to submit certain requested documents or information may result in the application being refused.



The magnifying glass icon means that the applicant's response to the question must be verified by an auditor (registered with the Public Accountants and Auditors board) engaged by the applicant as per the Procedures for Independent Auditors. The auditor must complete and sign the Audit Report on failing which the application will be refused.



The warning icon means that if the applicant fails to answer the question, the answer will be deemed to be adverse to the applicant.

**COMPLETION OF APPLICATION FORM**

- 6) The applicant must complete all fifteen sections of the application form. The applicant must respond in the spaces provided in the application form. Information may not be submitted by way of annexures except where applicants are specifically allowed to do so.
- 7) The application form must be completed electronically, and saved onto the two blank CDs provided on registration. One of these CDs must be submitted in the manner described below, while the other must be retained by the Applicant. Annexures to the application form do not need to be scanned and saved on to the CDs. The Department may request additional electronic copies of the application at a later stage.
- 8) This form is tagged and coded in order to facilitate electronic uploading of the application into a database. The applicant may not submit the application in any other form. If the applicant submits its application in any other form, the application will be refused.
- 9) The application must also be printed out and the declaration must be signed and attested by the Applicant's authorised representative, and, if applicable, the authorised representative(s) of the holding company, sister company(ies) and the joint venture partner(s). If the declaration is not signed and attested, the application will be refused.
- 10) The printed version of the electronic application, duly signed and attested, must be punched and placed into lever arch files with a divider before each annexure. The annexures must be numbered according to the schedules. Confidential information requested under questions marked by the books icon should be placed in a sealed A4 envelope marked with the application number, punched and placed in the lever arch file after the annexures.

**IMPORTANT INFORMATION****INSTRUCTIONS**

- 11) One true copy of the printed version of the application must be made. This copy must be punched and divided in the same manner as the original. The copy does not have to be certified as a true copy of the original, but it will be assumed to be the same as the original. Any discrepancy may invalidate the application.

**LODGEMENT OF APPLICATION**

- 12) The CD containing the application, the original printed version (signed and attested), and a copy of the printed version must be hand delivered to the place, on the dates and times stated below:

Place: Good Hope Centre

Dates and Times: Thursday 14 July 2005 between 08h00 and 19h00, or Friday 15 July between 08h00 and 17h00

- 13) The application may not be submitted by post or by fax. An application not submitted by hand within the above times, on the above dates at the above address will be refused.

**IMPROPER LODGEMENT**

- 14) Improperly lodged applications will be refused.

An application is improperly lodged if:

- it is received late;
- the applicant makes no payment, or short payment, or late payment of the application fee;
- the application is lodged in a manner contrary to the instructions.

**MATERIAL DEFECTS**

- 15) Applications that are materially defective will be refused.

An application is materially defective if:

- the declaration is not signed and attested by the Applicant's authorised representative, and, if applicable, the authorised representative(s) of the holding company, sister company(ies) and the joint venture partner(s);
- the auditor's report is not submitted or signed;
- more than one application is received for a right in the same sector;
- the applicant, or, if applicable, the holding company, sister company(ies) and the joint venture partner(s) provides false information or documents, fails to disclose material information or attempts to influence the Minister or the delegated authority other than in the manner provided for in the General Policy and in this application form.


## Section 1


## Applicant Details


1. The applicant must supply a profile of its organisation including an organogram and a description of its fishing operations, as Schedule 1A. 


1.1 Registered Name of Applicant

1.2 Trading Name of Applicant:

1.3 Registration Number:  

1.4 Income Tax Number:  

1.5 Vat Number:  

1.6 Skills Development Levy Number:  

- 1.7 Have the applicant's details (1.8.1 - 1.8.7d) changed since the applicant registered? ☐ Yes ☐ No

If "Yes", complete only those details that have changed:

1.1 Principal Place of Business: Number and Street:   
Suburb:   
Town / City:   
Postal Code:


1.8.2 Postal Address: Number and Street / PO Box:   
Suburb:   
Town / City:   
Postal Code:

Area Code:

1.8.3 Telephone Number:

1.8.4 Additional Telephone Number:

1.8.5 Fax Number:

1.8.6 Authorised Contact Person First Name:  

1.8.7 Authorised Contact Person Surname:

a) Identity Number:

b) Position Held / Relationship to Applicant

c) Cellular Number:

d) E-mail Address:

## Section 2

## Form of Applicant

2.1 Does the applicant currently hold a medium term fishing right in this sector?

☐ Yes ☐ No



2.2 If "Yes", to which entity or person was the medium term fishing right allocated in 2001/2002?

<input checked="" type="checkbox"/> Company	<input type="checkbox"/>	Name	
<input type="checkbox"/> Close Corporation	<input type="checkbox"/>	Name	
<input type="checkbox"/> Trust	<input type="checkbox"/>	Name	
<input type="checkbox"/> Individual	<input type="checkbox"/>	Name	

2.3 In what form of entity is the medium term fishing right currently held?

<input type="checkbox"/> Company	<input type="checkbox"/>	Name	
<input type="checkbox"/> Close Corporation	<input type="checkbox"/>	Name	
<input type="checkbox"/> Trust	<input type="checkbox"/>	Name	
<input type="checkbox"/> Individual	<input type="checkbox"/>	Name	

2.4 Is the applicant more than 50% South African owned?

☐ Yes ☐ No



2.5 Does the applicant have a valid tax clearance certificate?

☐ Yes ☐ No



2.6 Complete the following table in relation to asset value and turnover:

Year	Turnover	Gross Asset Value (excluding fixed property)
2004 (Financial Year End)		

2.7 Does the applicant hold any share(s) in any other company that is applying as a medium term right holder in this sector?

☐ Yes ☐ No



2.8 Does the applicant hold any share(s) in any company that is applying as a new entrant in this sector?

☐ Yes ☐ No



## Section 3

## Compliance

3.1 Has the applicant, or any of its members, shareholders or directors:

3.1.1 been convicted of a contravention of the MLRA, or the regulations, or permit conditions during the medium term right period?

☐ Yes ☐ No



3.1.2 entered into a plea bargain under the Criminal Procedure Act 51 of 1977, for a contravention of the MLRA, or the regulations, or permit conditions during the medium term right period?

☐ Yes ☐ No



3.1.3 paid an admission of guilt fine for a contravention of the MLRA, the regulations, or the permit conditions during the medium term right period?

☐ Yes ☐ No





### Section 3 Compliance

3.1.4 been charged with an offence under the MLRA, or the regulations or permit conditions during the medium term right period?

☐ Yes ☐ No



3.2 Has a fishing vessel, motor vehicle, premises or any other assets of the applicant, or any of its shareholders, members or directors been detained, arrested or seized under the MLRA or restrained, preserved, confiscated or forfeited under the Prevention of Organised Crime Act 121 of 1998 during the medium term right period?

☐ Yes ☐ No



3.3 Was the applicant's right or permit suspended, revoked, cancelled, reduced or altered under section 28 of the MLRA during the medium term right period?

☐ Yes ☐ No



### Section 4 Vessel Details

4.1 How many vessels has the applicant nominated for use in this fishery?

4.2 Fill in the relevant details in the tables below regarding each vessel nominated:



Vessel 1	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 2	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	

## Section 4

### Vessel Details



Vessel 3	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 4	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 5	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	

**Section 5****Catch Utilisation**

i.1 Did the applicant over-catch or under-catch by more than 10% during the medium term rights period?

☐ Yes ☐ No



5.2 Complete the following in relation to the applicant's catch records.



Year	Annual Catch Allocation (in metric tons)	Total Actual Catch of Applicant's Allocation (Nominal tons)	Percentage under-caught	Percentage over-caught
2002 Season				
2003 Season				
2004 Season				

**Section 6****Transformation****Management and Employment Equity**

6.1 Was the applicant a designated employer as defined in section 1 of the Employment Equity Act, 55 of 1998 as at 28 February 2005?

☐ Yes ☐ No



6.2.1 If "Yes", has the applicant complied with the Employment Equity Act, 55 of 1998?

☐ Yes ☐ No



6.2.2 If "No", has the applicant voluntarily complied with the Employment Equity Act, 55 of 1998?

☐ Yes ☐ No



## Section b

## Transformation

## Management and Employment Equity

6.3.1 Complete the table below in respect of the applicant's board of directors (if a company) or members (if a close corporation) as at 28 February 2005.



	Director / Member Name (Initial & Surname)	Years of Service	Total Annual Remuneration (Total Cost to Company)	Black (Y/N)	Gender (M/F)	ID Number
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						

## Section 6

## Transformation

## Management and Employment Equity

6.3.2 Complete the table below in respect of employees at 28 February 2005.



Between 1 - 5 Employees	The Top Salary Earner (Total Cost to Company)
Between 6 - 30 Employees	The Top Two Salary Earners (Total Cost To Company)
Between 31 - 60 Employees	The Top 3 Salary Earners (Total Cost to Company)
Between 61 - 165 Employees	The Top 4 Salary (Total Cost to Company) Earners
More than 165 Employees	The Top 3% of Salary Earners (Total Cost to Company) up to 90 Employees

	Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black (Y/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							

## Section 6

## Transformation

## Management and Employment Equity




	Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black (Y/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
20							
21							
22							
23							
24							
25							
26							
27							
28							
29							
30							
31							
32							
33							
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42							
43							
44							
45							
46							
47							
48							
49							
50							
51							
52							
53							
54							
55							

## Section 6

## Transformation

## Management and Employment Equity



	Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black (Y/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
66							
57							
68							
69							
60							
61							
62							
63							
64							
65							
66							
67							
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82							
83							
84							
85							
86							
87							
88							
89							
90							



## Section 6

## Transformation

## Management and Employment Equity

6.4.1 Complete the following table in relation to income levels of the applicant's permanent employees at 28 February 2005:

	Gross Monthly Income (Total Cost to Company)	Number of Employees	Percentage of Total Employees	Number of Black Employees	Percentage of Total Black Employees	Number of Female Employees
1	<R2 500					
2	Between R2 500 and R5 500					
3	Between R5 501 and R10 500					
4	Between R10 501 and R16 000					
5	Between R16 001 and R20 000					
6	Between R20 001 and R25 000					
7	Between R25 001 and R30 000					
8	Between R30 001 and R40 000					
9	Between R40 001 and R60 000					
10	>R60 000					
	Total		100%		100%	

6.4.2 Does the applicant contribute towards medical aid and pension for its employees?

☐ Yes ☐ No

6.4.3 Does the applicant provide any other type of benefits for its employees?

☐ Yes ☐ No

6.5 Complete the following table in relation to the applicant's employment equity profile as provided to the Department of Labour in October 2004. If the applicant is not designated or did not voluntarily comply then the table must be completed as at 28 February 2005.

Occupational Categories	Gender									Total	
		A No	A %	C No	C %	I No	I %	W No	W %	ACI %	F %
Top & Senior Management / Senior Officials and Managers	Male										
	Female										
Professionally Qualified and experienced specialists and mid-management / Professionals	Male										
	Female										
Skilled Technical and academically qualified workers, supervisors, foremen, and superintendents / Technicians and Associate Professionals	Male										
	Female										
Semi-skilled and discretionary decision-making and unskilled and undirected decision-making / Clerks, Service & Sales Workers, Fishery Workers, Artisans & Related Trade Workers, Plant & Machine Operators & Assemblers, Elementary Occupations	Male										
	Female										
TOTAL	Male										
	Female										

A = African, C = Coloured, I = Indian, W = White, M = Male, F = Female, ACI = African, Coloured and Indian



## Section 6

## Transformation

## Management and Employment Equity

**6.6.1 Complete the tables below in relation to employment equity figures for Senior Officials and Managers only.**

[illegible]

6.6.2 Complete the tables below in relation to employment equity figures for **Professionals** only.

[illegible]

## Section 6

Transformation  
Ownership - Companies Only

6.7 Is the applicant a company?

☐ Yes ☐ No

6.7.1 If "Yes", complete the table below in respect of shareholding held by black persons:

Year	Percentage Shareholding Held by Black Persons	Percentage Voting Rights Held by Black Persons	Percentage of Dividends Black Shareholders are Entitled To
2001 (as in 2001 application form)			
2005 (at date of application)			

6.7.2 Complete the following table in relation to shareholding held by women based on the flow through principle:

Year	Percentage Shareholding Held by Women	Percentage Voting Rights Held by Women	Percentage of Dividends Women are Entitled To
2005 (at date of application)			

6.7.3 Did the applicant have a share scheme in place in 2004 for employees?

☐ Yes ☐ No

6.7.4 If "Yes", what is the percentage shareholding held by or for employees not listed under question 6.3.2, through the scheme?

6.7.5 Complete the following table in relation to monies paid to shareholders:

Year	Salaries Paid to Shareholders	Loans Made to Shareholders	Dividends Paid to Shareholders
2002 (financial year)			
2003 (financial year)			
2004 (financial year)			

6.7.6 Was the applicant managed by another entity, or was the catching, processing or marketing of the 2004 allocation in this fishery performed by another entity during the 2004 financial year?

☐ Yes ☐ No

6.7.7 If "Yes", complete the table below:

Function	Rand Amount Paid to Other Entity during the 2004 Financial Year	Rand Amount as a Percentage of the Applicant's Total Turnover in 2004
Management		
Catching		
Processing		
Marketing		

## Section 6

## Transformation

## Ownership - Close Corporations Only

6.8 Is the applicant a close corporation ?

☐ Yes ☐ No

6.8.1 If "Yes", complete the table below in respect of members interest held by black persons:

Year	Percentage Interest Held by Black Persons	Percentage Voting Rights Held by Black Persons	Percentage Profit Distribution Black Persons are Entitled To
2001 (as in 2001 application form)			
2005 (as at date of application)			

6.8.2 Complete the table below in relation to members interest held by women:

Year	Percentage Interest Held by Women	Percentage Voting Rights Held by Women	Percentage Profit Distribution Women are Entitled To
2005 (as at date of application)			

6.8.3 Did the applicant have a profit sharing scheme for employees in place in 2004?

☐ Yes ☐ No

6.8.4 If "Yes", what percentage of profit were employees not listed under question 6.3.2 entitled to?

6.8.5 Complete the following table in relation to monies paid to members:

Year	Salaries Paid to Members	Loans Made to Members	Profit Distributed to Members
2002 (financial year)			
2003 (financial year)			
2004 (financial year)			

6.8.6 Was the applicant managed by another entity, or was the catching processing or marketing performed by another entity during the 2004 financial year?

☐ Yes ☐ No


6.8.7 If "Yes", complete the table below:

Function	Rand Amount Paid to Other Entity	Rand Amount as a Percentage of the Applicant's Turnover in 2004
Management		
Catching		
Processing		
Marketing		

## Section 6

Transformation  
Skills Development


6.9 Has the applicant met the targets set in the Transformation Plan submitted in 2001? ☐ Fully ☐ Somewhat/Partially ☐ Not at all 

6.10 Complete the following table in relation to compliance with the Skills Development Levies Act 9 of 1998: 

Year	Did the applicant submit Workplace Skills Plan which was approved (Y/N)	Did the applicant submit an Annual Training Report which was approved (Y/N)	Rand Amount Paid to SARS in skills development levies	Percentage Salaries Bill Spent on Training	Percentage of Training Budget Spent on Black Employees
2001 (financial year end)					
2002 (financial year end)					
2003 (financial year end)					
2004 (financial year end)					

6.11 Did the applicant participate in a learnership programme during the medium term rights period? ☐ Yes ☐ No 


6.12 If "Yes," indicate the number of learnerships as a percentage of the employees in respect of whom the applicant prepared IRP5 certificates in 2004 (tax year end).


6.13. Did the applicant participate in any other skills development programmes through its SETA in 2004 such as an SME Support Strategy? ☐ Yes ☐ No 

6.14.1 How many skippers are used by the applicant?

6.14.2 What percentage of these skippers are black?

## Corporate Social Investment

6.15 Does the applicant make donations of its annual taxable income which qualify for deduction in terms of section 18A of the Income Tax Act 58 of 1962 ? ☐ Yes ☐ No 

6.16 If "Yes", indicate what percentage of net profit earned in the 2004 financial year these donations amount to: 

☐ 0 - 0.5 % 

☐ 0.5 - 1 %

☐ > 1 %

## Section 6

### Transformation

### Corporate Social Investment

6.17 Indicate the five largest tax deductible donations made per annum since 2001 in the table below.

Year	Benefiting Organisation	Rand Value of Amount Donated
2001 - 1		
2001 - 2		
2001 - 3		
2001 - 4		
2001 - 5		
Year	Benefiting Organisation	Rand Value of Amount Donated
2002 - 1		
2002 - 2		
2002 - 3		
2002 - 4		
2002 - 5		
Year	Benefiting Organisation	Rand Value of Amount Donated
2003 - 1		
2003 - 2		
2003 - 3		
2003 - 4		
2003 - 5		
Year	Benefiting Organisation	Rand Value of Amount Donated
2004 - 1		
2004 - 2		
2004 - 3		
2004 - 4		
2004 - 5		

6.18 Does the applicant make any other donations (in addition to those which qualify for deduction in terms of section 18A of the Income Tax Act 58 of 1962, but not including school fees)?

☐ Yes ☐ No



6.19 If "Yes", indicate what percentage of net profit earned in the 2004 financial year these other donations amount to :

☐ 0 - 0.5 %

☐ 0.5 - 1 %

☐ > 1 %



6.20 If other donations were made, indicate the five largest such donations made in 2004 in the table below:

Year	Benefiting Organisation	Rand Value of Amount Donated
2004 - 1		
2004 - 2		
2004 - 3		
2004 - 4		
2004 - 5		

**Section 6****Transformation****Affirmative Procurement**

6.21 Does the applicant have a written affirmative procurement policy?

☐ Yes ☐ No



6.22 Provide the following information in relation to the applicant's top ten South African suppliers (operational expenditure) in 2004:



Name of Supplier	Percentage of Black Ownership of Supplier	Amount Paid to Supplier in Rand in 2004	Percentage of Total Expenses

6.23 Has the applicant determined its affirmative procurement spend as a percentage of total procurement spend?

☐ Yes ☐ No



6.24 Has the applicant instituted a system to measure affirmative procurement spend as a percentage of total procurement spend in future?

☐ Yes ☐ No

**Section 7****Vessel, Crew and Environmental Safety****Contraventions**

7.1 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of penalty under section 324 of the Merchant Shipping Act, 57 of 1951?

☐ Yes ☐ No



7.2 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of penalty for contravening the Maritime Occupational Safety Regulations of 1994?

☐ Yes ☐ No





**Section 7****Vessel, Crew and Environmental Safety  
Contraventions**

7.3 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of a penalty for contravening the Crew Accommodation Regulations, 1961?

☐ Yes ☐ No

**Crew Safety and Working Conditions**

7.4 Has the applicant ever reported an accident in terms of section 6 of the Maritime Occupational Safety Regulations?

☐ Yes ☐ No



7.5 Has a qualified safety officer been appointed for each nominated vessel in terms of section 36 of the Maritime Occupational Safety Regulations?

☐ Yes ☐ No



7.6 Has every crew member on board each nominated vessel completed the approved safety induction training required by the Merchant Shipping Act, 57 of 1951?

☐ Yes ☐ No



7.7 If a nominated vessel is of 25 gross tonnage or more, has the vessel been issued with a valid SAMSA Safe Manning Document required in terms of the Merchant Shipping (Safe Manning) Regulations?

☐ Yes ☐ No



7.8 Has the applicant completed a formal safety assessment in terms of Marine Notice no 26 of 2004?

☐ Yes ☐ No



7.9 Has the applicant registered with the Commissioner in terms of the Compensation for Occupational Injuries and Diseases Act 130 of 1993?

☐ Yes ☐ No



7.10 Does the applicant have an HIV/AIDS policy?

☐ Yes ☐ No

**Vessel Safety**

7.11 Have the nominated vessel(s) been issued with a valid Local General Safety Certificate?

☐ Yes ☐ No



7.12 Are any operational limits imposed on the nominated vessel(s) by its Local General Safety Certificate (E.g. No more than 200 nautical miles off the South African coast)?

☐ Yes ☐ No

**Environmental Safety**

7.13 Has the applicant, during the medium term right period, been convicted or forfeited a deposit for contravening any part of the Marine Pollution (Prevention of Pollution from Ships) Act 2 of 1986 or Section 30 of the Marine Pollution (Control and Civil Liability) Act 6 of 1981?

☐ Yes ☐ No



7.14 Does the applicant have a Garbage Management Plan for each nominated vessel as stipulated in terms of Annex V of Marpol, as set out in the Schedule to the Marine Pollution (Prevention of Pollution from Ships) Act 2 of 1986?

☐ Yes ☐ No





## 8.1 Complete the following tables in relation to job creation.

8.1. Table 1

Year	Employees in respect of which the applicant prepares IRP5 Certificates (Land Based)	Employees in respect of which the applicant prepares IRP5 Certificates (Sea Based)	Employees in respect of which the applicant does not prepare IRP5 Certificates (Land Based)	Employees in respect of which the applicant does not prepare IRP5 Certificates (Sea Based)	Total Number of Employees (Columns 1-4)	Total Amount of Salary Bill as per Financial Statements	Percentage increase or decrease in total number of employees
2001 (date of application)							
2002 (financial year end)							
2003 (financial year end)							
2004 (financial year end)							
2005 (28 February 2005)							

1.2 Table 2

Applicant's Annual Catch Allocation (in tons) to the applicant in this fishery in 2004	Total Annual Salary Bill (in relation to this fishery) 2004 Financial Year End as per Table 8.1.1	How much does the applicant spend on salaries/wages per ton allocated?

8.1.3 Table 3

Applicant's Annual Catch Allocation (in tons) in this fishery in 2004	Total Employees (in relation to this fishery) (28 February 2005)	How many people does the applicant employ per ton allocated?	Total Employees less Seasonal Employees (in relation to this fishery) (28 February 2005)	How many people (less seasonal employees) does the applicant employ per ton allocated?

8.1.4 Table 4

Applicant's five highest annual salaries (total cost to company) paid between 1 March 2004 and 28 February 2005	Average of top five salaries	What was the multiple between the average of the five lowest and the average of the five highest salaries at 28 February 2005?
Applicant's five lowest annual salaries (total cost to company) paid between 1 March 2004 and 28 February 2005	Average of lowest five salaries	

**Section 9****Investment**

9.1 Complete the following tables:

9.1.1 Table 1

Year	Book Value of Total Fixed Assets (in relation to this fishery)	Percentage Increase or Decrease in Rand Value of Total Fixed Assets (in relation to this fishery)	Total Book Value of Total Land Based Fixed Assets (in relation to this fishery)	Total Book Value of Harbour and Sea Based Fixed Assets (in relation to this fishery)
2002 (financial year end)				
2003 (financial year end)				
2004 (financial year end)				

9.1.2 Table 2

Year	Insured Value of Total Fixed Assets (in relation to this fishery)	Percentage Increase or Decrease in Rand Value of Total Fixed Assets (in relation to this fishery)	Total Insured Value of Total Land Based Fixed Assets (in relation to this fishery)	Total Insured Value of Harbour and Sea Based Fixed Assets (in relation to this fishery)
2002 (financial year end)				
2003 (financial year end)				
2004 (financial year end)				

9.1.3 Table 3

Annual Catch Allocation (in tons) to the applicant in 2004	Book Value (in rands) of harbour and sea-based assets at 2004 financial year end	Book Value (in rands) of land-based assets at 2004 financial year end	Book Value of Harbour and Sea-Based Assets per ton allocated to applicant	Book Value of Land-Based Assets per ton allocated to applicant

9.1.4 Table 4

Annual Catch Allocation (in tons) to the applicant in 2004	Insured Value (in rands) of harbour and sea-based assets at 2004 financial year end	Insured Value (in rands) of land-based assets at 2004 financial year end	Insured Value of Harbour and Sea-Based Assets per ton allocated to applicant	Insured Value of Land-Based Assets per ton allocated to applicant

9.1.5 A detailed explanation of all investment made in marketing activities must be included as an annexure.

9.1.6 A detailed explanation of all investment made in processing activities must be included as an annexure.

**Section 9****Investment**

9.1.7 Has the applicant invested in on-board or land based processing facilities?

☐ Yes ☐ No

9.1.8 If yes, please complete the following table:

Annual Catch Allocation (in metric tons) to the applicant in 2004	Nominal Tons of Applicant's Allocation Processed On Board Vessel	Nominal Tons of Applicant's Allocation Processed on Land	Nominal Tons Processed on Behalf of other Right Holders On Board Vessel	Nominal Tons Processed on Behalf of other Right Holders on Land

**Section 10****Local Economic Development**

10.1 Complete the following table in relation to harbours and landing sites used:

Harbour / Landing Site Name	Tons Landed at Harbour in 2004 calendar year	Percentage of Total Catch Landed in 2004 calendar year
<b>TOTAL</b>		

10.2 At which harbours and  
landing sites will the  
applicant land its catches?

Harbour / Landing Site Names	

10.3 Has the applicant made any investment in physical infrastructure at these  
harbours or landing sites in order to improve or make landing catches at  
these harbours possible?

☐ Yes ☐ No

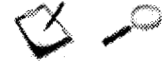


## Section 11

### Performance

### Financial

11.1 What is the applicant's 2004 audited, verified or certified Annual Turnover?



11.2 Indicate the rand value and percentage of total turnover derived from this fishery:

Annual Catch Allocation (in tons) to the Applicant in 2004	Turnover Generated in 2004 financial year by Annual Catch Allocation	Percentage of Total Turnover

11.3 Complete the following table in relation to ratio performance:

Year	Return on Net Assets (RONA)	Debt: Equity Ratio	Current Ratio	Quick Ratio (Acid Test)
2001				
2002				
2003				
2004				

11.4 Provide the following information in relation to the applicant's income statements:

Year	Turnover	Profit After Tax	Retained Earnings	Dividends Paid / Distribution of Profits
2001				
2002				
2003				
2004				

**Section 11****Performance****Financial**

11.5 Provide the following information in relation to the applicant's balance sheet:

Year	Assets	Long-Term Liabilities	Current Liabilities	Shareholder's Equity / Member's Contribution
2001				
2002				
2003				
2004				

11.6 Provide the following information in relation to the applicant's cash flow:

Year	Net Cash Inflow / Outflow from Operations	Net Cash Inflow / Outflow from Investing Activities	Net Cash Inflow / Outflow from Financing Activities
2001			
2002			
2003			
2004			

**Section 12****Fishing Plan**

12.1 Does the applicant have a fishing plan?

☐ Yes ☐ No

**Section 13****By-Catch and Environmentally Sustainable Practices****By-Catch**

13.1 Indicate the proportion of the applicant's annual catch that is made up of by-catch species:

Year	Annual By-Catch (in tons)	Annual Utilised By-Catch as a Percentage of Total Catch	Annual Unutilised By-Catch, Juvenile Species and Endangered Species as a Percentage of Total Catch
2001			
2002			
2003			
2004			



**Section 13****By-Catch and Environmentally Sustainable Practices**

13.2 Has the applicant put in place any measures to reduce energy and fuel consumption on vessels, and in processing facilities?

☐ Yes ☐ No



13.3 Does the applicant intend to put in place any measures to reduce energy and fuel reduction consumption on vessels, and in processing facilities?

☐ Yes ☐ No



13.4 Has the applicant undertaken or sponsored any research in relation to environmentally sustainable practices?

☐ Yes ☐ No

**Section 14****Fishing Levies**

14.1 Please provide the following information in relation to levies paid since 2001:



Year	Species	Total Catch in Tons	Levies Paid
2001			
2001			
2001			
2001			
2001			
2002			
2002			
2002			
2002			
2002			
2003			
2003			
2003			
2003			
2003			
2004			
2004			
2004			
2004			
2004			

14.2 What was the date and amount of the applicant's most recent levy payment?

Date  
yyyy/mm/dd

Amount



## Section 15

**Applicant Declaration**

I, the undersigned, do hereby make oath and declare that:

- (a) I have read the instructions set out on pages 2 and 3 of this application form;
- (b) the information submitted with and in this Application is true and correct and complete.
- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to my application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) The applicant undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (f) The applicant accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

**Signed at:** \_\_\_\_\_

**This** \_\_\_\_\_ **day of** \_\_\_\_\_ **2005**

**Signature of Authorised Representative:** \_\_\_\_\_

**Representative's Full Name:** \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address

**Holding Company Declaration**

I, the undersigned, do hereby make oath and declare that:

- (a) I have read the instructions set out on pages 2 and 3 of this application form;
- (b) the information submitted with and in this Application is true and correct and complete.
- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to the application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (f) \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

**Signed at:** \_\_\_\_\_

**This** \_\_\_\_\_ **day of** \_\_\_\_\_ **2005**

**Signature of Authorised Representative:** \_\_\_\_\_

**Representative's Full Name:** \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address



## Section 15

**Sister Company Declaration**

I, the undersigned, do hereby make oath and declare that:

- (a) I have read the instructions set out on pages 2 and 3 of this application form;
- (b) the information submitted with and in this Application is true and correct and complete.
- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to my application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (f) \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

**Signature of Authorised Representative of Sister Company (if applicable)**

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address

**JV Partner Declaration**

I, the undersigned, do hereby make oath and declare that:

- (a) I have read the instructions set out on pages 2 and 3 of this application form;
- (b) the information submitted with and in this Application is true and correct and complete.
- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to the application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (f) \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

**Signature of Authorised Representative of JV Partner (if applicable)**

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address

**SCHEDULES**

**IF THE APPLICANT CANNOT PROVIDE THE INFORMATION REQUESTED IN ANY OF THE SCHEDULES BELOW, THE APPLICANT MAY SUBMIT AN EXPLANATION FOR THIS IN PLACE OF THAT ANNEXURE**

**Schedule 1 - Applicant Details**

- a) Provide, as Annexure 1A a brief profile of the applicant organisation including an organogram which clearly indicates the applicant's business model including holding company, sister company and joint venture partner relationships. The applicant should pertinently indicate if it intends to apply in more than one sector, is involved in industries other than the fishing industry and if the applicant does rely on information of holding companies, sister companies and joint venture partners in this application. The profile may not exceed 5 pages.
- b) Section 1.3: Provide a copy of a valid company or close corporation registration certificate as Annexure 1B.
- c) Section 1.8.6: Provide a copy of a resolution duly authorising the person named in Section 1.8.6 to be the authorised contact person, as Annexure 1C.

**Schedule 2 - Form of Applicant**

- a) Section 2.1: Provide a copy of the 2005 permit as Annexure 2A.
- b) Section 2.2: Provide a copy of the letter granting a right as Annexure 2B.
- c) Section 2.3: If the medium term right is currently held by an entity different from the one listed in Section 2.2, provide a detailed explanation as Annexure 2C.
- d) Section 2.5: Provide a copy of a valid SARS tax clearance certificate as Annexure 2D.
- e) Section 2.7: If "Yes," provide a detailed statement describing percentage of shareholding, the name and the registration number of the company as Annexure 2E.
- f) Section 2.8: If "Yes," provide a detailed statement describing percentage of shareholding, the name and the registration number of the company as Annexure 2G.

**Schedule 3 - Compliance**

- a) Section 3.1.1: If "Yes", provide details and documentation regarding the conduct of the applicant, the identity and conduct of the members, shareholders or directors resulting in the conviction, the dates of conviction, and the penalties imposed as Annexure 3A.
- b) Section 3.1.2: If "Yes", provide details and any documentation of the plea bargain arrangement entered into, and details regarding the conduct and identity of the individuals giving rise to the plea bargain, the dates and specifics of the plea bargain, as Annexure 3B.
- c) Section 3.1.3: If "Yes", provide details and any documentation regarding the admission of guilt fine paid, including information regarding the conduct and identity of the individuals giving rise to the fine, the date of offence and rand amount paid as Annexure 3C.
- d) Section 3.1.4: If "Yes", provide details and any documentation regarding the offence including information regarding the conduct and identity of the individuals giving rise to the fine, the date of offence and penalty as Annexure 3E.
- e) Section 3.2: If "Yes", provide details regarding the detention, arrest or seizure, including information regarding the conduct and identity of individuals involved as Annexure 3E. Also provide details if a final confiscation or forfeiture order was / was not granted under the Prevention of Organised Crime Act.
- f) Section 3.3: If "Yes", provide details and any documentation including the identity and conduct of individuals giving rise to the Section 28 procedure as Annexure 3F.

**Schedule 4 - Vessel Details**

- a) Section 4.2: For each vessel nominated, provide copies of the following documents:
- i) SAMSA Safety Certificate(s) as Annexure 4A;
  - ii) South African Certificate(s) of Registry as Annexure 4B;
  - iii) agreement(s) providing access to the vessel if the applicant is not the majority shareholder or the sole owner of the vessel as Annexure 4C;
  - iv) Local General Safety Certificate(s) as Annexure 4D.
- b) If the applicant is unable to furnish any of the above documents for any of the nominated vessels, the applicant must provide an explanation for this as Annexure 4E.

**Schedule 5 - Catch Utilisation**

- a) Section 5.2: If the applicant over- or under-caught by more than 10% in any year, a detailed explanation must be attached as Annexure 5A.

**Schedule 6 - Transformation**

- a) Section 6.3.1: If the applicant completed Section 6.3.1 in respect of the board of directors of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.3.1 for the applicant and the other entities separately, and submit these as Annexure 6A.
- b) Section 6.3.2: If the applicant completed Section 6.3.2 in respect of the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.3.2 for the applicant and the other entities separately, and submit these as Annexure 6B.
- c) Section 6.4.1: If the applicant completed Section 6.4.1 in respect of the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.4.1 for the applicant and the other entities separately, and submit these as Annexure 6C.
- d) Section 6.4.2: If "Yes," the applicant must provide details of contributions made to medical aid and pension, including details of the classes of beneficiaries, the employer's contributions and the nature of the benefits as Annexure 6D.
- e) Section 6.4.3: If "Yes," the applicant must provide details of the nature of the benefits provided, classes of beneficiaries and the employer's contribution as Annexure 6E.
- f) Section 6.5, 6.6.1 and 6.6.2: If the applicant completed Sections 6.5, 6.6.1 and 6.6.2 with reference to the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.5, 6.6.1 and 6.6.2 for the applicant and the other entities separately and submit these as Annexure 6F.
- g) Section 6.7.1: Explain how black shareholding and black voting rights were calculated as Annexure 6G. This annexure should include details of any Black Economic Empowerment deals the applicant has concluded. The annexure must also include a complete list of all shareholders, following the flow through principle. This list should indicate the name, identification / registration number, whether the shareholder is black (if natural person), or what percentage of the shareholder is black (if company or close corporation), the gender of the shareholder (if natural person), or what percentage of the shareholder is female (if company or close corporation).
- h) Section 6.7.3: If "Yes," provide details regarding the applicant's employee share scheme, paying particular attention to actual benefits to employees, as well as a copy of the employee share scheme policy as Annexure 6H.

**Schedule 6 - Transformation**

- i) Section 6.7.5: Provide a breakdown of all salaries, loans and dividends paid to shareholders for each year including the name, identification number of the shareholder, as well as whether the shareholder is Black (if natural person, or name and company registration number and percentage black shareholding or interest if juristic person), as Annexure 6I.
- j) Section 6.7.7: If the applicant completed any part of the table in question 6.7.7, the applicant must provide details regarding the entity, the relationship between the applicant and the entity, and whether the applicant or the applicant's holding company have any equity interest in the other entity, as Annexure 6J.
- k) Section 6.8.1: Provide a list of all the applicant's members names, identification number, whether the member is black and the gender of the member, as Annexure 6K.
- l) Section 6.8.3: If "Yes," provide details of the applicant's employee profit sharing scheme, paying particular attention to actual benefits to employees, as well as a copy of the employee share scheme policy as Annexure 6L.
- m) Section 6.8.5: Provide a breakdown of all salaries, loans and profit distribution paid to members for each year, including the name and identification number of the member, as well as whether the member is Black, as Annexure 6M.
- n) Section 6.8.7: If the applicant completed any part of the table in question 6.8.7, the applicant must provide details regarding the entity, the relationship between the applicant and the entity, and whether the applicant or the applicant's holding company have any equity interest in the other entity as Annexure 6N.
- o) Section 6.9: Provide a summary of the targets set in the Transformation Plan, the extent to which these were met and the measures taken to reach the targets as Annexure 6O.
- p) Section 6.10: If the applicant completed Section 6.10 with reference to the payroll and training budgets of both the applicant and of any other entity(ies) as per the Explanatory Notes, the applicant must complete the table in Section 6.10 for both the applicant and the other entity(ies) separately and submit these as Annexure 6P.
- q) Section 6.12: If the applicant completed Section 6.12 with reference to the learnerships of both the applicant and of any other entities as per the Explanatory Notes, the applicant must provide a breakdown of the information required in Section 6.12 for both the applicant and the other entities separately and submit these as Annexure 6Q.
- r) Section 6.13: If "Yes" provide a detailed description of the applicant's participation in such skills development programmes, as well as any supporting documentation from the SETA, as Annexure 6R.
- s) Section 6.14.1 and 6.14.2: If the applicant completed Sections 6.14.1 and 6.14.2 with reference to the skippers of both the applicant and of any other entities as per the Explanatory Notes, the applicant must provide a breakdown of the information required in Section 6.14.1 and 6.14.2 for both the applicant and the other entities separately and submit these as Annexure 6S.
- t) Section 6.15, 6.16 and 6.17: If the applicant completed Sections 6.15, 6.16 and 6.17 with reference to the donations of both the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the table in Section 6.17 for both the applicant and the other entities separately and submit these as Annexure 6T.
- u) Section 6.18, 6.19 and 6.20: If the applicant completed Sections 6.18 and 6.19 with reference to the donations of both the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the table in Section 6.20 for both the applicant and the other entities separately and submit these as Annexure 6U.
- v) Section 6.21: If "Yes" provide a copy of the Affirmative Procurement Policy as Annexure 6V.
- w) Section 6.22: Provide a breakdown of capital and operational expenditure paid to South African suppliers, including the percentage black ownership of these suppliers as Annexure 6W.
- x) Section 6.23: If "Yes," explain how the Applicant determined its affirmative procurement spend as Annexure 6X.

**Schedule 7 - Safety**

- a) Section 7.1: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure 7A.
- b) Section 7.2: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure 7B.
- c) Section 7.3: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure 7C.
- d) Section 7.4: If "Yes," provide a detailed description of the accident as Annexure 7D .
- e) Question 7.5: If "Yes," provide the name, identity number and qualification of each safety officer for each vessel. If "No," please provide a detailed explanation of why the applicant has not appointed a qualified safety officer for each vessel. The information provided under this section must be contained in Annexure 7E.
- f) Section 7.6: If "No," provide a detailed explanation as Annexure 7F.
- g) Section 7.7: If "Yes," provide a copy of the Safe Manning Document as Annexure 7G. If "No," and the nominated vessel is of 25 gross tonnage or more, provide a detailed explanation as Annexure 7G.
- h) Section 7.10: If "Yes," provide a copy of the policy as Annexure 7H. If "No," an explanation of why the applicant does not have an HIV/AIDS policy must be provided as Annexure 7H.
- i) Section 7.11: If "Yes," provide a copy of the Local General Safety Certificate as Annexure 7I. If "No," a detailed explanation must be provided as Annexure 7I.
- j) Section 7.13: If "Yes," provide details and documentation regarding the conduct of the applicant, its members, shareholders or directors resulting in the convictions and penalties imposed as Annexure 7J.
- k) Section 7.14: If "Yes," provide a copy of the plan as Annexure 7K. If "No," provided a detailed explanation of why not as Annexure 7K.

**Schedule 8 - Job Creation**

- a) Section 8.1: The applicant must provide breakdowns as described in the Explanatory Notes as Annexure 8A.
- b) Section 8.1.4: If the applicant completed Questions 8.1.4 with reference to the payrolls of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the table in Question 8.1.4 for both the applicant and the other entities separately, and submit these as Annexure 8B.

**Schedule 9 - Investment**

- a) Section 9.1 and 9.1.2: Provide breakdowns as described in the Explanatory Notes as Annexure 9A
- b) Section 9.1.5: Provide a detailed explanation of all investments in marketing activities, including investments in distribution channels, product research and market research as Annexure 9B.
- c) Section 9.1.6: Provide a detailed explanation of all investments in processing activities as Annexure 9C.

**Schedule 10 - Local Economic Development**

- a) Section 10.3: If "Yes," provide a detailed explanation of all investments made in order to make landing catches at identified harbours possible as Annexure 10A.

**Schedule 11 - Performance (Financial)**

- a) Section 11.1: Provide a copy of the applicant's 2004 audited financial statements as Annexure 11A. The applicant's auditors will be required to confirm its responses to all questions in Section 11.
- b) Section 11.2: If the applicant completed the table in Section 11.2 with reference to the turnover of both the applicant and of any other entity(ies) as per the Explanatory Notes, the applicant must complete the table in Section 11.2 for both the applicant and the other entity(ies) separately and submit these as Annexure 11B

**Schedule 12 - Fishing Plan**

- a) Section 12: If "Yes," provide a synopsis of the applicant's fishing plan as Annexure 12A, paying particular attention to:
- a) days to be spent fishing per vessel nominated;
  - b) areas to be targeted;
  - c) species to be targeted and mix of species;
  - d) expected size of species to be targeted;
  - e) detailed information regarding:
    - Age
    - Size
    - Gear (length of lines, numbers of traps and winch carrying capacity)
    - Fishing capacity and
    - Processing capacity of each nominated vessel (where appropriate).

The fishing plan must clearly demonstrate the applicant's ability to perform effectively in the fishery.

**Schedule 13 - By-Catch and Environmentally Sustainable Practices**

- a) Section 13.1: Provide a detailed explanation of how the applicant manages bycatch, as Annexure 13A.
- b) Section 13.2: Provide a detailed explanation of measures put in place to reduce energy and fuel consumption on vessels and in processing facilities, as Annexure 13B.
- c) Section 13.3: Provide a detailed explanation of intended measures to reduce energy and fuel consumption on vessels and in processing facilities, as Annexure 13C.
- d) Section 13.4: Provide a detailed explanation of any research undertaken or sponsored by the applicant in relation to environmentally sustainable practices, as Annexure 13D.

**FOR OFFICIAL USE ONLY: DO NOT TEAR OFF****RECEIPT**

Received by: \_\_\_\_\_

Date of Receipt: 14 July 2005 or 15 July 2005

Time of Receipt: \_\_\_\_\_ h \_\_\_\_\_

Application Number: \_\_\_\_\_

Departmental Stamp:

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**Disclaimer:** The receipting of this application does not imply an acknowledgement of the completeness of the application or the correctness of its content.

**RECEIPT - FOR APPLICANT TO RETAIN**

Received by: \_\_\_\_\_

Date of Receipt: 14 July 2005 or 15 July 2005

Time of Receipt: \_\_\_\_\_ h \_\_\_\_\_

Application Number: \_\_\_\_\_

Departmental Stamp:

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**Disclaimer:** The receipting of this application does not imply an acknowledgement of the completeness of the application or the correctness of its content.



APPLICATION NUMBER]

☐ lock the app no.

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM  
BRANCH: MARINE AND COASTAL MANAGEMENT



# Small Pelagics (Anchovy and Sardine Purse-Seine)

## Long Term Rights Allocation Process: 2005

### Cluster A

#### Application Form For: Medium Term Right Holders

Registered Name of Applicant

Company Registration Number  
or  
Close Corporation Registration  
Number

Principal Place of Business

Number of Vessels Nominated

The applicant is applying for anchovy

☐

The applicant is applying for sardine purse seine

☐

The applicant is applying for anchovy AND sardine purse seine

☐Number of tons of anchovy  
applicant is applying for:Number of tons of sardine  
applicant is applying for:

**IMPORTANT INFORMATION****INSTRUCTIONS****GENERAL**

- 1) This application form must be read together with these Instructions, the Explanatory Notes, the Schedules to the application form and the Procedures for Independent Auditors (available on the Public Accountants' and Auditors' Board website, [www.paab.co.za](http://www.paab.co.za) or [www.saica.co.za](http://www.saica.co.za)).
- 2) When completing the application form, applicants are advised to read carefully the General Policy on the Allocation and Management of Long Term Fishing Rights, as well as the applicable Fishery Specific Policy. These policies are available at [www.mcm-deat.gov.za](http://www.mcm-deat.gov.za). The policies guide the Minister or his delegate when considering the application.
- 3) Should the applicant have any queries regarding the completion of the application form, it must e-mail the Department at [clusters@deat.gov.za](mailto:clusters@deat.gov.za). Every query and response will be collated and circulated by e-mail to all the applicants in the sector and will be made available on [www.mcm-deat.gov.za](http://www.mcm-deat.gov.za). Should the applicant require technical assistance with the application form software, it must contact the Rights Verification Unit in one of the following ways:

Tel: (021) 670-3669

Fax: (021) 670-1782

E-mail: [RVU@deloitte.co.za](mailto:RVU@deloitte.co.za)

Applicants or their representatives may not communicate with the Minister, the delegated authority, or officials in the Department regarding their applications in any other manner. Moreover, no reliance may be placed on any information given or obtained in any other manner.

**ICONS**

- 4) Applicants must pay attention to the icons in the application form in order to determine whether:

- the information provided will be treated as confidential;
- there is any documentation or information required in response to a question in the form of an annexure;
- the applicant's auditors need to verify a response; and
- there are consequences of not answering a question.

- 5) The application form makes use of the following icons:



The books icon means that the information provided will be treated as confidential.



The clipboard icon means that the applicant must complete the corresponding Schedule to the application form. Applicants are instructed in the schedules regarding the documentation or information required as annexures. If the required documentation or information is not submitted, the application may be adversely affected. Failure to submit certain requested documents or information may result in the application being refused.



The magnifying glass icon means that the applicant's response to the question must be verified by an auditor (registered with the Public Accountants and Auditors board) engaged by the applicant as per the Procedures for Independent Auditors. The auditor must complete and sign the Audit Report on failing which the application will be refused.



The warning icon means that if the applicant fails to answer the question, the answer will be deemed to be adverse to the applicant.

**COMPLETION OF APPLICATION FORM**

- 6) The applicant must complete all sixteen sections of the application form. The applicant must respond in the spaces provided in the application form. Information may not be submitted by way of annexures except where applicants are specifically allowed to do so.
- 7) The application form must be completed electronically, and saved onto the two blank CDs provided on registration. One of these CDs must be submitted in the manner described below, while the other must be retained by the Applicant. Annexures to the application form do not need to be scanned and saved on to the CDs. The Department may request additional electronic copies of the application at a later stage.
- 8) This form is tagged and coded in order to facilitate electronic uploading of the application into a database. The applicant may not submit the application in any other form. If the applicant submits its application in any other form, the application will be refused.
- 9) The application must also be printed out and the declaration must be signed and attested by the Applicant's authorised representative, and, if applicable, the authorised representative(s) of the holding company, sister company(ies) and the joint venture partner(s). If the declaration is not signed and attested, the application will be refused.
- 10) The printed version of the electronic application, duly signed and attested, must be punched and placed into lever arch files with a divider before each annexure. The annexures must be numbered according to the schedules. Confidential information requested under questions marked by the books icon should be placed in a sealed A4 envelope marked with the application number, punched and placed in the lever arch file after the annexures.

**IMPORTANT INFORMATION****INSTRUCTIONS**

- 11) One true copy of the printed version of the application must be made. This copy must be punched and divided in the Same manner as the original. The copy does not have to be certified as a true copy of the original, but it will be assumed to be the Same as the original. Any discrepancy may invalidate the application.

**LODGEMENT OF APPLICATION**

- 12) The CD containing the application, the original printed version (signed and attested), and a copy of the printed version must be hand delivered to the place, on the dates and times ~~stated~~ below:

Place: Good Hope Centre

Dates and Times: Thursday 14 July 2005 between 08h00 and 19h00, or Friday 15 July between 08h00 and 17h00

- 13) The application may not be submitted by post or by fax. An application not submitted by hand within the above times, on the above dates at the above address will be refused.

**IMPROPER LODGEMENT**

- 14) Improperly lodged applications will be refused.

An application is improperly lodged if:

- it is received late;
- the applicant makes no payment, or short payment, or late payment of the application fee;
- the application is lodged in a manner contrary to the instructions.

**MATERIAL DEFECTS**

- 15) Applications that are materially defective will be refused.

An application is materially defective if:

- the declaration is not signed and attested by the Applicant's authorised representative, and, if applicable, the authorised representative(s) of the holding company, sister company(ies) and the joint venture partner(s).
- the auditor's report is not submitted or signed;
- more than one application is received for a right in the same sector;
- the applicant, or, if applicable, the holding company, sister company(ies) and the joint venture partner(s) provides false information or documents, fails to disclose material information or attempts to influence the Minister or the delegated authority other than in the manner provided for in the General Policy and in this application form.

## Section 1

## Applicant Details

1. The applicant must supply a profile of its organisation including an organogram and a description of its fishing operations, as Schedule 1A. ☒

1.1 Registered Name of Applicant

1.2 Trading Name of Applicant:

1.3 Registration Number:

1.4 Income Tax Number:

1.5 Vat Number:

1.6 Skills Development Levy Number:

- 1.7 Have the applicant's details (1.8.1 - 1.8.7d) changed since the applicant registered?

☐ Yes ☐ No

1.8 If "Yes", complete only those details that have changed:

1.8.1 Principal Place of Business:

Number and Street:

Suburb:

Town / City:

Postal Code:

1.8.2 Postal Address: Number and Street / PO Box:

Suburb:

Town / City:

Postal Code:

Area Code:

1.8.3 Telephone Number:



1.8.4 Additional Telephone Number:



1.8.5 Fax Number:



1.8.6 Authorised Contact Person First Name:

1.8.7 Authorised Contact Person Surname:

a) Identity Number:

b) Position Held / Relationship to Applicant:

c) Cellular Number:

d) E-mail Address:

## Section 2

## Form of Application

2.1 Does the applicant currently hold a medium term fishing right in this sector?

☐ Yes ☐ No



2.2 If "Yes", to which entity or person was the medium term fishing right allocated in 2001/2002?

<input checked="" type="checkbox"/> Company	<input type="checkbox"/>	Name	
<input type="checkbox"/> Close Corporation	<input type="checkbox"/>	Name	
<input type="checkbox"/> Trust	<input type="checkbox"/>	Name	
<input type="checkbox"/> Individual	<input type="checkbox"/>	Name	

2.3 In what form of entity is the medium term fishing right currently held?



<input type="checkbox"/> Company	<input type="checkbox"/>	Name	
<input type="checkbox"/> Close Corporation	<input type="checkbox"/>	Name	
<input type="checkbox"/> Trust	<input type="checkbox"/>	Name	
<input type="checkbox"/> Individual	<input type="checkbox"/>	Name	

2.4 Is the applicant more than 50% South African owned?

☐ Yes ☐ No



2.5 Does the applicant have a valid tax clearance certificate?

☐ Yes ☐ No



2.6 Complete the following table in relation to asset value and turnover:

Year	Turnover	Gross Asset Value (excluding fixed property)
2004 (Financial Year End)		

2.7 Does the applicant hold any share(s) in any other company that is applying as a medium term right holder in this sector?

☐ Yes ☐ No



2.8 Does the applicant hold any share(s) in any company that is applying as a new entrant in this sector?

☐ Yes ☐ No



## Section 3

## Compliance

3.1 Has the applicant, or any of its members, shareholders or directors:

3.1.1 been convicted of a contravention of the MLRA, or the regulations, or permit conditions during the medium term right period?

☐ Yes ☐ No



3.1.2 entered into a plea bargain under the Criminal Procedure Act 51 of 1977, for a contravention of the MLRA, or the regulations, or permit conditions during the medium term right period?

☐ Yes ☐ No






3.1.3 paid an admission of guilt fine for a contravention of the MLRA, the regulations, or the permit conditions during the medium term right period?

☐ Yes ☐ No



## Section 3 Compliance

- 3.1.4 been charged with an offence under the MLRA, or the regulations or permit conditions during the medium term right period? ☐ Yes ☐ No 
- 3.2 Has a fishing vessel, motor vehicle, premises or any other assets of the applicant, or any of its shareholders, members or directors been detained, arrested or seized under the MLRA or restrained, preserved, confiscated or forfeited under the Prevention of Organised Crime Act 121 of 1998 during the medium term right period? ☐ Yes ☐ No 
- 3.3 Was the applicant's right or permit suspended, revoked, cancelled, reduced or altered under section 28 of the MLRA during the medium term right period? ☐ Yes ☐ No 

## Section 4 Vessel Details

4.1 How many vessels has the applicant nominated for use in this fishery?

4.2 Fill in the relevant details in the tables below regarding each vessel nominated: 

Vessel 1	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	

Vessel 2	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	

## Section 4

### Vessel Details



Vessel 3	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 4	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 5	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



## Section 5

## Catch Utilisation

5.1 Did the applicant over-catch or under-catch by more than 10% during the medium term rights period?

☐ Yes ☐ No



5.2 Complete the following in relation to the applicant's catch records.



Year	Annual Catch Allocation (in metric tons)	Total Actual Catch of Applicants Allocation (Nominal tons)	Percentage under-caught	Percentage over-caught
2002 Season				
2003 Season				
2004 Season				

## Section 6

## Transformation

## Management and Employment Equity

6.1 Was the applicant a designated employer as defined in section 1 of the Employment Equity Act, 55 of 1998 as at 28 February 2005?

☐ Yes ☐ No



6.2.1 If "Yes", has the applicant complied with the Employment Equity Act, 55 of 1998?

☐ Yes ☐ No



6.2.2 If "No", has the applicant voluntarily complied with the Employment Equity Act, 55 of 1998?

☐ Yes ☐ No



## Section 6

## Transformation

## Management and Employment Equity

6.3.1 Complete the table below in respect of the applicant's board of directors (if a company) or members (if a close corporation) as at 28 February 2005.



	Director / Member Name (Initial & Surname)	Years of Service	Total Annual Remuneration (Total Cost to Company)	Black (Y/N)	Gender (M/F)	ID Number
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						

## Section 6

## Transformation

## Management and Employment Equity

6.3.2 Complete the table below in respect of employees at 28 February 2005.




Between 1 - 5 Employees	The Top Salary Earner (Total Cost to Company)
Between 6 - 30 Employees	The Top Two Salary Earners (Total Cost To Company)
Between 31 - 60 Employees	The Top 3 Salary Earners (Total Cost to Company)
Between 61 - 165 Employees	The Top 4 Salary (Total Cost to Company) Earners
More than 165 Employees	The Top 3% of Salary Earners (Total Cost to Company) up to 90 Employees

	Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black (Y/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							

## Section 6

## Transformation

## Management and Employment Equity




	Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black (Y/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
20							
21							
22							
23							
24							
25							
26							
27							
28							
29							
30							
31							
32							
33							
34							
35							
36							
37							
38							
39							
40							
41							
42							
43							
44							
45							
46							
47							
48							
49							
50							
51							
52							
53							
54							
55							

## Section 6

## Transformation

## Management and Employment Equity



	Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black (Y/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
56							
57							
58							
59							
60							
61							
62							
63							
64							
65							
66							
67							
68							
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80							
81							
82							
83							
84							
85							
86							
87							
88							
89							
90							

## Section 6

## Transformation

## Management and Employment Equity

6.4.1 Complete the following table in relation to income levels of the applicant's permanent employees at 28 February 2005:

	Gross Monthly Income (Total Cost to Company)	Number of Employees	Percentage of Total Employees	Number of Black Employees	Percentage of Total Black Employees	Number of Female Employees
1	<R2 500					
2	Between R2 500 and R5 500					
3	Between R5 501 and R10 500					
4	Between R10 501 and R16 000					
5	Between R16 001 and R20 000					
6	Between R20 001 and R25 000					
7	Between R25 001 and R30 000					
8	Between R30 001 and R40 000					
9	Between R40 001 and R60 000					
10	>R60 000					
	Total		100%		100%	

6.4.2 Does the applicant contribute towards medical aid and pension for its employees?

☐ Yes ☐ No

6.4.3 Does the applicant provide any other type of benefits for its employees?

☐ Yes ☐ No

6.5 Complete the following table in relation to the applicant's employment equity profile as provided to the Department of Labour in October 2004. If the applicant is not designated or did not voluntarily comply then the table must be completed as at 28 February 2005.

Occupational Categories	Gender									Total	
		A No	A %	C No	C %	I No	I %	W No	W %	ACI %	F %
Top & Senior Management / Senior Officials and Managers	Male										
	Female										
Professionally Qualified and experienced specialists and mid-management / Professionals	Male										
	Female										
Skilled Technical and academically qualified workers, supervisors, foremen, and superintendents / Technicians and Associate Professionals	Male										
	Female										
Semi-skilled and discretionary decision-making / unskilled and undefined decision-making / Clerks, Service & Sales Workers, Fishery Workers, Artisans & Related Trade Workers, Plant & Machine Operators & Assemblers, Elementary Occupations	Male										
	Female										
TOTAL	Male										
	Female										

A = African, C = Coloured, I = Indian, W = White, M = Male, F = Female, ACI = African, Coloured and Indian





**Section 6****Transformation****Ownership - Companies Only**

**6.7** Is the applicant a company?

☐ Yes ☐ No

**6.7.1** If "Yes", complete the table below in respect of shareholding held by black persons:

Year	Percentage Shareholding Held by Black Persons	Percentage Voting Rights Held by Black Persons	Percentage of Dividends Black Shareholders are Entitled To
2001 (as in 2001 application form)			
2005 (at date of application)			

**6.7.2** Complete the following table in relation to shareholding held by women based on the flow through principle:

Year	Percentage Shareholding Held by Women	Percentage Voting Rights Held by Women	Percentage of Dividends Women are Entitled To
2005 (at date of application)			

**6.7.3** Did the applicant have a share scheme in place in 2004 for employees?

☐ Yes ☐ No

**6.7.4** If "Yes", what is the percentage shareholding held by or for employees not listed under question 6.3.2, through the scheme?

**6.7.5** Complete the following table in relation to monies paid to shareholders:

Year	Salaries Paid to Shareholders	Loans Made to Shareholders	Dividends Paid to Shareholders
2002 (financial year)			
2003 (financial year)			
2004 (financial year)			

**6.7.6** Was the applicant managed by another entity, or was the catching, processing or marketing of the 2004 allocation in this fishery performed by another entity during the 2004 financial year?

☐ Yes ☐ No

**6.7.7** If "Yes", complete the table below:

Function	Rand Amount Paid to Other Entity during the 2004 Financial Year	Rand Amount as a Percentage of the Applicant's Total Turnover in 2004
Management		
Catching		
Processing		
Marketing		

## Transformation Ownership - Close Corporations Only

6.8 Is the applicant a close corporation?

☐ Yes ☐ No

6.8.1 If "Yes", complete the table below in respect of members interest held by black persons:

Year	Percentage Interest Held by Black Persons	Percentage Voting Rights Held by Black Persons	Percentage Profit Distribution Black Persons are Entitled To
2001 (as in 2001 application form)			
2005 (as at date of application)			

6.8.2 Complete the table below in relation to members interest held by women:

Year	Percentage Interest Held by Women	Percentage Voting Rights Held by Women	Percentage Profit Distribution Women are Entitled To
2005 (as at date of application)			

6.8.3 Did the applicant have a profit sharing scheme for employees in place in 2004?

☐ Yes ☐ No

6.8.4 If "Yes", what percentage of profit were employees not listed under question 6.3.2 entitled to?

6.8.5 Complete the following table in relation to monies paid to members:

Year	Salaries Paid to Members	Loans Made to Members	Profit Distributed to Members
2002 (financial year)			
2003 (financial year)			
2004 (financial year)			

6.8.6 Was the applicant managed by another entity, or was the catching processing or marketing performed by another entity during the 2004 financial year?

☐ Yes ☐ No


6.8.7 If "Yes", complete the table below:

Function	Rand Amount Paid to Other Entity	Rand Amount as a Percentage of the Applicant's Turnover in 2004
Management		
Catching		
Processing		
Marketing		


## Section 6

Transformation  
Skills Development

6.9 Has the applicant met the targets set in the Transformation Plan submitted in 2001? ☐ Fully ☐ Somewhat/Partially ☐ Not at all 

6.10 Complete the following table in relation to compliance with the Skills Development Levies Act 9 of 1998: 

Year	Did the applicant submit Workplace Skills Plan which was approved (Y/N)	Did the applicant submit an Annual Training Report which was approved (Y/N)	Rand Amount Paid to SARS in skills development levies	Percentage Salaries Bill Spent on Training	Percentage of Training Budget Spent on Black Employees
2001 (financial year end)					
2002 (financial year end)					
2003 (financial year end)					
2004 (financial year end)					

6.11 Did the applicant participate in a learnership programme during the medium term rights period? ☐ yes ☐ No 

6.12 If "Yes," indicate the number of learnerships as a percentage of the employees in respect of whom the applicant prepared IRP5 certificates in 2004 (tax year end).

6.13. Did the applicant participate in any other skills development programmes through its SETA in 2004 such as an SME Support Strategy? 

☐ Yes ☐ No

6.14.1 How many skippers are used by the applicant?


6.14.2 What percentage of these skippers are black?


## Corporate Social Investment

6.15 Does the applicant make donations of its annual taxable income which qualify for deduction in terms of section 18A of the Income Tax Act 58 of 1962?

☐ Yes ☐ No 

6.16 If "Yes", indicate what percentage of net profit earned in the 2004 financial year these donations amount to:

☐ 0 - 0.5 % 

☐ 0.5 - 1 % 

☐ > 1 %

## Section 6

### Transformation

### Corporate Social Investment

6.17 Indicate the five largest tax deductible donations made per annum since 2001 in the table below.

Year	Benefiting Organisation	Rand Value of Amount Donated
2001 - 1		
2001 - 2		
2001 - 3		
2001 - 4		
2001 - 5		
Year	Benefiting Organisation	Rand Value of Amount Donated
2002 - 1		
2002 - 2		
2002 - 3		
2002 - 4		
2002 - 5		
Year	Benefiting Organisation	Rand Value of Amount Donated
2003 - 1		
2003 - 2		
2003 - 3		
2003 - 4		
2003 - 5		
Year	Benefiting Organisation	Rand Value of Amount Donated
2004 - 1		
2004 - 2		
2004 - 3		
2004 - 4		
2004 - 5		

6.18 Does the applicant make any other donations (in addition to those which qualify for deduction in terms of section 18A of the Income Tax Act 58 of 1962, but not including school fees)?

☐ Yes ☐ No

6.19 If "Yes", indicate what percentage of net profit earned in the 2004 financial year these other donations amount to :

☐ 0 - 0.5%

☐ 0.5 - 1%

☐ > 1%

6.20 If other donations were made, indicate the five largest such donations made in 2004 in the table below:

Year	Benefiting Organisation	Rand Value of Amount Donated
2004 - 1		
2004 - 2		
2004 - 3		
2004 - 4		
2004 - 5		

**Section 6****Transformation  
Affirmative Procurement**

6.21 Does the applicant have a written affirmative procurement policy?

☐ Yes ☐ No

6.22 Provide the following information in relation to the applicant's top ten South African suppliers (operational expenditure) in 2004:

Name of Supplier	Percentage of Black Ownership of Supplier	Amount Paid to Supplier in Rands in 2004	Percentage of Total Expenses

6.23 Has the applicant determined its affirmative procurement spend as a percentage of total procurement spend?

☐ Yes ☐ No

6.24 Has the applicant instituted a system to measure its affirmative procurement spend as a percentage of total procurement spend?

☐ Yes ☐ No

**Section 7****Vessel, Crew and Environmental Safety  
Contraventions**

7.1 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of penalty under section 324 of the Merchant Shipping Act, 57 of 1951?

☐ Yes ☐ No

7.2 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of penalty for contravening the Maritime Occupational Safety Regulations of 1994?

☐ Yes ☐ No

**Section 7****Vessel, Crew and Environmental Safety  
Contraventions**

7.3 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of a penalty for contravening the Crew Accommodation Regulations, 1961?

☐ Yes ☐ No

**Crew Safety and Working Conditions**

7.4 Has the applicant ever reported an accident in terms of section 6 of the Maritime Occupational Safety Regulations?

☐ Yes ☐ No



7.5 Has a qualified safety officer been appointed for each nominated vessel in terms of section 36 of the Maritime Occupational Safety Regulations?

☐ Yes ☐ No



7.6 Has every crew member on board each nominated vessel completed the approved safety induction training required by the Merchant Shipping Act, 57 of 1951?

☐ Yes ☐ No



7.7 If a nominated vessel is of 25 gross tonnage or more, has the vessel been issued with a valid SAMSA Safe Manning Document required in terms of the Merchant Shipping (Safe Manning) Regulations?

☐ Yes ☐ No



7.8 Has the applicant completed a formal safety assessment in terms of Marine Notice no 26 of 2004?

☐ Yes ☐ No



7.9 Has the applicant registered with the Commissioner in terms of the Compensation for Occupational Injuries and Diseases Act 130 of 1993?

☐ Yes ☐ No



7.10 Does the applicant have an HIV/AIDS policy?

☐ Yes ☐ No

**Vessel Safety**

7.11 Have the nominated vessel(s) been issued with a valid Local General Safety Certificate?

☐ Yes ☐ No



7.12 Are any operational limits imposed on the nominated vessel(s) by its Local General Safety Certificate (E.g. No more than 200 nautical miles off the South African coast)?

☐ Yes ☐ No

**Environmental Safety**

7.13 Has the applicant, during the medium term right period, been convicted or forfeited a deposit for contravening any part of the Marine Pollution (Prevention of Pollution from Ships) Act 2 of 1986 or Section 30 of the Marine Pollution (Control and Civil Liability) Act 6 of 1981?

☐ Yes ☐ No



7.14 Does the applicant have a Garbage Management Plan for each nominated vessel as stipulated in terms of Annex V of Marpol, as set out in the Schedule to the Marine Pollution (Prevention of Pollution from Ships) Act 2 of 1986?

☐ Yes ☐ No



## Section 8

## Job Creation

8.1 Complete the following tables in relation to job creation.

8.1.1 Table 1

Year	Employees in respect of which the applicant prepares IRP5 Certificates (Land Based)	Employees in respect of which the applicant prepares IRP5 Certificates (Sea Based)	Employees in respect of which the applicant does not prepare IRP5 Certificates (Land Based)	Employees in respect of which the applicant does not prepare IRP5 Certificates (Sea Based)	Total Number of Employees (Columns 1 - 4)	Total Amount of Salary Bill as per Financial Statements	Percentage increase or decrease in total number of employees
2001 (date of application)							
2002 (financial year end)							
2003 (financial year end)							
2004 (financial year end)							
2005 (28 February 2005)							

8.1.2 Table 2

Applicant's Annual Catch Allocation (in tons) to the applicant in this fishery in 2004	Total Annual Salary Bill (in relation to this fishery) 2004 Financial Year End as per Table 8.1.1	How much does the applicant spend on salaries/wages per ton allocated?

8.1.3 Table 3

Applicant's Annual Catch Allocation (in tons) in this fishery in 2004	Total Employees (in relation to this fishery) (28 February 2005)	How many people does the applicant employ per ton allocated?	Total Employees less Seasonal Employees (in relation to this fishery) (28 February 2005)	How many people (less seasonal employees) does the applicant employ per ton allocated?

8.1.4 Table 4

Applicant's five highest annual salaries (total cost to company) paid between 1 March 2004 and 28 February 2005	Average of top five salaries	What was the multiple between the average of the five lowest and the average of the five highest salaries at 28 February 2005?
Applicant's five lowest annual salaries (total cost to company) paid between 1 March 2004 and 28 February 2005	Average of lowest five salaries	



**Section 9****Investment**

9.1 Complete the following tables:

9.1.1 Table 1

Year	Book Value of Total Fixed Assets (in relation to this fishery)	Percentage Increase or Decrease in Rand Value of Total Fixed Assets (in relation to this fishery)	Total Book Value of Total Land Based Fixed Assets (in relation to this fishery)	Total Book Value of Harbour and Sea Based Fixed Assets (in relation to this fishery)
2002 (financial year end)				
2003 (financial year end)				
2004 (financial year end)				

9.1.2 Table 2

Year	Insured Value of Total Fixed Assets (in relation to this fishery)	Percentage Increase or Decrease in Rand Value of Total Fixed Assets (in relation to this fishery)	Total Insured Value of Total Land Based Fixed Assets (in relation to this fishery)	Total Insured Value of Harbour and Sea Based Fixed Assets (in relation to this fishery)
2002 (financial year end)				
2003 (financial year end)				
2004 (financial year end)				

9.1.3 Table 3

Annual Catch Allocation (in tons) to the applicant in 2004	Book Value (in rands) of harbour and sea-based assets at 2004 financial year end	Book Value (in rands) of land-based assets at 2004 financial year end	Book Value of Harbour and Sea-Based Assets per ton allocated to applicant	Book Value of Land-Based Assets per ton allocated to applicant

9.1.4 Table 4

Annual Catch Allocation (in tons) to the applicant in 2004	Insured Value (in rands) of harbour and sea-based assets at 2004 financial year end	Insured Value (in rands) of land-based assets at 2004 financial year end	Insured Value of Harbour and Sea-Based Assets per ton allocated to applicant	Insured Value of Land-Based Assets per ton allocated to applicant

9.1.5 A detailed explanation of all investment made in marketing activities must be included as an annexure.

9.1.6 A detailed explanation of all investment made in processing activities must be included as an annexure.

**Section 9****Investment**

9.1.7 Has the applicant invested in on-board or land based processing facilities? ☐ Yes ☐ No

9.1.8 If yes, please complete the following table:

Annual Catch Allocation (in metric tons) to the applicant in 2004	Nominal Tons of Applicant's Allocation Processed On Board Vessel	Nominal Tons of Applicant's Allocation Processed on Land	Nominal Tons Processed on Behalf of other Right Holders On Board Vessel	Nominal Tons Processed on Behalf of other Right Holders on Land

**Section 10****Local Economic Development**

10.1 Complete the following table in relation to harbours and landing sites used:

Harbour / Landing Site Name	Tons Landed at Harbour in 2004 calendar year	Percentage of Total Catch Landed in 2004 calendar year
<b>TOTAL</b>		

10.2 At which harbours and landing sites will the applicant land its catches?

Harbour / Landing Site Names

10.3 Has the applicant made any investment in physical infrastructure at these harbours or landing sites in order to improve or make landing catches at these harbours possible?

☐ Yes ☐ No



**Section 11****Value Add & Enterprise Development**

11.1 Is the applicant directly involved in any value adding process, in particular, the development of products for the human consumption of anchovy and sardine?

☐ Yes ☐ No



11.2 Has the applicant been responsible for any enterprise development?

☐ Yes ☐ No

**Section 12****Performance****Financial**

12.1 What is the applicant's 2004 audited, verified or certified Annual Turnover?



12.2 Indicate the brand value and percentage of total turnover derived from this fishery:

Annual Catch Allocation (in tons) to the Applicant in 2004	Turnover Generated in 2004 financial year by Annual Catch Allocation	Percentage of Total Turnover

12.3 Complete the following table in relation to ratio performance:

Year	Return on Net Assets (RONA)	Debt: Equity Ratio	Current Ratio	Quick Ratio (Acid Test)
2001				
2002				
2003				
2004				

12.4 Provide the following information in relation to the applicant's income statements:

Year	Turnover	Profit After Tax	Retained Earnings	Dividends Paid / Distribution of Profits
2001				
2002				
2003				
2004				

**Section 12****Performance****Financial**

12.5 Provide the following information in relation to the applicant's balance sheet:

Year	Assets	Long-Term Liabilities	Current Liabilities	Shareholder's Equity / Member's Contribution
2001				
2002				
2003				
2004				

12.6 Provide the following information in relation to the applicant's cash flow:

Year	Net Cash Inflow / Outflow from Operations	Net Cash Inflow / Outflow from Investing Activities	Net Cash Inflow / Outflow from Financing Activities
2001			
2002			
2003			
2004			

**Fishing Plan**

13.1 Does the applicant have a fishing plan?

☐ Yes ☐ No

**Section 1****By-Catch and Environmentally Sustainable Practice****By-Catch**

14.1 Indicate the proportion of the applicant's annual catch that is made up of by-catch species:

Year	Annual By-Catch (in tons)	Annual Utilised By-Catch as a Percentage of Total Catch	Annual Unutilised By-Catch, Juvenile Species and Endangered Species as a Percentage of Total Catch
2001			
2002			
2003			
2004			

**Section 14****By-Catch and Environmentally Sustainable Practices**

14.2 Has the applicant put in place any measures to reduce energy and fuel consumption on vessels, and in processing facilities?

☐ Yes ☐ No



14.3 Does the applicant intend to put in place any measures to reduce energy and fuel reduction consumption on vessels, and in processing facilities?

☐ Yes ☐ No



14.4 Has the applicant undertaken or sponsored any research in relation to environmentally sustainable practices?

☐ Yes ☐ No

**Section 15****Fishing Levies**

15.1 Please provide the following information in relation to levies paid since 2001:

Year	Species	Total Catch in Tons	Levies Paid
2001			
2001			
2001			
2001			
2001			
2002			
2002			
2002			
2002			
2002			
2003			
2003			
2003			
2003			
2003			
2004			
2004			
2004			
2004			
2004			

15.2 What was the date and amount of the applicant's most recent levy payment?

yyyy/mm/dd

Amount



## Section 16

## Applicant Declaration

- (i) I have read the instructions set out on pages 2 and 3 of this application form;
- (b) the information submitted with and in this Application is true and correct and complete.
- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to my application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) The applicant undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (9) The applicant accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address

I, the undersigned, do hereby make oath and declare that:

(a) I have read the instructions set out on pages 2 and 3 of this application form;

(b) the information submitted with and in this Application is true and correct and complete.

(c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;

(d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to the application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;

(e) \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;

(f) \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

## Holding Company Declaration

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address



## Sister Company Declaration

(b) the information I with and in this Application is true, correct and complete.

- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, Suspension, **cancellation, alteration** or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Wildlife Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to my application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (f) \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum of effort, in any manner other than provided for in the General Policy and in this application form, will result in the application being refused.

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

**Signature of Authorised Representative:** \_\_\_\_\_

**Representative's Full Name:** \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

### Commissioner of Oaths

Full Name

**Designation**

Physical Address

I, the undersigned, do hereby make oath and declare that:

## JV Partner Declaration

- (a) I have read the instructions set out on pages 2 and 3 of this application form;
- (b) the information submitted with and in this Application is true and correct and complete.
- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material Information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to the application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (f) \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum of effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

**Signed at:** \_\_\_\_\_

**This                      day of                      2005**

**Signature of Authorised Representative:** \_\_\_\_\_

**Representative's Full Name:** \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

### Commissioner of Oaths

Full Name

**Designation**

Physical Address



**SCHEDULES**

**IF THE APPLICANT CANNOT PROVIDE THE INFORMATION REQUESTED IN ANY OF THE SCHEDULES BELOW, THE APPLICANT MAY SUBMIT AN EXPLANATION FOR THIS IN PLACE OF THAT ANNEXURE**

**Schedule 1 - Applicant Details**

- a) Provide, as Annexure 1A a brief profile of the applicant organisation including an organogram which clearly indicates the applicant's business model including holding company, sister company and joint venture partner relationships. The applicant should pertinently indicate if it intends to apply in more than one sector, is involved in industries other than the fishing industry and if the applicant does rely on information of holding companies, sister companies and joint venture partners in this application. The profile may not exceed 5 pages.
- b) Section 1.3: Provide a copy of a valid company or close corporation registration certificate as Annexure 1B.
- c) Section 1.8.6: Provide a copy of a resolution duly authorising the person named in Section 1.8.6 to be the authorised contact person, as Annexure 1C.

**Schedule 2 - Form of Applicant**

- a) Section 2.1 : Provide a copy of the 2005 permit as Annexure 2A.
- b) Section 2.2: Provide a copy of the letter granting a right as Annexure 2B.
- c) Section 2.3: If the medium term right is currently held by an entity different from the one listed in Section 2.2, provide a detailed explanation as Annexure 2C.
- d) Section 2.5: Provide a copy of a valid SARS tax clearance certificate as Annexure 2D.
- e) Section 2.7: If "Yes," provide a detailed statement describing percentage of shareholding, the name and the registration number of the company as Annexure 2E.
- f) Section 2.8: If "Yes," provide a detailed statement describing percentage of shareholding, the name and the registration number of the company as Annexure 2G.

**Schedule 3 - Compliance**

- a) Section 3.1.1 : If "Yes", provide details and documentation regarding the conduct of the applicant, the identity and conduct of the members, shareholders or directors resulting in the conviction, the dates of conviction, and the penalties imposed as Annexure 3A.
- b) Section 3.1.2: If "Yes", provide details and any documentation of the plea bargain arrangement entered into, and details regarding the conduct and identity of the individuals giving rise to the plea bargain, the dates and specifics of the plea bargain, as Annexure 3B.
- c) Section 3.1.3: If "Yes", provide details and any documentation regarding the admission of guilt fine paid, including information regarding the conduct and identity of the individuals giving rise to the fine, the date of offence and amount paid as Annexure 3C.
- d) Section 3.1.4: If "Yes", provide details and any documentation regarding the offence including information regarding the conduct and identity of the individuals giving rise to the fine, the date of offence and penalty as Annexure 3D.
- e) Section 3.2: If "Yes", provide details regarding the detention, arrest or seizure, including information regarding the conduct and identity of individuals involved as Annexure 3E. Also provide details if a final confiscation or forfeiture order was /was not granted under the Prevention of Organised Crime Act.
- f) Section 3.3: If "Yes", provide details and any documentation including the identity and conduct of individuals giving rise to the Section 28 procedure as Annexure 3F.

**Schedule 4 - Vessel Details**

- a) Section 4.2: For each vessel nominated, provide copies of the following documents:
- i) SAMSA Safety Certificate(s) as Annexure 4A;
  - ii) South African Certificate(s) of Registry as Annexure 4B;
  - iii) agreement(s) providing access to the vessel if the applicant is not the majority shareholder or the sole owner of the vessel as Annexure 4C;
  - iv) Local General Safety Certificate(s) as Annexure 4D.
- b) If the applicant is unable to furnish any of the above documents for any of the nominated vessels, the applicant must provide an explanation for this as Annexure 4E.

**Schedule 5 - Catch Utilisation**

- a) Section 5.2: If the applicant over- or under-caught by more than 10% in any year, a detailed explanation must be attached as Annexure 5A.

**Schedule 6 - Transformation**

- a) Section 6.3.1: If the applicant completed Section 6.3.1 in respect of the board of directors of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.3.1 for the applicant and the other entities separately, and submit these as Annexure 6A.
- b) Section 6.3.2: If the applicant completed Section 6.3.2 in respect of the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.3.2 for the applicant and the other entities separately, and submit these as Annexure 6B.
- c) Section 6.4.1 : If the applicant completed Section 6.4.1 in respect of the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.4.1 for the applicant and the other entities separately, and submit these as Annexure 6C.
- d) Section 6.4.2: If "Yes," the applicant must provide details of contributions made to medical aid and pension, including details of the classes of beneficiaries, the employer's contributions and the nature of the benefits as Annexure 6D.
- e) Section 6.4.3: If "Yes," the applicant must provide details of the nature of the benefits provided, classes of beneficiaries and the employer's contribution as Annexure 6E.
- f) Section 6.5, 6.6.1 and 6.6.2: If the applicant completed Sections 6.5, 6.6.1 and 6.6.2 with reference to the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.5, 6.6.1 and 6.6.2 for the applicant and the other entities separately and submit these as Annexure 6F.
- g) Section 6.7.1: Explain how black shareholding and black voting rights were calculated as Annexure 6G. This annexure should include details of any Black Economic Empowerment deals the applicant has concluded. The annexure must also include a complete list of all shareholders, following the flow through principle. This list should indicate the name, identification / registration number, whether the shareholder is black (if natural person), or what percentage of the shareholder is black (if company or close Corporation), the gender of the shareholder (if natural person), or what percentage of the shareholder is female (if company or close corporation).
- h) Section 6.7.3: If "Yes," provide details regarding the applicant's employee share scheme, paying particular attention to actual benefits to employees, as well as a copy of the employee share scheme policy as Annexure 6H.

**Schedule 6 - Transformation**

- i) Section **6.7.5**: Provide a breakdown of all salaries, loans and dividends paid to shareholders for each year including the name, identification number of the shareholder, as well as whether the shareholder is Black (if natural person, or name and company registration number and percentage black shareholding or interest if juristic person), as Annexure **6I**.
- j) Section **6.7.7**: If the applicant completed any part of the table in question **6.7.7**, the applicant must provide details regarding the entity, the relationship between the applicant and the entity, and whether the applicant or the applicant's holding company have any equity interest in the other entity, as Annexure **6J**.
- k) Section **6.8.1**: Provide a list of all the applicant's members names, identification number, whether the member is black and the gender of the member, as Annexure **6K**.
- l) Section **6.8.3**: If "Yes," provide details of the applicant's employee profit sharing scheme paying particular attention to actual benefits to employees, as well as a copy of the employee share scheme policy as Annexure **6L**.
- m) Section **6.8.5**: Provide a breakdown of all salaries, loans and profit distribution paid to members for each year, including the name and identification number of the member, as well as whether the member is Black, as Annexure **6M**.
- n) Section **6.8.7**: If the applicant completed any part of the table in question **6.8.7**, the applicant must provide details regarding the entity, the relationship between the applicant and the entity, and whether the applicant or the applicant's holding company have any equity interest in the other entity as Annexure **6N**.
- o) Section **6.9**: Provide a summary of the targets set in the Transformation Plan, the extent to which these were met and the measures taken to reach the targets as Annexure **6O**.
- p) Section **6.10**: If the applicant completed Section **6.10** with reference to the payroll and training budgets of both the applicant and of any other entity(ies) as per the Explanatory Notes, the applicant must complete the table in Section **6.10** for both the applicant and the other entity(ies) separately and submit these as Annexure **6P**.
- q) Section **6.12**: If the applicant completed Section **6.12** with reference to the learnerships of both the applicant and of any other entities as per the Explanatory Notes, the applicant must provide a breakdown of the information required in Section **6.12** for both the applicant and the other entities separately and submit these as Annexure **6Q**.
- r) Section **6.13**: If "Yes" provide a detailed description of the applicant's participation in such skills development programmes, as well as any supporting documentation from the SETA, as Annexure **6R**.
- s) Section **6.14.1** and **6.14.2**: If the applicant completed Sections **6.14.1** and **6.14.2** with reference to the skippers of both the applicant and of any other entities as per the Explanatory Notes, the applicant must provide a breakdown of the information required in Section **6.14.1** and **6.14.2** for both the applicant and the other entities separately and submit these as Annexure **6S**.
- t) Section **6.15**, **6.16** and **6.17**: If the applicant completed Sections **6.15**, **6.16** and **6.17** with reference to the donations of both the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the table in Section **6.17** for both the applicant and the other entities separately and submit these as Annexure **6T**.
- u) Section **6.18**, **6.19** and **6.20**: If the applicant completed Sections **6.18** and **6.19** with reference to the donations of both the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the table in Section **6.20** for both the applicant and the other entities separately and submit these as Annexure **6U**.
- v) Section **6.21**: If "Yes" provide a copy of the Affirmative Procurement Policy as Annexure **6V**.
- w) Section **6.22**: Provide a breakdown of capital and operational expenditure paid to South African suppliers, including the percentage black ownership of these suppliers as Annexure **6W**.
- x) Section **6.23**: If "Yes," explain how the Applicant determined its affirmative procurement spend as Annexure **6X**.

**Schedule 7 - Safety**

- a) Section 7.1: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure 7A.
- b) Section 7.2: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure 7B.
- c) Section 7.3: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure 7C.
- d) Section 7.4: If "Yes," provide a detailed description of the accident as Annexure 7D.
- e) Question 7.5: If "Yes," provide the name, identity number and qualification of each safety officer for each vessel. If "No," please provide a detailed explanation of why the applicant has not appointed a qualified safety officer for each vessel. The information provided under this section must be contained in Annexure 7E.
- f) Section 7.6: If "No," provide a detailed explanation as Annexure 7F.
- g) Section 7.7: If "Yes," provide a copy of the Safe Manning Document as Annexure 7G. If "No," and the nominated vessel is of 25 gross tonnage or more, provide a detailed explanation as Annexure 7G.
- h) Section 7.10: If "Yes," provide a copy of the policy as Annexure 7H. If "No," an explanation of why the applicant does not have an HIV/AIDS policy must be provided as Annexure 7H.
- i) Section 7.11: If "Yes," provide a copy of the Local General Safety Certificate as Annexure 7I. If "No," a detailed explanation must be provided as Annexure 7I.
- j) Section 7.13: If "Yes," provide details and documentation regarding the conduct of the applicant, its members, shareholders or directors resulting in the convictions and penalties imposed as Annexure 7J.
- k) Section 7.14: If "Yes," provide a copy of the plan as Annexure 7K. If "No," provide a detailed explanation of why not as Annexure 7K.

**Schedule 8 - Job Creation**

- a) Section 8.1: The applicant must provide breakdowns as described in the Explanatory Notes as Annexure 8A.
- b) Section 8.1.4: If the applicant completed Questions 8.1.4 with reference to the payrolls of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the table in Question 8.1.4 for both the applicant and the other entities separately, and submit these as Annexure 8B.

**Schedule 9 - Investment**

- a) Section 9.1 and 9.1.2: Provide breakdowns as described in the Explanatory Notes as Annexure 9A
- b) Section 9.1.5: Provide a detailed explanation of all investments in marketing activities, including investments in distribution channels, product research and market research as Annexure 9B.
- c) Section 9.1.6: Provide a detailed explanation of all investments in processing activities as Annexure 9C.

**Schedule 10 - Local Economic Development**

- a) Section 10.3: If "Yes," provide a detailed explanation of all investments made in order to make landing catches at identified harbours possible as Annexure 10A.

**Schedule 11 - Value Add & Enterprise Development**

- a) Section 11.1: If "Yes," provide a detailed explanation of how the applicant is involved in value adding processes, and what the processes are, as Annexure 11A.
- b) Section 11.2: If "Yes," provide a detailed explanation of how the applicant is responsible for enterprise development as Annexure 11B.

**Schedule 12 - Performance (Financial)**

- a) Section 12.1: Provide a copy of the applicant's 2004 audited financial statements as Annexure 12A. The applicant's auditors will be required to confirm its responses to all questions in Section 12.
- b) Section 12.2: If the applicant completed the table in Section 12.2 with reference to the turnover of both the applicant and of any other entity(ies) as per the Explanatory Notes, the applicant must complete the table in Section 12.2 for both the applicant and the other entity(ies) separately and submit these as Annexure 12B

**Schedule 13 - Fishing Plan**

- a) Section 13: If "Yes," provide a synopsis of the applicant's fishing plan as Annexure 13A, paying particular attention to:
- a) days to be spent fishing per vessel nominated;
  - b) areas to be targeted;
  - c) species to be targeted and mix of species;
  - d) expected size of species to be targeted;
  - e) detailed information regarding:
    - Age
    - Size
    - Gear
    - Fishing capacity and
    - Processing capacity of each nominated vessel (where appropriate).

The fishing plan must clearly demonstrate the applicant's ability to perform effectively in the fishery.

**Schedule 14 - By-Catch and Environmentally Sustainable Practices**

- a) Section 14.1: Provide a detailed explanation of how the applicant manages bycatch, as Annexure 14A.
- b) Section 14.2: Provide a detailed explanation of measures put in place to reduce energy and fuel consumption on vessels and in processing facilities, as Annexure 14B.
- c) Section 14.3: Provide a detailed explanation of intended measures to reduce energy and fuel consumption on vessels and in processing facilities, as Annexure 14C.
- d) Section 14.4: Provide a detailed explanation of any research undertaken or sponsored by the applicant in relation to environmentally sustainable practices, as Annexure 14D.

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**RECEIPT**

Received by: \_\_\_\_\_

Date of Receipt: 14 July 2005 or 15 July 2005

Time of Receipt: \_\_\_\_\_ h \_\_\_\_\_

Application Number: \_\_\_\_\_

Departmental Stamp: \_\_\_\_\_

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**RECEIPT - FOR APPLICANT TO RETAIN**

Received by: \_\_\_\_\_

Date of Receipt: 14 July 2005 or 15 July 2005

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