

**NOTICE 751 OF 2013****DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES****INVITATION TO APPLY FOR RIGHTS TO UNDERTAKE COMMERCIAL FISHING OF DEMERSAL SHARK, HAKE HANDLINE, KWAZULU-NATAL PRAWN TRAWL, OYSTER, SQUID, TRADITIONAL LINEFISH, TUNA POLE-LINE AND WHITE MUSSEL IN TERMS OF SECTION 18 OF THE MARINE LIVING RESOURCES ACT, 1998 (ACT NO. 18 OF 1998)**

1. The Minister of the Department of Agriculture, Forestry and Fisheries ("the Minister") hereby invites applications for rights to undertake commercial fishing in the following sectors:
  - 1.1 Demersal Shark;
  - 1.2 Hake Handline;
  - 1.3 Kwazulu-Natal Prawn Trawl;
  - 1.4 Oyster;
  - 1.5 Squid;
  - 1.6 Traditional Linefish;
  - 1.7 Tuna Pole-Line; and
  - 1.8 White Mussel.
2. The fishing rights will be allocated in terms of section 18 of the Marine Living Resources Act, 1998 (Act No. 18 of 1998). The following schedules are also published herewith:
  - 2.1 Schedule A: General Policy on the Allocation and Management of Fishing Rights: 2013 published as General Notice 750 of 2013 in Government Gazette No. 36675 of 17 July 2013.
  - 2.2 Schedule B: The Fishery Specific Policies for Demersal Shark, Hake Handline, Kwazulu-Natal Prawn Trawl, Oyster, Squid, Traditional Linefish, Tuna Pole-Line and White Mussel published as General Notice 751 of 2013 in Government Gazette No. 36675 of 17 July 2013.
  - 2.3 Schedule C: The specimen Application Forms for each of the fisheries listed above.
  - 2.4 Schedule D: The Explanatory notes to the Application Forms.

3. The application distribution process as set out in Table 1 will commence on Monday, 22 July 2013 at 08h00 and closes on Monday, 16 August 2013 at 16h00.

3.1 Persons wishing to apply for rights to undertake commercial fishing in the abovementioned sectors must take the following to one of the distribution centres listed in Table 1 below:

- (i) the identity document of the individual collecting the form and a copy of the first page of this person's identity document;
- (ii) if the application form is collected by someone else on behalf of an applicant then a letter authorizing the individual collecting the application form to do so on behalf of the applicant and a copy of the collectors' and applicant's identity or registration documents.

3.2 Applicants will be required to provide the applicant's postal address, telephone, fax and cellular numbers and e-mail address.

**Table 1**

NO.	VENUE	ADDRESS	DATES AND TIMES FOR DISTRIBUTION
1	PORT NOLLOTH	Fishery Compliance Office, Court Building, Beach Road, Port Nolloth	Monday, 22 July 2013 to Friday, 16 August 2013 from 08:00 to 16:00, Including Saturday, 27 July 2013 and Saturday, 3 August 2013 from 08:00 to 12:00 on both days, but excluding Friday, 9 August 2013 (public holiday)
2	HONDEKLIPBAAI	Eric Baker Community Hall, Dolpin Str, Hondeklip Bay	
3	LAMBERTS BAY	Fishery Compliance Office, Lamberts Bay Harbour	
4	ELANDS BAY	Fishery Compliance Office, Jetty Road, Elands Bay	
5	PATERNOSTER	Paternoster Community Hall, St Augustine Str, Paternoster	
6	SALDANHA	Fisheries Compliance Office, Pepper Bay Harbour, Saldanha	
7	CAPE TOWN	DAFF offices, Foretrust Building, Martin Hammerschlag Way, Foreshore, Cape Town	
8	HERMANUS	Fishery Compliance Office, 248 Still Street, Hermanus	

9	STRUISBAAI	Library Hall, Corners of 1st Ave & Main Road, Struisbaai	Monday, 5 August 2013 to Wednesday, 7 August 2013 from 08:00 to 16:00
10	MOSSEL BAY	Fishery Compliance Office, 64 Bland Street, Searlor Manor, Mossel Bay	Monday, 22 July 2013 to Friday, 16 August 2013 from 08:00 to 16:00, Including Saturday, 27 July 2013 and Saturday, 3 August 2013 from 08:00 to 12:00 on both days, but excluding Friday, 9 August 2013 (public holiday)
11	JEFFREY'S BAY	Fishery Compliance Office, No 16 Woltemader Street, Jeffrey's Bay	
12	PORT ELIZABETH	Fishery Compliance Office, 21 Stanley Street, Central Port Elizabeth	
13	EAST LONDON	Fishery Compliance Office, Latimer's Landing, East London Harbour, East London	
14	UMTHATHA	DAFF offices, Auditorium Ground Floor, PRD2 Building, Corners of Durhem & Sutherland Street, Mthatha	Wednesday, 24 July 2013 to Friday, 26 July 2013 from 08:00 to 16:00
15	PORT ST JOHNS	Fishery Compliance Office, 433 Bridge Street, Port St Johns	Monday, 22 July 2013 to Friday, 16 August 2013 from 08:00 to 16:00, Including Saturday, 27 July 2013 and Saturday, 3 August 2013 from 08:00 to 12:00 on both days, but excluding Friday, 9 August 2013 (public holiday)
16	PORT EDWARD	Fishery Compliance Office, Lodge 147, Ramse Avenue, Port Edward	Monday, 29 July 2013 to Wednesday, 31 July 2013 from 08:00 to 16:00
17	DURBAN	KZN Wildlife offices, 25 Stellawood Road, Umbilo	Monday, 22 July 2013 to Friday, 16 August 2013 from 08:00 to 16:00, Including Saturday, 27 July 2013 and Saturday, 3 August 2013 from 08:00 to 12:00 on both days, but excluding Friday, 9 August 2013 (public holiday)
18	RICHARD'S BAY	KZN Wildlife offices, Corner of Krewingkin & Anglers Road, PnP Centre, Ricahrd's Bay (next to Shell Garage)	

4. The application receipting process as set out in Table 2 will commence on Monday, 02 September 2013 at 08h00 and closes on Friday, 13 September 2013 at 16h00.

**4.1 IMPORTANT: YOU MUST PLEASE READ AND TAKE NOTE OF THE FOLLOWING.**

Should you:

- (i) Submit your application at a place other than one of the places and venues specified in Table 2 your application form will be refused; or
- (ii) Submit your application on a date and time other than the dates and times as specified in Table 2, your application will be refused.

**TABLE 2**

NO.	VENUE	ADDRESS	DATES AND TIME FOR RECEIPTING
1	PORT NOLLOTH	Fishery Compliance Office, Court Building, Beach Road, Port Nolloth	Monday, 02 - Friday, 13 September 2013 from 08:00 - 16:00
2	HONDEKLIP BAAI	Eric Baker Community Hall, Dolpin Str, Hondeklip Bay	
3	LAMBERTS BAY	Fishery Compliance Office, Lamberts Bay Harbour	
4	ELANDS BAY	Fishery Compliance Office, Jetty Road, Elands Bay	
5	PATERNOSTER	Paternoster Community Hall, St Augustine Str, Paternoster.	
6	SALDANHA	Fisheries Compliance Office, Pepper Bay Harbour, Saldanha	
7	CAPE TOWN	DAFF offices, Foretrust Building, Martin Hammerschlag Way, Foreshore, Cape Town	
8	HERMANUS	Fishery Compliance Office, 248 Still Street, Hermanus	
9	STRUISBAAI	Library Hall, Corners of 1st Ave & Main Road, Struisbaai	<b>9 - 11 September 2013 from 08:00 - 16:00</b>
10	MOSSEL BAY	Fishery Compliance Office, 64 Bland Street, Searlor Manor, Mossel Bay	Monday, 02 - Friday, 13 September 2013 from 08:00 - 16:00
11	JEFFREY'S BAY	Fishery Compliance Office, No 16 Woltemader, Jeffrey's Bay	



12	PORT ELIZABETH	Fishery Compliance Office, 21 Stanley Street, Central Port Elizabeth	Monday, 02 - Friday, 13 September 2013 from 08:00 - 16:00
13	EAST LONDON	Fishery Compliance Office, Latimer's Landing, East London Harbour, East London	Monday, 02 - Friday, 13 September 2013 from 08:00 - 16:00
14	UMTHATHA	DAFF offices, Auditorium Ground Floor, PRD2 Building, Corners of Durhem & Sutherland Street, Mthatha	<b>Wednesday, 4 - Friday, 6 September 2013 from 08:00 - 16:00</b>
15	PORT ST JOHNS	Fishery Compliance Office, 433 Bridge Street, Port St Johns	Monday, 02 - Friday, 13 September 2013 from 08:00 - 16:00
16	PORT EDWARD	Fishery Compliance Office, Lodge 147, Ramse Avenue, Port Edward	<b>Monday, 09 - Wednesday, 11 September 2013 from 08:00 - 16:00</b>
17	DURBAN	KZN Wildlife office, 25 Stellawood Road, Umbilo	Monday, 02 - Friday, 13 September 2013 from 08:00 - 16:00
18	RICHARD'S BAY	KZN Wildlife office, Corner of Krewingkin & Anglers Road, PnP Centre, Richard's Bay, (next to Shell Garage)	

SCHEDULE A

**GENERAL POLICY ON THE ALLOCATION AND MANAGEMENT OF FISHING RIGHTS: 2013**  
(PUBLISHED AS GENERAL NOTICE 750 OF 2013 IN GOVERNMENT GAZETTE NO. 36675 OF 17 JULY 2013)

SCHEDULE B

**FISHERY SPECIFIC POLICIES**

(PUBLISHED AS GENERAL NOTICE 751 OF 2013 IN GOVERNMENT GAZETTE NO. 36675 OF 17 JULY 2013)

SCHEDULE C

**SPECIMEN APPLICATION FORMS**

APPLICATION NUMBER:

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES  
BRANCH: FISHERIES MANAGEMENT

# Demersal Shark

## Fishing Rights Allocation Process: 2013

Name of Applicant:

Company Registration Number:

or

Close Corporation Registration  
Number:




agriculture,  
forestry & fisheries

Department:  
Agriculture, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

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## PART 2 OF 3

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**AIDS HELPLINE: 0800-0123-22 Prevention is the cure**

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

- 1) This application form must be read together with these **Instructions**, the **Explanatory Notes**, and the **Schedules** to the application form.
- 2) When completing the application form, applicants are advised to read carefully the General Policy on the Allocation and Management of Fishing Rights: 2013 and the Demersal Shark Fishery Specific Policy. These policies are available at [www.daff.gov.za](http://www.daff.gov.za) and at the distribution centre where this application form was collected. These policies will guide the Minister or his/her delegate when considering the application.
- 3) You may request a departmental official at the application centre to assist you with the understanding of the application form. Should you have any queries regarding the completion of the application form, you may ask an official to assist you with the query. Queries may also be addressed during office hours to the FRAP Operations Centre Helpline at 021 402 3576. You or your representative may not communicate with the Minister, the delegated authority, or officials in the Department regarding your application other than at the application centre. Moreover, no reliance may be placed on any information given or obtained in any other manner.
- 4) Applicants must pay attention to the icons in the application form in order to determine whether:
  - 4.1 there is any documentation or information required in response to a question in the form of an annexure.

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

The clipboard icon means that the applicant must consult 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.

**COMPLETION OF THE APPLICATION FORM**

- 6) The applicant must complete all sections of the application form. If any particular section does not apply to the applicant, the section may be marked "N/A." If an applicant cannot answer a section, it may be marked "Unknown." 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 required to do so.
- 7) This application form must be completed by hand and submitted together with the required annexures. If the application is submitted in any other form, the application will be refused. Do not use a pencil. Preferably use a blue pen.
- 8) The declaration must be signed and attested before a Commissioner of Oaths by the applicant's authorised representative. If the declaration is not signed and attested, the application will be refused.
- 9) The 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.
- 10) One true copy of the application must be made. This copy must be punched, divided and filed 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.

**IMPORTANT INFORMATION****INSTRUCTIONS****LODGEMENT OF APPLICATION**

- 11) The application, and the copy of the application must be hand delivered at the distribution and receipting centers.
- 12) The application may not be submitted by post or by fax.

**IMPROPER LODGEMENT**




- 13) Improperly lodged applications will be refused. An application is improperly lodged if:
  - 13.1 it is received late; or
  - 13.2 the application is lodged in a manner contrary to the instructions.

**MATERIAL DEFECTS**

- 14) Applications that are materially defective will be refused. An application is materially defective if:
  - 14.1 the declaration is not signed and attested by the applicant's authorised representative; or
  - 14.2 more than one application is received for a right in the same sector; or
  - 14.3 the applicant provides false information or documents, fails to disclose material information or attempt to influence the Minister or the delegated authority regarding this application.



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

- 1.1 Registered Name of Applicant:  
- 1.2 Trading Name of Applicant:
- 1.3 Registration Number:  
- 1.4 Residential Address
- Number and Street:
- Suburb:
- Town / City:
- Postal Code:
- 1.5 Postal Address
- Number and Street / PO Box:
- Suburb:
- Town / City:
- Postal Code:
- 1.6 Business Telephone Number:
- 1.7 Business Cellular Number:
- 1.8 Business Fax Number:
- 1.9 Business email address:
- 1.10 Authorised Contact Person Full Name:  
- 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 long-term fishing right in this sector? ☐ Yes ☐ No

2.2 If "Yes", to which entity was the long-term fishing right allocated in 2005/2006?

Company ☐  
Close Corporation ☐




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

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

2.5 Does the applicant hold any share(s) /membership interest in any other legal entity that is applying for a right in this sector? ☐ Yes ☐ No ☒

2.6 Does the applicant hold any share(s)/ members interest in any legal entity that is applying for a right in any other sector? ☐ Yes ☐ No ☒

2.7 Does the applicant hold any share(s)/ membership interest in any legal entity that holds a fishing right that does not expire in 2013? ☐ Yes ☐ No ☒

**Section 3****Compliance**

3.1 Has the applicant or any of its members or share-holder or directors:

3.1.1 been charged with an offence under the MLRA, or the regulations or permit conditions during the long-term (2006-2013) right period? If yes please provide explanation. ☐ Yes ☐ No ☒

3.1.2 paid an admission of guilt fine for a contravention of the MLRA, the regulations, or the permit conditions during the long-term (2006-2013) right period? If yes, please provide explanation. ☐ Yes ☐ No ☒

3.1.3 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 or other fishery related offences during the long-term (2006-2013) right period? If yes, please provide explanation. ☐ Yes ☐ No ☒

3.1.4 been convicted of a contravention of the MLRA, or the regulations, or permit conditions or other fishing related offences during the long-term (2006-2013) right period? If yes, please provide explanation. ☐ Yes ☐ No ☒

3.2 Has a fishing vessel, motor vehicle, 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 long-term (2006-2013) 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 long-term (2006-2013) right period? ☐ Yes ☐ No ☒

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

4.1 How many vessels is the entity applying for?

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

	Vessel 1	Vessel 2
Vessel name		
Area Number e.g. HTB		
SAMSA official Number		
Number of crew according to SAMSA Safety Certificate		
Owner of Vessel as indicated by South African Certificate of Registry or SAMSA Safety Certificate		
Nature of Access to Vessel (Owner, shareholder, charter/ catching agreement, or bank guaranteed finance with vessel plans (in the case of building a new vessel.) - proof required.		
Indicate in which other fishing sector the vessel has been nominated or is currently involved in.		
Vessel Length in metres	LOA (length overall)	LOA (length overall)
	Registered Length	Registered Length

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

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

YEAR	Vessel Name	Species Name	Total Actual Catch (in metric tonnes)	Number of Fishing Days
Jan - Dec 2007				
Jan - Dec 2008				
Jan - Dec 2009				
Jan - Dec 2010				
Jan - Dec 2011				
Jan - Dec 2012				

5.2 Indicate in which seasons a catch permit was issued by the Department (mark with X)

2007	2008	2009	2010	2011	2012

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

- 6.1 Complete the table below in full where applicable for management and employment equity.

	Tax year ending 2007	Tax year ending 2008	Tax year ending 2009	Tax year ending 2010	Tax year ending 2011	Tax year ending 2012
Total Salaries Paid to Shareholders/ Members						
Total Loans Made to Shareholders/ Members						
Dividends Paid to Shareholders/ Members						

- 6.1.1 Complete the table below in respect of the applicant's board of director's (if a company) or (if a close corporation) as at date of application. If you have more than 10 shareholders please provide a copy of the complete list.



	Director / Member Name (Initial & Surname)	Years of Service	Black (Y/N)	Gender (M/F)	Age	Disability (Y/N)	Identity Number
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							

- 6.1.2 Complete the following table in relation to income levels of the applicant's permanent employees at date of application:



	Gross Salary/Wages (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%	

6.1.3 Complete the following table in relation to the applicant's most recent employment equity profile provided to the Department of Labour. If the applicant is not designated or did not voluntarily comply then the table must be completed as at date of application.



										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 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

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



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

☐ Yes ☐ No



6.1.6 Does the applicant comply with the Basic Conditions of the Employment Act?

☐ Yes ☐ No



## Section 6

### Transformation Ownership

6.2 Is the applicant a company or a closed corporation?

Company ☐ Yes ☐ No

Close corporation ☐ Yes ☐ No



6.2.1 Complete the table below in respect of shareholding/membership interest held by black persons:

Year	Percentage Shareholding / Membership Interest Held by Black Persons	Percentage Voting Rights Held by Black Persons	Percentage of Dividends Black Shareholders are Entitled To
2005 (as in 2005 application form)			
2013 (at date of application)			

6.2.2 Complete the table below in respect of the applicant's transformation profile.

Black shareholding in 2005	Black shareholding in 2012	Black shareholding at application date


6.2.3 Complete the table below in respect of the applicant's shareholders (if a company) or members (if a close corporation) as at date of application.

Shareholder/ Member Name	Years of service	Black (Y/N)	Gender (M/F)	Disabled (Y/N)	Age	Identity / Registration Number	Percentage shareholding/ members interest


**Section 6****Transformation****Ownership**

6.2.4 If applicant is a long-term right holder complete the table below in respect of the applicant's shareholders (if a company) or members (if a close corporation) as stated in the 2005 application form.

Shareholder/ Member Name	Years of service	Black (Y/N)	Gender (M/F)	Disabled (Y/N)	Age	Identity/ Registration Number	Percentage shareholding/ members interest

6.2.5 If ownership has changed since 2005 then please submit proof of Departmental approval of change in ownership. 

6.2.6 Complete the following table in relation to monies paid to shareholders/ members:

	Tax year ending 2007	Tax year ending 2008	Tax year ending 2009	Tax year ending 2010	Tax year ending 2011	Tax year ending 2012
Total Salaries Paid to Shareholders/ Members						
Total Loans Made to Shareholders/ Members						
Dividends Paid to Shareholders/ Members						

6.2.7 If you had a long-term Demersal Shark right in which year did you make use of a catching agreement with another entity to catch your fish?

Year	Permit issued (Y/N)	Entity responsible for catching your fish	Relationship to entity (e.g. subsidiary, catching agreement etc)	Transformation profile of entity
2007				
2008				
2009				
2010				
2011				
2012				

## Section 6

### Transformation Skills Developments

6.3. Answer the questions below in full in relation to Skills Development:

6.3.1 Does the applicant comply with Skills Development Act?  
If "Yes" please provide proof.

☐ Yes ☐ No



6.3.2 Does the applicant participate in learnership programs?  
If "Yes" please provide proof.

☐ Yes ☐ No



6.3.3 Does the applicant invest in training of designated groups and youth (18-35 years)? If yes, provide proof.

☐ Yes ☐ No



## Section 6

### Transformation Affirmative Procurement

6.4 Does the applicant procure goods / services from the black owned company? if "Yes" please provide net percentage of the total procurement for the last two years.

☐ Yes ☐ No



## Section 6

### Transformation Corporate Social Investment



6.4.1 Does the applicant spend net profit on corporate social investment?

If "Yes" please provide proof indicating tax deductible donations.

☐ Yes ☐ No



6.4.2 Indicate the five largest tax deductible donations made since 2007 in the table below:

Benefiting Organisations	Rand Value of Amount Donated

## Section 7

### Vessel, Crew and Environmental Safety Crew Safety and Working Conditions

7.1 Does the applicant or vessel owner provide insurance or other financial security in respect of accidents, loss of life and personal injury suffered by crew?

☐ Yes ☐ No



7.2 Has the applicant or the vessel owner registered with the Commissioner in terms of the Compensation for Occupational Injuries and Diseases Act 130 of 1993? (please provide proof).

☐ Yes ☐ No



## Section 8

### Job Creation

8.1 Complete the following table in relation to job creation (note columns 3, 4 & 5 can only be completed by applicants which are also vessel owners/ operators).

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
2007							
2008							
2009							
2010							
2011							
2012							

## Section 9

## Investment

9.1 Complete the following table:

9.1.1 Table 1

Year	Insured Value of Total Fixed Assets (in relation to this fishery)	Total Insured Value of Land Based Fixed Assets (in relation to this fishery)	Total Insured Value of Harbour and Sea Based Fixed Assets (in relation to this fishery)
2013 (at date of application)			

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

- 10.1. Complete the following table in relation to harbours where catch is to be landed  
**Rank by order of usage row 1-5 (5 being the highest)**

Harbour Name	Factory name	Frequency of usage

**Section 11****Performance****Financial**

- 11.1 What is the applicant's total 2012 tax year end audited, verified Annual Turnover? (Audited Financial Statements where applicable).



- 11.2 Indicate the rand value and percentage of total turnover derived from this fishery for the tax year ending in 2012:

Turnover generated in tax year ending in 2012 derived from this fishery Annual Catch Allocation	Percentage of Total Turnover

**Section 12****Fishing Competency**

- 12.1. Briefly explain by a way of original motivation (not to be copied from another applicant) why the Department shall grant the right to the applicant.
- 12.2 Provide a brief (one page) overview of your fisheries (not to be copied from another applicant) experience?

**Section 13****Fishing Levies**

- 13.1. An applicant that has been granted a fishing right in the demersal Shark fishery in 2005/2006 shall attach a statement which confirms the applicant's status with regards to levy declarations and payments as at the 1<sup>st</sup> February 2013 (statements to be requested from the Department's revenue section).



**Section 14****Applicant Declaration**

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

- (a) I have read the instructions set out on page 2 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 Agriculture, Forestry and Fisheries.
- (e) I undertake 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. I accept that failure to co-operate in this regard will constitute an independent ground for refusing an application.
- (f) I accept 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** \_\_\_\_\_ **2013**

**Signature of Applicant or Authorised Representative:** \_\_\_\_\_

**Applicant's Full Name:** \_\_\_\_\_

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

Commissioner of Oaths

Full Name \_\_\_\_\_

Designation \_\_\_\_\_

Physical Address \_\_\_\_\_

**Section 14****Applicant Declaration**

If the application is prepared or compiled by, or in consultation with or on the advice of any person or entity the following information must be provided:

Why was the application prepared by a person or entity other than the Applicant (or its members) or why was someone consulted for advice? What fee or other remuneration was paid, or was promised for the assistance?


If assisted, please provide full details of the consultant / advisor that prepared this application:

Name:	<input type="text"/>
Profession / Occupation / Designation:	<input type="text"/>
Signature:	<input type="text"/>
ID Number / Company Registration Number (if applicable)	<input type="text"/>
Address:	<input type="text"/>
E-mail:	<input type="text"/>
Cellular number:	<input type="text"/>

APPLICATION NUMBER: 

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES  
BRANCH: FISHERIES MANAGEMENT

# Hake Handline

## Fishing Rights Allocation Process: 2013

Name of Applicant: ID / Company Registration  
Number: 

or

Close Corporation Registration  
Number: 

agriculture,  
forestry & fisheries

Department:  
Agriculture, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

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

- 1) This application form must be read together with these **Instructions**, the **Explanatory Notes**, and the **Schedules** to the application form.
- 2) When completing the application form, applicants are advised to read carefully the General Policy on the Allocation and Management of Fishing Rights: 2013 and the Demersal Shark Fishery Specific Policy. These policies are available at [www.daff.gov.za](http://www.daff.gov.za) and at the distribution centre where this application form was collected. These policies will guide the Minister or his/her delegate when considering the application.
- 3) You may request a departmental official at the application centre to assist you with the understanding of the application form. Should you have any queries regarding the completion of the application form, you may ask an official to assist you with the query. Queries may also be addressed during office hours to the FRAP Operations Centre Helpline at 021 402 3576. You or your representative may not communicate with the Minister, the delegated authority, or officials in the Department regarding your application other than at the application centre. Moreover, no reliance may be placed on any information given or obtained in any other manner.
- 4) Applicants must pay attention to the icons in the application form in order to determine whether:
  - 4.1 there is any documentation or information required in response to a question in the form of an annexure.



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

The clipboard icon means that the applicant must consult 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.

**COMPLETION OF THE APPLICATION FORM**

- 6) The applicant must complete all sections of the application form. If any particular section does not apply to the applicant, the section may be marked "N/A." If an applicant cannot answer a section, it may be marked "Unknown." 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 required to do so.
- 7) This application form must be completed by hand and submitted together with the required annexures. If the application is submitted in any other form, the application will be refused. Do not use a pencil. Preferably use a blue pen.
- 8) The declaration must be signed and attested before a Commissioner of Oaths by the applicant's authorised representative. If the declaration is not signed and attested, the application will be refused.
- 9) The 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.
- 10) One true copy of the application must be made. This copy must be punched, divided and filed 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.
- 11) The application may not be submitted by post or by fax. An application not submitted by hand within the stipulated times, dates at and places will be refused.

**IMPORTANT INFORMATION****LODGEMENT OF APPLICATION**

- 11) The application, and the copy of the application must be hand delivered at the distribution and receipting centers.
- 12) The application may not be submitted by post or by fax.

**IMPROPER LODGEMENT**

- 13) Improperly lodged applications will be refused. An application is improperly lodged if:
  - 13.1 it is received late; or
  - 13.2 the application is lodged in a manner contrary to the instructions.

**MATERIAL DEFECTS**

- 14) Applications that are materially defective will be refused. An application is materially defective if:
  - 14.1 the declaration is not signed and attested by the applicant's authorised representative; or
  - 14.2 more than one application is received for a right in the same sector; or
  - 14.3 the applicant provides false information or documents, fails to disclose material information or attempt to influence the Minister or the delegated authority regarding this application.



**Section 1****Applicant Details - Individuals**

- 1.1 Applicant Surname:
- 1.2 Applicant First Name(s):
- 1.3 Identity Number:  ☒
- 1.4 Income Tax Number:  ☒
- 1.5 Business Telephone Number:
- 1.6 Business Cell Phone Number:
- 1.7 Business Fax Number:
- 1.8 Business E-mail address:
- 1.9 Residential Address: Number and Street:  ☒  
Suburb:   
Town / City:   
Postal Code:
- 1.10 Postal Address: Number and Street / PO Box:   
Suburb:   
Town / City:   
Postal Code:
- 1.11 Are you historically disadvantaged in terms of race (i.e. African, Coloured or Indian)? ☐ Yes ☐ No
- 1.12 Please indicate your gender: ☐ Male ☐ Female
- 1.13 Any permanent disability ☐ Yes ☐ No ☒
- 1.14 State the nature of disability \_\_\_\_\_

**Section 2****Applicant Details - Close corporations**

2.1 Name of Close Corporation:

2.2 Registration Number:  ☒

2.3 Income Tax Number:  ☒

2.4 Residential Address

Number and Street:

Town / City:

Suburb:

Postal Code:

2.5 Postal Address: Number and Street / PO Box:

Suburb:

Town / City:

Postal Code:

2.6 Authorised Contact Person Full Name:

2.7 Identity Number of Authorised Contact Person:  ☒

Area Code:

2.8 Telephone Number:

2.9 Cell Phone Number:


2.10 Fax Number:

2.11 E-mail address:



2.12 Complete the following table in relation to the applicant's members as at closing day:

Name of Member	ID Number of Member	Is the Member Black (Y/N)	Gender of the Member (M/F)	Is the Member Disabled (Y/N)	Percentage Interest Held by the Member

**Section 3****Form of Applicant**

- 3.1 Does the applicant or any of its members /shareholders or directors intend to apply for a Traditional Linefish right? ☐ Yes ☐ No
- 3.2 Has the applicant, or any of its members/shareholders or directors, applied for other fishing rights this year? ☐ Yes ☐ No
- 3.3 If "Yes," complete the following table for all rights applied for (including this application for hake handline) in order of preference: 

Name of Applicant for other right	Fishery	Application Number (if available)

- 3.4 Has the applicant or any of its members / shareholders or directors previously transferred their hake handline fishing right, if "Yes" provide proof. ☐ Yes ☐ No 
- 3.5 Has the applicant or any of its members / shareholders or directors has any other fishing right that does not expire in 2013? ☐ Yes ☐ No 

- 3.6 If "Yes," complete the following table for all rights which do not expire in 2013.

Right Number	Fishery	Name of the applicant or member or shareholder or director

**Section 4****Compliance**

- 4.1 Has the applicant or any of its members/shareholders or directors:
- 4.1.1 been convicted of a contravention of the MLRA, or the regulations, or permit conditions during the long-term (2006-2013) right period? If yes, please provide explanation. ☐ Yes ☐ No ☒
- 4.1.2 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 long-term (2006-2013) right period? If yes, please provide explanation. ☐ Yes ☐ No ☒
- 4.1.3 paid an admission of guilt fine for a contravention of the MLRA, the regulations, or the permit conditions during the long-term (2006-2013) right period? If yes, please provide explanation. ☐ Yes ☐ No ☒
- 4.1.4 been charged with an offence under the MLRA, or the regulations or permit conditions during the long-term (2006-2013) right period? If yes, please provide explanation. ☐ Yes ☐ No ☒
- 4.2 Has a fishing vessel, motor vehicle, premises or any other assets of the applicant, or any of its members/shareholders 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 long-term (2006-2013) right period? ☐ Yes ☐ No ☒
- 4.3 Was the applicant's or any of the applicant's members/shareholders or directors right or permit suspended, revoked, cancelled, reduced or altered under section 28 of the MLRA during the long-term (2006-2013) right period? ☐ Yes ☐ No ☒


**Section 5****Vessel Details and Investment**

- 5.1 Fill in the table below regarding the nominated vessel: ☒


	Vessel 1	Vessel 2
Vessel name		
Number of crew according to SAMSA Safety Certificate		
Applicant's share of nominated vessel (percentage)		
Value of applicant's share of vessel (rand amount)		
Nature of Access to Vessel (majority owner or shareholder or charter agreement or catching agreement or bank guarantee)		
Vessel fitted with a functioning VMS System (Y/N)		
Vessel Length in metres according to SAMSA Safety Certificate		
Vessel Horsepower		

- 5.2 Has the applicant, or any of its members/shareholders or directors made any investments (for example a share in a vessel) in the fishing industry? ☐ Yes ☐ No ☒

**Section 6****Catch Utilisation**

6.1 Complete the following table in relation to the long-term right holder's catch records per fishing season. 

Year	Right holder	Number of crew working	Actual amount caught in kilograms
2007			
2008			
2009			
2010			
2011			
2012			

6.2 Has the applicant submitted all catch returns during the long term rights period? Yes ☐ No ☐ 

6.3 If "No" provide the periods.

**Section 7****Historical Involvement**

7.1 How long have you been involved in the fishing industry?




7.2 Did the applicant, or any of its members work as a crew member or a skipper on any of the vessels operating in the Hake Handline fishery between 2006 and 2012?

☐ Yes ☐ No



7.3 If "Yes," complete the following table:

Name of Right Holder	Permit Number	Name of Vessel	Duration that applicant or member worked for the right holder (from date to date)

7.4 What is the applicant's annual turnover?

7.5 What percentage of the applicant's annual turnover is generated through harvesting Hake?



7.6. Describe the work the applicant does in the hake handline business:


	Working Activities (in hake handline)	Rand Value per year	Percentage of Total Income
1			
2			
3			
4			

7.7. Describe any other work that the applicant / member does:

	Working Activities (other than involvement in hake handline)	Rand Value per year	Percentage of Total Income
1			
2			
3			

7.8. An applicant that has been granted in the hake handline in 2005/2006 must attach copies of submitted catch returns in 2012.

**Section 8****Transformation and Job Creation**

- 8.1 How much does the applicant pay all of its suppliers in total on an annual basis? 

- 8.2 Provide a breakdown and proof in relation to suppliers indicating whether they are black or white (or percentage ownership by blacks), and how much the applicant spends per season at the suppliers since 2007.

- 8.3 Does the applicant donate any of its annual income to charities or community development initiatives?

☐ Yes ☐ No

- 8.4 If "Yes," complete the following table: 

Year	Charity / Community Organisation	What does the charity or community organisation do?	Telephone Number of Charity / Community Organisation	How much have you donated annually?
2006				
2007				
2008				
2009				
2010				
2011				
2012				

- 8.5 How many people does the applicant employ on a permanent full-time basis?

- 8.6 What is the wage that the applicant pays weekly its lowest paid employee?

- 8.7 What is the wage that the applicant pays weekly its highest paid employee?

- 8.7.1 Do employees, other than top management participate in employee share scheme?

☐ Yes ☐ No

**Section 8****Transformation and Job Creation**

8.8 Complete the following table in relation to the applicant's employment profile (if applicable)

Black		White		Disabled	
Male	Female	Male	Female	Male	Female

8.9 Complete the following table in relation to the applicant's managers (if applicable)

Black		White		Disabled	
Male	Female	Male	Female	Male	Female

8.10 Complete the following table in relation to the training provided to the employees: (if applicable)

Black		White		Disabled	
Male	Female	Male	Female	Male	Female

8.11 Complete the following table in relation to the training provided to employees in 2012:

Total Number of employees that were trained	Number of black employees that were trained	Number of disabled employees that were trained	Training Course

8.12 Compliance with the Skills Development Levies Act 9 of 1999 and the Skills Development Act 97 of 1998:

8.12.1 Does the applicant comply with the Skills Development Act? If yes, provide full details of compliance.

8.12.2 Does the applicant participate in learnership programmes? If yes, provide details.



- 8.12.3 Does the applicant invest in training designated groups and youth (18-35 years)?  
If yes, provide proof.



## Section 8

### Transformation and Job Creation

- 8.13 Complete the following table in relation to the applicant's top ten salary earners at date of application:

Name of Salary Earner	ID Number of Member	Is the Salary Earner Black (Y/N)	Gender of the Salary Earner (M/F)	Annual Salary (Total Cost to Company)

- 8.14 How many skippers are used by the applicant in this fishery?

- 8.15 What percentage of these skippers are black?

**Section 9****Vessel, Crew and Environmental Safety  
Crew Safety and Working Conditions**

- 9.1 Does the applicant or vessel owner provide insurance or other financial security in respect of accidents, loss of life and personal injury suffered by crew?

☐ Yes ☐ No



- 9.2 Has the applicant or the vessel owner registered with the Commissioner in terms of the Compensation for Occupational Injuries and Diseases Act 130 of 1993? (please provide proof).

☐ Yes ☐ No

**Section 10****Investment**

- 10.1 Complete the following table:

Year	Value of Total Fixed Assets (in relation to this fishery)	Value of Land Based Fixed Assets (in relation to this fishery)	Value of Harbour and Sea Based Fixed Assets (in relation to this fishery)
2013 (at date of application)			

**Section 11****Local Economic Development**

- 11.1 Complete the following table in relation to harbours where catch is to be landed  
**Rank by order of usage from 1-5 (5 being the highest)**

Harbour Name	Factory name	Frequency of usage

**Section 12****Skills, Knowledge, Processing & Marketing**

- 12.1 Has the applicant, or will the applicant (if allocated a right) entered into a catching agreement? ☐ Yes ☐ No ☒
- 12.2 Has the applicant, or will the applicant (if allocated a right) entered into a marketing agreement? ☐ Yes ☐ No ☒
- 12.3 Has the applicant, or will the applicant (if allocated a right) entered into a processing agreement? ☐ Yes ☐ No ☒
- 12.4 Will the applicant, or any of its members be personally involved (on board) in catching the resource? ☐ Yes ☐ No ☒

**Section 13****Fishing Competency**

13.1 Briefly explain, by the way of an original motivation (not copies from another applicant) why should the Department grant your entity a hake handline fishing right?



13.2 Provide a brief overview of the applicant fishing experience (not to be copied from another applicant).

**Section 14****Fishing Levies**

14.1 An applicant that has been granted a fishing right in the demersal shark fishery in 2005/2006 must attach a statement which confirms the applicants status with regards to levies declarations and payments as at the 1 February 2013 (statements to be requested from the Departments revenue section).

**Section 15****Applicant Declaration**

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

- (a) I have read the instructions set out on page 2 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 Agriculture, Forestry and Fisheries.
- (e) I undertake 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. I accept that failure to co-operate in this regard will constitute an independent ground for refusing an application.
- (f) I accept 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** \_\_\_\_\_ **2013**

**Signature of Applicant or Authorised Representative:** \_\_\_\_\_

**Applicant's Full Name:** \_\_\_\_\_

The deponent 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****Applicant Declaration**

If the application is prepared or compiled by, or in consultation with or on the advice of any person or entity the following information must be provided:

Why was the application prepared by a person or entity other than the Applicant (or its members) or why was someone consulted for advice? What fee or other remuneration was paid, or was promised for the assistance?


If assisted, please provide full details of the consultant / advisor that prepared this application:

Name:	<input type="text"/>
Profession / Occupation / Designation:	<input type="text"/>
Signature:	<input type="text"/>
ID Number / Company Registration Number (if applicable)	<input type="text"/>
Address:	<input type="text"/>
E-mail:	<input type="text"/>
Cellular number:	<input type="text"/>

APPLICATION NUMBER:

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DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES  
BRANCH: FISHERIES MANAGEMENT

# Tuna Pole-Line

## Fishing Rights Allocation Process: 2013

Name of Applicant:

Company Registration Number

or

Close Corporation Registration  
Number




agriculture,  
forestry & fisheries

Department:  
Agriculture, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

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**ICONS**

- 4) Applicants must pay attention to the icons in the application form in order to determine whether there is any documentation or information required in response to a question in the form of an annexure.

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**IMPROPER LODGEMENT**

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**MATERIAL DEFECTS**

- 14) Applications that are materially defective will be refused. An application is materially defective if:
  - 14.1 the declaration is not signed and attested by the applicant's authorised representative or
  - 14.2 more than one application is received for a right in the same sector; or
  - 14.3 the applicant provides false information or documents, fails to disclose material information or attempts to influence the Minister or the delegated authority regarding this application.

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

- 1.1 Registered Name of Applicant  
- 1.2 Trading Name of Applicant:
- 1.3 Registration Number:  
- 1.4 Residential Address: Number and Street:
- Suburb:
- Town / City:
- Postal Code:
- 1.5 Postal Address Number and Street / PO Box:
- Suburb:
- Town / City:
- Postal Code:
- 1.6 Business Telephone Number:
- 1.7 Business Cellular Number:
- 1.8 Business Fax Number:
- 1.9 Business email address:
- 1.10 Authorised Contact Person Full Name:  
- 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 2005/2006 long-term fishing right in this sector? ☐ Yes ☐ No
- 2.2 If "Yes", to which entity was the long-term fishing right allocated in 2005/2006?  ☒
- Company ☐  
Close Corporation ☐
- 2.3 Is the applicant more than 50% South African owned? ☐ Yes ☐ No ☒
- 2.4 Does the applicant have a valid tax clearance certificate? ☐ Yes ☐ No ☒
- 2.5 Does the applicant hold any share(s)/ members interest in any other legal entity that is applying for a right in this sector? ☐ Yes ☐ No ☒
- 2.6 Does the applicant hold any share(s)/ members interest in any legal entity that is applying for a right in any other sector? ☐ Yes ☐ No ☒
- 2.7 Does the applicant hold any share(s)/ members interest in any other legal entity that holds a right that does not expire in 2013? ☐ Yes ☐ No ☒

**Section 3****Compliance**

- 3.1 Has the applicant, or any of its members, shareholders or directors:
- 3.1.1 been charged with an offence under the MLRA, or the regulations or permit conditions during the long-term (2006-2013) right period? If yes, please provide an explanation. ☐ Yes ☐ No ☒
- 3.1.2 paid an admission of guilt fine for a contravention of the MLRA, the regulations, or the permit conditions during the long-term (2006-2013) right period? If yes, please provide an explanation. ☐ Yes ☐ No ☒
- 3.1.3 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 or other fishery related offences during the long-term (2006-2013) right period? If yes, please provide an explanation. ☐ Yes ☐ No ☒
- 3.1.4 been convicted of a contravention of the MLRA, or the regulations, or permit conditions or other fishing related offences during the long-term (2006-2013) right period? If yes, please provide an explanation. ☐ Yes ☐ No ☒
- 3.2 Has a fishing vessel, motor vehicle, 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 long-term (2006-2013) right period? If yes, please provide an explanation. ☐ 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 long-term (2006-2013) right period? If yes, please provide an explanation. ☐ Yes ☐ No ☒

## Section 4

## Vessel Details

- 4.1 How many vessels is the entity applying for? (Note multiple entities may not use the same vessel in this sector. If a vessel is nominated by more than one provisionally successful applicant in this sector then the applicants would need to decide which entity will utilize the vessel and the other applicants would need to nominate an alternate vessel in order for the application to be considered.)

- 4.2 Fill in the relevant details in the tables below regarding each vessel nominated:  
(If three or more vessels are nominated then please make a copy of this page and insert the details of the additional vessels as an annexure).



	Vessel 1	Vessel 2
Vessel name		
Area Number e.g. HTB		
SAMSA official Number		
Number of crew according to SAMSA Safety Certificate		
Owner of Vessel as indicated by South African Certificate of Registry or SAMSA Safety Certificate		
Nature of Access to Vessel (Owner, shareholder, charter/catching agreement, or bank guaranteed finance with vessel plans (in the case of building a new vessel), or bank guaranteed finance and purchase agreement (in the case of purchasing a vessel)-proof required.		
12 x 7 cm colour photographs - 1 x starboard side of the vessel - 1 x port side of the vessel - 1 x stern view	Please ensure side photographs display the full overall length and complete structural features of the vessel and the stern photograph is taken directly from astern.	Please ensure side photographs display the full overall length and complete structural features of the vessel and the stern photograph is taken directly from astern.
Indicate in which other fishing sector the vessel has been nominated or is currently involved in.		
Vessel Length in metres	LOA (length overall)	LOA (length overall)
	Registered Length	Registered Length
Vessel registered gross tonnage (GRT)		
Vessel gross tonnage (GT) if vessel > 25 t		
Age of vessel		
Hull construction of vessel: eg steel or wood etc.		

**Section 5****Catch Performance**

- 5.1 If the applicant was granted a long-term tuna pole right in 2005/2006 then Indicate in which seasons a South African catch permit was issued by the Department. Please provide permit numbers in the respective columns.

2007	2008	2009	2010	2011	2012

If applicant is an existing right holder and a tuna pole catch permit was not issued in three or more seasons please provide reason for this.



- 5.2 If the applicant was granted a long-term tuna pole right in 2005/2006 then complete the following in relation to the applicant's catch records.

Year	Names of vessels used per year	Vessel Length Overall (m)	Total Landed South African Catch in tonnes Albacore (ALB)/ Yellowfin (YFN)/ Yellowtail (YTL)/ Snoek (SNK)/ Other (OTH)					Total Landed Namibian Tuna Catch in tonnes
			Alb	YFT	YLT	SNK	OTH	
Jan – Dec 2007	Vessel a:							
	Vessel b:							
	Vessel c:							
Jan – Dec 2008	Vessel a:							
	Vessel b:							
	Vessel c:							
Jan – Dec 2009	Vessel a:							
	Vessel b:							
	Vessel c:							
Jan – Dec 2010	Vessel a:							
	Vessel b:							
	Vessel c:							
Jan – Dec 2011	Vessel a:							
	Vessel b:							
	Vessel c:							
Jan – Dec 2012	Vessel a:							
	Vessel b:							
	Vessel c:							

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

- 6.1 Complete the table below in respect of the applicant's board of directors (if a company) or members (if a close corporation) as at date of application.



	Director/ Member Name (Initial & Surname)	Years of Service	Black (Y/N)	Gender (M/F)	Age	Disability (Y/N)	Identity Number
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							

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

- 6.2 Complete the following table in relation to income levels of the applicant's permanent employees at date of application:



	Gross Salary/ Wages (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%	

## Section 6

## Transformation

## Management and Employment Equity

- 6.3 Complete the following table in relation to the applicant's most recent employment equity profile provided to the Department of Labour. If the applicant is not designated or did not voluntarily comply then the table must be completed as at date of application.



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

- 6.4 Does the applicant contribute towards medical aid and pension for its employees?
- 6.5 Does the applicant provide any other type of benefits for its employees?
- 6.6 Does the applicant comply with the Basic Conditions of the Employment Act?

☐ Yes ☐ No

☐ Yes ☐ No

☐ Yes ☐ No



## Section 6

### Transformation Ownership

6.7 Is the applicant a company or a close corporation?

☐ Company ☒ CC

6.7.1 Complete the table below in respect of shareholding/membership interest held by black persons:

Year	Percentage Shareholding / Membership Interest Held by Black Persons	Percentage Voting Rights Held by Black Persons	Percentage of Dividends Black Shareholders are Entitled To
2005 (as in 2005 application form)			
2013 (at date of application)			

6.7.2 If applicant is a long-term right holder complete the tables below in respect of the applicant's shareholders (if a company) or members (if a close corporation) as stated in the 2005 application form. (If disability is indicated please state nature of disability on a separate annexure. Copy table and use as annexure if more space is required.)



Shareholder/ Member Name	Years of service	Black (Y/N)	Gender (M/F)	Permanent Disability (Y/N)	Age	Identity Number or Registration Number	Percentage shareholding/ members interest

Percentage Black ownership	Percentage Female Ownership	Percentage Youth (18-35 years) Ownership	Percentage Ownership by Disabled Persons



6.7.3 Complete the tables below in respect of the applicant's shareholders (if a company) or members (if a close corporation) as at date of application. (If a legal entity is a shareholder of the applicant then copy the table below as an annexure providing the ownership of that entity.) (If disability is indicated please state nature of disability on a separate annexure.)



Shareholder/ Member Name	Years of service	Black (Y/N)	Gender (M/F)	Permanent Disability (Y/N)	Age	Identity / registration Number	Percentage shareholding / members interest

Percentage Black ownership	Percentage Female Ownership	Percentage Youth (18-35 years) Ownership	Percentage Ownership by Disabled Persons

6.7.4 If you had a long-term tuna pole right granted in 2005/2006 and your controlling shareholding or transformation profile has changed then please provide proof that the required permission has been obtained.



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



	Tax year ending 2007	Tax year ending 2008	Tax year ending 2009	Tax year ending 2010	Tax year ending 2011	Tax year ending 2012
Total Salaries Paid to Shareholders/ Members						
Total Loans Made to Shareholders/ Members						
Dividends Paid to Shareholders/ Members						

6.7.6 If the applicant had a long-term tuna pole right granted in 2005/2006 in which years (if any) did you make use of a catching agreement with another entity to catch your fish?

Year	Permit issued (Y/N)	Entity responsible for catching your fish	Relationship to entity (e.g. subsidiary, catching agreement etc)	Transformation profile of entity (% black owned)
2007				
2008				
2009				
2010				
2011				
2012				

**Skills Development**

6.8.1 Does the applicant comply with the Skills Development Act? If yes, provide full details of compliance.

☐ Yes ☐ No



6.8.2 Does the applicant participate in learnership programmes? If yes, provide details.

☐ Yes ☐ No



6.8.3 Does the applicant invest in training of designated groups and youth (18-35 years)? If yes, provide proof.

☐ Yes ☐ No

**Corporate Social Investment**

6.9 What percentage of your annual net profit do you spend on Corporate Social Investment (CSI) (only tax deductible donations in terms of s 18A of the Income Tax Act 58 of 1962)? Provide proof



	2007	2008	2009	2010	2011	2012
Percentage of net profit spent on CSI						

**Affirmative Procurement**

6.10 Does the applicant procure goods and services from black-owned companies? If yes, provide proof and state what percentage of total expenditure is spent on affirmative procurement over the last two years.

☐ Yes ☐ No



**Section 7****Vessel, Crew and Environmental Safety****Crew Safety and Working Conditions**

7.1 Does the applicant or vessel owner provide insurance or other financial security in respect of accidents, loss of life and personal injury suffered by crew?

☐ Yes ☐ No



7.2 Has the applicant or the vessel owner registered with the Commissioner in terms of the Compensation for Occupational Injuries and Diseases Act 130 of 1993?

☐ Yes ☐ No

**Section 8****Job Creation**

8.1 Complete the following table in relation to job creation in this fishery (note columns 3, 5 & 6 can only be completed by applicants which are also vessel owners/ operators). New entrants which have been active as vessel owners in this fishery, but was not granted a 2005/2006 tuna pole right may claim the job creation under columns 3, 5 & 6.

Year	Number of permanent employees employed (land-based)	Number of permanent employees employed (sea-based)	Number of seasonal employees employed	Average number of crew used per fishing trip	Total wage bill for crew
Jan-Dec 2007					
Jan-Dec 2008					
Jan-Dec 2009					
Jan-Dec 2010					
Jan-Dec 2011					
Jan-Dec 2012					

**Section 9****Investment**

9.1 Complete the following table:



Year	Insured Value of Vessels (in relation to this fishery)	Total Insured Value of Land Based Fixed Assets (in relation to this fishery)	Total Insured Value of Harbour and Sea Based Fixed Assets (in relation to this fishery)
2013 (at date of application)			

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

10.1 Complete the following table in relation to landing /processing where catch is to be landed/ processed and rank in order of frequency of usage, with the first listed being the most important

Rank	Harbour Name	Processing Facility Name	Area where Processing Facility is located
1			
2			
3			
4			
5			

**Section 11****Performance****Financial**

11.1 What is the applicant's total 2012 tax year end audited (where applicable), verified Annual Turnover? Provide proof

11.2 If the applicant has been granted a tune pole fishery in 2005/2006 then indicate the rand value and percentage of total turnover derived from this fishery for the tax year ending in 2012:

Turnover generated in tax year ending in 2012 derived from this fishery	Percentage of Total Turnover

**Section 12****Fishing Competency**

12.1 Briefly explain by way of an original motivation (not to be copied from another applicant) why the Department should grant a right to the applicant. Please provide a one page motivation.



12.2 Give a brief (one page) overview of the applicant's fisheries experience. (Not to be copied from another applicant.)

**Section 13****Fishing Levies**

13.1 An applicant that has been granted a fishing right in the tuna pole fishery in 2005/2006 please attach a statement which confirms the applicant's status with regards to levies declarations and payments as at the 1 February 2013.



**Section 14****Applicant Declaration**

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

- (a) I have read the instructions set out on page 2 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 Agriculture, Forestry and Fisheries.
- (e) I undertake 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. I accept that failure to co-operate in this regard will constitute an independent ground for refusing an application.
- (f) I accept 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** \_\_\_\_\_ **2013**

**Signature of Applicant or Authorised Representative:** \_\_\_\_\_

**Applicant's Full Name:** \_\_\_\_\_

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

**Commissioner of Oaths**

**Full Name** \_\_\_\_\_

**Designation** \_\_\_\_\_

**Physical Address** \_\_\_\_\_

**Section 14****Applicant Declaration**

If the application is prepared or compiled by, or in consultation with or on the advice of any person or entity the following information must be provided:

Why was the application prepared by a person or entity other than the Applicant (or its members) or why was someone consulted for advice? What fee or other remuneration was paid, or was promised for the assistance?


If assisted, please provide full details of the consultant / advisor that prepared this application:

Name:

Profession / Occupation / Designation:

Signature:

ID Number / Company Registration Number (if applicable)

Address:

E-mail:

Cellular number:

APPLICATION NUMBER:

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES  
BRANCH: FISHERIES MANAGEMENT

## KZN PRAWN TRAWL

### Fishing Rights Allocation Process: 2013

Name of Applicant:

Company Registration Number

or

Close Corporation Registration  
Number




agriculture,  
forestry & fisheries

Department:  
Agriculture, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

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

- 1) This application form must be read together with these **Instructions**, the **Explanatory Notes**, and the **Schedules** to the application form.
- 2) When completing the application form, applicants are advised to read carefully the General Policy on the Allocation and Management of Fishing Rights: 2013 and the KZN Prawn Trawl Fishery Specific Policy. These policies are available at [www.daff.gov.za](http://www.daff.gov.za) and at the distribution centre where this application form was collected. These policies will guide the Minister or his/her delegate when considering the application.
- 3) You may request a departmental official at the application centre to assist you with the understanding of the application form. Should you have any queries regarding the completion of the application form, you may ask an official to assist you with the query. Queries may also be addressed during office hours to the FRAP Operations Centre Helpline at 021 402 3576

You or your representative may not communicate with the Minister, the delegated authority, or officials in the Department regarding your application other than at the application centre. Moreover, no reliance may be placed on any information given or obtained in any other manner.

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

4.1 there is any documentation or information required in response to a question in the form of an annexure.

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

The clipboard icon means that the applicant must consult 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.

**COMPLETION OF THE APPLICATION FORM**

- 6) The applicant must complete all sections of the application form. If any particular section does not apply to the applicant, the section may be marked "N/A." If an applicant cannot answer a section, it may be marked "Unknown." 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 required to do so.
- 7) This application form must be completed by hand and submitted together with the required annexures. If the application is submitted in any other form, the application will be refused. Do not use a pencil. Preferably use a blue pen.
- 8) The declaration must be signed and attested before a Commissioner of Oaths by the applicant's authorised representative. If the declaration is not signed and attested, the application will be refused.
- 9) The 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.



**IMPORTANT INFORMATION****INSTRUCTIONS****LODGEMENT OF APPLICATION**

- 10) One true copy of the application must be made. This copy must be punched, divided and filed 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.
- 11) The application, and the copy of the application must be hand delivered at the distribution and receipting centers.
- 12) The application may not be submitted by post or by fax.

**IMPROPER LODGEMENT**

- 13) Improperly lodged applications will be refused. An application is improperly lodged if:
  - 13.1 it is received late; or
  - 13.2 the application is lodged in a manner contrary to the instructions.

**MATERIAL DEFECTS**

- 14) Applications that are materially defective will be refused. An application is materially defective if:
  - 14.1 the declaration is not signed and attested by the applicant's authorised representative; or
  - 14.2 more than one application is received for a right in the same sector; or
  - 14.3 the applicant provides false information or documents, fails to disclose material information or attempt to influence the Minister or the delegated authority regarding this application.

## Section 1



## Applicant Details

- 1.1 Registered Name of Applicant
- 1.2 Trading Name of Applicant:
- 1.3 Registration Number:
- 1.4 Residential Address
- Number and Street:
- Suburb:
- Town / City:
- Postal Code:
- 1.5 Postal Address
- Number and Street / PO Box:
- Suburb:
- Town / City:
- Postal Code:
- 1.6 Business Telephone Number:
- 1.7 Business Cellular Number:
- 1.8 Business Fax Number:
- 1.9 Business email address:
- 1.10 Authorised Contact Person Full Name:
- 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 long-term fishing right in this sector?

2.2 If "Yes", to which entity was the long-term fishing right allocated in 2005/2006? ☐ Yes ☐ No

Company ☐  
Close Corporation ☐


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

☐ Yes ☐ No

2.4 Does the applicant have a valid tax clearance certificate?

☐ Yes ☐ No

2.5 Does the applicant hold any share(s) /membership interest in any other legal entity that is applying for a right in this sector?

☐ Yes ☐ No

2.6 Does the applicant hold any share(s)/ membership interest in any legal entity that is applying for a right in any other sector?

☐ Yes ☐ No

2.7 Does the applicant hold any share(s)/ membership interest in any legal entity that holds a right in any other sector not expiring in 2013?

☐ Yes ☐ No

**Section 3****Compliance**

3.1 Has the applicant or any of its members and share-holder or directors:

3.1.1 been charged with an offence under the MLRA, or the regulations or permit conditions during the long-term (2006-2013) right period? If yes please provide explanation? ☐ Yes ☐ No

3.1.2 paid an admission of guilt fine for a contravention of the MLRA, the regulations, or the permit conditions during the long-term (2006-2013) right period? If yes, please provide explanation. ☐ Yes ☐ No

3.1.3 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 or other fishery related offences during the long-term (2006-2013) right period? If yes, please provide explanation. ☐ Yes ☐ No

3.1.4 been convicted of a contravention of the MLRA, or the regulations, or permit conditions or other fishing related offences during the long-term (2006-2013) right period? If yes, please provide explanation. ☐ Yes ☐ No

3.2 Has a fishing vessel, motor vehicle, 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 long-term (2006-2013) 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 long-term (2006-2013) right period? ☐ Yes ☐ No

**Section 4****Vessel Details**4.1 How many vessels is the entity applying for? 4.2 Fill in the relevant details in the tables below regarding each vessel nominated: 

	Vessel 1	Vessel 2
Vessel name		
Area Number e.g. HTB		
SAMSA official Number		
Number of crew according to SAMSA Safety Certificate		
Owner of Vessel as indicated by South African Certificate of Registry or SAMSA Safety Certificate		
Nature of Access to Vessel (Owner, shareholder, charter/ catching agreement, or bank guaranteed finance with vessel plans (in the case of building a new vessel.) - proof required.		
Indicate in which other fishing sector the vessel has been nominated or is currently involved in.		
Vessel Length in metres	LOA (length overall)	LOA (length overall)
	Registered Length	Registered Length

**Section 5****Catch Utilisation**5.1 Complete the following in relation to the applicant's catch records. 

YEAR	Names of vessels used per year	Total Actual Catch per species (in metric tons) in South African Waters	Number of Fishing Days in South African Waters	Total Actual Catch per species (in metric tons) in South African Waters	Number of Fishing Days in Non- South African Waters
Jan - Dec 2007					
Jan - Dec 2008					
Jan - Dec 2009					
Jan - Dec 2010					
Jan - Dec 2011					
Jan - Dec 2012					

5.2 Indicate in which seasons a South African catch permit was issued by the Department (mark with X) 

2007	2008	2009	2010	2011	2012

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

6.1 Complete the tables below:

6.1.1 Complete the table below in respect of the applicant's board of director's (if a company) or (if a close corporation) as at date of application. If you have more than 10 share-holders please provide a copy of the complete list.



	Director / Member Name (Initial & Surname)	Years of Service	Black (Y/N)	Gender (M/F)	Age	Disability (Y/N)	Identity Number
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							

6.1.2 Complete the following table in relation to income levels of the applicant's permanent employees at date of application:



	Gross Salary/ Wages (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%	

## Section 6 Transformation


### Management and Employment Equity


6.1.3 Complete the following table in relation to the applicant's most recent employment equity profile provided to the Department of Labour. If the applicant is not designated or did not voluntarily comply then the table must be completed as at date of application

Occupational Categories	Gender	A No	A %	C No	C %	I No	I %	W No	W %	Total ACI %	Total 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****Ownership**

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

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

6.1.6 Does the applicants complied with the BCEA ☐ Yes ☐ No 

6.2 Is the applicant a company or a closed corporation?

Company ☐ Yes ☐ No

Close corporation ☐ Yes ☐ No

6.2.1 Complete the table below in respect of shareholding/membership interest held by black persons: 

Year	Percentage Shareholding / Membership Interest Held by Black Persons	Percentage Voting Rights Held by Black Persons	Percentage of Dividends Black Shareholders are Entitled To
2005 (as in 2005 application form)			
2013 (at date of application)			

6.2.2 Complete the table below in respect of the applicant's transformation profile.

Black share holding in 2005	Black share holding in 2012	Black share holding at application date

**Section 6****Transformation****Ownership**

6.2.3 Complete the table below in respect of the applicant's shareholders (if a company) or members (if a close corporation) as at date of application.



Shareholder/ Member Name	Years of service	Black (Y/N)	Gender (M/F)	Age	Identification Number	Percentage shareholding/ members interest


6.2.4 If applicant is a long-term right holder complete the table below in respect of the applicant's shareholders (if a company) or members (if a close corporation) as stated in the 2005 application form.




Shareholder/ Member Name	Years of service	Black (Y/N)	Gender (M/F)	Age	Registration Number	Percentage shareholding/ members interest




**Section 6****Transformation  
Ownership**

6.2.5 If ownership has changed since 2005 then please submit proof of Departmental approval of change in ownership. 

6.2.6 Complete the following table in relation to monies paid to shareholders/ members: 

Tax Year Ending	2007	2008	2009	2010	2011	2012
Total Salaries Paid to Shareholders/ Members						
Total Loans Made to Shareholders/ Members						
Dividends Paid to Shareholders/ Members						

6.2.7 If you had a long-term KZN Prawn Trawl right in which year did you make use of a catching agreement with another entity to catch your fish? 

Year	Permit issued (Y/N)	Entity responsible for catching your fish	Relationship to entity (e.g. subsidiary, catching agreement etc)	Transformation profile of entity
2007				
2008				
2009				
2010				
2011				
2012				

**Section 6****Transformation  
Skills Developments**

6.3.1 Does the applicant comply with Skills Development Act?  
If "Yes" please provide proof.

☐ Yes ☐ No



6.3.2 Does the applicant participate in learnership programs?  
If "Yes" please provide proof.

☐ Yes ☐ No



6.3.3 Does the applicant invest in training of designated groups and youth?  
If "Yes" please provide proof.

☐ Yes ☐ No



**Section 6****Transformation  
Cooperate Social Investment**

6.4.1 Does the applicant spend net profit on corporate social investment?  
If "Yes" please provide proof indicating tax deductible donations

6.4.2 Indicate the five largest tax deductible donations made since 2007 in the table below:

Benefitting Organisation	Rand Value of Amount Donated

**Section 7****Transformation  
Affirmative Procurement**

6.5 Does the applicant procured goods / services from the black owned company? if "Yes" please provide net percentage of the total procurement for the last two years.

☐ Yes ☐ No

**Section 7****Vessel, Crew and Environmental Safety  
Crew Safety and Working Conditions**

7.1 Does the applicant or vessel owner provide insurance or other financial security in respect of accidents, loss of life and personal injury suffered by crew?

☐ Yes ☐ No



7.2 Has the applicant or the vessel owner registered with the Commissioner in terms of the Compensation for Occupational Injuries and Diseases Act 130 of 1993? (please provide proof)

☐ Yes ☐ No



**Section 8****Job Creation**

- 8.1 Complete the following table in relation to job creation (note columns 3, 4 & 5 can only be completed by applicants which are also vessel owners/ operators),

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
2007							
2008							
2009							
2010							
2011							
2012							

**Section 10****Investments**

- 9.1 Complete the following table:

9.1.1 Table 1



Year	Insured Value of Total Fixed Assets (in relation to this fishery)	Total Insured Value of Land Based Fixed Assets (in relation to this fishery)	Total Insured Value of Harbour and Sea Based Fixed Assets (in relation to this fishery)
2013 (at date of application)			

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

- 10.1 Complete the following table in relation to harbours where catch is to be landed  
**Rank by order of usage from 1-5 (5 being the highest)**

Harbour Name	Factory name	Frequency of usage

**Section 11****Performance****Financial**

- 11.1 What is the applicant's total 2012 tax year end audited, verified Annual Turnover? (audited financial statements) where applicable



- 11.2 Indicate the rand value and percentage of total turnover derived from this fishery for the tax year ending in 2012:



Turnover generated in tax year ending in 2012 derived from this fishery Annual Catch Allocation	Percentage of Total Turnover

**Section 12****Fishing credentials**

- 12.1 Briefly explain by a way of original motivation (not to be copied from another applicant) why the Department shall grant the right to the applicant
- 12.2 Provide a brief (one page) overview of your fisheries (not to be copied from another applicant) experience?

**Section 13****Fishing Levies**

- 13.1 Applicants that have been granted fishing in 2005/6 shall attach proof of payment of levies (a statement from the Department's Revenue Management)



**Section 14****Applicant Declaration**

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

- (a) I have read the instructions set out on page 2 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 Agriculture, Forestry and Fisheries.
- (e) I undertake 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. I accept that failure to co-operate in this regard will constitute an independent ground for refusing an application.
- (f) I accept 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** \_\_\_\_\_ **2013**

**Signature of Applicant or Authorised Representative:** \_\_\_\_\_

**Applicant's Full Name:** \_\_\_\_\_

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

Commissioner of Oaths

Full Name \_\_\_\_\_

Designation \_\_\_\_\_

Physical Address \_\_\_\_\_

**Section 14****Applicant Declaration**

If the application is prepared or compiled by, or in consultation with or on the advice of any person or entity the following information must be provided:

Why was the application prepared by a person or entity other than the Applicant (or its members) or why was someone consulted for advice? What fee or other remuneration was paid, or was promised for the assistance?


If assisted, please provide full details of the consultant / advisor that prepared this application:

Name:	<input type="text"/>
Profession / Occupation / Designation:	<input type="text"/>
Signature:	<input type="text"/>
ID Number / Company Registration Number (if applicable)	<input type="text"/>
Address:	<input type="text"/>
E-mail:	<input type="text"/>
Cellular number:	<input type="text"/>

**APPLICATION NUMBER:**

**DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES  
BRANCH: FISHERIES MANAGEMENT**

## **TRADITIONAL LINEFISH**

### **Fishing Rights Allocation Process: 2013**

Name of Applicant:

Identification Number


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

- 1) This application form must be read together with these **Instructions**, the **Explanatory Notes**, and the **Schedules** to the application form.
- 2) When completing the application form, applicants are advised to read carefully the General Policy on the Allocation and Management of Fishing Rights: 2013 and the Traditional Linefish Fishery Specific Policy. These policies are available at [www.daff.gov.za](http://www.daff.gov.za) and at the distribution centre where this application form was collected. These policies will guide the Minister or his/her delegate when considering the application.
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You or your representative may not communicate with the Minister, the delegated authority, or officials in the Department regarding your application other than at the application centre. Moreover, no reliance may be placed on any information given or obtained in any other manner.

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

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**COMPLETION OF THE APPLICATION FORM**

- 6) The applicant must complete all sections of the application form. If any particular section does not apply to the applicant, the section may be marked "N/A." If an applicant cannot answer a section, it may be marked "Unknown." 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 required to do so.
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**IMPORTANT INFORMATION**  
**INSTRUCTIONS****LODGEMENT OF APPLICATION**

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- 11) The application, and the copy of the application must be hand delivered at the distribution and receipting centers.
- 12) The application may not be submitted by post or by fax.

**IMPROPER LODGEMENT**

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  - 13.1 it is received late; or
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- 14) Applications that are materially defective will be refused. An application is materially defective if:
  - 14.1 the declaration is not signed and attested by the applicant's authorised representative; or
  - 14.2 more than one application is received for a right in the same sector; or
  - 14.3 the applicant provides false information or documents, fails to disclose material information or attempt to influence the Minister or the delegated authority regarding this application.

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

1.1	Applicant Surname	<input type="text"/>	
1.2	Applicant First Name(s):	<input type="text"/>	
1.3	Identity Number:	<input type="text"/>	<input checked="" type="checkbox"/>
1.4	Income Tax Number:	<input type="text"/>	
		Area Code:	
1.5	Work Telephone Number:	<input type="text"/>	<input type="text"/>
1.6	Cell Phone Number:	<input type="text"/>	<input type="text"/>
1.7	Fax Number:	<input type="text"/>	<input type="text"/>
1.8	E-mail address:	<input type="text"/>	
1.9	Residential Address	Number and Street: <input type="text"/>	
		Suburb: <input type="text"/>	
		Town / City: <input type="text"/>	
		Postal Code:	<input type="text"/>
1.10	How long have you lived and / or worked in the area?	<input type="text"/>	<input checked="" type="checkbox"/>
		Years	
1.11	Postal Address:	Number and Street / PO Box: <input type="text"/>	
		Suburb: <input type="text"/>	
		Town / City: <input type="text"/>	
		Postal Code:	<input type="text"/>
1.12	Are you historically disadvantaged in terms of race (i.e. African, Coloured or Indian)?	<input type="radio"/> Yes <input type="radio"/> No	
1.13	Please indicate your gender:	<input type="radio"/> Male <input type="radio"/> Female	
1.14	How old are you:	<input type="text"/>	
		Years	
1.15	How long have you been involved in the fishing industry?	<input type="text"/>	<input checked="" type="checkbox"/>
		Years	
1.16	How long have you been involved in the traditional line fishing industry?	<input type="text"/>	
		Years	
1.17	What work did you do before you became involved in the traditional linefish sector?	<input type="text"/>	

**Section 2****Form of applicant**

2.1 Do you currently hold a Traditional Linefish fishing right?

☐ Yes ☐ No

2.2 Have you applied for any other fishing rights?

☐ Yes ☐ No

2.3 If "Yes," complete the following table for all rights applied for (including this application for Traditional Linefish) in order of preference:

Name of Applicant for other right	Fishery	Application Number

2.4 Are you a member, director or shareholder of a company or close corporation that applied for a fishing right in any other fishing sector?

☐ Yes ☐ No

2.5 If "Yes," complete the following table for all rights applied for (including this application for Traditional Linefish) in order of preference:

Name of Applicant for other right	Fishery	Applicant's Percentage Shareholding or Membership Interest	Application Number

2.6 Have any of your family members applied for a Traditional Linefish right?

☐ Yes ☐ No

2.7 If "Yes," complete the following table:

Fishery	Application Number	Relationship to you (i.e. wife, husband, brother, cousin, mother etc)	Do they live in the same household as you? (Yes or No)

**Section 3****Compliance**

3.1 Have you :

3.1.1 been charged with an offence under the MLRA, or the regulations or permit conditions during the long-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 long-term right period?

☐ Yes ☐ No

3.1.3 been convicted of a contravention of the MLRA, or the regulations, or permit conditions during the long-term right period?

☐ Yes ☐ No

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

☐ Yes ☐ No

3.2 Has your fishing vessel, motor vehicle, premises or any of your assets 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 long-term right period?

☐ Yes ☐ No

3.3 Was your right or permit suspended, revoked, cancelled, reduced or altered under section 28 of the MLRA during the long-term right period?

☐ Yes ☐ No

3.4 Were you ever issued a section 28 notice?

☐ Yes ☐ No**Section 4****Vessel Details**

4.1 Complete the following table(s) for the vessel that you intend to use if you are granted a fishing right



Vessel	
Vessel name	
SAMSA Official Number	
Number of crew according to SAMSA Safety Certificate	
Length of vessel according to SAMSA Safety Certificate	
Is the vessel a ski boat? (Y / N)	
Is the vessel a traditional wooden deck boat? (Y / N)	
Is the vessel a steel or fiberglass deck boat? (Y / N)	
Nature of Access to Vessel (sole owner, majority owner, charter agreement, or catching agreement)	
Is the vessel currently operating in the fishery? (Y / N)	
Is the vessel geared for line fishing? (Y / N)	

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

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



Year	Right Number (e.g. LNF-M)	Name(s) of vessel(s)	Number of crew allocated	Actual amount landed in kilograms	Levies Paid
Jan-Dec 2007					
Jan-Dec 2008					
Jan-Dec 2009					
Jan-Dec 2010					
Jan-Dec 2011					
Jan-Dec 2012					

**Section 6****Historical Involvement**

6.1 Did you work as a crew member?

☐ Yes ☐ No



6.2 If "Yes," complete the following table:

Year	Name(s) of Right Holder(s)	Fishery Name	Name(s) of Vessel(s)	Duration (specify dates)
2007				
2008				
2009				
2010				
2011				
2012				

**Section 7**
**Transformation and Job Creation**

7.1 How many people do you employ on a permanent full-time basis?

7.2 How many people do you employ on a seasonal or part-time basis?

7.3 Do you contribute towards medical aid for your employees?

☐ Yes ☐ No



7.4 Do you contribute towards pensions for your employees?

☐ Yes ☐ No



7.5 Do you provide any other kinds of benefits for your employees?

☐ Yes ☐ No



7.6 Do you provide your employees with safe working conditions?

☐ Yes ☐ No

7.7 What is the wage that you pay your lowest paid employee?

Weekly

7.8 What is the wage that you pay your highest paid employee?

Weekly

7.9 Complete the following table in relation to the training provided to employees since 2007:

Year	Total Number of employees that were trained	Number of black employees that were trained	Training Course
2007			
2008			
2009			
2010			
2011			
2012			

7.10 How do you pay your crew?

Payment Type	Yes / No	Rand value of total amount spent in an average week during the season
Percentage of Catch or percentage of profit		
Weekly Wage		
Bonuses		
Other (such as loans, or voorskot)		

**Section 8****Transformation****Corporate Social Investment**

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

☐ Yes ☐ No

**Section 9****Transformation****Skills Developments**

- 9.1 Does the applicant comply with Skills Development Act? If "Yes" please provide proof.

☐ Yes ☐ No



- 9.2 Does the applicant participate in learnership programs? If "Yes" please provide proof.

☐ Yes ☐ No



- 9.3 Does the applicant invest in training of black people? If "Yes" please provide proof.

☐ Yes ☐ No

**Section 10****Transformation****Affirmative Procurement**

- 10.1 Does the applicant procure goods / services from the black owned company? if "Yes" please provide net percentage of the total procurement for the last two years.

☐ Yes ☐ No

**Section 11****Vessel, Crew and Environmental Safety****Crew Safety and Working Conditions**

- 11.1 Does the applicant or vessel owner provide insurance or other financial security in respect of accidents, loss of life and personal injury suffered by crew?

☐ Yes ☐ No



- 11.2 Has the applicant or the vessel owner registered with the Commissioner in terms of the Compensation for Occupational Injuries and Diseases Act 130 of 1993?

☐ Yes ☐ No



**Section 12****Job Creation**

12.1 Complete the following table in relation to job creation (note columns 3, 4 & 5 can only be completed by applicants which are also vessel owners/ operators),

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
2009 (date of performance reviews)							
2010 (financial year end)							
2011 (financial year end)							
2012 (financial year end)							
2013 (28 February 2013)							



**Section 13****Investment**

13.1 Complete the following table:

Year	Value of Total Fixed Assets (in relation to this fishery)	Value of Land Based Fixed Assets (in relation to this fishery)	Value of Harbour and Sea Based Fixed Assets (in relation to this fishery)
2013 (at date of application)			

**Section 14****Local Economic Development**

14.1 Complete the following table in relation to harbours where catch is to be landed  
Rank by order of usage from 1-5 (5 being the highest)

Harbour Name	Factory name	Frequency of usage



**Section 15****Performance****Financial**

15.1 What is the applicant's total 2012 tax year end audited, verified Annual Turnover? (audited financial statements) where applicable


15.2 Indicate the rand value and percentage of total turnover derived from this fishery for the tax year ending in 2012:

Turnover generated in tax year ending in 2012 derived from this fishery Annual Catch Allocation	Percentage of Total Turnover

**Section 16****Fishing competency**

- 16.1 Briefly explain by a way of original motivation (not to be copied from another applicant) why the Department shall grant the right to the applicant? 
- 16.2 Provide a brief (one page) overview of your fisheries experience (not to be copied from another applicant). 

**Section 17****Fishing Levies**

- 17.1 Applicants that have been granted fishing in 2005/6 shall attach proof of payment of levies (a statement from the Department's Revenue Management) 

## Section 18

## Applicant Declaration

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

- (a) I have read the instructions set out on page 2 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) I undertake 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. I accept that failure to co-operate in this regard will constitute an independent ground for refusing an application.
- (f) I accept 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 Traditional Linefish Policy or in this application form, will result in the application being refused.

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

**This** \_\_\_\_\_ **day of** \_\_\_\_\_ **2013**

**Signature of Applicant:** \_\_\_\_\_

**Applicant's Full Name:** \_\_\_\_\_

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

Commissioner of Oaths

Full Name

Designation

Physical Address

If the application is prepared or compiled by, or in consultation with or on the advice of any person or entity the following information must be provided:

Why was the application prepared by a person or entity other than the Applicant or why was someone consulted for advice? What fee or other remuneration was paid, or was promised for the assistance?

Did someone else pay or sponsor the application fee on your behalf? If so, please provide full details

If assisted, please provide full details of the consultant / advisor that prepared this application:

Name:

Profession / Occupation / Designation:

Signature:

ID Number / Company Registration  
Number (if applicable)

Address:

E-mail:

Cellular number:

APPLICATION NUMBER:

--

**DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES**  
**BRANCH: FISHERIES MANAGEMENT**

## **SQUID**

### **Fishing Rights Allocation Process: 2013**

Name of Applicant:

Company Registration Number

or

Close Corporation Registration  
Number




**agriculture,  
forestry & fisheries**

Department:  
Agriculture, Forestry and Fisheries  
**REPUBLIC OF SOUTH AFRICA**

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## Section 1



## Applicant Details

1.1	Registered Name of Applicant	<input type="text"/>	
1.2	Trading Name of Applicant:	<input type="text"/>	
1.3	Registration Number:	<input type="text"/>	
1.4	Residential Address	Number and Street: <input type="text"/>	
		Suburb: <input type="text"/>	
		Town / City: <input type="text"/>	
		Postal Code:	<input type="text"/>
1.5	Postal Address	Number and Street / PO Box: <input type="text"/>	
		Suburb: <input type="text"/>	
		Town / City: <input type="text"/>	
		Postal Code:	<input type="text"/>
1.6	Business Telephone Number:	<input type="text"/>	
1.7	Business Cellular Number:	<input type="text"/>	
1.8	Business Fax Number:	<input type="text"/>	
1.9	Business email address:	<input type="text"/>	
1.10	Authorised Contact Person Full Name:	<input type="text"/>	
	a) Identity Number:	<input type="text"/>	
	b) Position Held / Relationship to Applicant	<input type="text"/>	
	c) Cellular Number:	<input type="text"/>	
	d) E-mail Address:	<input type="text"/>	

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

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

2.2 If "Yes", to which entity was the long-term fishing right allocated in 2005/2006? ☐ Yes ☐ No

Company ☐  
Close Corporation ☐


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

☐ Yes ☐ No

2.4 Does the applicant have a valid tax clearance certificate?

☐ Yes ☐ No

2.5 Does the applicant hold any share(s) /membership interest in any other legal entity that is applying for a right in this sector?

☐ Yes ☐ No

2.6 Does the applicant hold any share(s)/ membership interest in any legal entity that is applying for a right in any other sector?

☐ Yes ☐ No

2.7 Does the applicant hold any share(s)/ membership interest in any legal entity that holds a right in any other sector not expiring in 2013?

☐ Yes ☐ No

**Section 3****Compliance**

3.1 Has the applicant or any of its members and share-holder or directors:

3.1.1 been charged with an offence under the MLRA, or the regulations or permit conditions during the long-term (2006-2013) right period? If yes please provide explanation? ☐ Yes ☐ No

3.1.2 paid an admission of guilt fine for a contravention of the MLRA, the regulations, or the permit conditions during the long-term (2006-2013) right period? If yes, please provide explanation. ☐ Yes ☐ No

3.1.3 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 or other fishery related offences during the long-term (2006-2013) right period? If yes, please provide explanation. ☐ Yes ☐ No

3.1.4 been convicted of a contravention of the MLRA, or the regulations, or permit conditions or other fishing related offences during the long-term (2006-2013) right period? If yes, please provide explanation. ☐ Yes ☐ No

3.2 Has a fishing vessel, motor vehicle, 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 long-term (2006-2013) 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 long-term (2006-2013) right period? ☐ Yes ☐ No



**Section 4****Vessel Details**4.1 How many vessels is the entity applying for? 4.2 Fill in the relevant details in the tables below regarding each vessel nominated: 

	Vessel 1	Vessel 2
Vessel name		
Area Number e.g. HTB		
SAMSA official Number		
Number of crew according to SAMSA Safety Certificate		
Owner of Vessel as indicated by South African Certificate of Registry or SAMSA Safety Certificate		
Nature of Access to Vessel (Owner, shareholder, charter/ catching agreement, or bank guaranteed finance with vessel plans (in the case of building a new vessel ) - proof required		
Indicate in which other fishing sector the vessel has been nominated or is currently involved in.		
Vessel Length in metres	LOA (length overall)	LOA (length overall)
	Registered Length	Registered Length

**Section 5****Catch Utilisation**5.1 Complete the following in relation to the applicant's catch records. 

Year	Maximum Number of crew allocated	Total Actual Catch (in metric tonnes)	Number of Fishing Days
Jan - Dec 2007			
Jan - Dec 2008			
Jan - Dec 2009			
Jan - Dec 2010			
Jan - Dec 2011			
Jan - Dec 2012			

5.2 Indicate in which seasons a catch permit was issued by the Department (mark with X) 

2007	2008	2009	2010	2011	2012

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

6.1 Complete the tables below:

6.1.1 Complete the table below in respect of the applicant's board of director's (if a company) or (if a close corporation) as at date of application. If you have more than 10 share-holders please provide a copy of the complete list.



	Director / Member Name (Initial & Surname)	Years of Service	Black (Y/N)	Gender (M/F)	Age	Disability (Y/N)	Identity Number
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							

6.1.2 Complete the following table in relation to income levels of the applicant's permanent employees at date of application:



	Gross Salary/ Wages (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%	

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

6.1.3 Complete the following table in relation to the applicant's most recent employment equity profile provided to the Department of Labour. If the applicant is not designated or did not voluntarily comply then the table must be completed as at date of application

Occupational Categories	Gender	A No	A %	C No	C %	I No	I %	W No	W %	Total ACI %	Total 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****Ownership**

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

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

6.1.6 Does the applicants complied with the BCEA ☐ Yes ☐ No ☒

6.2 Is the applicant a company or a closed corporation?

Company ☐ Yes ☐ No

Close corporation ☐ Yes ☐ No

6.2.1 Complete the table below in respect of shareholding/membership interest held by black persons: ☒

Year	Percentage Shareholding / Membership Interest Held by Black Persons	Percentage Voting Rights Held by Black Persons	Percentage of Dividends Black Shareholders are Entitled To
2005 (as in 2005 application form)			
2013 (at date of application)			

6.2.2 Complete the table below in respect of the applicant's transformation profile.

Black share holding in 2005	Black share holding in 2012	Black share holding at application date

**Section 6****Transformation****Ownership**

6.2.3 Complete the table below in respect of the applicant's shareholders (if a company) or members (if a close corporation) as at date of application.




Shareholder/ Member Name	Years of service	Black (Y/N)	Gender (M/F)	Age	Identification Number	Percentage shareholding/ members interest


6.2.4 If applicant is a long-term right holder complete the table below in respect of the applicant's shareholders (if a company) or members (if a close corporation) as stated in the 2005 application form.




Shareholder/ Member Name	Years of service	Black (Y/N)	Gender (M/F)	Age	Registration Number	Percentage shareholding/ members interest

**Section 6****Transformation  
Ownership**

6.2.5 If ownership has changed since 2005 then please submit proof of Departmental approval of change in ownership. 

6.2.6 Complete the following table in relation to monies paid to shareholders/ members: 

Tax Year Ending	2007	2008	2009	2010	2011	2012
Total Salaries Paid to Shareholders/ Members						
Total Loans Made to Shareholders/ Members						
Dividends Paid to Shareholders/ Members						

6.2.7 If you had a long-term Squid right in which year did you make use of a catching agreement with another entity to catch your fish? 

Year	Permit issued (Y/N)	Entity responsible for catching your fish	Relationship to entity (e.g subsidiary, catching agreement etc)	Transformation profile of entity
2007				
2008				
2009				
2010				
2011				
2012				

**Section 6****Transformation  
Skills Developments**

6.3.1 Does the applicant comply with Skills Development Act?  
If "Yes" please provide proof.

☐ Yes ☐ No



6.3.2 Does the applicant participate in learnership programs?  
If "Yes" please provide proof.

☐ Yes ☐ No



6.3.3 Does the applicant invest in training of designated groups and youth?  
If "Yes" please provide proof.

☐ Yes ☐ No



**Section 6****Transformation  
Cooperate Social Investment**

6.4.1 Does the applicant spend net profit on corporate social investment?

If "Yes" please provide proof indicating tax deductible donations

6.4.2 Indicate the five largest tax deductible donations made since 2007 in the table below:

Benefitting Organisation	Rand Value of Amount Donated

**Section 7****Transformation  
Affirmative Procurement**

6.5 Does the applicant procured goods / services from the black owned company? if "Yes" please provide net percentage of the total procurement for the last two years.

☐ Yes ☐ No

**Section 7****Vessel, Crew and Environmental Safety  
Crew Safety and Working Conditions**

7.1 Does the applicant or vessel owner provide insurance or other financial security in respect of accidents, loss of life and personal injury suffered by crew?

☐ Yes ☐ No



7.2 Has the applicant or the vessel owner registered with the Commissioner in terms of the Compensation for Occupational Injuries and Diseases Act 130 of 1993? (please provide proof)

☐ Yes ☐ No





**Section 8****Job Creation**

- 8.1 Complete the following table in relation to job creation (note columns 3, 4 & 5 can only be completed by applicants which are also vessel owners/ operators),

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
2007							
2008							
2009							
2010							
2011							
2012							

**Section 10****Investments**

- 9.1 Complete the following table:  
9.1.1 Table 1



Year	Insured Value of Total Fixed Assets (in relation to this fishery)	Total Insured Value of Land Based Fixed Assets (in relation to this fishery)	Total Insured Value of Harbour and Sea Based Fixed Assets (in relation to this fishery)
2013 (at date of application)			



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

- 10.1 Complete the following table in relation to harbours where catch is to be landed  
**Rank by order of usage from 1-5 (5 being the highest)**

Harbour Name	Factory name	Frequency of usage

**Section 11****Performance  
Financial**

- 11.1 What is the applicant's total 2012 tax year end audited, verified Annual Turnover? (audited financial statements) where applicable



- 11.2 Indicate the rand value and percentage of total turnover derived from this fishery for the tax year ending in 2012:



Turnover generated in tax year ending in 2012 derived from this fishery Annual Catch Allocation	Percentage of Total Turnover

**Section 12****Fishing credentials**

- 12.1 Briefly explain by a way of original motivation (not to be copied from another applicant) why the Department shall grant the right to the applicant
- 12.2 Provide a brief (one page) overview of your fisheries (not to be copied from another applicant) experience?

**Section 13****Fishing Levies**

- 13.1 Applicants that have been granted fishing in 2005/6 shall attach proof of payment of levies (a statement from the Department's Revenue Management)



**Section 14****Applicant Declaration**

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

- (a) I have read the instructions set out on page 2 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 Agriculture, Forestry and Fisheries.
- (e) I undertake 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. I accept that failure to co-operate in this regard will constitute an independent ground for refusing an application.
- (f) I accept 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 \_\_\_\_\_ 2013

Signature of Applicant or Authorised Representative: \_\_\_\_\_

Applicant's Full Name: \_\_\_\_\_

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

Commissioner of Oaths

Full Name \_\_\_\_\_

Designation \_\_\_\_\_

Physical Address \_\_\_\_\_

**Section 14****Applicant Declaration**

If the application is prepared or compiled by, or in consultation with or on the advice of any person or entity the following information must be provided:

Why was the application prepared by a person or entity other than the Applicant (or its members) or why was someone consulted for advice? What fee or other remuneration was paid, or was promised for the assistance?


If assisted, please provide full details of the consultant / advisor that prepared this application:

Name:	<input type="text"/>
Profession / Occupation / Designation:	<input type="text"/>
Signature:	<input type="text"/>
ID Number / Company Registration Number (if applicable)	<input type="text"/>
Address:	<input type="text"/>
E-mail:	<input type="text"/>
Cellular number:	<input type="text"/>

APPLICATION NUMBER:

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES  
BRANCH: FISHERIES MANAGEMENT

## OYSTER

### Fishing Rights Allocation Process: 2013

Name of Applicant:

Identification Number



agriculture,  
forestry & fisheries

Department:  
Agriculture, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

**IMPORTANT INFORMATION****GENERAL**

- 1) This application form must be read together with these **Instructions**, the **Explanatory Notes**, and the **Schedules** to the application form.
- 2) When completing the application form, applicants are advised to read carefully the General Policy on the Allocation and Management of Fishing Rights: 2013 and the Squid Fishery Specific Policy. These policies are available at [www.daff.gov.za](http://www.daff.gov.za) and at the distribution centre where this application form was collected. These policies will guide the Minister or his/her delegate when considering the application.
- 3) You may request a departmental official at the application centre to assist you with the understanding of the application form. Should you have any queries regarding the completion of the application form, you may ask an official to assist you with the query. Queries may also be addressed during office hours to the FRAP Operations Centre Helpline at 021 402 3576

You or your representative may not communicate with the Minister, the delegated authority, or officials in the Department regarding your application other than at the application centre. Moreover, no reliance may be placed on any information given or obtained in any other manner.

- 4) Applicants must pay attention to the icons in the application form in order to determine whether:
  - 4.1 there is any documentation or information required in response to a question in the form of an annexure.

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



The clipboard icon means that the applicant must consult 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.

**COMPLETION OF THE APPLICATION FORM**

- 6) The applicant must complete all sections of the application form. If any particular section does not apply to the applicant, the section may be marked "N/A." If an applicant cannot answer a section, it may be marked "Unknown." 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 required to do so.
- 7) This application form must be completed by hand and submitted together with the required annexures. If the application is submitted in any other form, the application will be refused. Do not use a pencil. Preferably use a blue pen.
- 8) The declaration must be signed and attested before a Commissioner of Oaths by the applicant's authorised representative. If the declaration is not signed and attested, the application will be refused.
- 9) The 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 sections marked by the books icon should be placed in a sealed A4 envelope marked with the application number, punched and placed after the annexures.

**IMPORTANT INFORMATION****LODGEMENT OF APPLICATION**

- 10) One true copy of the application must be made. This copy must be punched, divided and filed 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.
- 11) The application, and the copy of the application must be hand delivered at the distribution and receipting centers.
- 12) The application may not be submitted by post or by fax.

**IMPROPER LODGEMENT**

- 13) Improperly lodged applications will be refused. An application is improperly lodged if:
  - 13.1 it is received late; or
  - 13.2 the application is lodged in a manner contrary to the instructions.

**MATERIAL DEFECTS**

- 14) Applications that are materially defective will be refused. An application is materially defective if:
  - 14.1 the declaration is not signed and attested by the applicant's authorised representative; or
  - 14.2 more than one application is received for a right in the same sector; or
  - 14.3 the applicant provides false information or documents, fails to disclose material information or attempt to influence the Minister or the delegated authority regarding this application.

## Section 1

## Applicant Details

1.1 Applicant Surname

1.2 Applicant First Name(s):

1.3 Identity Number:  ☒

1.4 Income Tax Number:

Area Code:

1.5 Work Telephone Number:

1.6 Cell Phone Number:

1.7 Fax Number:

1.8 E-mail address:

1.9 Residential Address

Number and Street:

Suburb:

Town / City:

Postal Code:

1.10 How long have you lived and / or worked in the area?  ☒  
Years

1.11 Postal Address:

Number and Street / PO Box:

Suburb:

Town / City:

Postal Code:

1.12 Are you historically disadvantaged in terms of race (i.e. African (A), Coloured (C) or Indian (I)? ☐ Yes ☐ No **indicate race group**  
☐ A ☐ C ☐ I

1.13 Please indicate your gender: **Male** ☐ **Female** ☐

1.14 How old are you:   
Years

1.15 How long have you been involved in the fishing industry?  ☒  
Years

1.16 How long have you been involved in the traditional line fishing industry?   
Years

1.17 What work did you do before you became involved in oyster sector?

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

2.1 Do you currently hold any fishing right?

☐ Yes☐ No

2.2 Have you applied for any other fishing rights?

☐ Yes☐ No

2.3 If "Yes," complete the following table for all rights applied for order of preference:

Name of Applicant for other right	Fishery	Application Number

2.4 Are you a member, director or shareholder of a company or close corporation that applied for a fishing right in any other fishing sector?

☐ Yes☐ No

2.5 If "Yes," complete the following table for all rights applied for in order of preference:

Name of Applicant for other right	Fishery	Applicant's Percentage Shareholding or Membership Interest	Application Number

2.6 Have any of your family members applied for an Oyster right?

☐ Yes☐ No

2.7 If "Yes," complete the following table:

Fishery	Application Number	Relationship to you (i.e. wife, husband, brother, cousin, mother etc)	Do they live in the same household as you? (Yes or No)



### Section 3

#### Compliance

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

3.1.1 been charged with an offence under 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 been convicted of a contravention of the MLRA, or the regulations, or permit conditions during the medium term right period?

☐ Yes ☐ No



3.1.4 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



3.2 Has your fishing vessel, motor vehicle, premises or any of your assets 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 your right or permit suspended, revoked, cancelled, reduced or altered under section 28 of the MLRA during the medium term right period?

☐ Yes ☐ No



3.4 Were you ever issued a section 28 notice?

☐ Yes ☐ No



### Section 4

#### Catch Utilisation

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

Year	Right Number (e.g. OTRM0001)	Actual amount landed in kilograms
Jan-Dec 2007		
Jan-Dec 2008		
Jan-Dec 2009		
Jan-Dec 2010		
Jan-Dec 2011		
Jan-Dec 2012		

**Section 5****Historical Involvement**

5.1 Do you have a proven historical involvement in the oyster fishery?

☐ Yes ☐ No



5.2 If "Yes," complete the following table:

Year	Mark with "X" the seasons you have harvested oysters on your own as a right or exemption holder.	Mark with "X" the seasons you were permitted and harvested oysters on behalf of the right or exemption holder.	Write the name(s) of the right or exemption holder you have harvested oysters on his or her behalf.	Please indicate your other involvement in the Oyster fishery if any (e.g. recreational harvester, working in the Fish Processing Establishment (FPE), Transporting Oyster catch, buyer of Oysters, marketer of Oysters)	Actual Amount harvested in kilograms
2007					
2008					
2009					
2010					
2011					
2012					

**Section 6****Transformation  
Job Creation**

6.1 How many people do you employ on a permanent full-time basis?

6.2 How many people do you employ on a seasonal or part-time basis?

6.3 Do you contribute towards medical aid for your employees?

☐ Yes ☐ No



6.4 Do you contribute towards pensions for your employees?

☐ Yes ☐ No



6.5 Do you provide any other kinds of benefits for your employees?

☐ Yes ☐ No



6.6 Do you provide your employees with safe working conditions?

☐ Yes ☐ No



Weekly

6.7 What is the wage that you pay your lowest paid employee?

Weekly

6.8 What is the wage that you pay your highest paid employee?

6.9 Complete the following table in relation to the training provided to employees since 2007

	<input type="checkbox"/>	<b>Section 7</b>
		<b>Transformation</b>
		<b>Job Creation</b>

7.10 How do you pay your employees?

Payment Type	Yes / No	Rand value of total amount spent in an average week during the season
Percentage of Catch or percentage of profit		
Weekly Wage		
Bonuses		
Other (such as loans or voorskot).		

	<b>Section 8</b>
	<b>Transformation</b>
	<b>Corporate Social Investment</b>

8.1 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



	<b>Section 9</b>
	<b>Transformation</b>
	<b>Skills Developments</b>

9.1 Does the applicant comply with Skills Development Act?  
If "Yes" please provide proof.

☐ Yes ☐ No



9.2 Does the applicant participate in learnership programs?  
If "Yes" please provide proof.

9.3 Does the applicant invest in training of black people?  
If "Yes" please provide proof.

☐ Yes ☐ No



**Section 10****Transformation  
Affirmative Procurement**

- 10.1 Does the applicant procured goods / services from the black owned company? if "Yes" please provide net percentage of the total procurement for the last two years.

☐ Yes ☐ No

**Section 11****Transformation  
Corporate and Social Investment**

- 11.1 Does the applicant spend net profit on corporate social investment?  
If "Yes" please provide proof indicating tax deductible donations

☐ Yes ☐ No



- 11.2 Indicate the five largest tax deductible donations made since 2007 in the table below:

Benefitting Organisation	Rand Value of Amount Donated

**Section 12****Vessel, Crew and Environmental Safety  
Crew Safety and Working Conditions**

- 12.1 Does the applicant provide insurance or other financial security in respect of accidents, loss of life and personal injury suffered by crew?

☐ Yes ☐ No



- 12.2 Has the applicant or the vessel owner registered with the Commissioner in terms of the Compensation for Occupational Injuries and Diseases Act 130 of 1993? (please provide proof)

☐ Yes ☐ No



**Section 13****Job Creation**

13.1 Complete the following table in relation to job creation (note columns 3, 4 & 5 can only be completed by applicants which are also vessel owners/ operators),

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
2007							
2008							
2009							
2010							
2011							
2012							

**Section 14****Investment**

14.1 Complete the following table:

Year	Value of Total Fixed Assets (in relation to this fishery)	Value of Land Based Fixed Assets (in relation to this fishery)	Value of Harbour and Sea Based Fixed Assets (in relation to this fishery)
2013 (at date of application)			

**Section 15****Local Economic Development**

- 15.1 Complete the following table in relation to harbours where catch is to be landed  
**Rank by order of usage from 1-5 (5 being the highest)**

Harbour Name	Factory name	Frequency of usage



**Section 16****Performance****Financial**

- 16.1 What is the applicant's total 2012 tax year end audited, verified Annual Turnover? (audited financial statements) where applicable

- 16.2 Indicate the rand value and percentage of total turnover derived from this fishery for the tax year ending in 2012:

Turnover generated in tax year ending in 2012 derived from this fishery Annual Catch Allocation	Percentage of Total Turnover

**Section 17****Fishing Competency**

- 17.1. Briefly explain by a way of original motivation (not to be copied from another applicant) why the Department shall grant the right to the applicant? 
- 17.2 Provide a brief (one page) overview of your fisheries (not to be copied from another applicant) experience? 

**Section 18****Fishing Levies**

- 18.1 No levies payable.

**Section 19****Applicant Declaration**

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

- (a) I have read the instructions set out on page 2 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 Agriculture, Forestry and Fisheries.
- (e) I undertake 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. I accept that failure to co-operate in this regard will constitute an independent ground for refusing an application.
- (f) I accept 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** \_\_\_\_\_ **2013**

**Signature of Applicant or Authorised Representative:** \_\_\_\_\_

**Applicant's Full Name:** \_\_\_\_\_

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

**Commissioner of Oaths**

**Full Name** \_\_\_\_\_

**Designation** \_\_\_\_\_

**Physical Address** \_\_\_\_\_



**Section 19****Applicant Declaration**

If the application is prepared or compiled by, or in consultation with or on the advice of any person or entity the following information must be provided:

Why was the application prepared by a person or entity other than the Applicant (or its members) or why was someone consulted for advice? What fee or other remuneration was paid, or was promised for the assistance?


If assisted, please provide full details of the consultant / advisor that prepared this application:

Name:	<input type="text"/>
Profession / Occupation / Designation:	<input type="text"/>
Signature:	<input type="text"/>
ID Number / Company Registration Number (if applicable)	<input type="text"/>
Address:	<input type="text"/>
E-mail:	<input type="text"/>
Cellular number:	<input type="text"/>

APPLICATION NUMBER:

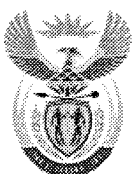
DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES  
BRANCH: FISHERIES MANAGEMENT

## WHITE MUSSEL

### Fishing Rights Allocation Process: 2013

Name of Applicant:

Identification Number



agriculture,  
forestry & fisheries

Department:  
Agriculture, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

**IMPORTANT INFORMATION****GENERAL**

- 1) This application form must be read together with these **Instructions**, the **Explanatory Notes**, and the **Schedules** to the application form.
- 2) When completing the application form, applicants are advised to read carefully the General Policy on the Allocation and Management of Fishing Rights: 2013 and the Squid Fishery Specific Policy. These policies are available at [www.daff.gov.za](http://www.daff.gov.za) and at the distribution centre where this application form was collected. These policies will guide the Minister or his/her delegate when considering the application.
- 3) You may request a departmental official at the application centre to assist you with the understanding of the application form. Should you have any queries regarding the completion of the application form, you may ask an official to assist you with the query. Queries may also be addressed during office hours to the FRAP Operations Centre Helpline at 021 402 3576

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- 4) Applicants must pay attention to the icons in the application form in order to determine whether:
  - 4.1 there is any documentation or information required in response to a question in the form of an annexure.

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



The clipboard icon means that the applicant must consult 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.

**COMPLETION OF THE APPLICATION FORM**

- 6) The applicant must complete all sections of the application form. If any particular section does not apply to the applicant, the section may be marked "N/A." If an applicant cannot answer a section, it may be marked "Unknown." 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 required to do so.
- 7) This application form must be completed by hand and submitted together with the required annexures. If the application is submitted in any other form, the application will be refused. Do not use a pencil. Preferably use a blue pen.
- 8) The declaration must be signed and attested before a Commissioner of Oaths by the applicant's authorised representative. If the declaration is not signed and attested, the application will be refused.
- 9) The 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 sections marked by the books icon should be placed in a sealed A4 envelope marked with the application number, punched and placed after the annexures.

**IMPORTANT INFORMATION****LODGEMENT OF APPLICATION**

- 10) One true copy of the application must be made. This copy must be punched, divided and filed 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.
- 11) The application, and the copy of the application must be hand delivered at the distribution and receipting centers.
- 12) The application may not be submitted by post or by fax.

**IMPROPER LODGEMENT**

- 13) Improperly lodged applications will be refused. An application is improperly lodged if:
  - 13.1 it is received late; or
  - 13.2 the application is lodged in a manner contrary to the instructions.

**MATERIAL DEFECTS**

- 14) Applications that are materially defective will be refused. An application is materially defective if:
  - 14.1 the declaration is not signed and attested by the applicant's authorised representative; or
  - 14.2 more than one application is received for a right in the same sector; or
  - 14.3 the applicant provides false information or documents, fails to disclose material information or attempt to influence the Minister or the delegated authority regarding this application.

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

1.1 Applicant Surname

1.2 Applicant First Name(s):

1.3 Identity Number:  ☒

1.4 Income Tax Number:

Area Code:

1.5 Work Telephone Number:

1.6 Cell Phone Number:

1.7 Fax Number:

1.8 E-mail address:

1.9 Residential Address

Number and Street:

Suburb:

Town / City:

Postal Code:

1.10 How long have you lived and / or worked in the area?  ☒  
Years

1.11 Postal Address:

Number and Street / PO Box:

Suburb:

Town / City:

Postal Code:

1.12 Are you historically disadvantaged in terms of race (i.e. African (A), Coloured (C) or Indian (I)? ☐ Yes ☐ No **indicate race group**  
☐ A ☐ C ☐ I

1.13 Please indicate your gender: **Male** ☐ **Female** ☐

1.14 How old are you:   
Years

1.15 How long have you been involved in the fishing industry?  ☒  
Years

1.16 How long have you been involved in the traditional line fishing industry?   
Years

1.17 What work did you do before you became involved in White Mussel sector?

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

2.1 Do you currently hold any fishing right?

☐ Yes ☐ No

2.2 Have you applied for any other fishing rights?

☐ Yes ☐ No

2.3 If "Yes," complete the following table for all rights applied for order of preference:

Name of Applicant for other right	Fishery	Application Number

2.4 Are you a member, director or shareholder of a company or close corporation that applied for a fishing right in any other fishing sector?

☐ Yes ☐ No

2.5 If "Yes," complete the following table for all rights applied for in order of preference:

Name of Applicant for other right	Fishery	Applicant's Percentage Shareholding or Membership Interest	Application Number

2.6 Have any of your family members applied for an White Mussel right?

☐ Yes ☐ No

2.7 If "Yes," complete the following table:

Fishery	Application Number	Relationship to you (i.e. wife, husband, brother, cousin, mother etc)	Do they live in the same household as you? (Yes or No)

**Section 3****Compliance**

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

3.1.1 been charged with an offence under 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 been convicted of a contravention of the MLRA, or the regulations, or permit conditions during the medium term right period?

☐ Yes ☐ No



3.1.4 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



3.2 Has your fishing vessel, motor vehicle, premises or any of your assets 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 your right or permit suspended, revoked, cancelled, reduced or altered under section 28 of the MLRA during the medium term right period?

☐ Yes ☐ No



3.4 Were you ever issued a section 28 notice?

☐ Yes ☐ No

**Section 4****Catch Utilisation**

4.1 Complete the following in relation to applicant's White Mussel catch records.

Year	Right Number (e.g. WMSM0001)	Actual amount landed in kilograms
Jan-Dec 2007		
Jan-Dec 2008		
Jan-Dec 2009		
Jan-Dec 2010		
Jan-Dec 2011		
Jan-Dec 2012		

**Section 5****Historical Involvement**

5.3 Do you have a proven historical involvement in the White Mussel fishery?

☐ Yes ☐ No



5.4 If "Yes," complete the following table:

Year	Mark with "X" the seasons you have harvested White Mussels on your own as a right or exemption holder.	Mark with "X" the seasons you were permitted and harvested White Mussels on behalf of the right or exemption holder.	Write the name(s) of the right or exemption holder you have harvested White Mussels on his or her behalf.	Please indicate your other involvement in the White Mussel fishery if any (e.g. recreational harvester, working in the Fish Processing Establishment (FPE), Transporting White Mussel catch, buyer of White Mussels, marketer of White Mussels)	Actual Amount harvested in kilograms
2007					
2008					
2009					
2010					
2011					
2012					

**Section 6****Transformation  
Job Creation**

6.1 How many people do you employ on a permanent full-time basis?

6.2 How many people do you employ on a seasonal or part-time basis?

6.3 Do you contribute towards medical aid for your employees?

☐ Yes ☐ No



6.4 Do you contribute towards pensions for your employees?

☐ Yes ☐ No



6.5 Do you provide any other kinds of benefits for your employees?

☐ Yes ☐ No



6.6 Do you provide your employees with safe working conditions?

☐ Yes ☐ No



6.7 What is the wage that you pay your lowest paid employee?

Weekly

6.8 What is the wage that you pay your highest paid employee?

Weekly



6.9 Complete the following table in relation to the training provided to employees since 2007:

	<b>Section 7</b>
	<b>Transformation</b>
	<b>Job Creation</b>

7.1 How do you pay your employees?

Payment Type	Yes / No	Rand value of total amount spent in an average week during the season
Percentage of Catch or percentage of profit		
Weekly Wage		
Bonuses		
Other (such as loans or voorskot).		

	<b>Section 8</b>
	<b>Transformation</b>
	<b>Corporate Social Investment</b>

8.1 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



	<b>Section 9</b>
	<b>Transformation</b>
	<b>Skills Developments</b>

9.1 Does the applicant comply with Skills Development Act?  
If "Yes" please provide proof.

☐ Yes ☐ No



9.2 Does the applicant participate in learnership programs?  
If "Yes" please provide proof.

9.3 Does the applicant invest in training of black people?  
If "Yes" please provide proof.

☐ Yes ☐ No



**Section 10****Transformation  
Affirmative Procurement**

- 10.1 Does the applicant procured goods / services from the black owned company? if "Yes" please provide net percentage of the total procurement for the last two years.

☐ Yes ☐ No

**Section 11****Transformation  
Corporate and Social Investment**

- 11.1 Does the applicant spend net profit on corporate social investment?  
If "Yes" please provide proof indicating tax deductible donations

☐ Yes ☐ No



- 11.2 Indicate the five largest tax deductible donations made since 2007 in the table below:

Benefitting Organisation	Rand Value of Amount Donated

**Section 12****Vessel, Crew and Environmental Safety  
Crew Safety and Working Conditions**

- 12.1 Does the applicant provide insurance or other financial security in respect of accidents, loss of life and personal injury suffered by crew?

☐ Yes ☐ No



- 12.2 Has the applicant or the vessel owner registered with the Commissioner in terms of the Compensation for Occupational Injuries and Diseases Act 130 of 1993? (please provide proof)

☐ Yes ☐ No



**Section 13****Job Creation**

13.1 Complete the following table in relation to job creation (note columns 3, 4 & 5 can only be completed by applicants which are also vessel owners/ operators),

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
2007							
2008							
2009							
2010							
2011							
2012							

**Section 14****Investment**

14.1 Complete the following table:

Year	Insured Value of Total Fixed Assets (in relation to this fishery)	Total Insured Value of Land Based Fixed Assets (in relation to this fishery)	Total Insured Value of Harbour and Sea Based Fixed Assets (in relation to this fishery)
2013 (at date of application)			

**Section 15****Local Economic Development**

- 15.1 Complete the following table in relation to harbours where catch is to be landed  
Rank by order of usage from 1-5 (5 being the highest)

Harbour Name	Factory name	Frequency of usage

**Section 16****Performance  
Financial**

- 16.1 What is the applicant's total 2012 tax year end audited, verified Annual Turnover? (audited financial statements) where applicable

- 16.2 Indicate the rand value and percentage of total turnover derived from this fishery for the tax year ending in 2012:

Turnover generated in tax year ending in 2012 derived from this fishery Annual Catch Allocation	Percentage of Total Turnover

**Section 17****Fishing Competency**

- 17.1 Briefly explain by a way of original motivation (not to be copied from another applicant) why the Department shall grant the right to the applicant?
- 17.2 Provide a brief (one page) overview of your fisheries (not to be copied from another applicant) experience?

**Section 18****Fishing Levies**

- 17.1 No levies paid.

**Section 19****Applicant Declaration**

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

- (a) I have read the instructions set out on page 2 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 Agriculture, Forestry and Fisheries.
- (e) I undertake 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. I accept that failure to co-operate in this regard will constitute an independent ground for refusing an application.
- (f) I accept 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** \_\_\_\_\_ **2013**

**Signature of Applicant or Authorised Representative:** \_\_\_\_\_

**Applicant's Full Name:** \_\_\_\_\_

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

**Commissioner of Oaths**

**Full Name** \_\_\_\_\_

**Designation** \_\_\_\_\_

**Physical Address** \_\_\_\_\_

**Section 19****Applicant Declaration**

If the application is prepared or compiled by, or in consultation with or on the advice of any person or entity the following information must be provided:

Why was the application prepared by a person or entity other than the Applicant (or its members) or why was someone consulted for advice? What fee or other remuneration was paid, or was promised for the assistance?


If assisted, please provide full details of the consultant / advisor that prepared this application:

Name:	<input type="text"/>
Profession / Occupation / Designation:	<input type="text"/>
Signature:	<input type="text"/>
ID Number / Company Registration Number (if applicable)	<input type="text"/>
Address:	<input type="text"/>
E-mail:	<input type="text"/>
Cellular number:	<input type="text"/>



## agriculture, forestry & fisheries

Department:  
Agriculture, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

### SCHEDULE TO THE DEMERSAL SHARK FISHING RIGHTS APPLICATION FORM: 2013

**IF THE APPLICANT CANNOT PROVIDE THE DOCUMENTS OR 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

**Section 1;** Provide, as **Annexure 1A**, in order for the delegated authority to better understand the answer and information submitted, a brief profile of the applicant organization. Include a brief description of historical involvement in the fishing (if any) and expertise. Also provide an organizational structure which indicates the applicant's business model including, if any, details regarding the holding company and sister company's relationships. The applicant should pertinently indicate if it intends to apply in more than one sector, whether it is involved in industries other than the fishing industry and if the applicant does rely on information of holding companies and sister companies.

**Section 1.3;** Provide, as **Annexure 1B**, a copy of a valid company or close corporation registration certificate.

**Section 1.10;** Provide, as **Annexure 1C**, a copy of a resolution duly authorizing the person named in section 1.10 to be the authorized contact person.

#### SCHEDULE 2: Form of Applicant

**Section 2.2;** Provide, as **Annexure 2A**, a copy of the letter granting the long-term commercial fishing or Right Transfer Letter of approval.

**Section 2.3;** If the applicant is a close corporation or a company with 10 or less shareholders who are natural persons, provide, as **Annexure 2B**, a list of the names of members/shareholders and their nationality and the calculation of the ratio of South African members/shareholders to non-South African members/shareholders. If the schedule indicates that the member/shareholder is a South African, include a copy of the relevant page of the identity document, passport or appropriate proof of citizenship indicating that the member/shareholder is South African.

Alternatively, if the applicant is a company whose shares are held by more than 10 and/or the shareholders are not all natural persons, provide, as **Annexure 2B**, a list of the names of shareholders and their nationality and the calculation of the ratio of South African shareholders to non-South African shareholders. If the schedule indicates that the member/shareholder is a South African, include a sworn affidavit by the chairman of the

applicant's board of directors stating that more than 50% of the shareholders of the shareholders of the applicant are South African.

Note: in terms of the Marine Living Resources Act 18 of 1998, more than 50% of shareholding (in case of a company) or more than 50% of the members interest (in the case of a close corporation) must be held by South Africans.

**Section 2.4;** Provide, as **Annexure 2C**, a copy of a valid South African Revenue Services (SARS) Tax Clearance Certificate.

**Section 2.5:** Provide a detailed statement describing percentage of shareholding, the name and registration number of the legal entity.

**Section 2.6:** Provide a detailed statement describing percentage of shareholding, the name and registration number of the legal entity and the fishing sectors being applied for.

**Section 2.7:** Provide a detailed statement describing percentage of shareholding, the name and registration number of the legal entity and the fishing sector in which it is active.

### **SCHEDULE 3: Compliance**

**Section 3.1.1;** If "Yes" provide, as **Annexure 3A**, details and any documentation regarding the charge including information regarding the conduct and the identity of the individuals (including percentage holding, if applicable) giving rise to the charge and the outcome.

**Section 3.1.2;** If "Yes" provide, as **Annexure 3B**, details and documentation regarding the conduct of the applicant, the identity and conduct of the members (in the case of a close corporation), shareholders (specify percentage shareholding) or directors resulting in the conviction, dates of conviction and the penalties imposed.

**Section 3.1.3;** If "Yes" provide, as **Annexure 3C**, details and documentation of the plea bargain arrangement entered into and the details regarding the conduct and identity of the individuals (including percentage shareholding, if applicable) giving rise to the plea bargain, the dates and terms of the plea bargain.

**Section 3.1.4;** If "Yes" provide, as **Annexure 3D**, details and documentation regarding the admission of guilt fine paid, including information regarding the conduct and the identity of the individuals (including percentage shareholding, if applicable) giving rise to the fine, the date of contravention and rand amount paid.

**Section 3.2;** If "Yes" provide, as **Annexure 3E**, details regarding the detention, arrest or seizure, including information regarding the conduct and the identity of the individuals (including percentage shareholding, if applicable) involved. Also provide details if confiscation or forfeiture order was/was not granted under the Prevention of Organised Crime or the MLRA.



**Section 3.3;** If “Yes” provide, as **Annexure 3F**, details and any documentation including information regarding the conduct and the identity of the individuals (including percentage shareholding, if applicable) giving rise to the Section 28 procedure.

#### **SCHEDULE 4: Vessel Details**

**Section 4.2;** For each vessel nominated provide copies of the following documents:

- i. SAMSA Safety Certificate as **Annexure 4A**;
- ii. South African Certificate of Registry as **Annexure 4B**;
- iii. Share Certificate to prove percentage ownership of each shareholder of each nominated vessel as **Annexure 4C**; and
- iv. Agreement providing access to the vessel if the applicant is not the majority or sole owner of the vessel as **Annexure 4D**.
- v. Bank Guarantee finance with Purchase Agreement (in case of purchasing a vessel should the Applicant be successful) as **Annexure 4E**
- vi. Bank guaranteed finance with vessel plans (in case of building new vessel) as **Annexure 4F**.

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 4G**.

#### **SCHEDULE 5: Catch Utilisation**

**Section 5.1;** Provide, as **Annexure 5A**, a schedule which details, per month, the total actual catch per species (in metric tonnes, nominal weight (complete fish) for 2007, 2008, 2009, 2010, 2011 and 2012 and the copies of catch permits issued by the Department for the seasons 2007, 2008, 2009, 2010, 2011 and 2012. Only information relating to the catch records of the applicant's company/close corporation should be included and not also information relating to other members of a group of companies.

**Section 5.2.;** Provide, as **Annexure 5B**, a schedule which details, per season reasons for not activating the catch permits for 2007, 2008, 2009, 2010, 2011 and 2012.

#### **SCHEDULE 6: Transformation**

**Section 6.1.1;** The applicant must complete Section 6.1.1 in respect of the board of directors of the applicant and of any other entities, and submit the latest Companies and Intellectual Property Commission (CIPC) documents as **Annexure 6A**.

**Section 6.1.2;** The applicant must complete Section 6.1.2 in respect of the employees of the applicant, submit copy of the applicant's Payroll these as **Annexure 6B**.

**Section 6.1.3;** The applicant must complete the table and indicate the recent employment profile which was provided to the Department of Labour, submit these as **Annexure 6C**.

**Section 6.1.4, 6.1.5 and 6.1.6.;** If “Yes,” the applicant must provide details of the nature of the benefits provided, classes of beneficiaries and the employer’s contribution as **Annexure 6D**.

**Section 6.2.1:** Provide details of percentage shareholding or members interest held by black persons, percentage voting rights held by black persons and percentage of dividends black shareholders or members are entitled to in 2005/2006 and 2013 and submit these as **Annexure 6E**.

**Section 6.2.3:** Provide a breakdown of shareholders or members in 2013 at the date of application including the name, identification number of the shareholder or member, as well as whether the shareholder is Black (if natural person or name and company or close corporation registration number and percentage black shareholding or membership interest if juristic person) and submit these as **Annexure 6F**. Provide also as **Annexure 6F** a schedule which provides the gender, percentage membership interest, voting rights and rights to profits distribution as at date of application.

**Section 6.2.4:** Provide a breakdown of shareholders or members as stated in the 2005/2006 right application form including the name, identification number of the shareholder or member, as well as whether the shareholder is Black (if natural person or name and company or close corporation registration number and percentage black shareholding or membership interest if juristic person) and submit audited proof of these as **Annexure 6G**.

**Section 6.2.5:** Provide proof of Departmental approval of change in ownership, as **Annexure 6H**.

**Section 6.2.6:** Provide a breakdown of all salaries, loans and dividends paid to shareholders or members since 2006 until 2012 financial year including the name, identification number of the shareholder or member, as well as whether the shareholder is Black (if natural person or name and company or close corporation registration number and percentage black shareholding or membership interest if juristic person) and submit these as **Annexure 6I**.

**Section 6.2.7:** If the applicant completed any part of the table in question 6.2.7, the applicant must provide details regarding the entity, the relationship between the applicant and the entity and attach copies of Catching Agreements as **Annexure 6J**.

**Section 6.3.1:** If the applicant answered “Yes” to be compliant with Skills Development Act submitting a report then provide as **Annexure 6K** all relevant receipts/confirmations from the respective SETAs for evidence of such.

**Section 6.3.2:** If the applicant answered “Yes” to sections 6.3.1 or 6.3.2, provide **Annexure 6L** the learnership agreement/s or other skills development programme and any returns/receipts received from the SETA or evidence that the learnership agreements were registered with a SETA.

**Section 6.3.3:** If the applicant answered “Yes” to be training black people submits a report

then provide as **Annexure 6M** all relevant names, race and receipts/confirmations from the relevant institution or company for evidence of such training.

**Section 6.4:** If “Yes” with reference to the procurement from black owned companies the applicant must provide as **Annexure 6N** all company names (including percentage black ownership), the amount procured in relation to total procurement on annual basis for the past two years and confirmations from the black owned company.

**Section 6.4.2:** If “Yes” with reference to the donations the applicant must attach evidence as **Annexure 6O**. Also provide as **Annexure 6O**, a schedule of tax deductible donations made from 2007 to 2012, sorted by descending order of amount donated per organization. The schedule should also reflect the calculation of what percentage of net profit consists of donations for the 2012 financial year-end.

#### **SCHEDULE 7: Vessel, Crew and Environmental Safety**

**Section 7.1:** If “Yes,” provide a description and proof of the insurance or financial security as **Annexure 7A**.

**Section 7.2:** If “Yes,” provide proof of registration with the Commissioner in terms of Compensation and Occupational Injury Act, Act 130 of 1993 as **Annexure 7B**.

#### **SCHEDULE 9: Investment**

**Section 9.1:** Provide proof of latest Insurance Schedules as **Annexure 9A**.

#### **SCHEDULE 11: Financial Performance**

**Section 11.1:** Provide as **Annexure 11A** the relevant pages of the 2012 financial statements and mark with a highlighter (or underline/encircle with a red pen) the relevant parts on which the applicant relies for purposes of calculating the turnover.

**Section 11.2:** Provide as **Annexure 11B**, the relevant pages of the financial statements and mark with a highlighter (or underline/encircle with a red pen) the relevant parts on which the applicant relies for purposes of completing Section 11.2.

#### **SCHEDULE 12: Fishing Competency**

**Section 12.1:** Provide motivation (not to be copied from another Applicant) as **Annexure 12A** clearly explaining and demonstrating why the Department should grant a right to the applicant in this sector. The motivation may include additional information not provided for in the Application Form.

**Section 12.2:** Provide proof of the applicant’s fishing experience relating to fishing, processing and marketing and not limited particularly to this sector and attach as **Annexure**

5

Schedules to the Demersal Shark Fishing Rights Allocation Application Form: 2013

12B.

**SCHEDULE 13: Fishing Levies**

**Section 13.1:** Provide a statement as proof of payment regarding to the status of levies by applicant and attach as **Annexure 13A**.

**2013: SCHEDULE TO THE HAKE HANDLINE FISHING RIGHTS APPLICATION FORM**

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

	Documents or Information Required	Annexure Number
1.3	Provide a certified true copy of the applicant's identity document.	1A
1.4	Provide a copy of valid SARS Tax Clearance Certificate.	1B
1.9	Copy of one of the following: (a) a utility bill (water, electricity, telephone), (b) a rent agreement for a house or flat, (c) a bond agreement with a bank or (d) a bank statement	1C
2.2	Copy of the close corporation registration certificate of the applicant.	2A
2.3	Provide a copy of valid SARS Tax Clearance Certificate.	2B
2.7	Provide a copy of a resolution duly authorizing the person named in section 2.7 to be the authorized contact person as well as copy of their Identity Document.	2C
3.3	Describe the relationship between the people involved in this application (applicant, members) and the people or entities involved in the other applications.	3A
3.4	If "Yes," provide a copy of the letter of approval for the Right Transfer.	3B
3.5	If "Yes," provide a copy of the right grant letter or a permit that was issued to exercise the long-term fishing right.	3C
4.1.1	If "Yes," provide details and documentation regarding the conduct of the applicant or the members, the date(s) of conviction, and the penalties imposed.	4A
4.1.2	If "Yes," provide details and any documentation regarding the plea bargain arrangement entered into, including the conduct giving rise to the plea bargain, the dates and specifics of the plea bargain.	4B
4.1.3	If "Yes," provide details and any documentation regarding the admission of guilt fine paid, including information regarding the conduct giving rise to the fine, the date of offence and rand amount paid.	4C
4.1.4	If "Yes," provide details and any documentation regarding the offence including information regarding the conduct giving rise to the charge and the outcome of the criminal proceedings.	4D
4.2	If "Yes," provide details regarding the detention, arrest or seizure, including information regarding the conduct giving rise to the proceedings, and whether a final confiscation or forfeiture order was / was not granted under the Prevention of Organised Crime Act or the	4E
4.3	If "Yes," provide details and any documentation including the conduct of the individuals giving rise to the Section 28 proceedings.	4F
5.1	Provide the following: SAMSA Safety Certificate, South African Certificate of Registry, and (if applicable) agreement granting the applicant access to	5A
5.2	If "Yes," provide a breakdown of all investments (per sector) including investments in vessels and fixed assets.	5B
6.1	Provide copies of all of the catch records for 2007, 2008, 2009, 2010, 2011 and 2012 seasons.	6A
6.2	If "No", provide of a breakdown of all submitted and outstanding catch records for 2007, 2008, 2009, 2010, 2011 and 2012 seasons.	6B
7.1	Provide a description of all the applicant's fishing activities and those of its members, including involvement in other sectors, previous involvement and experience, and of how the fishing business is run.	7A
7.2	Provide landing slips proving that the applicant or the member was a crew member or skipper, or, if the landing slips are not available, provide the quota number of the landing slips, or a payslip from the employer.	7B
7.4	Provide a copy of the applicant's latest annual tax return or financial statements (if applicable).	7C
8.1	Provide a letter from each of these suppliers indicating whether they are black or white (or percentage ownership by blacks), and how much the applicant spends per season at the suppliers.	8A
8.4	Provide a letter from each charity or community organisation listed confirming that the applicant has given money to that entity, what the charity or community organisation does, and how much the applicant has donated to the charity or community organisation.	8B
8.11 and 8.12	Provide copies of the applicants Workplace Skills Plan and Annual Training Report submitted and approved in 2012.	8C
9.1	If "Yes", provide a description and proof of insurance or financial security.	9A
9.2	If "Yes" provide proof of registration with the Commissioner in terms of Compensation and Occupational injury Act 130 of 1993.	9B
12.1	If "Yes," provide a copy of the catching agreement, or explain with whom the agreement will be entered into. If "No", explain how the applicant will go about harvesting the resource	12A
12.2	If "Yes," provide a copy of the marketing agreement, or explain with whom the agreement will be entered into. If "No", explain how the applicant will go about harvesting the resource	12B
12.3	If "Yes," provide a copy of the processing agreement, or explain with whom the agreement will be entered into. If "No", explain how the applicant will go about harvesting the resource	12C

**CONTINUES ON PAGE 290—PART 3**



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## PART 3 OF 3

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**AIDS HELPLINE: 0800-0123-22 Prevention is the cure**

12.4	If "No," provide a detailed explanation of why the applicant, or the applicant's members, will not be personally involved.	12D
13.1 and 13.2	Provide a full motivation	13A



## agriculture, forestry & fisheries

Department:  
Agriculture, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

### SCHEDULES TO THE TUNA POLE-LINE FISHING RIGHTS APPLICATION FORM: 2013

**IF THE APPLICANT CANNOT PROVIDE THE DOCUMENTS OR 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

**Section 1:** Provide, as **Annexure 1A**, in order for the delegated authority to better understand the answer and information submitted, a brief profile of the applicant organization. Include a brief description of historical involvement in the fishing (if any) and expertise. Also provide an organizational structure which indicates the applicant's business model including, if any, details regarding the holding company and sister companies. The applicant should pertinently indicate if it intends to apply in more than one sector, whether it is involved in industries other than the fishing industry and if the applicant does rely on information of holding companies and sister companies in this application.

**Section 1.3:** Provide, as **Annexure 1B**, a copy of a valid company or close corporation registration certificate.

**Section 1.10:** Provide, as **Annexure 1A**, a copy of a resolution duly authorizing the person named in section 1.10. to be the authorized contact person

#### SCHEDULE 2: Form of Applicant

**Section 2.2:** Provide, as **Annexure 2A**, a copy of the letter granting the long-term commercial fishing right or right transfer letter of approval.

**Section 2.3:** If the applicant is a close corporation or a company with 10 or less shareholders who are natural persons, provide, as **Annexure 2B**, a list of the names of members/shareholders and their nationality and the calculation of the ratio of South African members/shareholders to non-South African members/shareholders. If the schedule indicates that the member/shareholder is a South African, include a copy of the relevant page of the identity document, passport or appropriate proof of citizenship indicating that the member/shareholder is South African.

Alternatively, if the applicant is a company whose shares are held by more than 10 and/or the shareholders are not all natural persons, provide, as **Annexure 2B**, a list of the names of shareholders and their nationality and the calculation of the ratio of South African shareholders to non-South African shareholders. If the schedule indicates that the member/shareholder is a South African, include a sworn affidavit by the chairman of the



applicant's board of directors stating that more than 50% of the shareholders of the shareholders of the applicant are South African.

Note: in terms of the Marine Living Resources Act 18 of 1998, more than 50% of shareholding (in case of a company) or more than 50% of the members interest (in the case of a close corporation) must be held by South Africans).

**Section 2.4:** Provide, as **Annexure 2C**, a copy of a valid SARS Tax Clearance Certificate.

**Section 2.5:** Provide a detailed statement describing percentage of shareholding, the name and registration number of the legal entity.

**Section 2.6:** Provide a detailed statement describing percentage of shareholding, the name and registration number of the legal entity and the fishing sectors being applied for.

**Section 2.7:** Provide a detailed statement describing percentage of shareholding, the name and registration number of the legal entity and the fishing sector in which it is active.

### **SCHEDULE 3: Compliance**

**Section 3.1.1:** If "Yes" provide, as **Annexure 3A**, details and any documentation regarding the charge including information regarding the conduct and the identity of the individuals (including percentage holding, if applicable) giving rise to the charge and the outcome.

**Section 3.1.2:** If "Yes" provide, as **Annexure 3B**, details and documentation regarding the conduct of the applicant, the identity and conduct of the members (in the case of a close corporation), shareholders (specify percentage shareholding) or directors resulting in the conviction, dates of conviction and the penalties imposed.

**Section 3.1.3:** If "Yes" provide, as **Annexure 3C**, details and documentation of the plea bargain arrangement entered into and the details regarding the conduct and identity of the individuals (including percentage shareholding, if applicable) giving rise to the plea bargain, the dates and terms of the plea bargain.

**Section 3.1.4:** If "Yes" provide, as **Annexure 3D**, details and documentation regarding the admission of guilt fine paid, including information regarding the conduct and the identity of the individuals (including percentage shareholding, if applicable) giving rise to the fine, the date of contravention and rand amount paid.

**Section 3.2:** If "Yes" provide, as **Annexure 3E**, details regarding the detention, arrest or seizure, including information regarding the conduct and the identity of the individuals (including percentage shareholding, if applicable) involved. Also provide details if confiscation or forfeiture order was/was not granted under the Prevention of Organised Crime or the MLRA.

**Section 3.3:** If "Yes" provide, as **Annexure 3F**, details and any documentation including information regarding the conduct and the identity of the individuals (including percentage

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Schedules to the Tuna Pole-Line Fishing Rights Allocation Application Form: 2013

shareholding, if applicable) giving rise to the Section 28 procedure.

#### **SCHEDULE 4: Vessel Details**

**Section 4.2:** For each vessel nominated provide copies of the following documents:

- i. SAMS Safety Certificate as **Annexure 4A**;
- ii. South African Certificate of Registry as **Annexure 4B**;
- iii. Share certificate to prove percentage ownership of each nominated vessel as **Annexure 4C**;
- iv. Agreement providing access to the vessel if the applicant is not the majority or sole owner of the vessel as **Annexure 4D**;
- v. Bank guaranteed finance with purchase agreement (in case of purchasing a vessel should the applicant be successful)
- vi. Bank guaranteed finance with vessel plans (in case of building new vessel should the applicant be successful) as **Annexure 4E**.
- vii. Four 12x7 cm photographs, which show the bow, stern, starboard and port side of the vessel as **Annexure 4F**.

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 4G**.

#### **SCHEDULE 5: Catch Utilisation**

**Section 5.1:** If a catch permit was not issued for three or more years in this fishery between 2007 and 2012 then provide detailed reasons as **Annexure 5A**.

#### **SCHEDULE 6: Transformation**

**Section 6.1:** The applicant must complete Section 6.1 in respect of the board of directors of the applicant and of any other entities, and submit the latest Companies and Intellectual Property Commission (CIPC) documents as **Annexure 6A**.

**Section 6.2:** The applicant must complete Section 6.2 in respect of the employees of the applicant, submit these as **Annexure 6B**.

**Section 6.3:** The applicant must complete the table and indicate the recent employment profile which was provided to the Department of Labour, submit these as **Annexure 6C**.

**Section 6.4, 6.5 and 6.6:** If "Yes," the applicant must provide details of the nature of the benefits provided, classes of beneficiaries and the employer's contribution as **Annexure 6D**.

**Section 6.7.1:** Provide details of percentage shareholding or members interest held by black persons, percentage voting rights held by black persons, and percentage of dividends black shareholders or members are entitled to in 2005 (only for applicants that was granted a long-

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term 2005/2006 tuna pole right) and 2013 and submit these as **Annexure 6E**.

**Section 6.7.2:** Provide a breakdown of shareholders or members as stated in the 2005 right application form including the name, identification number of the shareholder or member, as well as whether the shareholder is Black (if natural person or name and company or close corporation registration number and percentage black shareholding or membership interest if juristic person) and submit audited proof of these as **Annexure 6F**.

**Section 6.7.3:** Provide a breakdown of shareholders or members at date of application including the name, identification number of the shareholder or member, as well as whether the shareholder is Black (if natural person or name and company or close corporation registration number and percentage black shareholding or membership interest if juristic person) and submit audited proof of these as **Annexure 6G**.

**Section 6.7.4:** Provide proof of Departmental approval of change in ownership, as **Annexure 6H**.

**Section 6.7.5:** Provide a breakdown of all salaries, loans and dividends paid to shareholders or members since 2007 until 2012 financial year including the name, identification number of the shareholder or member, as well as whether the shareholder is Black (if natural person or name and company or close corporation registration number and percentage black shareholding or membership interest if juristic person) and submit these as **Annexure 6I**.

**Section 6.8.1:** If the applicant answered "Yes" to be compliant with Skills Development Act submitting a report then provide as **Annexure 6J** all relevant receipts/confirmations from the SETA for evidence of such.

**Section 6.8.2:** If the applicant answered "Yes" to sections 6.3.1 or 6.3.2, provide **Annexure 6K** the learnership agreement/s or other skills development programme and any returns/receipts received from the SETA or evidence that the learnership agreements were registered with a SETA.

**Section 6.8.3:** If the applicant answered "Yes" to be training black people submits a report then provide as **Annexure 6L** all relevant names, race and receipts/confirmations from the relevant institution or company for evidence of such training.

**Section 6.9:** If "Yes" with reference to the donations the applicant must attach evidence as **Annexure 6M** and must provide schedule of tax deductible donations made during 2007-2012, sorted by descending order of amount donated per organization. The schedule should also reflect the calculation of what percentage of net profit consists of donations for the 2012 financial year-end

**Section 6.10:** If "Yes" with reference to the procurement from black owned companies the applicant must provide as **Annexure 6N** all company names (including percentage black ownership), the amount procured in relation to total procurement on annual basis for the past two years and confirmations from the black owned company.

**SCHEDULE 7: Vessel, Crew and Environmental Safety**

**Section 7.1:** If “Yes,” provide a description and proof of the insurance or financial security as **Annexure 7A**.

**Section 7.2:** If “Yes,” provide proof of registration with the Commissioner in terms of Compensation and Occupational Injury Act, Act 130 of 1993 as **Annexure 7B**.

**SCHEDULE 9: Investment**

**Section 9.1:** Provide latest insurance schedule as proof of insured asset value (Annexure 9A). Only assets used in this fishery may be accepted.

**SCHEDULE 11: Financial Performance**

**Section 11.1:** Provide as **Annexure 11A** the relevant pages of the 2012 financial statements and mark with a highlighter (or underline/encircle with a red pen) the relevant parts on which the applicant relies for purposes of calculating the turnover.

**Section 11.2:** Provide as **Annexure 11B**, the relevant pages of the financial statements and mark with a highlighter (or underline/encircle with a red pen) the relevant parts on which the applicant relies for purposes of completing Section 11.2.

**SCHEDULE 12: Fishing Competency**

**Section 12.1:** Provide motivation (not to be copied from another applicant) as **Annexure 12A** clearly explaining and demonstrating why the Department should grant a right to the applicant in this sector. The motivation may include additional information not provided for in the Application form.

**Section 12.2:** Provide the applicant's fishing experience relating to fishing , processing and marketing not limited to this sector and attach as **Annexure 12B** (information not to be copied from another applicant)

**SCHEDULE 13: Fishing Levies**

**Section 13.1:** Provide a statement from our regarding the levies status of the applicant and attach as **Annexure 13A**.



## agriculture, forestry & fisheries

Department:  
Agriculture, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

### 2013: SCHEDULE FOR THE KZN PRAWN TRAWL APPLICATION FORM

IF THE APPLICANT CANNOT PROVIDE THE DOCUMENTS OR 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

**Section 1;** Provide, as **Annexure 1A**, in order for the delegated authority to better understand the answer and information submitted, a brief profile of the applicant organization. Include a brief description of historical involvement in the fishing (if any) and expertise. Also provide an organizational structure which indicates the applicant's business model including, if any, details regarding the holding company and sister company's relationships. The applicant should pertinently indicate if it intends to apply in more than one sector, whether it is involved in industries other than the fishing industry and if the applicant does rely on information of holding companies and sister companies.

**Section 1.3;** Provide, as **Annexure 1B**, a copy of a valid company or close corporation registration certificate.

**Section 1.3;** Provide, as **Annexure 1C**, a copy of a resolution duly authorizing the person named in section 1.10 to be the authorized contact person.

#### SCHEDULE 2: Form of Applicant

**Section 2.2;** Provide, as **Annexure 2A**, a copy of the letter granting the long-term commercial fishing or Right Transfer Letter of approval.

**Section 2.3;** If the applicant is a close corporation or a company with 10 or less shareholders who are natural persons, provide, as **Annexure 2B**, a list of the names of members/shareholders and their nationality and the calculation of the ratio of South African members/shareholders to non-South African members/shareholders. If the schedule indicates that the member/shareholder is a South African, include a copy of the relevant page of the identity document, passport or appropriate proof of citizenship indicating that the member/shareholder is South African.

Alternatively, if the applicant is a company whose shares are held by more than 10 and/or the shareholders are not all natural persons, provide, as **Annexure 2B**, a list of the names of shareholders and their nationality and the calculation of the ratio of South African shareholders to non-South African shareholders. If the schedule indicates that the member/shareholder is a South African, include a sworn affidavit by the chairman of the applicant's board of directors stating that more than 50% of the shareholders of the shareholders of the applicant are South African.

Note: in terms of the Marine Living Resources Act 18 of 1998, more than 50% of shareholding (in case of a company) or more than 50% of the members interest (in the case of a close corporation) must be held by South Africans.

**Section 2.4;** Provide, as **Annexure 2C**, a copy of a valid South African Revenue Services (SARS) Tax Clearance Certificate.

**Section 2.5:** Provide a detailed statement describing percentage of shareholding, the name and registration number of the legal entity.

**Section 2.6:** Provide a detailed statement describing percentage of shareholding, the name and registration number of the legal entity and the fishing sectors being applied for.

**Section 2.7:** Provide a detailed statement describing percentage of shareholding, the name and registration number of the legal entity and the fishing sector in which it is active.

### **SCHEDULE 3: Compliance**

**Section 3.1.1;** If "Yes" provide, as **Annexure 3A**, details and any documentation regarding the charge including information regarding the conduct and the identity of the individuals (including percentage holding, if applicable) giving rise to the charge and the outcome.

**Section 3.1.2;** If "Yes" provide, as **Annexure 3B**, details and documentation regarding the conduct of the applicant, the identity and conduct of the members (in the case of a close corporation), shareholders (specify percentage shareholding) or directors resulting in the conviction, dates of conviction and the penalties imposed.

**Section 3.1.3;** If "Yes" provide, as **Annexure 3C**, details and documentation of the plea bargain arrangement entered into and the details regarding the conduct and identity of the individuals (including percentage shareholding, if applicable) giving rise to the plea bargain, the dates and terms of the plea bargain.

**Section 3.1.4;** If "Yes" provide, as **Annexure 3D**, details and documentation regarding the admission of guilt fine paid, including information regarding the conduct and the identity of the individuals (including percentage shareholding, if applicable) giving rise to the fine, the date of contravention and rand amount paid.

**Section 3.2;** If "Yes" provide, as **Annexure 3E**, details regarding the detention, arrest or seizure, including information regarding the conduct and the identity of the individuals (including percentage shareholding, if applicable) involved. Also provide details if confiscation or forfeiture order was/was not granted under the Prevention of Organised Crime or the MLRA.

**Section 3.3;** If "Yes" provide, as **Annexure 3F**, details and any documentation including information regarding the conduct and the identity of the individuals (including percentage shareholding, if applicable) giving rise to the Section 28 procedure.

**SCHEDULE 4: Vessel Details**

**Section 4.2;** For each vessel nominated provide copies of the following documents:

- i. SAMSA Safety Certificate as **Annexure 4A**;
- ii. South African Certificate of Registry as **Annexure 4B**;
- iii. Share Certificate to prove percentage ownership of each shareholder of each nominated vessel as **Annexure 4C**; and
- iv. Agreement providing access to the vessel if the applicant is not the majority or sole owner of the vessel as **Annexure 4D**.
- v. Bank Guarantee finance with Purchase Agreement (in case of purchasing a vessel should the Applicant be successful) as **Annexure 4E**
- vi. Bank guaranteed finance with vessel plans (in case of building new vessel) as **Annexure 4F**.

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 4G**.

**SCHEDULE 5: Catch Utilisation**

**Section 5.1;** Provide, as **Annexure 5A**, a schedule which details, per month, the total actual catch per species (in metric tonnes, nominal weight (complete fish) for 2007, 2008, 2009, 2010, 2011 and 2012 and the copies of catch permits issued by the Department for the seasons 2007, 2008, 2009, 2010, 2011 and 2012. Only information relating to the catch records of the applicant's company/close corporation should be included and not also information relating to other members of a group of companies

**Section 5.2.;** Provide, as **Annexure 5B**, a schedule which details, per season reasons for not activating the catch permits for 2007, 2008, 2009, 2010, 2011 and 2012.

**SCHEDULE 6: Transformation**

**Section 6.1.1;** The applicant must complete Section 6.1.1 in respect of the board of directors of the applicant and of any other entities, and submit the latest Companies and Intellectual Property Commission (CIPC) documents as **Annexure 6A**.

**Section 6.1.2;** The applicant must complete Section 6.1.2 in respect of the employees of the applicant, submit copy of the applicant's Payroll these as **Annexure 6B**.

**Section 6.1.3;** The applicant must complete the table and indicate the recent employment profile which was provided to the Department of Labour, submit these as **Annexure 6C**.

**Section 6.1.4, 6.1.5 and 6.1.6.;** If "Yes," the applicant must provide details of the nature of the benefits provided, classes of beneficiaries and the employer's contribution as **Annexure**

**6D.**

**Section 6.2.1:** Provide details of percentage shareholding or members interest held by black persons, percentage voting rights held by black persons and percentage of dividends black shareholders or members are entitled to in 2005/2006 and 2013 and submit these as **Annexure 6E**.

**Section 6.2.3:** Provide a breakdown of shareholders or members in 2013 at the date of application including the name, identification number of the shareholder or member, as well as whether the shareholder is Black (if natural person or name and company or close corporation registration number and percentage black shareholding or membership interest if juristic person) and submit these as **Annexure 6F**. Provide also as **Annexure 6F** a schedule which provides the gender, percentage membership interest, voting rights and rights to profits distribution as at date of application.

**Section 6.2.4:** Provide a breakdown of shareholders or members as stated in the 2005/2006 right application form including the name, identification number of the shareholder or member, as well as whether the shareholder is Black (if natural person or name and company or close corporation registration number and percentage black shareholding or membership interest if juristic person) and submit audited proof of these as **Annexure 6G**.

**Section 6.2.5:** Provide proof of Departmental approval of change in ownership, as **Annexure 6H**.

**Section 6.2.6:** Provide a breakdown of all salaries, loans and dividends paid to shareholders or members since 2006 until 2012 financial year including the name, identification number of the shareholder or member, as well as whether the shareholder is Black (if natural person or name and company or close corporation registration number and percentage black shareholding or membership interest if juristic person) and submit these as **Annexure 6I**.

**Section 6.2.7:** If the applicant completed any part of the table in question 6.2.7, the applicant must provide details regarding the entity, the relationship between the applicant and the entity and attach copies of Catching Agreements as **Annexure 6J**.

**Section 6.3.1:** If the applicant answered "Yes" to be compliant with Skills Development Act submitting a report then provide as **Annexure 6K** all relevant receipts/confirmations from the respective SETAs for evidence of such.

**Section 6.3.2:** If the applicant answered "Yes" to sections 6.3.1 or 6.3.2, provide **Annexure 6L** the learnership agreement/s or other skills development programme and any returns/receipts received from the SETA or evidence that the learnership agreements were registered with a SETA.

**Section 6.3.3:** If the applicant answered "Yes" to be training black people submits a report then provide as **Annexure 6M** all relevant names, race and receipts/confirmations from the

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relevant institution or company for evidence of such training.

**Section 6.4:** If “Yes” with reference to the procurement from black owned companies the applicant must provide as **Annexure 6N** all company names (including percentage black ownership), the amount procured in relation to total procurement on annual basis for the past two years and confirmations from the black owned company.

**Section 6.4.2:** If “Yes” with reference to the donations the applicant must attach evidence as **Annexure 6O**. Also provide as **Annexure 6O**, a schedule of tax deductible donations made from 2007 to 2012, sorted by descending order of amount donated per organization. The schedule should also reflect the calculation of what percentage of net profit consists of donations for the 2012 financial year-end

#### **SCHEDULE 7: Vessel, Crew and Environmental Safety**

**Section 7.1:** If “Yes,” provide a description and proof of the insurance or financial security as **Annexure 7A**.

**Section 7.2:** If “Yes,” provide proof of registration with the Commissioner in terms of Compensation and Occupational Injury Act, Act 130 of 1993 as **Annexure 7B**.

#### **SCHEDULE 9: Investment**

**Section 9.1:** Provide proof of latest Insurance Schedules as **Annexure 9A**.

#### **SCHEDULE 11: Financial Performance**

**Section 11.1:** Provide as **Annexure 11A** the relevant pages of the 2012 financial statements and mark with a highlighter (or underline/encircle with a red pen) the relevant parts on which the applicant relies for purposes of calculating the turnover.

**Section 11.2:** Provide as **Annexure 11B**, the relevant pages of the financial statements and mark with a highlighter (or underline/encircle with a red pen) the relevant parts on which the applicant relies for purposes of completing Section 11.2.

#### **SCHEDULE 12: Fishing Competency**

**Section 12.1:** Provide motivation (not to be copied from another Applicant) as **Annexure 12A** clearly explaining and demonstrating why the Department should grant a right to the applicant in this sector. The motivation may include additional information not provided for in the Application Form.

**Section 12.2:** Provide proof of the applicant’s fishing experience relating to fishing, processing and marketing and not limited particularly to this sector and attach as **Annexure 12B**.

**SCHEDULE 13: Fishing Levies**

**Section 13.1:** Provide a statement as proof of payment regarding to the status of levies by applicant and attach as **Annexure 13A**.

<b>SCHEDULES TRADITIONAL LINEFISH TO THE APPLICATION FORM</b>		
IF YOU CANNOT PROVIDE THE DOCUMENTS OR INFORMATION REQUESTED IN ANY OF THE SCHEDULES BELOW, YOU MAY SUBMIT AN EXPLANATION FOR THIS IN PLACE OF THAT ANNEXURE		
	Documents or Information Required	Annexure
1.3	Copy of first pages (with photo) of the applicant's identity document.	1A
1.10	Copy of one of the following: (a) a utility bill (water, electricity, telephone), (b) a rent agreement for a house or flat, (c) a bond agreement with a bank or (d) bank statements, e) an affidavit from a third party. This document should demonstrate how long you have lived in the area.	1B
1.15	Provide a description of all your fishing activities, including involvement in other sectors and experience in the fishing industry. First time applicants should demonstrate that they have the necessary skill, knowledge and ability to participate in the line fishery.	1C
2.1	If "Yes," provide a copy of the letter granting the long-term commercial fishing or Right Transfer Letter of approval.	2A
3.1.1	If "Yes," provide details and documentation regarding the conduct of the applicant, the date(s) of conviction, and the penalties imposed.	3A
3.1.2	If "Yes", provide details and any documentation regarding the plea bargain arrangement entered into, including the conduct giving rise to the plea bargain, the dates and specifics of the plea bargain.	3B
3.1.3	If "Yes", provide details and any documentation regarding the offence including information regarding the conduct giving rise to the charge and the outcome of the criminal proceedings.	3C
3.1.4	If "Yes", provide details and any documentation regarding the admission of guilt fine paid, including information regarding the conduct giving rise to the fine, the date of the offence and rand amount paid.	3D
3.2	If "Yes", provide details regarding the detention, arrest or seizure, including information regarding the conduct giving rise to the proceedings, and whether a final confiscation or forfeiture order was granted under the Prevention of Organised Crime Act or the MLRA.	3E
3.3	If "Yes", provide details and any documentation including the conduct of the individuals giving rise to the Section 28 proceedings.	3F

3.4	If "Yes", provide details and any documentation regarding the conduct giving rise to the issuance of the notice and the outcome of the Section 28 proceedings.	3G
4.1	For the vessel nominated provide copies of the following documents: <ul style="list-style-type: none"> <li>i. SAMSA Safety Certificate</li> <li>ii. Agreement providing access to the vessel if the applicant is not the majority</li> <li>iii. Bank Guarantee finance with Purchase Agreement (in case of purchasing a vessel should the Applicant be successful)</li> <li>iv. Bank guaranteed finance with vessel plans (in case of building new vessel)</li> </ul>	4A
5.1	a schedule which details, per month, the total actual catch per species (in metric tonnes, nominal weight (complete fish) for 2007, 2008, 2009, 2010, 2011 and 2012 and the copies of catch permits issued by the Department for the seasons 2007, 2008, 2009, 2010, 2011 and 2012.	5A
6.1	If "Yes," provide confirmation from the employer.	6A
7.3	If "Yes," provide an explanation of the contributions made to medical aid for employees	7A
7.4	If "Yes," provide an explanation of the contributions made to pensions for employees	7B
7.5	If "Yes," provide an explanation of the other benefits (such as accident insurance) provided to employees.	7C
8.1	If "Yes," provide a schedule of tax deductible donations made during since 2007.	8A
9.1	If "Yes" please provide proof.	9A
9.2	If "Yes" please provide proof.	9B
9.3	If "Yes" please provide proof.	9C

10.1	Provide a letter from each of these suppliers indicating whether they are black or white (or percentage ownership by blacks), and how much you spend per season at the supplier.	10A
11.1	If "Yes," provide proof of the contributions made to the insurance or other financial security scheme.	11A
11.2	If "Yes," provide proof of registration with the Commissioner.	11B
16.1	Provide a copy of original motivation of fishing plan. The fishing plan must clearly demonstrate the applicant's ability to perform effectively in the fishery.	16A
16.2	Provide a copy of fisheries experience paying particular attention to days spent fishing, areas fished and species targeted.	16B
17.1	Provide levy statement regarding levies paid during the long-term right period.	17A



## agriculture, forestry & fisheries

Department:  
Agriculture, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

### 2013: SCHEDULE FOR THE SQUID APPLICATION FORM

IF THE APPLICANT CANNOT PROVIDE THE DOCUMENTS OR 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

**Section 1;** Provide, as **Annexure 1A**, in order for the delegated authority to better understand the answer and information submitted, a brief profile of the applicant organization. Include a brief description of historical involvement in the fishing (if any) and expertise. Also provide an organizational structure which indicates the applicant's business model including, if any, details regarding the holding company and sister company's relationships. The applicant should pertinently indicate if it intends to apply in more than one sector, whether it is involved in industries other than the fishing industry and if the applicant does rely on information of holding companies and sister companies.

**Section 1.3;** Provide, as **Annexure 1B**, a copy of a valid company or close corporation registration certificate.

**Section 1.3;** Provide, as **Annexure 1C**, a copy of a resolution duly authorizing the person named in section 1.10 to be the authorized contact person.

#### SCHEDULE 2: Form of Applicant

**Section 2.2;** Provide, as **Annexure 2A**, a copy of the letter granting the long-term commercial fishing or Right Transfer Letter of approval.

**Section 2.3;** If the applicant is a close corporation or a company with 10 or less shareholders who are natural persons, provide, as **Annexure 2B**, a list of the names of members/shareholders and their nationality and the calculation of the ratio of South African members/shareholders to non-South African members/shareholders. If the schedule indicates that the member/shareholder is a South African, include a copy of the relevant page of the identity document, passport or appropriate proof of citizenship indicating that the member/shareholder is South African.

Alternatively, if the applicant is a company whose shares are held by more than 10 and/or the shareholders are not all natural persons, provide, as **Annexure 2B**, a list of the names of shareholders and their nationality and the calculation of the ratio of South African shareholders to non-South African shareholders. If the schedule indicates that the member/shareholder is a South African, include a sworn affidavit by the chairman of the applicant's board of directors stating that more than 50% of the shareholders of the shareholders of the applicant are South African.

Note: in terms of the Marine Living Resources Act 18 of 1998, more than 50% of shareholding (in case of a company) or more than 50% of the members interest (in the case of a close corporation) must be held by South Africans.

**Section 2.4;** Provide, as **Annexure 2C**, a copy of a valid South African Revenue Services (SARS) Tax Clearance Certificate.

**Section 2.5:** Provide a detailed statement describing percentage of shareholding, the name and registration number of the legal entity.

**Section 2.6:** Provide a detailed statement describing percentage of shareholding, the name and registration number of the legal entity and the fishing sectors being applied for.

**Section 2.7:** Provide a detailed statement describing percentage of shareholding, the name and registration number of the legal entity and the fishing sector in which it is active.

### **SCHEDULE 3: Compliance**

**Section 3.1.1;** If "Yes" provide, as **Annexure 3A**, details and any documentation regarding the charge including information regarding the conduct and the identity of the individuals (including percentage holding, if applicable) giving rise to the charge and the outcome.

**Section 3.1.2;** If "Yes" provide, as **Annexure 3B**, details and documentation regarding the conduct of the applicant, the identity and conduct of the members (in the case of a close corporation), shareholders (specify percentage shareholding) or directors resulting in the conviction, dates of conviction and the penalties imposed.

**Section 3.1.3;** If "Yes" provide, as **Annexure 3C**, details and documentation of the plea bargain arrangement entered into and the details regarding the conduct and identity of the individuals (including percentage shareholding, if applicable) giving rise to the plea bargain, the dates and terms of the plea bargain.

**Section 3.1.4;** If "Yes" provide, as **Annexure 3D**, details and documentation regarding the admission of guilt fine paid, including information regarding the conduct and the identity of the individuals (including percentage shareholding, if applicable) giving rise to the fine, the date of contravention and rand amount paid.

**Section 3.2;** If "Yes" provide, as **Annexure 3E**, details regarding the detention, arrest or seizure, including information regarding the conduct and the identity of the individuals (including percentage shareholding, if applicable) involved. Also provide details if confiscation or forfeiture order was/was not granted under the Prevention of Organised Crime or the MLRA.

**Section 3.3;** If "Yes" provide, as **Annexure 3F**, details and any documentation including information regarding the conduct and the identity of the individuals (including percentage shareholding, if applicable) giving rise to the Section 28 procedure.

**SCHEDULE 4: Vessel Details**

**Section 4.2;** For each vessel nominated provide copies of the following documents:

- i. SAMSA Safety Certificate as **Annexure 4A**;
- ii. South African Certificate of Registry as **Annexure 4B**;
- iii. Share Certificate to prove percentage ownership of each shareholder of each nominated vessel as **Annexure 4C**; and
- iv. Agreement providing access to the vessel if the applicant is not the majority or sole owner of the vessel as **Annexure 4D**.
- v. Bank Guarantee finance with Purchase Agreement (in case of purchasing a vessel should the Applicant be successful) as **Annexure 4E**
- vi. Bank guaranteed finance with vessel plans (in case of building new vessel) as **Annexure 4F**.

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 4G**.

**SCHEDULE 5: Catch Utilisation**

**Section 5.1;** Provide, as **Annexure 5A**, a schedule which details, per month, the total actual catch per species (in metric tonnes, nominal weight (complete fish) for 2007, 2008, 2009, 2010, 2011 and 2012 and the copies of catch permits issued by the Department for the seasons 2007, 2008, 2009, 2010, 2011 and 2012. Only information relating to the catch records of the applicant's company/close corporation should be included and not also information relating to other members of a group of companies

**Section 5.2.;** Provide, as **Annexure 5B**, a schedule which details, per season reasons for not activating the catch permits for 2007, 2008, 2009, 2010, 2011 and 2012.

**SCHEDULE 6: Transformation**

**Section 6.1.1;** The applicant must complete Section 6.1.1 in respect of the board of directors of the applicant and of any other entities, and submit the latest Companies and Intellectual Property Commission (CIPC) documents as **Annexure 6A**.

**Section 6.1.2;** The applicant must complete Section 6.1.2 in respect of the employees of the applicant, submit copy of the applicant's Payroll these as **Annexure 6B**.

**Section 6.1.3;** The applicant must complete the table and indicate the recent employment profile which was provided to the Department of Labour, submit these as **Annexure 6C**.

**Section 6.1.4, 6.1.5 and 6.1.6.;** If "Yes," the applicant must provide details of the nature of the benefits provided, classes of beneficiaries and the employer's contribution as **Annexure**



**6D.**

**Section 6.2.1:** Provide details of percentage shareholding or members interest held by black persons, percentage voting rights held by black persons and percentage of dividends black shareholders or members are entitled to in 2005/2006 and 2013 and submit these as **Annexure 6E**.

**Section 6.2.3:** Provide a breakdown of shareholders or members in 2013 at the date of application including the name, identification number of the shareholder or member, as well as whether the shareholder is Black (if natural person or name and company or close corporation registration number and percentage black shareholding or membership interest if juristic person) and submit these as **Annexure 6F**. Provide also as **Annexure 6F** a schedule which provides the gender, percentage membership interest, voting rights and rights to profits distribution as at date of application.

**Section 6.2.4:** Provide a breakdown of shareholders or members as stated in the 2005/2006 right application form including the name, identification number of the shareholder or member, as well as whether the shareholder is Black (if natural person or name and company or close corporation registration number and percentage black shareholding or membership interest if juristic person) and submit audited proof of these as **Annexure 6G**.

**Section 6.2.5:** Provide proof of Departmental approval of change in ownership, as **Annexure 6H**.

**Section 6.2.6:** Provide a breakdown of all salaries, loans and dividends paid to shareholders or members since 2006 until 2012 financial year including the name, identification number of the shareholder or member, as well as whether the shareholder is Black (if natural person or name and company or close corporation registration number and percentage black shareholding or membership interest if juristic person) and submit these as **Annexure 6I**.

**Section 6.2.7:** If the applicant completed any part of the table in question 6.2.7, the applicant must provide details regarding the entity, the relationship between the applicant and the entity and attach copies of Catching Agreements as **Annexure 6J**.

**Section 6.3.1:** If the applicant answered "Yes" to be compliant with Skills Development Act submitting a report then provide as **Annexure 6K** all relevant receipts/confirmations from the respective SETAs for evidence of such.

**Section 6.3.2:** If the applicant answered "Yes" to sections 6.3.1 or 6.3.2, provide **Annexure 6L** the learnership agreement/s or other skills development programme and any returns/receipts received from the SETA or evidence that the learnership agreements were registered with a SETA.

**Section 6.3.3:** If the applicant answered "Yes" to be training black people submits a report then provide as **Annexure 6M** all relevant names, race and receipts/confirmations from the

relevant institution or company for evidence of such training.

**Section 6.4.2:** If “Yes” with reference to the donations the applicant must attach evidence as **Annexure 6N**. Also provide as **Annexure 6N**, a schedule of tax deductible donations made from 2007 to 2012, sorted by descending order of amount donated per organization. The schedule should also reflect the calculation of what percentage of net profit consists of donations for the 2012 financial year-end

**Section 6.5:** If “Yes” with reference to the procurement from black owned companies the applicant must provide as **Annexure 6O** all company names (including percentage black ownership), the amount procured in relation to total procurement on annual basis for the past two years and confirmations from the black owned company.

#### **SCHEDULE 7: Vessel, Crew and Environmental Safety**

**Section 7.1:** If “Yes,” provide a description and proof of the insurance or financial security as **Annexure 7A**.

**Section 7.2:** If “Yes,” provide proof of registration with the Commissioner in terms of Compensation and Occupational Injury Act, Act 130 of 1993 as **Annexure 7B**.

#### **SCHEDULE 9: Investment**

**Section 9.1:** Provide proof of latest Insurance Schedules as **Annexure 9A**.

#### **SCHEDULE 11: Financial Performance**

**Section 11.1:** Provide as **Annexure 11A** the relevant pages of the 2012 financial statements and mark with a highlighter (or underline/encircle with a red pen) the relevant parts on which the applicant relies for purposes of calculating the turnover.

**Section 11.2:** Provide as **Annexure 11B**, the relevant pages of the financial statements and mark with a highlighter (or underline/encircle with a red pen) the relevant parts on which the applicant relies for purposes of completing Section 11.2.

#### **SCHEDULE 12: Fishing Competency**

**Section 12.1:** Provide motivation (not to be copied from another Applicant) as **Annexure 12A** clearly explaining and demonstrating why the Department should grant a right to the applicant in this sector. The motivation may include additional information not provided for in the Application Form.

**Section 12.2:** Provide proof of the applicant’s fishing experience relating to fishing, processing and marketing and not limited particularly to this sector and attach as **Annexure 12B**.

**SCHEDULE 13: Fishing Levies**

**Section 13.1:** Provide a statement as proof of payment regarding to the status of levies by applicant and attach as **Annexure 13A**.

SCHEDULES TO THE OYSTER APPLICATION FORM		
IF YOU CANNOT PROVIDE THE DOCUMENTS OR INFORMATION REQUESTED IN ANY OF THE SCHEDULES BELOW, YOU MAY SUBMIT AN EXPLANATION FOR THIS IN PLACE OF THAT ANNEXURE		
Question Number	Documents or Information Required	Annexure No.
1.3	Copy of first pages (with photo) of the applicant's identity document.	1A
1.10	Copy of one of the following: (a) a utility bill (water, electricity, telephone), (b) a rent agreement for a house or flat, (c) a bond agreement with a bank or (d) bank statements, e) an affidavit from a third party. This document should demonstrate how long you have lived in the area.	1B
1.15	Provide a description of all your fishing activities, including involvement in other sectors and experience in the fishing industry. New entrants should demonstrate that they have the necessary skill, knowledge and ability to participate in the line fishery.	1C
2.1	If "Yes," provide a copy of the right grant letter or a permit that was issued to exercise the long-term fishing right.	2A
2.2	If "Yes," provide proof (close corporation or company registration certificate, proof of shareholding), and a copy of the 2005 permit.	2B
3.1.1	If "Yes," provide details and documentation regarding the conduct of the applicant, the date(s) of conviction, and the penalties imposed.	3A
3.1.2	If "Yes", provide details and any documentation regarding the plea bargain arrangement entered into, including the conduct giving rise to the plea bargain, the dates and specifics of the plea bargain.	3B
3.1.3	If "Yes", provide details and any documentation regarding the offence including information regarding the conduct giving rise to the charge and the outcome of the criminal proceedings.	3C
3.1.4	If "Yes", provide details and any documentation regarding the admission of guilt fine paid, including information regarding the conduct giving rise to the fine, the date of the offence and rand amount paid.	3D
3.2	If "Yes", provide details regarding the detention, arrest or seizure, including information regarding the conduct giving rise to the proceedings, and whether a final confiscation or forfeiture order was granted under the Prevention of Organised Crime Act or the MLRA.	3E
3.3	If "Yes", provide details and any documentation including the conduct of the individuals giving rise to the Section 28 proceedings.	3F
3.4	If "Yes", provide details and any documentation regarding the conduct giving rise to the issuance of the notice and the outcome of the Section 28 proceedings.	3G
5.1	If "Yes," provide proof.	5A
6.3	If "Yes," provide an explanation of the contributions made to medical aid for employees	6A
6.4	If "Yes," provide an explanation of the contributions made to pensions for employees	6B
6.5	If "Yes," provide an explanation of the other benefits (such as accident insurance) provided to employees.	6C
6.6	If "Yes," provide an explanation of safe working conditions condition provided to employees.	6D
8.1	If "Yes," provide a schedule of tax deductible donations made during 2012.	8A
9.1	If "Yes" please provide proof.	9A
9.2	If "Yes" please provide proof.	9B

9.3	If "Yes" please provide proof.	9C
10.1	Provide a letter from each of these suppliers indicating whether they are black or white (or percentage ownership by blacks), and how much you spend per season at the supplier.	10A
11.1	Provide a letter from each charity or community organisation listed confirming that you have given money, that indicates what the charity or community organisation does, and how much you have donated to the charity or community organisation.	11A
12.1	If "Yes," provide proof of the contributions made to the insurance or other financial security scheme.	12A
12.2	If "Yes," provide proof of registration with the Commissioner.	12B
17.1	Provide a brief explain by a way of original motivation (not to be copied from another applicant) why the Department shall grant the right to the applicant?.	17A
17.2	Provide a brief (one page) overview of your fisheries (not to be copied from another applicant) experience?	17B

<b>SCHEDULES TO THE WHITE MUSSEL APPLICATION FORM</b>		
<b>IF YOU CANNOT PROVIDE THE DOCUMENTS OR INFORMATION REQUESTED IN ANY OF THE SCHEDULES BELOW, YOU MAY SUBMIT AN EXPLANATION FOR THIS IN PLACE OF THAT ANNEXURE</b>		
<b>Question Number</b>	<b>Documents or Information Required</b>	<b>Annexure No</b>
1.3	Copy of first pages (with photo) of the applicant's identity document.	1A
1.10	Copy of one of the following: (a) a utility bill (water, electricity, telephone), (b) a rent agreement for a house or flat, (c) a bond agreement with a bank or (d) bank statements, e) an affidavit from a third party. This document should demonstrate how long you have lived in the area.	1B
1.15	Provide a description of all your fishing activities, including involvement in other sectors and experience in the fishing industry. New entrants should demonstrate that they have the necessary skill, knowledge and ability to participate in the line fishery.	1C
2.1	If "Yes," provide a copy of the right grant letter or a permit that was issued to exercise the long-term fishing right.	2A
2.2	If "Yes," provide proof (close corporation or company registration certificate, proof of shareholding), and a copy of the 2005 permit.	2B
3.1.1	If "Yes," provide details and documentation regarding the conduct of the applicant, the date(s) of conviction, and the penalties imposed.	3A
3.1.2	If "Yes", provide details and any documentation regarding the plea bargain arrangement entered into, including the conduct giving rise to the plea bargain, the dates and specifics of the plea bargain.	3B
3.1.3	If "Yes", provide details and any documentation regarding the offence including information regarding the conduct giving rise to the charge and the outcome of the criminal proceedings.	3C
3.1.4	If "Yes", provide details and any documentation regarding the admission of guilt fine paid, including information regarding the conduct giving rise to the fine, the date of the offence and amount paid.	3D
3.2	If "Yes", provide details regarding the detention, arrest or seizure, including information regarding the conduct giving rise to the proceedings, and whether a final confiscation or forfeiture order was granted under the Prevention of Organised Crime Act or the MLRA.	3E
3.3	If "Yes", provide details and any documentation including the conduct of the individuals giving rise to the Section 28 proceedings.	3F
3.4	If "Yes", provide details and any documentation regarding the conduct giving rise to the issuance of the notice and the outcome of the Section 28 proceedings.	3G
5.1	If "Yes," provide proof.	5A
6.3	If "Yes," provide an explanation of the contributions made to medical aid for employees	6A
6.4	If "Yes," provide an explanation of the contributions made to pensions for employees	6B
6.5	If "Yes," provide an explanation of the other benefits (such as accident insurance) provided to employees.	6C
6.6	If "Yes," provide an explanation of safe working conditions condition provided to employees.	6D
8.1	If "Yes," provide a schedule of tax deductible donations made during 2012.	8A
9.1	If "Yes" please provide proof.	9A
9.2	If "Yes" please provide proof.	9B

9.3	If "Yes" please provide proof.	9C
10.1	Provide a letter from each of these suppliers indicating whether they are black or white (or percentage ownership by blacks), and how much you spend per season at the supplier.	10A
11.1	Provide a letter from each charity or community organisation listed confirming that you have given money, that indicates what the charity or community organisation does, and how much you have donated to the charity or community organisation.	11A
12.1	If "Yes," provide proof of the contributions made to the insurance or other financial security scheme.	12A
12.2	If "Yes," provide proof of registration with the Commissioner.	12B
17.1	Provide a brief explain by a way of original motivation (not to be copied from another applicant) why the Department shall grant the right to the applicant?.	17A
17.2	Provide a brief (one page) overview of your fisheries (not to be copied from another applicant) experience?	17B

SCHEDULE D

**EXPLANATORY NOTES TO THE APPLICATION FORMS**





## agriculture, forestry & fisheries

Department:  
Agriculture, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

### **DEMERSAL SHARK: EXPLANATORY NOTES- FISHING RIGHTS ALLOCATION PROCESS 2013 (FRAP: 2013)**

THE PURPOSE OF THE EXPLANATORY NOTES IS TO ASSIST APPLICANTS IN COMPLETING THE APPLICATION FORM. SOME SECTIONS ARE CONSIDERED TO BE SELF-EXPLANATORY AND ARE NOT COVERED IN THESE EXPLANATORY NOTES.

The MLRA is the Marine Living Resources Act 18 of 1998. A copy is available at FRAP: 2013 Application Distribution Centres.

#### **SECTION 1: APPLICANT DETAILS**

This section must be completed in full. All fields in this section are compulsory. Applicants must make reference to schedules attached to the application form and shall furnish information as required. Requested Annexures as per schedule shall be appended to the application.

#### **SECTION 2: FORM OF APPLICANT**

One of the aims of this section is to determine whether the applicant is a first time applicant or held a long-term right in the Demersal Shark Sector. The aim is further it is to establish whether the applicant has linkages to other entities that has applied or intends to lodge applications in FRAP: 2013. Shareholding in entities currently holding rights is also being ascertained.

In terms of section 18 of the MLRA, commercial fishing rights may only be granted to a South African person, which is a term defined in section 1 of the Act. In the case of a company or a close corporation, the majority of the shareholders or members must be South African persons. The section further aims to determine whether the applicant complies with the definition of a South African natural person or South African owned legal entity.

### SECTION 3: COMPLIANCE

In terms of the General policy and the applicable Fishery specific policies, various consequences may be attached to contraventions of the MLRA, the regulations or permit conditions, including the exclusion of the applicant and negative scoring. The aim of this section is to determine whether the applicant has been convicted of any such contravention and to assess the seriousness of the contravention.

In this section the answer “**yes**” will be presumed if the applicant fails to answer the question.

**3.2.** Applicants must answer “**yes**” to the question, even if the asset detained, arrested or seized in terms of the MLRA or restrained or preserved in terms of the Prevention of Organised Crime Act, was later released. The circumstances surrounding the detention, arrest, seizure or restraint or preservation order and the outcome of the process, i.e. whether the asset was confiscated or forfeited to the State, must be dealt with in the annexure.

**3.3.** Applicants must answer “**yes**” to the question only if the applicant's right or permit in this fishery has been revoked, cancelled, reduced or altered under section 28(3) of the MLRA. The circumstances must be explained in the annexure.

### SECTION 4: VESSEL DETAILS

This section requires the applicant to furnish the details of each vessel nominated by the applicant. If the requested details are not available, the reasons for this must be explained in the annexure.

### SECTION 5: CATCH UTILISATION

**This section is only applicable to applicants that were granted long-term 2005/6 fishing rights in the Demersal Shark Sector.**

This section requests details regarding the applicant's catch records during the long term rights period (2007- 2013). Only Information relating to the applicant's company/ close

corporation should be included and not information relating to other members of a group of companies or sister companies. In this section, the applicant shall indicate which years it applied and was issued catch permits by the Department. Under this section applicants are further required to provide reasons as to why the permits were not applied for.

#### **SECTION 6: TRANSFORMATION**

This section seeks to understand the applicant's transformation profile. In this case the Department wants to ascertain the applicant's percentage of the designated group in management and ownership of their legal entities. Skills development is also attested with regard to the applicant's initiatives in training designated group people. An understanding as to whether the applicant makes donations and details of such donations is also being confirmed. Affirmative procurement is also verified as to whether the applicant procures goods/services from designated groups owned companies. Details of relevant information shall be appended as per the schedules for this sector.

#### **SECTION 7: SAFETY**

This section requires the applicant to provide information that relates to occupational health and safety. The Department wants to confirm whether the applicant has some insurance in place in-order to compensate crew in cases of injuries and loss of lives. The applicant is reminded in these notes to adhere to all necessary safety requirements and measures in relevant South African legislation.

#### **SECTION 8: JOB CREATION**

The aim of this section is to establish the number and quality of jobs provided by the applicant and the total amount spent on salaries since 2007.

#### **SECTION 9: INVESTMENT**

The aim of this section is to establish the rand value of harbour and sea-based assets of the applicant in the sector applied for. Applicants involved in industries other than the fishing industry must provide a breakdown of assets used in the fishing industry and in other industries in the relevant annexure (separately for insured values).

**SECTION 10: LOCAL ECONOMIC DEVELOPMENT**

The aim of this section is to establish the applicant's potential to contribute to local economic development in economically depressed areas/non-traditional fishing areas by assessing the preferred landing points and processing facilities.

**SECTION 11: FINANCIAL PERFORMANCE**

The aim of this section is to establish the size of the entity and the dependence of the entity on the turnover generated in this fishery. As it is difficult to accurately apportion turnover on a per sector basis, a rough estimate or division will suffice, provided that the same apportionment is used in any other application made by the applicant. In other words, the same breakdown must be provided by the applicant in applications for fishing rights in other sectors. Financial statements must be provided in the relevant annexure.

**SECTION 12: FISHING COMPETENCY**

This section is required to be completed by all applicants and provides an opportunity for the applicant to furnish, by way of an annexure, summarised information of its fishing competency (including additional information not already covered in the application) in support of its application. This information should not be copied from other applicants. The information presented here may be used for tie-breaking.

**SECTION 13: FISHING LEVIES**

This section is to assess the status of levies with respect to existing right holders in this fishery. This section must only be completed by applicants that have been granted a long-term fishing right in 2005/2006 or have acquired a fishing right through an approved section 21 application in this fishing sector.



## agriculture, forestry & fisheries

Department:  
Agriculture, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

### **HAKE HANDLINE: EXPLANATORY NOTES- FISHING RIGHTS ALLOCATION PROCESS 2013 (FRAP: 2013).**

THE PURPOSE OF THE EXPLANATORY NOTES IS TO ASSIST APPLICANTS IN COMPLETING THE APPLICATION FORM. SOME SECTIONS ARE CONSIDERED TO BE SELF-EXPLANATORY AND ARE NOT COVERED IN THESE EXPLANATORY NOTES.

The MLRA is the Marine Living Resources Act 18 of 1998. A copy is available at FRAP: 2013 application distribution centres.

#### **SECTION 1 AND 2: APPLICANT DETAILS**

Applicants must either complete section 1 or section 2 in full. Section 1 to be completed by applicants that are applying as individuals and section 2 to be completed by applicants that are applying as Close Corporations. Applicants must make reference to schedules attached to the application form and shall furnish information as required. Requested Annexures as per schedule shall be appended to the application.

#### **SECTION 3: FORM OF APPLICANT**

One of the aims of this section is to determine whether the applicant is a first time applicant or held a long-term right in the sector applying for. Further it is to establish whether the applicant has linkages to other entities that has applied or intends to lodge applications in FRAP: 2013. Shareholding in entities currently holding rights is also being ascertained.

In terms of section 18 of the MLRA, commercial fishing rights may only be granted to a South African person, which is a term defined in section 1 of the Act. In the case of a company or a close corporation, the majority of the shareholders or members must be South African persons. The section further aims to determine whether the applicant complies with the definition of a South African natural person or South African owned legal entity.

#### **SECTION 4: COMPLIANCE**

HAKE HANDLINE: EXPLANATORY NOTES- FISHING RIGHTS ALLOCATION PROCESS 2013 (FRAP: 2013).

In terms of the General policy and the applicable Fishery specific policies, various consequences may be attached to contraventions of the MLRA, the regulations or permit conditions, including the exclusion of the applicant and negative scoring. The aim of this section is to determine whether the applicant has been convicted of any such contravention and to assess the seriousness of the contravention.

In this section the answer **“yes”** will be presumed if the applicant fails to answer the question.

**4.2.** Applicants must answer **"yes"** to the question, even if the asset detained, arrested or seized in terms of the MLRA or restrained or preserved In terms of the Prevention of Organised Crime Act, was later released. The circumstances surrounding the detention, arrest, seizure or restraint or preservation order and the outcome of the process, i.e. whether the asset was confiscated or forfeited to the State, must be dealt with in the annexure.

**4.3.** Applicants must answer **"yes"** to the question only if the applicant's right or permit in this fishery has been revoked, cancelled, reduced or altered under section 28(3) of the MLRA. The circumstances must be explained in the annexure.

## **SECTION 5: VESSEL DETAILS**

This section requires the applicant to furnish the details of each vessel nominated by the applicant. If the requested details are not available, the reasons for this must be explained in the annexure.

## **SECTION 6: CATCH UTILISATION**

**This section is only applicable to applicants that where granted long-term 2005/6 fishing rights in this sector.**

This section requests details regarding the applicant's catch records during the long term rights period (2007- 2013). Only Information relating to the applicant should be included. In this section, the applicant shall indicate which years it applied and was issued catch permits by the Department. Under this section applicants are further required to provide reasons as to why the permits were not applied for.

## **SECTION 7: HISTORICAL INVOLVEMENT**

This section requires the applicant to provide description of all the applicant's fishing activities and those of its members/shareholders, including involvement in other sectors, previous involvement and experience, and of how the fishing business is run. This section also requires the applicant to describe any other work (other than involvement in hake handline) that the applicant does.

#### **SECTION 8: TRANSFORMATION AND JOB CREATION**

Skills development is attested with regard to the applicant's initiatives in training designated group people. An understanding as to whether the applicant makes donations and details of such donations is also being confirmed. Affirmative procurement is also verified as to whether the applicant procures goods/services from designated groups owned companies. Details of relevant information shall be appended as per the schedules for this sector. The aim of this section is to establish the number and quality of jobs provided by the applicant and the total amount spent on salaries since 2007.

#### **SECTION 10: INVESTMENT**

The aim of this section is to establish the rand value of the applicants assets related to fishing activities. Applicants involved in industries other than the fishing industry must provide a breakdown of assets used in the fishing industry and in other industries in the relevant annexure (separately for insured values).

#### **SECTION 11: LOCAL ECONOMIC DEVELOPMENT**

The aim of this section is to establish the applicant's potential to contribute to local economic development in economically depressed areas/non-traditional fishing areas by assessing the preferred landing points and processing facilities.

#### **SECTION 12: SKILLS**

The aim of this section is to establish whether the entity has the necessary skills for enter the fishery.

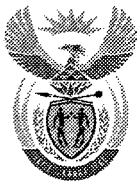
#### **SECTION 13: FISHING COMPETENCY**

This section is required to be completed by all applicants and provides an opportunity for the applicant to furnish, by way of an annexure, summarised information of his/her fishing credentials (including additional information not already covered in the application) in support of his/her application. This information should not be copied from other applicants. The information presented here may be used for tie-breaking.

#### **SECTION 14: FISHING LEVIES**

This section is to assess the status of levies with respect to existing right holders in this fishery. This section must only be completed by applicants that have been granted a long-term fishing right in 2005/2006 or have acquired a fishing right through an approved section 21 application in this fishing sector.





## agriculture, forestry & fisheries

Department:  
Agriculture, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

### **TUNA POLE-LINE EXPLANATORY NOTES- FISHING RIGHTS ALLOCATION PROCESS 2013 (FRAP: 2013)**

THE PURPOSE OF THE EXPLANATORY NOTES IS TO ASSIST APPLICANTS IN COMPLETING THE APPLICATION FORM.

The MLRA is the Marine Living Resources Act 18 of 1998. A copy is available at FRAP: 2013 application distribution centres.

#### **SECTION 1: APPLICANT DETAILS**

This section must be completed in full. All fields in this section are compulsory. Applicants must make reference to schedules attached to the application form and shall furnish information as required. Requested Annexures as per schedule shall be appended to the application.

#### **SECTION 2: FORM OF APPLICANT**

One of the aims of this section is to determine whether the applicant is a first time applicant or held a long-term right in the sector applying for. Further it is to establish whether the applicant has linkages to other entities that has applied or intends to lodge applications in FRAP: 2013. Shareholding in entities currently holding rights is also being ascertained.

In terms of section 18 of the MLRA, commercial fishing rights may only be granted to a South African person, which is a term defined in section 1 of the Act. In the case of a company or a close corporation, the majority of the shareholders or members must be South African persons. The section further aims to determine whether the applicant complies with the definition of a South African natural person or South African owned legal entity.

#### **SECTION 3: COMPLIANCE**

In terms of the General policy and the applicable Fishery specific policies, various consequences may be attached to contraventions of the MLRA, the regulations or permit conditions, including the exclusion of the applicant and negative scoring. The aim of this section is to determine whether the applicant has been convicted of any such contravention and to assess the seriousness of the contravention.

In this section the answer “**yes**” will be presumed if the applicant fails to answer the question.

**3.2.** Applicants must answer “**yes**” to the question, even if the asset detained, arrested or seized in terms of the MLRA or restrained or preserved in terms of the Prevention of Organised Crime Act, was later released. The circumstances surrounding the detention, arrest, seizure or restraint or preservation order and the outcome of the process, i.e. whether the asset was confiscated or forfeited to the State, must be dealt with in the annexure.

**3.3.** Applicants must answer “**yes**” to the question only if the applicant's right or permit in this fishery has been revoked, cancelled, reduced or altered under section 28(3) of the MLRA. The circumstances must be explained in the annexure.

#### **SECTION 4: VESSEL DETAILS**

This section requires the applicant to furnish the details of each vessel nominated by the applicant. If the requested details are not available, the reasons for this must be explained in the annexure.

#### **SECTION 5: CATCH UTILISATION**

**This section is only applicable to applicants that were granted long-term 2005/6 fishing rights in this sector.**

This section requests details regarding the applicant's catch records during the long term rights period (2007- 2013). Only Information relating to the applicant's company/ close corporation should be included and not information relating to other members of a group of companies or sister companies. In this section, the applicant shall indicate which years it applied and was issued catch permits by the Department. Under this section applicants are further required to provide reasons as to why the permits were not applied for.

#### **SECTION 6: TRANSFORMATION**

This section seeks to understand the applicant's transformation profile. In this case the Department wants to ascertain the applicant's percentage of the designated group in management and ownership of their legal entities. Skills development is also attested with regard to the applicant's initiatives in training designated groups. An understanding as to whether the applicant makes donations and details of such donations is also being confirmed. Affirmative procurement is also verified as to whether the applicant procures goods/services from companies owned by designated groups. Details of relevant information shall be appended as per the schedules for this sector.

#### **SECTION 7: SAFETY**

This section requires the applicant to provide information that relates to occupational health and safety. The Department wants to confirm whether the applicant has some insurance in place in order to compensate crew in cases of injuries and loss of lives. The applicant is reminded in these notes to adhere to all necessary safety requirements and measures in relevant South African legislation.

#### **SECTION 8: JOB CREATION**

The aim of this section is to establish the number and quality of jobs provided by the applicant and the total amount spent on salaries since 2007.

#### **SECTION 9: INVESTMENT**

The aim of this section is to establish the insured rand value of harbour and sea-based assets of the applicant in the sector applied for. Applicants involved in industries other than the fishing industry must provide a breakdown of assets used in the fishing industry and in other industries in the relevant annexure.

#### **SECTION 10: LOCAL ECONOMIC DEVELOPMENT**

The aim of this section is to establish the applicant's potential to contribute to local economic development in economically depressed areas/ non-traditional fishing areas by assessing the preferred landing points and processing facilities.

#### **SECTION 11: FINANCIAL PERFORMANCE**

The aim of this section is to establish the size of the entity and the dependence of the entity on the turnover generated in this fishery. As it is difficult to accurately apportion turnover on a per sector basis, a rough estimate or division will suffice, provided that the same apportionment is used in any other application made by the applicant. In other words, the same breakdown must be provided by the applicant in applications for fishing rights in other sectors. Financial statements must be provided in the relevant annexure.

## **SECTION 12: FISHING COMPETENCY**

This section is required to be completed by all applicants and provides an opportunity for the applicant to furnish, by way of an annexure, summarised information of its fishing background and ability (including additional information not already covered in the application) in support of its application. This information should not be copied from other applicants. The information presented here may be used for tie-breaking.

## **SECTION 13: FISHING LEVIES**

**This section is only applicable to applicants that were granted long-term 2005/6 fishing rights in this sector.**

This section is to assess the status of levies with respect to existing right holders in this fishery. This section must only be completed by applicants that have been granted a long-term fishing right in 2005/2006 or have acquired a fishing right through an approved section 21 application in this fishing sector.



## agriculture, forestry & fisheries

Department:  
Agriculture, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

### **TRADITIONAL LINEFISH: EXPLANATORY NOTES- FISHING RIGHTS ALLOCATION PROCESS 2013 (FRAP: 2013).**

THE PURPOSE OF THE EXPLANATORY NOTES IS TO ASSIST APPLICANTS IN COMPLETING THE APPLICATION FORM.

The MLRA is the Marine Living Resources Act 18 of 1998. A copy is available at FRAP: 2013 application distribution centres.

#### **SECTION 1: APPLICANT DETAILS**

This section must be completed in full. All fields in this section are compulsory. Applicants must make reference to schedules attached to the application form and shall furnish information as required. Requested Annexures as per schedule shall be appended to the application.

#### **SECTION 2: FORM OF APPLICANT**

One of the aims of this section is to determine whether the applicant is a first time applicant or held a long-term right in the sector applying for. Further it is to establish whether the applicant has linkages to other entities that has applied or intends to lodge applications in FRAP: 2013. Shareholding in entities currently holding rights is also being ascertained.

In terms of section 18 of the MLRA, commercial fishing rights may only be granted to a South African person, which is a term defined in section 1 of the Act. In the case of a company or a close corporation, the majority of the shareholders or members must be South African persons. The section further aims to determine whether the applicant complies with the definition of a South African natural person or South African owned legal entity.

#### **SECTION 3: COMPLIANCE**

In terms of the General policy and the applicable Fishery specific policies, various consequences may be attached to contraventions of the MLRA, the regulations or permit conditions, including the exclusion of the applicant and negative scoring. The aim of this

TRADITIONAL LINEFISH: EXPLANATORY NOTES- FISHING RIGHTS ALLOCATION PROCESS 2013 (FRAP: 2013).

section is to determine whether the applicant has been convicted of any such contravention and to assess the seriousness of the contravention.

In this section the answer “**yes**” will be presumed if the applicant fails to answer the question.

**3.2.** Applicants must answer “**yes**” to the question, even if the asset detained, arrested or seized in terms of the MLRA or restrained or preserved In terms of the Prevention of Organised Crime Act, was later released. The circumstances surrounding the detention, arrest, seizure or restraint or preservation order and the outcome of the process, i.e. whether the asset was confiscated or forfeited to the State, must be dealt with in the annexure.

**3.3.** Applicants must answer “**yes**” to the question only if the applicant's right or permit in this fishery has been revoked, cancelled, reduced or altered under section 28(3) of the MLRA. The circumstances must be explained in the annexure.

#### **SECTION 4: VESSEL DETAILS**

This section requires the applicant to furnish the details of each vessel nominated by the applicant. If the requested details are not available, the reasons for this must be explained in the annexure.

#### **SECTION 5: CATCH UTILISATION**

**This section is only applicable to applicants that where granted long-term 2005/6 fishing rights in this sector.**

This section requests details regarding the applicant's catch records during the long term rights period (2007- 2013). Only Information relating to the applicant should be included. In this section, the applicant shall indicate which years it applied and was issued catch permits by the Department. Under this section applicants are further required to provide reasons as to why the permits were not applied for.

#### **SECTION 6: HISTORICAL INVOLVEMENT**

The aim of this section is to ascertain the historical involvement for those applicants who were not awarded 2005/6 long term commercial fishing rights. In this section the Departments wants to know whether the applicant participated as crew in this sector from 2007 to 2012.

**SECTION 7, 8, 9 and 10: TRANSFORMATION**

Skills development is attested with regard to the applicant's initiatives in training designated group people. An understanding as to whether the applicant makes donations and details of such donations is also being confirmed. Affirmative procurement is also verified as to whether the applicant procures goods/services from designated groups owned companies. Details of relevant information shall be appended as per the schedules for this sector.

**SECTION 11: SAFETY**

This section requires the applicant to provide information that relates to occupational health and safety. The Department wants to confirm whether the applicant has some insurance in place in-order to compensate crew in cases of injuries and loss of lives. The applicant is reminded in these notes to adhere to all necessary safety requirements and measures in relevant South African legislation.

**SECTION 12: JOB CREATION**

The aim of this section is to establish the number and quality of jobs provided by the applicant and the total amount spent on salaries since 2007.

**SECTION 13: INVESTMENT**

The aim of this section is to establish the rand value of the applicants assets related to fishing activities. Applicants involved in industries other than the fishing industry must provide a breakdown of assets used in the fishing industry and in other industries in the relevant annexure (separately for insured values).

**SECTION 14: LOCAL ECONOMIC DEVELOPMENT**

The aim of this section is to establish the applicant's potential to contribute to local economic development in economically depressed areas/non-traditional fishing areas by assessing the preferred landing points and processing facilities.

**SECTION 15: FINANCIAL PERFORMANCE**

The aim of this section is to establish the size of the entity and the dependence of the entity on the turnover generated in this fishery. As it is difficult to accurately apportion turnover on a per sector basis, a rough estimate or division will suffice, provided that the same

TRADITIONAL LINEFISH: EXPLANATORY NOTES- FISHING RIGHTS ALLOCATION PROCESS 2013 (FRAP: 2013).

apportionment is used in any other application made by the applicant. In other words, the same breakdown must be provided by the applicant in applications for fishing rights in other sectors. Financial statements must be provided in the relevant annexure.

#### **SECTION 16: FISHING CREDENTIALS**

This section is required to be completed by all applicants and provides an opportunity for the applicant to furnish, by way of an annexure, summarised information of his/her fishing credentials (including additional information not already covered in the application) in support of his/her application. This information should not be copied from other applicants. The information presented here may be used for tie-breaking.

#### **SECTION 17: FISHING LEVIES**

This section is to assess the status of levies with respect to existing right holders in this fishery. This section must only be completed by applicants that have been granted a long-term fishing right in 2005/2006 or have acquired a fishing right through an approved section 21 application in this fishing sector.





## agriculture, forestry & fisheries

Department:  
Agriculture, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

### **SQUID: EXPLANATORY NOTES- FISHING RIGHTS ALLOCATION PROCESS 2013 (FRAP: 2013)**

THE PURPOSE OF THE EXPLANATORY NOTES IS TO ASSIST APPLICANTS IN COMPLETING THE APPLICATION FORM. SOME SECTIONS ARE CONSIDERED TO BE SELF-EXPLANATORY AND ARE NOT COVERED IN THESE EXPLANATORY NOTES.

The MLRA is the Marine Living Resources Act 18 of 1998. A copy is available at FRAP: 2013 application distribution centres.

#### **SECTION 1: APPLICANT DETAILS**

This section must be completed in full. All fields in this section are compulsory. Applicants must make reference to schedules attached to the application form and shall furnish information as required. Requested Annexures as per schedule shall be appended to the application.

#### **SECTION 2: FORM OF APPLICANT**

One of the aims of this section is to determine whether the applicant is a first time applicant or held a long-term right in the sector applying for. Further it is to establish whether the applicant has linkages to other entities that has applied or intends to lodge applications in FRAP: 2013. Shareholding in entities currently holding rights is also being ascertained.

In terms of section 18 of the MLRA, commercial fishing rights may only be granted to a South African person, which is a term defined in section 1 of the Act. In the case of a company or a close corporation, the majority of the shareholders or members must be South African persons. The section further aims to determine whether the applicant complies with the definition of a South African natural person or South African owned legal entity.

#### **SECTION 3: COMPLIANCE**

SQUID: EXPLANATORY NOTES- FISHING RIGHTS ALLOCATION PROCESS 2013 (FRAP: 2013).

In terms of the General policy and the applicable Fishery specific policies, various consequences may be attached to contraventions of the MLRA, the regulations or permit conditions, including the exclusion of the applicant and negative scoring. The aim of this section is to determine whether the applicant has been convicted of any such contravention and to assess the seriousness of the contravention.

In this section the answer **“yes”** will be presumed if the applicant fails to answer the question.

**3.2.** Applicants must answer **“yes”** to the question, even if the asset detained, arrested or seized in terms of the MLRA or restrained or preserved In terms of the Prevention of Organised Crime Act, was later released. The circumstances surrounding the detention, arrest, seizure or restraint or preservation order and the outcome of the process, i.e. whether the asset was confiscated or forfeited to the State, must be dealt with in the annexure.

**3.3.** Applicants must answer **“yes”** to the question only if the applicant's right or permit in this fishery has been revoked, cancelled, reduced or altered under section 28(3) of the MLRA. The circumstances must be explained in the annexure.

#### **SECTION 4: VESSEL DETAILS**

This section requires the applicant to furnish the details of each vessel nominated by the applicant. If the requested details are not available, the reasons for this must be explained in the annexure.

#### **SECTION 5: CATCH UTILISATION**

**This section is only applicable to applicants that were granted long-term 2005/6 fishing rights in this sector.**

This section requests details regarding the applicant's catch records during the long term rights period (2007- 2013). Only Information relating to the applicant's company/ close corporation should be included and not information relating to other members of a group of companies or sister companies. In this section, the applicant shall indicate which years it applied and was issued catch permits by the Department. Under this section applicants are further required to provide reasons as to why the permits were not applied for.

**SECTION 6: TRANSFORMATION**

This section seeks to understand the applicant's transformation profile. In this case the Department wants to ascertain the applicant's percentage of the designated group in management and ownership of their legal entities. Skills development is also attested with regard to the applicant's initiatives in training designated group people. An understanding as to whether the applicant makes donations and details of such donations is also being confirmed. Affirmative procurement is also verified as to whether the applicant procures goods/services from designated groups owned companies. Details of relevant information shall be appended as per the schedules for this sector.

**SECTION 7: SAFETY**

This section requires the applicant to provide information that relates to occupational health and safety. The Department wants to confirm whether the applicant has some insurance in place in-order to compensate crew in cases of injuries and loss of lives. The applicant is reminded in these notes to adhere to all necessary safety requirements and measures in relevant South African legislation.

**SECTION 8: JOB CREATION**

The aim of this section is to establish the number and quality of jobs provided by the applicant and the total amount spent on salaries since 2007.

**SECTION 9: INVESTMENT**

The aim of this section is to establish the rand value of harbour and sea-based assets of the applicant in the sector applied for. Applicants involved in industries other than the fishing industry must provide a breakdown of assets used in the fishing industry and in other industries in the relevant annexure (separately for insured values).

**SECTION 10: LOCAL ECONOMIC DEVELOPMENT**

The aim of this section is to establish the applicant's potential to contribute to local economic development in economically depressed areas/non-traditional fishing areas by assessing the preferred landing points and processing facilities.

**SECTION 11: FINANCIAL PERFORMANCE**

The aim of this section is to establish the size of the entity and the dependence of the entity on the turnover generated in this fishery. As it is difficult to accurately apportion turnover on a per sector basis, a rough estimate or division will suffice, provided that the same apportionment is used in any other application made by the applicant. In other words, the same breakdown must be provided by the applicant in applications for fishing rights in other sectors. Financial statements must be provided in the relevant annexure.

## **SECTION 12: FISHING CREDENTIALS**

This section is required to be completed by all applicants and provides an opportunity for the applicant to furnish, by way of an annexure, summarised information of its fishing credentials (including additional information not already covered in the application) in support of its application. This information should not be copied from other applicants. The information presented here may be used for tie-breaking.

## **SECTION 13: FISHING LEVIES**

This section is to assess the status of levies with respect to existing right holders in this fishery. This section must only be completed by applicants that have been granted a long-term fishing right in 2005/2006 or have acquired a fishing right through an approved section 21 application in this fishing sector.



## agriculture, forestry & fisheries

Department:  
Agriculture, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

### **KZN PRAWN TRAWL: EXPLANATORY NOTES- FISHING RIGHTS ALLOCATION PROCESS 2013 (FRAP: 2013)**

THE PURPOSE OF THE EXPLANATORY NOTES IS TO ASSIST APPLICANTS IN COMPLETING THE APPLICATION FORM. SOME SECTIONS ARE CONSIDERED TO BE SELF-EXPLANATORY AND ARE NOT COVERED IN THESE EXPLANATORY NOTES.

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#### **SECTION 1: APPLICANT DETAILS**

This section must be completed in full. All fields in this section are compulsory. Applicants must make reference to schedules attached to the application form and shall furnish information as required. Requested Annexures as per schedule shall be appended to the application.

#### **SECTION 2: FORM OF APPLICANT**

One of the aims of this section is to determine whether the applicant is a first time applicant or held a long-term right in the sector applying for. Further it is to establish whether the applicant has linkages to other entities that has applied or intends to lodge applications in FRAP: 2013. Shareholding in entities currently holding rights is also being ascertained.

In terms of section 18 of the MLRA, commercial fishing rights may only be granted to a South African person, which is a term defined in section 1 of the Act. In the case of a company or a close corporation, the majority of the shareholders or members must be South African persons. The section further aims to determine whether the applicant complies with the definition of a South African natural person or South African owned legal entity.

#### **SECTION 3: COMPLIANCE**

KZN PRAWN TRAWL: EXPLANATORY NOTES- FISHING RIGHTS ALLOCATION PROCESS 2013 (FRAP: 2013).

In terms of the General policy and the applicable Fishery specific policies, various consequences may be attached to contraventions of the MLRA, the regulations or permit conditions, including the exclusion of the applicant and negative scoring. The aim of this section is to determine whether the applicant has been convicted of any such contravention and to assess the seriousness of the contravention.

In this section the answer **“yes”** will be presumed if the applicant fails to answer the question.

**3.2.** Applicants must answer **"yes"** to the question, even if the asset detained, arrested or seized in terms of the MLRA or restrained or preserved In terms of the Prevention of Organised Crime Act, was later released. The circumstances surrounding the detention, arrest, seizure or restraint or preservation order and the outcome of the process, i.e. whether the asset was confiscated or forfeited to the State, must be dealt with in the annexure.

**3.3.** Applicants must answer **"yes"** to the question only if the applicant's right or permit in this fishery has been revoked, cancelled, reduced or altered under section 28(3) of the MLRA. The circumstances must be explained in the annexure.

#### **SECTION 4: VESSEL DETAILS**

This section requires the applicant to furnish the details of each vessel nominated by the applicant. If the requested details are not available, the reasons for this must be explained in the annexure.

#### **SECTION 5: CATCH UTILISATION**

**This section is only applicable to applicants that were granted long-term 2005/6 fishing rights in this sector.**

This section requests details regarding the applicant's catch records during the long term rights period (2007- 2013). Only Information relating to the applicant's company/ close corporation should be included and not information relating to other members of a group of companies or sister companies. In this section, the applicant shall indicate which years it applied and was issued catch permits by the Department. Under this section applicants are further required to provide reasons as to why the permits were not applied for.

**SECTION 6: TRANSFORMATION**

This section seeks to understand the applicant's transformation profile. In this case the Department wants to ascertain the applicant's percentage of the designated group in management and ownership of their legal entities. Skills development is also attested with regard to the applicant's initiatives in training designated group people. An understanding as to whether the applicant makes donations and details of such donations is also being confirmed. Affirmative procurement is also verified as to whether the applicant procures goods/services from designated groups owned companies. Details of relevant information shall be appended as per the schedules for this sector.

**SECTION 7: SAFETY**

This section requires the applicant to provide information that relates to occupational health and safety. The Department wants to confirm whether the applicant has some insurance in place in-order to compensate crew in cases of injuries and loss of lives. The applicant is reminded in these notes to adhere to all necessary safety requirements and measures in relevant South African legislation.

**SECTION 8: JOB CREATION**

The aim of this section is to establish the number and quality of jobs provided by the applicant and the total amount spent on salaries since 2007.

**SECTION 9: INVESTMENT**

The aim of this section is to establish the rand value of harbour and sea-based assets of the applicant in the sector applied for. Applicants involved in industries other than the fishing industry must provide a breakdown of assets used in the fishing industry and in other industries in the relevant annexure (separately for insured values).

**SECTION 10: LOCAL ECONOMIC DEVELOPMENT**

The aim of this section is to establish the applicant's potential to contribute to local economic development in economically depressed areas/non-traditional fishing areas by assessing the preferred landing points and processing facilities.

**SECTION 11: FINANCIAL PERFORMANCE**

The aim of this section is to establish the size of the entity and the dependence of the entity on the turnover generated in this fishery. As it is difficult to accurately apportion turnover on a per sector basis, a rough estimate or division will suffice, provided that the same apportionment is used in any other application made by the applicant. In other words, the same breakdown must be provided by the applicant in applications for fishing rights in other sectors. Financial statements must be provided in the relevant annexure.

## **SECTION 12: FISHING CREDENTIALS**

This section is required to be completed by all applicants and provides an opportunity for the applicant to furnish, by way of an annexure, summarised information of its fishing credentials (including additional information not already covered in the application) in support of its application. This information should not be copied from other applicants. The information presented here may be used for tie-breaking.

## **SECTION 13: FISHING LEVIES**

This section is to assess the status of levies with respect to existing right holders in this fishery. This section must only be completed by applicants that have been granted a long-term fishing right in 2005/2006 or have acquired a fishing right through an approved section 21 application in this fishing sector.





## agriculture, forestry & fisheries

Department:  
Agriculture, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

### **OYSTER: EXPLANATORY NOTES- FISHING RIGHTS ALLOCATION PROCESS 2013 (FRAP: 2013).**

THE PURPOSE OF THE EXPLANATORY NOTES IS TO ASSIST APPLICANTS IN COMPLETING THE APPLICATION FORM.

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#### **SECTION 1: APPLICANT DETAILS**

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#### **SECTION 2: FORM OF APPLICANT**

One of the aims of this section is to determine whether the applicant is a first time applicant or held a long-term right in the sector applying for. Further it is to establish whether the applicant has linkages to other entities that has applied or intends to lodge applications in FRAP: 2013. Shareholding in entities currently holding rights is also being ascertained.

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#### **SECTION 3: COMPLIANCE**

In terms of the General policy and the applicable Fishery specific policies, various consequences may be attached to contraventions of the MLRA, the regulations or permit

OYSTER: EXPLANATORY NOTES- FISHING RIGHTS ALLOCATION PROCESS 2013 (FRAP: 2013).

conditions, including the exclusion of the applicant and negative scoring. The aim of this section is to determine whether the applicant has been convicted of any such contravention and to assess the seriousness of the contravention.

In this section the answer “**yes**” will be presumed if the applicant fails to answer the question.

**3.2.** Applicants must answer “**yes**” to the question, even if the asset detained, arrested or seized in terms of the MLRA or restrained or preserved in terms of the Prevention of Organised Crime Act, was later released. The circumstances surrounding the detention, arrest, seizure or restraint or preservation order and the outcome of the process, i.e. whether the asset was confiscated or forfeited to the State, must be dealt with in the annexure.

**3.3.** Applicants must answer “**yes**” to the question only if the applicant's right or permit in this fishery has been revoked, cancelled, reduced or altered under section 28(3) of the MLRA. The circumstances must be explained in the annexure.

## **SECTION 5: CATCH UTILISATION**

**This section is only applicable to applicants that were granted long-term 2005/6 fishing rights in this sector.**

This section requests details regarding the applicant's catch records during the long term rights period (2007- 2012). Only Information relating to the applicant should be included. In this section, the applicant shall indicate which years it applied and was issued catch permits by the Department. Under this section applicants are further required to provide reasons as to why the permits were not applied for.

**SECTIONS 6, TO 10: TRANSFORMATION**

Skills development is attested with regard to the applicant's initiatives in training designated group people. An understanding as to whether the applicant makes donations and details of such donations is also being confirmed. Affirmative procurement is also verified as to whether the applicant procures goods/services from designated groups owned companies. Details of relevant information shall be appended as per the schedules for this sector.

**SECTION 11: SAFETY**

This section requires the applicant to provide information that relates to occupational health and safety. The Department wants to confirm whether the applicant has some insurance in place in-order to compensate crew in cases of injuries and loss of lives. The applicant is reminded in these notes to adhere to all necessary safety requirements and measures in relevant South African legislation.

**SECTION 12: JOB CREATION**

The aim of this section is to establish the number and quality of jobs provided by the applicant and the total amount spent on salaries since 2007.

**SECTION 13: INVESTMENT**

The aim of this section is to establish the rand value of the applicants assets related to fishing activities. Applicants involved in industries other than the fishing industry must provide a breakdown of assets used in the fishing industry and in other industries in the relevant annexure (separately for insured values).

**SECTION 14: LOCAL ECONOMIC DEVELOPMENT**

The aim of this section is to establish the applicant's potential to contribute to local economic development in economically depressed areas/non-traditional fishing areas by assessing the preferred landing points and processing facilities.

**SECTION 15: FINANCIAL PERFORMANCE**

The aim of this section is to establish the size of the entity and the dependence of the entity on the turnover generated in this fishery. As it is difficult to accurately apportion turnover on a per sector basis, a rough estimate or division will suffice, provided that the same apportionment is used in any other application made by the applicant. In other words, the same breakdown must be provided by the applicant in applications for fishing rights in other sectors. Financial statements must be provided in the relevant annexure.

OYSTER: EXPLANATORY NOTES- FISHING RIGHTS ALLOCATION PROCESS 2013 (FRAP: 2013).

**SECTION 16: FISHING COMPETENCY**

This section is required to be completed by all applicants and provides an opportunity for the applicant to furnish, by way of an annexure, summarised information of his/her fishing competency (including additional information not already covered in the application) in support of his/her application. This information should not be copied from other applicants. The information presented here may be used for tie-breaking.



## agriculture, forestry & fisheries

Department:  
Agriculture, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

### **WHITE MUSSEL: EXPLANATORY NOTES- FISHING RIGHTS ALLOCATION PROCESS 2013 (FRAP: 2013).**

THE PURPOSE OF THE EXPLANATORY NOTES IS TO ASSIST APPLICANTS IN COMPLETING THE APPLICATION FORM.

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#### **SECTION 1: APPLICANT DETAILS**

This section must be completed in full. All fields in this section are compulsory. Applicants must make reference to schedules attached to the application form and shall furnish information as required. Requested Annexures as per schedule shall be appended to the application.

#### **SECTION 2: FORM OF APPLICANT**

One of the aims of this section is to determine whether the applicant is a first time applicant or held a long-term right in the sector applying for. Further it is to establish whether the applicant has linkages to other entities that has applied or intends to lodge applications in FRAP: 2013. Shareholding in entities currently holding rights is also being ascertained.

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#### **SECTION 3: COMPLIANCE**

In terms of the General policy and the applicable Fishery specific policies, various consequences may be attached to contraventions of the MLRA, the regulations or permit conditions, including the exclusion of the applicant and negative scoring. The aim of this

WHITE MUSSEL: EXPLANATORY NOTES- FISHING RIGHTS ALLOCATION PROCESS 2013 (FRAP: 2013).

section is to determine whether the applicant has been convicted of any such contravention and to assess the seriousness of the contravention.

In this section the answer “**yes**” will be presumed if the applicant fails to answer the question.

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## **SECTION 5: CATCH UTILISATION**

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**SECTIONS 6, TO 10: TRANSFORMATION**

Skills development is attested with regard to the applicant's initiatives in training designated group people. An understanding as to whether the applicant makes donations and details of such donations is also being confirmed. Affirmative procurement is also verified as to whether the applicant procures goods/services from designated groups owned companies. Details of relevant information shall be appended as per the schedules for this sector.

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This section is required to be completed by all applicants and provides an opportunity for the applicant to furnish, by way of an annexure, summarised information of his/her fishing competency (including additional information not already covered in the application) in support of his/her application. This information should not be copied from other applicants. The information presented here may be used for tie-breaking.

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