

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

NO. 1140

16 NOVEMBER 2015

**agriculture,
forestry & fisheries**Department:
Agriculture, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA**BRANCH: FISHERIES MANAGEMENT**

SECTOR NAME	APPLICATION NUMBER													
	IDENTIFICATION NUMBER													

Application form**For Individual applicants****Fishing Rights Allocation Process 2015/2016****FRAP 2015/2016****APPLICATION NUMBER**

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Applicant's or duly authorised representative of the applicant's (initials) _____ Commissioner of Oaths (initials) _____

IMPORTANT INFORMATION					
APPLICATION REQUIREMENTS					
IF YOU CANNOT PROVIDE THE DOCUMENTS OR INFORMATION AS REQUIRED, THEN YOU MUST SUBMIT A WRITTEN EXPLANATION FOR ITS ABSENCE IN THE PLACE OF THAT SPECIFIC ANNEXURE.					Mark the box with an "X" if the required documents are attached
No.	Sub Section	Documents or Information Required	Annexure	Applicant	Official
1	1.1 - 1.4	Provide a certified true copy of the applicant's identity document.	1A-1		
2	1.6	Original valid South African Revenue Services (SARS) Tax Clearance Certificate.	1A-2		
3	1.11 - 1.14	Provide a copy of one of the following: (a) a utility bill (water, electricity, telephone), or (b) a rent agreement for a house or flat, or (c) a bond agreement with a bank, or (d) bank statements, or (e) an affidavit from a third party confirming the current residential address of the applicant.	1C-1		
4	1.16	Provide the names, identity numbers and the relationship to the applicant of all the occupiers at the residential address where the applicant lives.	1C-2		
5	1.17	If "No", provide the name/s, identity number/s and the relationship to the applicant of all the other members of the household who earn an income and upon whom the applicant is dependent on financially.	1C-3		
6	2.1	If "Yes", provide a copy of either any commercial catch permit or a grant of right letter or a right transfer approval letter issued to the applicant in terms of the Marine Living Resources Act 18 of 1998 (MLRA).	2A-1		
7	2.7	If "Yes", provide proof of shareholding/members interest in other entities that applied for a fishing right in any other sector during FRAP2015/16.	2A-2		
8	2.9 - 2.10	If "Yes", provide proof of audited/verified/certified financial statement from all source of income in respect of the financial year which ends on any date between 1 July 2014 and 30 June 2015.	2A-3		
9	3.1	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.	3A-1		
10	3.2	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.	3A-2		
11	3.3	If "Yes", provide details and documentation regarding the conduct of the applicant, the date(s) of conviction, and the penalties imposed.	3A-3		
12	3.4	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.	3A-4		
13	3.5	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 121 of 1998 (or its predecessor) or the MLRA.	3A-5		
14	3.6	If "Yes", provide details and any documentation including the conduct of the individuals giving rise to the Section 28 proceedings.	3A-6		
15	4.1 - 4.3	If "Yes", provide proof of vessel ownership detailing shareholding in the vessel.	4A-1		
16	4.4	If "Yes", provide copy of vessel access agreement.	4A-2		
17	4.5	Provide the South African Maritime Safety Authority (SAMSA) certificate and vessel specification documents, except in cases where a vessel is still to be built or purchased.	4A-3		
18	6.1	If "Yes", provide proof of donations of the annual taxable income which qualify for deduction in terms of section 18A of the Income Tax Act 58 of 1962.	6A-1		
19	6.2	If "Yes", provide net percentage of the total procurement from black owned company (ies) for the financial year which ends on any date between 1 July 2014 and 30 June 2015.	6A-2		
20	7.1 - 7.3	If "Yes", provide applicant's employees Payroll for the financial year which ends on any date between 1 July 2014 and 30 June 2015. If "No", provide the reasons.	7A-1		
21	7.5	If "Yes", provide proof.	7A-2		
Disclaimer: A mark with an "X" by the receiving official does not confirm the authenticity of the information submitted with the application.					

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Section 1**Applicant's details**

1A. Identification Details													
1.1	Surname												
1.2	First Name(s)												
1.3	Are you a South African citizen?										Y/N		
1.4	Identity Number									Age		Gender (M/F)	
1.5	Mark with "X" in respect of your race		African			White			Coloured			Indians	
1.6	Income Tax number												

1B. Contact Details											
1.7	Telephone number										
1.8	Cellphone number										
1.9	Fax number										
1.10	Email address										

1C. Residential Address												
1.11	Street number											
1.12	Street name											
1.13	Suburb											
1.14	Town/City							Postal Code				
1.15	How many years have you lived and / or worked in the area?											
1.16	How many people live at the above address?											
1.17	Is the applicant the only income earner at the above address?										Y/N	

1D. Postal Address											
1.18	PO Box										
1.19	Suburb										
1.20	Town/City							Postal Code			

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Section 1**Applicant's details**

1E. Fishing experience			
1.21	How many years have you been involved in the fishing industry?		
1.22	In what capacity have you been involved in the fishing sector you are applying for? Tick the relevant box below.		
Diver		Boat Assistant	
Long-term right holder		Processor	
		Factory employee	
		Marketer	
		Vessel Owner	
		Other (specify)	
1.23	What work are you currently involved in? (enter details below).		

Section 2**Form of applicant**

2A. Right allocation records			
2.1	Were you awarded a fishing right since 2003?		
		Y/N	
2.2	If "Yes," in "2.1" complete the table below for all fishing rights allocated to you.		
	Name of Right Holder	Sector	Right Holder number
			% ownership of the right
2.3	Have you applied for any other fishing rights during the Fishing Rights Allocation Process: 2015/16 (FRAP 2015/16)?		
		Y/N	
2.4	If "Yes," in "2.3" complete the table below for all fishing rights applied for (including this application) in order of preference.		
	Name of Applicant for other right	Fishery	Application Number

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Section 2**Form of applicant**

2A. Right allocation records			
2.5	Is there any other person in the same household as defined in the Sector Specific policy who has applied for any fishing right during the Fishing Rights Allocation Process: 2015/16 (FRAP 2015/16)?		Y/N
2.6	If "Yes," in "2.5" complete the table below in respect of that person/s.		
	Name of person	Application number	Relationship to you (i.e. parent, guardian, spouse or dependent)
2.7	Are you a member, director, shareholder or beneficiary of any legal entity: company, close corporation or trust that applied for a fishing right in any other fishing sector during FRAP 2015/16?		Y/N
2.8	If "Yes," in "2.7" complete the table below for all fishing rights applied for (including this application) in order of preference (excluding Fish Processing Establishment).		
	Name of a company or close corporation	Application number	Applicants percentage shareholding or Membership interests
01			
02			
03			
04			
05			
06			
07			
08			
09			
10			
2.9	Did you derive income from any other sources other than fisheries in respect of the financial year which ends on any date between 1 July 2014 and 30 June 2015? If "Yes," complete the table below.		Y/N
	Annual turnover in Rands (most recently audited, verified or certified figures)	%derived from fisheries	%derived from other sources
2.10	Are you deriving income from other sources of income in the current financial year or tax year? If yes complete field below in respect of other sources of income.		Y/N

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Section 3**Compliance**

3.1	Have you been charged with an offence under the MLRA, or the regulations or permit conditions since 2003?	Y/N	
3.2	Have you 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 since 2003?	Y/N	
3.3	Have you been convicted of a contravention of the MLRA, or the regulations, or permit conditions since 2003?	Y/N	
3.4	Have you paid an admission of guilt fine for a contravention of the MLRA, the regulations, or the permit conditions since 2003?	Y/N	
3.5	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 since 2003?	Y/N	
3.6	Was your right or permit suspended, revoked, cancelled, reduced or altered under section 28 of the MLRA since 2003?	Y/N	
Has the applicant complied fully with the legislation listed below?			
3.7	Compensation for Occupational Injuries & Diseases Act 130 of 1993	Y/N	
3.8	Occupational Health & Safety Act 85 of 1993	Y/N	
3.9	Basic Conditions of Employment Act 75 of 1997	Y/N	
3.10	Marine Living Resources Act 18 of 1998	Y/N	
3.11	Customs & Excise Act 91 of 1964	Y/N	

Section 4**Access to a suitable vessel**

4.1	Do you own a suitable vessel (>50% ownership)?			Y/N	
4.2	Do you have a 50% ownership in a suitable vessel?			Y/N	
4.3	Do you have part-ownership in a suitable vessel (<50%)?			Y/N	
4.4	Do you have an access agreement in a suitable vessel (e.g. catch agreement, charter agreement, or bank guarantee)?			Y/N	
4.5	Do you consider building a vessel?			Y/N	
4.5	Vessel Details (complete vessel details below).				
Vessel name			Gross tonnage (gt)		Vessel length (m)
Vessel type			Vessel horse power (kw)		Number of crew
4.6	Complete the table below in respect of the value of the vessel including all fishing equipment.				
Total book value (Rand)			Total insured value (Rand)		

Section 5**Fishing Performance**

5.1	Did you utilise your fishing right for at least five years during the period 2007 to 2014 (2005 to 2013 in case of abalone)?	Y/N	
5.2	Complete the table below in relation to your catch records in the sector applying for.		

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Year	Catch permit applied for? (Y/N)	Right Number (e.g. NETM)	Name(s) of vessel(s)	Number of crew allocated	Individual TAC (Right holder quantum)	Did you land any fish? (Y/N)	Actual amount landed in kilograms
2005							
2006							
2007							
2008							
2009							
2010							
2011							
2012							
2013							
2014							

Section 6 Transformation

6A. Cooperate social investment

6.1	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?	Y/N	
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6B. Affirmative procurement

6.2	Does the applicant procure goods / services from majority black owned company (ies)?	Y/N	
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6C. Local Economic Development

6.3	Complete the table below in respect to harbours where catch has been landed and processed.			
Year	Harbour name	Quantity landed (kilograms)	Factory name	Quantity processed (kilograms)
2010				
2011				
2012				
2013				
2014				

Section 6 Transformation

6C. Local Economic Development

6.4	Complete the table below in respect of harbours where catch is to be landed and processed Rank by order of usage from 1 – 3 (3 being the highest).
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Harbour Name	Frequency of usage	Factory name	Frequency of usage

Section 7

Job creation

7.1	Do you provide permanent employment? If yes complete the table below in respect of the financial year which ends on any date between 1 July 2014 and 30 June 2015.	Y/N	
Total number of employees	% of employees involved in fishing operations (including admin staff)	% of employees involved in the sector being applied for.	
Total wages paid to all employees	% wages paid to employees involved in fishing	% paid to employees involved in the sector being applied for	

7.2	Complete the following table in relation to the applicants employees as at 28 February 2015															
	Gross monthly income (total cost to company)	Average Monthly Income	Number of employees	Percentage of total employees (%)	Specify the number of HDI employees						Specify the percentage of HDI employees					
					A	C	I	F	Y	D	A	C	I	F	Y	D
1	>R75 000															
2	Between R75 000 and R50 000															
3	Between R50 000 and R25 000															
4	Between R25 000 and R20 000															
5	Between R20 000 and R15 000															
6	Between R15 000 and R10 000															
7	Between R10 000 and R5 000															
8	Between R5 000 and R2 500															
9	Below R2 500															
	Total (in all unshaded spaces/blocks/cells)			100%												

Section 7

Job creation

7.2	Do you contribute towards medical aid or any kind of medical support arrangement for more than 50% of your employees?	Y/N	
7.3	Do you contribute towards pension/provident fund for more than 50% of your employees?	Y/N	
7.4	Do you provide all your employees with safe working conditions at sea?	Y/N	

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Section 8**Applicant Declaration**

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

- (a) I have read the instructions set out in this application form and the General Policy on the Allocation and Management of Fishing Rights: 2013 and the Sector Specific Fishery Policy: 2015.
- (b) The information submitted with and in this Application is true and correct and complete.
- (c) I accept that if any information in and with 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/her delegate or an official of the Department of Agriculture, Forestry and Fisheries or the Fishing Rights Verification Team.
- (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 relevant Sector Specific Policy or in this application form, will result in the application being declined.

**Signed
at :**

This _____ **day of** _____ **20** _____

**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?

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

Details of the person who completed the form.

Contact Name

Identity number

Work telephone number

Cellphone number

Fax number

Email address

Position held/relation to applicant

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