



# agriculture, forestry & fisheries

Department:  
Agriculture, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

20 November 2015

## **MEDIA STATEMENT** **DECISIONS BY MINISTER ON APPEALS LODGED IN THE SQUID** **FISHERY**

**The purpose of this media statement issued by** the Minister of Agriculture, Forestry and Fisheries, Mr Senzeni Zokwana, is to inform the South African public and the squid industry in particular of the Minister's decisions on appeals filed against decisions taken on 30 December 2013 in the squid fishery ("the squid fishery").

The Minister's appeals advisory team, comprising Adv. Shaheen Moolla, Prof. Julian Smith and Ms. Mamakhe Mdhluli initially scrutinized the appeals during June and July 2015. Thereafter the Appeals Team considered and evaluated appeals in the squid sector between 21 August 2015 and 25 August 2015 and again between 9 November 2015 and 17 November 2015.

On 18 November 2015, Minister Senzeni Zokwana was briefed by his appeals advisory team on the 98 appeals that were filed by appellants in the squid fishery. On 19 November 2015, Minister Zokwana decided the appeals in the squid fishery.

It is worth noting that the appeals team had met with representatives of the SA Squid Management Industry Association (SASMIA) on Friday 30 October 2015 in order to inform SASMIA as a Section 8 industry representative body that the Minister would be deciding appeals in the squid fishery; and to

request SASMIA's advices and inputs relevant to the future management of the squid industry.

### ***Background***

A total of 98 appeals were filed in this fishery. Of these, 37 were by right holder applicants and 61 from new entrant applicants. Of the right holder appellants, 7 were unsuccessful applicants (who had continued to fish squid in terms of a section 81 exemption authorization), while the remaining 30 had appealed either on the basis of effort or because they were dissatisfied with the scores allocated to them.

The Delegated Authority had reserved his decision on 1 application (ie. Kelro Fishing CC) in December 2013. This application will be decided by the present DDG (Acting) as she is the repository of authority to decide current section 18 fishing right applications.

### ***The SA Squid Fishery***

The squid fishery is one of South Africa's newer fisheries. The commercial jig fishery commenced in the mid-1980's. SA's squid is regarded as one of the finest in the world with up to 100% of the catch exported to Southern Europe.

The fishery is one of the few commercial fisheries that are based in the Eastern Cape due to the geographic locality of the squid resource. The squid fishery is presently facing serious biological threats, in addition to the serious financial instability in its principal export markets (ie. Greece and Spain).

Squid catches peaked between 2002 and 2004 with catches in 2004 reaching a record high of just over 12,000 tons, coupled with very good market conditions. From 2009, squid catches have plummeted to under 8,000 tons annually. In addition, prices for frozen squid have stagnated while operating costs have surged. In 2014, more than 60% of the squid fishing fleet did not

go sea, which resulted in substantial financial hardships for quota holders and their crews.

Our species of squid is short-lived, surviving for hardly longer than one year. Responsible management of the resource is therefore extremely important as annual recruitment is of fundamental importance to the ongoing health of the fishery. The squid fishery is managed in terms of a TAE formula aimed at ensuring with 95% probability that the squid biomass does not drop below 20% of the average pristine abundance, so that future recruitment success is not jeopardised. The effort is regulated in terms of the following framework:

- The maximum number of crew permitted to harvest squid across the fishery is set at 2422 crew; and
- The maximum number of man days fishing during the season should not exceed 250,000 and
- There are two closed seasons totaling slightly over 4 months; i) A permanent closed period of 5 weeks between October and November to allow for summer spawning; and ii) an additional 3 months in winter to prevent the man-days from exceeding 250,000, which the 2422 crew already granted the right to fish could otherwise readily and substantially eclipse.

Prior to the allocation of fishing rights in Dec 2013, the average black ownership profile of the right holders in this fishery was 49%. Immediately after the allocation of fishing rights in Dec 2013, the average black ownership profile of the right holders was 62%. Black ownership of the fishery now stands at 61% of all rights issued.

## Minister's Decisions

The 98 appeals have been categorized as follows:

- Those successful right holder applicants who have appealed against the decision pertaining to the number of vessels and crew allocated by the DDG on 30 December 2013 (and subsequently corrected in March 2014); and
- Those successful right holder applicants who have appealed on the basis that they were scored incorrectly and their scores ought to be amended. These appellants did not seek an increase in the number of vessels or crew allocated to them;
- The appeals lodged by the 7 unsuccessful right holder applicants who have been fishing since 2014 under the authority of a section 81 exemption; and
- The appeals lodged by 61 new entrant applicants.

Due to the complexity of these decisions, the Minister has published his reasons and explanations for the decisions in a separate document, which will be made available to every appellant.

### **A. Minister's Reserved Decisions**

Due to the passage of time since the initial decisions were taken, there are a number of appeals where clarity is sought regarding the placement of effort on vessels. Accordingly, the Minister has reserved his decision on the following appeals. The Department will issue correspondence to these appellants as a matter of urgency and seek clarity from them regarding certain specific matters.

- Jurassic Fishing (Pty) Ltd. **Reserve decision.** The appellant will be required to clarify its use of the vessel **Sharon**, which is also being utilised by Quintax 151 CC (7.5 crew rights);

- Letap Fishing CC. **Reserve decision**. The appellant has 3 crew rights on the **MFV Vulcan** but the vessel owner (Copper Moon 612 (Pty) Ltd) appears to not wish to allow the appellant's permits on its vessel.
- Knysna Fishing Company (Pty) Ltd. **Reserve decision**. Clarification is required as to whether the appellant has access to the **MFV Langusta** (4 crew) and **MFV Maluti** (4 crew).
- Talhado Fishing Enterprises (Pty) Ltd. The appellant's nominated vessel, the **MFV Derek**, may be fire damaged. The right holder will be required to provide clarity on the status and suitability of this vessel.
- J&B Faulkner CC: **Reserve decision**. Appellant must provide clarity regarding the placement of its 7-crew permit.

## B. Successful Appellants

The following appellants succeeded in having their respective effort allocations increased as stated below:

- **Canan Fishing (Pty) Ltd**: The appellant is granted an additional 6 crew on the MFV Conquest (22 crew). This effort is presently being utilised by Proteus Fishing (Pty) Ltd who shall forthwith cease to operate as it does not have a right to fish for squid.
- **Premier Fishing SA (Pty) Ltd**: The appellant is granted 1 additional crew right on the MFV Southern Fighter (22 crew) and further 1 crew right on the MFV Southern Star (20 crew).
- **Umsobomvu Fishing (Pty) Ltd**: The appellant is granted 1 additional crew right on the MFV Santa Joana (20 crew).
- **Kendal Fishing (Pty) Ltd**: The appellant is granted 6 additional crew rights on the MFV Kendal (25 crew) as Intercomp 26 (Pty) Ltd was refused a right and did not file an appeal.
- **Talhado Fishing (Pty) Ltd**: The appellant is granted 1 additional crew right on MFV Silver Laguna (26 crew).
- **Copper Moon 612 (Pty) Ltd**: The appellant is granted 3 additional crew rights on the MFV Vulcan (26 crew).

- **Striker Fishing Enterprises (Pty) Ltd:** The appellant is granted a right to utilise MFV Shivon with 25 crew.

### **C. The Exemption Holders**

Of the right holder applicants whose long term squid fishing rights were not allocated on 30 December 2013, 7 had filed appeals. Each of these 7 have been granted commercial squid fishing rights as follows:

- **June II Fishing (Pty) Ltd:** 16 crew on the MFV June II;
- **Dodeka Fishing (Pty) Ltd:** 21 crew on the MFV Mia Barka;
- **Jeffreys Bay Processor (Pty) Ltd:** 5 crew on 5 vessels / 1 permit each (MFV's Nomvuyo / Sceptre / Jade / Silver Explorer & Raptor);
- **Highland Fisheries (Pty) Ltd:** 16 crew on the MFV Highland Queen;
- **STM Fishing (Pty) Ltd:** 16 crew on the MFV Oresta;
- **Swampo (Pty) Ltd:** 8 crew on the MFV Maryke; and
- **Stans Marine Harvesting CC:** 12 crew in total on the MFV Popeye, MFV Mtagati and MFV Pegasos.

### **D. New Entrant Appellants**

With regard to the 61 appeals by the new entrant appellants, these appeals have been denied for the following reasons:

- (a) The squid resource is under tremendous biological pressure. The fishery itself remains in an economically precarious state. To permit any new entrants to the fishery would be reckless and contrary to the objectives set out in Section 2 of the MLRA;
- (b) The appeals process has resulted in an additional 125 crew rights being added to the fishery, which is extremely close to the upper limit set for the fishery; and

- (c) The black economic ownership profile of the fishery has improved substantially since 2005. Current right holders have successfully engaged in a process of internal transformation, which has resulted in a 61% black ownership profile for the fishery.

#### **E. Exemptions Granted in 2014 to 10 Entities**

The exemptions granted during 2014 to the following 9 (nine) entities will automatically terminate upon the Minister taking his appeal decisions:

- (a) June II Fishing (Pty) Ltd;
- (b) Dodeka Fishing (Pty) Ltd;
- (c) Jeffreys Bay Processor (Pty) Ltd;
- (d) Highland Fisheries (Pty) Ltd;
- (e) STM Fishing (Pty) Ltd;
- (f) Swampo (Pty) Ltd;
- (g) Stans Marine Harvesting CC;
- (h) Intercomp 26 (Pty) Ltd; and
- (i) Proteus Fishing (Pty) Ltd.

The exemption granted to Kelro Fishing CC shall continue in force but the DDG (Acting) should decide the application without delay and as a matter of urgency.

Each Appellant will be provided with written notification of the Minister's decision, as well as a copy of the Regulation 5(3) Appeal Report pertaining to its appeal.






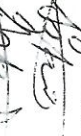



**For more information, please contact:**

**Bomikazi Molapo, Minister's Spokesperson 078 801 3711**

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[www.daff.gov.za](http://www.daff.gov.za)

**2013 FRAP SQUID FISHING RIGHT APPEALS**

NO	Application number	Appellant	Minister's Decision on Appeal	Vessel Allocated	Crew Allocated	Minister's Signature
1	SQU 130011	Noordkaap Visserman Onderneming Ltd	REFUSE APPEAL			
2	SQU 130112	De Almeida Fishing	REFUSE APPEAL			
3	SQU 130113	Lillies Leaf Fishing	REFUSE APPEAL			
4	SQU 130114	Kanabaai Visserye	REFUSE APPEAL			
5	SQU 130115	Kutsokua Fishing	REFUSE APPEAL			
6	SQU 130172	Ultra-Biz (PTY) LTD	REFUSE APPEAL			
7	SQU 130175	EW Smith Fishing CC	NO CHANGE TO APPELLANT'S EFFORT ALLOCATION	MFV ELBE	21 CREW	
8	SQU 130179	Irvin & Johnson Limited	NO CHANGE TO APPELLANT'S EFFORT ALLOCATION	MFV ROSANNA	16 CREW	
9	SQU 130186	Umsobomvu Fishing (Pty) Ltd	APPEAL GRANTED: 1 ADDITIONAL CREW PERMIT ALLOCATED TO MFV SANTA JOANNA	MFV SANTA ANA MFV SANTA MARIA MFV SANTA LARA MFV SANTA JOANNA	19 CREW 19 CREW 19 CREW 20 CREW	

DEPT. VAN LANSBERG  
 BOSBOU EN VISSERIE  
 TAK VISSERIE BESTUUR  
 PRIVAATSAK X2, HOOGERBAAL 9012  
 19 NOV 2013  
 PRIVATE BAG X2, ROOGIE BAY 9012  
 BRANCH FISHERIES MANAGEMENT  
 DEPT. OF AGRICULTURE  
 FORESTRY AND FISHERIES

10	SQU 130198	Pioneer Fishing (East Coast) (Pty) Ltd	NO CHANGE TO APPELLANT'S EFFORT ALLOCATION	MFV LUCKY LUKE MFV DOLCE VITA MFV RAFIKI MFV NOMVUYO	16 CREW 16 CREW 16 CREW 21 CREW	<i>Agape</i>
11	SQU 130123	JC Fishing CC	REFUSE APPEAL			<i>Agape</i>
12	SQU 130204	C&K Fishing CC	APPEAL REFUSED AS IT IS MOOT. APPELLANT IS NO LONGER A RIGHT HOLDER IN THE FISHERY			<i>Agape</i>
13	SQU 130 205	SPA Fishing (Pty)Ltd	REFUSE APPEAL			<i>Agape</i>
14	SQU 130 218	Premier Fishing SA (Pty) Ltd	APPEAL GRANTED: 2 ADDITIONAL CREW PERMITS ALLOCATED TO MFV SOUTHERN FIGHTER AND MFV SOUTHERN STAR	MFV SOUTHERN FIGHTER MFV SOUTHERN STAR MFV SOUTHERN KNIGHT MFV SEACAT	22 CREW 20 CREW 16 CREW 16 CREW	<i>Agape</i>
15	SQU 130220	Cyrel Burrel Fishing CC	REFUSE APPEAL			<i>Agape</i>
16	SQU 130221	Donald	REFUSE APPEAL			<i>Agape</i>
17	SQU 130227	Calamari Fishing (Pty) Ltd	NO CHANGE TO APPELLANT'S EFFORT ALLOCATION	MFV SEA HORSE MFV SEA GULL MFV SEA STAR MFV SEA LION MFV SEA ROBIN	16 CREW 19 CREW 25 CREW 25 CREW 19 CREW	<i>Agape</i>
18	SQU 130243	Nommoa (Doman) Mzanzi Fishing Co-operative Ltd	REFUSE APPEAL			<i>Agape</i>

DEPT OF AGRICULTURE  
 FISHERIES AND MARINE AFFAIRS  
 1 NOV 2015  
 BRANCH: FISHING PERMITS  
 ROOM: 201, 202, 203, 204, 205  
 PRIVATE BAG 11002

19	SQU 130244	Riyadh Seafood Corporation (Pty) Ltd	REFUSE APPEAL							
20	SQU 130258	Cape Town Harbour Fishermen's Trust	REFUSE APPEAL							
21	SQU 130264	Houtbay Fishing Right for the People Co operative Ltd	REFUSE APPEAL							
22	SQU 130267	Bokbaai Fisheries (Pty) Ltd	REFUSE APPEAL							
23	SQU 130274	Hudeni and Harethosana Fishing CC	REFUSE APPEAL							
24	SQU 130280	Coalition Trading 672 CC	REFUSE APPEAL							
25	SQU 130282	Swampo (Pty) Ltd	GRANT APPEAL		MFV MARYKE			8 CREW		
26	SQU 130283	Dodeka Fishing (Pty) Ltd	APPEAL GRANTED		MFV MIA BARKA			21 CREW		
27	SQU 130298	Sevlac Investments No 51 CC	REFUSE APPEAL							
28	SQU 130299	Jupe Trading CC	REFUSE APPEAL							
29	SQU 130307	Starfair 58 CC	REFUSE APPEAL							
30	SQU 130307	Tshatsho Fishing	REFUSE APPEAL							
31	SQU 130362	Tshatshu Seafood Industry	REFUSE APPEAL							
32	SQU 130366	Mynyama Women Commercial Fishing Enterprize	REFUSE APPEAL							
33	SQU 130428	Sceptre Fishing (Pty) Ltd	NO CHANGE TO APPELLANT'S EFFORT ALLOCATION					16 CREW 16 CREW 19 CREW		

DEPT VAN LANDEBOU  
 BOSBOULEN VISSERIJ  
 TAK VISSERIE BEWATJUR  
 PRIVAATSAK NO. POC 66/2005/19  
 19 NOV 2005  
 PRIVATE FISHERIES MANAGEMENT  
 BRANCH OF AGRICULTURE

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48	SQU 130768	Smith Leroy	REFUSE APPEAL NO CHANGE TO APPELLANT'S EFFORT ALLOCATION	MFV COOMBABA	16 CREW	<i>After</i>
49	SQU 130 877	Rustee (Pty) Ltd	NO CHANGE TO APPELLANT'S EFFORT ALLOCATION	MFV KRAKEN	16 CREW	<i>After</i>
50	SQU 130 878	GGA Fishing Enterprises (Pty) Ltd	NO CHANGE TO APPELLANT'S EFFORT ALLOCATION	MFV MICHELLE	26 CREW	<i>After</i>
51	SQU 130 879	Balobi Fishing Enterprises (Pty) Ltd	NO CHANGE TO APPELLANT'S EFFORT ALLOCATION	MFV SPARADON MFV SHEHASTA MFV SHELLFISH	22 CREW 25 CREW 24 CREW	<i>After</i>
52	SQU 130880	The Jenny Fishing Enterprises (Pty) Ltd	NO CHANGE TO APPELLANT'S EFFORT ALLOCATION	MFV THE JENNY	22 CREW	<i>After</i>
53	SQU 130 881	LM Fisheries (Pty) Ltd	NO CHANGE TO APPELLANT'S EFFORT ALLOCATION	MFV LOUISE MARIE	25 CREW	<i>After</i>
54	SQU 130 882	MTV Fishing St Francis Bay (Pty) Ltd	NO CHANGE TO APPELLANT'S EFFORT ALLOCATION	MFV MEGALADON	26 CREW	<i>After</i>
55	SQU 130902	Ngqokozweni Aqua Cattle Farming Co-op Ltd	REFUSE APPEAL			<i>After</i>
56	SQU 130914	Going Into Trading (Pty) Ltd	REFUSE APPEAL			<i>After</i>
57	SQU 130915	Xhobisa Trading (Pty) Ltd	REFUSE APPEAL			<i>After</i>

BOBOLU FISHING BOARDS  
19 APR 2015  
TAKWISHTIG BOERENKAMP  
PRIVATSKAP 2 ROEBEY AVENUE  
MARCH FISHERY MANAGEMENT  
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FORESTRY AND FISHERIES

58	SQU 130918	Highland Fisheries (Pty) Ltd	GRANT APPEAL	MFV HIGHLAND QUEEN	16 CREW		
59	SQU 130920	Striker Fishing Enterprises (Pty) Ltd	GRANT APPEAL	MFV STRIKER MFV SHIVON	16 CREW 25 CREW		
60	SQU 130928	BengasPex (PTY) LTD	REFUSE APPEAL				
61	SQU 130934	Algoa Serve (Pty) Ltd	REFUSE APPEAL				
62	SQU 130937	Collin Govender	REFUSE APPEAL				
63	SQU 130939	J&B Faulkner CC	*DECISION REGARDING THE EFFORT ALLOCATION ON THE VESSELS MFV LANGUSTA AND MFV MALUTI RESERVED *APPELLANT DENIED 10 CREW ON MFV LANGUSTA	MFV LANGUSTA / MFV MALUTI	7 CREW		
64	SQU 130945	Kouga Community Fishing Co-op Limited	REFUSE APPEAL				

DEPT. OF AGRICULTURE  
 FISHING AND FISHERIES  
 BRANCH: FISHERIES MANAGEMENT  
 1 B. M. J. 1015  
 PRIVATE BAG. X2, ROBERTSBURG, 8012  
 BOESBOM LANSBOU  
 DEPT. VAN LANDBOU

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65	SQU 130946	Knysna Fishing Company (Pty) Ltd	DECISION RESERVED PENDING CLARIFICATION FROM APPELLANT REGARDING THE USE OF THE VESSELS MFV LANGUSTA & MFV MALUTI	MFV IOLENE MFV THE DON MFV ALTAIR MFV DHENEK MFV LANGUSTA / MFV MALUTI	12 CREW 16 CREW 16 CREW 16 CREW		
66	SQU 130948	Western Star Enterprises Fishing (Pty) Ltd	NO CHANGE TO APPELLANT'S EFFORT ALLOCATION	MFV THE DON MFV SANTO MERCSK MFV WWESTERN STAR	5 CREW 16 CREW 12 CREW		
67	SQU 130958	Eco-Friendly Fisheries (Pty) Ltd	REFUSE APPEAL				
68	SQU 130972	Kyga Fishing Trust 2 CC	REFUSE APPEAL				
69	SQU 130 979	GoaPro (PTY) Ltd	REFUSE APPEAL				
70	SQU 130980	Goamix (Pty) Ltd	REFUSE APPEAL				
71	SQU130 987	Embizeni Fishing CC	REFUSE APPEAL				
72	SQU 131188	Stans Marine Harvesting CC	GRANT APPEAL	APPELLANT TO CONFIRM 12 CREW ALLOCATION ON MFV POPEYE, MFV MTAGATI & MFV PEGASOS	12 CREW		
73	SQU 131158	Parsons	REFUSE APPEAL				

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19 NOV 2010  
PRIVATE BAG NO. 10086 BAY CENT  
BRANCH FISHERIES MANAGEMENT  
DEPT OF AGRICULTURE  
FORESTRY AND FISHERIES



80	SQU 131202	Havana Workers Co-op Ltd	REFUSE APPEAL	[Redacted]	[Signature]
81	SQU 131213	Finecorp Trading 113 CC	REFUSE APPEAL	[Redacted]	[Signature]
82	SQU 131219	Makuthentwe Trading	REFUSE APPEAL	[Redacted]	[Signature]
83	SQU 131234	Inyameko Trading 620 CC	REFUSE APPEAL	[Redacted]	[Signature]
84	SQU 131 242	Ubuhle Bezwe	REFUSE APPEAL	[Redacted]	[Signature]
85	SQU 131420	Bay International Trading (Pty) Ltd	REFUSE APPEAL	[Redacted]	[Signature]
86	SQU 131421	Ulwandle Fishing (Pty) Ltd	REFUSE APPEAL	[Redacted]	[Signature]
87	SQU 131422	Phakamisani Inverstmnts (Pty) Ltd	REFUSE APPEAL	[Redacted]	[Signature]
88	SQU 131 423	Van Niekerk Fisheries (Pty) Ltd	NO CHANGE TO APPELLANT'S EFFORT ALLOCATION	MFV CAPE NATAL 25 CREW	[Signature]
89	SQU 131432	Amendu Agriculture and Products Co Op Ltd	REFUSE APPEAL	[Redacted]	[Signature]
90	SQU 131433	Copper Moon Trading 612 (Pty) Ltd	GRANT APPEAL FOR ADDITIONAL 3 CREW PERMITS ON MFV VULCAN	MFV VULCAN 26 CREW	[Signature]
91	SQU 131435	Mazidlekaya Fishing CC	REFUSE APPEAL	[Redacted]	[Signature]

PRINCIPAL FISHERIES  
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 FORESTRY AND FISHERIES  
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92	SQU 131440	Jeffreys Bay Processor (Pty) Ltd	GRANT APPEAL	MFV NOMVUYO MFV SCEPTRE MFV JADE MFV SILVER EXPLORER MFV RAPTOR	1 CREW 1 CREW 1 CREW 1 CREW 1 CREW			
93	SQU 131452	Talhado Fishing Enterprises (Pty) Ltd	*APPELLANT GRANTED 1 CREW PERMIT ON MFV SILVER LAGUNA *APPELLANT TO ADVISE DAFF ON STATUS OF MFV DEREK	MFV SILVER TAURUS MFV SILVER DORADO MFV SILVER EAGLE MFV SILVER CHAMPION MFV DEREK MFV SILVER ARROW MFV SILVER LAGUNA	22 CREW 22 CREW 26 CREW 26 CREW 20 CREW 16 CREW 1 CREW			
94	SQU 131454	Rupestris Investments (Pty) Ltd	NO CHANGE TO APPELLANT'S EFFORT ALLOCATION	MFV SILVER ARROW MFV RUPESTRIS	10 CREW 16 CREW			
95	SQU 131456	Dazzalle Traders (Pty) Ltd	NO CHANGE TO APPELLANT'S EFFORT ALLOCATION	MFV LAZARUS MFV SILVER LAGUNA MFV MAVERICK MFV ZINGELA	25 CREW 25 CREW 16 CREW 25 CREW			
96	SQU 131457	Manicwa Fishing (Pty) Ltd	NO CHANGE TO APPELLANT'S EFFORT ALLOCATION	MFV MANICWA	21 CREW			
97	SQU 131458	Sagittarius Fisheries (Pty) Ltd	NO CHANGE TO APPELLANT'S EFFORT ALLOCATION	MFV ROBBERG MFV GALAXY	8 CREW 10.5 CREW			
98	SQU 131466	Kendall Fishing (Pty) Ltd	GRANT APPEAL: CONSEQUENTLY THE EXEMPTION ISSUED TO INTERCOMP 26 (PTY) LTD ON 30 JULY 2014 IS HEREBY CANCELLED	MFV KENDAL	25 CREW			

DEPT VULNERABILITY  
 BOSTON IN SERVICE  
 19 NOV 2015  
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 FOREST AND FISHERIES  
 DEPT OF AGRICULTURE

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