

**21ST ADDENDUM TO THE
GENERAL REASONS FOR THE DECISIONS ON THE ALLOCATION OF 2015/16
RIGHTS TO OPERATE FISH PROCESSING ESTABLISHMENTS**



**DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT
BRANCH: FISHERIES MANAGEMENT**

20 April 2021

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1. Introduction

On 5 December 2016, the Delegated Authority published her final decisions on the allocation of rights regarding the **146** applications received for rights to operate Fish Processing Establishments (FPEs) during the 2015/16 Fishing Rights Allocation Process (FRAP 2015/2016).

On 19 December 2016, the Department called on prospective FPE operators that did not submit applications for rights to operate a FPE during the 2015/16 FRAP process to firstly, submit their applications for an exemption in terms of section 81 of the Marine Living Resources Act, 1998 (Act No. 18 of 1998) (the MLRA); and secondly, to submit their application forms for rights to operate a FPE before the exemptions expire on 31 December 2017.

The Department has to date received 207 applications for rights to operate FPEs. The Delegated Authority announced her decisions on the all **207** applications received as listed below.

Date of Application	Number of Applications	Assessed (Yes/ No)
31 July 2017	32	Yes
4 December 2017	46	Yes
15 December 2017	42	Yes
20 December 2017	05	Yes
February 2018	18	Yes
13 April 2018	10	Yes
30 November 2018	18	Yes
26 March 2019	08	Yes
16 July 2019	07	Yes
25 October 2019	03	Yes
05 February 2020	05	Yes
21 August 2020	02	Yes
20 October 2020	03	Yes
27 November 2020	05	Yes
22 December 2020	01	Yes
17 March 2021	02	Yes

The content of the GPR shall be considered final unless explicitly amended by this Addendum.

2. New Applications Received

During the period 22 December 2020 to 17 March 2021, the Delegated Authority had received Two (2) applications. The Assessment Team assisted the Delegated Authority in processing and assessing these applications.

3. Final Decision

The Delegated Authority has decided to allocate rights to operate Fish Processing Establishments (FPE) to **two (2)** applicants; Cape Challenger (Pty) Ltd and Chinafric Fishing (Pty) Ltd.

The following list is attached as an annexure to this GPR:

- **Appendix A:** Fishing Rights Allocation Process for December 2020: Final list for Fish Processing Establishments: Entities.

4. Grant of Right Letters and permits to operate an FPE

Every successful applicant will be provided with a written Grant of Right Letter immediately after the publication of this Addendum. The Grant of Right Letter may be used to apply for a permit to operate an FPE in terms of Section 13 of the MLRA. Importantly, the Right Holder shall not utilise the right granted in terms of section 18 of the MLRA and the Policies, unless such Right Holder has applied for and has been issued with an FPE permit in terms of section 13 of the MLRA. Such a permit must be obtained annually in accordance with the requirements for such a permit determined by the Department.

5. Duration of Fishing Rights

Rights to operate a Fish Processing Establishments are allocated for a period of fifteen (15) years.

6. Forensic investigations

An independent forensic company will be appointed to investigate the accuracy of information submitted by the applicants. Such verification will take place during and post the fishing rights allocation process. The forensic company will carry out investigations of applicants as and when required by the Department. If the applicant is found to have provided false information or false documents or failed to disclose material information, or attempted to influence the Minister or the Delegated Authority in the manner provided for in the General Policy on the Allocation and Management of Fishing Rights: 2013 as well as the Policy on the Allocation and Management of Rights to operate Fish Processing Establishments: 2015, proceedings in terms of Section 28 of the MLRA will be undertaken which may result in the revocation, cancellation or suspension or alteration of the conditions of a right held by such applicant.

7 Appeals

Every applicant shall be entitled to file an appeal against any aspect of the Delegated Authority's decision in terms of Section 80 of the MLRA, read with Regulation 5 of Government Gazette Notice 1111 of 2 September 1998.

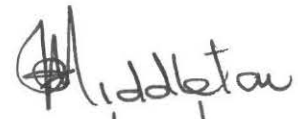
Appeals must be filed by not later than 16h00 on 30 April 2021. Appeals shall only be emailed to FRAP2015appeals@environment.gov.za. Appeals that are hand-delivered, faxed, posted or e-mailed to any other e-mail address will **not** be accepted. Late appeals will **not** be considered.



DEPUTY DIRECTOR-GENERAL (ACTING)
FISHERIES MANAGEMENT
DELEGATED AUTHORITY
DATE: 20/04/2021

Fishing Rights Allocation Process for March 2021: Final list for Fish Processing Establishments:

No	Application Number	Company name	Company registration number	Final decision	Reason
1	FPE151155	CAPE CHALLENGER (PTY) LTD	2020/641847/07	SUCCESSFUL	
2	FPE151157	CHINAFIRC FISHING (PTY) LTD	2017/358637/07	SUCCESSFUL	


20/04/2021