



DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

BRANCH FISHERIES MANAGEMENT

**GENERAL PUBLISHED REASONS FOR THE DECISIONS ON THE ALLOCATION
OF 2021/22 FISHING RIGHTS AND QUANTA IN THE SMALL PELAGIC (SARDINE)
FISHERY**

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1. Introduction

This document is titled the "*General Published Reasons for the Decisions on the Allocation of Rights and Quanta in the Small Pelagic (Sardine) Fishery: 2021/22*" and will be referred to as the "GPR". The GPR sets out the criteria and weighting, the process and methodology and the policy reasons for the decisions on the allocation of rights and quantum in this sector. Applicants are therefore advised to carefully study the GPR before considering the assessment of their applications and the specific reasons for decisions taken. This GPR should be read in conjunction with the General Policy on the Allocation and Management of Commercial Fishing Rights: 2021 as well as the Policy on the Allocation and Management of Small Pelagic Commercial Fishing Rights: 2021.

1.1. Background and Context

During 2005/2006, the then Department of Environmental Affairs and Tourism (DEAT) embarked on the Long-Term Rights Allocation Management Process (LTRAMP). In preparation for LTRAMP, the DEAT published a General Policy on the Allocation and Management of Long-term Commercial Fishing Rights: 2005 as well as Sector-specific policies for twenty commercial fishing sectors. At the conclusion of the LTRAMP process, fishing rights were granted in terms of section 18 of the Marine Living Resources Act, 1998 (Act No. 18 of 1998) ("the MLRA") for periods ranging from two (2) to fifteen (15) years in twenty commercial fishing sectors.

Some fishing sectors rights expired on 31 December 2013 and were subsequently reallocated for a period of 7 years, expiring on 31 December 2020. Prior to this allocation process, the General Policy on the Allocation and Management of Long Term Commercial Fishing Rights: 2005 was revised to align the allocation objective of the Department with the broader objectives of government and the new General Policy on the Allocation and Management of Fishing Rights: 2013 was published and gazetted.

The sectors that were allocated 15-year rights during LTRAMP 2005 and 7-year rights during FRAP 2013 expired at various periods during 2020. The Deputy Director-General exempted the current Right Holders from Section 18 of the Marine Living Resources Act, 1998 (Act no 18 of 1998), by granting them extensions of their current fishing rights until 31 December 2021.

This extension was granted while the Department of Forestry, Fisheries and Environment (“the Department” / “DFFE”) would conclude a Fishing Rights Allocations Process (“FRAP”) in terms of Section 18 of the MLRA.

This necessitated the current allocations process, which is known as FRAP 2021. The nine sectors currently undergoing a Rights Allocation Process are:

- Hake Deep-Sea Trawl
- Hake Longline
- South Coast Rock Lobster
- Small Pelagic (Sardine and Anchovy)
- Kwa-Zulu Natal Crustacean Trawl
- Demersal Shark Longline
- Squid
- Tuna Pole-Line
- Traditional Linefish.

The Department undertook several preparatory steps for FRAP 2021; these are summarized below:

- Appointment of Service Providers to facilitate, assist and observe the FRAP process.
- Conduct SEIAS Phase 1 of General Policy and Sector specific policies.
- Review of General Policy and Sector specific policies.
- Conduct public consultations and receive policy comments.
- Conduct SEIAS Phase 2 of General Policy and Sector specific policies.
- Incorporate comments and recommendations into final policies.
- Enhancement of FRAP Management System to allow for online registrations and applications.
- Appointment of Delegated Authorities and Assessment Teams for assessing and adjudicating online applications.



2. FRAP 2021/22: Preparation for Allocation Process

2.1. Appointment of Service Providers

The Department appointed the following service providers to provide support and to ensure a procedurally fair and transparent process.

- **FRAP Implementer:** Stowie M Trading – RB Africa Consortium
 - Role and Responsibility: To assist the Department with the implementation and administration of the rights allocations during FRAP 2021.
- **FRAP Observer:** Rain Chartered Accountants
 - Role and Responsibility: Process observers and audit services, to obtain sufficient appropriate audit evidence to support the MLRF, the DFFE and the Minister on FRAP 2021 and post rights allocations.
- **FRAP IT Solution:** Navayuga Infotech SA (Pty) Ltd
 - Role and Responsibility: To design, implement and manage an IT solution and render IT support for the Delegated Authorities and the Minister during FRAP 2021 for a period of 3 years.
- **FRAP Legal Support:** The State Attorney Office: Cape Town
 - Role and Responsibility: Provision of legal services and advice for FRAP 2021.
- **FRAP Tip Off-Line:** KPMG
 - Role and Responsibility: Set up and monitor toll free tip off-line for the purposes of reporting unethical behaviour, theft, fraud, or related activities.
- **FRAP Forensic Investigations and Audits:** Morar Inc.
 - Role and Responsibility: Provision of forensic audit services for FRAP2015/16 and ad hoc forensic investigation services for FRAP2021 as required.

2.2. SEIAS Phase 1

The Socio-Economic Impact Assessment System (SEIAS) is a uniquely designed methodology for assessing the social and economic impact of policies, legislation, regulations and other subordinate legislation in line with our national priorities. SEIAS is aimed at improving the legislative environment to ensure that assessments help departments to analyse risks and propose ways to mitigate them.

The Department conducted SEIAS Phase 1 studies on the General Policy and nine Sector-specific policies. The initial impact assessment aimed to understand problems, root causes and causative behaviours by different groups.

The SEIAS Phase 1 reports were published on the Department's website in September 2021 and stakeholder's comments were invited. The Presidency issued the Department with the necessary initial sign-off certificates for each of the SEIAS Phase 1 report.

2.3. Review of Policies

The Department published the draft General Policy on the Allocation of Commercial Fishing Rights: 2021 in the Government Gazette No. 45154 of 13 September 2021. The nine draft Sector-specific policies on the Allocation and Management of Fishing Rights were published in the Government Gazette No. 45180 of 20 September 2021 for public comment.

Comments from stakeholders were invited by post, by hand and by email. The deadline for submission of comments was 25 October 2021 and comments submitted via email were to be sent to FRAPPolicycomments@environment.gov.za.

2.4. Public Consultations and Policy Comments

Public meetings were held at 38 venues in all the coastal Provinces and 1 venue inland. In addition, 6 virtual sessions were held over Zoom. These meetings covered the geographical area from Port Nolloth to Richards Bay and were held from 13 – 21 October 2021. The schedule of the 44 consultations were published in a media statement which was published on the Department's website as well as emailed to industry stakeholders and displayed in all Fisheries Compliance Offices.

The public consultations were chaired by DFFE officials and comprised an overview of the draft policies and the FRAP 2021 process. During the consultations, the Department solicited the views of members of the fishing industry and interested parties in respect of the proposed policies and processes that guided the Minister in deciding on the final policies and fees. All sessions were attended by the FRAP Implementer and FRAP Observer. Sessions were video recorded and minutes were taken to capture all concerns raised. Covid-19 Protocol was strictly observed at all sessions that were held in person.

The schedule of public consultations is set out in Table 1 below.

Table 1: Schedule of FRAP 2021 public consultation sessions.

Date	Day	Time	Area	Venue	Address
Region 1: Cape Town & Surrounds					
13-Oct-21	Wednesday	09h00 - 12h00	Cape Town	Kirstenbosch Old Mutual Conference Centre	Kirstenbosch, Rhodes Drive, Visitors Gate 1
14-Oct-21	Thursday	09h00 - 12h00	Cape Town	Kirstenbosch Old Mutual Conference Centre	Kirstenbosch, Rhodes Drive, Visitors Gate 1
15-Oct-21	Friday	10h00 - 13h00	Hout Bay	Hout Bay Sport & Recreation Centre	Karbonkel Road, Hout Bay
16-Oct-21	Saturday	09h00 - 12h00	Khayelitsha	Site B Hall	Sulani Drive, Khayelitsha 9795
18-Oct-21	Monday	09h00 - 12h00	Kleinmond	Community Hall / Stadsaal	End of Main Road
19-Oct-21	Tuesday	09h00 - 12h00	Hermanus	Sandbaai saal	Corner of Piet Retief and Jimmy Smit
19-Oct-21	Tuesday	14h00 - 17h00	Hermanus	Abalone Hall, Hawston	1 Marine Drive
20-Oct-21	Wednesday	09h00 - 12h00	Gansbaai	Blom Park Gemeenskap saal	33 Viooltjie St, Blom Park
21-Oct-21	Thursday	09h00 - 12h00	Arniston	Arniston Community Hall	Kampstraat , next to Kliniek
21-Oct-21	Thursday	14h00 - 17h00	Struisbaai	Dienssentrum / Service centrum	5th Avenue, Struisbaai North

Date	Day	Time	Area	Venue	Address
Region 2: West Coast					
14-Oct-21	Thursday	09h00 - 12h00	Yzerfontein	Yzerfontein community hall	25 Dolfyn street
15-Oct-21	Friday	09h00 - 12h00	Langebaan	Seebries Caravan Park	157 Hoof street
15-Oct-21	Friday	14h00 - 17h00	Saldanha	Hoedjiesbaai Hotel	38 Main Road
16-Oct-21	Saturday	09h00 - 12h00	Veldrif	Riviera Hotel	127 Margaret Mncadi Ave, Esplanade
17-Oct-21	Sunday	09h00 - 12h00	Elands Bay	Elandsbay community Hall	36 Hoof Street, Elands Bay
17-Oct-21	Sunday	14h00 - 17h00	Lamberts Bay	Eureka	5 Seekant St 8130
18-Oct-21	Monday	09h00 - 12h00	Strandfontein	VCSV Uitsig Hall	Louis Rood Strandfontein
19-Oct-21	Tuesday	09h00 - 12h00	Hondeklip bay	Hondeklipbaai Hall	Dolfin street
20-Oct-21	Wednesday	09h00 - 12h00	Springbok	Springbok community center	17 Freddie Carstens st
21-Oct-21	Thursday	09h00 - 12h00	Port Nolloth	Scotia Inn Hotel	Beach Road, Port Nolloth

Date	Day	Time	Area	Venue	Address
Region 3: Southern Coast (EC/WC)					
15-Oct-21	Friday	09h00 - 12h00	Gqeberha (P.E)	PE Deep Sea Angling Club	Port Elizabeth Harbour, Humewood Extension

15-Oct-21	Friday	14h00 - 17h00	Gqeberha (P.E)	PE Deep Sea Angling Club	Port Elizabeth Harbour, Humewood Extension
17-Oct-21	Sunday	09h00 - 12h00	Knysna	Loerie Park Clubhouse	Fisher Haven, Knysna, 6571
18-Oct-21	Monday	09h00 - 12h00	Mossel bay	Diaz Museum	1 Market Street, Mossel Bay
19-Oct-21	Tuesday	09h00 - 12h00	Stillbay	Palinggat	Main Rd, Still Bay West

Date	Day	Time	Area	Venue	Address
Region 4: Eastern Cape					
14-Oct-21	Thursday	09h00 - 12h00	East London	Elba Rowing Club	Pontoon Road, Harbour, East London
15-Oct-21	Friday	09h00 - 12h00	Port Alfred	My Pond Hotel	33 Van Der Riet Street
16-Oct-21	Saturday	09h00 - 12h00	Centane	Trennery's Hotel	Trennery's Hotel, Qolorha
17-Oct-21	Sunday	09h00 - 12h00	Dwesa	Dwesa Conference Room	Dwesa Nature Reserve
18-Oct-21	Monday	09h00 - 12h00	Coffee Bay	Ocean View Hotel	Ocean View Hotel, Coffee Bay
19-Oct-21	Tuesday	09h00 - 12h00	Mthata	Tnnas Quest House, 3rd Avenue	3rd Avenue, Mthatha
20-Oct-21	Wednesday	09h00 - 12h00	Port St Johns	Eluxolweni Hall	Main Str, Port St Johns
21-Oct-21	Thursday	09h00 - 12h00	Lusikisiki	College of Education Lecture Hall 40	R61 Lusikisiki

Date	Day	Time	Area	Venue	Address
Region 5: KZN					
16-Oct-21	Saturday	09h00 - 12h00	Port Shepstone	Uvongo Town Hall, Crescent road	Crescent Rd, Uvongo, Margate
17-Oct-21	Sunday	09h00 - 12h00	Durban	Point Yacht Club	3 Maritime Place
18-Oct-21	Monday	09h00 - 12h00	Kwadukuza	Kwadukuza Town Hall, King Shaka street,	King Shaka street
19-Oct-21	Tuesday	09h00 - 12h00	Richards Bay	Richards Bay Library,	Krugerrand street

Date	Day	Time	Area	Venue	Address
Region 6: Interior					
18-Oct-21	Monday	09h00 - 12h00	Pretoria	NG Villieria	571 24th Ave, Pretoria

Date	Day	Time	Area	Link	Meeting ID
Virtual Team					
13-Oct-21	Wednesday	09h00 - 12h00	Hamburg, Port Alfred, Bisho, Queenstown (Border Kei)	https://us02web.zoom.us/j/89027578069	Meeting ID: 890 2757 8069 Dial in: +27 87 551 7702
13-Oct-21	Wednesday	14h00 - 17h00	Jeffreys Bay, Tsitsikamma, Plettenberg Bay, Humansdorp	https://us02web.zoom.us/j/88535737534	Meeting ID: 885 3573 7534 Dial in: +27 87 550 3946

14-Oct-21	Thursday	09h00 - 12h00	Mahikeng Kimberley Bloemfontein Mbombela Polokwane	https://us02web.zoom.us/j/86970872089	Meeting ID: 869 7087 2089 Dial in +27 87 551 7702
14-Oct-21	Thursday	14h00 - 17h00	Paternoster St Helena Veldrif	https://us02web.zoom.us/j/81083859444	Meeting ID: 810 8385 9444 Dial in: +27 21 426 8190
15-Oct-21	Friday	09h00 - 12h00	Pietermaritzburg Port Edward Mzamba	https://us02web.zoom.us/j/83213399431	Meeting ID: 832 1339 9431 Dial in +27 21 426 8191
15-Oct-21	Friday	14h00 - 17h00	Sodwana Bay Manguzi	https://us02web.zoom.us/j/84656897757	Meeting ID: 846 5689 7757 Dial in +27 87 551 7702

2.5. SEIAS Phase 2

The Final Impact Assessment provides a more detailed assessment of the ultimate policy or legislative proposal. It also considers the intended outcomes, costs, benefits, a system for managing appeals that could emerge around the implementation process, consultations with stakeholders, impact assessment to different groups, risks, monitoring and evaluation and impact to the National priorities.

The SEIAS Phase 2 process was conducted on the General Policy and the nine sector specific policies. Sign off certificates were issued by the Presidency and the final SEIAS reports were published on the DFFE website in December 2021.

2.6. Finalisation and Gazetting of Final Policies

After consideration of all the comments received via email, post and by hand by the due date of 25 October 2021, the policies were subjected to a final review. The Minister published the final

General Policy and sector specific policies in the Government Gazette No. 45504 of 19 November 2021. The ten policies were also translated from English into Afrikaans, isiXhosa and isiZulu.

3. Application Process

In order to facilitate and streamline the FRAP 2021 application and assessment process, the Department appointed Navayuga Infotech to develop an online IT solution.

The application process launched on 1 November 2021, when applicants were invited to log on to the online system and create a User Profile. The draft application form was made available for applicants to download in order to familiarise themselves with the information and supporting documentation required.

Support centres were set up at the venues listed in Table 2 below, in order to provide technological equipment (laptop, Wi-Fi, and printer) and support for applicants with limited access to resources. The FRAP Observer was present at all centres. Covid-19 Protocol was strictly observed at all centres.

Table 2: Support Centres for FRAP 2021 applications.

No	Area & Centre
1.	Fishery Compliance Office, Port Nolloth
2.	Monitoring & Surveillance Office, Saldanha
3.	Customer Service Centre, Cape Town
4.	Fishery Compliance Office, Hermanus
5.	Fishery Compliance Office, Arniston
6.	Research Office, Mossel Bay
7.	Marine Resource Management and MCS Office, East London
8.	Fishery Compliance Office, Port Elizabeth
9.	Fishery Compliance Office, Mzamba, Port Edward
10.	Midmar Environmental Programmes Office, Howick, KZN

The FRAP 2021/22 system opened for applications on 22 November 2021. The closing date for submission of applications was extended from 7 December 2021 until midnight 10 December 2021, as per Government Notice 1566 in Government Gazette No 45573 of 2 December 2021.

Following calls from various industry representatives and fishing associations, on 28 December 2021, Susan Clare Middleton, the Deputy Director-General of the Fisheries Management Branch, by virtue of the delegated powers conferred to her by the Minister of Forestry, Fisheries and the Environment, in terms of Section 79(1) of the Marine Living Resources Act 18 of 1998, re-opened the FRAP online system. The reopening of the FRAP online system afforded only registered users and current applicants a further opportunity to resubmit fresh applications and/or to supplement their current applications with outstanding information and/or supporting documentation between 28 December 2021 and 28 January 2022. A Public Notice communicating the reopening of the FRAP online system was released on 27 December 2021.

3.1. Interactive application process

Applicants were able to raise queries during the week (Monday to Friday) between 08h00 and 16h00 by calling the FRAP Call Centre Helpline at (021) 402 FRAP (3727).

Technical queries relating to the completion of the online application form were directed to Navayuga Information Technology on the toll-free helpline +27 10 500 2323 or by email to frapitsupport@navayugainfotech.com. An additional helpline was opened and an IT specialist was placed at the Branch: Fisheries Management, Foretrust Building, Cape Town to provide assistance and support to applicants.

An independent toll free FRAP Tip-Off Line was established and was available 24/7 from 8 November 2021 for the purposes of reporting unethical behaviour, theft, fraud, or related activities. The FRAP Tip-Off Line number is 0800 203 589 and it will remain operational until all the appeals have been finalised.

4. Assessment and Evaluation

In assessing and allocating commercial fishing rights to applicants in the nine sectors, the Department had to evaluate and assess all applications received. Each application contained detailed information on the applicants' identification and contact details, current and previous involvement in the fishing sector, investment in the fishing sector, performance and compliance history as well as their transformation profile and contribution to the fishery. The required information was to be used to identify the most deserving applicants to be granted fishing rights.

The Minister appointed eight (8) Delegated Authorities with six (6) Assessment Teams comprising of technical and subject experts in fisheries research, fisheries resource management and fisheries monitoring, control and surveillance as well as legal and information technology to assist the Delegated Authority in evaluating the applications. The FRAP Implementer was responsible for capturing the minutes at each Assessment session and the FRAP Observer was present to observe the sessions.

A detailed Covid-19 risk mitigation strategy was developed prior to the commencement of the sessions in order to ensure Assessments could continue to run seamlessly in the context of the emergence of a new Covid-19 variant and fourth wave of infections. The preferred option from an efficiency and effectiveness point of view was to hold all sessions in person, however the Department made the necessary contingency plans to shift sessions to virtual or hybrid should the need arise.

4.1. Appointment of the Delegated Authority

The Minister of the Department of Forestry, Fisheries and the Environment, in terms of Section 79(1) of the Marine Living Resources Act, 1998 (Act No. 18 of 1998), appointed Ms. Sue Middleton as the Delegated Authority responsible for the allocation of fishing rights in the Small Pelagic: (Sardine) Sector.

4.2. Applicants

A total of 3 430 users were registered on the online system. A total of 3 125 applications were initiated and 2 473 complete applications were submitted.

Table 3: Summary of Applications received during FRAP 2021.

Sector	Number of Applications Initiated	Number of Applications Received
Demersal Shark Longline	23	6
Hake Deep-Sea Trawl	233	175
Hake Longline	536	446
Kwa-Zulu Natal Crustacean Trawl	35	16
Small Pelagic (Anchovy)	416	346
Small Pelagic (Sardine)	325	244
South Coast Rock Lobster	122	68
Squid	236	162
Traditional Linefish	941	806
Tuna Pole-Line	258	204

5. Application and Grant of Right Fee

In terms of Section 25(1) and (2) of the Marine Living Resources Act, 18 of 1998, the amount for the Application Fee was discussed during the Consultation Period and was determined by the Minister with the concurrence of the Minister of Finance.

The draft schedule of Fees was published with the General Policy on 13 September 2021. After consideration of stakeholder comments and taking into account the prevailing economic environment and the impact of the Covid-19 pandemic on the economy and the livelihoods of South Africans, the Minister decided not to apply the fee increase for applications and the quota (grant of right) fee for the Fishing Rights Allocation Process of 2021. The fees published in Government Notice No. 1170 in Government Gazette 39451 of 25 November 2015 were applied for the Fishing Rights Allocation Process of 2021/22. Applicants in the Traditional Linefish sector were exempted from paying both the application fee and the Grant of Right fee. The public notice in this regard was released on 18 November 2021.

The application fee for this sector thus remained at R 8 096 and the Grant of Right Fee remained at R 8 / tonne. The Grant of Right Fee is payable within 60 days from the date that the right is granted to the successful applicant.

6. Access to Information and Reasons

Every Applicant will receive the following information:

- a. A Notification Letter, informing the applicant of the Delegated Authority's decision, together with the reason for that decision and the manner in which Appeals must be submitted;
- b. Scoresheet indicating the Applicant's Score; and
- c. A copy of the General Published Reasons.

Individual Scoresheets pertaining to other Applicants may be requested in terms of the procedures and provisions of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) set out below.

The specific reasons contained in the notification letter to unsuccessful applicants, the scoresheets and the GPR constitute the reasons for the decisions to decline a right in a fishery. Applicants were evaluated within their confirmed categories (A, B or C) and assessed against the balancing criteria for their respective category and scoresheets for all applicants were generated.

Access to other information, including information pertaining to other applicants will be dealt with in terms of the procedures and provisions of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000). The prescribed Access to Information Form must be completed and submitted to the Department's Customer Service Centre, Ground Floor, Foretrust Building, Martin Hammerschlag Way, Foreshore, Cape Town or via email at CSCapplications@dffe.gov.za (attention: Deputy Director: Administration (FRAP)). The application will be assessed in terms of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000). The prescribed request fee of R 100.00 must be submitted together with the application. Applicants requesting other applicant's information will be charged an access fee in accordance with Fees in respect of Public Bodies published in August 2021. In processing the Requests for Information, the Department will take into consideration the Protection of Personal Information Act, 2013 (Act No. 4 of 2013).

Access will not be granted to any private and confidential information of the applicant in line with PAIA. Access will be granted on request to all other parts of an application (including the annexures) unless the third-party objects, in writing, to the release of specific parts of an application. Objections must be lodged to the Department's Customer Service Centre, Ground Floor, Foretrust Building, Martin Hammerschlag Way, Foreshore, Cape Town or via email at CSCapplications@dffe.gov.za. No information will be released before the date specified in the third-party notification. If access is sought to a part of the form in respect of which an objection was submitted, the request will be determined in accordance with the provisions of PAIA.

Applicants may view the scoresheets used to record the assessment of every application in the fishery at the Department's Offices, Foretrust Building, Martin Hammerschlag Way, Foreshore, Cape Town on the Departments FRAP online system. The viewing appointments will be conducted in line with Covid 19 protocols and regulations. Applicants are thus required to liaise with Natasha Philander via email NPhilander@dffe.gov.za to make an appointment for viewing. Viewing will take place during the period between 04 April 2022 and 22 April 2022 between the hours of 09h00 to 13h00 and 13h30 to 15h30 Monday to Friday excluding public holidays. These documents may be inspected free of charge, but prescribed rates in terms of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (the "PAIA") would apply if copies of documents are requested.

7. Decision Making Process

The Delegated Authority was assisted by the Assessment Team to evaluate all the applications. In summary, the FRAP 2021 assessment involved the following steps:

7.1. System Enhancement: The Department appointed Navayuga Infotech to redesign the FRAP Management System to enable applicants to capture their data and submit applications online and to facilitate the analysis of applicants' data across a range of fields, including the form of the applicant, compliance, catch utilization, equity, transformation, job creation and procurement, safe working conditions and vessels. The functionality of the IT system was enhanced to consistently apply the scoring and weighting of detailed criteria and to identify aspects which required special verification



and consideration. The Department approved the amendments to the design and development of the system.

7.2. Data Validation/Verification: The Delegated Authority was assisted by the Assessment Team to validate/verify data that was provided by each of the applicants. The primary purposes of the validation/verification was to ensure that the data captured by the applicant corresponds with the data in the possession of the Department.

7.3. Criteria and weighting design: The Delegated Authority, with the assistance of the Assessment Team, developed detailed criteria and weightings for the purpose of assessing and scoring the applications in each sector.

7.4. Assessment: The Assessment Team assisted the Delegated Authority by assessing whether the applications were properly lodged and whether they were materially defective or not and made recommendations for the consideration of the Delegated Authority. The Assessment Team also assessed the information provided in each application and provided comments to the Delegated Authority.

7.5. Decision-making: After all applications were evaluated, the Assessment Team presented the results to the Delegated Authority. The Delegated Authority then considered the results in respect of each applicant, having regard to the application. If there was any uncertainty regarding the score or the assessment, the Delegated Authority re-assessed the application. The Delegated Authority also considered whether the selected criteria and weighting achieved the objectives set for the fishery and, if necessary, adjusted weighting or criteria in order to better achieve the objectives.

8. Applicants for fishing rights in 2021

A total of **244** applications were received for the Small Pelagic (Sardine) Sector.



8.1. Criteria

8.1.1. Confirmation of Category designation

Applicants were assigned to one of three Categories (see Section 8.2.2, below). The category of an application was verified through comparison of the category in which an application was lodged against the right holding information on the Department's Marine Administration System (MAST) database. The holding of a Fish Processing Establishment right was not considered as the holding of a fishing right. Confirmed category designations are shown in Annexure A. Applications were assessed based on the verified category, and not necessarily on the category in which the application was lodged.

8.1.2. Exclusionary criteria

The following exclusionary criteria were employed:

- (a) Each application was initially screened to determine whether it was properly lodged using the information provided, and as could be reasonably determined with the available evidence and documentation. An application was considered to be improperly lodged and was excluded if:
- i. it was submitted without using the prescribed application form and lodged contrary to the instructions of the Department; or
 - ii. the applicant is not a South African person; or
 - iii. the application was submitted by a deregistered juristic person; or
 - iv. the applicant is not Tax Compliant (an applicant was considered tax compliant if a SARS certificate was provided and this indicated either a non-expired pin number or a non-expired clearance certificate at the time of submission of the original application deadline on 10 December 2021 or of the extended application deadline on 28 January 2022); or
 - v. the application was not submitted by the applicant or its authorized representative; or
 - vi. the applicant was not a registered company or close corporation; or
 - vii. the required documents (SARS, CIPC, authorization letter) were not attached; or
 - viii. the application was submitted after the set due date and time; or
 - ix. the applicant did not pay the prescribed application fee in full and on time (the correct and timeous payment of application fees was verified through a database



of payments received by the Marine Living Resources Fund and supplied to the Assessment Team).

- (b) The next step was to determine whether the application was materially defective, as could be reasonably determined with the available evidence and documentation. An application was considered to be materially defective if:
- i. more than one application was received from the same applicant for a fishing right in the same sector; or
 - ii. the applicant provided false information and/or misleading information or false documentation; or
 - iii. the applicant failed to disclose material information for the purposes of evaluating the application.
- (c) The next step was to determine whether the application was non-compliant. An application was non-compliant if:
- i. the applicant or any of its authorized personnel / representative(s) attempted to improperly influence the Minister or the delegated authority; or
 - ii. the applicant or any of its Directors, Trustees, Senior Management, Shareholders or Members (where such shareholding or members interest exceeds 10%) or Skippers has entered into a plea bargain in terms of section 105A of the Criminal Procedure Act, Act 51 of 1977, for a contravention of the MLRA, the regulations, or permit conditions and subjected to sentencing of imprisonment without the option of a fine; or
 - iii. the applicant or any of its Directors, Trustees, Senior Management, Shareholders or Members (where such shareholding or members interest exceeds 10%) or Skippers has been convicted in terms of the MLRA or its regulations or permit conditions since the period determined in the Fishery Sector Specific Policies (e.g. an applicant or any of its Directors, Trustees, Senior Management, Shareholders or Members (where such shareholding or members interest exceeds 10%) or Skippers has been convicted of more than two contraventions and subjected to sentencing exceeding R5000 or imprisonment without an option of a fine); or
 - iv. the applicant had an asset forfeited to the State for a violation of a provision of the MLRA; or



- v. the applicant had a fishing right or permit cancelled or revoked for a period as defined in the Fishery Sector Specific Policies. In the event that a fishing right or permit had been cancelled or revoked, the decision of the Minister or the Delegated Authority is suspended pending the outcome of the appeal.
- (d) Applicants were then evaluated to determine if they pose a “paper quota risk” or a “fronting risk” as defined in the General Policy on the Allocation and Management of Commercial Fishing Rights: 2021. Applicants who failed to present the documentation required, or who were not directly involved in the catching, processing or marketing of their fish or who did not apply for a catch permit or land any fish during the period for which they held a right were considered to have no serious intention of fully participating in the sector. The Delegated Authority decided to exclude all those applicants that posed a “paper quota” or “fronting” risk as such applicants would undermine and circumvent the objectives of the policy.
- (e) Category A applicants were excluded if they failed to utilize any of their fishing right, during the duration of the commercial fishing right which was granted in LTRAMP2005.
- (f) Applicants that were excluded, and the reasons for their exclusion, are listed by category in Table 4.

Table 4: Excluded applications (by category) for the Small Pelagic (Sardine) fishery.

Category	Application Number	Reason/s for exclusion
A (5)	SPS21055	Fronting and paper quota risk
	SPS21070	Improperly lodged and materially defective
	SPS21211	Fronting and paper quota risk
	SPS21237	Fronting
	SPS21273	Improperly lodged and materially defective
B (3)	SPS21095	Improperly lodged and materially defective
	SPS21188	Improperly lodged and materially defective
	SPS21259	Improperly lodged and materially defective
C (16)	SPS21085	Improperly lodged
	SPS21119	Improperly lodged and materially defective
	SPS21176	Improperly lodged and materially defective
	SPS21185	Improperly lodged and materially defective

SPS21201	Wrong entity type
SPS21216	Improperly lodged and materially defective
SPS21241	Improperly lodged and materially defective
SPS21261	Improperly lodged and materially defective
SPS21278	Improperly lodged and materially defective
SPS21283	Improperly lodged and materially defective
SPS21295	Improperly lodged and materially defective
SPS21297	Improperly lodged and materially defective
SPS21299	Improperly lodged and materially defective
SPS21317	Improperly lodged and materially defective
SPS21318	Improperly lodged and materially defective
SPS21322	Improperly lodged and materially defective

8.1.3. Balancing Criteria: Previous Right Holders and New Applicants

Applications that were properly lodged and not materially defective were scored in terms of a set of balancing criteria ("the balancing criteria") as set out in the General and Sector-Specific policies. The balancing criteria were weighted for purposes of ranking the applicants.

The following criteria were used to score and rank applicants in the Small Pelagic (Sardine) sector, namely the Applicant Details, Form of Applicant, Compliance, Access to a Suitable Vessel, Submission of Catch Information, Fishing Performance, Transformation, Job Creation, Additional Societal Benefit, Payment of Dividends, and Investment. The weightings for each of the balancing criteria differed between Categories and are shown in Table 5.

Table 5: Percentage weights allocated to questions posed to applicants in the Small Pelagic (Sardine) fishery.

Section	Heading	% Weights Category A	% Weights Category B	% Weights Category C
Section 1	Applicant Details	0%	0%	15%
Section 2	Form of Applicant	2%	2%	10%
Section 3	Compliance	3%	3%	3%
Section 4	Access to a suitable vessel	20%	30%	20%
Section 5	Fishing Performance	5%	0%	0%
Section 6	Transformation	15%	20%	25%
Section 7	Job creation	20%	30%	15%
Section 8	Dividends and Additional Societal Benefit	10%	15%	12%
Section 9	Investment	25%	0%	0%
Section 10	Applicant declaration	0%	0%	0%
		100%	100%	100%

8.2. Assessment

8.2.1. Section 1: Applicant Details

Applicants were assessed against the number of years they have been involved in the fishing industry.

8.2.1.1 All Category A applicants who were involved in the Sardine fishery for the full 15-year period were automatically awarded maximum scores for questions 1.30, 1.31 and 1.32. Scores were reduced in cases where applicants, as new entities, did not hold a sardine right for the entire 15 year period as a result of Section 21 Rights transfers. In these cases scores were awarded based on the number of years that applicants were active in the sector, with the number of years being scored as follows: 0-4 years=5; 5-8=10; 9-12=15 & 13 and above=20.

8.2.1.2 Category B applicants were scored on questions 1.33 and 1.34. In the sector with the highest number of years, the number of years that the applicant has held a right was scored as follows: 0-4 years=5; 5-8=10; 9-12=15 & 13 and above=20.

8.2.1.3 Category C applicants were scored on questions 1.35 and 1.36. For each, the number of years of involvement was scored as follows: 0-4 years=5; 5-8=10; 9-12=15 & 13 and above=20.

8.2.2. Section 2: Form of Applicant

Three Categories of Applicants were identified:

- i. **Category A Applicants** - Applicants who held a right in the Small Pelagic Sector between 2005/06 and 2020/21. Applicants who received Small Pelagic fishing rights as a result of transfers under Section 21 of the Marine Living Resources Act, 1998 (Act No. 18 of 1998) at any stage during the period 2006 – 2020/1 were also considered under this category.
- ii. **Category B Applicants** - Applicants who did not hold rights in the Small Pelagic Sector between 2005/06 and 2020/21 but who did hold rights in other fishing sector/s during this period and
- ii. **Category C Applicants** - Applicants who did not hold a right in any fishing sector between 2005/06 and 2020/21.

8.2.3. Section 3: Compliance

The Department's Transgression Register and the South African Police Services register were used to identify, where possible, if Directors, Trustees, Senior Management, Shareholders or Members (where such shareholding or member's interest exceeds 10%) or Skippers of any applying entities had contravened the Marine Living Resources Act, Act 18 of 1998. Cases that were not finalized were not taken into consideration. The Delegated Authority also gave consideration to whether the applicant complied fully with other relevant legislation as indicated in the Application Form.

8.2.3.1 Where Category B and C applicants answered questions under Section 3 with a N/A, the system scored them zero points. The Delegated Authority reviewed the

scores and the transgression register and awarded points accordingly and where appropriate.

8.2.4. Section 4: Access to a suitable vessel

Consideration was given to the level of access to a suitable vessel indicated by each applicant. The suitability of nominated vessels was evaluated according to the specifications stipulated in the Policy on the Allocation and Management of Small Pelagic Commercial Fishing Rights: 2021. Small pelagic vessels that were approved during the previous rights allocation period as well as a single to-be-built vessel that was approved in 2019 were considered to be suitable vessels for the sardine fishery. Where applicants had nominated a vessel that was deemed not to be suitable or was still to be built (but had not yet been approved by the Department), the successful applicants will be afforded the opportunity to nominate a suitable vessel.

8.2.4.1 Scores were awarded on a sliding scale, with the maximum score (20) being awarded for applicants who had >50% ownership of a vessel, graduating downwards to 50% (a score of 15); <50% (10) and a catch agreement (5). For this section, ownership levels and catch agreements were only considered where the nominated vessel was suitable for operation in the Small Pelagic Sector, as described in Section 9 of the Policy on the Allocation and Management of Small Pelagic Commercial Fishing Rights: 2021.

8.2.5. Section 5: Fishing Performance

This was assessed for Category A applicants only, and these applicants were screened and evaluated on whether, and to what degree, they had utilized their rights allocated during the previous rights allocation period (2006-2020) in the Small Pelagic Sector.

8.2.5.1 Category A applicants fishing performances were assessed by comparing their confirmed catches with allocations using Departmental allocation and catch data for the period 2007 to 2020 only. Data for 2006 were not used because at that time the appeals process was not yet finalized and allocations were adjusted subsequently, and data for 2021 were not used because that year was not part of the previous allocation period and to avoid Section 21 actions (combination of



rights). Allocations and catches were summed for the 2007-2020 period and the ratio of catch: allocation was calculated and expressed as a percentage for each applicant. Fishing performance scores for each Category A applicant were based on their catch: allocation percentage, scaled to the maximum achieved for all Category A applicants and using Table 6, below.

Table 6: Awarded scores for different levels of a Category A applicant's catch: allocation %.

Catch: Allocation %	Score
<11	0
>=11 and <70	2
>=70 and <80	4
>=80 and <90	6
>=90 and <95	8
>= 95	10

The Excel file in which these calculations were made (FRAP Sardine Q5.3.xls) is available on request (frapeng_2020@environment.gov.za).

8.2.6. Section 6: Transformation

Transformation was regarded as a key criterion and a number of indices were used to evaluate the various levels of transformation achieved by each applicant. Applicants were rewarded for maintaining and/or improving their ownership profile and employment of black people (as defined in terms of the B-BBEE 53 of 2003 and Codes of Good Practice) women, youth and people living with disabilities between 2005/06 and 2020/21. Scores were awarded for employee share schemes, expenditure on corporate social investment, compliance with Employment Equity, affirmative procurement, skills development and enterprise development.

8.2.6.1 For Question 6.03, scores were awarded based on an Applicant's present transformation level in terms of shareholding/membership interest held by black persons (as defined in terms of the B-BBEE 53 of 2003 and Codes of Good Practice), women, youth and persons with disabilities, for all categories of

applicant. Data for 2020 was used for Category A and B applicants and 2021 for Category C applicants. The change in transformation level was also assessed for Category A and B applicants only (this was not done for Category C applicants because many of those are recently-formed companies or close corporations), with the change for Category A applicants calculated for the period 2006-2020 and for Category B applicants calculated for the longest period for which data were supplied (e.g. 2006-2020; 2013/14-2020; 2018-2020 or 2019-2020).

Present transformation level scores were calculated for all applicants by: (i) summing the values provided for the percentages of black people, women, youth, and people living with disabilities employed (maximum = 400%; *i.e.* if everyone employed by that applicant were young, black women living with disabilities) in the appropriate year; (ii) normalizing that sum relative to the maximum sum for applicants in that Category only (such that the normalized value for the applicant with the highest sum in that Category would be 100); and (iii) awarding a score from 1 to 12 based on that normalization whereby applicants that had a normalized value of >80 were awarded 12 scores and those that had a normalized value of <80 were awarded a score of one twelfth (1/12) of their normalized value expressed as a proportion and not a percentage.

The change in transformation level was calculated for Category A and B Applicants only (insufficient data were available for Category C Applicants), by: (i) summing the values provided for the percentages of black people, women, youth, and people living with disabilities employed (maximum = 400%) for the start and end years of the assigned period; (ii) subtracting the summed value at the start of the period from that at the end of the period and expressing the resultant value as a percentage of the starting value; (iii) normalizing that value by dividing it by the maximum change in transformation calculated for applicants in that Category only; and then (iv) dividing that normalized value by the average change in transformation value for all applicants in that Category only.

The final score for Q.6.3 was the sum of the values calculated for present transformation level and change in transformation level, with substantially more weighting given to an applicant's present transformation level than their change in transformation level. A maximum score of 12 could be achieved for this question;



applicants who provided no data for this question were awarded a score of zero (0).

For applications where it was suspected that actual numbers and not percentages had been provided for each transformation group, or where this information was not provided, information was sought from Question 6.4 and from the attached CIPC documents, and where applicable was used to recalculate or calculate their transformation scores.

The Excel file in which these calculations were made (FRAP Sardine Q6.3.xls) is available on request (frapenq_2020@environment.gov.za).

8.2.6.2 For Question 6.06, if applicants answered Yes in 6.5 to having an employee share scheme, system points were awarded as follows based on the percentage supplied by the applicant in 6.06: 0-10 %=1 points, 11-20%=2 points, 21-30%=3 points, 31-40%= 4 points, 41-50%=5 points, 51-60%=6 points, 61-70%=7 points, 71-80%=8 points, 81-90%=9 points, >90%=10 points.

8.2.6.3 For Question 6.07, all applicants (Category A, B and C) were awarded 2 points for every year in which a capital payment was made to an employee ownership scheme for the years 2016 to 2020. The points out of 10 were scaled up to 100 and a score was awarded according to Table 6 below. Applicants scored zero (0) points for years in which no information was provided.

Table 7: Awarded scores for capital payments to employee ownership schemes.

Payments to employee ownership schemes	Score
<1	1
>=1 and <20	2
>=20 and <30	3
>=30 and <40	4
>=40 and <50	5
>=50 and <60	6



>=60 and <70	7
>=70 and <80	8
>=80 and <90	9
> 90	10

The Excel file in which these calculations were made (FRAP Sardine Q6.7.xls) is available on request (frapeng_2020@environment.gov.za).

8.2.6.4 For Question 6.10, all applicants (Category A, B and C) were awarded points for the percentage of their wage bill that was paid to previously disadvantaged individuals across 4 classes, i.e., Race (Black, Coloured, Indian, Chinese), Gender, Youth and disabled persons according to Table 8 below. Points awarded for gender, youth and disability were doubled and added to the score for race, giving a higher weighting to classes other than race. The total score was normalized to the maximum score across all applicants within a particular category (A, B or C) and scaled up to a score out of 24.

Table 8: Awarded scores for the percentage of the applicant's wage bill that was paid to previously disadvantaged individuals.

Percentage range	Score
0 or No information provided	0
From 0 >= %P < 50	1
From 50 >= %P < 60	2
From 60 >= %P < 70	3
From 70 >= %P < 80	4
From 80 >= %P < 90	5
From 90 >= %P < 100	6

8.2.6.5 For Question 6.15, scores could not be awarded based on the percentage of an applicant's turnover, or profit, that was spent on Corporate Social Investment (CSI) in each year over the period 2019 to 2021 as the provided data in 6.15 were considered unreliable and in some cases not credible. Instead, scores were based on the actual amounts (in Rand) spent on CSI (that were provided by applicants in their answers to Question 6.15) relative to the average amount by all applicants in that Category only. The CSI spend of each applicant in a given year was expressed as a proportion of the average CSI spend by applicants in that Category only for that year, and an average CSI proportion was then determined for each applicant only using years for which data were provided. Applicant scores were based on these average CSI proportions using the table below. However, because the average CSI spend per category per year was strongly impacted by the small number of applicants that had indicated a substantial CSI spend in all three categories, almost all proportion values were <1, hence values >1 were set to 1. Applicants that did not provide information for this question received a score of zero, and the maximum possible score was nine (Table 9).

Table 9: Awarded scores for different proportions the Category average CSI spend.

Proportion of Category average CSI spend	Score
0 (no information provided)	0
>0.0<0.1	1
>0.1<0.2	2
>0.2<0.3	3
>0.3<0.4	4
>0.4<0.5	5
>0.5<0.6	6
>0.6<0.7	7
>0.7<0.8	8
>0.8<=1.0	9



The Excel file in which these calculations were made (FRAP Sardine Q6.15.xls) is available on request (frapeng_2020@environment.gov.za).

8.2.6.6 **For Question 6.16**, for all applicants (Category A, B and C), a score of 5 was awarded if the applicant answered “yes” and a score of zero (0) was awarded if the applicant answered “no” to procuring goods/services from majority black owned companies.

8.2.6.7 **For Question 6.17**, for all applicants (Category A, B and C) a score of 5 was awarded if the applicant answered “yes” and a score of zero (0) was awarded if the applicant answered “no” to being compliant with the Skills Development Act, 97 of 1998.

8.2.6.8 **For Question 6.19**, for all applicants (Category A, B and C) a score of 5 was awarded if the applicant answered “yes” and a score of zero (0) was awarded if the applicant answered “no” to paying levies in terms of the Skills Development Levies Act, 9 of 1999.

8.2.6.9 **For Question 6.21**, for all applicants (Category A, B and C) a score of 5 was awarded if the applicant answered “yes” and a score of zero (0) was awarded if the applicant answered “no” to having appointed a skills development facilitator.

8.2.6.10 **For Question 6.23**, for all applicants (Category A, B and C) a score of 5 was awarded if the applicant answered “yes” and a score of zero (0) was awarded if the applicant answered “no” to having developed a workplace skills plan.

8.2.6.11 **For Question 6.24**, for all applicants (Category A, B and C) a score of 5 was awarded if the applicant answered “yes” and a score of zero (0) was awarded if the applicant answered “no” to participating in learnership programmes.

8.2.6.12 **For Question 6.26**, for all applicants (Category A, B and C) a score of 5 was awarded if the applicant answered “yes” and a score of zero (0) was awarded if the applicant answered “no” to having embarked upon enterprise development projects to address increasing black ownership, management and skills in new business enterprises.



8.2.7. Section 7: Job creation

Category A applicants were assessed in terms of their number of permanent (Q7.10) and seasonal (Q7.20) employees relative to their average sardine allocation (tonnes) during the period 2018 -2020. The total number of permanent and seasonal employees provided in the application form was multiplied by the proportion of employees in the small pelagic sector for each component and divided by the average allocation (in 1000 t) to derive a jobs/1000 t value. This was translated into a score from 1 to 10 for permanent employees based on Table 8 below and a score from 1 to 5 for seasonal workers.

Category B and C applicants were assessed in terms of their total number of permanent (Q7.10) and seasonal (Q7.20) employees. This was similarly translated into a score from 1 to 10 for permanent employees and a score from 1 to 5 for seasonal workers, although the ranges over which scores applied had to be adapted to the particular category. Applicants that did not provide information for either of these questions received a score of one.

Table 10: Awarded scores for permanent and seasonal employees

CATEGORY A				CATEGORY B			
Permanent Jobs/1000t	Score	Seasonal jobs/1000t	Score	Permanent Jobs	Score	Seasonal jobs	Score
<1	1			<1	1		
>=1 and <20	2	<1	1	>=1 and <5	2	<1	1
>=20 and <40	3	>=1 and <10	2	>=5 and <10	3	>=1 and <5	2
>=40 and <60	4	>=10 and <100	3	>=10 and <15	4	>=5 and <30	3
>=60 and <100	5	>=100 and <200	4	>=15 and <20	5	>=30 and <40	4
>=100 and <200	6	>= 200	5	>=20 and <30	6	>= 40	5
>=200 and <300	7			>=30 and <40	7		
>=300 and <400	8			>=40 and <50	8		
>=400 and <500	9			>=50 and <60	9		
>= 500	10			> 60	10		
				CATEGORY C			
				Permanent Jobs	Score	Seasonal jobs	Score
				<1	1		
				>=1 and <5	2	<1	1
				>=5 and <10	3	>=1 and <5	2
				>=10 and <12	4	>=5 and <10	3

	>=12 and <14	5	>=10 and <30	4
	>=14 and <16	6	>= 30	5
	>=16 and <18	7		
	>=18 and <20	8		
	>=20 and <25	9		
	> 25	10		

The Excel files in which these calculations were made (FRAP Sardine Q7.1.xls and Q7.2.xls) are available on request (frapeng_2020@environment.gov.za).

Applicants were also rewarded for affording their employees substantive benefits in addition to stable basic employment, such as Medical Aid, Pension Funds and Safe Working Conditions. A “yes” to questions 7.3, 7.4 and 7.5 was awarded a score of 2 whereas a “no” was awarded a score of zero.

8.2.8. Section 8: Dividends and Additional Societal Benefits

Consideration was given to the amount of income tax paid by applicants as well as the annual payment of dividends to shareholders and the percentage of black shareholding. Local economic development and value adding activities were also taken into consideration.

8.2.8.1 For Question 8.4, and for all Categories (A, B and C), benefits accrued to society were calculated from data provided on total income tax paid to Revenue Services (in Rands), Annual dividends paid to black shareholders (in Rands), Annual Dividends paid to shareholders (in Rands), the number of issued shares and the average share price (in Rands). The annual total income tax paid and annual dividends paid to black shareholders was summed for the period 2007 to 2020, whereas the number of annual issued shares and the annual average share price was averaged over the period 2007 to 2020. The final benefit value was calculated from the sum of the total tax paid, dividends paid to black shareholders and the average number of shares issued multiplied by the average share price. For Category A applicants, this value was divided by the total directed sardine TAC allocation (from 2007 to 2020) to derive a benefit per tonne value (Rand per tonne). For Category B and C applicants, the value was used as calculated (Rand benefit)

and not compared to any previous TAC allocation. Values calculated were converted to a score out of 10 using the category specific values and score in Table 11.

Table 11: Awarded scores for benefit accrued to society in terms of value (Rand/tonne) for Category A applicants and value (Rand) for category B and C applicants.

CATEGORY A		CATEGORY B		CATEGORY C	
Value (Rand/ton)	Score	Rand	Score	Rand	Score
>0 and <10000	1	>0 and <10000	1	>0 and <5000	1
>=10000 and <100000	2	>=10000 and <100000	2	>=5000 and <10000	2
>=100000 and <200000	3	>=100000 and <200000	3	>=10000 and <25000	3
>=200000 and <500000	4	>=200000 and <500000	4	>=25000 and <50000	4
>=500000 and <1000000	5	>=500000 and <1000000	5	>=50000 and <100000	5
>=1000000 and <5000000	6	>=1000000 and <5000000	6	>=100000 and <250000	6
>=5000000 and <10000000	7	>=5000000 and <10000000	7	>=250000 and <500000	7
>=10000000 and <15000000	8	>=10000000 and <15000000	8	>=500000 and <750000	8
>=15000000 and <20000000	9	>=15000000 and <20000000	9	>=750000 and <1000000	9
>= 20000000	10	>= 20000000	10	>= 1000000	10

The Excel file in which these calculations were made (FRAP Sardine Q8.4.xls) is available on request (frapenq_2020@environment.gov.za).

8.2.8.2 For Question 8.6, and for Category C only, a score is awarded based on the number of years that an entity has been operating in its local area. 1-5 years=5 points; 6-10=10 points; 11-20=15 points & 21 and above=20 points.

8.2.8.3 For Question 8.7, and for Category A and B applicants only, scores were awarded based on the identified Fish Processing Establishments (FPEs) where applicants had their catches processed. These data were extracted from the DFFE Sybase research catch database. The highest scores were awarded to applicants that had processed on the south coast, intermediate scores were awarded to applicants that had processed on the west coast (excluding the Cape Metropolitan Area), and lowest scores were awarded to those that had processed catches at FPEs within the Cape Metropolitan Area. Each FPE was allocated either 1, 2 or 3 scores depending on its regional location (Table 12).

Table 12: Awarded scores for different FPEs where catch was processed.

Region	Fish Processing Establishments	Score
Cape Town Metropolitan Area	Komicx Products, Oceana Brands, Consortium Alpha, Atlantic Cold Storage, Sandalene, S. Achmad, K.J. Coleman, Chapmans Peak Fisheries, Bona Fide, Pumulela, Sentinel, Quay Marine, Snoek Wholesalers, Bluefin Processing, Crossberth Sea Food, Inkqubela processors, Pesculuna, Sea Freeze, Seawork	1
West Coast (excluding CTMA)	Oceana Brands - St Helena Bay, Marine Products Laaiplek, Oceana Brands - St Helena Bay, Sandy Point Canning Co Ltd, Oranjevis, West Point, West Point, Southern Seas , Gansbaai Marine, Oranjevis, Paternoster Visserye, R. Poggenpoel & Part., Eigelaars & Seuns, Ajf Eigelaar & Seuns (Edms) Bpk, Hermanus Seafoods, VISKO, Sandy Point Fishing, Phakamisa, Bongoletu, Laingville Visserye, Hermanus Processing Services, Lambertsbaai Kreefprodukte, Gansbaai Marine, Umoya, Jaloersbaai, Gannet Sea Products, Marine Products Laaiplek, Dyer Eiland, Amawandle, Whale Coast	2
South and East Coast	Port Alfred Fishing, D Christy and Sons, Risar, Kwikfreeze, Eyethu, PEA Sea Products, Mossel Bay Fishing, Sea Vuna, Balobi Processors, Trade Motto, Copper Moon, Flake ice Services, Afro Fishing, Ikamva Fishing, Rial Processors, I & J Mossel Bay, Ithemba Labanthu, Kwik Cool, Trade Motto, Upfront Event Eighteen, Avante Fishing Enterprises, B and D Packers 101, Hooks	3

	Product, CBS, Mvubu, South East Atlantic, Viking Inshore, Kelvata, Ulwandle, Dried Ocean Products.	
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For Category A applicants, both the location where directed catches of sardine had been processed and the quantities of those catches processed at each FPE during the period 2007 to 2020 were used in deriving a score (2006 was not used for the reason given in 8.2.5.1, above). Scores were calculated for each applicant as follows: (i) the total amount of directed sardine processed at each listed FPE during the 2007-2020 period was multiplied by that FPE's score value to provide a weighted location value; (ii) landings of directed sardine were summed across all FPEs where they had been processed by the applicant during the 2007-2020 period; (iii) the weighted location values were summed across all FPEs listed by the applicant; and (iv) the sum of the weighted location values was then divided by the sum of directed sardine landings. The resultant scores were normalized to the maximum value of 3 and were then multiplied by the maximum possible score of 97 to provide the final score for this question.

For Category B applicants only, scores were awarded based on the identified harbours where applicants had landed their catches. The highest scores were awarded to applicants that had landed catches on the south coast, intermediate scores were awarded to applicants that had landed catches on the west coast (excluding the Cape Metropolitan Area), and lowest scores were awarded to those that had landed catches at harbours within the Cape Metropolitan Area. Each harbour was allocated either 1, 2 or 3 points depending on its regional location (see Table 13, below).



Table 13: Awarded scores for different harbours where catch was landed.

Region	Harbours	Score
Cape Town Metropolitan Area	Cape Town, Hout Bay, Kommetjie, Kalk Bay, Gordon's Bay	1
West Coast (excluding CTMA)	Port Nolloth, Elands Bay, Lamberts Bay, Laaiplek, Velddrift, St Helena Bay, Stompneus Bay, Jacobs Bay, Sandy Point, Saldanha Bay, Kleinmond, Hawston, Hermanus, Gans Bay	2
South and East Coast	Mossel Bay, Port St Francis, Port Elizabeth (Gqeberha), Coega, Port Alfred	3

The Excel file in which these calculations were made (FRAP Sardine Q8.7.xls is available on request (frapeng_2020@environment.gov.za).

8.2.8.4 For Question 8.8, and for ALL categories of applicant, scores were awarded based on the identified harbours where applicants intended to land their catches and their intended frequency of usage of those harbours. The highest scores were awarded to applicants that intend to land fish on the south coast, intermediate scores were awarded to applicants that intend to land catches on the west coast (excluding the Cape Metropolitan Area), and lowest scores were awarded to those intending to land fish at harbours within the Cape Metropolitan Area. Only data for the first three identified harbours were used in calculating scores, and for applications where the intended frequency of harbour usage for the first three harbours listed did not sum to 100% those values were re-expressed as a percentage of the total sum of percentages for those first three harbours. Scores were calculated as follows: (i) each harbour was allocated a point value depending on its regional location (see Table in Section 8.2.8.1, above); (ii) the intended % of usage of listed harbours was expressed as a proportion and multiplied by the scores value for that harbor; and (iii) these values were then summed for the first three listed harbours to derive a final score for each applicant. Applicants that did not provide information for this question received a score of zero, and the maximum possible score was fifteen (15).

The Excel file in which these calculations were made (FRAP Sardine Q8.8.xls) is available on request (frapeng_2020@environment.gov.za).

8.2.9. Section 9: Investment

Consideration was given to the amount applicants have invested in vessels, marketing and fish processing. In contrast to Section 4: Access to a Suitable Vessel (see 8.2.4.1, above), investment in any type of fishing vessel, whether suitable for operation in the Small Pelagic Sector or not, was scored positively. For Category A applicants, the total rand value (insured value) of the applicant's total fixed assets in 2020 in the small pelagic sector was used as the value for investment. This investment value was divided by the total TAC allocation for the applicant summed from 2007 to 2020 to derive an estimate of investment per ton (Rand/tonne). Based on that value, a score from Table 14 was assigned to the applicant. For Category B and C applicants, the (insured value) of the applicant's total fixed assets in 2020 was used with no consideration of TAC allocations in other sectors.

Table 14: Awarded points for investment (Rand/tonne for category A applicants and Rand for category B and C applicants).

CATEGORY A		CATEGORY B		CATEGORY B	
Investment (Rand/tonne)	Score	Investment (Rand)	Score	Investment (Rand)	Score
<=1	1	>=1 and < 10 000	1	>=1 and < 50 000	1
>1 and <100	2	>=10 000 and <500 000	2	>=50 000 and <100 000	2
>=100 and <200	3	>=500 000 and <1 000 000	3	>=100 000 and <200 000	3
>=200 and <400	4	>=1 000 000 and <3 000 000	4	>=200 000 and <500 000	4
>=400 and <500	5	>=3 000 000 and <5 000 000	5	>=500 000 and <1 000 000	5
>=500 and <1000	6	>=5 000 000 and <10 000 000	6	>=1 000 000 and <5 000 000	6
>=1000 and <2500	7	>=10 000 000 and <20 000 000	7	>=5 000 000 and <10 000 000	7
>=2500 and <5000	8	>=20 000 000 and <30 000 000	8	>=10 000 000 and <15 000 000	8
>=5000 and <7000	9	>=30 000 000 and <50 000 000	9	>=15 000 000 and <30 000 000	9
>= 7000	10	>=50 000 000	10	>=30 000 000	10

The Excel file in which these calculations were made (FRAP Sardine Q9.1.xls) is available on request (frapenq_2020@environment.gov.za).

8.2.10. Applicants involvement and relationship with other applicants

Where a company and its subsidiary/ies or brother-sister corporations applied, rights were allocated to the holding/umbrella/parent company in the case of applicants that had subsidiaries, and to one of the qualifying entities in the case of brother-sister corporations. These relationships were established by examination of information provided on applicants' directors and shareholders.

9. Allocation of Quantum

For this allocation period, only sardine and anchovy will be allocated under the Total Allowable Catches (TACs) and Total Allowable Bycatches (TABs) levels set each year for the Small Pelagic Sector. The other targeted species (West Coast red eye and mesopelagic fishes) will be managed via unallocated Precautionary Upper Catch Levels (PUCLs).

The Delegated Authority has allocated quanta based on the criteria intended to achieve the listed objectives of the Policy on the Allocation and Management of Small Pelagic Commercial Fishing Rights: 2021. The quanta allocated to each successful applicant will be expressed as a percentage of the TAC for directed sardine. However, these percentages will not necessarily remain fixed for the duration of the right and may change under circumstances of low biomass.

When sardine stocks are at low biomass levels and hence TACs are much reduced, the percentage of the TAC held by each right holder will change on an annual basis. This will be done through the incorporation of a sliding scale for TAC re-apportionment at yet to be determined (and in consultation with Right Holders) pre-specified low TAC levels, such that below these levels the relative decrease in the tonnage allocated to smaller right holders will be less than that of larger right holders. Hence the proportion of the TAC allocated to a right holder in a particular year will change when the TAC drops below the pre-specified low level. This mechanism seeks to provide an economic buffer for smaller right holders at low TAC levels. The formula for the sliding scale needs final specification and will depend on the level selected for the low TAC threshold and the range over which it applies. Additionally, a minimum allocation of 200 tonnes was set for the sardine fishery

9.1. Total Allowable Catch (TAC)

The global Small Pelagic (Sardine) TAC is currently apportioned as follows: Category A: 92.5926%; Category B: 1.6667%; Category C: 5.7407%

9.2. Small Pelagic (Sardine)

Quantum was allocated as a percentage of the total Small Pelagic (Sardine) TAC.

The following process was followed for allocation of the Small Pelagic (Sardine) TAC to successful applicants:

The size of each quantum allocated was based, *inter alia*, on the following considerations: (i) the number of successful applications in each Category; (ii) the level of access to fishing vessels and fish processing establishments of each successful applicant; (iii) the anticipated directed sardine TACs over the short to medium term; and (iv) the determination of a minimum allocation (in absolute terms; *i.e.* tonnage). Directed sardine TACs are anticipated to range between 30 000 tonnes and 40 000 tonnes in the medium term, and a minimum allocation of 200 tonnes was selected for sardine.

The determination of quanta was based on (i) the percentages of the sardine TAC held during the previous allocation period by successful Category A applicants; (ii) the minimum allocation of 200 tonnes; (iii) the number of successful new entrants; (iv) the proportion of the TAC previously held by unsuccessful or excluded Category A applicants; and (v) a projected 2022 directed sardine TAC of 30 000 tonnes (yet to be finalized) of which 10%, or 3 000 tonnes, would be reserved for appeals. Firstly, successful Category A applicants whose previous % TAC would result in them being allocated <200 tonnes of a TAC of 30 000 tonnes (*i.e.* 30 000 less the 10% reserved for appeals) had their % TAC values increased. Secondly, the five largest (in terms of their previous % of the TAC values) successful Category A applicants had their % TAC values reduced by 5% (*i.e.* to 95% of what they had been), so as to make a larger proportion of the TAC available for smaller Category A applicants that had performed better than others of a similar size and for new entrants (Categories B and C). The performance of successful Category A applicants was assessed by dividing them into 10%-ile groups according to the size of their previous allocation

and comparing each to the average score obtained by applicants within that group; those applications with higher than average scores had their % TAC value increased.

10. Decisions on the allocation of fishing rights

The reasons for exclusionary criteria (improper lodgment, material defects and non-utilization) have been dealt with in the General Policy: 2021 and the Sector-specific policy and will not be repeated here. As far as the decisions on the applications in terms of the comparative balancing criteria are concerned, the Delegated Authority determined that Category A applicants with a Final Score of less than 50 (i.e. <50) would not be successful. This cut-off level was taken as indicating a poor overall performance by previous Right Holders and was implemented because of the need to reduce the number of Right Holders in this sector given (i) the present depleted status of the sardine resource; (ii) the implementation of a minimum allocation; and (iii) that sardine directed TACs are likely to be relatively low (around 30 000 to 40 000 tonnes) in the medium term. Given that only a small number of New Entrants can be incorporated in the sardine fishery, as described in the Policy on the Allocation and Management of Small Pelagic Commercial Fishing Rights: 2021, only the top five (in terms of their Final Score) applicants in each of Category B (all had scores >72) and Category C (all had scores >67) were examined in detail, and decisions as to whether they should be successful or unsuccessful were based on those assessments.

Ten percent (10%) of the TAC was reserved for appeals.

- 46 of the 80 Category A applicants were successful sharing 92.5926 % of the TAC.
- 2 of the 59 Category B applicants were successful sharing 1.6667 % of the TAC.
- 4 of the 105 Category C applicants were granted rights in this sector with a combined TAC of 5.7407 %.

10.1. Transformation

Transformation of the sector was measured as a percentage of the TAC that is held by HDIs. In the sardine fishery the percentage of the TAC owned by majority Black-owned entities has increased substantially (by almost 20%) from the last allocation period. The average % of shareholding/interest held by black persons has increased marginally from 82.00 to 82.05 % whereas that held by women has increased substantially from 28.61 to 48.27 %.



Table 15: Transformation profile: Previous vs current allocations.

	2005/06	2009	2013	2021
Shareholding	LTRAMP	Performance Reviews	FRAP	FRAP
Black ¹	82.00 %	73.00 %	N/A	82.05 %
Female	28.61 %	14.11 %	N/A	48.27 %
Youth	N/A			12.06 %
People with disabilities	N/A			4.89 %
% TAC owned by majority Black-owned entities	73.32 %	80.00 %	N/A	92.59 %

10.2. Appeals

Ten percent (10%) of the Small Pelagic (Sardine) TAC will be held in reserve until finalisation of the appeals process. Should the entire 10% not be awarded during the appeals process, the balance would be apportioned pro-rata amongst the successful applicants. The appeals process will open on the 14th March 2022, and will close on the 29th April 2022. Previous Right Holders in the Small Pelagic Sector have been fishing under exemption during 2022, with around 3 400 tonnes of sardine -having been landed to date (as of 28 February 2022). The catches taken by applicants who applied in FRAP 2020/21 but were unsuccessful and those that did not re-apply will be subtracted from the 10% of the TAC reserved for appeals; those taken by successful applicants will be considered a part of their 2022 allocation. Should the combination of sardine caught by unsuccessful applicants and those that did not re-apply by end-February and the quanta allocated to successful appellants exceed the reserved 10% of the Directed Sardine TAC for 2022, all successful applicants will have their allocations for the remainder of 2022 reduced pro-rata to account for this deficit. Should there be a surplus following the appeals, then that surplus will be distributed pro-rata to all successful applicants and successful appellants.

¹ The term "Black persons" is defined in terms of the B-BBEE 53 of 2003 and Codes of Good Practice, in which means "Black" means Africans, Coloureds, Chinese and Indians who are citizens of the Republic of South Africa by birth or descent or who became citizens of the Republic of South Africa by naturalisation – a) before 27 April 1994; or b) on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalisation prior to that date but were precluded from doing so by Apartheid policies.

10.3. Grant of Right Letters

Grant of Right letters were sent via the FRAP IT system to the email addresses supplied by all Applicants.

10.4. Duration of Fishing Rights

As far as the allocation of quantum is concerned, the Delegated Authority's decisions were informed by the General and sector-specific policy considerations, with particular regard for the need:

- a. to improve the transformation profile of the sector;
- b. to safeguard the Small Pelagic resources against substantial reduction in the future;
and
- c. to ensure that determined quantum levels are not be exceeded as it will pose a serious risk of longer term reductions in catch and loss incomes and of jobs.

The Small Pelagic (Sardine) commercial fishing rights are allocated for a **fifteen (15)** year period, starting 01 March 2022 and ending 31 December 2037.

11. Auditing

Rain Chartered Accountants were appointed as process observers for the entire FRAP 2021 process.

12. Forensic investigations

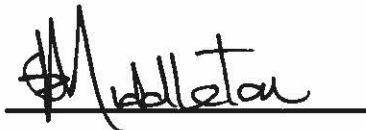
Morar Inc were appointed to conduct *ad hoc* forensic investigations in the case of a tip off, or a specific request from a Delegated Authority.

The independent forensic company will 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 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, proceedings in terms of Section 28 of the MLRA will be undertaken which may result in the revocation, suspension, cancellation, alteration or reduction of the right held by such an applicant.

13. Communication

Applicant are invited to contact the FRAP Call Centre Helpline during the week (Monday to Friday) between 08h00 and 16h00 at (021) 402 FRAP (3727) or to email the Customer Service Centre at FRAPeng2020@dffe.gov.za should they require assistance in understanding the General Published Reasons

A handwritten signature in black ink, appearing to read 'Sue Middleton', is written over a horizontal line.

Name: Ms. Sue Middleton

Designation: Delegated Authority: Small Pelagic (Sardine)

Date: 28/02/2022

14. Annexures

A.1: Fishing Rights Allocation Process 2021: Final list for Small Pelagic (Sardine) Category A applicants.

No	Application number	Applicant name	Allocated vessel	Score	% allocation	Final decision
1	SPS21001	Balobi Processors (Pty) Ltd	Sparticus, Boetie Akie, Colette	83.15	0.8333	Successful
2	SPS21025	The Cape Peninsula Linefisherman CC	Ocean Blue	60.26	0.8333	Successful
3	SPS21026	Humansdorp Community Factory Workers (Pty) Ltd	Sparticus	50.08	0.8333	Successful
4	SPS21027	Sea Point Fishing CC	Elomi	56.34	0.8333	Successful
5	SPS21028	Ixia Trading 501 (Pty) Ltd	Ocean Blue, Silver Snapper	63.78	0.8333	Successful
6	SPS21034	Gansbaai Marine (Pty) Ltd	Vleigans, Berggans, Rietgans II, Kolgans, Wafra, Stormgans, Wildegans II, Silver Snapper	59.56	4.2636	Successful
7	SPS21035	JC Fishing CC	MFV Borderer	52.78	0.8333	Successful
8	SPS21036	Combined Fishing Enterprises (Pty) Ltd	Rietgans II, Vleigans, Berggans, Kolgans, Wafra, Stormgans, Wildegans II, Silver Snapper	51.30	0.8333	Successful
9	SPS21037	Premier Fishing SA (Pty) Ltd	Adenia, Southern Belle	74.69	7.0543	Successful
10	SPS21039	West Point Fishing Corporation (Pty) Ltd	Silver Bounty, Silver Challenger, Terrasan 1, Sette Mari	79.83	5.6150	Successful

No	Application number	Applicant name	Allocated vessel	Score	% allocation	Final decision
11	SPS21043	Letap CC	Vleigans, Stormgans, Wildegans II, Silver Snapper, Wafra, Kolgans, Rietgans II, Berggans	62.58	1.6034	Successful
12	SPS21044	Sea Harvest Corporation (Pty) Ltd	Sagax, Castella	85.66	2.6957	Successful
13	SPS21048	Noordbaai Vissers (Pty) Ltd	MFV Samrock	57.09	0.8333	Successful
14	SPS21049	Masomelele Fishing (Pty) Ltd	MFV Borderer	50.87	0.8333	Successful
15	SPS21053	Amawandle Pelagic (Pty) Ltd	Oceana Ruby, Oceana Orion, Emerald Isle, Oceana Viking, Oceana Concorde, Star Crest, Wildekus, Alert III	83.60	10.6602	Successful
16	SPS21054	Komicx Products (Pty) Ltd	MFV Gondo	81.72	1.4676	Successful
17	SPS21058	South East Atlantic Sea Products (Pty) Ltd	Scomber	72.69	0.8333	Successful
18	SPS21059	Lucky Star Limited	Star Crest, Alert III, Oceana Neptune, Oceana Mercury, Oceana Concorde, Oceana Ruby, Oceana Orion, Emerald Isle, Oceana Viking, Oceana Paragon, Oceana Pegasus, Towerkop, Vegkop, Aranos	88.20	14.2759	Successful
19	SPS21060	Trakprops 22 (Pty) Ltd	Sette Mari	52.45	0.8333	Successful
20	SPS21063	Dyer Eiland Visserye (Edms) Bpk	Umfondini, Baby Ronald	59.58	0.8333	Successful
21	SPS21064	Edwards Fishing CC	Viva, Ruwekus	53.05	0.8333	Successful
22	SPS21071	Cape Pilchard Pioneer CC	Viva	59.14	0.8333	Successful

No	Application number	Applicant name	Allocated vessel	Score	% allocation	Final decision
23	SPS21073	Fisherman Fresh CC	Fred Marie	85.25	0.8333	Successful
24	SPS21078	SeaVuna Fishing Co (Pty) Ltd	Castella	72.49	2.6214	Successful
25	SPS21083	Impala Fishing (Pty) Ltd	Ebb Tide, SW Falcon, Silver Bounty	70.50	0.9019	Successful
26	SPS21086	Visko Sea Products (Pty) Ltd	Umfana, Antonie WII, Oom Arthur	79.61	1.0460	Successful
27	SPS21090	Soundprops 1167 Investments (Pty) Ltd	Umadala, Boetie Akie	56.14	1.5357	Successful
28	SPS21092	Umzamani Fishing CC	Loeriesfontein	70.12	0.8333	Successful
29	SPS21093	Eyethu Fishing (Pty) Ltd	MFV Zolani	83.42	2.3434	Successful
30	SPS21100	Pelagic Fishing Enterprises (Pty) Ltd	Towerkop, Aranos, Vegkop	52.71	0.8333	Successful
31	SPS21108	Ithemba Labantu Fishing (Pty) Ltd	Scomber	63.81	0.8333	Successful
32	SPS21137	Ukloba Fishing (Pty) Ltd	Ukuloba, Gondo, Annabelle Rose	73.50	1.2663	Successful
33	SPS21147	Yoluntu Sea Products CC	Sparticus	50.30	0.8333	Successful
34	SPS21153	Extra Dimensions 70 (Pty) Ltd	MFV Kavalier, MFV Gregory Justin, MFV Elomi	63.86	1.0097	Successful
35	SPS21168	Arniston Fish Processors (Pty) Ltd	Oceana Paragon	51.61	0.8333	Successful
36	SPS21171	Offshore Fishing Company (Pty)Ltd	Duinikus	57.76	0.8333	Successful
37	SPS21190	Risar Fishing CC	Kalahari, Alert III, Wildekus, Star Crest	60.19	1.6531	Successful
38	SPS21192	Sceptre Fishing (Pty) Ltd	Borderer	52.39	1.1480	Successful
39	SPS21193	Zimele Fishing Enterprises	Kalahari , Alert III, Wildekus, Star Crest	54.83	1.0712	Successful

No	Application number	Applicant name	Allocated vessel	Score	% allocation	Final decision
40	SPS21194	Al-Aman Fishing	MFV Kalahari, Alert III, Wildekus, Star Crest	53.59	1.4452	Successful
41	SPS21195	Pioneer Fishing (West Coast) (Pty) Ltd	Ruwekus, Sechaba, Duinekus, Viva, Lisa Ann	84.96	6.0343	Successful
42	SPS21198	Stamatis Fishing CC	Oceana Paragon	51.76	0.8333	Successful
43	SPS21204	Ulwandle Fishing (Pty) Ltd	Aranos, Vegkop, Towerkop	72.60	1.1959	Successful
44	SPS21227	Tiradeprops 153 (Pty) Ltd	Viva	57.66	1.0510	Successful
45	SPS21229	Cape Fish Processors (Pty) Ltd	Oceana Pegasus	56.15	1.4673	Successful
46	SPS21274	Eigelaars Bote (Pty) Ltd	Noordeveld, Atlantic Leader, Nossob, Eigeveld	73.98	0.8333	Successful
47	SPS21020	Ntshonalanga Fishing (Pty) Ltd	-	49.33	-	Unsuccessful
48	SPS21022	82 Boundary Road CC	-	43.52	-	Unsuccessful
49	SPS21042	Azanian Fishing (Pty) Ltd	-	46.86	-	Unsuccessful
50	SPS21052	Sinethemba Fishing CC	-	42.52	-	Unsuccessful
51	SPS21069	Meermin Visserye (Pty) Ltd	-	27.96	-	Unsuccessful
52	SPS21098	Khulani Fishing (Pty) Ltd	-	45.21	-	Unsuccessful
53	SPS21112	Jaloersbaai (Pty) Ltd	-	40.80	-	Unsuccessful
54	SPS21114	Vm Young Visserye Bk	-	43.82	-	Unsuccessful
55	SPS21116	Umzamowethu (Oyster Bay) Fishermens Corporation CC	-	44.98	-	Unsuccessful
56	SPS21121	Community Processors and Distributors (Pty) Ltd	-	41.60	-	Unsuccessful

No	Application number	Applicant name	Allocated vessel	Score	% allocation	Final decision
57	SPS21131	Penguin Visserye CC	-	35.38	-	Unsuccessful
58	SPS21133	Mount Pleasant Fishing (Pty) Ltd	-	42.50	-	Unsuccessful
59	SPS21143	Bluefin Holding (Pty) Ltd	-	49.28	-	Unsuccessful
60	SPS21152	Bayana Bayana Fishing CC	-	48.16	-	Unsuccessful
61	SPS21162	Mayibuye Fishing (Pty) Ltd	-	49.90	-	Unsuccessful
62	SPS21196	HS Williams Fishing CC	-	34.92	-	Unsuccessful
63	SPS21199	Phakamisa Fishing (Pty) Ltd	-	48.82	-	Unsuccessful
64	SPS21202	Trademane (Pty) Ltd	-	45.82	-	Unsuccessful
65	SPS21212	Raaff Fisheries CC	-	38.04	-	Unsuccessful
66	SPS21222	Basic Trading Company (Pty) Ltd	-	45.64	-	Unsuccessful
67	SPS21260	Okuselwandle Fishing CC	-	45.67	-	Unsuccessful
68	SPS21265	Laaggety Visserye CC	-	29.81	-	Unsuccessful
69	SPS21269	Reiger Visserye Bpk	-	29.00	-	Unsuccessful
70	SPS21280	J Engelbrecht Visserye CC	-	28.96	-	Unsuccessful
71	SPS21282	Manetrade 2094 CC	-	34.30	-	Unsuccessful
72	SPS21285	Dromedaris Visserye (Pty) Ltd	-	46.29	-	Unsuccessful
73	SPS21286	Palm Springs Fishing	-	31.19	-	Unsuccessful

No	Application number	Applicant name	Allocated vessel	Score	% allocation	Final decision
74	SPS21289	Latief Albertyn Fisheries CC	-	31.14	-	Unsuccessful
75	SPS21305	Marinata Vissersvroue Organisasie CC	-	32.58	-	Unsuccessful
76	SPS21055	Ithuba Yethu Fishing (Pty) Ltd	-	43.45	-	Excluded
77	SPS21070	Jaffa s Bay Fishing CC	-	49.18	-	Excluded
78	SPS21211	Paternoster Vissery (Edms) Bpk	-	74.94	-	Excluded
79	SPS21237	Afro Fishing Workers (Pty) Ltd	-	33.61	-	Excluded
80	SPS21273	Marion Dawn Fishing CC	-	45.41	-	Excluded

A.2: Fishing Rights Allocation Process 2021: Final list for Small Pelagic (Sardine) Category B applicants.

No	Application number	Applicant name	Allocated vessel	Score	% allocation	Final decision
1	SPS21094	Nalitha Fishing Group (Pty) Ltd	Water Baby	73.34	0.8333	Successful
2	SPS21310	Argento Trading 69 CC	Bressa	75.81	0.8333	Successful
3	SPS21002	Rustee (Pty) Ltd	-	72.60	-	Unsuccessful
4	SPS21003	Balobi Fishing Enterprises (Pty) Ltd	-	73.03	-	Unsuccessful

No	Application number	Applicant name	Allocated vessel	Score	% allocation	Final decision
5	SPS21004	LM Fisheries (Pty) Ltd	-	69.99	-	Unsuccessful
6	SPS21008	Trawl Investments CC	-	66.11	-	Unsuccessful
7	SPS21012	Interfish (Pty) Ltd	-	72.00	-	Unsuccessful
8	SPS21015	Merca Fishing (Pty) Ltd	-	57.40	-	Unsuccessful
9	SPS21029	Biz Afrika 1504 (Pty) Ltd	-	53.70	-	Unsuccessful
10	SPS21033	Allie-Vis Fishing Enterprises CC	-	43.06	-	Unsuccessful
11	SPS21061	Gibbiseps Visserye (Pty) Ltd	-	51.40	-	Unsuccessful
12	SPS21065	Ax Fishing (Pty) Ltd	-	33.93	-	Unsuccessful
13	SPS21079	Chapmans Seafood Company (Pty) Ltd	-	48.93	-	Unsuccessful
14	SPS21105	Atlantis Seafood Products (Pty) Ltd	-	71.23	-	Unsuccessful
15	SPS21107	Boventrek Beleggings (Pty) Ltd	-	30.67	-	Unsuccessful
16	SPS21113	Abba Langebaan Fishing CC	-	22.18	-	Unsuccessful
17	SPS21122	AFD Fishing CC	-	65.16	-	Unsuccessful
18	SPS21127	Taridor Five CC	-	52.73	-	Unsuccessful
19	SPS21136	South African Fishing Empowerment Corporation (Pty) Ltd	-	62.93	-	Unsuccessful
20	SPS21145	Hacky Fishing (Pty) Ltd	-	40.93	-	Unsuccessful
21	SPS21146	The Tuna Hake Fishing Corporation Ltd	-	58.38	-	Unsuccessful

No	Application number	Applicant name	Allocated vessel	Score	% allocation	Final decision
22	SPS21148	Dippa Distributors (Pty) Ltd	-	40.20	-	Unsuccessful
23	SPS21159	Tamarin Fishing (Pty) Ltd	-	58.28	-	Unsuccessful
24	SPS21160	Gamka Fishing (Pty) Ltd	-	61.47	-	Unsuccessful
25	SPS21161	Chetty's Fisheries CC	-	42.20	-	Unsuccessful
26	SPS21163	Zimkhitha Fishing (Pty) Ltd	-	67.72	-	Unsuccessful
27	SPS21165	Community Workers Fishing Enterprises (Pty) Ltd	-	39.11	-	Unsuccessful
28	SPS21166	J&J Visserye	-	48.36	-	Unsuccessful
29	SPS21169	Korana Fishing (Pty) Ltd	-	29.83	-	Unsuccessful
30	SPS21172	Ang Jerry Fishing CC	-	58.61	-	Unsuccessful
31	SPS21173	Red Hawk Fishing CC	-	29.31	-	Unsuccessful
32	SPS21184	PJF Marine CC	-	36.43	-	Unsuccessful
33	SPS21186	J-Bay Squid Catchers (Pty) Ltd	-	36.22	-	Unsuccessful
34	SPS21189	Kreefbaai Visserye (Pty) Ltd	-	40.89	-	Unsuccessful
35	SPS21197	Pelikaan Visserye (Pty) Ltd	-	18.66	-	Unsuccessful
36	SPS21208	Isivile Masikhane (Pty) Ltd	-	33.18	-	Unsuccessful
37	SPS21214	Kupukani Fishing (Pty) Ltd	-	43.28	-	Unsuccessful
38	SPS21215	NPS Agencies CC	-	40.58	-	Unsuccessful



No	Application number	Applicant name	Allocated vessel	Score	% allocation	Final decision
39	SPS21218	Rietvlei Fishing CC	-	38.28	-	Unsuccessful
40	SPS21220	DD Reid Fishery CC	-	38.01	-	Unsuccessful
41	SPS21226	Pakamani Fishing (Pty) Ltd	-	39.61	-	Unsuccessful
42	SPS21233	A Penglides (Pty) Ltd	-	30.15	-	Unsuccessful
43	SPS21239	Busibenyosi	-	18.24	-	Unsuccessful
44	SPS21246	FG Fishing Enterprises	-	30.85	-	Unsuccessful
45	SPS21248	Arrow Line Fourteen	-	25.06	-	Unsuccessful
46	SPS21252	Klipbank Visserye Personeel (Pty) Ltd	-	25.82	-	Unsuccessful
47	SPS21258	Ukuloba Kulungile Investments (Pty) Ltd	-	39.96	-	Unsuccessful
48	SPS21262	Boat Rock Fishing CC	-	39.93	-	Unsuccessful
49	SPS21272	BMC Visserye Bpk	-	48.21	-	Unsuccessful
50	SPS21281	Versatex Trading 249 (Pty) Ltd	-	45.52	-	Unsuccessful
51	SPS21293	Ezabantu Fishing (Pty)Ltd	-	30.40	-	Unsuccessful
52	SPS21294	Sevlac Investments No.51 CC	-	29.13	-	Unsuccessful
53	SPS21298	Timowize (Pty) Ltd	-	33.91	-	Unsuccessful
54	SPS21306	Changing Tides 113 (Pty) Ltd	-	46.47	-	Unsuccessful
55	SPS21312	Gold Blackwood Trading and Investment (Pty) Ltd	-	24.31	-	Unsuccessful



No	Application number	Applicant name	Allocated vessel	Score	% allocation	Final decision
56	SPS21320	Seafreeze Fishing (Pty) Ltd	-	27.87	-	Unsuccessful
57	SPS21095	At All Times Fishing (Pty) Ltd	-	41.73	-	Excluded
58	SPS21188	Romansbaai Visserye (Pty) Ltd	-	13.73	-	Excluded
59	SPS21259	Villet De Wet 100 Bpk	-	24.01	-	Excluded

A.3: Fishing Rights Allocation Process 2021: Final list for Small Pelagic (Sardine) Category C applicants.

No	Application number	Applicant name	Allocated vessel	Score	% allocation	Final decision
1	SPS21019	Uvimba Trading and Supplies (Pty) Ltd	Colette, Sparticus	70.95	0.8333	Successful
2	SPS21023	Thalassa Investments (Pty) Ltd	MFV Samrock	67.40	0.8333	Successful
3	SPS21103	Afro Fishing (Pty) Ltd	Umadala, Ocean Blue, Borderer	79.90	3.2407	Successful
4	SPS21110	Khanyisile Fishing (Pty) Ltd	Ocean Blue	77.05	0.8333	Successful
5	SPS21016	Iqhawe Fishing (Pty) Ltd	-	55.26	-	Unsuccessful
6	SPS21021	Hook and Line Fresh (Pty) Ltd	-	36.60	-	Unsuccessful
7	SPS21024	Decon Foods (Pty) Ltd	-	39.00	-	Unsuccessful



No	Application number	Applicant name	Allocated vessel	Score	% allocation	Final decision
8	SPS21030	G and G Fisheries	-	45.06	-	Unsuccessful
9	SPS21031	Chinafric Fishing (Pty) Ltd	-	42.20	-	Unsuccessful
10	SPS21032	Mohzeen Trading (Pty) Ltd	-	48.16	-	Unsuccessful
11	SPS21045	L and A Empire Holdings	-	35.69	-	Unsuccessful
12	SPS21046	Westshore Fishing (Pty) Ltd	-	54.76	-	Unsuccessful
13	SPS21056	Witsands Fishing CC	-	62.16	-	Unsuccessful
14	SPS21072	La Vie Seafood Products (Pty) Ltd	-	39.43	-	Unsuccessful
15	SPS21074	Algoaspace (Pty)Ltd	-	49.10	-	Unsuccessful
16	SPS21075	Ukudoba Marine (Pty) Ltd	-	30.26	-	Unsuccessful
17	SPS21089	Lateral Anchor Brands (Pty) Ltd	-	56.93	-	Unsuccessful
18	SPS21091	Go Fish Enterprises (Pty) Ltd	-	40.08	-	Unsuccessful
19	SPS21096	Dormex 149 (Pty) Ltd	-	52.32	-	Unsuccessful
20	SPS21097	Umfana Fishing	-	35.33	-	Unsuccessful
21	SPS21101	Camissa Fishing (Pty) Ltd	-	36.03	-	Unsuccessful
22	SPS21104	Walmer Sardine Processors (Pty) Ltd	-	54.29	-	Unsuccessful
23	SPS21106	The Rock Fishing (Pty) Ltd	-	45.83	-	Unsuccessful
24	SPS21117	BM Fisheries (Pty) Ltd	-	51.10	-	Unsuccessful

No	Application number	Applicant name	Allocated vessel	Score	% allocation	Final decision
25	SPS21118	Buccaneer Fishing (Pty) Ltd	-	46.81	-	Unsuccessful
26	SPS21123	Abantu Baselwandle	-	46.08	-	Unsuccessful
27	SPS21125	African Community Fishing (Pty) Ltd	-	51.50	-	Unsuccessful
28	SPS21126	Nontozikhoyo General Trading (Pty) Ltd	-	49.26	-	Unsuccessful
29	SPS21128	Singamandla Bafazi Fishing (Pty) Ltd	-	53.67	-	Unsuccessful
30	SPS21129	Mtyingizana Fishing (Pty) Ltd	-	38.94	-	Unsuccessful
31	SPS21132	Misty Sea Trading 350 (Pty) Ltd	-	42.09	-	Unsuccessful
32	SPS21135	Lilitha and Lubanzi Enterprises (Pty) Ltd	-	50.87	-	Unsuccessful
33	SPS21149	Mnatha Marine Technologies (Pty) Ltd	-	59.26	-	Unsuccessful
34	SPS21150	Izembe Trading 78 CC	-	68.54	-	Unsuccessful
35	SPS21151	Sea Spray Marine (Pty) Ltd	-	35.91	-	Unsuccessful
36	SPS21156	Sea Women Investments	-	33.99	-	Unsuccessful
37	SPS21158	South African Fishmeal and Protein Company (Pty) Ltd	-	59.85	-	Unsuccessful
38	SPS21164	Umnatha Fishing (Pty) Ltd	-	38.55	-	Unsuccessful
39	SPS21167	Cordelia West Coast Marine	-	35.86	-	Unsuccessful
40	SPS21170	MJLN Group (Pty) Ltd	-	43.69	-	Unsuccessful
41	SPS21174	Harrys Bay Marine (Pty) Ltd	-	45.52	-	Unsuccessful

No	Application number	Applicant name	Allocated vessel	Score	% allocation	Final decision
42	SPS21175	LCMCM (Pty) Ltd	-	47.44	-	Unsuccessful
43	SPS21178	Meatrite Goodwood (Pty) Ltd	-	43.47	-	Unsuccessful
44	SPS21179	BHH Ukuloba Fishing (Pty) Ltd	-	41.47	-	Unsuccessful
45	SPS21180	The Network of Training Cape	-	56.34	-	Unsuccessful
46	SPS21181	Premium Seafood International (Pty) Ltd	-	49.56	-	Unsuccessful
47	SPS21203	Kaytrad Commodities (Pty) Ltd	-	60.52	-	Unsuccessful
48	SPS21207	Struisbaai Visservereeniging Ltd	-	45.01	-	Unsuccessful
49	SPS21209	Mossfish	-	44.52	-	Unsuccessful
50	SPS21213	Nekwaya and Company Fishing (Pty) Ltd	-	45.55	-	Unsuccessful
51	SPS21217	Bulumko Marine (Pty) Ltd	-	51.04	-	Unsuccessful
52	SPS21223	Guriqua Xam Development Corporation (Pty) Ltd	-	41.15	-	Unsuccessful
53	SPS21225	Abalobi Bentlanzi (Pty) Ltd	-	31.04	-	Unsuccessful
54	SPS21232	limbo Fishing (Pty) Ltd	-	39.81	-	Unsuccessful
55	SPS21235	Shamode Trading and Investments (Pty) Ltd	-	37.47	-	Unsuccessful
56	SPS21236	Atlantic Choice Trading (Pty) Ltd	-	62.74	-	Unsuccessful
57	SPS21242	Eumar Fishing (Pty) Ltd	-	32.51	-	Unsuccessful
58	SPS21243	Kholwa Fishing (Pty) Ltd	-	45.60	-	Unsuccessful

No	Application number	Applicant name	Allocated vessel	Score	% allocation	Final decision
59	SPS21244	Kumkani Fishing (Pty) Ltd	-	37.98	-	Unsuccessful
60	SPS21247	Bikutula Fishing Enterprises Ltd	-	32.57	-	Unsuccessful
61	SPS21249	J C M Fishing (Pty) Ltd	-	41.91	-	Unsuccessful
62	SPS21251	Die Lighuis Vissers Vroue (Pty) Ltd	-	38.56	-	Unsuccessful
63	SPS21253	Mamjoli Marine Enterprise	-	30.84	-	Unsuccessful
64	SPS21254	Walleys Transport	-	33.46	-	Unsuccessful
65	SPS21255	Jua Fisheries	-	42.31	-	Unsuccessful
66	SPS21256	Olegado Holdings (Pty) Ltd	-	25.75	-	Unsuccessful
67	SPS21257	Spasiba (Pty) Ltd	-	20.00	-	Unsuccessful
68	SPS21263	Tubby Transport (Pty) Ltd	-	37.60	-	Unsuccessful
69	SPS21264	Walker Bay Pelagies	-	44.00	-	Unsuccessful
70	SPS21267	TCB Fishing Enterprises (Pty) Ltd	-	32.12	-	Unsuccessful
71	SPS21271	Imbumba Fisheries (Pty) Ltd	-	32.61	-	Unsuccessful
72	SPS21275	Lufra Traders (Pty)Ltd	-	31.84	-	Unsuccessful
73	SPS21277	Ibhayi Sea Food Wholesalers	-	65.76	-	Unsuccessful
74	SPS21279	Spot-On Deals Forty One CC	-	54.57	-	Unsuccessful
75	SPS21284	Zanozuko Fishing) (Pty) Ltd	-	38.48	-	Unsuccessful

No	Application number	Applicant name	Allocated vessel	Score	% allocation	Final decision
76	SPS21287	Improcare134	-	45.55	-	Unsuccessful
77	SPS21288	Sikulungele Ishishini	-	32.68	-	Unsuccessful
78	SPS21290	Uyekraal Beleggings (Pty) Ltd	-	23.40	-	Unsuccessful
79	SPS21291	Hillmore Fishing (Pty) Ltd	-	29.72	-	Unsuccessful
80	SPS21292	Marine Empowerment (Pty) Ltd	-	49.98	-	Unsuccessful
81	SPS21302	Runtu Employees	-	40.16	-	Unsuccessful
82	SPS21307	Valotype 76 CC	-	22.26	-	Unsuccessful
83	SPS21309	Blink Waters Primary Co-Operative Limited	-	41.18	-	Unsuccessful
84	SPS21311	Bhotani Group CC	-	24.97	-	Unsuccessful
85	SPS21313	Zone B Sakhile Fishing Group (Pty) Ltd	-	20.60	-	Unsuccessful
86	SPS21314	Beyond Fishing (Pty) Ltd	-	40.96	-	Unsuccessful
87	SPS21316	Tide Side Processorts (Pty) Ltd	-	35.98	-	Unsuccessful
88	SPS21319	MCR Fishing CC (Pty) Ltd	-	43.11	-	Unsuccessful
89	SPS21323	Nomzaprojects (Pty) Ltd	-	47.98	-	Unsuccessful
90	SPS21085	Ulwandle Lwethu Fishing (Pty) Ltd	-	34.41	-	Excluded
91	SPS21119	Linomtha Fishing (Pty) Ltd	-	35.47	-	Excluded
92	SPS21176	Benguela Fish Shop (Pty) Ltd	-	48.15	-	Excluded

No	Application number	Applicant name	Allocated vessel	Score	% allocation	Final decision
93	SPS21185	Abasebenzi Ngeentlanzi	-	41.01	-	Excluded
94	SPS21201	Khuyakhanyo Primary Co-Operative Limited	-	36.30	-	Excluded
95	SPS21216	Mustang Fishing (Pty) Ltd	-	35.56	-	Excluded
96	SPS21241	Cape Agulhas Marine (Pty) Ltd	-	38.27	-	Excluded
97	SPS21261	Bowline Fishing Velddrif (Pty) Ltd	-	36.22	-	Excluded
98	SPS21278	Yanginkosi (Pty) Ltd	-	29.85	-	Excluded
99	SPS21283	Bellaria Fishing (Pty) Ltd	-	40.87	-	Excluded
100	SPS21295	Moon Light Fishing Velddrif (Pty) Ltd	-	24.56	-	Excluded
101	SPS21297	Colombine Community Projects (Pty) Ltd	-	36.05	-	Excluded
102	SPS21299	South Eastern Fishing (Pty) Ltd	-	25.08	-	Excluded
103	SPS21317	Umphongolo Petroleum	-	18.15	-	Excluded
104	SPS21318	South African Pelagic Fishermen s Union	-	34.70	-	Excluded
105	SPS21322	Al-Haadi Trading 300 CC	-	24.96	-	Excluded