



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 EFFORT IN THE KZN CRUSTACEAN TRAWL
FISHERY**

14/10

TABLE OF CONTENTS

1.	Introduction	3
1.1.	Background and Context.....	3
2.	FRAP 2021 /22: Preparation for Allocation Process	5
2.1.	Appointment of Service Providers	5
2.2.	SEIAS Phase 1	5
2.3.	Review of Policies	6
2.4.	Public Consultations and Policy Comments	6
2.5.	SEIAS Phase 2	11
2.6.	Finalisation and Gazetting of Final Policies	11
3.	Application Process	11
3.1.	Interactive application process	12
4.	Assessment and Evaluation	13
4.1.	Appointment of the Delegated Authority	14
4.2.	Applicants	14
5.	Application and Grant of Right Fee	14
6.	Access to Information and Reasons	15
7.	Decision Making Process	17
7.1.	System Enhancement	17
7.2.	Data Validation/Verification	17
7.3.	Criteria and weighting design	17
7.4.	Assessment	17
7.5.	Decision-making	18
8.	Applications for fishing rights in 2021	18
8.1.	Criteria	18
8.1.1.	Exclusionary criteria.....	18
8.1.2.	Balancing Criteria: Previous Right Holders and New Applicants	20
8.2.	Assessment	22
8.2.1.	Confirmation of Category designation	22
8.2.2.	Verification of proper lodgement	22
8.2.3.	Verification of materially defective applications	23
8.2.4.	Balancing Criteria - Section 1: Fishing Experience & Knowledge	23
8.2.5.	Balancing Criteria - Section 2: Reliance	24
8.2.6.	Balancing Criteria - Section 3: Compliance	24
8.2.7.	Balancing Criteria - Section 4: Access to a suitable vessel	25
8.2.8.	Balancing Criteria - Section 5: Fishing Performance	27
8.2.9.	Balancing Criteria - Section 6: Transformation	27
8.2.10.	Balancing Criteria - Section 7: Job creation	30
8.2.11.	Balancing Criteria Section 8: Dividends & Societal Benefits.....	32
8.2.12.	Balancing Criteria - Section 9: Investment	33
8.3.	Applicants involvement and relationship with other applicants	33
9.	Allocation of Total Applied Effort (TAE)	34
9.1.	Method for the allocation of TAE in the KZN Crustacean Trawl sector	34
9.1.1.	Number of vessel (units of effort) for allocation	34
9.1.2.	Number of vessel (units of effort) per Right Holder	35
9.1.3.	Method for allocation of TAE	36
10.	Decisions on the allocation of fishing rights	37
10.1.	Outcomes of the assessment process.....	37
10.2.	Transformation	38
10.3.	Appeals.....	39

10.4. Grant of Right Letters	39
10.5. Duration of Fishing Rights	39
11. Auditing.....	40
12. Forensic investigations.....	40
13. Communication	40
14. Annexure A	42
15. Annexure B	43
16. Annexure C	45

14/6

1. Introduction

This document is titled the "General Published Reasons for the Decisions on the Allocation of Rights and Effort in the KZN Crustacean Trawl 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 effort 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 of Fishing Rights: 2021 as well as the Policy on the Allocation and Management of Fishing Rights in the KZN Crustacean Trawl Fishery: 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 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 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
- KZN Crustacean Trawl
- 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: State Attorney Office: Cape Town.
 - Role and Responsibility: Provision of legal services to provide legal 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 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	Dolfyn 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

Handwritten mark

18-Oct-21	Monday	09h00 - 12h00	Kwadakuza	Kwadukuza Town Hall, King Shaka street,	King Shaka street
19-Oct-21	Tuesday	09h00 - 12h00	Richards Bay	Richards Bay Library, Krugerrand st	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.

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 powers delegated to her by the Minister of Forestry, Fisheries and the Environment, in terms of Section 79(2) read with Section 18(2) 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 tollfree 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 of the Marine Living Resources Act, 1998 (Act No. 18 of 1998), appointed Dr Kim Prochazka as the Delegated Authority responsible for the allocation of fishing rights in the KZN Crustacean Trawl Sector.

4.2. Applicants

A total of 2 473 application were submitted on the online system for all sectors. A total of 16 applications were submitted for the KwaZulu-Natal Crustacean Trawl sector.

Table 3: Summary of Applications submitted during FRAP 2021

Sector	Number of Applications submitted
Demersal Shark Longline	6
Hake Deep-Sea Trawl	175
Hake Longline	446
Kwa-Zulu Natal Crustacean Trawl	16
Small Pelagic (Anchovy)	346
Small Pelagic (Sardine)	244
South Coast Rock Lobster	68
Squid	162
Traditional Linefish	806
Tuna Pole-Line	204
Total	2 473

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 consulted 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 was thus R9,741.00 and the Grant of Right Fee in this sector was set at R19,481.00 per vessel. 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;
- c. Access to an electronic 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 and assessed against the balancing criteria 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. Applications for fishing rights in 2021

A total of 16 applications were received for the KZN Crustacean Trawl sector.

8.1. Criteria

8.1.1. Exclusionary criteria

The following exclusionary criteria were employed:

- (a) Each application was initially screened to determine whether it was properly lodged. 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;
 - ii. the applicant is not a South African person;
 - iii. the application was submitted by a deregistered juristic person;
 - iv. the applicant is not Tax Compliant;
 - v. the application was not submitted by the applicant or its authorized representative;

Applications that were improperly lodged for the following reasons were excluded at the discretion of the Delegated Authority:

- i. the application was submitted after the set date due date and time;
- ii. the applicant did not pay the prescribed application fee in full and on time;

- (b) The next step was to determine whether the application was materially defective. An application was considered to be materially defective if:
- i. the declaration was not signed by the applicant's authorized representative; or
 - ii. more than one application was received from the same applicant for a fishing right in the same sector; or
 - iii. the applicant provided false information and/or misleading information or false documentation; or
 - iv. 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 is non-compliant if:
- i. the applicant or any of its authorized personnel / representative(s) attempted to improperly influence the Minister or the delegated authority.
 - 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;
 - 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 with more than two contraventions and subjected to sentencing exceeding R5000 or imprisonment without an option of the fine);
 - iv. the applicant had a fishing right or permit cancelled or revoked for a period defined in the Fishery Sector Specific Policies. In the event a fishing right or permit has 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” as defined in the General Policy on the Allocation of 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 which they held a right were considered to have no serious intention of fully participating in the sector. Applicants that posed a “paper quota risk” were excluded as their inclusion would undermine and circumvent the objectives of the policy.
- (e) 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 and FRAP 2013.

8.1.2. Balancing Criteria: Previous Right Holders and New Applicants

All applications 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 KZN Crustacean Trawl 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.

Table 4: Percentage weights allocated to questions posed to applicants.

CATEGORY A

Section	Heading	% Weights
Section 1	Applicant's experience	5
Section 2	Form of Applicant	10
Section 3	Compliance	10
Section 4	Access to a suitable vessel	15
Section 5	Fishing Performance	15
Section 6	Transformation	15
Section 7	Job creation	10

Section 8	Dividends and Additional Societal Benefit	5
Section 9	Investment	15
Section 10	Applicant declaration	0

CATEGORY B

Section	Heading	% Weights
Section 1	Applicant's experience	15
Section 2	Form of Applicant	15
Section 3	Compliance	10
Section 4	Access to a suitable vessel	20
Section 5	Fishing Performance	0
Section 6	Transformation	15
Section 7	Job creation	15
Section 8	Dividends and Additional Societal Benefit	10
Section 9	Investment	0
Section 10	Applicant declaration	0

CATEGORY C

Section	Heading	% Weights
Section 1	Applicant's experience	15
Section 2	Form of Applicant	15
Section 3	Compliance	15
Section 4	Access to a suitable vessel	20
Section 5	Fishing Performance	0
Section 6	Transformation	15
Section 7	Job creation	15
Section 8	Dividends and Additional Societal Benefit	5
Section 9	Investment	0
Section 10	Applicant declaration	0

AK

8.2. Assessment

8.2.1. Confirmation of Category designation

Applicants were assigned to one of three Categories:

Category A Applicants - Applicants who held a right in the KZN Crustacean Trawl between 2014 and 2020. Applicants who received KZN Crustacean Trawl 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 between 2014 and 2020 were also considered under this category.

Category B Applicants - Applicants who did not hold rights in the KZN Crustacean Trawl sector between 2014 and 2020 but who did hold rights in other fishing sector/s during this period and

Category C Applicants - Applicants who did not hold a right in any fishing sector between 2014 and 2020.

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 MAST database.

Noting that a Fish Processing Establishment right can be distinguished from a fishing right, the Delegated Authority considered holding a Fish Processing Establishment right as not holding a fishing right. Confirmed category designations are available in Annexure A.

Applications were assessed based on the verified category, and not necessarily on the category in which the application was lodged.

8.2.2. Verification of proper lodgement

Applications were verified for proper lodgement (criteria listed in Paragraph 8.1.1(a) of this document) using the information provided, and as could be reasonably determined with the available evidence and documentation.

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.

The correct and timeous payment of application fees was verified through a database of payments received by the Marine Living Resources Fund by to the Assessment Team.

8.2.3. Verification of materially defective applications

Applications were verified against the criteria for materially defective applications (listed in Paragraph 8.1.1(b) of this document), as could be reasonably determined with the available evidence and documentation.

Due to ambiguity in the terminology relating to “authorized contact person” and “authorized representative” in the application form, applications were not excluded if either the “Applicant’s full name” was entered correctly as the name of the applicant entity, or if the name captured in “Details of the person who completed the form” matched the contact person duly authorized in Section 1C. An application was only excluded if the “Applicant’s full name” was not the name of the applicant entity AND the name captured in “Details of the person who completed the form” did not match the contact person duly authorized in Section 1C.

The criterion relating to signature of the form was exclusionary if an application was not signed online by the applicant’s authorized representative. This was only treated as exclusionary if an application was not signed online, as the qualifier relating to the applicant’s authorized representative was confirmed in the paragraph above.

Possible confusion may have arisen on the part of applicants as to whether to check “Yes” or “No” in relation to the signature, as there was nowhere to include an actual signature. Thus applications were only excluded if neither “Yes” nor “No” were checked in the application form.

8.2.4. Balancing Criteria - Section 1: Fishing Experience & Knowledge

Sections 1.30, 1.31, 1.32, 1.33, 1.34, 1.35 and 1.36. All applicants were scored on their past involvement in the fishing industry, as follows:

- Category A applicants were scored on Sections 1.30, 1.31 and 1.32.
- Category B applicants were scored on Sections 1.33 and 1.34.
- Category C applicants were scored on Sections 1.35 and 1.36.

Sections 1.30, 1.31, 1.32, 1.33, 1.34, 1.35 & 1.36 were scored using the following scale:

Value (Years)	Score
0-4	5
5-8	10
9-12	15
>12	20

8.2.5. Balancing Criteria - Section 2: Reliance

Applicants were scored on each of the component parts of Question 2.6 using the following scale:

Response	Value (%)	Score
No		10
Yes	0-10	1
	11-20	2
	21-30	3
	31-40	4
	41-50	5
	51-60	6
	61-70	7
	71-80	8
	81-90	9
	>90	10

Applications which contained a completed table of zeros were scored on the value "0".

Applications which indicated "N/A" were scored as response "No".

8.2.6. Balancing Criteria - 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 members 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.

The following scoring criteria were applied to Section 3:

Section	Score
3.1	Not relevant. Score 0 for all applicants.
3.2	No=20. If Yes, exclusionary only if convicted and sentenced to imprisonment without the option of a fine (but not if older than 10 years unless there are multiple similar transgressions). Score 0. Applies to skippers also. If Yes, but not exclusionary, then score from 0-20 depending on number and severity of transgressions. Does not apply to skippers.
3.3	No=20. If Yes, exclusionary only if multiple or of high severity (more than 2 convictions and fines for more than R5 000 or if resulted in imprisonment without the option of a fine). Score 0. Applies to convictions related to skippers also. If Yes, but not exclusionary, then score from 0-20 depending on number and severity of conviction/s. Does not apply to convictions related to skippers.
3.4	No=20 If Yes, score from 0-20 depending on number and severity of fines.
3.5	Not relevant. Score 0 for all applicants.
3.6	No=20. If Yes, exclusionary. Score 0. Applies to skippers also.
3.7	No=20 If Yes, score from 0-20 depending on number and severity of Section 28 sanctions.

Where 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.

Identification numbers of Directors and Shareholders provided in Sections 6.4 and 6.9 of the applications were checked against information provided by SAPS/ Fisheries MCS on fisheries-related transgressions. No matches were returned.

8.2.7. Balancing Criteria - Section 4: Access to a suitable vessel

The following criteria as set out in the General and the KZN Crustacean Trawl Policies were used to assess the suitability of a vessel:

- South African flagged vessel (Section 7.1.6 of the General Policy)
- “Large vessel” (Section 8.2.3.2 of the Policy for the Allocation and Management of Commercial Fishing Rights in the KZN Crustacean Trawl Fishery: 2021). Minimum vessel size was determined in line with the size of vessels that have been operating in the fishery since 2005. Minimum vessel size was determined at 25m.
- Vessel with in-date SAMSA safety certificate or valid SAMSA registration (Section 7.1.6 of the General Policy).

The following criteria listed in the General and the KZN Crustacean Trawl Policies were not used to assess the suitability of a vessel, for the reasons indicated:

- Rigged to trawl for prawns (bottom trawling with single net stern, or boom-operated twin or triple nets). It was deemed that modifications could be made to a vessel after a right had been allocated, and this would therefore not be a pre-requisite
- Capable of fishing in the deep-water trawl area >7nm offshore. It was deemed that a vessel in excess of 25m would be capable of fishing in these areas, and thus vessel size was an appropriate proxy indicator
- Fitted with a functioning Vessel Monitoring System. It was deemed that a VMS could be fitted to any vessel after a right had been allocated, and this would therefore not be a pre-requisite.

Scores were awarded in Section 4 as follows:

Criterion	Score
No access to a vessel demonstrated, or no financial commitment made to purchase or build a vessel, or nominated vessel unsuitable	0
Catch agreement or charter agreement with a suitable vessel	5
Purchase agreement or build agreement for a suitable vessel with financial commitment made	10
<50% ownership of a suitable vessel	15
>= 50% ownership of a suitable vessel	20

All nominated vessels were checked against the combined IUU list at <https://iuu-vessels.org/>.

No matches were found.

8.2.8. Balancing Criteria - Section 5: Fishing Performance

Section 5 was scored for Category A applicants only. Category A applicants were screened and evaluated on whether they had utilized their rights allocated during the previous rights allocation period in the KZN Crustacean Trawl sector.

Section 5 was scored using Worksheet 5.3 (Annexure C). In order to satisfy the policy requirements of Section 8.2.1.2 of the Policy on Allocation and Management of Commercial Fishing Rights in the KwaZulu-Natal Crustacean Trawl Fishery: 2021, a utilization index was calculated by averaging the percentage of seasons between 2014 and 2020 in which a vessel fished, the percentage of these which were contiguous seasons, and the average percentage months fished in each season. The final averaged utilization index (%) was used to derive a score as follows:

Value (%)	Score
<10	Excluded
10-19	2
20-39	4
40-59	6
60-79	8
80-110	10
>110	Excluded

In cases where Category A applicants had been permitted only one vessel to fish during the 2014-2020 rights period, all applicants achieved a utilization index of more than 50%. In cases where Category A applicants had been permitted to use more than one vessel, the utilization index was high (95%) for the first vessel but poor for the additional vessels, ranging between only 19 and 36 percent for the additional vessels.

8.2.9. Balancing Criteria - 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 2014 and 2020. Points were awarded for employee share

schemes, expenditure on corporate social investment, compliance with Employment Equity, affirmative procurement, skills development and enterprise development.

Section 6.3. This section was scored using Worksheet 6.3 (Annexure C). This worksheet added the percentage of Black, Women, Youth & Disabled people for the first year of the period between 2014 and 2020 in which the applicant held a right in the KZN Crustacean Trawl Fishery. This was normalized to the maximum achieved in the sector. The same routine was conducted for 2020. The % increase from the first year until 2020 was compared to the average increase for the sector as a whole in order to determine a composite percentage transformation index. This was scored on the following scale:

Value (% increase in transformation)	Score
0-19z	0
20-29	1
30-39	2
40-49	4
50-59	6
60-69	8
70-79	10
80-100	12

Section 6.6. Section 6.6. was scored if the response in Section 6.5 was "Yes". The following scale was used in scoring Section 6.6:

Value (%)	Score
0-10	1
11-20	2
21-30	3
31-40	4
41-50	5
51-60	6
61-70	7
71-80	8
81-90	9
>90	10

Section 6.7. Section 6.7 could only be scored if applicants indicated "Yes" in Section 2.6. As only two applicants indicated "Yes" in Section 2.6, it was deemed that this section would not be

meaningful in the comparative scoring of applicants, and the scoring was therefore zero weighted by scoring “0” for all applicants.

Section 6.10. Section 6.10 was scored using Worksheet 6.10 (Annexure C). The percentage of the wage bill which accrues to black people, women, youth and people with disabilities were used to derive a score for each, and averaged to generate the final score. Scores were derived using the following scale:

Value (%)	Score
No information provided	0
0-49	1
50-59	2
60-69	3
70-79	4
80-89	5
>90	6

Section 6.11. Scoring on a “Yes/No” basis for 6.11 would result in an automatic bias in favour of larger applicants, as the definition of a designated employer relies on the size of the entity. Scores were therefore awarded on responses to 6.12 so that smaller applicants were not necessarily disadvantaged on this criterion, as there is nothing to preclude smaller entities from registering an employment equity plan even if they are not defined as a designated employer. Applicants were scored 5 points for “Yes” and 0 points for “No”.

Section 6.15. This section was scored using Worksheet 6.15 (Annexure C). The percentage of the applicant's turnover spent on Corporate Social Investment for each of the three years was added. The score was derived from the total using the following scale:

Value (%)	Score
0-0.5	1
0.51-1	2
>1	3

Sections 6.16, 6.17, 6.19, 6.21 & 6.23. These sections were scored 5 points for “Yes” and 0 points for “No”. “N/A” was scored as “Yes”=5 points where an explanation was provided that the applicant's number of employees was insufficient for this to be a requirement, or if the applicant was only registered in 2020 or 2021. “N/A” was scored as “No”=0 points where no explanation

was provided. Applicants who were exempt from these requirements but who nevertheless voluntarily undertook to meet these requirements were scored as "Yes"=5 points.

Sections 6.24 & 6.26. These sections were scored 5 points for "Yes" and 0 points for "No". "N/A" was scored as "No"=0 points. No information was scored as "No"=0 points.

8.2.10. Balancing Criteria - Section 7: Job creation

Applicants were rewarded for affording their employees substantive benefits in addition to stable basic employment, such as Medical Aid, Pension Funds and Safe working Conditions.

Sections 7.1 & 7.2. These sections were scored on Worksheets 7.1 & 7.2 (Annexure C). For Category A applicants, the total number of permanent employees (for 7.1) and seasonal employees (for 7.2) was divided by the total allocation to each applicant in the 2014-2020 period to provide an index of number of employees per kilogram. This was expressed as a percentage of the maximum achieved by any Category A applicant. The same routine was performed for Category B & C applicants, with the exception that the 'allocation' used was the average allocation to Category A applicants over the 2014-2020 period. This allowed a score to be derived for Category B & C applicants in an equitable manner. The score was derived from the percentage as follows:

Value (%)	Score
<1	1
1-<3	2
3-<5	3
5-<10	4
10-<20	5
20-<30	6
30-<40	7
40-<60	8
60-<80	9
80-100	10

Sections 7.3, 7.4 & 7.5 were scored using the following scale:

Value	Score
No	0
Yes	2

Section 7.3 was scored as “Yes” only if there was demonstration of payment to formal medical aid or medical insurance for more than 50% of employees. It was scored as “No” if there was only demonstration of payment of routine medical checkups or sea-going medicals for employees, payment of ad-hoc medical bills, or accident insurance without medical cover, and there was no demonstration of formal medical aid or insurance including medical cover. It was also scored “No” if there was medical aid or medical insurance for less than 50% of employees.

Section 7.4 was scored as 5 points for “Yes” and 0 points for “No”.

Section 7.5 was scored 5 points for “Yes” and 0 points for “No”. An application was scored as “Yes” if it was demonstrated that the applicant has a broad Occupational Health and Safety plan/strategy/protocol, etc., has appointed health and safety personnel, trained employees in health and safety, etc. It was scored as “No” if there was only demonstration of SAMSA safety certificates for vessels, and presentation of Covid-19 and HIV policies/protocols.

8.2.11. Balancing Criteria Section 8: Dividends & 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.

Section 8.4: This section was scored using Worksheet 8.4 (Annexure C). Income tax, dividends to black shareholders and number of shares were combined and divided by the total allocation over the period 2014-2020 for each Category A applicant. For Category B & C applicants, the 'allocation' used was the average allocation for Category A applicants over the 2014-2020 period. This was scaled to the maximum for that Category, and expressed as a percentage. The score was derived from the percentage using the following scale:

Value (%)	Score
<1	1
1-3	2
4-6	3
7-10	4
11-20	5
21-30	6
31-40	7
41-60	8
61-80	9
81-100	10

Section 8.6. This was scored according to the following scale:

Value (Years)	Score
<1	0
1-5	5
6-10	10
11-20	15
>20	20

Section 8.7. This section was scored using Worksheet 8.7 (Annexure C). For Landings for each year, 3 points were awarded for Port Elizabeth/Gqeberha, St Francis and Mossel Bay, 1 point for Cape Town, Hout Bay, Kalk Bay, Kommetjie or Gordon's Bay, and 2 points for any other harbour. Only one harbour was used per year. This was the highest scoring harbour in that year. The scores for each year were added to generate the Landing score for the

application. The same routine was conducted for Processing. The scores for Landing and Processing were added to give the final score.

Section 8.8. This section was zero weighted in the scoring model as information provided here was not evidence-based and successful applicants will not be held to these plans after the allocation of rights. The potential therefore existed for scores to be artificially inflated without a genuine intention to Land and Process fish at the higher-scoring harbours.

8.2.12. Balancing Criteria - Section 9: Investment

Section 9 was only scored for Category A applicants. Consideration was given to the amount applicants have invested in vessels, marketing and fish processing.

Section 9.1 was scored using Worksheet 9.1 (Annexure C). Section 9.1 related to Category A applicants only. The total investment in 2020 was divided by the total allocation over the period 2014-2020 to derive investment per kilogram. This was scaled to the maximum of all Category A applicants and expressed as a percentage. The score was derived from the percentage using the following scale:

Value (%)	Score
<1	1
1-3	2
4-6	3
7-10	4
11-20	5
21-30	6
31-40	7
41-60	8
61-80	9
81-100	10

8.3. Applicants involvement and relationship with other applicants

Cross-checks were conducted to detect subsidiary or brother-sister corporations. This was done by searching for matches in identity numbers of directors and shareholders across all successful applicants. No relationships were found between the directors and shareholders of the successful applicants.

9. Allocation of Total Applied Effort (TAE)

9.1. Method for the allocation of TAE in the KZN Crustacean Trawl sector

9.1.1. Number of vessel (units of effort) for allocation

The Policy on Allocation and Management of Commercial Fishing Rights in the KwaZulu-Natal Crustacean Trawl Fishery: 2021 clearly indicates that the number vessels accommodated in the rights allocation process within this fishery will not exceed seven (7) vessels. The following were considered in relation to the decision on the number of vessels that could be accommodated in this fishery:

- a. The performance by the seven (7) vessels previously operating in the sector over the period 2014-2020, and indicating that a maximum of five (5) vessels reported fishing performance in any one year during this period, with an average of only 3.28 vessels fishing per year over this period
- b. The sustained poor recruitment to the shallow-water fishing grounds in response to altered freshwater inputs in the region
- c. The 6-month closed season on the shallow-water fishing grounds introduced as a management measure to limit by-catch, in particular of vulnerable juvenile linefish
- d. The inclusion of a significant proportion of the shallow-water fishing grounds in the uThukela MPA
- e. The combination of b), c) and d) above which have led to a “concentration” of fishing effort between 2014 and the present on the deep-water fishing grounds which may result in over-subscription of effort here
- f. The trend in nominal Catch Per Unit Effort (CPUE) for all retained species combined, which indicated that there has been no significant decline in CPUE for all species combined since 1993. The CPUE time-series indicates a sustained decline in CPUE over the past 5 years, although the most recent low point in this decline is not lower than previous minima over the entire time series. Concern was noted regarding the reliance that could be placed on the available CPUE time series as this is not standardised, and is a composite index across multiple species. Disaggregated data which were inspected indicated variable CPUE trends across the different retained species, and across different vessels, the latter likely indicating differences in fishing behaviour among vessels rather than providing information relating to resource abundance

- g. The significant discarded by-catch characteristic of this fishery.

Taking the above into consideration, and balancing the biological/ecological and social/economic objectives of this fishery (as set out in Section 4 of the policy), it was decided that only five (5) units of effort (vessels) could reasonably and responsibly be allocated in this fishery.

In order to limit the possibility of over-allocation of effort due to possible successful appeals, it was further decided that four (4) units of effort (vessels) would be allocated at this time, with the fifth unit of effort (vessel) being reserved for possible successful appeals. Should there be no successful appeals in this sector, the fifth unit of effort (vessel) will be allocated to the next highest-scoring applicant in Category B or Category C.

9.1.2. Number of vessel (units of effort) per Right Holder

The performance of Right Holders in the 2014-2020 period was evaluated (see Section 8.2.8 of this document). Category A applicants who had been permitted only one vessel (one unit of effort) to fish during the 2014-2020 rights period demonstrated satisfactory utilization of the effort allocated. However, where Category A applicants had been permitted to use more than one vessel (one unit of effort) the utilization index was satisfactory only for the first vessel but not for the additional vessels, leading to sub-optimal utilization of the allocated effort on these additional vessels, and the withholding of opportunities from other entities who may have more effectively utilized this effort.

The General Reasons for the Decision on the Allocation of Rights and Effort in the KwaZulu-Natal Prawn Trawl Fishery (15 November 2005; referred to as the "2005 GPR") and the General Reasons for the Decisions on the Allocation of Fishing Rights and Effort in the KZN Prawn Trawl Fishery (30 December 2013; referred to as the "2013 GPR") were consulted in order to establish the basis on which multiple units of effort had been allocated to some Right Holders during previous rights periods.

The 2005 GPR indicated (Section 11. The Allocation of Effort) that:

"The Minister has determined that the maximum effort to which the fishery may be sustainably subjected is 8 KZN prawn trawl fishing vessels. The 4 applicants that

have successfully applied for commercial KZN prawn trawl fishing rights have collectively nominated 7 vessels.”

The 2005 GPR indicates that only 4 applications were received during that process. Thus all applicants were successful. It appears that there was no rational and equitable basis for allocating units of effort (vessels) to successful applicants. Instead, as the number of vessels that the applicants had nominated was less than the total number of units of effort available for allocation, allocation of the units of effort (vessels) was simply conducted on a “lottery” system. Those applicants which had nominated only one vessel were allocated only one unit of effort while those applications which and nominated more than one vessel were allocated that number of units of effort.

The 2013 GPR was silent on the method used for allocating effort.

Taking the above into consideration, it was decided that only one unit of effort (one vessel) would be allocated to any one successful applicant. To summarize, the reasons for this were:

- There has been no rational and equitable basis for allocation of multiple units of effort (vessels) to some right holders and not to others
- The experience of the previous rights period (2014-2020) has indicated poor utilization in cases where multiple units of effort (vessels) were allocated to individual right holders
- This has resulted in a situation in which there is sub-optimal utilization of allocated effort and the withholding of opportunities from other entities who may have more effectively utilized this effort.

9.1.3. Method for allocation of TAE

The following methodology was used for allocation of the Total Allowable Effort (TAE) to successful applicants:

Category A:

All Category A applicants who achieved a final score of >70% were considered successful. Each successful Category A applicant will be allocated one unit of effort (vessel).

Category B & C:

As per Section 6 of the Policy on the Allocation and Management of Fishing Rights in the KZN Crustacean Trawl Fishery: 2021, New Entrants (Category B & C) were considered and those with fishing experience and access to suitable infrastructure were preferred and accommodated within the vessel TAE allocation. Category B and Category C applicants who achieved a total score of >70% were considered for allocation. New Entrants were selected on the basis of the total score achieved.

10. Decisions on the allocation of fishing rights

10.1. Outcomes of the assessment process

It is important to clarify at the outset that while this GPR is final, the allocation of fishing rights is subject to the correctness of the assessments made and information submitted by the applicants and performance reviews. In the light of the lengthy process of finalising the verification process, the Delegated Authority has made decisions on allocation of fishing rights. The right and/or quantum and/or effort allocated may be reduced or increased, in the manner and circumstances set out in this GPR and after reserved decisions, appeals and reviews have been finalised.

Details of the outcomes of the assessment process are provided in Annexure B. Four (4) Rights were allocated.

Category A

Of the four (4) Category A applicants, two were excluded. The outcome of the assessment and application of the allocation methodology resulted in two (2) Category A applicants being successful, with each being allocated one unit of effort (one vessel). Each of these Category A applicants scored in excess of 70%.

Category B & C

Two New Entrant applicants were allocated Rights.

One (1) Category B applicant was successful and allocated one unit of effort (one vessel). This was the highest-scoring applicant in Category B (85.67%).

One (1) Category C applicant was successful and allocated one unit of effort (one vessel). This was the highest-scoring applicant in Category C (79.85%).

10.2. Transformation

Transformation of the sector was measured as a percentage of the TAE that is owned by Historically Disadvantaged Individuals.

Table 5. Historical percentage ownership of the TAE and ownership after the 2022 FRAP allocations in the KZN Crustacean Trawl sector.

Rights allocation process	Black	Women	Youth	Persons with disabilities
2001 (end of MTR) ¹	22	0	No data	No data
2005 (start of LTRAMP) ¹	63.25 ¹	22	No data	No data
2013 (end of LTRAMP) ²	67	"Decreased by 9.65% from 2005"	No data	No data
2014 (start of FRAP 2013) ³	84	39	No data	No data
2022 (start of FRAP 2020/21) ⁴	98.64	67.25	56.16	0.15

MTR = Medium Term Rights Allocation, LTRAMP = Long Terms Rights Allocation, FRAP = Fishing Rights Allocation Process

¹ Data source: General Reasons for the Decisions in the Allocation of Rights and Effort in the KwaZulu-Natal Prawn Trawl Fishery, 2005.

² Data source: Policy for the Allocation and Management of Fishing Rights in the KwaZulu-Natal Prawn Trawl Fishery: 2013.

³ Data source: Policy on Allocation and Management of Commercial Fishing Rights in the KwaZulu-Natal Crustacean Trawl Fishery: 2021.

⁴ Data source: Outcome of this process (FRAP 2020/21).

Percentage shareholding after the FRAP2020/21 allocations in the KwaZulu Natal Crustacean Trawl sector is as follows:

- Shareholding by black people: 98.64%
- Shareholding by women: 67.25%
- Shareholding by youth: 56.16%
- Shareholding by people with disabilities: 0.15%.

10.3. Appeals

One Right and one unit of effort (one vessel) was held in reserve pending the outcome of possible appeals. Should there be no successful appeals in this sector, the fifth unit of effort (vessel) will be allocated to the next highest-scoring applicant in Category B or Category C. The current allocations also remain preliminary and may be adjusted in response to successful appeals. Adjustments after finalization of appeals will be applied in the next season. The appeals process will open on 29 March 2022 and close on 29 April 2022 at midnight.

Appeals must be submitted on the FRAP online system (<https://www.frap2021.co.za>) and shall set out all the relevant facts as well as the grounds of appeal and shall be accompanied by any relevant documents. All appellants are required to retain a copy of their original appeals submitted to the Department with proof of submission until the decision of appeals is made. Appeals submitted after the closing date, i.e. Friday 29 April 2022 at midnight, shall not be considered.

10.4. Grant of Right Letters

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

10.5. Duration of Fishing Rights

The previous Rights in the KZN Crustacean Prawn Trawl fishery were allocated for a period of seven (7) years. In relation to the resource status objectives of the Policy on the Allocation and Management of Fishing Rights in the KZN Crustacean Trawl Fishery: 2021, a further 7-year duration would be more appropriate than a 15-duration (the maximum allowed for within the policy), given current uncertainties around the status of the resource. However, a 7-year duration presents a relatively short time horizon for meeting the social and economic objectives of the policy. Furthermore, it is unlikely that scientific knowledge around the status of the resource will advance to a degree which would necessitate a materially different approach to management of the resource within a 7-year period, and a precautionary approach to mitigate against uncertainties around resource status is already being applied through the allocation of levels of effort (TAE) which are below the maximum of seven vessels as indicated in the policy.

Therefore, in order to balance the resource status and social and economic objectives of the policy, commercial fishing rights for KZN Crustacean Trawl are allocated for a period of ten (10) years, commencing on 1 March 2022 and terminating on 31 December 2032.

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

Applicants 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



Name: Dr Kim Prochazka

Delegated Authority: 2021 KZN Crustacean Trawl sector

Date: 28/02/2022



14. Annexure A

Confirmation of Categories of applicants in the KZN Crustacean Trawl sector. The Annexure contains only those instances in which the confirmed category differed from the category in which the application was lodged.

Application number	Category submitted in	Confirmed category	Rights held in 2020
KPT21022	C	A	KPT130034
KPT21023	C	B	PATT169001

15. Annexure B

Assessment results for all applications in the KZN Crustacean Trawl sector.

SUCCESSFUL APPLICATIONS

Application number	Registered name of entity	Category	Score (%)
KPT21005	Sea Harvest Corporation (Pty) Ltd	A	92.27
KPT21012	Ocean Trawling of Southern Africa (Pty) Ltd	A	71.01
KPT21015	Atlantis Seafood Products (Pty) Ltd	B	85.67
KPT21016	Khanyisile Fishing (Pty) Ltd	C	79.85

UNSUCCESSFUL APPLICATIONS

Application number	Registered name of entity	Category	Score (%)
KPT21014	Horap Sea Ventures (Pty) Ltd	A	43.17
KPT21008	Dyer Eiland Visserye (Pty) Ltd	B	65.51
KPT21023	Braxton Security Services CC	B	48.25
KPT21030	Ukuloba Kulungile Investments (Pty) Ltd	B	56.14
KPT21003	Thalassa Investment (Pty) Ltd	C	57.04
KPT21013	Samaki Fisheries (Pty) Ltd	C	43.96

EXCLUDED APPLICATIONS

Application number	Registered name of entity	Category	Score (%)
KPT21022	Hacky Fishing (Pty) Ltd	A	35.94
KPT21026	Finecorp Trading 113 CC	B	55.68
KPT21017	Live Fish Tanks (East Coast) (Pty) Ltd	C	70.11
KPT21029	Lufra Traders (Pty) Ltd	C	45.71
KPT21031	Elecmatix General	C	42.71
KPT21034	Gqeherba Nolwande Primary Fishing Co-operative Ltd	C	35.46

1/1/20

RESERVED APPLICATIONS

No reserved applications.

Handwritten signature or initials in the bottom right corner of the page.

16. Annexure C

Worksheets used for scoring in the KZN Crustacean Trawl sector.

Handwritten signature or initials in the bottom right corner of the page.

Worksheet 5.3: Category A

	A	B	C	D	E	F	G	H	I	J	K
1	Applicant	Vessel	Number of seasons operating	Contiguous years	Average number of months operating per season	Performance (Average %)	Score		Performance (%)	Score	
2	KPTXXXX1	XX	##	##	##				< 11	Excl	
3	Percentage:	=(C2*100)/7	=(D2*100)/6	=(E2*100)/12	=AVERAGE(C3:E3)	Out of 10			11 - 20	2	
4									20 - 40	4	
5									40 - 60	6	
6									60 - 80	8	
7									80 - 100	10	
8									> 100	Excl	
9											

Worksheet 6.3: Category A and B

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
2	Transformation at start														
3	Applicant	Category	Start Year	Year	Black	Women	Youth	Disabled	Sum %	start					
4	KPTXXXX1	A/B	e.g. 2005/2006	2021	##	##	##	##	=SUM(E4:H4)	=I4/MAX(\$I4:\$I7)*100					
5	KPTXXXX2	A/B	e.g. 2005/2006	2021	##	##	##	##	=SUM(E5:H5)	=I5/MAX(\$I4:\$I7)*100					
6	KPTXXXX3	A/B	e.g. 2005/2006	2021	##	##	##	##	=SUM(E6:H6)	=I6/MAX(\$I4:\$I7)*100					
7	...	...	...	...	...	...	...	...	...	...
8															
9	Transformation at end (2021)														
10	Applicant	Category	Start Year	Year	Black	Women	Youth	Disabled	Sum%	Normalised Score 2020	% Increase	Average increase			
11	KPTXXXX1	A/B	e.g. 2005/2006	2021	##	##	##	##	=SUM(E11:H11)	=I11/MAX(\$I11:\$I14)*100	=100*(J11-J4)/J4	=AVERAGE(K11:K14)			
12	KPTXXXX2	A/B	e.g. 2005/2006	2021	##	##	##	##	=SUM(E12:H12)	=I12/MAX(\$I11:\$I14)*100	=100*(J12-J5)/J5				
13	KPTXXXX3	A/B	e.g. 2005/2006	2021	##	##	##	##	=SUM(E13:H13)	=I13/MAX(\$I11:\$I14)*100	=100*(J13-J6)/J6				
14	...	...	...	...	...	...	...	...	...	...	...
15															
16	Applicant	Composite index										Range (%)	Score		
17	KPTXXXX1	=IF(J11>=80,12, ((J11/100*12)+((K11/MAX(\$K\$11:\$K\$14))/(\$L\$11/100))))										=B17/12*100	Out of 12		
18	KPTXXXX2	=IF(J12>=80,12, ((J12/100*12)+((K12/MAX(\$K\$11:\$K\$14))/(\$L\$11/100))))										=B18/12*100	Out of 12		
19	KPTXXXX3	=IF(J13>=80,12, ((J13/100*12)+((K13/MAX(\$K\$11:\$K\$14))/(\$L\$11/100))))										=B19/12*100	Out of 12		
20	...	=IF(J14>=80,12, ((J14/100*12)+((K14/MAX(\$K\$11:\$K\$14))/(\$L\$11/100))))										=B20/12*100	Out of 12		
21															
22															

Range (%)	Score
0-19	0
20-29	1
30-39	2
40-49	4
80-100	12

Worksheet 6.3: Category C

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1														
2				Transformation levels										
3	Applicant	Category	End Year	Black	Women	Youth	Disabled	Sum%	Normalised Score	Score				
4	KPTXXXX4	C	2021	##	##	##	##	=SUM(D4:G4)	=H4/MAX(\$H\$4:\$H\$11)*100	Out of 12				
5	KPTXXXX5	C	2021	##	##	##	##	=SUM(D5:G5)	=H5/MAX(\$H\$4:\$H\$11)*100	Out of 12				
6	KPTXXXX6	C	2021	##	##	##	##	=SUM(D6:G6)	=H6/MAX(\$H\$4:\$H\$11)*100	Out of 12				
7	KPTXXXX7	C	2021	##	##	##	##	=SUM(D7:G7)	=H7/MAX(\$H\$4:\$H\$11)*100	Out of 12				
8	KPTXXXX8	C	2021	##	##	##	##	=SUM(D8:G8)	=H8/MAX(\$H\$4:\$H\$11)*100	Out of 12				
9	KPTXXXX9	C	2021	##	##	##	##	=SUM(D9:G9)	=H9/MAX(\$H\$4:\$H\$11)*100	Out of 12				
10	KPTXXXX10	C	2021	##	##	##	##	=SUM(D10:G10)	=H10/MAX(\$H\$4:\$H\$11)*100	Out of 12				
11	KPTXXXX11	C	2021	##	##	##	##	=SUM(D11:G11)	=H11/MAX(\$H\$4:\$H\$11)*100	Out of 12				
12														

Normalised Score	Score
0-19	0
20-29	1
30-39	2
40-49	4
50-59	6
60-69	8
70-79	10
80-100	12

Worksheet 6.10: Category A, B, C

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
1	APPLICANT: KPTXXXXX													
2	RACE													
3	6.10	Average salary	Number of employees	Number of African employees	Number of Coloured employees	Number of Indian employees	Number of Chinese employees	Sum of ACI	Total wage bill	Wage bill for ACI	Percentage range	Score		
4	1	> R75 000	##	##	##	##	##	=SUM(E4:H4)	=C4*D4	=I4*C4	No information provided	0		
5	2	Between R75 000 and R50 000	##	##	##	##	##	=SUM(E5:H5)	=C5*D5	=I5*C5	From 0% >= %P < 50	1		
6	3	Between R50 000 and R25 000	##	##	##	##	##	=SUM(E6:H6)	=C6*D6	=I6*C6	From 50 >= %P < 60	2		
7	4	Between R25 000 and R20 000	##	##	##	##	##	=SUM(E7:H7)	=C7*D7	=I7*C7	From 60 >= %P < 70	3		
8	5	Between R20 000 and R15 000	##	##	##	##	##	=SUM(E8:H8)	=C8*D8	=I8*C8	From 70 >= %P < 80	4		
9	6	Between R15 000 and R10 000	##	##	##	##	##	=SUM(E9:H9)	=C9*D9	=I9*C9	From 80 >= %P < 90	5		
10	7	Between R10 000 and R5 000	##	##	##	##	##	=SUM(E10:H10)	=C10*D10	=I10*C10	From 90 >= %P < 100	6		
11	8	Between R5 000 and R2 500	##	##	##	##	##	=SUM(E11:H11)	=C11*D11	=I11*C11				
12	9	Below R2 500	##	##	##	##	##	=SUM(E12:H12)	=C12*D12	=I12*C12				
13	TOTAL		=SUM(D4:D12)	=SUM(E4:E12)	=SUM(F4:F12)	=SUM(G4:G12)	=SUM(H4:H12)	=SUM(I4:I12)	=SUM(J4:J12)	=SUM(K4:K12)				
14														
15		%Total PDI wage/Total wage bill:	=K13/I13*100											
16														
17	WOMEN													
18	6.10	Average salary	Number of employees	Number of Women employees	Total wage bill	Wage bill for Women								
19	1	> R75 000	##	##	=C19*D19	=E20*C20	=E19*C19							
20	2	Between R75 000 and R50 000	##	##	=C20*D20	=E21*C21	=E20*C20							
21	3	Between R50 000 and R25 000	##	##	=C21*D21	=E22*C22	=E21*C21							
22	4	Between R25 000 and R20 000	##	##	=C22*D22	=E23*C23	=E22*C22							
23	5	Between R20 000 and R15 000	##	##	=C23*D23	=E24*C24	=E23*C23							
24	6	Between R15 000 and R10 000	##	##	=C24*D24	=E25*C25	=E24*C24							
25	7	Between R10 000 and R5 000	##	##	=C25*D25	=E26*C26	=E25*C25							
26	8	Between R5 000 and R2 500	##	##	=C26*D26	=E27*C27	=E26*C26							
27	9	Below R2 500	##	##	=C27*D27	=E28*C28	=E27*C27							
28	TOTAL		=SUM(D19:D27)	=SUM(E19:E27)	=SUM(F19:F27)	=SUM(G19:G27)								
29														
30		%Total Women wage/Total wage bill:	=G28/F28*100											
31														
32	YOUTH													
33	6.10	Average salary	Number of employees	Number of Youth employees	Total wage bill	Wage bill for Women								
34	1	> R75 000	##	##	=C34*D34	=E34*C34	=E34*C34							
35	2	Between R75 000 and R50 000	##	##	=C35*D35	=E35*C35	=E35*C35							
36	3	Between R50 000 and R25 000	##	##	=C36*D36	=E36*C36	=E36*C36							
37	4	Between R25 000 and R20 000	##	##	=C37*D37	=E37*C37	=E37*C37							
38	5	Between R20 000 and R15 000	##	##	=C38*D38	=E38*C38	=E38*C38							
39	6	Between R15 000 and R10 000	##	##	=C39*D39	=E39*C39	=E39*C39							
40	7	Between R10 000 and R5 000	##	##	=C40*D40	=E40*C40	=E40*C40							
41	8	Between R5 000 and R2 500	##	##	=C41*D41	=E41*C41	=E41*C41							
42	9	Below R2 500	##	##	=C42*D42	=E42*C42	=E42*C42							
43	TOTAL		=SUM(D34:D42)	=SUM(E34:E42)	=SUM(F34:F42)	=SUM(G34:G42)								
44														
45		%Total Youth wage/Total wage bill:	=G43/F43*100											
46														
47	DISABLE													
48	6.10	Average salary	Number of employees	Number of Disabled employees	Total wage bill	Wage bill for Women								
49	1	> R75 000	##	##	=E49*C49	=E49*C49	=E49*C49							
50	2	Between R75 000 and R50 000	##	##	=E50*C50	=E50*C50	=E50*C50							
51	3	Between R50 000 and R25 000	##	##	=E51*C51	=E51*C51	=E51*C51							
52	4	Between R25 000 and R20 000	##	##	=E52*C52	=E52*C52	=E52*C52							
53	5	Between R20 000 and R15 000	##	##	=E53*C53	=E53*C53	=E53*C53							
54	6	Between R15 000 and R10 000	##	##	=E54*C54	=E54*C54	=E54*C54							
55	7	Between R10 000 and R5 000	##	##	=E55*C55	=E55*C55	=E55*C55							
56	8	Between R5 000 and R2 500	##	##	=E56*C56	=E56*C56	=E56*C56							
57	9	Below R2 500	##	##	=E57*C57	=E57*C57	=E57*C57							
58	TOTAL		=SUM(D49:D57)	=SUM(E49:E57)	=SUM(F49:F57)	=SUM(G49:G57)								
59														
60		%Total Disabled wage/Total wage bill:	=G58/F58*100											
61														
62		Sum scores for wage bill for PDI, Women, Youth and Disabled:												
63		Score scaled down out of 6:												
64														

Worksheet 6.15: Category A, B and C

	A	B	C	D	E	F	G
1	APPLICANT: KPTXXXXX						
2	Financial year	Percentage of entity's turnover spent on CSI	Score		Percentage range	Score	
3	FY2019	##	Out of 3		0% - 0.5%	1	
4	FY2020	##	Out of 3		0.51% - 1%	2	
5	FY 2021	##	Out of 3		> 1%	3	
6	TOTAL		=SUM(C3:C5)				
7							



Worksheet 7.1: Category A, B and C

A	B	C	D	E	F	G	H	I	J	K	L
1	Applicant	Category	Average catch (kg) per year of target species, 2014-2020	Job/ton	Scaled to max	Range (out of 100)	Score		Range	Score	
2	KPTXXXX1	A	##	=+C2/D2	=+E2/MAX(E\$2:E\$6)	=F2*100	Out of 10		<1	1	
3	KPTXXXX2	A	##	=C3/D3	=+E3/MAX(E\$2:E\$6)	=F3*100	Out of 10		1 - <3	2	
4	KPTXXXX3	A	##	=C4/D4	=+E4/MAX(E\$2:E\$6)	=F4*100	Out of 10		3 - <5	3	
5	...	...	...	...	...	...	...		5 - <10	4	
6									10 - <20	5	
7	Applicant	Category	Average catch (kg) of target species per year of all Category A applicants, 2014-2020	Job/ton	Scaled to max	Range (out of 100)	Score		20 - <30	6	
8	KPTXXXX4	B/C	##	=+C8/D8	=+E8/MAX(E\$8:E\$11)	=F8*100	Out of 10		30 - <40	7	
9	KPTXXXX5	B/C	##	=+C9/D9	=+E9/MAX(E\$8:E\$11)	=F9*100	Out of 10		40 - >60	8	
10	KPTXXXX6	B/C	##	=+C10/D10	=+E10/MAX(E\$8:E\$11)	=F10*100	Out of 10		60 - <80	9	
11	...	...	...	...	...	...	...		80 - 100	10	
12											

Worksheet 7.2: Category A, B and C

	A	B	C	D	E	F	G	H	I	J	K	L
1	Applicant	Category	Seasonal employees	Average catch (kg) per year of target species, 2014-2020	Job/ton	Scaled to max	Range (out of 100)	Score		Range	Score	
2	KPTXXXX1	A	##	##	=+C2/D2	=+E2/MAX(E\$2:E\$6)	=F2*100	Out of 10		<1	1	
3	KPTXXXX2	A	##	##	=C3/D3	=+E3/MAX(E\$2:E\$6)	=F3*100	Out of 10		1 - <3	2	
4	KPTXXXX3	A	##	##	=C4/D4	=+E4/MAX(E\$2:E\$6)	=F4*100	Out of 10		3 - <5	3	
5	...	...	...	...	...	...	...	...		5 - <10	4	
6										10 - <20	5	
7	Applicant	Category	Seasonal employees	Average catch (kg) of target species per year of all Category A applicants, 2014-2020	Job/ton	Scaled to max	Range (out of 100)	Score		20 - <30	6	
8	KPTXXXX4	B/C	##	620000	=+C8/D8	=+E8/MAX(E\$8:E\$11)	=F8*100	Out of 10		30 - <40	7	
9	KPTXXXX5	B/C	##	620000	=+C9/D9	=+E9/MAX(E\$8:E\$11)	=F9*100	Out of 10		40 - >60	8	
10	KPTXXXX6	B/C	##	620000	=+C10/D10	=+E10/MAX(E\$8:E\$11)	=F10*100	Out of 10		60 - <80	9	
11	...	...	...	...	...	...	...	...		80 - 100	10	
12												

Worksheet 8.4: Category A

	A	B	C	D	E	F	G	H	I	J	K
1	APPLICANT	Year	Income tax paid to revenue services	ANNUAL_DIV IDEND	ANNUAL_DIVIDEND BLACK_SHAREHOLDERS	NO OF ISSUED_SHARES	BLACK SHAREHOLDING_PER CENTAGE	ANNUAL_AVERAGE	AVERAGE CATCH 2014-2020		
2	KPTXXXX1	2006	##	##	##	##	##	##	##		
3	KPTXXXX1	2007	##	##	##	##	##	##	##		
4	KPTXXXX1	2008	##	##	##	##	##	##	##		
5	KPTXXXX1	2009	##	##	##	##	##	##	##		
6	KPTXXXX1	2010	##	##	##	##	##	##	##		
7	KPTXXXX1	2011	##	##	##	##	##	##	##		
8	KPTXXXX1	2012	##	##	##	##	##	##	##		
9	KPTXXXX1	2013	##	##	##	##	##	##	##		
10	KPTXXXX1	2014	##	##	##	##	##	##	##		
11	KPTXXXX1	2015	##	##	##	##	##	##	##		
12	KPTXXXX1	2016	##	##	##	##	##	##	##		
13	KPTXXXX1	2017	##	##	##	##	##	##	##		
14	KPTXXXX1	2018	##	##	##	##	##	##	##		
15	KPTXXXX1	2019	##	##	##	##	##	##	##		
16	KPTXXXX1	2020	##	##	##	##	##	##	##		
17	KPTXXXX1	2021	##	##	##	##	##	##	##		
18	Sum/Average		=SUM(C2:C17)	=SUM(D2:D17)	=SUM(E2:E17)	=AVERAGE(F2:F17)	=AVERAGE(G2:G17)	=AVERAGE(H2:H17)	=SUM(I2:I17)		
19											
20	Tax weight	0.55									
	Value weight (Outstandingshares*average shareprice)	0.3									
21	BEE weight (BEE dividends)	0.15									
22											
23	Combining columns										
24	(Rands)		=B20*C18+B21*(F18*H18)+(D18-E18)+B22*E18								
25											
26	Applicant	Value	Sum of average catch 2014-2020	Value/ton	Scaled to max	Range (out of 100)	Score				
27	KPTXXXX1	=B24	=118	=B27/C27	=D27/MAX(\$D\$27:\$D\$33)	=E27*100	Out of 10				
28	KPTXXXX2	...	...	=B28/C28	=D28/MAX(\$D\$27:\$D\$33)	=E28*100	Out of 10				
29	KPTXXXX3	...	...	=B29/C29	=D29/MAX(\$D\$27:\$D\$33)	=E29*100	Out of 10				
30											
31											
32											
33											
34											
35											
36											
37											

Range	Score
<1	1
1-3	2
4-6	3
7-10	4
11-20	5
21-30	6
31-40	7
41-60	8
61-80	9
81-100	10

Range (out of 100)	Score
=E27*100	Out of 10
=E28*100	Out of 10
=E29*100	Out of 10

Worksheet 8.4: Category B and C

	A	B	C	D	E	F	G	H	I	J	K
1	APPLICANT	Year	Income tax paid to revenue services	ANNUAL_DTV IDEND	ANNUAL_DIVIDEND BLACK_SHAREHOLDERS	NO OF ISSUED_SHARES	BLACK SHAREHOLDIN G_PERCENTAGE	ANNUAL_AVERAGE	AVERAGE CATCH OF CATEGORY A, 2014-2020		
2	KPTXXXX1	2006	##	##	##	##	##	##	##		
3	KPTXXXX1	2007	##	##	##	##	##	##	##		
4	KPTXXXX1	2008	##	##	##	##	##	##	##		
5	KPTXXXX1	2009	##	##	##	##	##	##	##		
6	KPTXXXX1	2010	##	##	##	##	##	##	##		
7	KPTXXXX1	2011	##	##	##	##	##	##	##		
8	KPTXXXX1	2012	##	##	##	##	##	##	##		
9	KPTXXXX1	2013	##	##	##	##	##	##	##		
10	KPTXXXX1	2014	##	##	##	##	##	##	##		
11	KPTXXXX1	2015	##	##	##	##	##	##	##		
12	KPTXXXX1	2016	##	##	##	##	##	##	##		
13	KPTXXXX1	2017	##	##	##	##	##	##	##		
14	KPTXXXX1	2018	##	##	##	##	##	##	##		
15	KPTXXXX1	2019	##	##	##	##	##	##	##		
16	KPTXXXX1	2020	##	##	##	##	##	##	##		
17	KPTXXXX1	2021	##	##	##	##	##	##	##		
18	Sum/Average		=SUM(C2:C17)	=SUM(D2:D17)	=SUM(E2:E17)	=AVERAGE(F2:F17)	=AVERAGE(G2:G17)	=AVERAGE(H2:H17)	=SUM(I2:I18)		
19											
20	Tax weight	0.55									
	Value weight (Outstanding shares* average		Constant values								
21	Shareprice)	0.3									
	BEE weight (BEE dividends)	0.15									
23											
24	Combining columns										
25			=B20*C18+B21*(F18*H18)+(D18:E18)+B22*E18								
26	Applicant	Value	Average catch of Category A, 2014-2020	Value/ton	Scaled to max	Range (out of 100)	Score				
27	KPTXXXX1	=B24	=I18	=B27/C27	=D27/MAX(\$D\$27:\$D\$33)	=E27*100	Out of 10				
28	KPTXXXX2	...	...	=B28/C28	=D28/MAX(\$D\$27:\$D\$29)	=E28*100	Out of 10				
29	KPTXXXX3	...	...	=B29/C29	=D29/MAX(\$D\$27:\$D\$33)	=E29*100	Out of 10				
30											
31											
32											
33											
34											
35											
36											
37											

Range	Score
<1	1
1-3	2
4-6	3
7-10	4
11-20	5
21-30	6
31-40	7
41-60	8
61-80	9
81-100	10

Applicant	Value	Average catch of Category A, 2014-2020	Value/ton	Scaled to max	Range (out of 100)	Score
KPTXXXX1	=B24	=I18	=B27/C27	=D27/MAX(\$D\$27:\$D\$33)	=E27*100	Out of 10
KPTXXXX2	...	...	=B28/C28	=D28/MAX(\$D\$27:\$D\$29)	=E28*100	Out of 10
KPTXXXX3	...	...	=B29/C29	=D29/MAX(\$D\$27:\$D\$33)	=E29*100	Out of 10

Worksheet 9.1: Category A

	A	B	C	D	E	F	G	H	I	J
	Applicant	Average catch (kg) target species, 2014-2020	Total rand value (insured value) of total fixed assets (in sector being applied for). This includes vessels, land based and other sea based assets (i.e. Column 2 of Table 9.1 for year 2020)	Investment per kg caught (R/kg)	Range (Normalised score)	Score		Investment per tonne allocated range (normalised score)	Score	
1										
2	KPTXXX1	##	##	=C2/B2	=D2/MAX(\$D\$2:\$D\$5)*100	Out of 10		<1	1	
3	KPTXXX2	##	##	=C3/B3	=D3/MAX(\$D\$2:\$D\$5)*100	Out of 10		1-3	2	
4	KPTXXX3	##	##	=C4/B4	=D4/MAX(\$D\$2:\$D\$5)*100	Out of 10		4-6	3	
5	...	...	...	...	...	...		7-10	4	
6								11-20	5	
7								21-30	6	
8								31-40	7	
9								41-60	8	
10								61-80	9	
11								81-100	10	
12										