



agriculture, forestry & fisheries

Department:
Agriculture, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

Enquiries: Customer Service Centre

Telephone: 086 000 3474

www.daff.gov.za

REQUIREMENTS FOR THE TRANSFER OF A RIGHT TO UNDERTAKE COMMERCIAL FISHING IN TERMS OF SECTION 21 OF THE MARINE LIVING RESOURCES ACT

1. Original, completed, signed and dated application form.
2. Certified true copy of an agreement between the transferor (seller) and the transferee (purchaser) as well as any other documentation relating thereto.
3. Proof of registration in respect of your company / close corporation / trust.
4. **For Companies and Close Corporations, the following must be adhered to in full:**
 - 4.1 Transformation profile of the transferee including BEE certificate, if turnover is less than R5million, a letter from auditors or accounting officers must be submitted;
 - 4.2 Demonstrate that they have invested in the fishing industry;
 - 4.3 Demonstrate that they have access to a suitable vessel that is already in the fishing sector;
 - 4.4 The transferee, its controlling shareholders or members have not been convicted of an offence under the MLRA, the Prevention of Corruption Act, 1992 (Act No. 94 of 1992), the Prevention of Combating of Corruption Activities, 2004 (Act No. 12 of 2004), the Prevention of Organised Crime Act, 1998 (Act No. 121 of 1998) or any offence involving dishonesty;
 - 4.5 Submission of **ALL** catch returns, levy declaration forms or other documentation required by the Department in terms of the applicable permit conditions;
 - 4.6 Payment of **ALL** fees, including levies, license fees or any other payments; and
 - 4.7 Submission of a valid SARS Tax Clearance Certificate.
5. **For Individuals, the following must be adhered to in full:**
 - 5.1 Transferee is a South African person;
 - 5.2 Transformation profile of the transferee;
 - 5.3 Be able to demonstrate that he/she will personally utilize the fishing right by being onboard the nominated vessel, or personally harvest the resource;
 - 5.4 He/she is dependent on fishing as a major source of income;
 - 5.5 Has not been convicted of an offence as per clause 4.4 of the above;
 - 5.6 Submission of **ALL** catch returns, levy declaration forms as per clause 4.5 of the above;
 - 5.7 Payment of **ALL** fees as per clause 4.6 of the above;
 - 5.8 The transferee is able to demonstrate that they have access to a suitable vessel that is already in fishing sector; and
 - 5.9 Submission of a valid SARS Tax Clearance Certificate.
6. The application fee of **R240.00** is payable, after submitting an application to the Department. Note: **NO POSTAL ORDERS WILL BE ACCEPTED. The reference number will only be obtainable from Customer Service Centre.**

COPIES OF SUPPORTING DOCUMENTS MUST BE CERTIFIED AS TRUE, FAILURE TO DO SO WILL LEAD TO THE REJECTION OF YOUR APPLICATION.

Fees are payable at the cashier's office located on the ground floor Foretrust Building or alternatively per banking details below:

BANKING DETAILS FOR THE MARINE LIVING RESOURCES FUND

BRANCH CODE: 204-109

BANK: First National Bank (FNB)

BRANCH NAME: Corporate Account Services – Cape Town

ACCOUNT TYPE: Current

ACCOUNT NO.: 62 123 256 382

ACCOUNT NAME: Marine Living Resources Fund

