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**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM  
BRANCH MARINE AND COASTAL MANAGEMENT**

**POLICY FOR THE ALLOCATION AND MANAGEMENT OF  
COMMERCIAL FISHING RIGHTS IN THE SOUTH COAST ROCK  
LOBSTER FISHERY: 2005**

**THIS POLICY MUST BE READ WITH THE GENERAL POLICY ON THE  
ALLOCATION AND MANAGEMENT OF LONG-TERM COMMERCIAL FISHING  
RIGHTS: 2005 (available at [www.mcm-deat.gov.za](http://www.mcm-deat.gov.za))**



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## 1. Introduction

This policy on the allocation and management of commercial fishing rights in the south coast rock lobster fishery (hereafter also "SCRL") is issued by the Minister of Environmental Affairs and Tourism ("the Minister"). This policy must be read with the General Policy on the Allocation and Management of Long-term Commercial Fishing Rights: 2005 ("the General Fisheries Policy").

The purpose of this policy is to set out the considerations that will apply to the allocation of long-term commercial south coast rock lobster fishing rights. Many of these considerations are not new. They have been applied by the Minister and delegated authorities from the Department of Environmental Affairs and Tourism: Branch Marine and Coastal Management ("the Department") when allocating rights in the past and to an extent this policy documents those considerations.

Certain post-rights allocation management policies are also presented in this policy. A South Coast Rock Lobster Fishery Management Manual will be finalised with all right-holders during the course of 2006. This manual will stipulate in detail the management methodology and procedures for the fishery.

The Minister intends to delegate the section 18 power to allocate commercial south coast rock lobster fishing rights in terms of section 79 of the Marine Living Resources Act 18 of 1998 ("the MLRA") to a senior official of the Department. This policy document will guide the delegated authority in taking decisions on applications in this fishery.

## 2. Biological and resource dynamics

South coast rock lobster (*Palinurus gilchristi*) is endemic to the continental shelf of southern South Africa, occurring on rocky substrata at depths of 50 to 200 metres. The species is found in commercial quantities at two locations: offshore on the Agulhas Bank in an area roughly 200 kilometres from the coast, and closer inshore (two to 50 kilometres from the coast) between Mossel Bay and East London. South coast rock lobster is a cold-water species that grows slowly and is long-lived. The inshore area between Danger Point and Cape Agulhas is an



important settlement area for juveniles, which migrate to adult habitats on the Agulhas Bank and in the inshore area between Mossel Bay and Port Elizabeth. Rock lobsters that occur between Port Alfred and East London are generally smaller, slower-growing and do not migrate.

### **3. Sector profile**

The South Coast rock lobster fishery is a deep water long line trap fishery that began in 1974. At that stage, both South African and foreign vessels exploited the deep water resource. However, in 1976 South Africa declared its 200 mile Exclusive Economic Zone and effectively halted foreign participation in the fishery. A total of 26 South African vessels remained in the fishery. This number dropped to 15 in 1981 after years of unsustainable and unregulated fishing led to the resource's collapse. In 1975, 2 092 tons of south coast rock lobster were harvested; by 1981 this had dropped to a mere 176 tons.

The fishery was first regulated by a total allowable catch ("TAC") in 1984. The TAC was set at 450 tons (tail mass). Ten years later, research indicated that the resource was still in decline. The management strategy for this fishery was fundamentally changed in 2000. A combined TAC and total applied effort ("TAE") strategy was introduced, which limited the number of days that a SCRL vessel may stay at sea. The "sea days" limit is calculated according to the portion of the TAC that is caught by a specific vessel, taking into account that vessel's fishing capacity.

The Department's management plan for the SCRL fishery has borne fruit. In the 2001/2002 fishing season, the SCRL TAC was set at 340 tons, combined with a TAE of 1 922 sea days. Three years later, the TAC increased to 382 tons, combined with a TAE of 2 089 sea days.

South coast rock lobster catches are off-loaded at Cape Town and Port Elizabeth harbours. The catch is generally frozen at sea and graded and repacked at shore-based facilities. Almost the entire catch is exported, predominantly to the USA.

The SCRL industry employs about 400 people. Of these, 285 are sea-going personnel who are employed on nine vessels. Ninety seven percent of employees are historically disadvantaged persons. On average, workers earn R50 000 per annum in salaries, making this industry one of



the best paying in the fishing industry. The value of the catch is approximately R100 million per annum. The market value of vessels operating in the fishery is approximately R70 million.

Vessels are rigged for long-line trap-fishing. Barrel-shaped plastic traps are set for periods varying from 24 hours to several days. Each vessel typically hauls and resets approximately 2 000 traps per day in sets of 100 to 200 traps. Long-line trap-fishing is a labour-intensive fishing method. Crews consist of up to 35 persons. The vessels in this fishery are large, offshore vessels ranging in length between 30 and 60 metres. They fish for between 180 to 300 days per year.

The south coast rock lobster fishery is capital intensive, requiring large vessels with insured values of between R4 million and R10 million, a substantial number of crew, access to foreign markets and funds for overhead costs such as fuel, vessel maintenance and salaries.

#### **4. The medium-term rights allocation process**

Medium-term commercial fishing rights were allocated to 18 right-holders. Right-holders typically hold between two and 10 percent of the TAC, with the exception of one company that holds 41.1 percent. Nine vessels are used to fish the entire TAC.

Of the 18 right-holders:

- 72 percent are black owned entities;
- 47 percent are black managed;
- 65 percent are small- and medium-sized enterprises ("SMEs").

#### **5. Over-arching sectoral objectives**

The over-arching objectives of allocating long-term fishing rights in this fishery are to:

- Maintain or improve the transformation profile of the SCRL fishery;
- Create an environment that attracts investment and stimulates job creation;
- Support the economic viability of the fishery; and



- Ensure the environmental sustainability of the fishery.

## **6. Duration of rights**

Having regard to –

- the transformation profile of the fishery;
- the number of full time jobs provided (and to encourage the conversion of part-time employment into permanent jobs);
- the need to maintain the stability in the fishery; and
- the fact that, according to scientific data, the SCRL resource is recovering,

commercial rights will be allocated for a period of 15 years (1 October 2005 to 30 September 2020). The Department will regularly evaluate right holders against predetermined performance criteria (see paragraph 13 below).

## **7. New entrants**

SCRL stocks are currently managed in terms of a conservative recovery strategy. By 1981, the stock had collapsed and it was subjected to years of over fishing between the late 1980's and 2001. In 1992 the average allocation was 75 tons; 14 tons being the smallest individual allocation. By 2002, the average allocation dropped to 17 tons; with seven tons the smallest individual allocation. It is surmised that, between 1989 and 2001, the SCRL resource had declined by 65 percent, largely due to overfishing by Hout Bay Fishing Industries (Pty) Ltd.

The current 18 right-holders and nine vessels are the maximum that the fishery can sustain at this point. The fishery also has acceptable levels of transformation and substantial numbers of small- and medium-sized enterprises. Although the possibility of replacing existing right-holders cannot be excluded, it is unlikely that any new entrants will be admitted.



## 8. Evaluation criteria

Applications will be screened in terms of a set of "exclusionary criteria", and thereafter assessed in terms of a set of weighted "comparative balancing criteria". A cut-off score or rank will then be determined in order to select the successful applicants. A proportion of the TAC will be allocated to each successful applicant in terms of a set of "quantum criteria".

### 8.1 Exclusionary criteria

Apart from the criteria described in the general policy pertaining to the lodgement of the applications and material defects, the delegated authority will exclude applicants that fail to meet the following requirements:

- (a) **Form of the applicant:** Applications will only be considered from entities incorporated in terms of the Close Corporations Act 69 of 1984 and the Companies Act 61 of 1973. Natural persons (i.e. individuals or sole proprietors) will not be granted rights. Current natural person right holders must apply in the form of a close corporation or company and will be treated as medium term right holder applicants provided that they comply with the guidelines set out in the General Policy.
- (b) **Compliance:** If a right holder applicant, or its members, directors or controlling shareholders have been convicted of an offence in terms of the MLRA, the applicant will not be allocated a SCRL right. This does not include the payment of an admission of guilt fine. Rights will also not be allocated to a right holder applicant if the applicant, or its members, directors or controlling shareholders that have had a fishing right cancelled, suspended or revoked in terms of the MLRA, or assets seized under the Prevention of Organised Crime Act 121 of 1998 or the MLRA.

Decisions may be reserved on applications if a right holder applicant (or its members, directors or controlling shareholders) are being investigated for breaches of the MLRA. A decision on such an application will be made after the completion of the investigation.

The Department requires every right-holder to pay a levy on targeted fish landed. Right-holders that have under-reported catches to, *inter alia*, avoid the payment of levies will be excluded. Right-holders that have not paid levies or will be penalised in the comparative balancing process as set out below. Should such an applicant nevertheless qualify for a right, a fishing permit will not be issued until the outstanding monies have been paid to the Department.

- (c) **Paper quotas:** Paper quotas as defined in the General Policy will be excluded.
- (d) **Access to a suitable vessel:** Applicants will have to demonstrate a right of access to a suitable vessel (see paragraph 9 below).

## 8.2 Comparative balancing criteria

Right-holder applicants and potential new entrants will be evaluated in terms of the following balancing criteria, which will be weighted in order to assess the strength of each application. The criteria stated below must be read with the corresponding criteria in the General Policy for further detail. This applies in particular to the "transformation" criterion.

### (a) Transformation:

Currently, 72 percent of right-holders in the SCRL fishery are black owned. These right-holders collectively control 77 percent of the TAC. Furthermore, SMEs make up 65 percent of right-holders and 78 percent of the vessels used in this fishery are black owned.

One the objectives during the process of allocating long-term fishing rights in this fishery is to maintain or improve on the present levels of transformation. As stipulated in the General Policy, applicants will be assessed and scored on

—



- The percentage black and women ownership and black and women representation at top salary, board of directors and senior official and management levels;
- Whether employees (other than top salary earners) benefit from an employee share scheme;
- Affirmative procurement;
- Compliance with the Employment Equity Act 55 of 1998 and the representivity of blacks and women at the various levels of employment below senior official and management level. The delegated authority may also have regard to the wage differentials between the highest and lowest paid employees;
- Compliance with legislation on skills development and the amounts spent on the training of blacks and participation in learnership programmes; and
- Corporate social investment.

**(b) Investment in the fishery**

As far as right-holder applicants are concerned, the delegated authority will specifically consider:

- Investments in suitable vessels and other fixed assets. In respect of vessels, investment in the form of shareholding will also be considered;
- Investments in marketing infrastructure and land-based processing facilities.

As far as new entrant applicants are concerned, the delegated authority will consider investments made in other sectors in the form of vessels, fixed assets, processing and marketing infrastructure. All new entrant applicants will be required to demonstrate that they have the knowledge, skill and capacity to participate in the South Coast Rock Lobster fishery.

**(c) Jobs**

The SCRL fishery provides about 400 jobs. Average salaries are R50 000 per year for sea-going employees.

Job creation and increases in jobs as a result of the allocation of medium term fishing rights will be rewarded, and in particular, applicants that have provided their employees with –

- Full time employment;
- Medical aid and pension; and
- Safe working conditions.

Jobs created per ton of fish allocated during the medium-term rights allocation process will be assessed and taken into account.

**(d) Performance**

Right-holder applicants that without good reason over or under-caught by more than 10 percent of their allocations will be penalised. Financial performance will be measured, as indicated in the General Policy.

**(e) Payment of Fish levies**

Right-holder applicants will be penalised if their levies are outstanding for a period longer than 60 days at the date of application.

**(f) Compliance**

If the applicant, its members or its directors or controlling shareholders have paid admission of guilt fines for contraventions of the MLRA, its Regulations or permit conditions, the applicant will be penalised.



### 8.3 Quantum criteria

In this fishery, the mechanism for allocating quantum will form the subject of further consultation with applicants once the applications in this fishery have been assessed and the successful applicants have been identified. Subject to the outcome of the consultation process, the following three principles will be applied in respect of the allocation of quantum.

Firstly, the allocation of quantum to successful medium term right holder applicants will be determined with reference to the quantum held by right holders in 2005.

Secondly, the delegated authority must endeavour to redistribute at least 10% (ten percent) of the TAC to right holders with small allocations, provided that these entities are sufficiently transformed and performed well during the medium term process.

Thirdly, and in addition to the above two principles, the delegated authority shall be entitled to allocate quantum based on criteria intended to achieve the objectives of this policy, such as transformation and performance. These criteria must be designed in a manner which should ensure that all successful applicants, regardless of the size of their previous allocations, will be able to benefit if they meet the criteria.

### 9. Suitable vessels

A suitable vessel in the SCRL fishery is a vessel that:

- has a minimum SAMSA registered length of approximately 25 metres;
- is fitted with a functioning vessel monitoring system;
- is capable of deploying lines of approximately one mile long and 100 traps;
- is capable of storing at least 1 000 traps;
- is capable of carrying the necessary winches; and
- is capable of carrying approximately 30 or more crew members.

## **10. Multi-sector involvement**

Right-holders in the SCRL fishery are not precluded from holding rights in any fishery in the Cluster A and Cluster B fisheries. Right-holders in the SCRL fishery (including their controlling shareholders and members of their executive management team) will not be allowed to hold commercial fishing rights in the Cluster C and Cluster D fisheries, including traditional line fish.

## **11. Application fees and levies**

The application fee for this fishery will be determined having regard to:

- The cost of the entire rights allocation process, including consultation, receipting, evaluation of applications, verification, appeals and reviews; and
- The value of the fish being allocated over the duration of the right.

The annual levies payable with effect from 1 October 2005 will be determined after consultation with right holders. The levies payable will be utilised by the Department to mitigate the annual costs of management, compliance and research.

## **12. Management measures**

The management measures discussed below reflect a number of the Department's principal post right allocation management intentions for this fishery.

### **12.1 Ecosystem approach to fisheries management**

This fishery will be managed in accordance with the ecosystem approach to fisheries ("EAF"). An ecosystem approach to fisheries management is a holistic and integrated policy which recognises that fishing and associated landbased activities impact on the broader marine environment. This part of the SCRL fishing policy does not attempt to provide a policy statement on EAF in the SCRL fishery. The EAF in the SCRL fishery will be detailed further in the Fishery Management Manual for the SCRL fishery. South



Africa remains committed to the target date of 2010 for the implementation of an EAF in the commercial fisheries.

### **12.2 Consolidation of participants**

After the allocation of the 15-year commercial fishing rights in this fishery, the Department will facilitate the consolidation of the number of right-holders active in the fishery, particularly where:

- Right-holders share the same shareholders, offices or management team; or
- Smaller right-holders opt to consolidate their business operations.

Consolidation of right-holders is, however, subject to the Department's approach to monopolies (see paragraph 12.4 below).

### **12.3 Vessels and Fishing Effort**

There are presently eight SCRL fishing vessels that operate in South African waters. As some right-holders do not wholly own the vessels they use and because vessels may require replacement, the Department recognises that many right-holders will seek to introduce further or new vessels after the allocation of long-term fishing rights. The Department will carefully evaluate the cumulative effect of the introduction of further and new vessels into the fleet. Right-holders will not be permitted to introduce vessels capable of expending effort that is in excess of their allocations. In addition, the Department may consult with the Fishery Industrial Body on all applications to introduce further or new vessels into the fishery.

### **12.4 Monopolies**

While the Department will encourage the consolidation of right-holders in this fishery, it is opposed to monopolies which may operate to the detriment of smaller right-holders.

The Department will not at this stage determine a maximum threshold of the TAC that any one right-holder may hold or control, but will monitor whether any larger right-holder acts in a manner contrary to fair competition practices.

### 13. Performance measuring

The Department will institute a number of formal performance measuring exercises for the duration of the commercial fishing rights. It is envisaged that the first performance measuring exercise will take place after two years and thereafter every four years.

Although the Department will finalise the precise criteria against which right-holders will be measured after the allocation of commercial fishing rights, and after consulting with right-holders, the following broad performance-related criteria may be used:

- transformation;
- investment in vessels and gear;
- sustainable utilisation, and in particular the ecological impacts of longline trap fishing;
- compliance with applicable laws and regulations.

The purpose of performance measuring will be to ensure that the objectives of the fishery are being met and that management methodologies and procedures remain current and suitable for the fishery.

### 14. Observer programme

The Department's current observer programme will be expanded to include compliance observation. In addition, the Department will progressively increase the observer coverage of this fishery. Right-holders will be required to bear the costs of the observer programme.

### 15. Permit conditions

Permit conditions for this fishery will be issued annually. The permit conditions will be determined after consultation with right holders in this fishery and will be subject to revision as and when it may be necessary.





**DEPARTEMENT VAN OMGEWINGSKE EN TOERISME**

**TAK MARIENE EN KUSBESTUUR**

**BELEID VIR DIE TOEKENNING EN BESTUUR VAN KOMMERSIËLE  
VISVANGREGTE IN DIE SUIDKUSKREEFVISSERY: 2005**

**HIERDIE BELEID MOET SAAMGELEES WORD MET DIE  
ALGEMENE BELEID OOR DIE TOEKENNING EN BESTUUR VAN  
LANGTERMYN KOMMERSIËLE VISVANGREGTE: 2005  
(beskikbaar by [www.mcm-deat.gov.za](http://www.mcm-deat.gov.za))**

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## 1. Inleiding

Hierdie beleid oor die toekenning en bestuur van kommersiële visvangregte in die Suidkuskreefvisserij (hierna ook "SKKV") word uitgereik deur die Minister van Omgewingsake en Toerisme (die "Minister"). Hierdie beleid moet saamgelees word met die Algemene Beleid oor die Toekenning en Bestuur van Langtermyn Kommersiële Visvangregte: 2005 ( "die Algemene Visvangbeleid")

Die doel van hierdie beleid is om die oorwegings van toepassing op die toekenning van langtermyn kommersiële visvangregte vir die suidkuskreefvisserij uiteen te sit. Baie van hierdie oorwegings is nie nuut nie. Hulle is in die verlede deur die Minister en gedelegeerde owerhede van die Departement van Omgewingsake en Toerisme: Tak Mariene en Kusbestuur (die "Departement") gebruik by die toekenning van regte en tot 'n mate beliggam hierdie beleid sodanige oorwegings.

Sekere bestuursbeleidsrigtings vir die periode na die toekenning van regte verskyn ook in hierdie beleid. 'n Bestuurshandleiding vir die suidkuskreefvisserij sal met al die regtehouers in die loop van 2006 gefinaliseer word. Hierdie handleiding sal in fyn besonderhede die bestuursmetodes en -prosedures vir die visserij uitstippel.

Die Minister is voornemens om die artikel 18-magte in terme waarvan kommersiële visvangregte van die suidkuskreefvisserij toegeken word ingevolge artikel 79 van die Wet op Lewende Mariene Hulpbronne, 18 van 1998 (die "WLMH") aan 'n senior beampste van die Departement te delegeer. Hierdie beleid sal die gedelegeerde owerheid lei in die neem van besluite oor aansoeke in hierdie visserij.

## 2. Biologiese en hulpbrondinamika

Suidkuskreef (*Palinurus gilchristi*) is endemies aan die vastelandsplat van Suider Suid-Afrika, en kom voor op rotsagtige substrata op dieptes van 50 tot 200 meter. Die spesie word in kommersiële hoeveelhede op twee plekke gevind: aflandig op die Agulhasbank in 'n gebied ongeveer 200 kilometer vanaf die kus en nader aanlandig (2 tot 50 kilometer van die kus) tussen Mosselbaai en Oos-Londen. Suidkuskreef is 'n koue water spesie wat stadig groei en

lank lewe. Die kusgebied tussen Danger Point en Kaap Agulhas is 'n belangrike nedersettingsgebied vir jongelinge, wat daarna na volwasse habitate migreer op die Agulhasbank en in die kusgebied tussen Mosselbaai en Port-Elizabeth. Krewe wat tussen Port Alfred en Oos-Londen voorkom, is gewoonlik kleiner groei stadiger en migreer nie.

### 3. Sektorale profiel

Die suidkuskreefvisserij is 'n diepsee-langlynvalstrik visserij wat in 1974 begin het. In daardie stadium het Suid-Afrikaanse sowel as buitelandse vaartuie hierdie diepsee hulpbron ontgin. In 1976 het Suid-Afrika egter sy 200 myl Eksklusiewe Ekonomiese Sone (EES) verklaar en is buitelandse deelname aan hierdie visserij effektief beëindig. 'n Totaal van 26 Suid-Afrikaanse vaartuie het in visserij behoue gebly. Hierdie getal het in 1981 tot 15 verminder nadat jare se nie-volhoubare en ongereguleerde ontginning die hulpbron se ineenstorting teweeggebring het. In 1975 is 2 092 ton suidkuskreef ge-oes; teen 1981 het dit gedaal tot 'n skamele 176 ton.

Hierdie visserij is vir die eerste keer gereguleer deur die instelling van 'n Totale Toelaatbare Vangs ("TTV") in 1984. Die TTV was vasgestel op 450 ton (stertmassa). Tien jaar later het navorsing getoon dat die hulpbron steeds besig was om te kwyn. Die bestuurstrategie vir hierdie visserij is in 2000 fundamenteel verander. 'n Gekombineerde TTV en Totale Ontplooid Vangspoging (TOV) was ingestel wat 'n beperking geplaas het op die aantal dae wat 'n SKK-vaartuig op see mag bly. Die "seedae"-beperking word bereken volgens die gedeelte van die TTV wat deur 'n spesifieke vaartuig gevang mag word, met inagneming van die vaartuig se visvangvermoë.

Die Departement se bestuursplan vir die SKK visserij het vrugte afgewerp en gedurende die 2001/2002 visvangseisoen was SKK se TTV vasgestel op 340 ton, gekombineerd met 'n TOV van 1 922 seedae. Drie jaar later het die TTV toegeneem tot 382 ton, gekombineerd met 'n TOV van 2089 seedae.

Suidkuskreefvangste word geland by die Kaapstad- en Port-Elizabeth hawens. Die vangs word gewoonlik ter see gevries en gegradeer en by kus-gebaseerde geriewe herverpak. Feitelik die totale vangs word uitgevoer, hoofsaaklik na die VSA.



Die SKK-industrie bied werksgeleenthede vir ongeveer 400 mense. Van diegene is 285 seevarende personeel wat op nege vaartuie in diens is. Sewe-en-negentig persent van die werknemers is voorheen benadeelde persone. Gemiddeld verdien werkers R50 000 per jaar in salaris, wat die industrie van die bes-betaalde in die visindustrie maak. Die waarde van die vangste beloop ongeveer R100 miljoen per jaar. Die markwaarde van vaartuie wat in die visserij werksaam is, beloop ongeveer R70 miljoen.

Die vaartuie is toegerus vir langlynvalstrik-visvang. Plastiese, vaatjievormige valstrikke word gestel vir periodes wat strek vanaf 24 uur tot 'n paar dae. Elke vaartuig trek en stel ongeveer 2 000 valstrikke per dag in stede van 100 na 200 valstrikke. Langlynvalstrik-visvang is 'n arbeid-intensiewe visvangmetode. Bemannings bestaan uit tot 35 persone. Die vaartuie in die visserij is groot, afluiddige vaartuie wat in lengte wissel vanaf 30 tot 60 meter. Hulle vang vis vir tussen 180 en 300 dae per jaar.

Die suidkuskreefvisserij is kapitaal intensief, wat die gebruik van groot vaartuie vereis met versekerde waardes van tussen R4 miljoen en R10 miljoen. 'n Aansienlike aantal bemanningslede, toegang tot oorsese markte en fondse vir oorhoofse kostes soos brandstof, vaartuigonderhoud en salarisse is nodig.

#### **4. Medium-termyn regtetoekenning**

Medium-termyn kommersiële visvangregte is aan 18 regtehouers toegeken. Regtehouers hou tipies tussen twee en 10 persent van die TTV behalwe vir een maatskappy wat 41.1 persent hou. Nege vaartuie word gebruik om die totale TTV te ontgin.

Van die 18 regte-houers is:

- 72 persent entiteite in swart besit;
- 47 persent onder swart bestuur;
- 65 persent klein of medium grote ondernemings ("KMOs").

## 5. Oorkoepelende sektorale doelwitte

Die oorkoepelende doelwitte met die toekenning van langtermyn-visvangregte in hierdie vissery is om:

- die transformasieprofiel in die SKK-vissery in stand te hou of te verbeter ;
- 'n Omgewing te skep wat belegging aanlok en werkskepping stimuleer;
- ekonomiese lewensvatbaarheid van die vissery te ondersteun;en
- die omgewingsvolhoubaarheid van die vissery te verseker.

## 6. Tydsduur

Met inagneming van -

- die transformasieprofiel van die vissery ;
- die aantal permanente betrekkings wat verskaf word (en om die oorskakeling van deeltydse na voltydse werksgeleenthede aan te moedig);
- die behoefte om stabiliteit in die vissery in stand te hou;
- die feit dat die SKK bron, volgens wetenskaplike data, besig is om te herstel,

sal kommersiële visvangregte vir 'n tydperk van 15 jaar toegeken word (1 Oktober 2005 tot 30 September 2020). Die Departement sal gereeld regtehouers evalueer teen voorafbepaalde prestasiekriteria (sien paragraaf 13 hier onder).

## 7. Nuwe Inkomelinge

SKK bronne word tans ingevolge 'n konserwatiewe herstelstrategie bestuur. Teen 1981 het die SKK bron ineengestort, en die bron is onderwerp aan jare se verdere oor-ontginning tussen die laat 1980's en 2001. In 1992 was die gemiddelde toekenning 75 ton; met 14 ton as die kleinste individuele toekenning. Teen 2002, het die gemiddelde toekenning geval tot 17 ton; met 7 ton as die kleinste individuele toekenning. Daar word gedink dat tussen 1989 en 2001 het die SKK



bron afgeneem met 65 persent, hoofsaaklik as gevolg van oorontginning deur Hout Bay Fishing Industries (Edms) Bpk.

Die huidige 18 regtehouers en nege vaartuie is die maksimum vangspoging wat die vissery op hierdie stadium kan volhou. Die vissery het ook aanvaarbare vlakke van transformasie en aansienlike getalle klein- en medium grote ondernemings. Hoewel die moontlikheid van die vervanging van bestaande regtehouers nie uitgesluit kan word nie, is dit onwaarskynlik dat enige nuwe inkomelinge toegelaat sal word.

## **8. Evalueringskriteria**

Aansoeke sal ingevolge 'n stel "uitsluitingskriteria" gesif word en daarna volgens 'n stel gelaaide "vergelykende balanseringskriteria" evalueer word. 'n Afsnypunt of rangorde sal dan bepaal word om die suksesvolle aansoekers te bepaal. 'n Gedeelte van die TTV sal dan aan elke suksesvolle aansoeker toegeken word in terme van 'n stel "kwantumkriteria".

### **8.1 Uitsluitingskriteria**

Behalwe vir die kriteria beskryf in die Algemene beleid aangaande die indiening van die aansoeke en wesenlike tekortkominge, sal die gedelegeerde owerheid aansoekers uitsluit wat versuim om aan die volgende vereistes te voldoen:

- (a) **Vorm van die aansoeker:** Slegs aansoeke van entiteite geïnkorporeer ingevolge die Wet op Beslote Korporasies 69 van 1984 en die Maatskappywet 61 van 1973 sal oorweeg word. Regte sal nie toegeken word aan natuurlike persone (d.w.s. individue of eenmansake) nie. Natuurlike persone wat bestaande regtehouers is moet aansoek doen in die vorm van 'n beslote korporasie of maatskappy en sal as medium termyn regtehouer aansoekers behandel word indien hulle aan die riglyne uiteengesit in die Algemene Beleid voldoen.

- (b) **Wetsnakoming:** Indien 'n regtehouer aansoeker of sy lede, direkteure of beherende aandeelhouders skuldig bevind is aan 'n misdryf ingevolge die WLMH nie, sal 'n reg nie aan die aansoeker toegeken word nie. Dit sluit nie die betaling van 'n skulderkenningsboete in nie. Regte sal ook nie toegeken word aan 'n regtehouer-aansoeker indien die aansoeker of sy lede, direkteure of beherende aandeelhouders se visvangregte gekanselleer, opgeskort of ingetrek is ingevolge die WLMH of daar op hul bates beslag gelê is in terme van die Wet op die Voorkoming van Georganiseerde Misdaad 121 van 1998 of die WLMH nie.

Besluite mag gereserveer word oor die aansoeke van regte-houders wat ondersoek word vir oortredings van die WLMH. 'n Besluit oor so 'n aansoek sal geneem word na afhandeling van die ondersoek.

Die Departement vereis dat elke regtehouer 'n heffing betaal op die geteikende vis wat geland word. Regte houders wat vangste ondergerapporteer het ten einde, *inter alia*, die betaling van heffings te vermy sal uitgesluit word. Regtehouders wat nie heffings betaal het nie sal gepenaliseer word in die vergelykende balanseringsproses soos hieronder uiteengesit. Sou sodanige aansoeker egter nietemin vir 'n reg kwalifiseer, sal 'n visvangpermit nie uitgereik word nie alvorens die uitstaande gelde aan die Departement betaal is nie.

- (c) **Papierkwotas:** Papierkwotas soos uiteengesit in die Algemene Beleid, sal uitgesluit word.
- (d) **Toegang tot 'n geskikte vaartuig:** Aansoekers sal moet aantoon dat hulle 'n reg van toegang tot 'n geskikte vaartuig het (sien paragraaf 9 hier onder).

## 8.2 Vergelykende Balanseringskriteria

Aansoekers wat regte hou, asook potensiële nuwe inkomelinge, sal evalueer word ingevolge die volgende balanseringskriteria, wat gelaai sal word ten einde die sterkte



van elke aansoek te bepaal. Die kriteria hieronder uiteengesit moet saamgelees word met die ooreenstemmende kriteria in die Algemene beleid vir verdere detail. Dit is in besonder van toepassing op die "transformasie" kriterium.

**(a) Transformasie:**

Huidiglik is twee-en-sewentig persent van regtehouers in die SKK visserij in swart besit. Hierdie regtehouers beheer gesamentlik 77 persent van die TTV. Voorts is 65 persent van regtehouers klein- en medium-grote ondernemings en 78 persent van die vaartuie wat in hierdie bedryf gebruik word, is in swart besit.

Een van die doelwitte met die toekenning van langtermyn visvangregte in hierdie visserij is om die huidige transformasievlakke in stand te hou, of te verbeter. Soos in die Algemene Beleid bepaal, sal aansoekers evalueer word op grond van -

- Die persentasie swart en vroue eienaarskap en swart en vroue verteenwoordiging op top salarislakke, die direksie en senior beampte en bestuursvlakke;
- Of werknemers (anders as top salaristrekkers) voordeel trek uit 'n werknemeraandeleskema;
- Regstellende aankope;
- Nakoming van die Wet op Diensbillikheid 55 van 1998 en die verteenwoordigheid van swart persone en vroue op die verskillende diensvlakke onder senior beampte en bestuursvlak. Die gedelegeerde owerheid mag ook die verskil in besoldigingsvlakke tussen die hoogste en laagste betaalde werknemers in ag neem.
- Nakoming van wetgewing oor vaardigheidsontwikkeling en die bedrae spandeer op die opleiding van swart persone en deelname aan leerskapprogramme; en
- Korporatiewe maatskaplike belegging.

**(b) Belegging in die visserij**

Met betrekking tot bestaande regtehouers, sal die gedelegeerde owerheid die volgende spesifiek in aanmerking neem:

- Beleggings in geskikte vaartuie en ander vaste bates. Met betrekking tot beleggings in vaartuie sal beleggings in die vorm van aandeelhouding ook in aanmerking geneem word;
- Beleggings in bemarkingsinfrastruktuur en land-gebaseerde prosesseringsfasiliteite.

Wat nuwe inkomeling aansoekers betref, sal die gedelegeerde owerheid oorweging gee aan beleggings gemaak in ander sektore in die vorm van vaartuie, vaste bates, prosesserings- en bemarkingsinfrastruktuur. Daar sal van alle nuwe inkomeling aansoekers vereis word om aan te toon dat hulle die kennis, vaardigheid en kapasiteit het ten einde aan die suidkuskreefvisserij deel te neem.

**(c) Werksgeleenthede**

Die SKK visserij voorsien ongeveer 400 werksgeleenthede. Gemiddelde salarisse is R50 000 per jaar vir seevarende werknemers.

Werkskepping en die vermeerdering van werksgeleenthede as gevolg van die toekenning van mediumtermynregte sal beloon word en in besonder aansoekers wat hulle werknemers voorsien het met—

- Voltydse werk;
- Mediese fonds en pensioen; en
- Veilige werksomstandighede.

Werkseleenthede geskep is per tonnemaat vis toegeken gedurende die medium-termyn toekenningsproses sal bepaal word en in ag geneem word.

**(d) Prestasie**

Regtehouer aansoekers wat sonder goeie rede meer of minder gevang het (met meer as 10% van hul toekennings) sal penaliseer word. Finansiële prestasie sal gemeet word soos aangedui in die Algemene Beleid.

**(e) Betaling van visvangheffings**

Regtehouer aansoekers sal penaliseer word as hul heffings vir 'n tydperk langer as 60 dae agterstallig is op datum van hulle aansoek.

**(f) Wetsnakoming**

Indien die aansoeker, sy lede of direkteure of beherende aandeelhouders skulderkenningboetes betaal het vir oortredings van die WLMH, die wet se regulasies of permitvoorwaardes sal die aansoeker penaliseer word.

**8.3 Kwantumkriteria**

In hierdie vissery sal die meganisme vir die toekenning van kwantum die onderwerp wees van verdere konsultasie met aansoekers nadat die aansoeke in die vissery oorweeg is en die suksesvolle aansoekers geïdentifiseer is. Onderhewig aan die uitkoms van die konsultasie proses, sal die volgende drie beginsels toegepas word met betrekking tot die toekenning van kwantum.

Eerstens, die toekenning van kwantum aan suksesvolle medium-termyn regtehouers sal vasgestel word met verwysing na kwantum gehou deur regtehouers in 2005.



Tweedens, die gedelegeerde owerheid moet poog om ten minste 10% (tien persent) van die TTV te herverdeel aan regtehouers met klein toekennings, indien hierdie entiteite voldoende getransformeer is en goed presteer het gedurende die medium-termyn proses.

Derdens, en bykomend tot die bogenoemde twee beginsels, sal die gedelegeerde owerheid by magte wees om kwantum toe te ken gebaseer op kriteria wat daarop gemik is om die oogmerke van hierdie beleid te bereik, soos transformasie en prestasie. Hierdie kriteria moet ontwerp word op 'n wyse wat moet verseker dat alle suksesvolle aansoekers, afgesien van die grote van hulle vorige toekenning, daarby kan baat vind indien hulle aan die kriteria voldoen.

#### **9. Geskikte vaartuie**

'n Geskikte vaartuig in die SKK-visserij is 'n vaartuig:

- met 'n minimum SAMVV-gesertifiseerde lengte van ongeveer 25 meter;
- toegerus met 'n werkende vaartuigmoniteringstelsel;
- wat daartoe in staat is om lyne te ontplooi van ongeveer een myl lank en 100 valstrikke;
- wat daartoe in staat is om ten minste 1000 valstrikke te stoor;
- wat daartoe in staat is om die nodige hystoestelle te dra; en
- wat in staat is om ongeveer 30 of meer bemanningslede te dra.

#### **10. Multi-sektorale betrokkenheid**

Regtehouers in die SKK-visserij word nie verhinder om regte in enige ander visserij in Groepe A en B visserij te hou nie. Regtehouers in die SKK-visserij (insluitende hulle beheerende aandeelhouders en lede van hulle uitvoerende bestuurspan) sal nie toegelaat word om kommersiële visregte in Groepe C en D te hou nie. Dieselfde geld vir tradisionele lynvis.

## 11. Aansoekgelde en heffings

Die aansoekgelde vir hierdie vissery sal bepaal word met inagneming van:

- Die koste van die hele regtetoekenningsproses, met inbegrip van konsultasie, ontvangs, evaluering van aansoeke, verifikasie, appèlle en hersienings; en
- Die waarde van die vis wat toegeken word oor die duur van die reg.

Die jaarlikse heffings wat met ingang 1 Oktober 2005 betaalbaar is, sal bepaal word na oorlegpleging met regtehouers. Die heffings betaal sal deur die Departement gebruik word vir die mitigasie van jaarlikse kostes van bestuur, wetsnakoming en navorsing.

## 12. Bestuursmaatreëls

Die bestuursmaatreëls wat hier onder bespreek word, weerspieël sommige van die Departement se hoofvoornemens vir die bestuur van hierdie vissery nadat regte toegeken is.

### 12.1 Ekosisteembenadering tot bestuur van visvangbedryf

Hierdie vissery sal bestuur word ooreenkomstig die ekosisteembenadering tot die bestuur van visserye ("EBV"). 'n Ekosisteembenadering tot visserybestuur is 'n holistiese en geïntegreerde benadering wat erken dat dat visvang en verwante aktiwiteite op land die breë mariene omgewing beïnvloed. Hierdie deel van die beleid vir die SKK-vissery, is nie daarop gerig om 'n beleidsverklaring te voorsien oor EBV in die SKK-vissery nie. Die EBV in die SKK-vissery sal verder uitgestippel word in die Bestuurshandleiding vir die SKK-vissery. Suid-Afrika bly verbind tot die teikendatum van 2010 vir die inwerkingstelling van 'n EAF in die kommersiële visserye.



## 12.2 Konsolidering van deelnemers

Na die toekenning van kommersiële visvangregte vir 15 jaar in hierdie visserij, sal die Departement die konsolidasie van die aantal regtehouers wat aktief is in die visserij fasiliteer, veral waar:

- Regtehouers dieselfde aandeelhouers, kantore of bestuurspan deel, of
- Kleiner regtehouers verkies om hul sakebedrywighede te konsolideer.

Die konsolidasie van regtehouers is egter onderworpe aan die Departement se benadering tot monopolieë (sien paragraaf 12.4 hieronder).

## 12.3 Vaartuie en vangspoging

Daar is tans agt SKK vaartuie wat in Suid-Afrikaanse waters werksaam is. Omdat sommige regtehouers nie geheel eienaars is van die vaartuie waarmee hulle gebruik nie, en omdat vaartuie moontlik vervang moet word, besef die Departement dat baie regtehouers, na die toekenning van langtermyn-visvangregte, verdere of nuwe vaartuie sal wil inbring. Die Departement sal die stapeffek, van die toevoeging van verdere en nuwe vaartuie tot die vloot, noukeurig evalueer. Regtehouers sal nie toegelaat word om vaartuie in te bring wat in staat is om vangspoging te ontplooi wat bo hulle toekennings is nie. Verder mag die Departement met die Bedryfsliggaam van die Visvangsektor konsulteer in verband met aansoeke om verdere of nuwe vaartuie in die visserij in te bring.

## 12.4 Monopolieë

Hoewel die Departement konsolidering van regtehouers in die visserij aanmoedig, is die Departement gekant teen monopolieë wat tot nadeel van die kleiner regtehouers kan werk.

Die Departement sal nie tans 'n maksimum TTV wat enige regtehouer mag hou of beheer bepaal nie, maar sal moniteer of enige groter regtehouer strydig optree met billike mededingingspraktyke.

### **13. Meet van prestasie**

Die Departement sal 'n aantal formele prestasiekeningoefeninge instel vir die duur van die kommersiële visvangregte. Daar word beoog om die prestasiekeningoefening na twee jaar uit te voer en daarna elke vier jaar.

Alhoewel die Departement die presiese kriteria waaraan die regtehouers na die toekenning van kommersiële visvangregte gemeet sal word sal finaliseer na die toekenning van kommersiële visvangregte, en na oorlegpleging met regtehouers, mag die volgende breë prestasie-verwante kriteria gebruik word:

- transformasie;
- belegging in vaartuie en toerusting;
- volhoubare benutting, en in besonder die ekologiese impak van langlyn valstrikvangs;
- nakoming van toepaslike wette en regulasies.

Die oogmerk met prestasiekening sal wees om te verseker dat die doelstellings van die vissery bereik word en dat bestuursmetodologie en prosedures geskik is en op datum bly vir vissery.

### **14. Waarnemersprogram**

Die Departement se huidige waarnemersprogram sal uitgebrei word om waarneming vir wetstoepassings-doeleindes in te sluit. Die Departement sal verder die dekking van waarneming van hierdie vissery progressief uitgebrei. Daar sal van regtehouers verwag word om die koste van die waarnemingsproses te dra.



**15. Permitvoorwaardes**

Permitvoorwaardes vir hierdie vissery sal jaarliks uitgereik word. Die permitvoorwaardes sal vasgestel word na konsultasie met regtehouers in hierdie vissery en sal onderworpe wees aan hersiening soos en wanneer dit nodig mag wees.



**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM**  
**BRANCH MARINE AND COASTAL MANAGEMENT**

**POLICY FOR THE ALLOCATION AND MANAGEMENT OF  
COMMERCIAL FISHING RIGHTS IN THE SMALL PELAGICS  
(ANCHOVY AND SARDINE PURSE-SEINE) FISHERY: 2005**

**THIS POLICY MUST BE READ WITH THE GENERAL POLICY ON THE  
ALLOCATION AND MANAGEMENT OF LONG-TERM COMMERCIAL FISHING  
RIGHTS: 2005 (available at [www.mcm-deat.gov.za](http://www.mcm-deat.gov.za))**

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## 1. Introduction

This policy on the allocation and management of commercial fishing rights in the small pelagic fishery for anchovy and sardine is issued by the Minister of Environmental Affairs and Tourism ("the Minister"). This policy must be read with the General Policy on the Allocation and Management of Long-Term Commercial Fishing Rights: 2005 ("the General Fisheries Policy").

The purpose of this policy is to set out the considerations that will apply to the allocation of long-term commercial small pelagic fishing rights. Many of these considerations are not new. They have been applied by the Minister and delegated authorities from the Department of Environmental Affairs and Tourism: Branch Marine and Coastal Management ("the Department") when allocating rights in the past and to an extent this policy documents those considerations.

Certain post-rights allocation management policies are presented. A Small Pelagic Fishery Management Manual will be finalised with all right-holders during the course of 2006. This manual will stipulate in detail the management methodology and procedures for the fishery.

The Minister intends to delegate the section 18 power to allocate commercial small pelagic fishing rights in terms of section 79 of the Marine Living Resources Act 18 of 1998 ("the MLRA") to a senior official of the Department. This policy document will guide the delegated authority in taking decisions on applications in this fishery.

## 2. Sector profile

The small pelagic fishery dates back to the late 1940's when a fleet of privately owned purse-seine vessels began targeting sardine and horse mackerel. In 1953 an annual maximum catch limit of 270 000 tons was set but was never enforced. As a result, catches regularly exceeded this figure. By 1961, the maximum limit was repealed. In 1962, more than 410 000 tons of sardine were landed, but by 1966, the catch had dropped to 100 000 tons. The fleet then started targeting anchovy, using nets with a smaller mesh size. In 1987 anchovy catches peaked at 600 000 tons, but catches declined thereafter and in 1996 only 40 000 tons of anchovy were landed. Anchovy and sardine catches have subsequently increased, with

landings of both species averaging around 250 000t each over the past five years. The fishery is currently managed in terms of an Operational Management Procedure ("OMP") that sets annual Total Allowable Catches ("TAC") for anchovy and sardine.

In terms of catch volumes, the small pelagic fishery remains the largest in South Africa. It is the second most important in terms of value. This fishery's management procedure is the most complex of the commercial fisheries. Two species are the main targets, namely sardine (*Sardinops sagax*) and anchovy (*Engraulus encrasicolus*), with associated by-catch species being red-eye round herring (*Etrumeus whiteheadii*) and Cape horse-mackerel (*Trachurus trachurus capensis*). Sardines are canned for human consumption while anchovy and most of the by-catch species are reduced to fishmeal, fish oil and fish paste.

Small pelagic targeting occurs inshore, primarily along the Western Cape's west and south coasts (anchovy and sardine) and the Eastern Cape coast (sardine).

The pelagic fleet consists of wooden, GRP and steel hulled purse-seine vessels, ranging in length from 15 metres to 30 metres. The industry employs approximately 7 800 people. Of these, 5 300 are employed on a permanent basis and 2 500 on a seasonal basis. The average annual income of sea-going workers is R94 000 – the highest in the fishing industry. Ninety-five percent of workers in this fishery are historically disadvantaged persons. The value of fish landed is presently worth approximately R800 million per annum. The market value of the 106 vessels operating in this fishery is more than R600 million (the average vessel is worth R 7 million). The fishery is capital intensive, with right-holders having to invest in vessels and processing and marketing infrastructure, or gain access to such through catching and processing agreements.

### **3. The medium term rights allocation process**

In 1992, historically disadvantaged persons controlled some approximately seven percent of the small pelagic fishery. The accommodation of new entrants since 1992 has resulted in a narrowing of the gap between the largest and smallest allocations. Over the same period there has been a ten-fold increase in black involvement and ownership in the fishery (from seven



percent to 73 percent). In 2001 and 2002, the 113 medium-term (four-year) commercial small pelagic fishing rights were allocated. Of these:

- 73 percent were allocated to black-owned entities;
- 75 percent of the TAC is controlled by black-owned entities;
- 85 percent of right-holders are small and medium enterprises (SMEs); and
- 50 percent of all vessels in this fishery belong to black-owned entities.

#### **4. Over-arching sectoral objectives**

The over-arching objectives of allocating long-term fishing rights in this fishery are to:

- Maintain or improve the transformation profile;
- Create an environment that attracts investment and stimulates job creation;
- Encourage investment in vessels (particularly the replacement of old vessels) and processing and marketing infrastructure;
- Encourage value-adding by supporting the development of new products, particularly products for human consumption;
- Reduce by-catches of horse mackerel; and
- Promote the economic viability and environmental sustainability of the fishery.

Commercial rights will not be allocated for the sole purpose of utilising fish for bait.

#### **5. Duration of rights**

Having regard to –

- the transformation profile of the fishery;
- the fact that the current purse-seine fleet is old and requires replacement;
- the high number of quality permanent jobs provided; and



- the need to maintain the economic stability that currently prevails in the fishery,

commercial rights will be allocated for a period not exceeding 15 years (1 January 2006 to 31 December 2020). The Department will regularly evaluate right holders against predetermined performance criteria (see further paragraph 12 below).

## **6. New entrants**

Given the current abundance of anchovy and sardine, together with the inherent variability of stocks of small pelagic fish, it is very likely that the abundance of either or both species will fall substantially in the near future. A substantial decline in the TAC and effort in this fishery is predicted. In addition, this is a high volume, low margin fishery. This means that financially viable long-term allocations need to be substantial.

The Department therefore considers that there is no room for the introduction of additional effort and the number of participants will not be increased. Existing participants may, however, be replaced in the rights allocation process with new entrants.

## **7. Evaluation criteria**

Applications will be screened in terms of a set of "exclusionary criteria", and thereafter assessed in terms of a weighted set of "comparative balancing criteria". A cut-off score will then be determined to select the successful applicants. Rights will be allocated separately for the anchovy and sardine fisheries and applicants may apply for a right in each of these fisheries. A percentage of the TAC will then be allocated to each successful applicant in terms of a set of "quantum criteria".

## 7.1 Exclusionary criteria

Apart from the criteria described in the general policy pertaining to the lodgement of the applications and material defects, the delegated authority will exclude applicants that fail to meet the following requirements:

- (a) **Form of the applicant:** Applications will only be considered from entities incorporated in terms of the Close Corporations Act 69 of 1984 and the Companies Act 61 of 1973. Natural persons (i.e. individuals or sole proprietors) will not be granted rights. Current natural person right holders must apply in the form of a close corporation or company and will be treated as medium term right holder applicants provided that they comply with the guidelines set out in the General Policy.
- (b) **Compliance:** If a right holder applicant, or its members, directors or controlling shareholders have been convicted of an offence in terms of the MLRA, the applicant will not be allocated a small pelagic fishing right. This does not include the payment of an admission of guilt fine. Rights will also not be allocated to a right holder applicant if the applicant, or its members, directors or controlling shareholders that have had a fishing right cancelled, suspended or revoked in terms of the MLRA, or assets seized under the Prevention of Organised Crime Act 121 of 1998 or the MLRA.

Decisions may be reserved on applications if a right holder (or its members, directors or controlling shareholders) are being investigated for breaches of the MLRA. A decision on such an application will be made after the completion of the investigation.

The Department requires every right-holder to pay a levy on targeted fish landed. Right-holders that have under-reported catches to, *inter alia*, avoid the payment of levies will be excluded. Right-holders that have not paid levies will be penalised in the comparative balancing process as set out below. Should such an applicant nevertheless qualify for a right, a fishing permit will not be issued until the outstanding monies have been paid to the Department.

- (c) **Paper Quotas:** Paper quotas as defined in the General Policy will be excluded.
- (d) **Access to a suitable vessel:** Applicants will have to demonstrate a right of access to a suitable vessel (see paragraph 8 below).

## 7.2 Comparative balancing criteria

Right-holder applicants and new entrant applicants will be evaluated in terms of the following balancing criteria, which will be weighted to assess the strength of each application. The criteria stated below must be read with the corresponding criteria in the General Policy for further detail. This applies in particular to the "transformation" criterion.

### (a) Transformation:

Currently, 73 percent of right-holders in this fishery are black-owned. These right-holders collectively control 75 percent of the TAC. Small- and medium-sized enterprises make up 85 percent of right-holders.

One of the objectives with the allocation of long-term fishing rights in this fishery is to maintain or improve on the present levels of transformation. As stipulated in the General Fisheries Policy, applicants will be assessed and scored on –

- The percentage black and women ownership and black and women representation at top salary, board of directors and senior official and management levels;
- Whether employees (other than top salary earners) benefit from an employee share scheme;
- Affirmative procurement;



- Compliance with the Employment Equity Act 55 of 1998 and the representivity of blacks and women at the various levels of employment below senior official and management level. The delegated authority may also have regard to the wage differentials between the highest and lowest paid employees;
- Compliance with legislation on skills development and the amounts spent on the training of blacks and participation in learnership programmes; and
- Corporate social investment.

**(b) Investment in the fishery**

As far as right-holder applicants are concerned, the delegated authority will specifically consider:

- Investments in suitable vessels and other fixed assets. In respect of vessels, investment in the form of shareholding will also be considered;
- Investments in processing and marketing infrastructure.

As far as new entrant applicants are concerned, the delegated authority will consider investments made in other sectors in the form of vessels, fixed assets, processing and marketing infrastructure. All new entrant applicants will be required to demonstrate that they have the knowledge, skill and capacity to fish for small pelagics.

**(c) Performance**

Right-holder applicants that without good reason over- or under-caught by more than 10 percent of their allocation will be penalised. Financial performance will be measured, as indicated in the General Fisheries policy.

**(d) By-catch and dumping**

The Department is concerned about illegal, directed purse-seining of linefish (yellowtail, white steenbras and kob), and also the exceeding of the precautionary upper catch limit for juvenile horse-mackerel. Fishery interactions with seals are another concern. The unintentional catching of dolphins in nets must be avoided.

The delegated authority will seek to reward those right-holder applicants that have invested in and implemented measures to reduce the capture of by-catch species and to limit interference with marine mammals.

The dumping of fish is prohibited and may lead to the revocation of a right in terms of section 28 of the MLRA.

**(e) Value-adding and enterprise development**

The delegated authority may have regard to enterprise development and the ability of applicants to add value to small pelagic fish for local and international markets. The delegated authority will consider, in particular, whether applicants have invested in or facilitated, directly or indirectly, the development of products for the human consumption of anchovy and sardine.

**(e) Local economic development**

There is a need for investment and job creation in many of South Africa's smaller coastal towns. The delegated authority may take into account whether the applicants have elected to land their catches and have them processed in harbour facilities other than Cape Town and Saldanha. If the delegated authority positively scores these applicants, this must not result in penalising right holders that have invested in facilities in Cape Town and Saldanha.

**(f) Jobs**

The small pelagic fishery provides approximately 7 800 jobs. Salaries of sea-going personnel average R94 000 annually – the highest in the fishing industry. The majority of workers are employed on a full-time basis, some with benefits such as medical aid and pension.

Job creation and increases in jobs as a result of the allocation of medium term fishing rights will be rewarded, and in particular, applicants that have provided their employees with –

- Full time employment;
- Medical aid and pension; and
- Safe working conditions.

Jobs created per ton of fish allocated during the medium-term rights allocation process will be assessed and taken into account.

**(g) Non-payment of fish levies**

Right-holder applicants will be penalised if their levies are outstanding for a period longer than 60 days at the date of application.

**(h) Compliance**

If the applicant, its members or its directors or controlling shareholders have paid admission of guilt fines for contraventions of the MLRA, its Regulations or permit conditions, the applicant will be penalised.



### 7.3. Quantum criteria

The fishery is regulated in terms of a Total Allowable Catch ("TAC"). In a recent judgment, the Supreme Court of Appeal held that the methodology used to allocate quantum for sardine and anchovy to right-holders must be revised. This quantum formula was revised for the 2005 fishing season. The Department will allocate long-term small pelagic rights separately for each species and applicants may apply for a right in each fishery. This means that a right-holder applicant for small pelagic fish will be required to specify the quantum of sardine and/or anchovy applied for. The amount allocated will be expressed separately for anchovy and sardine, as a percentage of the TAC for each species.

In this fishery, the mechanism for allocating quantum will form the subject of further consultation with applicants once the applications in this fishery have been assessed and the successful applicants have been identified. Subject to the outcome of the consultation process, the following three principles will be applied in respect of the allocation of quantum. Firstly, the allocation of quantum to successful medium term right holder applicants will be determined with reference to the quantum held by right holders in 2005. Secondly, the delegated authority must endeavour to redistribute at least 10% (ten percent) of the TAC to small businesses and right holders with small allocations, provided that these entities are sufficiently transformed and performed well during the medium term process.

Thirdly, and in addition to the above two principles, the delegated authority shall be entitled to allocate quantum based on criteria intended to achieve the objectives of this policy, such as transformation, value-adding and performance. These criteria must be designed in a manner which should ensure that all successful applicants, regardless of the size of their previous allocations, will be able to benefit if they meet the criteria.

Any successful new entrant applicant may be allocated an amount equivalent to the lowest of the successful medium term right-holder applicant. Where the lowest amount allocated was zero (for either sardine or anchovy), the delegated authority will then allocate the second lowest amount, provided that the successful new entrant applicant applied for that specie.

## **8. Suitable vessels**

A suitable vessel in the small pelagic fishery is a vessel that:

- has a maximum SAMSA registered length of approximately 30 m;
- has a functioning vessel monitoring system;
- is geared for purse-seining; and
- is not being detained or has not been confiscated under the MLRA.

## **9. Multi-sector involvement**

Right-holders in the small pelagic fishery are not precluded from holding rights in any fishery in the Cluster A and Cluster B fisheries. Right-holders in the small pelagic fishery (including their controlling shareholders and members of their executive management team) will not be allowed to hold commercial fishing rights in the Cluster C and Cluster D fisheries, including traditional line fish.

## **10. Application fees and levies**

The application fee for this fishery will be determined having regard to:

- The cost of the entire rights allocation process, including consultation, receipting, evaluation of applications, verification, appeals and reviews; and
- The value of the fish being allocated over the duration of the right.

The annual levies payable with effect from 1 January 2006 will be determined after consultation with right holders. The levies payable will be utilised by the Department for mitigating the annual costs of management, compliance and research.

## **11. Management measures**

The management measures set out below are a number of the Department's principal post-right allocation management intentions for the small pelagic fishery.

### **11.1 Ecosystem approach to fisheries management**

This fishery will be managed in accordance with the ecosystem approach to fisheries ("EAF"). An ecosystem approach to fisheries management is a holistic and integrated policy which recognises that fishing and various land-based activities impact on the broader marine environment. This part of the small pelagic fishery policy does not attempt to provide a policy statement on EAF in the fishery. The EAF in the small pelagic fishery will be detailed further in the Fishery Management Manual for this fishery. South Africa remains committed to the target date of 2010 for the implementation of an EAF in the commercial fisheries.

### **11.2 Consolidation of participants**

Following the allocation of 15-year commercial fishing rights in this fishery, the Department will facilitate the consolidation of the number of right-holders active in the fishery, particularly where:

- Right-holders share the same shareholders, offices or management team;  
or
- Smaller right-holders opt to consolidate their business operations.

### **11.3 Red-eye round herring directed fishery**

Although the small pelagic fishery is focused on anchovy and sardine utilisation, red-eye round herring is also targeted, particularly early in the year. There is evidence that round herring is substantially under-utilised. The Department wishes to generate further revenue and create more jobs by encouraging better utilisation of this species. To this end the Department is investigating the possibility of creating a managed



fishery for this species. The Department reserves the right to introduce such a fishery at any time in the future after consultation with right-holders and other interested parties.

#### **11.4 Vessels and fishing effort**

There are presently in excess of 100 small pelagic fishing vessels that operate in South African waters. As many right-holders do not own the vessels they use and as vessels may require replacement, the Department recognises that many right-holders will seek to introduce further or new vessels after the allocation of long-term fishing rights. The Department considers the current effort levels in the fishery to be optimal. Right-holders will not be permitted to introduce vessels capable of expending effort that is far in excess of their allocations. In addition, the Department may consult with the Fishery Industrial Body on all applications to introduce further or new vessels into the fishery.

#### **11.5 Monopolies**

While the Department will encourage the consolidation of right-holders in this fishery, it is opposed to monopolies that may operate to the detriment of smaller right-holders.

#### **11.6 Introduction of a TAE**

Under-reporting of catches has resulted in significant administrative and financial burdens for the Department and constitutes a risk to the proper management of the resource. The Department may consider including a TAE limitation as a management tool for this fishery, and will consult right-holders at a later date on the introduction of this management procedure.

## **12. Performance measuring**

The Department will institute a number of formal performance measuring exercises for the duration of the 15-year period. It is envisaged that the first set of performance measuring exercises will take place after two years and thereafter every four years.

Although the Department will finalise the precise criteria against which right-holders will be measured after the allocation of commercial fishing rights - and after consulting with right-holders - the following broad performance-related criteria may be used:

- transformation;
- investment in vessels and gear;
- sustainable utilisation, and in particular by-catch mitigation and the reduction of the ecological impacts of purse seining;
- compliance with applicable laws and regulations.

The purpose of performance measuring will be to ensure that the objectives of the fishery are being met and that management methodologies and procedures remain current and suitable for the fishery.

## **13. Observer programme**

The Department's current observer programme will be expanded to include compliance observation. In addition, the Department will progressively increase the observer coverage in this fishery. Right-holders will be required to bear the costs of the observer programme.

## **14. Permit conditions**

Permit conditions for this fishery will be issued annually. The permit conditions will be determined after consultation with right holders in this fishery and will be subject to revision as and when it may be necessary.



**DEPARTEMENT VAN OMGEWINGSKE EN TOERISME**

**TAK MARIENE- EN KUSBESTUUR**

**BELEID VIR DIE TOEKENNING EN BESTUUR VAN KOMMERSIËLE  
VISVANGREGTE IN DIE KLEIN PELAGIESE  
(ANSJOVIS EN SARDYN BEURSEËN OF BEURSNET) VISSERY:  
2005**

**HIERDIE BELEID MOET SAAMGELEES WORD MET DIE**  
**ALGEMENE BELEID OOR DIE TOEKENNING EN BESTUUR VAN**  
**LANGTERMYN KOMMERSIËLE VISVANGREGTE: 2005**  
**(beskikbaar by [www.mcm-deat.gov.za](http://www.mcm-deat.gov.za))**



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## 1. Inleiding

Hierdie beleid vir die toekenning en bestuur van kommersiële visvangregte in die klein pelagiese-visserij vir ansjovis en sardyn word uitgereik deur die Minister van Omgewingsake en Toerisme (die "Minister"). Hierdie beleid moet saamgelees word met die Algemene Beleid oor die Toekenning en Bestuur van Langtermyn Kommersiële Visvangregte: 2005 ("die Algemene Visvangbeleid").

Die doel van hierdie beleid is om die oorwegings van toepassing op die toekenning van langtermyn kommersiële visvangregte vir die klein pelagiese-visserij uiteen te sit. Baie van hierdie oorwegings is nie nuut nie. Hulle is in die verlede deur die Minister en gedelegeerde owerhede van die Departement van Omgewingsake en Toerisme: Tak Mariene en Kusbestuur (die "Departement") gebruik by die toekenning van regte en tot 'n mate beliggaam hierdie beleid sodanige oorwegings.

Sekere bestuursbeleidsrigtings vir die periode na die toekenning van regte word uiteengesit. 'n Bestuurshandleiding vir die kleinpelagiesevisserij sal met al die regtehouers in die loop van 2006 gefinaliseer word. Hierdie handleiding sal in fyn besonderhede die bestuursmetodes en – prosedures vir die visserij uitstippel.

Die Minister is voornemens om die artikel 18-magte in terme waarvan kommersiële visvangregte in die klein pelagiese-visserij toegeken word, ingevolge artikel 79 van die Wet op Lewende Mariene Hulpbronne 18 van 1998 ("die WLMH") aan 'n senior beampste van die Departement te deleger. Hierdie beleidsdokument sal die gedelegeerde owerheid lei in sy besluite oor aansoeke in hierdie visserij.

## 2. Sektorale profiel

Die klein pelagiese-visserij dateer terug na die laat 1940's toe 'n vloot van beursnet vaartuie in privaat besit sardyne en maasbankers begin teiken het. In 1953 is 'n jaarlikse



maksimumbeperking van 270 000 ton vasgestel, maar dit was nooit toegepas nie. Die gevolg was dat vangste dié getal gereeld oorskry het. Teen 1961 is die maksimumbeperking opgehef. In 1962 is meer as 410 000 ton sardyn geland, maar teen 1966 het die vangste tot 100 000 ton afgeneem. Die vloot het daarna hoofsaaklik ansjovis gevang deur nette met 'n kleiner maasgrootte te gebruik. In 1987 het ansjovisvangste 'n hoogtepunt van 600 000 ton bereik, maar vangste het daarna afgeneem en in 1996 is daar slegs 40 000 ton anjovis geland. Ansjovis- en sardynvangste het sedertdien toegeneem, met landings van beide spesies wat, oor die afgelope vyf jaar gemiddeld omtrent 250 000 ton bereik het. Die visserij word tans ingevolge die Operasionele Bestuursprosedure ("OBP") bestuur wat jaarlikse Totale Toelaatbare Vangste ("TTV") vir ansjovis en sardyn stel.

Wat die vangsvolumes betref, bly die klein pelagiese-visserij die grootste visserij in Suid-Afrika. Wat waarde betref, is dit die tweede belangrikste. Dié visserij se bestuursprosedure is die ingewikkeldste van die kommersiële visserij. Die twee spesies, naamlik sardyn (*Sardinops sagax*) en ansjovis (*Engraulus encrasicolus*) is die hooftelke, met die gepaardgaande byvangstespesies die rooi-oog rondharing (*Etrumeus whiteheadii*) en die Kaapse maasbanker (*Trachurus trachurus capensis*). Sardyn word vir menslike verbruik geblik, terwyl ansjovis en die meeste van die byvangstespesies tot vismeel, visolie en vissmeer verwerk word.

Klein pelagiese vis word naby die kus geteiken, hoofsaaklik langs die wes- en suidkus (ansjovis en sardyn) van die Wes-Kaap en die Oos-Kaapse kus (sardyn).

Die pelagiese visvloot bestaan uit beursnetvaartuie met 'n lengte van tussen 15 tot 30 meter wat uit hout-, GRP of staalrompe bestaan. Die industrie verskaf werk aan 'n geraamde 7 800 persone. Hiervan is 5 300 persone op 'n permanente grondslag en 2 500 op 'n seisoenale grondslag in diens. Die gemiddelde jaarlikse inkomste van die seemanne is R94 000 – die hoogste in die visbedryf. Vyf-en-negentig persent van die werkers in die visserij is histories benadeelde persone. Die waarde van gelande vis is tans ongeveer R800 miljoen per jaar. Die markwaarde van die 106 vaartuie wat in dié visserij werkzaam is, is meer as R600 miljoen ('n gemiddelde vaartuig se waarde is meer as R7 miljoen). Die visserij is kapitaal-intensief met



regtehouers wat in vaartuie en prosessering- en bemarkingsinfrastruktuur moet belê of toegang moet verkry daartoe deur vangste- en prosesseringsooreenkomste.

### 3. Die proses van medium-termyn regtetoekenning

In 1992 het histories-benadeelde persone ongeveer sewe persent van die klein pelagiese-visserij beheer. Die akommodering van nuwe deelnemers vanaf 1992, het die gaping tussen die grootste en kleinste toekennings laat kleiner word. Oor dieselfde tydperk was daar 'n tienvoudige toename in swart betrokkenheid en eienaarskap in die visserij (van sewe persent tot 73 persent). In 2001 en 2002 is 113 medium-termyn (vierjaar) kommersiële klein pelagiese visvangregte toegeken. Hiervan is:

- 73 persent aan entiteite in swart besit toegeken;
- 75 persent van die TTV word beheer deur entiteite in swart besit;
- 85 persent van regtehouers is klein- of mediumgrote ondernemings (KMOs); en
- 50 persent van alle vaartuie in die visserij word besit deur entiteite in swart besit.

### 4. Oorkoepelende sektorale doelwitte

Die oorkoepelende doelwitte met die toekenning van langtermyn-visvangregte in hierdie visserij is om:

- die transformasieprofiel in stand te hou of te verbeter;
- 'n omgewing te skep wat belegging aanlok en werkskepping stimuleer;
- beleggings in prosesserings- en bemarkingstrukture en in vaartuie (veral die vervanging van ou vaartuie) aan te moedig;
- waardetoevoeging aan te moedig deur die ontwikkeling van nuwe produkte, veral produkte vir menslike gebruik;
- byvangste van Maasbanker ("Horse Mackerel") te verminder; en

- ekonomiese lewensvatbaarheid en omgewingsvolhoubaarheid van die vissery te bevorder.

Kommersiële regte sal nie toegeken word met die uitsluitlike doel om vis as aas te benut nie.

## 5. Tydsduur

Met inagneming van -

- die transformasieprofiel van die vissery;
- die feit dat die huidige vloot van beursnetvaartuie oud is en vervang moet word;
- die hoë aantal permanente werk van gehalte wat verskaf word; en
- die behoefte om die ekonomiese stabiliteit wat tans teenwoordig is in die vissery in stand te hou;

sal kommersiële visvangregte vir 'n tydperk van 15 jaar toegeken word (1 Januarie 2006 tot 31 Desember 2020). Die Departement sal gereeld regtehouers evalueer teen voorafbepaalde prestasiekriteria (sien verder paragraaf 12 hieronder).

## 6. Nuwe inkomelinge

Gegewe die huidige talrykheid van ansjovis en sardyne, tesame met die inherente veranderlikheid van die voorraad van klein pelagiese vis, is dit baie waarskynlik dat die talrykheid van een of albei spesies wesentlik sal val in die nabye toekoms. 'n Aansienlike afname in die TTV en vangspoging in dié vissery word in die vooruitsig gestel. Verder is dit 'n hoë volume en lae marges vissery. Dit beteken dat finansiële lewensvatbare langtermyn-toekenninge wesentlik moet wees.

Die Departement is gevolglik van mening dat daar geen ruimte vir die instel van bykomende vangspoging is nie en die hoeveelheid deelnemers sal nie vermeerder word nie. Bestaande deelnemers mag egter in die regtetoekenningsproses met nuwe inkomelinge vervang word.

## **7. Evalueringskriteria**

Aansoeke sal ingevolge 'n stel "uitsluitingskriteria" gesif word en daarna oorweeg word volgens 'n stel gelaai "vergelykende balanserings kriteria". Daarna sal 'n afsnypunt vasgestel word om die suksesvolle aansoekers te kies. Visvangregte sal afsonderlik vir die ansjovis- en sardynvisserie toegestaan word en aansoekers mag aansoek doen om 'n reg in elk van dié visserie. 'n Persentasie van die TTV sal daarna aan elke suksesvolle aansoeker ingevolge 'n stel "kwantumkriteria" toegeken word.

### **7.1 Uitsluitingskriteria**

Behalwe vir die kriteria beskryf in die algemene beleid, aangaande die indiening van die aansoeke en wesentlike tekortkominge, sal die gedelegeerde owerheid aansoekers uitsluit wat versuim om aan die volgende vereistes te voldoen:

- (a) **Vorm van die aansoeker:** Slegs aansoeke van entiteite geïnkorporeer ingevolge die Wet op Beslote Korporasies 69 van 1984 en die Maatskappywet 61 van 1973 sal oorweeg word. Regte sal nie toegeken word aan natuurlike persone (d.w.s. individue of eenmansake) nie. Natuurlike persone wat bestaande regtehouers is moet aansoek doen in die vorm van 'n beslote korporasie of maatskappy en sal as medium termyn regtehouer aansoeker behandel word indien hulle aan die riglyne uiteengesit in die Algemene Beleid voldoen.
- (b) **Wetsnakoming:** Indien 'n regtehouer aansoeker of sy lede, direkteure of beherende aandeelhouders skuldig bevind is aan 'n misdryf ingevolge die



WLMH nie, sal 'n reg nie aan die aansoeker toegeken word nie. Dit sluit nie die betaling van 'n skulderkenningsboete in nie. Regte sal ook nie toegeken word aan 'n regtehouer-aansoeker indien die aansoeker of sy lede, direkteure of beherende aandeelhouders se visvangregte gekanselleer, opgeskort of ingetrek is ingevolge die WLMH of daar op hul bates beslag gelê is in terme van die Wet op die Voorkoming van Georganiseerde Misdad 121 van 1998 of die WLMH nie.

Besluite mag gereserveer word oor die aansoeke van regtehouers wat ondersoek word vir oortredings van die WLMH. 'n Besluit oor so 'n aansoek sal geneem word na afhandeling van die ondersoek.

Die Departement vereis dat elke regtehouer 'n heffing betaal op die geteikende spesies wat geland word. Regte houers wat vangste onder-gerapporteer het ten einde, *inter alia*, die betaling van heffings te vermy sal uitgesluit word. Regtehouers wat nie heffings betaal het nie sal penaliseer word in die vergelykende balanseringsproses soos hieronder uiteengesit. Sou sodanige aansoeker egter nietemin vir 'n reg kwalifiseer, sal 'n visvangpermit nie uitgereik word nie alvorens die uitstaande gelde aan die Departement betaal is.

- (c) **Papierkwotas:** Papierkwotas soos gedefinieer in die Algemene Beleid, sal uitgesluit word.
- (d) **Toegang tot geskikte vaartuig:** Aansoekers sal moet aantoon dat hulle 'n reg van toegang tot 'n geskikte vaartuig het (sien verder paragraaf 8 hieronder).

## 7.2 Vergelykende balanseringkriteria

Aansoekers wat regte hou, asook potensiële nuwe inkomelinge, sal evalueer word ingevolge die volgende balanseringskriteria, wat gelaai sal word ten einde die sterkte

van elke aansoek te bepaal. Die kriteria hieronder uiteengesit moet saamgelees word met die ooreenstemmende kriteria in die Algemene beleid vir verdere detail. Dit is in besonder van toepassing op die "transformasie" kriterium.

**(a) Transformasie:**

Tans is drie-en sewentig persent van regtehouers in dié visserij in swart besit. Hierdie regtehouers beheer 75 persent van die TTV. Klein - en medium grote ondernemings beslaan 85 persent van regtehouers.

Een van die doelwitte met die toeken van langtermyn-visvangregte in hierdie visserij is om die huidige transformasievlakke in stand te hou of te verbeter. Soos in die Algemene Visvangbeleid bepaal, sal aansoekers evalueer word en punte toegeken word op grond van -

- Die persentasie swart en vroue eienaarskap en swart en vroue verteenwoordiging op top salarisvlakke, die direksie en senior beampte en bestuursvlakke;
- Of werknemers (anders as top salaristrekkers) voordeel trek uit 'n werknemeraandeeskema;
- Regstellende aankope;
- Nakoming van die Wet op Diensbillikheid 55 van 1998 en die verteenwoordiging van swart persone en vroue op die verskillende diensvlakke onder senior beampte en bestuursvlakke. Die gedelegeerde owerheid mag ook die verskil in besoldigingsvlakke tussen die hoogste en laagste betaalde werknemers in ag neem.
- Nakoming van wetgewing oor vaardigheidsontwikkeling en die bedrae spandeer op die opleiding van swart persone en deelname aan leerskapprogramme; en
- Korporatiewe maatskaplike belegging.

**(b) Belegging in die vissery**

Met betrekking tot bestaande regtehouers, sal die gedelegeerde owerheid die volgende spesifiek in aanmerking neem:

- Beleggings in geskikte vaartuie en ander vaste bates. Met betrekking tot beleggings in vaartuie sal beleggings in die vorm van aandeelhouing ook in aanmerking geneem word;
- Beleggings in prosesserings- en bemarkingsinfrastruktuur.

Wat nuwe inkomeling aansoekers betref, sal die gedelegeerde owerheid oorweging gee aan beleggings gemaak in ander sektore in die vorm van vaartuie, vaste bates, prosesserings- en bemarkingsinfrastruktuur. Daar sal van alle nuwe inkomeling aansoekers vereis word om aan te toon dat hulle die kennis, vaardigheid en kapasiteit het om klein pelagiese vis te vang.

**(c) Prestasie**

Regtehouers wat sonder goeie rede meer of minder gevang het (met meer as 10% van hul toekenning), sal penaliseer word. Finansiële prestasie sal gemeet word soos aangedui in die Algemene Visserybeleid.

**(d) Byvangste en storting**

Die Departement is besorg oor onwettige visvang met gebruik van beursnette wat gerig is op lynvis (geelstert, witsteenbras en kabeljou) sowel as oor die oorskryding van die bogrens van die voorsorgvangsbepanking vir die vang van jong maasbankers. Die vissery se interaksie met robbe is ook 'n rede tot kommer. Die nie-bedoelde vang van dolfyne in nette moet vermy word.



Die gedelegeerde owerheid sal daarna streef om regtehouers te beloon wat geïnvesteer het en maatreëls in werking stel om byvangstespesies te verminder en die inmenging met marienesoogdiere te beperk.

Die storting van vis is verbode en mag lei tot die intrekking van 'n reg in terme van artikel 28 van die WLMH.

**(e) Waardetoevoeging en ondernemingsontwikkeling**

Die gedelegeerde owerheid mag oorweging skenk aan ondernemingsontwikkeling en aansoekers se vermoë om waarde toe te voeg tot klein pelagiese-vis vir plaaslike en internasionale markte. Die gedelegeerde owerheid sal in besonder oorweeg of aansoekers belê het, of op direkte of indirekte wyse die ontwikkeling van ansjovis- en sardynprodukte vir menslike gebruik fasiliteer het.

**(e) Plaaslike ekonomiese ontwikkeling**

Daar is 'n behoefte aan belegging en werkskepping in heelwat van Suid-Afrika se kleiner kusstreek. Die gedelegeerde owerheid mag in ag neem of aansoekers gekies het om hulle vangste aan wal te bring en te proses deur by hawegeriewe buiten Kaapstad en Saldanha. Indien die gedelegeerde owerheid positiewe punte toeken aan hierdie aansoekers, mag dit nie lei tot die penalisering van regtehouers wat in fasiliteite in Kaapstad en Saldanha belê het nie.

**(f) Werksgeleenthede**

Die klein pelagiese-vissery voorsien ongeveer 7 800 werksgeleenthede. Die salarisse van seevarende personeel beloop gemiddeld R94 000 per jaar – die

hoogste in die visvangbedryf. Die meeste werkers word op 'n voltydse basis in diens geneem, party met voordele soos mediese fonds en pensioen.

Werkskopping en die vermeerdering van werkseleenthede as gevolg van die toekenning van mediumtermynregte mag beloon word, en in besonder aansoekers wat hulle werknemers voorsien het met–

- Voltydse werk;
- Mediese fonds en pensioen;
- Veilige werksomstandighede.

Werkseleenthede geskep is per tonnemaat vis toegeken gedurende die medium-termyn toekenningsproses sal bepaal word en in ag geneem word.

**(g) Nie-betaling van visvangheffings**

Regtehouer aansoekers sal penaliseer word as hul heffings vir 'n tydperk langer as 60 dae agterstallig is op datum van hulle aansoek.

**(h) Wetsnakoming**

Indien die aansoeker, sy lede of direkteure of beherende aandeelhouders skulderkenningboetes betaal het vir oortredings van die WLMH, die wet se regulasies of permitvoorwaardes sal die aansoeker penaliseer word.

**7.3. Kwantumkriteria**

Die visserij word gereuleer ooreenkomstig 'n Totale Toelaatbare Vangs (TTV). In 'n onlangse uitspraak het die Hoogste Hof van Appél bevind dat die metodologie wat

gebruik word om kwantum vir sardyn en ansjovis toe te ken, hersien moet word. Dié kwantumformule is vir die 2005-visseisoen hersien. Die Departement sal langtermyn klein pelagiese-visvangregte vir elke spesie afsonderlik toeken en aansoekers mag vir visvangregte in elke vissery aansoek doen. Dit beteken dat daar van 'n regtehouer van klein-pelagiesevisse vereis sal word om die kwantum van sardyn en/of ansjovis waarvoor aansoek gedoen word, te spesifiseer. Die hoeveelheid wat toegeken word vir ansjovis en sardyn sal afsonderlik uitgedruk word as 'n persentasie van die TTV vir elke spesie.

In hierdie vissery sal die meganisme vir die toekenning van kwantum die onderwerp wees van verdere konsultasie met aansoekers nadat die aansoeke in die vissery oorweeg is en die suksesvolle aansoekers geïdentifiseer is. Onderhewig aan die uitkoms van die konsultasie proses, sal die volgende drie beginsels toegepas word met betrekking tot die toekenning van kwantum.

Eerstens, die toekenning van kwantum aan suksesvolle medium-termyn regtehouer aansoekers sal vasgestel word met verwysing na kwantum gehou deur regtehouers in 2005.

Tweedens, die gedelegeerde owerheid moet poog om ten minste 10% (tien persent) van die TTV te herverdeel aan klein besighede en regtehouers met klein toekennings, indien hierdie entiteite voldoende getransformeer is en goed presteer het gedurende die medium-termyn proses.

Derdens, en bykomend tot die bogenoemde twee beginsels, sal die gedelegeerde owerheid by magte wees om kwantum toe te ken gebaseer op kriteria wat daarop gemik is om die oogmerke van hierdie beleid te bereik, soos transformasie, waardetoevoeging en prestasie. Hierdie kriteria moet ontwerp word op 'n wyse wat moet verseker dat alle suksesvolle aansoekers, afgesien van die groter van hulle vorige toekenning, daarby kan baat vind indien hulle aan die kriteria voldoen.



Enige suksesvolle nuwe inkomeling aansoeker mag 'n hoeveelheid ontvang wat gelyk staan aan die laagste toekenning aan 'n suksesvolle medium termyn regtehouer aansoeker. Waar die laagste hoeveelheid toegeken nul was (vir of ansjovis of sardyn), sal die gedelegeerde owerheid dan die tweede laagste hoeveelheid toeken, indien die suksesvolle nuwe inkomeling aansoeker vir daardie spesie aansoek gedoen het.

## **8. Geskikte vaartuie**

Geskikte vaartuig vir die klein-pelagiesevisserij: is 'n vaartuig wat-

- 'n maksimum SAMVV-gesertifiseerde lengte van ongeveer 30 m het;
- 'n werkende vaartuigmoniteringstelsel het;
- wat vir beursnetvisvang toegerus is; en
- wat nie aangehou word, of gekonfiskeer is ingevolge die WLMH nie.

## **9. Multi-sektorale betrokkenheid**

Regtehouers in die klein pelagiese-visserij word nie verhinder om regte in enige ander visserij in Groepe A en B visserij te hou nie. Regtehouers in die klein pelagiese-visserij (insluitende hulle behorende aandeelhouers en lede van hulle uitvoerende bestuurspan) sal nie toegelaat word om kommersiële visregte in Groepe C en D visserij te hou nie. Dieselfde geld vir tradisionele lynvis.

## **10. Aansoekgelde en heffings**

Die aansoekgelde vir hierdie visserij sal bepaal word met inagneming van:

- Die koste van die hele regtetoekenningsproses, met inbegrip van konsultasie, ontvangs, evaluering van aansoeke, verifikasie, appèlle en hersienings; en

- Die waarde van die vis wat toegeken word oor die duur van die reg.

Die jaarlikse heffings wat met ingang 1 Januarie 2006 betaalbaar is, sal bepaal word na oorlegpleging met regtehouers. Die heffings betaal sal deur die Departement gebruik word vir die mitigasie van jaarlikse kostes van bestuur, wetsnakoming en navorsing.

## **11. Bestuursmaatreëls**

Die bestuursmaatreëls wat hier onder bespreek word, weerspieël sommige van die Departement se hoofvoornemens vir die bestuur van hierdie vissery nadat regte toegeken is.

### **11.1 Ekosisteembenadering tot bestuur van vissery**

Hierdie vissery sal bestuur word ooreenkomstig die ekosisteembenadering tot die bestuur van visserye ("EBV"). 'n Ekosisteembenadering tot visserybestuur is 'n holistiese en geïntegreerde benadering wat erken dat dat visvang en verwante aktiwiteite op land die breë mariene omgewing beïnvloed. Hierdie deel van die beleid vir die klein pelagiese-vissery, is nie daarop gerig om 'n beleidsverklaring te voorsien oor EBV in die klein pelagiese-vissery nie. Die EBV in die klein pelagiese-vissery sal verder uitgestippel word in die Bestuurshandleiding vir die klein pelagiese-vissery. Suid-Afrika bly verbind tot die teikendatum van 2010 vir die inwerkingstelling van 'n EBV in die kommersiële visserye.

### **11.2 Konsolidering van deelnemers**

Na die toekenning van kommersiële visvangregte vir 15 jaar in hierdie vissery, sal die Departement die konsolidasie van die aantal regtehouers wat aktief is in die vissery fasiliteer, veral waar:

- Regtehouers dieselfde aandeelhouders, kantore of bestuurspan deel, of

- Kleiner regtehouers verkies om hul sakebedrywighede te konsolideer.

### **11.3 Rooi-oog haring-vissery**

Alhoewel die klein pelagiese-vissery gerig is op die benutting van ansjovis en sardyne, word rooi-oog harings ook geteiken, veral vroeg in die jaar. Daar is bewyse dat rooi-oog haring substansieël onderbenut word. Die Departement wil verdere inkomste en werkseleenthede skep deur beter benutting van hierdie spesies aan te moedig. Om dit te bereik, ondersoek die Departement die moontlikheid om 'n beheerde vissery vir hierdie spesie tot stand te bring. Die Departement behou die reg voor om sodanige vissery in te stel te eniger tyd in die toekoms en na oorlegpleging met regtehouers en ander belanghebbendes.

### **11.4 Vaartuie en visvangpoging**

Daar is tans meer as 100 klein-pelagiesevisvangvaartuie wat in Suid-Afrikaanse waters werkzaam is. Omdat baie regtehouers nie die eienaars is van die vaartuie wat hulle gebruik nie en omdat vaartuie moontlik vervang moet word, besef die Departement dat baie regtehouers, na die toekenning van langtermyn-visvangregte, verdere of nuwe vaartuie sal wil inbring. Die Departement beskou die huidige pogingsvlakke in die vissery as optimaal. Regtehouers sal nie toegelaat word om vaartuie in te bring wat in staat is om baie meer vangspoging te ontplooi as hulle toekennings nie. Verder mag die Departement met die Bedryfsliggaam van die Visvangsektor oorleg pleeg in verband met alle aansoeke om verdere of nuwe vaartuie in die vissery in te bring.

### **11.5 Monopolieë**

Terwyl die Departement die konsolidering van regtehouers in hierdie vissery sal aanmoedig, is die Departement gekant teen monopolieë wat tot nadeel van die kleiner regtehouers mag werk.



### 11.6 Instelling van 'n TOV

Die onder-rapportering van vangste, het 'n aansienlike administratiewe en finansiële las op die Departement geplaas en behels ook 'n risiko vir die behoorlike bestuur van die bron. Die Departement mag dit oorweeg om 'n TOV beperking as 'n bestuursmaatreël vir hierdie vissery in te stel en sal later met die regtehouers oorlegpleeg oor die instel van hierdie bestuursprosedure.

## 12. Prestasiemeting

Die Departement sal 'n aantal formele prestasiemetingoefeninge instel vir die duur van die 15 jaar periode. Daar word beoog om die prestasiemetingoefening na twee jaar uit te voer en dan elke vier jaar daarna.

Alhoewel die Departement die presiese kriteria waaraan die regtehouers na die toekenning van kommersiële visvangregte gemeet sal word sal finaliseer na die toekenning van kommersiële visvangregte, en na oorlegpleging met regtehouers, mag die volgende breë prestasie-verwante kriteria gebruik word:

- transformasie;
- belegging in vaartuie en toerusting;
- volhoubare benutting, en in besonder die vermindering van byvangste en die vermindering van die ekologiese impak van beursnetvangs;
- nakoming van toepaslike wette en regulasies.

Die oogmerk met prestasiemeting sal wees om te verseker dat die doelstellings van die vissery bereik word en dat bestuursmetodologie en prosedures geskik is en op datum bly vir die vissery.

### 13. Waarnemersprogram

Die Departement se huidige waarnemersprogram sal uitgebrei word om waarneming vir wetstoepassings-doeleindes in te sluit. Die Departement sal verder die dekking van waarneming van hierdie vissery progressief uitbrei. Daar sal van regtehouers verwag word om die koste van die waarnemingsproses te dra.

### 14. Permitvoorwaardes

Permitvoorwaardes vir hierdie vissery sal jaarliks uitgereik word. Die permitvoorwaardes sal vasgestel word na konsultasie met regtehouers in hierdie vissery en sal onderworpe wees aan hersiening soos en wanneer dit nodig mag wees.

## SCHEDULE C

**SPECIMEN MEDIUM TERM RIGHT HOLDER APPLICATION FORMS (TOGETHER WITH EXPLANATORY NOTES) AND PATAGONIAN TOOTHFISH EXPERIMENTAL PERMIT HOLDER APPLICATION FORM (TOGETHER WITH EXPLANATORY NOTES)**



APPLICATION NUMBER: ☐ lock the app no.

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM

BRANCH: MARINE AND COASTAL MANAGEMENT



# Hake Deep Sea Trawl

**Long Term Rights Allocation Process: 2005****Cluster A****Application Form For: Medium Term Right Holders**

Registered Name of Applicant

Company Registration Number

or

Close Corporation Registration  
Number

Principal Place of Business

Number of Vessels Nominated

**IMPORTANT INFORMATION****INSTRUCTIONS****GENERAL**

- 1) This application form must be read together with these Instructions, the Explanatory Notes, the Schedules to the application form and the Procedures for Independent Auditors (available on the Public Accountants' and Auditors' Board website, [www.paab.co.za](http://www.paab.co.za) or [www.saica.co.za](http://www.saica.co.za)).
- 2) When completing the application form, applicants are advised to read carefully the General Policy on the Allocation and Management of Long Term Fishing Rights, as well as the applicable Fishery Specific Policy. These policies are available at [www.mcm-deat.gov.za](http://www.mcm-deat.gov.za). The policies guide the Minister or his delegate when considering the application.
- 3) Should the applicant have any queries regarding the completion of the application form, it must e-mail the Department at [clustersa@deat.gov.za](mailto:clustersa@deat.gov.za). Every query and response will be collated and circulated by e-mail to all the applicants in the sector and will be made available on [www.mcm-deat.gov.za](http://www.mcm-deat.gov.za). Should the applicant require technical assistance with the application form software, it must contact the Rights Verification Unit in one of the following ways:

Tel: (021) 670-3669

Fax: (021) 670-1782

E-mail: [RVU@deloitte.co.za](mailto:RVU@deloitte.co.za)

Applicants or their representatives may not communicate with the Minister, the delegated authority, or officials in the Department regarding their applications in any other manner. Moreover, no reliance may be placed on any information given or obtained in any other manner.

**ICONS**

- 4) Applicants must pay attention to the icons in the application form in order to determine whether:
  - the information provided will be treated as confidential;
  - there is any documentation or information required in response to a question in the form of an annexure;
  - the applicant's auditors need to verify a response; and
  - there are consequences of not answering a question.

- 5) The application form makes use of the following icons:



The books icon means that the information provided will be treated as confidential.



The clipboard icon means that the applicant must complete the corresponding Schedule to the application form. Applicants are instructed in the schedules regarding the documentation or information required as annexures. If the required documentation or information is not submitted, the application may be adversely affected. Failure to submit certain requested documents or information may result in the application being refused.



The magnifying glass icon means that the applicant's response to the question must be verified by an auditor (registered with the Public Accountants and Auditors board) engaged by the applicant as per the Procedures for Independent Auditors. The auditor must complete and sign the Audit Report on failing which the application will be refused.



The warning icon means that if the applicant fails to answer the question, the answer will be deemed to be adverse to the applicant.

**COMPLETION OF APPLICATION FORM**

- 6) The applicant must complete all sixteen sections of the application form. The applicant must respond in the spaces provided in the application form. Information may not be submitted by way of annexures except where applicants are specifically allowed to do so.
- 7) The application form must be completed electronically, and saved onto the two blank CDs provided on registration. One of these CDs must be submitted in the manner described below, while the other must be retained by the Applicant. Annexures to the application form do not need to be scanned and saved on to the CDs. The Department may request additional electronic copies of the application at a later stage.
- 8) This form is tagged and coded in order to facilitate electronic uploading of the application into a database. The applicant may not submit the application in any other form. If the applicant submits its application in any other form, the application will be refused.
- 9) The application must also be printed out and the declaration must be signed and attested by the Applicant's authorised representative, and, if applicable, the authorised representative(s) of the holding company, sister company(ies) and the joint venture partner(s). If the declaration is not signed and attested, the application will be refused.
- 10) The printed version of the electronic application, duly signed and attested, must be punched and placed into lever arch files with a divider before each annexure. The annexures must be numbered according to the schedules. Confidential information requested under questions marked by the books icon should be placed in a sealed A4 envelope marked with the application number, punched and placed in the lever arch file after the annexures.



**IMPORTANT INFORMATION****INSTRUCTIONS**

- 11) One true copy of the printed version of the application must be made. This copy must be punched and divided in the same manner as the original. The copy does not have to be certified as a true copy of the original, but it will be assumed to be the same as the original. Any discrepancy may invalidate the application.

**LODGEMENT OF APPLICATION**

- 12) The CD containing the application, the original printed version (signed and attested), and a copy of the printed version must be hand delivered to the place, on the dates and times stated below:

Place: Good Hope Centre

Dates and Times: Thursday 14 July 2005 between 08h00 and 19h00, or Friday 15 July between 08h00 and 17h00

- 13) The application may not be submitted by post or by fax. An application not submitted by hand within the above times, on the above dates at the above address will be refused.

**IMPROPER LODGEMENT**

- 14) Improperly lodged applications will be refused.

An application is improperly lodged if:

- it is received late;
- the applicant makes no payment, or short payment, or late payment of the application fee;
- the application is lodged in a manner contrary to the instructions.

**MATERIAL DEFECTS**

- 15) Applications that are materially defective will be refused.


An application is materially defective if:

- the declaration is not signed and attested by the Applicant's authorised representative, and, if applicable, the authorised representative(s) of the holding company, sister company(ies) and the joint venture partner(s).
- the auditor's report is not submitted or signed;
- more than one application is received for a right in the same sector;
- the applicant, or, if applicable, the holding company, sister company(ies) and the joint venture partner(s) provides false information or documents, fails to disclose material information or attempts to influence the Minister or the delegated authority other than in the manner provided for in the General Policy and in this application form.



## Section 1

## Applicant Details

1. The applicant must supply a profile of its organisation including an organogram and a description of its fishing operations, as Schedule 1A. 

1.1 Registered Name of Applicant

1.2 Trading Name of Applicant:

1.3 Registration Number:

1.4 Income Tax Number:

1.5 Vat Number:

1.6 Skills Development Levy Number:

1.7 Have the applicant's details (1.8.1 - 1.8.7d) changed since the applicant registered?

☐ Yes ☐ No

1.8 If "Yes", complete only those details that have changed:

1.8.1 Principal Place of Business:

Number and Street:

Suburb:

Town / City:

Postal Code:

1.8.2 Postal Address: Number and Street / PO Box:

Suburb:

Town / City:

Postal Code:

Area Code:

1.8.3 Telephone Number:



1.8.4 Additional Telephone Number:



1.8.5 Fax Number:



1.8.6 Authorised Contact Person First Name:

1.8.7 Authorised Contact Person Surname:

a) Identity Number:

b) Position Held / Relationship to Applicant

c) Cellular Number:

d) E-mail Address:

## Section 2

## Form of Applicant

2.1 Does the applicant currently hold a medium term fishing right in this sector?

☐ Yes ☐ No



2.2 If "Yes", to which entity or person was the medium term fishing right allocated in 2001/2002?

<input checked="" type="checkbox"/> Company	<input type="checkbox"/>	Name	
<input type="checkbox"/> Close Corporation	<input type="checkbox"/>	Name	
<input type="checkbox"/> Trust	<input type="checkbox"/>	Name	
<input type="checkbox"/> Individual	<input type="checkbox"/>	Name	

2.3 In what form of entity is the medium term fishing right currently held?



<input type="checkbox"/> Company	<input type="checkbox"/>	Name	
<input type="checkbox"/> Close Corporation	<input type="checkbox"/>	Name	
<input type="checkbox"/> Trust	<input type="checkbox"/>	Name	
<input type="checkbox"/> Individual	<input type="checkbox"/>	Name	

2.4 Is the applicant more than 50% South African owned?

☐ Yes ☐ No



2.5 Does the applicant have a valid tax clearance certificate?

☐ Yes ☐ No



2.6 Complete the following table in relation to asset value and turnover:



Year	Turnover	Gross Asset Value (excluding fixed property)
2004 (Financial Year End)		

2.7 Does the applicant hold any share(s) in any other company that is applying as a medium term right holder in this sector?

☐ Yes ☐ No



2.8 Does the applicant hold any share(s) in any company that is applying as a new entrant in this sector?

☐ Yes ☐ No



## Section 3

## Compliance

3.1 Has the applicant, or any of its members, shareholders or directors:

3.1.1 been convicted of a contravention of the MLRA, or the regulations, or permit conditions during the medium term right period?

☐ Yes ☐ No



3.1.2 entered into a plea bargain under the Criminal Procedure Act 51 of 1977, for a contravention of the MLRA, or the regulations, or permit conditions during the medium term right period?

☐ Yes ☐ No



3.1.3 paid an admission of guilt fine for a contravention of the MLRA, the regulations, or the permit conditions during the medium term right period?

☐ Yes ☐ No





## Section 3

## Compliance

3.1.4 been charged with an offence under the MLRA, or the regulations or permit conditions during the medium term right period?

☐ Yes ☐ No



3.2 Has a fishing vessel, motor vehicle, premises or any other assets of the applicant, or any of its shareholders, members or directors been detained, arrested or seized under the MLRA or restrained, preserved, confiscated or forfeited under the Prevention of Organised Crime Act 121 of 1998 during the medium term right period?

☐ Yes ☐ No



3.3 Was the applicant's right or permit suspended, revoked, cancelled, reduced or altered under section 28 of the MLRA during the medium term right period?

☐ Yes ☐ No



## Section 4

## Vessel Details

4.1 How many vessels has the applicant nominated for use in this fishery?

4.2 Fill in the relevant details in the tables below regarding each vessel nominated:



Vessel 1	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 2	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



## Section 4

## Vessel Details



Vessel 3	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 4	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 5	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



## Section 4

## Vessel Details



Vessel 6	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 7	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 8	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



## Section 4

## Vessel Details



Vessel 9	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 10	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 11	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



## Section 4

## Vessel Details



Vessel 12	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 13	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 14	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



## Section 4

## Vessel Details



Vessel 15	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 16	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 17	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



## Section 4

## Vessel Details



Vessel 18	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 19	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 20	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



**Section 5****Catch Utilisation**

5.1 Did the applicant over-catch or under-catch by more than 10% during the medium term rights period?

☐ Yes ☐ No



5.2 Complete the following in relation to the applicant's catch records.



Year	Annual Catch Allocation (in metric tons)	Total Actual Catch of Applicants Allocation (Nominal tons)	Percentage under-caught	Percentage over-caught
2002 Season				
2003 Season				
2004 Season				

**Section 6****Transformation****Management and Employment Equity**

6.1 Was the applicant a designated employer as defined in section 1 of the Employment Equity Act, 55 of 1998 as at 28 February 2005?

☐ Yes ☐ No



6.2.1 If "Yes", has the applicant complied with the Employment Equity Act, 55 of 1998?

☐ Yes ☐ No



6.2.2 If "No", has the applicant voluntarily complied with the Employment Equity Act, 55 of 1998?

☐ Yes ☐ No



Section 6

Transformation

Management and Employment Equity

6.3.1 Complete the table below in respect of the applicant's board of directors (if a company) or members (if a close corporation) as at 28 February 2005.



	Director / Member Name (Initial & Surname)	Years of Service	Total Annual Remuneration (Total Cost to Company)	Black (Y/N)	Gender (M/F)	ID Number
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						



## Section 6

## Transformation

## Management and Employment Equity

6.3.2 Complete the table below in respect of employees at 28 February 2005.



Between 1 - 5 Employees	The Top Salary Earner (Total Cost to Company)
Between 6 - 30 Employees	The Top Two Salary Earners (Total Cost To Company)
Between 31 - 60 Employees	The Top 3 Salary Earners (Total Cost to Company)
Between 61 - 165 Employees	The Top 4 Salary (Total Cost to Company) Earners
More than 165 Employees	The Top 3% of Salary Earners (Total Cost to Company) up to 90 Employees

	Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black (Y/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							



Section 6

Transformation

Management and Employment Equity



	Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black (Y/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
20							
21							
22							
23							
24							
25							
26							
27							
28							
29							
30							
31							
32							
33							
34							
35							
36							
37							
38							
39							
40							
41							
42							
43							
44							
45							
46							
47							
48							
49							
50							
51							
52							
53							
54							
55							

## Section 6

## Transformation

## Management and Employment Equity



	Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black (Y/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
56							
57							
58							
59							
60							
61							
62							
63							
64							
65							
66							
67							
68							
69							
70							
71							
72							
73							
74							
75							
76							
77							
78							
79							
80							
81							
82							
83							
84							
85							
86							
87							
88							
89							
90							



## Section 6

## Transformation

## Management and Employment Equity

6.4.1 Complete the following table in relation to income levels of the applicant's permanent employees at 28 February 2005:

	Gross Monthly Income (Total Cost to Company)	Number of Employees	Percentage of Total Employees	Number of Black Employees	Percentage of Total Black Employees	Number of Female Employees
1	<R2 500					
2	Between R2 500 and R5 500					
3	Between R5 501 and R10 500					
4	Between R10 501 and R16 000					
5	Between R16 001 and R20 000					
6	Between R20 001 and R25 000					
7	Between R25 001 and R30 000					
8	Between R30 001 and R40 000					
9	Between R40 001 and R60 000					
10	>R60 000					
	Total		100%		100%	

6.4.2 Does the applicant contribute towards medical aid and pension for its employees?

☐ Yes ☐ No

6.4.3 Does the applicant provide any other type of benefits for its employees?

☐ Yes ☐ No

6.5 Complete the following table in relation to the applicant's employment equity profile as provided to the Department of Labour in October 2004. If the applicant is not designated or did not voluntarily comply then the table must be completed as at 28 February 2005.

										Total	
Occupational Categories	Gender	A No	A %	C No	C %	I No	I %	W No	W %	ACI %	F %
Top & Senior Management / Senior Officials and Managers	Male										
	Female										
Professionally Qualified and experienced specialists and mid-management / Professionals	Male										
	Female										
Skilled Technical and academically qualified workers, supervisors, foremen, and superintendents / Technicians and Associate Professionals	Male										
	Female										
Semi-skilled and discretionary decision-making and unskilled and undervalued decision-making / Clerks, Service & Sales Workers, Fishery Workers, Artisans & Related Trade Workers, Plant & Machine Operators & Assemblers, Elementary Occupations	Male										
	Female										
TOTAL	Male										
	Female										

A = African, C = Coloured, I = Indian, W = White, M = Male, F = Female, ACI = African, Coloured and Indian







**Section 6****Transformation****Ownership - Companies Only**

6.7 Is the applicant a company?

☐ Yes ☐ No

6.7.1 If "Yes", complete the table below in respect of shareholding held by black persons:

Year	Percentage Shareholding Held by Black Persons	Percentage Voting Rights Held by Black Persons	Percentage of Dividends Black Shareholders are Entitled To
2001 (as in 2001 application form)			
2005 (at date of application)			

6.7.2 Complete the following table in relation to shareholding held by women based on the flow through principle:

Year	Percentage Shareholding Held by Women	Percentage Voting Rights Held by Women	Percentage of Dividends Women are Entitled To
2005 (at date of application)			

6.7.3 Did the applicant have a share scheme in place in 2004 for employees?

☐ Yes ☐ No

6.7.4 If "Yes", what is the percentage shareholding held by or for employees not listed under question 6.3.2, through the scheme?

6.7.5 Complete the following table in relation to monies paid to shareholders:

Year	Salaries Paid to Shareholders	Loans Made to Shareholders	Dividends Paid to Shareholders
2002 (financial year)			
2003 (financial year)			
2004 (financial year)			

6.7.6 Was the applicant managed by another entity, or was the catching, processing or marketing of the 2004 allocation in this fishery performed by another entity during the 2004 financial year?

☐ Yes ☐ No

6.7.7 If "Yes", complete the table below:

Function	Rand Amount Paid to Other Entity during the 2004 Financial Year	Rand Amount as a Percentage of the Applicant's Total Turnover in 2004
Management		
Catching		
Processing		
Marketing		



## Section 6

## Transformation

## Ownership - Close Corporations Only

6.8 Is the applicant a close corporation ?

☐ Yes ☐ No

6.8.1 If "Yes", complete the table below in respect of members interest held by black persons:

Year	Percentage Interest Held by Black Persons	Percentage Voting Rights Held by Black Persons	Percentage Profit Distribution Black Persons are Entitled To
2001 (as in 2001 application form)			
2005 (as at date of application)			

6.8.2 Complete the table below in relation to members interest held by women:

Year	Percentage Interest Held by Women	Percentage Voting Rights Held by Women	Percentage Profit Distribution Women are Entitled To
2005 (as at date of application)			

6.8.3 Did the applicant have a profit sharing scheme for employees in place in 2004?

☐ Yes ☐ No

6.8.4 If "Yes", what percentage of profit were employees not listed under question 6.3.2 entitled to?

6.8.5 Complete the following table in relation to monies paid to members:

Year	Salaries Paid to Members	Loans Made to Members	Profit Distributed to Members
2002 (financial year)			
2003 (financial year)			
2004 (financial year)			

6.8.6 Was the applicant managed by another entity, or was the catching processing or marketing performed by another entity during the 2004 financial year?

☐ Yes ☐ No


6.8.7 If "Yes", complete the table below:

Function	Rand Amount Paid to Other Entity	Rand Amount as a Percentage of the Applicant's Turnover in 2004
Management		
Catching		
Processing		
Marketing		



**Section 6****Transformation****Skills Development**


6.9 Has the applicant met the targets set in the Transformation Plan submitted in 2001? ☐ Fully ☐ Somewhat/Partially ☐ Not at all 

6.10 Complete the following table in relation to compliance with the Skills Development Levies Act 9 of 1998: 

Year	Did the applicant submit Workplace Skills Plan which was approved (Y/N)	Did the applicant submit an Annual Training Report which was approved (Y/N)	Rand Amount Paid to SARS in skills development levies	Percentage Salaries Bill Spent on Training	Percentage of Training Budget Spent on Black Employees
2001 (financial year end)					
2002 (financial year end)					
2003 (financial year end)					
2004 (financial year end)					

6.11 Did the applicant participate in a learnership programme during the medium term rights period? ☐ Yes ☐ No 


6.12 If "Yes," indicate the number of learnerships as a percentage of the employees in respect of whom the applicant prepared IRP5 certificates in 2004 (tax year end).


6.13. Did the applicant participate in any other skills development programmes through its SETA in 2004 such as an SME Support Strategy? ☐ Yes ☐ No 

6.14.1 How many skippers are used by the applicant?

6.14.2 What percentage of these skippers are black?

**Corporate Social Investment**

6.15 Does the applicant make donations of its annual taxable income which qualify for deduction in terms of section 18A of the Income Tax Act 58 of 1962 ? ☐ Yes ☐ No 

6.16 If "Yes", indicate what percentage of net profit earned in the 2004 financial year these donations amount to: 

☐ 0 - 0.5 % 

☐ 0.5 - 1 %

☐ > 1 %

## Section 6

## Transformation

## Corporate Social Investment

6.17 Indicate the five largest tax deductible donations made per annum since 2001 in the table below.

Year	Benefiting Organisation	Rand Value of Amount Donated
2001 - 1		
2001 - 2		
2001 - 3		
2001 - 4		
2001 - 5		
Year	Benefiting Organisation	Rand Value of Amount Donated
2002 - 1		
2002 - 2		
2002 - 3		
2002 - 4		
2002 - 5		
Year	Benefiting Organisation	Rand Value of Amount Donated
2003 - 1		
2003 - 2		
2003 - 3		
2003 - 4		
2003 - 5		
Year	Benefiting Organisation	Rand Value of Amount Donated
2004 - 1		
2004 - 2		
2004 - 3		
2004 - 4		
2004 - 5		

6.18 Does the applicant make any other donations (in addition to those which qualify for deduction in terms of section 18A of the Income Tax Act 58 of 1962, but not including school fees)?

☐ Yes ☐ No



6.19 If "Yes", indicate what percentage of net profit earned in the 2004 financial year these other donations amount to :

☐ 0 - 0.5 %

☐ 0.5 - 1 %

☐ > 1 %



6.20 If other donations were made, indicate the five largest such donations made in 2004 in the table below:

Year	Benefiting Organisation	Rand Value of Amount Donated
2004 - 1		
2004 - 2		
2004 - 3		
2004 - 4		
2004 - 5		



**Section 6****Transformation****Affirmative Procurement**

6.21 Does the applicant have a written affirmative procurement policy?

☐ Yes ☐ No



6.22 Provide the following information in relation to the applicant's top ten South African suppliers (operational expenditure) in 2004:



Name of Supplier	Percentage of Black Ownership of Supplier	Amount Paid to Supplier in Rands in 2004	Percentage of Total Expenses

6.23 Has the applicant determined its affirmative procurement spend as a percentage of total procurement spend?

☐ Yes ☐ No



6.24 Has the applicant instituted a system to measure its affirmative procurement spend as a percentage of total procurement spend in future?

☐ Yes ☐ No

**Section 7****Vessel, Crew and Environmental Safety****Contraventions**

7.1 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of penalty under section 324 of the Merchant Shipping Act, 57 of 1951?

☐ Yes ☐ No




7.2 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of penalty for contravening the Maritime Occupational Safety Regulations of 1994?

☐ Yes ☐ No






**Section 7****Vessel, Crew and Environmental Safety****Contraventions**


- 7.3 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of a penalty for contravening the Crew Accommodation Regulations, 1961? ☐ Yes ☐ No 


**Crew Safety and Working Conditions**

- 7.4 Has the applicant ever reported an accident in terms of section 6 of the Maritime Occupational Safety Regulations? ☐ Yes ☐ No 


- 7.5 Has a qualified safety officer been appointed for each nominated vessel in terms of section 36 of the Maritime Occupational Safety Regulations? ☐ Yes ☐ No 

- 7.6 Has every crew member on board each nominated vessel completed the approved safety induction training required by the Merchant Shipping Act, 57 of 1951? ☐ Yes ☐ No 

- 7.7 If a nominated vessel is of 25 gross tonnage or more, has the vessel been issued with a valid SAMSA Safe Manning Document required in terms of the Merchant Shipping (Safe Manning) Regulations? ☐ Yes ☐ No 

- 7.8 Has the applicant completed a formal safety assessment in terms of Marine Notice no 26 of 2004? ☐ Yes ☐ No 

- 7.9 Has the applicant registered with the Commissioner in terms of the Compensation for Occupational Injuries and Diseases Act 130 of 1993? ☐ Yes ☐ No 


- 7.10 Does the applicant have an HIV/AIDS policy? ☐ Yes ☐ No 


**Vessel Safety**

- 7.11 Have the nominated vessel(s) been issued with a valid Local General Safety Certificate? ☐ Yes ☐ No 

- 7.12 Are any operational limits imposed on the nominated vessel(s) by its Local General Safety Certificate (E.g. No more than 200 nautical miles off the South African coast)? ☐ Yes ☐ No

**Environmental Safety**

- 7.13 Has the applicant, during the medium term right period, been convicted or forfeited a deposit for contravening any part of the Marine Pollution (Prevention of Pollution from Ships) Act 2 of 1986 or Section 30 of the Marine Pollution (Control and Civil Liability) Act 6 of 1981? ☐ Yes ☐ No 

- 7.14 Does the applicant have a Garbage Management Plan for each nominated vessel as stipulated in terms of Annex V of Marpol, as set out in the Schedule to the Marine Pollution (Prevention of Pollution from Ships) Act 2 of 1986? ☐ Yes ☐ No 



## Section 8

## Job Creation

8.1 Complete the following tables in relation to job creation.

8.1.1 Table 1

Year	Employees in respect of which the applicant prepares IRP5 Certificates (Land Based)	Employees in respect of which the applicant prepares IRP5 Certificates (Sea Based)	Employees in respect of which the applicant does not prepare IRP5 Certificates (Land Based)	Employees in respect of which the applicant does not prepare IRP5 Certificates (Sea Based)	Total Number of Employees (Columns 1- 4)	Total Amount of Salary Bill as per Financial Statements	Percentage increase or decrease in total number of employees
2001 (date of application)							
2002 (financial year end)							
2003 (financial year end)							
2004 (financial year end)							
2005 (28 February 2005)							

8.1.2 Table 2

Applicant's Annual Catch Allocation (in tons) to the applicant in this fishery in 2004	Total Annual Salary Bill (in relation to this fishery) 2004 Financial Year End as per Table 8.1.1	How much does the applicant spend on salaries/wages per ton allocated?

8.1.3 Table 3

Applicant's Annual Catch Allocation (in tons) in this fishery in 2004	Total Employees (in relation to this fishery) (28 February 2005)	How many people does the applicant employ per ton allocated?	Total Employees less Seasonal Employees (in relation to this fishery) (28 February 2005)	How many people (less seasonal employees) does the applicant employ per ton allocated?

8.1.4 Table 4

Applicant's five highest annual salaries (total cost to company) paid between 1 March 2004 and 28 February 2005	Average of top five salaries	What was the multiple between the average of the five lowest and the average of the five highest salaries at 28 February 2005?

Applicant's five lowest annual salaries (total cost to company) paid between 1 March 2004 and 28 February 2005	Average of lowest five salaries	



## Section 9

## Investment

9.1 Complete the following tables:

9.1.1 Table 1

Year	Book Value of Total Fixed Assets (in relation to this fishery)	Percentage Increase or Decrease in Rand Value of Total Fixed Assets (in relation to this fishery)	Total Book Value of Total Land Based Fixed Assets (in relation to this fishery)	Total Book Value of Harbour and Sea Based Fixed Assets (in relation to this fishery)
2002 (financial year end)				
2003 (financial year end)				
2004 (financial year end)				

9.1.2 Table 2

Year	Insured Value of Total Fixed Assets (in relation to this fishery)	Percentage Increase or Decrease in Rand Value of Total Fixed Assets (in relation to this fishery)	Total Insured Value of Total Land Based Fixed Assets (in relation to this fishery)	Total Insured Value of Harbour and Sea Based Fixed Assets (in relation to this fishery)
2002 (financial year end)				
2003 (financial year end)				
2004 (financial year end)				

9.1.3 Table 3

Annual Catch Allocation (in tons) to the applicant in 2004	Book Value (in rands) of harbour and sea-based assets at 2004 financial year end	Book Value (in rands) of land-based assets at 2004 financial year end	Book Value of Harbour and Sea-Based Assets per ton allocated to applicant	Book Value of Land-Based Assets per ton allocated to applicant

9.1.4 Table 4

Annual Catch Allocation (in tons) to the applicant in 2004	Insured Value (in rands) of harbour and sea-based assets at 2004 financial year end	Insured Value (in rands) of land-based assets at 2004 financial year end	Insured Value of Harbour and Sea-Based Assets per ton allocated to applicant	Insured Value of Land-Based Assets per ton allocated to applicant

9.1.5 A detailed explanation of all investment made in marketing activities must be included as an annexure.

9.1.6 A detailed explanation of all investment made in processing activities must be included as an annexure.



**Section 9****Investment**

9.1.7 Has the applicant invested in on-board or land based processing facilities?

☐ Yes ☐ No

9.1.8 If yes, please complete the following table:

Annual Catch Allocation (in metric tons) to the applicant in 2004	Nominal Tons of Applicant's Allocation Processed On Board Vessel	Nominal Tons of Applicant's Allocation Processed on Land	Nominal Tons Processed on Behalf of other Right Holders On Board Vessel	Nominal Tons Processed on Behalf of other Right Holders on Land

**Section 10****Local Economic Development**

10.1 Complete the following table in relation to harbours and landing sites used:

Harbour / Landing Site Name	Tons Landed at Harbour in 2004 calendar year	Percentage of Total Catch Landed in 2004 calendar year
TOTAL		

10.2 At which harbours and  
landing sites will the  
applicant land its catches?

Harbour / Landing Site Names	

10.3 Has the applicant made any investment in physical infrastructure at these  
harbours or landing sites in order to improve or make landing catches at  
these harbours possible?☐ Yes ☐ No

**Section 11****Value Add & Enterprise Development**

11.1 Is the applicant directly involved in any value adding process in this fishery?

☐ Yes ☐ No



11.2 Has the applicant been responsible for any enterprise development?

☐ Yes ☐ No

**Section 12****Performance****Financial**

12.1 What is the applicant's 2004 audited, verified or certified Annual Turnover?



12.2 Indicate the rand value and percentage of total turnover derived from this fishery:

Annual Catch Allocation (tons) to the Applicant in 2004	Turnover Generated in 2004 financial year by Annual Catch Allocation	Percentage of Total Turnover

12.3 Complete the following table in relation to ratio performance:

Year	Return on Net Assets (RONA)	Debt: Equity Ratio	Current Ratio	Quick Ratio (Acid Test)
2001				
2002				
2003				
2004				

12.4 Provide the following information in relation to the applicant's income statements:

Year	Turnover	Profit After Tax	Retained Earnings	Dividends Paid / Distribution of Profits
2001				
2002				
2003				
2004				



**Section 12****Performance****Financial**

12.5 Provide the following information in relation to the applicant's balance sheet:

Year	Assets	Long-Term Liabilities	Current Liabilities	Shareholder's Equity / Member's Contribution
2001				
2002				
2003				
2004				

12.6 Provide the following information in relation to the applicant's cash flow:

Year	Net Cash Inflow / Outflow from Operations	Net Cash Inflow / Outflow from Investing Activities	Net Cash Inflow / Outflow from Financing Activities
2001			
2002			
2003			
2004			

**Section 13****Fishing Plan**

13.1 Does the applicant have a fishing plan?

☐ Yes ☐ No

**Section 14****By-Catch and Environmentally Sustainable Practices****By-Catch**

14.1 Indicate the proportion of the applicant's annual catch that is made up of by-catch species:



Year	Annual By-Catch (in tons)	Annual Utilised By-Catch as a Percentage of Total Catch	Annual Unutilised By-Catch, Juvenile Species and Endangered Species as a Percentage of Total Catch
2001			
2002			
2003			
2004			



**Section 14****By-Catch and Environmentally Sustainable Practices**

14.2 Has the applicant put in place any measures to reduce energy and fuel consumption on vessels, and in processing facilities?

☐ Yes ☐ No



14.3 Does the applicant intend to put in place any measures to reduce energy and fuel reduction consumption on vessels, and in processing facilities?

☐ Yes ☐ No



14.4 Has the applicant undertaken or sponsored any research in relation to environmentally sustainable practices?

☐ Yes ☐ No



14.5 Has the applicant put measures in place to reduce damage to sea beds?

☐ Yes ☐ No

**Section 15****Fishing Levies**

15.1 Please provide the following information in relation to levies paid since 2001:



Year	Species	Total Catch in Tons	Levies Paid
2001			
2001			
2001			
2001			
2001			
2002			
2002			
2002			
2002			
2002			
2003			
2003			
2003			
2003			
2003			
2004			
2004			
2004			
2004			
2004			

15.2 What was the date and amount of the applicant's most recent levy payment?

Date  
yyyy/mm/dd

Amount





## Section 16

## Applicant Declaration

I, the undersigned, do hereby make oath and declare that:

- (a) I have read the instructions set out on pages 2 and 3 of this application form;
- (b) the information submitted with and in this Application is true and correct and complete.
- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to my application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) The applicant undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (f) The applicant accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address

## Holding Company Declaration

I, the undersigned, do hereby make oath and declare that:

- (a) I have read the instructions set out on pages 2 and 3 of this application form;
- (b) the information submitted with and in this Application is true and correct and complete.
- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to the application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (f) \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address



**Section 16**

I, the undersigned, do hereby make oath and declare that:

- (a) I have read the instructions set out on pages 2 and 3 of this application form;  
 (b) the information submitted with and in this Application is true and correct and complete.  
 (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;  
 (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to my application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;  
 (e) \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;  
 (f) \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

**Sister Company Declaration****Signature of Authorised Representative of Sister Company (if applicable)**

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address

I, the undersigned, do hereby make oath and declare that:

- (a) I have read the instructions set out on pages 2 and 3 of this application form;  
 (b) the information submitted with and in this Application is true and correct and complete.  
 (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;  
 (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to the application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;  
 (e) \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;  
 (f) \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

**JV Partner Declaration****Signature of Authorised Representative of JV Partner (if applicable)**

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address



**SCHEDULES**

**IF THE APPLICANT CANNOT PROVIDE THE INFORMATION REQUESTED IN ANY OF THE SCHEDULES BELOW, THE APPLICANT MAY SUBMIT AN EXPLANATION FOR THIS IN PLACE OF THAT ANNEXURE**

**Schedule 1 - Applicant Details**

- a) Provide, as Annexure 1A a brief profile of the applicant organisation including an organogram which clearly indicates the applicant's business model including holding company, sister company and joint venture partner relationships. The applicant should pertinently indicate if it intends to apply in more than one sector, is involved in industries other than the fishing industry and if the applicant does rely on information of holding companies, sister companies and joint venture partners in this application. The profile may not exceed 5 pages.
- b) Section 1.3: Provide a copy of a valid company or close corporation registration certificate as Annexure 1B.
- c) Section 1.8.6: Provide a copy of a resolution duly authorising the person named in Section 1.8.6 to be the authorised contact person, as Annexure 1C.

**Schedule 2 - Form of Applicant**

- a) Section 2.1: Provide a copy of the 2005 permit as Annexure 2A.
- b) Section 2.2: Provide a copy of the letter granting a right as Annexure 2B.
- c) Section 2.3: If the medium term right is currently held by an entity different from the one listed in Section 2.2, provide a detailed explanation as Annexure 2C.
- d) Section 2.5: Provide a copy of a valid SARS tax clearance certificate as Annexure 2D.
- e) Section 2.7: If "Yes," provide a detailed statement describing percentage of shareholding, the name and the registration number of the company as Annexure 2E.
- f) Section 2.8: If "Yes," provide a detailed statement describing percentage of shareholding, the name and the registration number of the company as Annexure 2G.

**Schedule 3 - Compliance**

- a) Section 3.1.1: If "Yes", provide details and documentation regarding the conduct of the applicant, the identity and conduct of the members, shareholders or directors resulting in the conviction, the dates of conviction, and the penalties imposed as Annexure 3A.
- b) Section 3.1.2: If "Yes", provide details and any documentation of the plea bargain arrangement entered into, and details regarding the conduct and identity of the individuals giving rise to the plea bargain, the dates and specifics of the plea bargain, as Annexure 3B.
- c) Section 3.1.3: If "Yes", provide details and any documentation regarding the admission of guilt fine paid, including information regarding the conduct and identity of the individuals giving rise to the fine, the date of offence and rand amount paid as Annexure 3C.
- d) Section 3.1.4: If "Yes", provide details and any documentation regarding the offence including information regarding the conduct and identity of the individuals giving rise to the fine, the date of offence and penalty as Annexure 3D.
- e) Section 3.2: If "Yes", provide details regarding the detention, arrest or seizure, including information regarding the conduct and identity of individuals involved as Annexure 3E. Also provide details if a final confiscation or forfeiture order was / was not granted under the Prevention of Organised Crime Act.
- f) Section 3.3: If "Yes", provide details and any documentation including the identity and conduct of individuals giving rise to the Section 28 procedure as Annexure 3F.



**Schedule 4 - Vessel Details**

- a) Section 4.2: For each vessel nominated, provide copies of the following documents:
- i) SAMSA Safety Certificate(s) as Annexure 4A;
  - ii) South African Certificate(s) of Registry as Annexure 4B;
  - iii) agreement(s) providing access to the vessel if the applicant is not the majority shareholder or the sole owner of the vessel as Annexure 4C;
  - iv) Local General Safety Certificate(s) as Annexure 4D.
- b) If the applicant is unable to furnish any of the above documents for any of the nominated vessels, the applicant must provide an explanation for this as Annexure 4E.

**Schedule 5 - Catch Utilisation**

- a) Section 5.2: If the applicant over- or under-caught by more than 10% in any year, a detailed explanation must be attached as Annexure 5A.

**Schedule 6 - Transformation**

- a) Section 6.3.1: If the applicant completed Section 6.3.1 in respect of the board of directors of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.3.1 for the applicant and the other entities separately, and submit these as Annexure 6A.
- b) Section 6.3.2: If the applicant completed Section 6.3.2 in respect of the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.3.2 for the applicant and the other entities separately, and submit these as Annexure 6B.
- c) Section 6.4.1: If the applicant completed Section 6.4.1 in respect of the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.4.1 for the applicant and the other entities separately, and submit these as Annexure 6C.
- d) Section 6.4.2: If "Yes," the applicant must provide details of contributions made to medical aid and pension, including details of the classes of beneficiaries, the employer's contributions and the nature of the benefits as Annexure 6D.
- e) Section 6.4.3: If "Yes," the applicant must provide details of the nature of the benefits provided, classes of beneficiaries and the employer's contribution as Annexure 6E.
- f) Section 6.5, 6.6.1 and 6.6.2: If the applicant completed Sections 6.5, 6.6.1 and 6.6.2 with reference to the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.5, 6.6.1 and 6.6.2 for the applicant and the other entities separately and submit these as Annexure 6F.
- g) Section 6.7.1: Explain how black shareholding and black voting rights were calculated as Annexure 6G. This annexure should include details of any Black Economic Empowerment deals the applicant has concluded. The annexure must also include a complete list of all shareholders, following the flow through principle. This list should indicate the name, identification / registration number, whether the shareholder is black (if natural person), or what percentage of the shareholder is black (if company or close corporation), the gender of the shareholder (if natural person), or what percentage of the shareholder is female (if company or close corporation).
- h) Section 6.7.3: If "Yes," provide details regarding the applicant's employee share scheme, paying particular attention to actual benefits to employees, as well as a copy of the employee share scheme policy as Annexure 6H.



**Schedule 6 - Transformation**

- i) Section 6.7.5: Provide a breakdown of all salaries, loans and dividends paid to shareholders for each year including the name, identification number of the shareholder, as well as whether the shareholder is Black (if natural person, or name and company registration number and percentage black shareholding or interest if juristic person), as Annexure 6I.
- j) Section 6.7.7: If the applicant completed any part of the table in question 6.7.7, the applicant must provide details regarding the entity, the relationship between the applicant and the entity, and whether the applicant or the applicant's holding company have any equity interest in the other entity, as Annexure 6J.
- k) Section 6.8.1: Provide a list of all the applicant's members names, identification number, whether the member is black and the gender of the member, as Annexure 6K.
- l) Section 6.8.3: If "Yes," provide details of the applicant's employee profit sharing scheme, paying particular attention to actual benefits to employees, as well as a copy of the employee share scheme policy as Annexure 6L.
- m) Section 6.8.5: Provide a breakdown of all salaries, loans and profit distribution paid to members for each year, including the name and identification number of the member, as well as whether the member is Black, as Annexure 6M.
- n) Section 6.8.7: If the applicant completed any part of the table in question 6.8.7, the applicant must provide details regarding the entity, the relationship between the applicant and the entity, and whether the applicant or the applicant's holding company have any equity interest in the other entity as Annexure 6N.
- o) Section 6.9: Provide a summary of the targets set in the Transformation Plan, the extent to which these were met and the measures taken to reach the targets as Annexure 6O.
- p) Section 6.10: If the applicant completed Section 6.10 with reference to the payroll and training budgets of both the applicant and of any other entity(ies) as per the Explanatory Notes, the applicant must complete the table in Section 6.10 for both the applicant and the other entity(ies) separately and submit these as Annexure 6P.
- q) Section 6.12: If the applicant completed Section 6.12 with reference to the leanerships of both the applicant and of any other entities as per the Explanatory Notes, the applicant must provide a breakdown of the information required in Section 6.12 for both the applicant and the other entities separately and submit these as Annexure 6Q.
- r) Section 6.13: If "Yes" provide a detailed description of the applicant's participation in such skills development programmes, as well as any supporting documentation from the SETA, as Annexure 6R.
- s) Section 6.14.1 and 6.14.2: If the applicant completed Sections 6.14.1 and 6.14.2 with reference to the skippers of both the applicant and of any other entities as per the Explanatory Notes, the applicant must provide a breakdown of the information required in Section 6.14.1 and 6.14.2 for both the applicant and the other entities separately and submit these as Annexure 6S.
- t) Section 6.15, 6.16 and 6.17: If the applicant completed Sections 6.15, 6.16 and 6.17 with reference to the donations of both the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the table in Section 6.17 for both the applicant and the other entities separately and submit these as Annexure 6T.
- u) Section 6.18, 6.19 and 6.20: If the applicant completed Sections 6.18 and 6.19 with reference to the donations of both the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the table in Section 6.20 for both the applicant and the other entities separately and submit these as Annexure 6U.
- v) Section 6.21: If "Yes" provide a copy of the Affirmative Procurement Policy as Annexure 6V.
- w) Section 6.22: Provide a breakdown of capital and operational expenditure paid to South African suppliers, including the percentage black ownership of these suppliers as Annexure 6W.
- x) Section 6.23: If "Yes," explain how the Applicant determined its affirmative procurement spend as Annexure 6X.



**Schedule 7 - Safety**

- a) Section 7.1: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure 7A.
- b) Section 7.2: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure 7B.
- c) Section 7.3: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure 7C.
- d) Section 7.4: If "Yes," provide a detailed description of the accident as Annexure 7D.
- e) Question 7.5: If "Yes," provide the name, identity number and qualification of each safety officer for each vessel. If "No," please provide a detailed explanation of why the applicant has not appointed a qualified safety officer for each vessel. The information provided under this section must be contained in Annexure 7E.
- f) Section 7.6: If "No," provide a detailed explanation as Annexure 7F.
- g) Section 7.7: If "Yes," provide a copy of the Safe Manning Document as Annexure 7G. If "No," and the nominated vessel is of 25 gross tonnage or more, provide a detailed explanation as Annexure 7G.
- h) Section 7.10: If "Yes," provide a copy of the policy as Annexure 7H. If "No," an explanation of why the applicant does not have an HIV/AIDS policy must be provided as Annexure 7H.
- i) Section 7.11: If "Yes," provide a copy of the Local General Safety Certificate as Annexure 7I. If "No," a detailed explanation must be provided as Annexure 7I.
- j) Section 7.13: If "Yes," provide details and documentation regarding the conduct of the applicant, its members, shareholders or directors resulting in the convictions and penalties imposed as Annexure 7J.
- k) Section 7.14: If "Yes," provide a copy of the plan as Annexure 7K. If "No," provided a detailed explanation of why not as Annexure 7K.

**Schedule 8 - Job Creation**

- a) Section 8.1: The applicant must provide breakdowns as described in the Explanatory Notes as Annexure 8A.
- b) Section 8.1.4: If the applicant completed Questions 8.1.4 with reference to the payrolls of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the table in Question 8.1.4 for both the applicant and the other entities separately, and submit these as Annexure 8B.

**Schedule 9 - Investment**

- a) Section 9.1 and 9.1.2: Provide breakdowns as described in the Explanatory Notes as Annexure 9A.
- b) Section 9.1.5: Provide a detailed explanation of all investments in marketing activities, including investments in distribution channels, product research and market research as Annexure 9B.
- c) Section 9.1.6: Provide a detailed explanation of all investments in processing activities as Annexure 9C.



**Schedule 10 - Local Economic Development**

- a) Section 10.3: If "Yes," provide a detailed explanation of all investments made in order to make landing catches at identified harbours possible as Annexure 10A.

**Schedule 11 - Value Add & Enterprise Development**

- a) Section 11.1: If "Yes," provide a detailed explanation of how the applicant is involved in value adding processes, and what the processes are, as Annexure 11A.
- b) Section 11.2: If "Yes," provide a detailed explanation of how the applicant is responsible for enterprise development as Annexure 11B.

**Schedule 12 - Performance (Financial)**

- a) Section 12.1: Provide a copy of the applicant's 2004 audited financial statements as Annexure 12A. The applicant's auditors will be required to confirm its responses to all questions in Section 12.
- b) Section 12.2: If the applicant completed the table in Section 12.2 with reference to the turnover of both the applicant and of any other entity(ies) as per the Explanatory Notes, the applicant must complete the table in Section 12.2 for both the applicant and the other entity(ies) separately and submit these as Annexure 12B

**Schedule 13 - Fishing Plan**

- a) Section 13: If "Yes," provide a synopsis of the applicant's fishing plan as Annexure 13A, paying particular attention to:
- a) days to be spent fishing per vessel nominated;
  - b) areas to be targeted;
  - c) species to be targeted and mix of species;
  - d) expected size of species to be targeted;
  - e) detailed information regarding:
    - Age
    - Size
    - Gear
    - Fishing capacity and
    - Processing capacity of each nominated vessel (where appropriate).

The fishing plan must clearly demonstrate the applicant's ability to perform effectively in the fishery.

**Schedule 14 - By-Catch and Environmentally Sustainable Practices**

- a) Section 14.1: Provide a detailed explanation of how the applicant manages bycatch, as Annexure 14A.
- b) Section 14.2: Provide a detailed explanation of measures put in place to reduce energy and fuel consumption on vessels and in processing facilities, as Annexure 14B.
- c) Section 14.3: Provide a detailed explanation of intended measures to reduce energy and fuel consumption on vessels and in processing facilities, as Annexure 14C.
- d) Section 14.4: Provide a detailed explanation of any research undertaken or sponsored by the applicant in relation to environmentally sustainable practices, as Annexure 14D.
- e) Section 14.5: Provide a detailed explanation of measures put in place to reduce damage to sea beds as Annexure 14E.



**FOR OFFICIAL USE ONLY: DO NOT TEAR OFF****RECEIPT****Received by:** \_\_\_\_\_**Date of Receipt:** 14 July 2005 or 15 July 2005**Time of Receipt:** \_\_\_\_\_ h \_\_\_\_\_**Application Number:** \_\_\_\_\_**Departmental Stamp:**

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**Disclaimer:** The receipting of this application does not imply an acknowledgement of the completeness of the application or the correctness of its content.

**RECEIPT - FOR APPLICANT TO RETAIN****Received by:** \_\_\_\_\_**Date of Receipt:** 14 July 2005 or 15 July 2005**Time of Receipt:** \_\_\_\_\_ h \_\_\_\_\_**Application Number:** \_\_\_\_\_**Departmental Stamp:**

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**Disclaimer:** The receipting of this application does not imply an acknowledgement of the completeness of the application or the correctness of its content.

APPLICATION NUMBER: ☐ lock the app no.

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM  
BRANCH: MARINE AND COASTAL MANAGEMENT

# Horse Mackerel

Long Term Rights Allocation Process: 2005

Cluster A

Application Form For: Medium Term Right Holders

Registered Name of Applicant

Company Registration Number  
orClose Corporation Registration  
Number

Principal Place of Business

Number of Vessels Nominated



**IMPORTANT INFORMATION****INSTRUCTIONS****GENERAL**

- 1) This application form must be read together with these instructions, the Explanatory Notes, the Schedules to the application form and the Procedures for Independent Auditors (available on the Public Accountants' and Auditors' Board website, [www.paab.co.za](http://www.paab.co.za) or [www.saica.co.za](http://www.saica.co.za)).
- 2) When completing the application form, applicants are advised to read carefully the General Policy on the Allocation and Management of Long Term Fishing Rights, as well as the applicable Fishery Specific Policy. These policies are available at [www.mcm-deat.gov.za](http://www.mcm-deat.gov.za). The policies guide the Minister or his delegate when considering the application.
- 3) Should the applicant have any queries regarding the completion of the application form, it must e-mail the Department at [clusters@deat.gov.za](mailto:clusters@deat.gov.za). Every query and response will be collated and circulated by e-mail to all the applicants in the sector and will be made available on [www.mcm-deat.gov.za](http://www.mcm-deat.gov.za). Should the applicant require technical assistance with the application form software, it must contact the Rights Verification Unit in one of the following ways:

Tel: (021) 670-3669

Fax: (021) 670-1782

E-mail: [RVU@deloitte.co.za](mailto:RVU@deloitte.co.za)

Applicants or their representatives may not communicate with the Minister, the delegated authority, or officials in the Department regarding their applications in any other manner. Moreover, no reliance may be placed on any information given or obtained in any other manner.

**ICONS**

- 4) Applicants must pay attention to the icons in the application form in order to determine whether:
  - the information provided will be treated as confidential;
  - there is any documentation or information required in response to a question in the form of an annexure;
  - the applicant's auditors need to verify a response; and
  - there are consequences of not answering a question.

- 5) The application form makes use of the following icons:



The books icon means that the information provided will be treated as confidential.



The clipboard icon means that the applicant must complete the corresponding Schedule to the application form. Applicants are instructed in the schedules regarding the documentation or information required as annexures. If the required documentation or information is not submitted, the application may be adversely affected. Failure to submit certain requested documents or information may result in the application being refused.



The magnifying glass icon means that the applicant's response to the question must be verified by an auditor (registered with the Public Accountants and Auditors board) engaged by the applicant as per the Procedures for Independent Auditors. The auditor must complete and sign the Audit Report on failing which the application will be refused.



The warning icon means that if the applicant fails to answer the question, the answer will be deemed to be adverse to the applicant.

**COMPLETION OF APPLICATION FORM**

- 6) The applicant must complete all sixteen sections of the application form. The applicant must respond in the spaces provided in the application form. Information may not be submitted by way of annexures except where applicants are specifically allowed to do so.
- 7) The application form must be completed electronically, and saved onto the two blank CDs provided on registration. One of these CDs must be submitted in the manner described below, while the other must be retained by the Applicant. Annexures to the application form do not need to be scanned and saved on to the CDs. The Department may request additional electronic copies of the application at a later stage.
- 8) This form is tagged and coded in order to facilitate electronic uploading of the application into a database. The applicant may not submit the application in any other form. If the applicant submits its application in any other form, the application will be refused.
- 9) The application must also be printed out and the declaration must be signed and attested by the Applicant's authorised representative, and, if applicable, the authorised representative(s) of the holding company, sister company(ies) and the joint venture partner(s). If the declaration is not signed and attested, the application will be refused.
- 10) The printed version of the electronic application, duly signed and attested, must be punched and placed into lever arch files with a divider before each annexure. The annexures must be numbered according to the schedules. Confidential information requested under questions marked by the books icon should be placed in a sealed A4 envelope marked with the application number, punched and placed in the lever arch file after the annexures.

**IMPORTANT INFORMATION****INSTRUCTIONS**

- 11) One true copy of the printed version of the application must be made. This copy must be punched and divided in the same manner as the original. The copy does not have to be certified as a true copy of the original, but it will be assumed to be the same as the original. Any discrepancy may invalidate the application.

**LODGEMENT OF APPLICATION**

- 12) The CD containing the application, the original printed version (signed and attested), and a copy of the printed version must be hand delivered to the place, on the dates and times stated below:

Place: Good Hope Centre

Dates and Times: Thursday 14 July 2005 between 08h00 and 19h00, or Friday 15 July between 08h00 and 17h00

- 13) The application may not be submitted by post or by fax. An application not submitted by hand within the above times, on the above dates at the above address will be refused.

**IMPROPER LODGEMENT**

- 14) Improperly lodged applications will be refused.

An application is improperly lodged if:

- it is received late;
- the applicant makes no payment, or short payment, or late payment of the application fee;
- the application is lodged in a manner contrary to the instructions.

**MATERIAL DEFECTS**

- 15) Applications that are materially defective will be refused.

An application is materially defective if:

- the declaration is not signed and attested by the Applicant's authorised representative, and, if applicable, the authorised representative(s) of the holding company, sister company(ies) and the joint venture partner(s);
- the auditor's report is not submitted or signed;
- more than one application is received for a right in the same sector;
- the applicant, or, if applicable, the holding company, sister company(ies) and the joint venture partner(s) provides false information or documents, fails to disclose material information or attempts to influence the Minister or the delegated authority other than in the manner provided for in the General Policy and in this application form.



**Section 1****Applicant Details**

1. The applicant must supply a profile of its organisation including an organogram and a description of its fishing operations, as Schedule 1A. 

1.1 Registered Name of Applicant

1.2 Trading Name of Applicant:

1.3 Registration Number:

1.4 Income Tax Number:

1.5 Vat Number:

1.6 Skills Development Levy Number:

- 1.7 Have the applicant's details (1.8.1 - 1.8.7d) changed since the applicant registered?

☐ Yes ☐ No

- 1.8 If "Yes", complete only those details that have changed:

1.8.1 Principal Place of Business:

Number and Street:

Suburb:

Town / City:

Postal Code:

1.8.2 Postal Address: Number and Street / PO Box:

Suburb:

Town / City:

Postal Code:

Area Code:

1.8.3 Telephone Number:

1.8.4 Additional Telephone Number:

1.8.5 Fax Number:

1.8.6 Authorised Contact Person First Name:

1.8.7 Authorised Contact Person Surname:

a) Identity Number:

b) Position Held / Relationship to Applicant

c) Cellular Number:

d) E-mail Address:

**Section 2****Form of Applicant**

2.1 Does the applicant currently hold a medium term fishing right in this sector?

☐ Yes ☐ No



2.2 If "Yes", to which entity or person was the medium term fishing right allocated in 2001/2002?

<input checked="" type="checkbox"/> Company	<input type="checkbox"/>	Name	
<input type="checkbox"/> Close Corporation	<input type="checkbox"/>	Name	
<input type="checkbox"/> Trust	<input type="checkbox"/>	Name	
<input type="checkbox"/> Individual	<input type="checkbox"/>	Name	

2.3 In what form of entity is the medium term fishing right currently held?



<input type="checkbox"/> Company	<input type="checkbox"/>	Name	
<input type="checkbox"/> Close Corporation	<input type="checkbox"/>	Name	
<input type="checkbox"/> Trust	<input type="checkbox"/>	Name	
<input type="checkbox"/> Individual	<input type="checkbox"/>	Name	

2.4 Is the applicant more than 50% South African owned?

☐ Yes ☐ No



2.5 Does the applicant have a valid tax clearance certificate?

☐ Yes ☐ No



2.6 Complete the following table in relation to asset value and turnover:



Year	Turnover	Gross Asset Value (excluding fixed property)
2004 (Financial Year End)		

2.7 Does the applicant hold any share(s) in any other company that is applying as a medium term right holder in this sector?

☐ Yes ☐ No



2.8 Does the applicant hold any share(s) in any company that is applying as a new entrant in this sector?

☐ Yes ☐ No

**Section 3****Compliance**

3.1 Has the applicant, or any of its members, shareholders or directors:

3.1.1 been convicted of a contravention of the MLRA, or the regulations, or permit conditions during the medium term right period?

☐ Yes ☐ No



3.1.2 entered into a plea bargain under the Criminal Procedure Act 51 of 1977, for a contravention of the MLRA, or the regulations, or permit conditions during the medium term right period?

☐ Yes ☐ No



3.1.3 paid an admission of guilt fine for a contravention of the MLRA, the regulations, or the permit conditions during the medium term right period?

☐ Yes ☐ No





## Section 3

## Compliance

- 3.1.4 been charged with an offence under the MLRA, or the regulations or permit conditions during the medium term right period?
- 3.2 Has a fishing vessel, motor vehicle, premises or any other assets of the applicant, or any of its shareholders, members or directors been detained, arrested or seized under the MLRA or restrained, preserved, confiscated or forfeited under the Prevention of Organised Crime Act 121 of 1998 during the medium term right period?
- 3.3 Was the applicant's right or permit suspended, revoked, cancelled, reduced or altered under section 28 of the MLRA during the medium term right period?

☐ Yes ☐ No

☐ Yes ☐ No

☐ Yes ☐ No


## Section 4

## Vessel Details

- 4.1 How many vessels has the applicant nominated for use in this fishery?

- 4.2 Fill in the relevant details in the tables below regarding each vessel nominated:



Vessel 1	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 2	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



## Section 4

## Vessel Details



Vessel 3	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 4	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 5	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



## Section 5

### Catch Utilisation

5.1 Did the applicant over-catch or under-catch by more than 10% during the medium term rights period?

☐ Yes ☐ No



5.2 Complete the following in relation to the applicant's catch records.



Year	Annual Catch Allocation (in metric tons)	Total Actual Catch of Applicants Allocation (Nominal tons)	Percentage under-caught	Percentage over-caught
2002 Season				
2003 Season				
2004 Season				

## Section 6

### Transformation

### Management and Employment Equity

6.1 Was the applicant a designated employer as defined in section 1 of the Employment Equity Act, 55 of 1998 as at 28 February 2005?

☐ Yes ☐ No



6.2.1 If "Yes", has the applicant complied with the Employment Equity Act, 55 of 1998?

☐ Yes ☐ No



6.2.2 If "No", has the applicant voluntarily complied with the Employment Equity Act, 55 of 1998?

☐ Yes ☐ No



**Section 6****Transformation****Management and Employment Equity**

6.3.1 Complete the table below in respect of the applicant's board of directors (if a company) or members (if a close corporation) as at 28 February 2005.



	Director / Member Name (Initial & Surname)	Years of Service	Total Annual Remuneration (Total Cost to Company)	Black (Y/N)	Gender (M/F)	ID Number
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						



Section 6

Transformation

Management and Employment Equity



6.3.2 Complete the table below in respect of employees at 28 February 2005.

Between 1 - 5 Employees	The Top Salary Earner (Total Cost to Company)
Between 6 - 30 Employees	The Top Two Salary Earners (Total Cost To Company)
Between 31 - 60 Employees	The Top 3 Salary Earners (Total Cost to Company)
Between 61 - 165 Employees	The Top 4 Salary (Total Cost to Company) Earners
More than 165 Employees	The Top 3% of Salary Earners (Total Cost to Company) up to 90 Employees

Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black Percentage of Total (Y/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						

## Section 6

## Transformation

## Management and Employment Equity



	Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black (Y/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
20							
21							
22							
23							
24							
25							
26							
27							
28							
29							
30							
31							
32							
33							
34							
35							
36							
37							
38							
39							
40							
41							
42							
43							
44							
45							
46							
47							
48							
49							
50							
51							
52							
53							
54							
55							



## Section 6

### Transformation

### Management and Employment Equity



	Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black (Y/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
56							
57							
58							
59							
60							
61							
62							
63							
64							
65							
66							
67							
68							
69							
70							
71							
72							
73							
74							
75							
76							
77							
78							
79							
80							
81							
82							
83							
84							
85							
86							
87							
88							
89							
90							



## Section 6

## Transformation

## Management and Employment Equity

6.4.1 Complete the following table in relation to income levels of the applicant's permanent employees at 28 February 2005:

	Gross Monthly Income (Total Cost to Company)	Number of Employees	Percentage of Total Employees	Number of Black Employees	Percentage of Total Black Employees	Number of Female Employees
1	<R2 500					
2	Between R2 500 and R5 500					
3	Between R5 501 and R10 500					
4	Between R10 501 and R16 000					
5	Between R16 001 and R20 000					
6	Between R20 001 and R25 000					
7	Between R25 001 and R30 000					
8	Between R30 001 and R40 000					
9	Between R40 001 and R60 000					
10	>R60 000					
	Total		100%		100%	

6.4.2 Does the applicant contribute towards medical aid and pension for its employees?

☐ Yes ☐ No

6.4.3 Does the applicant provide any other type of benefits for its employees?

☐ Yes ☐ No

6.5 Complete the following table in relation to the applicant's employment equity profile as provided to the Department of Labour in October 2004. If the applicant is not designated or did not voluntarily comply then the table must be completed as at 28 February 2005.

										Total	
Occupational Categories	Gender	A No	A %	C No	C %	I No	I %	W No	W %	ACI %	F%
Top & Senior Management / Senior Officials and Managers	Male										
	Female										
Professionally Qualified and experienced specialists and mid-management / Professionals	Male										
	Female										
Skilled Technical and academically qualified workers, supervisors, foremen, and superintendents / Technicians and Associate Professionals	Male										
	Female										
Semi-skilled and discretionary decision-making and unskilled and undefined decision-making / Clerks, Service & Sales Workers, Fishery Workers, Artisans & Related Trade Workers, Plant & Machine Operators & Assemblers, Elementary Occupations	Male										
	Female										
TOTAL	Male										
	Female										

A = African, C = Coloured, I = Indian, W = White, M = Male, F = Female, ACI = African, Coloured and Indian







## Section 6

## Transformation

## Ownership - Companies Only

6.7 Is the applicant a company?

☐ Yes ☐ No

6.7.1 If "Yes", complete the table below in respect of shareholding held by black persons:

Year	Percentage Shareholding Held by Black Persons	Percentage Voting Rights Held by Black Persons	Percentage of Dividends Black Shareholders are Entitled To
2001 (as in 2001 application form)			
2005 (at date of application)			

6.7.2 Complete the following table in relation to shareholding held by women based on the flow through principle:

Year	Percentage Shareholding Held by Women	Percentage Voting Rights Held by Women	Percentage of Dividends Women are Entitled To
2005 (at date of application)			

6.7.3 Did the applicant have a share scheme in place in 2004 for employees?

☐ Yes ☐ No

6.7.4 If "Yes", what is the percentage shareholding held by or for employees not listed under question 6.3.2, through the scheme?

6.7.5 Complete the following table in relation to monies paid to shareholders:

Year	Salaries Paid to Shareholders	Loans Made to Shareholders	Dividends Paid to Shareholders
2002 (financial year)			
2003 (financial year)			
2004 (financial year)			

6.7.6 Was the applicant managed by another entity, or was the catching, processing or marketing of the 2004 allocation in this fishery performed by another entity during the 2004 financial year?

☐ Yes ☐ No

6.7.7 If "Yes", complete the table below:

Function	Rand Amount Paid to Other Entity during the 2004 Financial Year	Rand Amount as a Percentage of the Applicant's Total Turnover in 2004
Management		
Catching		
Processing		
Marketing		



## Section 6

### Transformation

#### Ownership - Close Corporations Only

6.8 Is the applicant a close corporation ?

☐ Yes ☐ No

6.8.1 If "Yes", complete the table below in respect of members interest held by black persons:



Year	Percentage Interest Held by Black Persons	Percentage Voting Rights Held by Black Persons	Percentage Profit Distribution Black Persons are Entitled To
2001 (as in 2001 application form)			
2005 (as at date of application)			

6.8.2 Complete the table below in relation to members interest held by women:



Year	Percentage Interest Held by Women	Percentage Voting Rights Held by Women	Percentage Profit Distribution Women are Entitled To
2005 (as at date of application)			

6.8.3 Did the applicant have a profit sharing scheme for employees in place in 2004?

☐ Yes ☐ No



6.8.4 If "Yes", what percentage of profit were employees not listed under question 6.3.2 entitled to?



6.8.5 Complete the following table in relation to monies paid to members:



Year	Salaries Paid to Members	Loans Made to Members	Profit Distributed to Members
2002 (financial year)			
2003 (financial year)			
2004 (financial year)			

6.8.6 Was the applicant managed by another entity, or was the catching processing or marketing performed by another entity during the 2004 financial year?

☐ Yes ☐ No

6.8.7 If "Yes", complete the table below:



Function	Rand Amount Paid to Other Entity	Rand Amount as a Percentage of the Applicant's Turnover in 2004
Management		
Catching		
Processing		
Marketing		



## Section 6

### Transformation

### Skills Development

6.9 Has the applicant met the targets set in the Transformation Plan submitted in 2001? ☐ Fully ☐ Somewhat/Partially ☐ Not at all

6.10 Complete the following table in relation to compliance with the Skills Development Levies Act 9 of 1998:

Year	Did the applicant submit Workplace Skills Plan which was approved (Y/N)	Did the applicant submit an Annual Training Report which was approved (Y/N)	Rand Amount Paid to SARS in skills development levies	Percentage Salaries Bill Spent on Training	Percentage of Training Budget Spent on Black Employees
2001 (financial year end)					
2002 (financial year end)					
2003 (financial year end)					
2004 (financial year end)					

6.11 Did the applicant participate in a learnership programme during the medium term rights period? ☐ Yes ☐ No

6.12 If "Yes," indicate the number of learnerships as a percentage of the employees in respect of whom the applicant prepared IRP5 certificates in 2004 (tax year end).

6.13. Did the applicant participate in any other skills development programmes through its SETA in 2004 such as an SME Support Strategy?

☐ Yes ☐ No

6.14.1 How many skippers are used by the applicant?

6.14.2 What percentage of these skippers are black?

### Corporate Social Investment

6.15 Does the applicant make donations of its annual taxable income which qualify for deduction in terms of section 18A of the Income Tax Act 58 of 1962 ?

☐ Yes ☐ No

6.16 If "Yes", indicate what percentage of net profit earned in the 2004 financial year these donations amount to:

☐ 0 - 0.5 %

☐ 0.5 - 1 %

☐ > 1 %



## Section 6

### Transformation

### Corporate Social Investment

6.17 Indicate the five largest tax deductible donations made per annum since 2001 in the table below.

Year	Benefiting Organisation	Rand Value of Amount Donated
2001 - 1		
2001 - 2		
2001 - 3		
2001 - 4		
2001 - 5		
Year	Benefiting Organisation	Rand Value of Amount Donated
2002 - 1		
2002 - 2		
2002 - 3		
2002 - 4		
2002 - 5		
Year	Benefiting Organisation	Rand Value of Amount Donated
2003 - 1		
2003 - 2		
2003 - 3		
2003 - 4		
2003 - 5		
Year	Benefiting Organisation	Rand Value of Amount Donated
2004 - 1		
2004 - 2		
2004 - 3		
2004 - 4		
2004 - 5		

6.18 Does the applicant make any other donations (in addition to those which qualify for deduction in terms of section 18A of the Income Tax Act 58 of 1962, but not including school fees)?

☐ Yes ☐ No

6.19 If "Yes", indicate what percentage of net profit earned in the 2004 financial year these other donations amount to :

☐ 0 - 0.5 %

☐ 0.5 - 1 %

☐ > 1 %

6.20 If other donations were made, indicate the five largest such donations made in 2004 in the table below:

Year	Benefiting Organisation	Rand Value of Amount Donated
2004 - 1		
2004 - 2		
2004 - 3		
2004 - 4		
2004 - 5		

**Section 6****Transformation****Affirmative Procurement**

6.21 Does the applicant have a written affirmative procurement policy?

☐ Yes ☐ No



6.22 Provide the following information in relation to the applicant's top ten South African suppliers (operational expenditure) in 2004:



Name of Supplier	Percentage of Black Ownership of Supplier	Amount Paid to Supplier in Rands in 2004	Percentage of Total Expenses

6.23 Has the applicant determined its affirmative procurement spend as a percentage of total procurement spend?

☐ Yes ☐ No



6.24 Has the applicant instituted a system to measure its affirmative procurement spend as a percentage of total procurement spend in future?

☐ Yes ☐ No

**Section 7****Vessel, Crew and Environmental Safety****Contraventions**

7.1 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of penalty under section 324 of the Merchant Shipping Act, 57 of 1951?

☐ Yes ☐ No




7.2 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of penalty for contravening the Maritime Occupational Safety Regulations of 1994?

☐ Yes ☐ No













**Section 7****Vessel, Crew and Environmental Safety  
Contraventions**

- 7.3 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of a penalty for contravening the Crew Accommodation Regulations, 1961? ☐ Yes ☐ No 



**Crew Safety and Working Conditions**

- 7.4 Has the applicant ever reported an accident in terms of section 6 of the Maritime Occupational Safety Regulations? ☐ Yes ☐ No 
- 7.5 Has a qualified safety officer been appointed for each nominated vessel in terms of section 36 of the Maritime Occupational Safety Regulations? ☐ Yes ☐ No 
- 7.6 Has every crew member on board each nominated vessel completed the approved safety induction training required by the Merchant Shipping Act, 57 of 1951? ☐ Yes ☐ No 
- 7.7 If a nominated vessel is of 25 gross tonnage or more, has the vessel been issued with a valid SAMSA Safe Manning Document required in terms of the Merchant Shipping (Safe Manning) Regulations? ☐ Yes ☐ No 
- 7.8 Has the applicant completed a formal safety assessment in terms of Marine Notice no 26 of 2004? ☐ Yes ☐ No 
- 7.9 Has the applicant registered with the Commissioner in terms of the Compensation for Occupational Injuries and Diseases Act 130 of 1993? ☐ Yes ☐ No 
- 7.10 Does the applicant have an HIV/AIDS policy? ☐ Yes ☐ No 

**Vessel Safety**

- 7.11 Have the nominated vessel(s) been issued with a valid Local General Safety Certificate? ☐ Yes ☐ No 
- 7.12 Are any operational limits imposed on the nominated vessel(s) by its Local General Safety Certificate (E.g. No more than 200 nautical miles off the South African coast)? ☐ Yes ☐ No

**Environmental Safety**

- 7.13 Has the applicant, during the medium term right period, been convicted or forfeited a deposit for contravening any part of the Marine Pollution (Prevention of Pollution from Ships) Act 2 of 1986 or Section 30 of the Marine Pollution (Control and Civil Liability) Act 6 of 1981? ☐ Yes ☐ No 
- 7.14 Does the applicant have a Garbage Management Plan for each nominated vessel as stipulated in terms of Annex V of Marpol, as set out in the Schedule to the Marine Pollution (Prevention of Pollution from Ships) Act 2 of 1986? ☐ Yes ☐ No 



## Section 8

## Job Creation

8.1 Complete the following tables in relation to job creation.

8.1.1 Table 1

Year	Employees in respect of which the applicant prepares IRP5 Certificates (Land Based)	Employees in respect of which the applicant prepares IRP5 Certificates (Sea Based)	Employees in respect of which the applicant does not prepare IRP5 Certificates (Land Based)	Employees in respect of which the applicant does not prepare IRP5 Certificates (Sea Based)	Total Number of Employees (Columns 1-4)	Total Amount of Salary Bill as per Financial Statements	Percentage increase or decrease in total number of employees
2001 (date of application)							
2002 (financial year end)							
2003 (financial year end)							
2004 (financial year end)							
2005 (28 February 2005)							

8.1.2 Table 2

Applicant's Annual Catch Allocation (in tons) to the applicant in this fishery in 2004	Total Annual Salary Bill (in relation to this fishery) 2004 Financial Year End as per Table 8.1.1	How much does the applicant spend on salaries/wages per ton allocated?

8.1.3 Table 3

Applicant's Annual Catch Allocation (in tons) in this fishery in 2004	Total Employees (in relation to this fishery) (28 February 2005)	How many people does the applicant employ per ton allocated?	Total Employees less Seasonal Employees (in relation to this fishery) (28 February 2005)	How many people (less seasonal employees) does the applicant employ per ton allocated?

8.1.4 Table 4

Applicant's five highest annual salaries (total cost to company) paid between 1 March 2004 and 28 February 2005	Average of top five salaries	What was the multiple between the average of the five lowest and the average of the five highest salaries at 28 February 2005?
Applicant's five lowest annual salaries (total cost to company) paid between 1 March 2004 and 28 February 2005	Average of lowest five salaries	



## Section 9

## Investment

9.1 Complete the following tables:

9.1.1 Table 1

Year	Book Value of Total Fixed Assets (in relation to this fishery)	Percentage Increase or Decrease in Rand Value of Total Fixed Assets (in relation to this fishery)	Total Book Value of Total Land Based Fixed Assets (in relation to this fishery)	Total Book Value of Harbour and Sea Based Fixed Assets (in relation to this fishery)
2002 (financial year end)				
2003 (financial year end)				
2004 (financial year end)				

9.1.2 Table 2

Year	Insured Value of Total Fixed Assets (in relation to this fishery)	Percentage Increase or Decrease in Rand Value of Total Fixed Assets (in relation to this fishery)	Total Insured Value of Total Land Based Fixed Assets (in relation to this fishery)	Total Insured Value of Harbour and Sea Based Fixed Assets (in relation to this fishery)
2002 (financial year end)				
2003 (financial year end)				
2004 (financial year end)				

9.1.3 Table 3

Annual Catch Allocation (in tons) to the applicant in 2004	Book Value (in rands) of harbour and sea-based assets at 2004 financial year end	Book Value (in rands) of land-based assets at 2004 financial year end	Book Value of Harbour and Sea-Based Assets per ton allocated to applicant	Book Value of Land-Based Assets per ton allocated to applicant

9.1.4 Table 4

Annual Catch Allocation (in tons) to the applicant in 2004	Insured Value (in rands) of harbour and sea-based assets at 2004 financial year end	Insured Value (in rands) of land-based assets at 2004 financial year end	Insured Value of Harbour and Sea-Based Assets per ton allocated to applicant	Insured Value of Land-Based Assets per ton allocated to applicant

9.1.5 A detailed explanation of all investment made in marketing activities must be included as an annexure.

9.1.6 A detailed explanation of all investment made in processing activities must be included as an annexure.



**Section 9****Investment**

9.1.7 Has the applicant invested in on-board or land based processing facilities?

☐ Yes ☐ No

9.1.8 If yes, please complete the following table:

Annual Catch Allocation (in metric tons) to the applicant in 2004	Nominal Tons of Applicant's Allocation Processed On Board Vessel	Nominal Tons of Applicant's Allocation Processed on Land	Nominal Tons Processed on Behalf of other Right Holders On Board Vessel	Nominal Tons Processed on Behalf of other Right Holders on Land

**Section 10****Local Economic Development**

10.1 Complete the following table in relation to harbours and landing sites used:

Harbour / Landing Site Name	Tons Landed at Harbour in 2004 calendar year	Percentage of Total Catch Landed in 2004 calendar year
<b>TOTAL</b>		

10.2 At which harbours and  
landing sites will the  
applicant land its catches?

Harbour / Landing Site Names	

10.3 Has the applicant made any investment in physical infrastructure at these  
harbours or landing sites in order to improve or make landing catches at  
these harbours possible?☐ Yes ☐ No



**Section 11****Value Add & Enterprise Development**

11.1 Is the applicant directly involved in any value adding process in this fishery?

☐ Yes ☐ No



11.2 Has the applicant been responsible for any enterprise development?

☐ Yes ☐ No

**Section 12****Performance****Financial**

12.1 What is the applicant's 2004 audited, verified or certified Annual Turnover?



12.2 Indicate the rand value and percentage of total turnover derived from this fishery:

Annual Catch Allocation (in tons) to the Applicant in 2004	Turnover Generated in 2004 financial year by Annual Catch Allocation	Percentage of Total Turnover

12.3 Complete the following table in relation to ratio performance:

Year	Return on Net Assets (RONA)	Debt: Equity Ratio	Current Ratio	Quick Ratio (Acid Test)
2001				
2002				
2003				
2004				

12.4 Provide the following information in relation to the applicant's income statements:

Year	Turnover	Profit After Tax	Retained Earnings	Dividends Paid / Distribution of Profits
2001				
2002				
2003				
2004				



**Section 12****Performance****Financial**

12.5 Provide the following information in relation to the applicant's balance sheet:

Year	Assets	Long-Term Liabilities	Current Liabilities	Shareholder's Equity / Member's Contribution
2001				
2002				
2003				
2004				

12.6 Provide the following information in relation to the applicant's cash flow:

Year	Net Cash Inflow / Outflow from Operations	Net Cash Inflow / Outflow from Investing Activities	Net Cash Inflow / Outflow from Financing Activities
2001			
2002			
2003			
2004			

**Section 13****Fishing Plan**

13.1 Does the applicant have a fishing plan?

☐ Yes ☐ No

**Section 14****By-Catch and Environmentally Sustainable Practices****By-Catch**

14.1 Indicate the proportion of the applicant's annual catch that is made up of by-catch species:



Year	Annual By-Catch (in tons)	Annual Utilised By-Catch as a Percentage of Total Catch	Annual Unutilised By-Catch, Juvenile Species and Endangered Species as a Percentage of Total Catch
2001			
2002			
2003			
2004			



Section 14

By-Catch and Environmentally Sustainable Practices

- 14.2 Has the applicant put in place any measures to reduce energy and fuel consumption on vessels, and in processing facilities?

☐ Yes ☐ No ☒
- 14.3 Does the applicant intend to put in place any measures to reduce energy and fuel reduction consumption on vessels, and in processing facilities?

☐ Yes ☐ No ☒
- 14.4 Has the applicant undertaken or sponsored any research in relation to environmentally sustainable practices?

☐ Yes ☐ No ☒
- 14.5 Has the applicant put measures in place to reduce damage to sea beds?

☐ Yes ☐ No ☒

Section 15

Fishing Levies

15.1 Please provide the following information in relation to levies paid since 2001:

Year	Species	Total Catch in Tons	Levies Paid
2001			
2001			
2001			
2001			
2001			
2002			
2002			
2002			
2002			
2002			
2003			
2003			
2003			
2003			
2003			
2004			
2004			
2004			
2004			
2004			

15.2 What was the date and amount of the applicant's most recent levy payment?

Date  
yyyy/mm/dd

Amount



## Section 16

## Applicant Declaration

I, the undersigned, do hereby make oath and declare that:

- (a) I have read the instructions set out on pages 2 and 3 of this application form;
- (b) the information submitted with and in this Application is true and correct and complete.
- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material Information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to my application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) The applicant undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (f) The applicant accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address

## Holding Company Declaration

I, the undersigned, do hereby make oath and declare that:

- (a) I have read the instructions set out on pages 2 and 3 of this application form;
- (b) the information submitted with and in this Application is true and correct and complete.
- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material Information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to the application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (f) \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address



**Section 16****Sister Company Declaration**

I, the undersigned, do hereby make oath and declare that:

- (a) I have read the instructions set out on pages 2 and 3 of this application form;
- (b) the information submitted with and in this Application is true and correct and complete.
- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to my application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (f) \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

**Signature of Authorised Representative of Sister Company (if applicable)**

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address

**JV Partner Declaration**

I, the undersigned, do hereby make oath and declare that:

- (a) I have read the instructions set out on pages 2 and 3 of this application form;
- (b) the information submitted with and in this Application is true and correct and complete.
- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to the application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (f) \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

**Signature of Authorised Representative of JV Partner (if applicable)**

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address



**SCHEDULES**

**IF THE APPLICANT CANNOT PROVIDE THE INFORMATION REQUESTED IN ANY OF THE SCHEDULES BELOW, THE APPLICANT MAY SUBMIT AN EXPLANATION FOR THIS IN PLACE OF THAT ANNEXURE**

**Schedule 1 - Applicant Details**

- a) Provide, as Annexure 1A a brief profile of the applicant organisation including an organogram which clearly indicates the applicant's business model including holding company, sister company and joint venture partner relationships. The applicant should pertinently indicate if it intends to apply in more than one sector, is involved in industries other than the fishing industry and if the applicant does rely on information of holding companies, sister companies and joint venture partners in this application. The profile may not exceed 5 pages.
- b) Section 1.3: Provide a copy of a valid company or close corporation registration certificate as Annexure 1B.
- c) Section 1.8.6: Provide a copy of a resolution duly authorising the person named in Section 1.8.6 to be the authorised contact person, as Annexure 1C.

**Schedule 2 - Form of Applicant**

- a) Section 2.1: Provide a copy of the 2005 permit as Annexure 2A.
- b) Section 2.2: Provide a copy of the letter granting a right as Annexure 2B.
- c) Section 2.3: If the medium term right is currently held by an entity different from the one listed in Section 2.2, provide a detailed explanation as Annexure 2C.
- d) Section 2.5: Provide a copy of a valid SARS tax clearance certificate as Annexure 2D.
- e) Section 2.7: If "Yes," provide a detailed statement describing percentage of shareholding, the name and the registration number of the company as Annexure 2E.
- f) Section 2.8: If "Yes," provide a detailed statement describing percentage of shareholding, the name and the registration number of the company as Annexure 2G.

**Schedule 3 - Compliance**

- a) Section 3.1.1: If "Yes", provide details and documentation regarding the conduct of the applicant, the identity and conduct of the members, shareholders or directors resulting in the conviction, the dates of conviction, and the penalties imposed as Annexure 3A.
- b) Section 3.1.2: If "Yes", provide details and any documentation of the plea bargain arrangement entered into, and details regarding the conduct and identity of the individuals giving rise to the plea bargain, the dates and specifics of the plea bargain, as Annexure 3B.
- c) Section 3.1.3: If "Yes", provide details and any documentation regarding the admission of guilt fine paid, including information regarding the conduct and identity of the individuals giving rise to the fine, the date of offence and rand amount paid as Annexure 3C.
- d) Section 3.1.4: If "Yes", provide details and any documentation regarding the offence including information regarding the conduct and identity of the individuals giving rise to the fine, the date of offence and penalty as Annexure 3D.
- e) Section 3.2: If "Yes", provide details regarding the detention, arrest or seizure, including information regarding the conduct and identity of individuals involved as Annexure 3E. Also provide details if a final confiscation or forfeiture order was / was not granted under the Prevention of Organised Crime Act.
- f) Section 3.3: If "Yes", provide details and any documentation including the identity and conduct of individuals giving rise to the Section 28 procedure as Annexure 3F.



**Schedule 4 - Vessel Details**

- a) Section 4.2: For each vessel nominated, provide copies of the following documents:
- i) SAMSA Safety Certificate(s) as Annexure 4A;
  - ii) South African Certificate(s) of Registry as Annexure 4B;
  - iii) agreement(s) providing access to the vessel if the applicant is not the majority shareholder or the sole owner of the vessel as Annexure 4C;
  - iv) Local General Safety Certificate(s) as Annexure 4D.
- b) If the applicant is unable to furnish any of the above documents for any of the nominated vessels, the applicant must provide an explanation for this as Annexure 4E.

**Schedule 5 - Catch Utilisation**

- a) Section 5.2: If the applicant over- or under-caught by more than 10% in any year, a detailed explanation must be attached as Annexure 5A.

**Schedule 6 - Transformation**

- a) Section 6.3.1: If the applicant completed Section 6.3.1 in respect of the board of directors of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.3.1 for the applicant and the other entities separately, and submit these as Annexure 6A.
- b) Section 6.3.2: If the applicant completed Section 6.3.2 in respect of the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.3.2 for the applicant and the other entities separately, and submit these as Annexure 6B.
- c) Section 6.4.1: If the applicant completed Section 6.4.1 in respect of the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.4.1 for the applicant and the other entities separately, and submit these as Annexure 6C.
- d) Section 6.4.2: If "Yes," the applicant must provide details of contributions made to medical aid and pension, including details of the classes of beneficiaries, the employer's contributions and the nature of the benefits as Annexure 6D.
- e) Section 6.4.3: If "Yes," the applicant must provide details of the nature of the benefits provided, classes of beneficiaries and the employer's contribution as Annexure 6E.
- f) Section 6.5, 6.6.1 and 6.6.2: If the applicant completed Sections 6.5, 6.6.1 and 6.6.2 with reference to the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.5, 6.6.1 and 6.6.2 for the applicant and the other entities separately and submit these as Annexure 6F.
- g) Section 6.7.1: Explain how black shareholding and black voting rights were calculated as Annexure 6G. This annexure should include details of any Black Economic Empowerment deals the applicant has concluded. The annexure must also include a complete list of all shareholders, following the flow through principle. This list should indicate the name, identification / registration number, whether the shareholder is black (if natural person), or what percentage of the shareholder is black (if company or close corporation), the gender of the shareholder (if natural person), or what percentage of the shareholder is female (if company or close corporation).
- h) Section 6.7.3: If "Yes," provide details regarding the applicant's employee share scheme, paying particular attention to actual benefits to employees, as well as a copy of the employee share scheme policy as Annexure 6H.



**Schedule 6 - Transformation**

- i) Section 6.7.5: Provide a breakdown of all salaries, loans and dividends paid to shareholders for each year including the name, identification number of the shareholder, as well as whether the shareholder is Black (if natural person, or name and company registration number and percentage black shareholding or interest if juristic person), as Annexure 6I.
- j) Section 6.7.7: If the applicant completed any part of the table in question 6.7.7, the applicant must provide details regarding the entity, the relationship between the applicant and the entity, and whether the applicant or the applicant's holding company have any equity interest in the other entity, as Annexure 6J.
- k) Section 6.8.1: Provide a list of all the applicant's members names, identification number, whether the member is black and the gender of the member, as Annexure 6K.
- l) Section 6.8.3: If "Yes," provide details of the applicant's employee profit sharing scheme, paying particular attention to actual benefits to employees, as well as a copy of the employee share scheme policy as Annexure 6L.
- m) Section 6.8.5: Provide a breakdown of all salaries, loans and profit distribution paid to members for each year, including the name and identification number of the member, as well as whether the member is Black, as Annexure 6M.
- n) Section 6.8.7: If the applicant completed any part of the table in Section 6.8.7, the applicant must provide details regarding the entity, the relationship between the applicant and the entity, and whether the applicant or the applicant's holding company have any equity interest in the other entity as Annexure 6N.
- o) Section 6.9: Provide a summary of the targets set in the Transformation Plan, the extent to which these were met and the measures taken to reach the targets as Annexure 6O.
- p) Section 6.10: If the applicant completed Section 6.10 with reference to the payroll and training budgets of both the applicant and of any other entity(ies) as per the Explanatory Notes, the applicant must complete the table in Section 6.10 for both the applicant and the other entity(ies) separately and submit these as Annexure 6P.
- q) Section 6.12: If the applicant completed Section 6.12 with reference to the learnerships of both the applicant and of any other entities as per the Explanatory Notes, the applicant must provide a breakdown of the information required in Section 6.12 for both the applicant and the other entities separately and submit these as Annexure 6Q.
- r) Section 6.13: If "Yes" provide a detailed description of the applicant's participation in such skills development programmes, as well as any supporting documentation from the SETA, as Annexure 6R.
- s) Section 6.14.1 and 6.14.2: If the applicant completed Sections 6.14.1 and 6.14.2 with reference to the skippers of both the applicant and of any other entities as per the Explanatory Notes, the applicant must provide a breakdown of the information required in Section 6.14.1 and 6.14.2 for both the applicant and the other entities separately and submit these as Annexure 6S.
- t) Section 6.15, 6.16 and 6.17: If the applicant completed Sections 6.15, 6.16 and 6.17 with reference to the donations of both the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the table in Section 6.17 for both the applicant and the other entities separately and submit these as Annexure 6T.
- u) Section 6.18, 6.19 and 6.20: If the applicant completed Sections 6.18 and 6.19 with reference to the donations of both the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the table in Section 6.20 for both the applicant and the other entities separately and submit these as Annexure 6U.
- v) Section 6.21: If "Yes" provide a copy of the Affirmative Procurement Policy as Annexure 6V.
- w) Section 6.22: Provide a breakdown of capital and operational expenditure paid to South African suppliers, including the percentage black ownership of these suppliers as Annexure 6W.
- x) Section 6.23: If "Yes," explain how the Applicant determined its affirmative procurement spend as Annexure 6X.



**Schedule 7 - Safety**

- a) Section 7.1: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure 7A.
- b) Section 7.2: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure 7B.
- c) Section 7.3: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure 7C.
- d) Section 7.4: If "Yes," provide a detailed description of the accident as Annexure 7D .
- e) Question 7.5: If "Yes," provide the name, identity number and qualification of each safety officer for each vessel. If "No," please provide a detailed explanation of why the applicant has not appointed a qualified safety officer for each vessel. The information provided under this section must be contained in Annexure 7E.
- f) Section 7.6: If "No," provide a detailed explanation as Annexure 7F.
- g) Section 7.7: If "Yes," provide a copy of the Safe Manning Document as Annexure 7G. If "No," and the nominated vessel is of 25 gross tonnage or more, provide a detailed explanation as Annexure 7G.
- h) Section 7.10: If "Yes," provide a copy of the policy as Annexure 7H. If "No," an explanation of why the applicant does not have an HIV/AIDS policy must be provided as Annexure 7H.
- i) Section 7.11: If "Yes," provide a copy of the Local General Safety Certificate as Annexure 7I. If "No," a detailed explanation must be provided as Annexure 7I.
- j) Section 7.13: If "Yes," provide details and documentation regarding the conduct of the applicant, its members, shareholders or directors resulting in the convictions and penalties imposed as Annexure 7J.
- k) Section 7.14: If "Yes," provide a copy of the plan as Annexure 7K. If "No," provided a detailed explanation of why not as Annexure 7K.

**Schedule 8 - Job Creation**

- a) Section 8.1: The applicant must provide breakdowns as described in the Explanatory Notes as Annexure 8A.
- b) Section 8.1.4: If the applicant completed Questions 8.1.4 with reference to the payrolls of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the table in Question 8.1.4 for both the applicant and the other entities separately, and submit these as Annexure 8B.

**Schedule 9 - Investment**

- a) Section 9.1 and 9.1.2: Provide breakdowns as described in the Explanatory Notes as Annexure 9A
- b) Section 9.1.5: Provide a detailed explanation of all investments in marketing activities, including investments in distribution channels, product research and market research as Annexure 9B.
- c) Section 9.1.6: Provide a detailed explanation of all investments in processing activities as Annexure 9C.



**Schedule 10 - Local Economic Development**

- a) Section 10.3: If "Yes," provide a detailed explanation of all investments made in order to make landing catches at identified harbours possible as Annexure 10A.

**Schedule 11 - Value Add & Enterprise Development**

- a) Section 11.1: If "Yes," provide a detailed explanation of how the applicant is involved in value adding processes, and what the processes are, as Annexure 11A.
- b) Section 11.2: If "Yes," provide a detailed explanation of how the applicant is responsible for enterprise development as Annexure 11B.

**Schedule 12 - Performance (Financial)**

- a) Section 12.1: Provide a copy of the applicant's 2004 audited financial statements as Annexure 12A. The applicant's auditors will be required to confirm its responses to all questions in Section 12.
- b) Section 12.2: If the applicant completed the table in Section 12.2 with reference to the turnover of both the applicant and of any other entity(ies) as per the Explanatory Notes, the applicant must complete the table in Section 12.2 for both the applicant and the other entity(ies) separately and submit these as Annexure 12B

**Schedule 13 - Fishing Plan**

- a) Section 13: If "Yes," provide a synopsis of the applicant's fishing plan as Annexure 13A, paying particular attention to:
- a) days to be spent fishing per vessel nominated;
  - b) areas to be targeted;
  - c) species to be targeted and mix of species;
  - d) expected size of species to be targeted;
  - e) detailed information regarding:
    - Age
    - Size
    - Gear
    - Type (dedicated midwater or deep sea trawler)
    - Fishing capacity and
    - Processing capacity of each nominated vessel (where appropriate).
  - e) whether the horse mackerel will be landed in South Africa for local processing and consumption, or whether the horse mackerel will be transhipped.

The fishing plan must clearly demonstrate the applicant's ability to perform effectively in the fishery.

**Schedule 14 - By-Catch and Environmentally Sustainable Practices**

- a) Section 14.1: Provide a detailed explanation of how the applicant manages bycatch, as Annexure 14A.
- b) Section 14.2: Provide a detailed explanation of measures put in place to reduce energy and fuel consumption on vessels and in processing facilities, as Annexure 14B.
- c) Section 14.3: Provide a detailed explanation of intended measures to reduce energy and fuel consumption on vessels and in processing facilities, as Annexure 14C.
- d) Section 14.4: Provide a detailed explanation of any research undertaken or sponsored by the applicant in relation to environmentally sustainable practices, as Annexure 14D.
- e) Section 14.5: Provide a detailed explanation of measures put in place to reduce damage to sea beds as Annexure 14E.



**FOR OFFICIAL USE ONLY: DO NOT TEAR OFF****RECEIPT****Received by:** \_\_\_\_\_**Date of Receipt:** 14 July 2005 or 15 July 2005**Time of Receipt:** \_\_\_\_\_ h \_\_\_\_\_**Application Number:** \_\_\_\_\_**Departmental Stamp:**

**Disclaimer:** The receipting of this application does not imply an acknowledgement of the completeness of the application or the correctness of its content.

**RECEIPT - FOR APPLICANT TO RETAIN****Received by:** \_\_\_\_\_**Date of Receipt:** 14 July 2005 or 15 July 2005**Time of Receipt:** \_\_\_\_\_ h \_\_\_\_\_**Application Number:** \_\_\_\_\_**Departmental Stamp:**

**Disclaimer:** The receipting of this application does not imply an acknowledgement of the completeness of the application or the correctness of its content.

APPLICATION NUMBER: ☐ lock the app no.

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM

BRANCH: MARINE AND COASTAL MANAGEMENT

# Inshore Trawl

**Long Term Rights Allocation Process: 2005****Cluster A****Application Form For: Medium Term Right Holders**

Registered Name of Applicant

Company Registration Number

or

Close Corporation Registration  
Number

Principal Place of Business

Number of Vessels Nominated



**IMPORTANT INFORMATION****INSTRUCTIONS****GENERAL**

- 1) This application form must be read together with these instructions, the Explanatory Notes, the Schedules to the application form and the Procedures for Independent Auditors (available on the Public Accountants' and Auditors' Board website, [www.paab.co.za](http://www.paab.co.za) or [www.saica.co.za](http://www.saica.co.za)).
- 2) When completing the application form, applicants are advised to read carefully the General Policy on the Allocation and Management of Long Term Fishing Rights, as well as the applicable Fishery Specific Policy. These policies are available at [www.mcm-deat.gov.za](http://www.mcm-deat.gov.za). The policies guide the Minister or his delegate when considering the application.
- 3) Should the applicant have any queries regarding the completion of the application form, it must e-mail the Department at [clusters@deat.gov.za](mailto:clusters@deat.gov.za). Every query and response will be collated and circulated by e-mail to all the applicants in the sector and will be made available on [www.mcm-deat.gov.za](http://www.mcm-deat.gov.za). Should the applicant require technical assistance with the application form software, it must contact the Rights Verification Unit in one of the following ways:

Tel: (021) 670-3669

Fax: (021) 670-1782

E-mail: [RVU@deloitte.co.za](mailto:RVU@deloitte.co.za)

Applicants or their representatives may not communicate with the Minister, the delegated authority, or officials in the Department regarding their applications in any other manner. Moreover, no reliance may be placed on any information given or obtained in any other manner.

**ICONS**

- 4) Applicants must pay attention to the icons in the application form in order to determine whether:
  - the information provided will be treated as confidential;
  - there is any documentation or information required in response to a question in the form of an annexure;
  - the applicant's auditors need to verify a response; and
  - there are consequences of not answering a question.

- 5) The application form makes use of the following icons:



The books icon means that the information provided will be treated as confidential.



The clipboard icon means that the applicant must complete the corresponding Schedule to the application form. Applicants are instructed in the schedules regarding the documentation or information required as annexures. If the required documentation or information is not submitted, the application may be adversely affected. Failure to submit certain requested documents or information may result in the application being refused.



The magnifying glass icon means that the applicant's response to the question must be verified by an auditor (registered with the Public Accountants and Auditors board) engaged by the applicant as per the Procedures for Independent Auditors. The auditor must complete and sign the Audit Report on failing which the application will be refused.



The warning icon means that if the applicant fails to answer the question, the answer will be deemed to be adverse to the applicant.

**COMPLETION OF APPLICATION FORM**

- 6) The applicant must complete all sixteen sections of the application form. The applicant must respond in the spaces provided in the application form. Information may not be submitted by way of annexures except where applicants are specifically allowed to do so.
- 7) The application form must be completed electronically, and saved onto the two blank CDs provided on registration. One of these CDs must be submitted in the manner described below, while the other must be retained by the Applicant. Annexures to the application form do not need to be scanned and saved on to the CDs. The Department may request additional electronic copies of the application at a later stage.
- 8) This form is tagged and coded in order to facilitate electronic uploading of the application into a database. The applicant may not submit the application in any other form. If the applicant submits its application in any other form, the application will be refused.
- 9) The application must also be printed out and the declaration must be signed and attested by the Applicant's authorised representative, and, if applicable, the authorised representative(s) of the holding company, sister company(ies) and the joint venture partner(s). If the declaration is not signed and attested, the application will be refused.
- 10) The printed version of the electronic application, duly signed and attested, must be punched and placed into lever arch files with a divider before each annexure. The annexures must be numbered according to the schedules. Confidential information requested under questions marked by the books icon should be placed in a sealed A4 envelope marked with the application number, punched and placed in the lever arch file after the annexures.



**IMPORTANT INFORMATION****INSTRUCTIONS**

- 11) One true copy of the printed version of the application must be made. This copy must be punched and divided in the same manner as the original. The copy does not have to be certified as a true copy of the original, but it will be assumed to be the same as the original. Any discrepancy may invalidate the application.

**LODGEMENT OF APPLICATION**

- 12) The CD containing the application, the original printed version (signed and attested), and a copy of the printed version must be hand delivered to the place, on the dates and times stated below:

Place: Good Hope Centre

Dates and Times: Thursday 14 July 2005 between 08h00 and 19h00, or Friday 15 July between 08h00 and 17h00

- 13) The application may not be submitted by post or by fax. An application not submitted by hand within the above times, on the above dates at the above address will be refused.

**IMPROPER LODGEMENT**

- 14) Improperly lodged applications will be refused.

An application is improperly lodged if:

- it is received late;
- the applicant makes no payment, or short payment, or late payment of the application fee;
- the application is lodged in a manner contrary to the instructions.

**MATERIAL DEFECTS**

- 15) Applications that are materially defective will be refused.

An application is materially defective if:

- the declaration is not signed and attested by the Applicant's authorised representative, and, if applicable, the authorised representative(s) of the holding company, sister company(ies) and the joint venture partner(s);
- the auditor's report is not submitted or signed;
- more than one application is received for a right in the same sector;
- the applicant, or, if applicable, the holding company, sister company(ies) and the joint venture partner(s) provides false information or documents, fails to disclose material information or attempts to influence the Minister or the delegated authority other than in the manner provided for in the General Policy and in this application form.



**Section 1****Applicant Details**

1. The applicant must supply a profile of its organisation including an organogram and a description of its fishing operations, as Schedule 1A.



1.1 Registered Name of Applicant

1.2 Trading Name of Applicant:

1.3 Registration Number:



1.4 Income Tax Number:

1.5 Vat Number:

1.6 Skills Development Levy Number:



1.7 Have the applicant's details (1.8.1 - 1.8.7d) changed since the applicant registered? ☐ Yes ☐ No

1.8 If "Yes", complete only those details that have changed:

1.8.1 Principal Place of Business: Number and Street:

Suburb:

Town / City:

Postal Code:

1.8.2 Postal Address: Number and Street / PO Box:

Suburb:

Town / City:

Postal Code:

Area Code:

1.8.3 Telephone Number:

1.8.4 Additional Telephone Number:

1.8.5 Fax Number:

1.8.6 Authorised Contact Person First Name:



1.8.7 Authorised Contact Person Surname:

a) Identity Number:

b) Position Held / Relationship to Applicant

c) Cellular Number:

d) E-mail Address:

## Section 2

## Form of Applicant

2.1 Does the applicant currently hold a medium term fishing right in this sector?

☐ Yes ☐ No



2.2 If "Yes", to which entity or person was the medium term fishing right allocated in 2001/2002?

<input checked="" type="checkbox"/> Company	<input type="checkbox"/>	Name	
<input type="checkbox"/> Close Corporation	<input type="checkbox"/>	Name	
<input type="checkbox"/> Trust	<input type="checkbox"/>	Name	
<input type="checkbox"/> Individual	<input type="checkbox"/>	Name	

2.3 In what form of entity is the medium term fishing right currently held?



<input type="checkbox"/> Company	<input type="checkbox"/>	Name	
<input type="checkbox"/> Close Corporation	<input type="checkbox"/>	Name	
<input type="checkbox"/> Trust	<input type="checkbox"/>	Name	
<input type="checkbox"/> Individual	<input type="checkbox"/>	Name	

2.4 Is the applicant more than 50% South African owned?

☐ Yes ☐ No



2.5 Does the applicant have a valid tax clearance certificate?

☐ Yes ☐ No



2.6 Complete the following table in relation to asset value and turnover:



Year	Turnover	Gross Asset Value (excluding fixed property)
2004 (Financial Year End)		

2.7 Does the applicant hold any share(s) in any other company that is applying as a medium term right holder in this sector?

☐ Yes ☐ No



2.8 Does the applicant hold any share(s) in any company that is applying as a new entrant in this sector?

☐ Yes ☐ No



## Section 3

## Compliance

3.1 Has the applicant, or any of its members, shareholders or directors:

3.1.1 been convicted of a contravention of the MLRA, or the regulations, or permit conditions during the medium term right period?

☐ Yes ☐ No



3.1.2 entered into a plea bargain under the Criminal Procedure Act 51 of 1977, for a contravention of the MLRA, or the regulations, or permit conditions during the medium term right period?

☐ Yes ☐ No



3.1.3 paid an admission of guilt fine for a contravention of the MLRA, the regulations, or the permit conditions during the medium term right period?

☐ Yes ☐ No





**Section 3****Compliance**

- 3.1.4 been charged with an offence under the MLRA, or the regulations or permit conditions during the medium term right period?
- 3.2 Has a fishing vessel, motor vehicle, premises or any other assets of the applicant, or any of its shareholders, members or directors been detained, arrested or seized under the MLRA or restrained, preserved, confiscated or forfeited under the Prevention of Organised Crime Act 121 of 1998 during the medium term right period?
- 3.3 Was the applicant's right or permit suspended, revoked, cancelled, reduced or altered under section 28 of the MLRA during the medium term right period?

☐ Yes ☐ No

☐ Yes ☐ No

☐ Yes ☐ No
**Section 4****Vessel Details**

- 4.1 How many vessels has the applicant nominated for use in this fishery?

- 4.2 Fill in the relevant details in the tables below regarding each vessel nominated:



Vessel 1	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 2	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



## Section 4

## Vessel Details



Vessel 3	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 4	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 5	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



**Section 5****Catch Utilisation**

5.1 Did the applicant over-catch or under-catch by more than 10% during the medium term rights period?

☐ Yes ☐ No



5.2 Complete the following in relation to the applicant's catch records.



Year	Annual Catch Allocation (in metric tons)	Total Actual Catch of Applicants Allocation (Nominal tons)	Percentage under-caught	Percentage over-caught
2002 Season				
2003 Season				
2004 Season				

**Section 6****Transformation****Management and Employment Equity**

6.1 Was the applicant a designated employer as defined in section 1 of the Employment Equity Act, 55 of 1998 as at 28 February 2005?

☐ Yes ☐ No



6.2.1 If "Yes", has the applicant complied with the Employment Equity Act, 55 of 1998?

☐ Yes ☐ No



6.2.2 If "No", has the applicant voluntarily complied with the Employment Equity Act, 55 of 1998?

☐ Yes ☐ No



Section 6

Transformation

Management and Employment Equity

6.3.1 Complete the table below in respect of the applicant's board of directors (if a company) or members (if a close corporation) as at 28 February 2005.



	Director / Member Name (Initial & Surname)	Years of Service	Total Annual Remuneration (Total Cost to Company)	Black (Y/N)	Gender (M/F)	ID Number
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						



## Section 6

## Transformation

## Management and Employment Equity

6.3.2 Complete the table below in respect of employees at 28 February 2005.



Between 1 - 5 Employees	The Top Salary Earner (Total Cost to Company)
Between 6 - 30 Employees	The Top Two Salary Earners (Total Cost To Company)
Between 31 - 60 Employees	The Top 3 Salary Earners (Total Cost to Company)
Between 61 - 165 Employees	The Top 4 Salary (Total Cost to Company) Earners
More than 165 Employees	The Top 3% of Salary Earners (Total Cost to Company) up to 90 Employees

	Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black (Y/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							

Section 6

Transformation

Management and Employment Equity



	Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black (Y/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
20							
21							
22							
23							
24							
25							
26							
27							
28							
29							
30							
31							
32							
33							
34							
35							
36							
37							
38							
39							
40							
41							
42							
43							
44							
45							
46							
47							
48							
49							
50							
51							
52							
53							
54							
55							



## Section 6

## Transformation

## Management and Employment Equity



	Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black (Y/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
56							
57							
58							
59							
60							
61							
62							
63							
64							
65							
66							
67							
68							
69							
70							
71							
72							
73							
74							
75							
76							
77							
78							
79							
80							
81							
82							
83							
84							
85							
86							
87							
88							
89							
90							



## Section 6

## Transformation

## Management and Employment Equity

6.4.1 Complete the following table in relation to income levels of the applicant's permanent employees at 28 February 2005:



	Gross Monthly Income (Total Cost to Company)	Number of Employees	Percentage of Total Employees	Number of Black Employees	Percentage of Total Black Employees	Number of Female Employees
1	<R2 500					
2	Between R2 500 and R5 500					
3	Between R5 501 and R10 500					
4	Between R10 501 and R16 000					
5	Between R16 001 and R20 000					
6	Between R20 001 and R25 000					
7	Between R25 001 and R30 000					
8	Between R30 001 and R40 000					
9	Between R40 001 and R60 000					
10	>R60 000					
	Total		100%		100%	

6.4.2 Does the applicant contribute towards medical aid and pension for its employees?

☐ Yes ☐ No

6.4.3 Does the applicant provide any other type of benefits for its employees?

☐ Yes ☐ No

6.5 Complete the following table in relation to the applicant's employment equity profile as provided to the Department of Labour in October 2004. If the applicant is not designated or did not voluntarily comply then the table must be completed as at 28 February 2005.

Occupational Categories	Gender									Total	
		A No	A %	C No	C %	I No	I %	W No	W %	ACI %	F %
Top & Senior Management / Senior Officials and Managers	Male										
	Female										
Professionally Qualified and experienced specialists and mid-management / Professionals	Male										
	Female										
Skilled Technical and academically qualified workers, supervisors, foremen, and superintendents / Technicians and Associate Professionals	Male										
	Female										
Semi-skilled and discretionary decision-making / unskilled and undefined decision-making / Clerks, Service & Sales Workers, Fishery Workers, Artisans & Related Trade Workers, Plant & Machine Operators & Assemblers, Elementary Occupations	Male										
	Female										
TOTAL	Male										
	Female										

A = African, C = Coloured, I = Indian, W = White, M = Male, F = Female, ACI = African, Coloured and Indian



## Section 6

## Transformation

## Management and Employment Equity

6.6.1 Complete the tables below in relation to employment equity figures for **Senior Officials and Managers** only.

[illegible]

6.6.2 Complete the tables below in relation to employment equity figures for **Professionals** only.

[illegible]



## Section 6

## Transformation

## Ownership - Companies Only

6.7 Is the applicant a company?

☐ Yes ☐ No

6.7.1 If "Yes", complete the table below in respect of shareholding held by black persons:

Year	Percentage Shareholding Held by Black Persons	Percentage Voting Rights Held by Black Persons	Percentage of Dividends Black Shareholders are Entitled To
2001 (as in 2001 application form)			
2005 (at date of application)			

6.7.2 Complete the following table in relation to shareholding held by women based on the flow through principle:

Year	Percentage Shareholding Held by Women	Percentage Voting Rights Held by Women	Percentage of Dividends Women are Entitled To
2005 (at date of application)			

6.7.3 Did the applicant have a share scheme in place in 2004 for employees?

☐ Yes ☐ No

6.7.4 If "Yes", what is the percentage shareholding held by or for employees not listed under question 6.3.2, through the scheme?

6.7.5 Complete the following table in relation to monies paid to shareholders:

Year	Salaries Paid to Shareholders	Loans Made to Shareholders	Dividends Paid to Shareholders
2002 (financial year)			
2003 (financial year)			
2004 (financial year)			

6.7.6 Was the applicant managed by another entity, or was the catching, processing or marketing of the 2004 allocation in this fishery performed by another entity during the 2004 financial year?

☐ Yes ☐ No

6.7.7 If "Yes", complete the table below:

Function	Rand Amount Paid to Other Entity during the 2004 Financial Year	Rand Amount as a Percentage of the Applicant's Total Turnover in 2004
Management		
Catching		
Processing		
Marketing		



## Section 6

## Transformation

## Ownership - Close Corporations Only

6.8 Is the applicant a close corporation ?

☐ Yes ☐ No

6.8.1 If "Yes", complete the table below in respect of members interest held by black persons:

Year	Percentage Interest Held by Black Persons	Percentage Voting Rights Held by Black Persons	Percentage Profit Distribution Black Persons are Entitled To
2001 (as in 2001 application form)			
2005 (as at date of application)			

6.8.2 Complete the table below in relation to members interest held by women:

Year	Percentage Interest Held by Women	Percentage Voting Rights Held by Women	Percentage Profit Distribution Women are Entitled To
2005 (as at date of application)			

6.8.3 Did the applicant have a profit sharing scheme for employees in place in 2004?

☐ Yes ☐ No

6.8.4 If "Yes", what percentage of profit were employees not listed under question 6.3.2 entitled to?

6.8.5 Complete the following table in relation to monies paid to members:

Year	Salaries Paid to Members	Loans Made to Members	Profit Distributed to Members
2002 (financial year)			
2003 (financial year)			
2004 (financial year)			

6.8.6 Was the applicant managed by another entity, or was the catching processing or marketing performed by another entity during the 2004 financial year?

☐ Yes ☐ No

6.8.7 If "Yes", complete the table below:

Function	Rand Amount Paid to Other Entity	Rand Amount as a Percentage of the Applicant's Turnover in 2004
Management		
Catching		
Processing		
Marketing		

**Section 6****Transformation****Skills Development**


6.9 Has the applicant met the targets set in the Transformation Plan submitted in 2001? ☐ Fully ☐ Somewhat/Partially ☐ Not at all 

6.10 Complete the following table in relation to compliance with the Skills Development Levies Act 9 of 1998: 

Year	Did the applicant submit Workplace Skills Plan which was approved (Y/N)	Did the applicant submit an Annual Training Report which was approved (Y/N)	Rand Amount Paid to SARS in skills development levies	Percentage Salaries Bill Spent on Training	Percentage of Training Budget Spent on Black Employees
2001 (financial year end)					
2002 (financial year end)					
2003 (financial year end)					
2004 (financial year end)					

6.11 Did the applicant participate in a learnership programme during the medium term rights period? ☐ Yes ☐ No 


6.12 If "Yes," indicate the number of learnerships as a percentage of the employees in respect of whom the applicant prepared IRP5 certificates in 2004 (tax year end).


6.13. Did the applicant participate in any other skills development programmes through its SETA in 2004 such as an SME Support Strategy? ☐ Yes ☐ No 


6.14.1 How many skippers are used by the applicant?

6.14.2 What percentage of these skippers are black?

**Corporate Social Investment**

6.15 Does the applicant make donations of its annual taxable income which qualify for deduction in terms of section 18A of the Income Tax Act 58 of 1962 ? ☐ Yes ☐ No 

6.16 If "Yes", indicate what percentage of net profit earned in the 2004 financial year these donations amount to: 

☐ 0 - 0.5 % 

☐ 0.5 - 1 %

☐ > 1 %



## Section 6

## Transformation

## Corporate Social Investment

6.17 Indicate the five largest tax deductible donations made per annum since 2001 in the table below.

Year	Benefitting Organisation	Rand Value of Amount Donated
2001 - 1		
2001 - 2		
2001 - 3		
2001 - 4		
2001 - 5		
Year	Benefitting Organisation	Rand Value of Amount Donated
2002 - 1		
2002 - 2		
2002 - 3		
2002 - 4		
2002 - 5		
Year	Benefitting Organisation	Rand Value of Amount Donated
2003 - 1		
2003 - 2		
2003 - 3		
2003 - 4		
2003 - 5		
Year	Benefitting Organisation	Rand Value of Amount Donated
2004 - 1		
2004 - 2		
2004 - 3		
2004 - 4		
2004 - 5		

6.18 Does the applicant make any other donations (in addition to those which qualify for deduction in terms of section 18A of the Income Tax Act 58 of 1962, but not including school fees)?

☐ Yes ☐ No



6.19 If "Yes", indicate what percentage of net profit earned in the 2004 financial year these other donations amount to :

☐ 0 - 0.5 %

☐ 0.5 - 1 %

☐ > 1 %



6.20 If other donations were made, indicate the five largest such donations made in 2004 in the table below:

Year	Benefitting Organisation	Rand Value of Amount Donated
2004 - 1		
2004 - 2		
2004 - 3		
2004 - 4		
2004 - 5		

**Section 6****Transformation****Affirmative Procurement**

6.21 Does the applicant have a written affirmative procurement policy?

☐ Yes ☐ No



6.22 Provide the following information in relation to the applicant's top ten South African suppliers (operational expenditure) in 2004:



Name of Supplier	Percentage of Black Ownership of Supplier	Amount Paid to Supplier in Rands in 2004	Percentage of Total Expenses

6.23 Has the applicant determined its affirmative procurement spend as a percentage of total procurement spend?

☐ Yes ☐ No



6.24 Has the applicant instituted a system to measure its affirmative procurement spend as a percentage of total procurement spend in future?

☐ Yes ☐ No

**Section 7****Vessel, Crew and Environmental Safety****Contraventions**

7.1 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of penalty under section 324 of the Merchant Shipping Act, 57 of 1951?

☐ Yes ☐ No



7.2 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of penalty for contravening the Maritime Occupational Safety Regulations of 1994?

☐ Yes ☐ No





## Section 7

### Vessel, Crew and Environmental Safety

#### Contraventions

7.3 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of a penalty for contravening the Crew Accommodation Regulations, 1961?

☐ Yes ☐ No



#### Crew Safety and Working Conditions

7.4 Has the applicant ever reported an accident in terms of section 6 of the Maritime Occupational Safety Regulations?

☐ Yes ☐ No



7.5 Has a qualified safety officer been appointed for each nominated vessel in terms of section 36 of the Maritime Occupational Safety Regulations?

☐ Yes ☐ No



7.6 Has every crew member on board each nominated vessel completed the approved safety induction training required by the Merchant Shipping Act, 57 of 1951?

☐ Yes ☐ No



7.7 If a nominated vessel is of 25 gross tonnage or more, has the vessel been issued with a valid SAMSA Safe Manning Document required in terms of the Merchant Shipping (Safe Manning) Regulations?

☐ Yes ☐ No



7.8 Has the applicant completed a formal safety assessment in terms of Marine Notice no 26 of 2004?

☐ Yes ☐ No



7.9 Has the applicant registered with the Commissioner in terms of the Compensation for Occupational Injuries and Diseases Act 130 of 1993?

☐ Yes ☐ No



7.10 Does the applicant have an HIV/AIDS policy?

☐ Yes ☐ No



#### Vessel Safety

7.11 Have the nominated vessel(s) been issued with a valid Local General Safety Certificate?

☐ Yes ☐ No



7.12 Are any operational limits imposed on the nominated vessel(s) by its Local General Safety Certificate (E.g. No more than 200 nautical miles off the South African coast)?

☐ Yes ☐ No

#### Environmental Safety

7.13 Has the applicant, during the medium term right period, been convicted or forfeited a deposit for contravening any part of the Marine Pollution (Prevention of Pollution from Ships) Act 2 of 1986 or Section 30 of the Marine Pollution (Control and Civil Liability) Act 6 of 1981?

☐ Yes ☐ No



7.14 Does the applicant have a Garbage Management Plan for each nominated vessel as stipulated in terms of Annex V of Marpol, as set out in the Schedule to the Marine Pollution (Prevention of Pollution from Ships) Act 2 of 1986?

☐ Yes ☐ No





## Section 8

## Job Creation

8.1 Complete the following tables in relation to job creation.

8.1.1 Table 1

Year	Employees in respect of which the applicant prepares IRP5 Certificates (Land Based)	Employees in respect of which the applicant prepares IRP5 Certificates (Sea Based)	Employees in respect of which the applicant does not prepare IRP5 Certificates (Land Based)	Employees in respect of which the applicant does not prepare IRP5 Certificates (Sea Based)	Total Number of Employees (Columns 1- 4)	Total Amount of Salary Bill as per Financial Statements	Percentage increase or decrease in total number of employees
2001 (date of application)							
2002 (financial year end)							
2003 (financial year end)							
2004 (financial year end)							
2005 (28 February 2005)							

8.1.2 Table 2

Applicant's Annual Catch Allocation (in tons) to the applicant in this fishery in 2004	Total Annual Salary Bill (in relation to this fishery) 2004 Financial Year End as per Table 8.1.1	How much does the applicant spend on salaries/wages per ton allocated?

8.1.3 Table 3

Applicant's Annual Catch Allocation (in tons) in this fishery in 2004	Total Employees (in relation to this fishery) (28 February 2005)	How many people does the applicant employ per ton allocated?	Total Employees less Seasonal Employees (in relation to this fishery) (28 February 2005)	How many people (less seasonal employees) does the applicant employ per ton allocated?

8.1.4 Table 4

Applicant's five highest annual salaries (total cost to company) paid between 1 March 2004 and 28 February 2005	Average of top five salaries	What was the multiple between the average of the five lowest and the average of the five highest salaries at 28 February 2005?

Applicant's five lowest annual salaries (total cost to company) paid between 1 March 2004 and 28 February 2005	Average of lowest five salaries	



## Section 9

## Investment

9.1 Complete the following tables:

9.1.1 Table 1

Year	Book Value of Total Fixed Assets (in relation to this fishery)	Percentage Increase or Decrease in Rand Value of Total Fixed Assets (in relation to this fishery)	Total Book Value of Total Land Based Fixed Assets (in relation to this fishery)	Total Book Value of Harbour and Sea Based Fixed Assets (in relation to this fishery)
2002 (financial year end)				
2003 (financial year end)				
2004 (financial year end)				

9.1.2 Table 2

Year	Insured Value of Total Fixed Assets (in relation to this fishery)	Percentage Increase or Decrease in Rand Value of Total Fixed Assets (in relation to this fishery)	Total Insured Value of Total Land Based Fixed Assets (in relation to this fishery)	Total Insured Value of Harbour and Sea Based Fixed Assets (in relation to this fishery)
2002 (financial year end)				
2003 (financial year end)				
2004 (financial year end)				

9.1.3 Table 3

Annual Catch Allocation (in tons) to the applicant in 2004	Book Value (in rands) of harbour and sea-based assets at 2004 financial year end	Book Value (in rands) of land-based assets at 2004 financial year end	Book Value of Harbour and Sea-Based Assets per ton allocated to applicant	Book Value of Land-Based Assets per ton allocated to applicant

9.1.4 Table 4

Annual Catch Allocation (in tons) to the applicant in 2004	Insured Value (in rands) of harbour and sea-based assets at 2004 financial year end	Insured Value (in rands) of land-based assets at 2004 financial year end	Insured Value of Harbour and Sea-Based Assets per ton allocated to applicant	Insured Value of Land-Based Assets per ton allocated to applicant

9.1.5 A detailed explanation of all investment made in marketing activities must be included as an annexure.

9.1.6 A detailed explanation of all investment made in processing activities must be included as an annexure.

## Section 9

### Investment

9.1.7 Has the applicant invested in on-board or land based processing facilities?

☐ Yes ☐ No

9.1.8 If yes, please complete the following table:

Annual Catch Allocation (in metric tons) to the applicant in 2004	Nominal Tons of Applicant's Allocation Processed On Board Vessel	Nominal Tons of Applicant's Allocation Processed on Land	Nominal Tons Processed on Behalf of other Right Holders On Board Vessel	Nominal Tons Processed on Behalf of other Right Holders on Land

## Section 10

### Local Economic Development

10.1 Complete the following table in relation to harbours and landing sites used:

Harbour / Landing Site Name	Tons Landed at Harbour in 2004 calendar year	Percentage of Total Catch Landed in 2004 calendar year
TOTAL		

10.2 At which harbours and  
landing sites will the  
applicant land its catches?

Harbour / Landing Site Names	

10.3 Has the applicant made any investment in physical infrastructure at these  
harbours or landing sites in order to improve or make landing catches at  
these harbours possible?

☐ Yes ☐ No





## Section 11

## Value Add &amp; Enterprise Development

11.1 Is the applicant directly involved in any value adding process in this fishery?

☐ Yes ☐ No



11.2 Has the applicant been responsible for any enterprise development?

☐ Yes ☐ No



## Section 12

## Performance

## Financial

12.1 What is the applicant's 2004 audited, verified or certified Annual Turnover?



12.2 Indicate the rand value and percentage of total turnover derived from this fishery:

Annual Catch Allocation (in tons) to the Applicant in 2004	Turnover Generated in 2004 financial year by Annual Catch Allocation	Percentage of Total Turnover

12.3 Complete the following table in relation to ratio performance:

Year	Return on Net Assets (RONA)	Debt: Equity Ratio	Current Ratio	Quick Ratio (Acid Test)
2001				
2002				
2003				
2004				

12.4 Provide the following information in relation to the applicant's income statements:

Year	Turnover	Profit After Tax	Retained Earnings	Dividends Paid / Distribution of Profits
2001				
2002				
2003				
2004				



**Section 12****Performance****Financial**

12.5 Provide the following information in relation to the applicant's balance sheet:

Year	Assets	Long-Term Liabilities	Current Liabilities	Shareholder's Equity / Member's Contribution
2001				
2002				
2003				
2004				

12.6 Provide the following information in relation to the applicant's cash flow:

Year	Net Cash Inflow / Outflow from Operations	Net Cash Inflow / Outflow from Investing Activities	Net Cash Inflow / Outflow from Financing Activities
2001			
2002			
2003			
2004			

**Section 13****Fishing Plan**

13.1 Does the applicant have a fishing plan?

☐ Yes ☐ No

**Section 14****By-Catch and Environmentally Sustainable Practices****By-Catch**

14.1 Indicate the proportion of the applicant's annual catch that is made up of by-catch species:



Year	Annual By-Catch (in tons)	Annual Utilised By-Catch as a Percentage of Total Catch	Annual Unutilised By-Catch, Juvenile Species and Endangered Species as a Percentage of Total Catch
2001			
2002			
2003			
2004			



## Section 14

## By-Catch and Environmentally Sustainable Practices

14.2 Has the applicant put in place any measures to reduce energy and fuel consumption on vessels, and in processing facilities?

☐ Yes ☐ No



14.3 Does the applicant intend to put in place any measures to reduce energy and fuel reduction consumption on vessels, and in processing facilities?

☐ Yes ☐ No



14.4 Has the applicant undertaken or sponsored any research in relation to environmentally sustainable practices?

☐ Yes ☐ No



14.5 Has the applicant put measures in place to reduce damage to sea beds?

☐ Yes ☐ No



## Section 15

## Fishing Levies

15.1 Please provide the following information in relation to levies paid since 2001:



Year	Species	Total Catch in Tons	Levies Paid
2001			
2001			
2001			
2001			
2001			
2002			
2002			
2002			
2002			
2002			
2003			
2003			
2003			
2003			
2003			
2004			
2004			
2004			
2004			
2004			

15.2 What was the date and amount of the applicant's most recent levy payment?

Date  
yyyy/mm/dd

Amount





## Section 16

## Applicant Declaration

I, the undersigned, do hereby make oath and declare that:

- (a) I have read the instructions set out on pages 2 and 3 of this application form;
- (b) the information submitted with and in this Application is true and correct and complete.
- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to my application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) The applicant undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (f) The applicant accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address

## Holding Company Declaration

I, the undersigned, do hereby make oath and declare that:

- (a) I have read the instructions set out on pages 2 and 3 of this application form;
- (b) the information submitted with and in this Application is true and correct and complete.
- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to the application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (f) \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address



**Section 16****Sister Company Declaration**

I, the undersigned, do hereby make oath and declare that:

- (a) I have read the instructions set out on pages 2 and 3 of this application form;
- (b) the information submitted with and in this Application is true and correct and complete.
- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material Information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to my application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (f) \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

**Signature of Authorised Representative of Sister Company (if applicable)**

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address

**JV Partner Declaration**

I, the undersigned, do hereby make oath and declare that:

- (a) I have read the instructions set out on pages 2 and 3 of this application form;
- (b) the information submitted with and in this Application is true and correct and complete.
- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material Information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to the application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (f) \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

**Signature of Authorised Representative of JV Partner (if applicable)**

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address



**SCHEDULES**

**IF THE APPLICANT CANNOT PROVIDE THE INFORMATION REQUESTED IN ANY OF THE SCHEDULES BELOW, THE APPLICANT MAY SUBMIT AN EXPLANATION FOR THIS IN PLACE OF THAT ANNEXURE**

**Schedule 1 - Applicant Details**

- a) Provide, as Annexure 1A a brief profile of the applicant organisation including an organogram which clearly indicates the applicant's business model including holding company, sister company and joint venture partner relationships. The applicant should pertinently indicate if it intends to apply in more than one sector, is involved in industries other than the fishing industry and if the applicant does rely on information of holding companies, sister companies and joint venture partners in this application. The profile may not exceed 5 pages.
- b) Section 1.3: Provide a copy of a valid company or close corporation registration certificate as Annexure 1B.
- c) Section 1.8.6: Provide a copy of a resolution duly authorising the person named in Section 1.8.6 to be the authorised contact person, as Annexure 1C.

**Schedule 2 - Form of Applicant**

- a) Section 2.1: Provide a copy of the 2005 permit as Annexure 2A.
- b) Section 2.2: Provide a copy of the letter granting a right as Annexure 2B.
- c) Section 2.3: If the medium term right is currently held by an entity different from the one listed in Section 2.2, provide a detailed explanation as Annexure 2C.
- d) Section 2.5: Provide a copy of a valid SARS tax clearance certificate as Annexure 2D.
- e) Section 2.7: If "Yes," provide a detailed statement describing percentage of shareholding, the name and the registration number of the company as Annexure 2E.
- f) Section 2.8: If "Yes," provide a detailed statement describing percentage of shareholding, the name and the registration number of the company as Annexure 2G.

**Schedule 3 - Compliance**

- a) Section 3.1.1: If "Yes", provide details and documentation regarding the conduct of the applicant, the identity and conduct of the members, shareholders or directors resulting in the conviction, the dates of conviction, and the penalties imposed as Annexure 3A.
- b) Section 3.1.2: If "Yes", provide details and any documentation of the plea bargain arrangement entered into, and details regarding the conduct and identity of the individuals giving rise to the plea bargain, the dates and specifics of the plea bargain, as Annexure 3B.
- c) Section 3.1.3: If "Yes", provide details and any documentation regarding the admission of guilt fine paid, including information regarding the conduct and identity of the individuals giving rise to the fine, the date of offence and rand amount paid as Annexure 3C.
- d) Section 3.1.4: If "Yes", provide details and any documentation regarding the offence including information regarding the conduct and identity of the individuals giving rise to the fine, the date of offence and penalty as Annexure 3D.
- e) Section 3.2: If "Yes", provide details regarding the detention, arrest or seizure, including information regarding the conduct and identity of individuals involved as Annexure 3E. Also provide details if a final confiscation or forfeiture order was / was not granted under the Prevention of Organised Crime Act.
- f) Section 3.3: If "Yes", provide details and any documentation including the identity and conduct of individuals giving rise to the Section 28 procedure as Annexure 3F.



**Schedule 4 - Vessel Details**

- a) Section 4.2: For each vessel nominated, provide copies of the following documents:
- i) SAMSA Safety Certificate(s) as Annexure 4A;
  - ii) South African Certificate(s) of Registry as Annexure 4B;
  - iii) agreement(s) providing access to the vessel if the applicant is not the majority shareholder or the sole owner of the vessel as Annexure 4C;
  - iv) Local General Safety Certificate(s) as Annexure 4D.
- b) If the applicant is unable to furnish any of the above documents for any of the nominated vessels, the applicant must provide an explanation for this as Annexure 4E.

**Schedule 5 - Catch Utilisation**

- a) Section 5.2: If the applicant over- or under-caught by more than 10% in any year, a detailed explanation must be attached as Annexure 5A.

**Schedule 6 - Transformation**

- a) Section 6.3.1: If the applicant completed Section 6.3.1 in respect of the board of directors of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.3.1 for the applicant and the other entities separately, and submit these as Annexure 6A.
- b) Section 6.3.2: If the applicant completed Section 6.3.2 in respect of the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.3.2 for the applicant and the other entities separately, and submit these as Annexure 6B.
- c) Section 6.4.1: If the applicant completed Section 6.4.1 in respect of the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.4.1 for the applicant and the other entities separately, and submit these as Annexure 6C.
- d) Section 6.4.2: If "Yes," the applicant must provide details of contributions made to medical aid and pension, including details of the classes of beneficiaries, the employer's contributions and the nature of the benefits as Annexure 6D.
- e) Section 6.4.3: If "Yes," the applicant must provide details of the nature of the benefits provided, classes of beneficiaries and the employer's contribution as Annexure 6E.
- f) Section 6.5, 6.6.1 and 6.6.2: If the applicant completed Sections 6.5, 6.6.1 and 6.6.2 with reference to the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.5, 6.6.1 and 6.6.2 for the applicant and the other entities separately and submit these as Annexure 6F.
- g) Section 6.7.1: Explain how black shareholding and black voting rights were calculated as Annexure 6G. This annexure should include details of any Black Economic Empowerment deals the applicant has concluded. The annexure must also include a complete list of all shareholders, following the flow through principle. This list should indicate the name, identification / registration number, whether the shareholder is black (if natural person), or what percentage of the shareholder is black (if company or close corporation), the gender of the shareholder (if natural person), or what percentage of the shareholder is female (if company or close corporation).
- h) Section 6.7.3: If "Yes," provide details regarding the applicant's employee share scheme paying particular attention to actual benefits to employees, as well as a copy of the employee share scheme policy as Annexure 6H.



## Schedule 6 - Transformation

- i) Section 6.7.5: Provide a breakdown of all salaries, loans and dividends paid to shareholders for each year including the name, identification number of the shareholder, as well as whether the shareholder is Black (if natural person, or name and company registration number and percentage black shareholding or interest if juristic person), as Annexure 6I.
- j) Section 6.7.7: If the applicant completed any part of the table in question 6.7.7, the applicant must provide details regarding the entity, the relationship between the applicant and the entity, and whether the applicant or the applicant's holding company have any equity interest in the other entity, as Annexure 6J.
- k) Section 6.8.1: Provide a list of all the applicant's members names, identification number, whether the member is black and the gender of the member, as Annexure 6K.
- l) Section 6.8.3: If "Yes," provide details of the applicant's employee profit sharing scheme, paying particular attention to actual benefits to employees, as well as a copy of the employee share scheme policy as Annexure 6L.
- m) Section 6.8.5: Provide a breakdown of all salaries, loans and profit distribution paid to members for each year, including the name and identification number of the member, as well as whether the member is Black, as Annexure 6M.
- n) Section 6.8.7: If the applicant completed any part of the table in question 6.8.7, the applicant must provide details regarding the entity, the relationship between the applicant and the entity, and whether the applicant or the applicant's holding company have any equity interest in the other entity as Annexure 6N.
- o) Section 6.9: Provide a summary of the targets set in the Transformation Plan, the extent to which these were met and the measures taken to reach the targets as Annexure 6O.
- p) Section 6.10: If the applicant completed Section 6.10 with reference to the payroll and training budgets of both the applicant and of any other entity(ies) as per the Explanatory Notes, the applicant must complete the table in Section 6.10 for both the applicant and the other entity(ies) separately and submit these as Annexure 6P.
- q) Section 6.12: If the applicant completed Section 6.12 with reference to the learnerships of both the applicant and of any other entities as per the Explanatory Notes, the applicant must provide a breakdown of the information required in Section 6.12 for both the applicant and the other entities separately and submit these as Annexure 6Q.
- r) Section 6.13: If "Yes" provide a detailed description of the applicant's participation in such skills development programmes, as well as any supporting documentation from the SETA, as Annexure 6R.
- s) Section 6.14.1 and 6.14.2: If the applicant completed Sections 6.14.1 and 6.14.2 with reference to the skippers of both the applicant and of any other entities as per the Explanatory Notes, the applicant must provide a breakdown of the information required in Section 6.14.1 and 6.14.2 for both the applicant and the other entities separately and submit these as Annexure 6S.
- t) Section 6.15, 6.16 and 6.17: If the applicant completed Sections 6.15, 6.16 and 6.17 with reference to the donations of both the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the table in Section 6.17 for both the applicant and the other entities separately and submit these as Annexure 6T.
- u) Section 6.18, 6.19 and 6.20: If the applicant completed Sections 6.18 and 6.19 with reference to the donations of both the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the table in Section 6.20 for both the applicant and the other entities separately and submit these as Annexure 6U.
- v) Section 6.21: If "Yes" provide a copy of the Affirmative Procurement Policy as Annexure 6V.
- w) Section 6.22: Provide a breakdown of capital and operational expenditure paid to South African suppliers, including the percentage black ownership of these suppliers as Annexure 6W.
- x) Section 6.23: If "Yes," explain how the Applicant determined its affirmative procurement spend as Annexure 6X.



**Schedule 7 - Safety**

- a) Section 7.1: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure 7A.
- b) Section 7.2: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure 7B.
- c) Section 7.3: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure 7C.
- d) Section 7.4: If "Yes," provide a detailed description of the accident as Annexure 7D .
- e) Question 7.5: If "Yes," provide the name, identity number and qualification of each safety officer for each vessel. If "No," please provide a detailed explanation of why the applicant has not appointed a qualified safety officer for each vessel. The information provided under this section must be contained in Annexure 7E.
- f) Section 7.6: If "No," provide a detailed explanation as Annexure 7F.
- g) Section 7.7: If "Yes," provide a copy of the Safe Manning Document as Annexure 7G. If "No," and the nominated vessel is of 25 gross tonnage or more, provide a detailed explanation as Annexure 7G.
- h) Section 7.10: If "Yes," provide a copy of the policy as Annexure 7H. If "No," an explanation of why the applicant does not have an HIV/AIDS policy must be provided as Annexure 7H.
- i) Section 7.11: If "Yes," provide a copy of the Local General Safety Certificate as Annexure 7I. If "No," a detailed explanation must be provided as Annexure 7I.
- j) Section 7.13: If "Yes," provide details and documentation regarding the conduct of the applicant, its members, shareholders or directors resulting in the convictions and penalties imposed as Annexure 7J.
- k) Section 7.14: If "Yes," provide a copy of the plan as Annexure 7K. If "No," provided a detailed explanation of why not as Annexure 7K.

**Schedule 8 - Job Creation**

- a) Section 8.1: The applicant must provide breakdowns as described in the Explanatory Notes as Annexure 8A.
- b) Section 8.1.4: If the applicant completed Questions 8.1.4 with reference to the payrolls of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the table in Question 8.1.4 for both the applicant and the other entities separately, and submit these as Annexure 8B.

**Schedule 9 - Investment**

- a) Section 9.1 and 9.1.2: Provide breakdowns as described in the Explanatory Notes as Annexure 9A
- b) Section 9.1.5: Provide a detailed explanation of all investments in marketing activities, including investments in distribution channels, product research and market research as Annexure 9B.
- c) Section 9.1.6: Provide a detailed explanation of all investments in processing activities as Annexure 9C.



### Schedule 10 - Local Economic Development

- a) Section 10.3: If "Yes," provide a detailed explanation of all investments made in order to make landing catches at identified harbours possible as Annexure 10A.

### Schedule 11 - Value Add & Enterprise Development

- a) Section 11.1: If "Yes," provide a detailed explanation of how the applicant is involved in value adding processes, and what the processes are, as Annexure 11A.
- b) Section 11.2: If "Yes," provide a detailed explanation of how the applicant is responsible for enterprise development as Annexure 11B.

### Schedule 12 - Performance (Financial)

- a) Section 12.1: Provide a copy of the applicant's 2004 audited financial statements as Annexure 12A. The applicant's auditors will be required to confirm its responses to all questions in Section 12.
- b) Section 12.2: If the applicant completed the table in Section 12.2 with reference to the turnover of both the applicant and of any other entity(ies) as per the Explanatory Notes, the applicant must complete the table in Section 12.2 for both the applicant and the other entity(ies) separately and submit these as Annexure 12B

### Schedule 13 - Fishing Plan

- a) Section 13: If "Yes," provide a synopsis of the applicant's fishing plan as Annexure 13A, paying particular attention to:
- a) days to be spent fishing per vessel nominated;
  - b) areas to be targeted;
  - c) species to be targeted and mix of species;
  - d) expected size of species to be targeted;
  - e) detailed information regarding:
    - Age
    - Size
    - Gear
    - Fishing capacity and
    - Processing capacity of each nominated vessel (where appropriate).

The fishing plan must clearly demonstrate the applicant's ability to perform effectively in the fishery.

### Schedule 14 - By-Catch and Environmentally Sustainable Practices

- a) Section 14.1: Provide a detailed explanation of how the applicant manages bycatch, as Annexure 14A.
- b) Section 14.2: Provide a detailed explanation of measures put in place to reduce energy and fuel consumption on vessels and in processing facilities, as Annexure 14B.
- c) Section 14.3: Provide a detailed explanation of intended measures to reduce energy and fuel consumption on vessels and in processing facilities, as Annexure 14C.
- d) Section 14.4: Provide a detailed explanation of any research undertaken or sponsored by the applicant in relation to environmentally sustainable practices, as Annexure 14D.
- e) Section 14.5: Provide a detailed explanation of measures put in place to reduce damage to sea beds as Annexure 14E.



**FOR OFFICIAL USE ONLY: DO NOT TEAR OFF****RECEIPT**

Received by: \_\_\_\_\_

Date of Receipt: 14 July 2005 or 15 July 2005

Time of Receipt: \_\_\_\_\_ h \_\_\_\_\_

Application Number: \_\_\_\_\_

Departmental Stamp:

**Disclaimer:** The receipting of this application does not imply an acknowledgement of the completeness of the application or the correctness of its content.

**RECEIPT - FOR APPLICANT TO RETAIN**

Received by: \_\_\_\_\_

Date of Receipt: 14 July 2005 or 15 July 2005

Time of Receipt: \_\_\_\_\_ h \_\_\_\_\_

Application Number: \_\_\_\_\_

Departmental Stamp:

**Disclaimer:** The receipting of this application does not imply an acknowledgement of the completeness of the application or the correctness of its content.

APPLICATION NUMBER: ☐ lock the app no.

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM

BRANCH: MARINE AND COASTAL MANAGEMENT



# KwaZulu-Natal Prawn Trawl

**Long Term Rights Allocation Process: 2005****Cluster A****Application Form For: Medium Term Right Holders**

Registered Name of Applicant

Company Registration Number

or

Close Corporation Registration  
Number

Principal Place of Business

Number of Vessels Nominated



**IMPORTANT INFORMATION****INSTRUCTIONS****GENERAL**

- 1) This application form must be read together with these Instructions, the Explanatory Notes, the Schedules to the application form and the Procedures for Independent Auditors (available on the Public Accountants' and Auditors' Board website, [www.paab.co.za](http://www.paab.co.za) or [www.saica.co.za](http://www.saica.co.za)).
- 2) When completing the application form, applicants are advised to read carefully the General Policy on the Allocation and Management of Long Term Fishing Rights, as well as the applicable Fishery Specific Policy. These policies are available at [www.mcm-deat.gov.za](http://www.mcm-deat.gov.za). The policies guide the Minister or his delegate when considering the application.
- 3) Should the applicant have any queries regarding the completion of the application form, it must e-mail the Department at [clustersa@deat.gov.za](mailto:clustersa@deat.gov.za). Every query and response will be collated and circulated by e-mail to all the applicants in the sector and will be made available on [www.mcm-deat.gov.za](http://www.mcm-deat.gov.za). Should the applicant require technical assistance with the application form software, it must contact the Rights Verification Unit in one of the following ways:

Tel: (021) 670-3669

Fax: (021) 670-1782

E-mail: [RVU@deloitte.co.za](mailto:RVU@deloitte.co.za)

Applicants or their representatives may not communicate with the Minister, the delegated authority, or officials in the Department regarding their applications in any other manner. Moreover, no reliance may be placed on any information given or obtained in any other manner.

**ICONS**

- 4) Applicants must pay attention to the icons in the application form in order to determine whether:
  - the information provided will be treated as confidential;
  - there is any documentation or information required in response to a question in the form of an annexure;
  - the applicant's auditors need to verify a response; and
  - there are consequences of not answering a question.

- 5) The application form makes use of the following icons:



The books icon means that the information provided will be treated as confidential.



The clipboard icon means that the applicant must complete the corresponding Schedule to the application form. Applicants are instructed in the schedules regarding the documentation or information required as annexures. If the required documentation or information is not submitted, the application may be adversely affected. Failure to submit certain requested documents or information may result in the application being refused.



The magnifying glass icon means that the applicant's response to the question must be verified by an auditor (registered with the Public Accountants and Auditors board) engaged by the applicant as per the Procedures for Independent Auditors. The auditor must complete and sign the Audit Report on failing which the application will be refused.



The warning icon means that if the applicant fails to answer the question, the answer will be deemed to be adverse to the applicant.

**COMPLETION OF APPLICATION FORM**

- 6) The applicant must complete all sixteen sections of the application form. The applicant must respond in the spaces provided in the application form. Information may not be submitted by way of annexures except where applicants are specifically allowed to do so.
- 7) The application form must be completed electronically, and saved onto the two blank CDs provided on registration. One of these CDs must be submitted in the manner described below, while the other must be retained by the Applicant. Annexures to the application form do not need to be scanned and saved on to the CDs. The Department may request additional electronic copies of the application at a later stage.
- 8) This form is tagged and coded in order to facilitate electronic uploading of the application into a database. The applicant may not submit the application in any other form. If the applicant submits its application in any other form, the application will be refused.
- 9) The application must also be printed out and the declaration must be signed and attested by the Applicant's authorised representative, and, if applicable, the authorised representative(s) of the holding company, sister company(ies) and the joint venture partner(s). If the declaration is not signed and attested, the application will be refused.
- 10) The printed version of the electronic application, duly signed and attested, must be punched and placed into lever arch files with a divider before each annexure. The annexures must be numbered according to the schedules. Confidential information requested under questions marked by the books icon should be placed in a sealed A4 envelope marked with the application number, punched and placed in the lever arch file after the annexures.

**IMPORTANT INFORMATION****INSTRUCTIONS**

- 11) One true copy of the printed version of the application must be made. This copy must be punched and divided in the same manner as the original. The copy does not have to be certified as a true copy of the original, but it will be assumed to be the same as the original. Any discrepancy may invalidate the application.

**LODGEMENT OF APPLICATION**

- 12) The CD containing the application, the original printed version (signed and attested), and a copy of the printed version must be hand delivered to the place, on the dates and times stated below:

Place: Good Hope Centre

Dates and Times: Thursday 14 July 2005 between 08h00 and 19h00, or Friday 15 July between 08h00 and 17h00

- 13) The application may not be submitted by post or by fax. An application not submitted by hand within the above times, on the above dates at the above address will be refused.

**IMPROPER LODGEMENT**

- 14) Improperly lodged applications will be refused.

An application is improperly lodged if:

- it is received late;
- the applicant makes no payment, or short payment, or late payment of the application fee;
- the application is lodged in a manner contrary to the instructions.

**MATERIAL DEFECTS**

- 15) Applications that are materially defective will be refused.

An application is materially defective if:

- the declaration is not signed and attested by the Applicant's authorised representative, and, if applicable, the authorised representative(s) of the holding company, sister company(ies) and the joint venture partner(s).
- the auditor's report is not submitted or signed;
- more than one application is received for a right in the same sector;
- the applicant, or, if applicable, the holding company, sister company(ies) and the joint venture partner(s) provides false information or documents, fails to disclose material information or attempts to influence the Minister or the delegated authority other than in the manner provided for in the General Policy and in this application form.



**Section 1****Applicant Details**

1. The applicant must supply a profile of its organisation including an organogram and a description of its fishing operations, as Schedule 1A. 

1.1 Registered Name of Applicant

1.2 Trading Name of Applicant:

1.3 Registration Number:

1.4 Income Tax Number:

1.5 Vat Number:

1.6 Skills Development Levy Number:

- 1.7 Have the applicant's details (1.8.1 - 1.8.7d) changed since the applicant registered?

☐ Yes ☐ No

- 1.8 If "Yes", complete only those details that have changed:

1.8.1 Principal Place of Business:

Number and Street:

Suburb:

Town / City:

Postal Code:

1.8.2 Postal Address: Number and Street / PO Box:

Suburb:

Town / City:

Postal Code:

Area Code:

1.8.3 Telephone Number:

1.8.4 Additional Telephone Number:

1.8.5 Fax Number:

1.8.6 Authorised Contact Person First Name:

1.8.7 Authorised Contact Person Surname:

a) Identity Number:

b) Position Held / Relationship to Applicant

c) Cellular Number:

d) E-mail Address:

## Section 2

## Form of Applicant

2.1 Does the applicant currently hold a medium term fishing right in this sector?

☐ Yes ☐ No



2.2 If "Yes", to which entity or person was the medium term fishing right allocated in 2001/2002?

<input checked="" type="checkbox"/> Company	<input type="checkbox"/>	Name	
<input type="checkbox"/> Close Corporation	<input type="checkbox"/>	Name	
<input type="checkbox"/> Trust	<input type="checkbox"/>	Name	
<input type="checkbox"/> Individual	<input type="checkbox"/>	Name	

2.3 In what form of entity is the medium term fishing right currently held?



<input type="checkbox"/> Company	<input type="checkbox"/>	Name	
<input type="checkbox"/> Close Corporation	<input type="checkbox"/>	Name	
<input type="checkbox"/> Trust	<input type="checkbox"/>	Name	
<input type="checkbox"/> Individual	<input type="checkbox"/>	Name	

2.4 Is the applicant more than 50% South African owned?

☐ Yes ☐ No



2.5 Does the applicant have a valid tax clearance certificate?

☐ Yes ☐ No



2.6 Complete the following table in relation to asset value and turnover:



Year	Turnover	Gross Asset Value (excluding fixed property)
2004 (Financial Year End)		

2.7 Does the applicant hold any share(s) in any other company that is applying as a medium term right holder in this sector?

☐ Yes ☐ No



2.8 Does the applicant hold any share(s) in any company that is applying as a new entrant in this sector?

☐ Yes ☐ No



## Section 3

## Compliance

3.1 Has the applicant, or any of its members, shareholders or directors:

3.1.1 been convicted of a contravention of the MLRA, or the regulations, or permit conditions during the medium term right period?

☐ Yes ☐ No



3.1.2 entered into a plea bargain under the Criminal Procedure Act 51 of 1977, for a contravention of the MLRA, or the regulations, or permit conditions during the medium term right period?

☐ Yes ☐ No



3.1.3 paid an admission of guilt fine for a contravention of the MLRA, the regulations, or the permit conditions during the medium term right period?

☐ Yes ☐ No





## Section 3

## Compliance

3.1.4 been charged with an offence under the MLRA, or the regulations or permit conditions during the medium term right period?

☐ Yes ☐ No



3.2 Has a fishing vessel, motor vehicle, premises or any other assets of the applicant, or any of its shareholders, members or directors been detained, arrested or seized under the MLRA or restrained, preserved, confiscated or forfeited under the Prevention of Organised Crime Act 121 of 1998 during the medium term right period?

☐ Yes ☐ No



3.3 Was the applicant's right or permit suspended, revoked, cancelled, reduced or altered under section 28 of the MLRA during the medium term right period?

☐ Yes ☐ No



## Section 4

## Vessel Details

4.1 How many vessels has the applicant nominated for use in this fishery?

4.2 Fill in the relevant details in the tables below regarding each vessel nominated:



Vessel 1	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 2	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



## Section 4

## Vessel Details



Vessel 3	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 4	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 5	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



**Section 5****Catch Utilisation**

5.1 Complete the following in relation to the applicant's catch records.



Year	Number of Vessels Allocated	Total Actual Catch (in metric tons) in South African Waters	Number of Fishing Days in South African Waters	Total Actual Catch (in metric tons) in Non-South African Waters	Number of Fishing Days in Non-South African Waters
2002					
2003					
2004					

**Section 6****Transformation****Management and Employment Equity**

6.1 Was the applicant a designated employer as defined in section 1 of the Employment Equity Act, 55 of 1998 as at 28 February 2005?

☐ Yes ☐ No



6.2.1 If "Yes", has the applicant complied with the Employment Equity Act, 55 of 1998?

☐ Yes ☐ No



6.2.2 If "No", has the applicant voluntarily complied with the Employment Equity Act, 55 of 1998?

☐ Yes ☐ No



**Section 6****Transformation****Management and Employment Equity**

6.3.1 Complete the table below in respect of the applicant's board of directors (if a company) or members (if a close corporation) as at 28 February 2005.



	Director / Member Name (Initial & Surname)	Years of Service	Total Annual Remuneration (Total Cost to Company)	Black (Y/N)	Gender (M/F)	ID Number
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						



## Section 6

## Transformation

## Management and Employment Equity

6.3.2 Complete the table below in respect of employees at 28 February 2005.



Between 1 - 5 Employees	The Top Salary Earner (Total Cost to Company)
Between 6 - 30 Employees	The Top Two Salary Earners (Total Cost To Company)
Between 31 - 60 Employees	The Top 3 Salary Earners (Total Cost to Company)
Between 61 - 165 Employees	The Top 4 Salary (Total Cost to Company) Earners
More than 165 Employees	The Top 3% of Salary Earners (Total Cost to Company) up to 90 Employees

	Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black (Y/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							

Section 6

Transformation

Management and Employment Equity



	Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black (Y/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
20							
21							
22							
23							
24							
25							
26							
27							
28							
29							
30							
31							
32							
33							
34							
35							
36							
37							
38							
39							
40							
41							
42							
43							
44							
45							
46							
47							
48							
49							
50							
51							
52							
53							
54							
55							



## Section 6

## Transformation

## Management and Employment Equity



	Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black (Y/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
56							
57							
58							
59							
60							
61							
62							
63							
64							
65							
66							
67							
68							
69							
70							
71							
72							
73							
74							
75							
76							
77							
78							
79							
80							
81							
82							
83							
84							
85							
86							
87							
88							
89							
90							



## Section 6

## Transformation

## Management and Employment Equity

6.4.1 Complete the following table in relation to income levels of the applicant's permanent employees at 28 February 2005:

	Gross Monthly Income (Total Cost to Company)	Number of Employees	Percentage of Total Employees	Number of Black Employees	Percentage of Total Black Employees	Number of Female Employees
1	<R2 500					
2	Between R2 500 and R5 500					
3	Between R5 501 and R10 500					
4	Between R10 501 and R16 000					
5	Between R16 001 and R20 000					
6	Between R20 001 and R25 000					
7	Between R25 001 and R30 000					
8	Between R30 001 and R40 000					
9	Between R40 001 and R60 000					
10	>R60 000					
	Total		100%		100%	

6.4.2 Does the applicant contribute towards medical aid and pension for its employees?

☐ Yes ☐ No

6.4.3 Does the applicant provide any other type of benefits for its employees?

☐ Yes ☐ No

6.5 Complete the following table in relation to the applicant's employment equity profile as provided to the Department of Labour in October 2004. If the applicant is not designated or did not voluntarily comply then the table must be completed as at 28 February 2005.

										Total	
Occupational Categories	Gender	A No	A %	C No	C %	I No	I %	W No	W %	ACI %	F%
Top & Senior Management / Senior Officials and Managers	Male										
	Female										
Professionally Qualified and experienced specialists and mid-management / Professionals	Male										
	Female										
Skilled Technical and academically qualified workers, supervisors, foremen, and superintendents / Technicians and Associate Professionals	Male										
	Female										
Semi-skilled and discretionary decision-making and unskilled and undefined decision-making / Clerks, Service & Sales Workers, Fishery Workers, Artisans & Related Trade Workers, Plant & Machine Operators & Assemblers, Elementary Occupations	Male										
	Female										
TOTAL	Male										
	Female										

A = African, C = Coloured, I = Indian, W = White, M = Male, F = Female, ACI = African, Coloured and Indian



## Section 6

## Transformation

## Management and Employment Equity

6.6.1 Complete the tables below in relation to employment equity figures for **Senior Officials and Managers** only.

[illegible]

6.6.2 Complete the tables below in relation to employment equity figures for **Professionals** only.

[illegible]



## Section 6

## Transformation

## Ownership - Companies Only

6.7 Is the applicant a company?

☐ Yes ☐ No

6.7.1 If "Yes", complete the table below in respect of shareholding held by black persons:

Year	Percentage Shareholding Held by Black Persons	Percentage Voting Rights Held by Black Persons	Percentage of Dividends Black Shareholders are Entitled To
2001 (as in 2001 application form)			
2005 (at date of application)			

6.7.2 Complete the following table in relation to shareholding held by women based on the flow through principle:

Year	Percentage Shareholding Held by Women	Percentage Voting Rights Held by Women	Percentage of Dividends Women are Entitled To
2005 (at date of application)			

6.7.3 Did the applicant have a share scheme in place in 2004 for employees?

☐ Yes ☐ No

6.7.4 If "Yes", what is the percentage shareholding held by or for employees not listed under question 6.3.2, through the scheme?

6.7.5 Complete the following table in relation to monies paid to shareholders:

Year	Salaries Paid to Shareholders	Loans Made to Shareholders	Dividends Paid to Shareholders
2002 (financial year)			
2003 (financial year)			
2004 (financial year)			

6.7.6 Was the applicant managed by another entity, or was the catching, processing or marketing of the 2004 allocation in this fishery performed by another entity during the 2004 financial year?

☐ Yes ☐ No

6.7.7 If "Yes", complete the table below:

Function	Rand Amount Paid to Other Entity during the 2004 Financial Year	Rand Amount as a Percentage of the Applicant's Total Turnover in 2004
Management		
Catching		
Processing		
Marketing		



## Section 6

### Transformation

#### Ownership - Close Corporations Only

6.8 Is the applicant a close corporation ?

☐ Yes ☐ No

6.8.1 If "Yes", complete the table below in respect of members interest held by black persons:

Year	Percentage Interest Held by Black Persons	Percentage Voting Rights Held by Black Persons	Percentage Profit Distribution Black Persons are Entitled To
2001 (as in 2001 application form)			
2005 (as at date of application)			

6.8.2 Complete the table below in relation to members interest held by women:

Year	Percentage Interest Held by Women	Percentage Voting Rights Held by Women	Percentage Profit Distribution Women are Entitled To
2005 (as at date of application)			

6.8.3 Did the applicant have a profit sharing scheme for employees in place in 2004?

☐ Yes ☐ No

6.8.4 If "Yes", what percentage of profit were employees not listed under question 6.3.2 entitled to?

6.8.5 Complete the following table in relation to monies paid to members:

Year	Salaries Paid to Members	Loans Made to Members	Profit Distributed to Members
2002 (financial year)			
2003 (financial year)			
2004 (financial year)			

6.8.6 Was the applicant managed by another entity, or was the catching processing or marketing performed by another entity during the 2004 financial year?

☐ Yes ☐ No

6.8.7 If "Yes", complete the table below:

Function	Rand Amount Paid to Other Entity	Rand Amount as a Percentage of the Applicant's Turnover in 2004
Management		
Catching		
Processing		
Marketing		

## Section 6

### Transformation Skills Development

6.9 Has the applicant met the targets set in the Transformation Plan submitted in 2001? ☐ Fully ☐ Somewhat/Partially ☐ Not at all



6.10 Complete the following table in relation to compliance with the Skills Development Levies Act 9 of 1998:



Year	Did the applicant submit Workplace Skills Plan which was approved (Y/N)	Did the applicant submit an Annual Training Report which was approved (Y/N)	Rand Amount Paid to SARS in skills development levies	Percentage Salaries Bill Spent on Training	Percentage of Training Budget Spent on Black Employees
2001 (financial year end)					
2002 (financial year end)					
2003 (financial year end)					
2004 (financial year end)					

6.11 Did the applicant participate in a learnership programme during the medium term rights period? ☐ Yes ☐ No



6.12 If "Yes," indicate the number of learnerships as a percentage of the employees in respect of whom the applicant prepared IRP5 certificates in 2004 (tax year end).

6.13. Did the applicant participate in any other skills development programmes through its SETA in 2004 such as an SME Support Strategy?

☐ Yes ☐ No



6.14.1 How many skippers are used by the applicant?

6.14.2 What percentage of these skippers are black?

### Corporate Social Investment

6.15 Does the applicant make donations of its annual taxable income which qualify for deduction in terms of section 18A of the Income Tax Act 58 of 1962 ?

☐ Yes ☐ No



6.16 If "Yes", indicate what percentage of net profit earned in the 2004 financial year these donations amount to:

☐ 0 - 0.5 %

☐ 0.5 - 1 %

☐ > 1 %





## Section 6

### Transformation

### Corporate Social Investment

6.17 Indicate the five largest tax deductible donations made per annum since 2001 in the table below.

Year	Benefitting Organisation	Rand Value of Amount Donated
2001 - 1		
2001 - 2		
2001 - 3		
2001 - 4		
2001 - 5		
Year	Benefitting Organisation	Rand Value of Amount Donated
2002 - 1		
2002 - 2		
2002 - 3		
2002 - 4		
2002 - 5		
Year	Benefitting Organisation	Rand Value of Amount Donated
2003 - 1		
2003 - 2		
2003 - 3		
2003 - 4		
2003 - 5		
Year	Benefitting Organisation	Rand Value of Amount Donated
2004 - 1		
2004 - 2		
2004 - 3		
2004 - 4		
2004 - 5		

6.18 Does the applicant make any other donations (in addition to those which qualify for deduction in terms of section 18A of the Income Tax Act 58 of 1962, but not including school fees)?

☐ Yes ☐ No



6.19 If "Yes", indicate what percentage of net profit earned in the 2004 financial year these other donations amount to :

☐ 0 - 0.5 %

☐ 0.5 - 1 %

☐ > 1 %



6.20 If other donations were made, indicate the five largest such donations made in 2004 in the table below:

Year	Benefitting Organisation	Rand Value of Amount Donated
2004 - 1		
2004 - 2		
2004 - 3		
2004 - 4		
2004 - 5		

**Section 6****Transformation****Affirmative Procurement**

6.21 Does the applicant have a written affirmative procurement policy?

☐ Yes ☐ No



6.22 Provide the following information in relation to the applicant's top ten South African suppliers (operational expenditure) in 2004:



Name of Supplier	Percentage of Black Ownership of Supplier	Amount Paid to Supplier in Rands in 2004	Percentage of Total Expenses

6.23 Has the applicant determined its affirmative procurement spend as a percentage of total procurement spend?

☐ Yes ☐ No



6.24 Has the applicant instituted a system to measure affirmative procurement spend as a percentage of total procurement spend in future?

☐ Yes ☐ No

**Section 7****Vessel, Crew and Environmental Safety****Contraventions**

7.1 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of penalty under section 324 of the Merchant Shipping Act, 57 of 1951?

☐ Yes ☐ No




7.2 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of penalty for contravening the Maritime Occupational Safety Regulations of 1994?

☐ Yes ☐ No













**Section 7****Vessel, Crew and Environmental Safety****Contraventions**

- 7.3 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of a penalty for contravening the Crew Accommodation Regulations, 1961? ☐ Yes ☐ No 



**Crew Safety and Working Conditions**

- 7.4 Has the applicant ever reported an accident in terms of section 6 of the Maritime Occupational Safety Regulations? ☐ Yes ☐ No 
- 7.5 Has a qualified safety officer been appointed for each nominated vessel in terms of section 36 of the Maritime Occupational Safety Regulations? ☐ Yes ☐ No 
- 7.6 Has every crew member on board each nominated vessel completed the approved safety induction training required by the Merchant Shipping Act, 57 of 1951? ☐ Yes ☐ No 
- 7.7 If a nominated vessel is of 25 gross tonnage or more, has the vessel been issued with a valid SAMSA Safe Manning Document required in terms of the Merchant Shipping (Safe Manning) Regulations? ☐ Yes ☐ No 
- 7.8 Has the applicant completed a formal safety assessment in terms of Marine Notice no 26 of 2004? ☐ Yes ☐ No 
- 7.9 Has the applicant registered with the Commissioner in terms of the Compensation for Occupational Injuries and Diseases Act 130 of 1993? ☐ Yes ☐ No 
- 7.10 Does the applicant have an HIV/AIDS policy? ☐ Yes ☐ No 

**Vessel Safety**

- 7.11 Have the nominated vessel(s) been issued with a valid Local General Safety Certificate? ☐ Yes ☐ No 
- 7.12 Are any operational limits imposed on the nominated vessel(s) by its Local General Safety Certificate (E.g. No more than 200 nautical miles off the South African coast)? ☐ Yes ☐ No

**Environmental Safety**

- 7.13 Has the applicant, during the medium term right period, been convicted or forfeited a deposit for contravening any part of the Marine Pollution (Prevention of Pollution from Ships) Act 2 of 1986 or Section 30 of the Marine Pollution (Control and Civil Liability) Act 6 of 1981? ☐ Yes ☐ No 
- 7.14 Does the applicant have a Garbage Management Plan for each nominated vessel as stipulated in terms of Annex V of Marpol, as set out in the Schedule to the Marine Pollution (Prevention of Pollution from Ships) Act 2 of 1986? ☐ Yes ☐ No 



## Section 8

## Job Creation

8.1 Complete the following tables in relation to job creation.

8.1.1 Table 1

Year	Employees in respect of which the applicant prepares IRP5 Certificates (Land Based)	Employees in respect of which the applicant prepares IRP5 Certificates (Sea Based)	Employees in respect of which the applicant does not prepare IRP5 Certificates (Land Based)	Employees in respect of which the applicant does not prepare IRP5 Certificates (Sea Based)	Total Number of Employees (Columns 1- 4)	Total Amount of Salary Bill as per Financial Statements	Percentage increase or decrease in total number of employees
2001 (date of application)							
2002 (financial year end)							
2003 (financial year end)							
2004 (financial year end)							
2005 (28 February 2005)							

8.1.2 Table 2

Number of vessels allocated to applicant in this fishery in 2004	Total Annual Salary Bill (in relation to this fishery) 2004 Financial Year End as per Table 8.1.1	How much does the applicant spend on salaries/wages per vessel allocated?

8.1.3 Table 3

Number of vessels allocated to applicant in this fishery in 2004	Total Employees (in relation to this fishery) (28 February 2005)	How many people does the applicant employ per vessel allocated?	Total Employees less Seasonal Employees (in relation to this fishery) (28 February 2005)	How many people (less seasonal employees) does the applicant employ per vessel allocated?

8.1.4 Table 4

Applicant's five highest annual salaries (total cost to company) paid between 1 March 2004 and 28 February 2005	Average of top five salaries	What was the multiple between the average of the five lowest and the average of the five highest salaries at 28 February 2005?

Applicant's five lowest annual salaries (total cost to company) paid between 1 March 2004 and 28 February 2005	Average of lowest five salaries	



## Section 9

### Investment

9.1 Complete the following tables:

9.1.1 Table 1

Year	Book Value of Total Fixed Assets (in relation to this fishery)	Percentage Increase or Decrease in Rand Value of Total Fixed Assets (in relation to this fishery)	Total Book Value of Total Land Based Fixed Assets (in relation to this fishery)	Total Book Value of Harbour and Sea Based Fixed Assets (in relation to this fishery)
2002 (financial year end)				
2003 (financial year end)				
2004 (financial year end)				

9.1.2 Table 2

Year	Insured Value of Total Fixed Assets (in relation to this fishery)	Percentage Increase or Decrease in Rand Value of Total Fixed Assets (in relation to this fishery)	Total Insured Value of Total Land Based Fixed Assets (in relation to this fishery)	Total Insured Value of Harbour and Sea Based Fixed Assets (in relation to this fishery)
2002 (financial year end)				
2003 (financial year end)				
2004 (financial year end)				

9.1.3 Table 3

Number of vessels allocated to the applicant in this fishery in 2004	Book Value (in rands) of harbour and sea-based assets at 2004 financial year end	Book Value (in rands) of land-based assets at 2004 financial year end	Book Value of Harbour and Sea-Based Assets per vessel allocated to applicant	Book Value of Land-Based Assets per vessel allocated to applicant

9.1.4 Table 4

Number of vessels allocated to the applicant in this fishery in 2004	Insured Value (in rands) of harbour and sea-based assets at 2004 financial year end	Insured Value (in rands) of land-based assets at 2004 financial year end	Insured Value of Harbour and Sea-Based Assets per vessel allocated to applicant	Insured Value of Land-Based Assets per vessel allocated to applicant

9.1.5 A detailed explanation of all investment made in marketing activities must be included as an annexure.

9.1.6 A detailed explanation of all investment made in processing activities must be included as an annexure.

Section 9

Investment

9.1.7 Has the applicant invested in on-board or land based processing facilities? ☐ Yes ☐ No

9.1.8 If yes, please complete the following table:

Number of vessels allocated to the applicant in 2004	Nominal Tons of Applicant's Catch Processed On Board Vessel	Nominal Tons of Applicant's Catch Processed on Land	Nominal Tons Processed on Behalf of other Right Holders On Board Vessel	Nominal Tons Processed on Behalf of other Right Holders on Land

Section 10

Local Economic Development

10.1 Complete the following table in relation to harbours and landing sites used:

Harbour / Landing Site Name	Tons Landed at Harbour in 2004 calendar year	Percentage of Total Catch Landed in 2004 calendar year
TOTAL		

10.2 At which harbours and landing sites will the applicant land its catches?

Harbour / Landing Site Names	

10.3 Has the applicant made any investment in physical infrastructure at these harbours or landing sites in order to improve or make landing catches at these harbours possible? ☐ Yes ☐ No





**Section 11****Value Add & Enterprise Development**

11.1 Is the applicant directly involved in any value adding process in this fishery?

☐ Yes ☐ No



11.2 Has the applicant been responsible for any enterprise development?

☐ Yes ☐ No

**Section 12****Performance****Financial**

12.1 What is the applicant's 2004 audited, verified or certified Annual Turnover?



12.2 Indicate the rand value and percentage of total turnover derived from this fishery:

Number of vessels allocated to the Applicant in 2004	Turnover Generated in 2004 financial year by Vessels Allocated	Percentage of Total Turnover

12.3 Complete the following table in relation to ratio performance:

Year	Return on Net Assets (RONA)	Debt: Equity Ratio	Current Ratio	Quick Ratio (Acid Test)
2001				
2002				
2003				
2004				

12.4 Provide the following information in relation to the applicant's income statements:

Year	Turnover	Profit After Tax	Retained Earnings	Dividends Paid / Distribution of Profits
2001				
2002				
2003				
2004				



**Section 12****Performance****Financial**

12.5 Provide the following information in relation to the applicant's balance sheet:

Year	Assets	Long-Term Liabilities	Current Liabilities	Shareholder's Equity / Member's Contribution
2001				
2002				
2003				
2004				

12.6 Provide the following information in relation to the applicant's cash flow:

Year	Net Cash Inflow / Outflow from Operations	Net Cash Inflow / Outflow from Investing Activities	Net Cash Inflow / Outflow from Financing Activities
2001			
2002			
2003			
2004			

**Section 13****Fishing Plan**

13.1 Does the applicant have a fishing plan?

☐ Yes ☐ No

**Section 14****By-Catch and Environmentally Sustainable Practices****By-Catch**

14.1 Indicate the proportion of the applicant's annual catch that is made up of by-catch species:



Year	Annual By-Catch (In tons)	Annual Utilised By-Catch as a Percentage of Total Catch	Annual Unutilised By-Catch, Juvenile Species and Endangered Species as a Percentage of Total Catch
2001			
2002			
2003			
2004			



Section 14

By-Catch and Environmentally Sustainable Practices

- 14.2 Has the applicant put in place any measures to reduce energy and fuel consumption on vessels, and in processing facilities?

☐ Yes ☐ No
- 14.3 Does the applicant intend to put in place any measures to reduce energy and fuel reduction consumption on vessels, and in processing facilities?

☐ Yes ☐ No
- 14.4 Has the applicant undertaken or sponsored any research in relation to environmentally sustainable practices?

☐ Yes ☐ No
- 14.5 Has the applicant put measures in place to reduce damage to sea beds?

☐ Yes ☐ No

Section 15

Fishing Levies

15.1 Please provide the following information in relation to levies paid since 2001:

Year	Species	Total Catch in Tons	Levies Paid
2001			
2001			
2001			
2001			
2001			
2002			
2002			
2002			
2002			
2002			
2003			
2003			
2003			
2003			
2003			
2004			
2004			
2004			
2004			
2004			

15.2 What was the date and amount of the applicant's most recent levy payment?

Date  
yyyy/mm/dd

Amount



**Section 16****Applicant Declaration**

I, the undersigned, do hereby make oath and declare that:

- (a) I have read the instructions set out on pages 2 and 3 of this application form;
- (b) the information submitted with and in this Application is true and correct and complete.
- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to my application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) The applicant undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (f) The applicant accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

**Signed at:** \_\_\_\_\_

**This** \_\_\_\_\_ **day of** \_\_\_\_\_ **2005**

**Signature of Authorised Representative:** \_\_\_\_\_

**Representative's Full Name:** \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address


**Holding Company Declaration**

I, the undersigned, do hereby make oath and declare that:

- (a) I have read the instructions set out on pages 2 and 3 of this application form;
- (b) the information submitted with and in this Application is true and correct and complete.
- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to the application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (f) \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

**Signed at:** \_\_\_\_\_

**This** \_\_\_\_\_ **day of** \_\_\_\_\_ **2005**

**Signature of Authorised Representative:** \_\_\_\_\_

**Representative's Full Name:** \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address




**Section 16****Sister Company Declaration**

I, the undersigned, do hereby make oath and declare that:

- (a) I have read the instructions set out on pages 2 and 3 of this application form;
- (b) the information submitted with and in this Application is true and correct and complete.
- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to my application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (f) \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

**Signature of Authorised Representative of Sister Company (if applicable)**

**Signed at:** \_\_\_\_\_

**This** \_\_\_\_\_ **day of** \_\_\_\_\_ **2005**

**Signature of Authorised Representative:** \_\_\_\_\_

**Representative's Full Name:** \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address

**JV Partner Declaration**

I, the undersigned, do hereby make oath and declare that:

- (a) I have read the instructions set out on pages 2 and 3 of this application form;
- (b) the information submitted with and in this Application is true and correct and complete.
- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to the application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (f) \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

**Signature of Authorised Representative of JV Partner (if applicable)**

**Signed at:** \_\_\_\_\_

**This** \_\_\_\_\_ **day of** \_\_\_\_\_ **2005**

**Signature of Authorised Representative:** \_\_\_\_\_

**Representative's Full Name:** \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address



**SCHEDULES**

**IF THE APPLICANT CANNOT PROVIDE THE INFORMATION REQUESTED IN ANY OF THE SCHEDULES BELOW, THE APPLICANT MAY SUBMIT AN EXPLANATION FOR THIS IN PLACE OF THAT ANNEXURE**

**Schedule 1 - Applicant Details**

- a) Provide, as Annexure 1A a brief profile of the applicant organisation including an organogram which clearly indicates the applicant's business model including holding company, sister company and joint venture partner relationships. The applicant should pertinently indicate if it intends to apply in more than one sector, is involved in industries other than the fishing industry and if the applicant does rely on information of holding companies, sister companies and joint venture partners in this application. The profile may not exceed 5 pages.
- b) Section 1.3: Provide a copy of a valid company or close corporation registration certificate as Annexure 1B.
- c) Section 1.8.6: Provide a copy of a resolution duly authorising the person named in Section 1.8.6 to be the authorised contact person, as Annexure 1C.

**Schedule 2 - Form of Applicant**

- a) Section 2.1: Provide a copy of the 2005 permit as Annexure 2A.
- b) Section 2.2: Provide a copy of the letter granting a right as Annexure 2B.
- c) Section 2.3: If the medium term right is currently held by an entity different from the one listed in Section 2.2, provide a detailed explanation as Annexure 2C.
- d) Section 2.5: Provide a copy of a valid SARS tax clearance certificate as Annexure 2D.
- e) Section 2.7: If "Yes," provide a detailed statement describing percentage of shareholding, the name and the registration number of the company as Annexure 2E.
- f) Section 2.8: If "Yes," provide a detailed statement describing percentage of shareholding, the name and the registration number of the company as Annexure 2G.

**Schedule 3 - Compliance**

- a) Section 3.1.1: If "Yes", provide details and documentation regarding the conduct of the applicant, the identity and conduct of the members, shareholders or directors resulting in the conviction, the dates of conviction, and the penalties imposed as Annexure 3A.
- b) Section 3.1.2: If "Yes", provide details and any documentation of the plea bargain arrangement entered into, and details regarding the conduct and identity of the individuals giving rise to the plea bargain, the dates and specifics of the plea bargain, as Annexure 3B.
- c) Section 3.1.3: If "Yes", provide details and any documentation regarding the admission of guilt fine paid, including information regarding the conduct and identity of the individuals giving rise to the fine, the date of offence and rand amount paid as Annexure 3C.
- d) Section 3.1.4: If "Yes", provide details and any documentation regarding the offence including information regarding the conduct and identity of the individuals giving rise to the fine, the date of offence and penalty as Annexure 3D.
- e) Section 3.2: If "Yes", provide details regarding the detention, arrest or seizure, including information regarding the conduct and identity of individuals involved as Annexure 3E. Also provide details if a final confiscation or forfeiture order was / was not granted under the Prevention of Organised Crime Act.
- f) Section 3.3: If "Yes", provide details and any documentation including the identity and conduct of individuals giving rise to the Section 28 procedure as Annexure 3F.



**Schedule 4 - Vessel Details**

- a) Section 4.2: For each vessel nominated, provide copies of the following documents:
- i) SAMSA Safety Certificate(s) as Annexure 4A;
  - ii) South African Certificate(s) of Registry as Annexure 4B;
  - iii) agreement(s) providing access to the vessel if the applicant is not the majority shareholder or the sole owner of the vessel as Annexure 4C;
  - iv) Local General Safety Certificate(s) as Annexure 4D.
- b) If the applicant is unable to furnish any of the above documents for any of the nominated vessels, the applicant must provide an explanation for this as Annexure 4E.

**Schedule 5 - Catch Utilisation**

Not applicable

**Schedule 6 - Transformation**

- a) Section 6.3.1: If the applicant completed Section 6.3.1 in respect of the board of directors of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.3.1 for the applicant and the other entities separately, and submit these as Annexure 6A.
- b) Section 6.3.2: If the applicant completed Section 6.3.2 in respect of the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.3.2 for the applicant and the other entities separately, and submit these as Annexure 6B.
- c) Section 6.4.1: If the applicant completed Section 6.4.1 in respect of the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.4.1 for the applicant and the other entities separately, and submit these as Annexure 6C.
- d) Section 6.4.2: If "Yes," the applicant must provide details of contributions made to medical aid and pension, including details of the classes of beneficiaries, the employer's contributions and the nature of the benefits as Annexure 6D.
- e) Section 6.4.3: If "Yes," the applicant must provide details of the nature of the benefits provided, classes of beneficiaries and the employer's contribution as Annexure 6E.
- f) Section 6.5, 6.6.1 and 6.6.2: If the applicant completed Sections 6.5, 6.6.1 and 6.6.2 with reference to the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.5, 6.6.1 and 6.6.2 for the applicant and the other entities separately and submit these as Annexure 6F.
- g) Section 6.7.1: Explain how black shareholding and black voting rights were calculated as Annexure 6G. This annexure should include details of any Black Economic Empowerment deals the applicant has concluded. The annexure must also include a complete list of all shareholders, following the flow through principle. This list should indicate the name, identification / registration number, whether the shareholder is black (if natural person), or what percentage of the shareholder is black (if company or close corporation), the gender of the shareholder (if natural person), or what percentage of the shareholder is female (if company or close corporation).
- h) Section 6.7.3: If "Yes," provide details regarding the applicant's employee share scheme, paying particular attention to actual benefits to employees, as well as a copy of the employee share scheme policy as Annexure 6H.



### Schedule 6 - Transformation

- i) Section 6.7.5: Provide a breakdown of all salaries, loans and dividends paid to shareholders for each year including the name, identification number of the shareholder, as well as whether the shareholder is Black (if natural person, or name and company registration number and percentage black shareholding or interest if juristic person), as Annexure 6I.
- j) Section 6.7.7: If the applicant completed any part of the table in question 6.7.7, the applicant must provide details regarding the entity, the relationship between the applicant and the entity, and whether the applicant or the applicant's holding company have any equity interest in the other entity, as Annexure 6J.
- k) Section 6.8.1: Provide a list of all the applicant's members names, identification number, whether the member is black and the gender of the member, as Annexure 6K.
- l) Section 6.8.3: If "Yes," provide details of the applicant's employee profit sharing scheme, paying particular attention to actual benefits to employees, as well as a copy of the employee share scheme policy as Annexure 6L.
- m) Section 6.8.5: Provide a breakdown of all salaries, loans and profit distribution paid to members for each year, including the name and identification number of the member, as well as whether the member is Black, as Annexure 6M.
- n) Section 6.8.7: If the applicant completed any part of the table in question 6.8.7, the applicant must provide details regarding the entity, the relationship between the applicant and the entity, and whether the applicant or the applicant's holding company have any equity interest in the other entity as Annexure 6N.
- o) Section 6.9: Provide a summary of the targets set in the Transformation Plan, the extent to which these were met and the measures taken to reach the targets as Annexure 6O.
- p) Section 6.10: If the applicant completed Section 6.10 with reference to the payroll and training budgets of both the applicant and of any other entity(ies) as per the Explanatory Notes, the applicant must complete the table in Section 6.10 for both the applicant and the other entity(ies) separately and submit these as Annexure 6P.
- q) Section 6.12: If the applicant completed Section 6.12 with reference to the learnerships of both the applicant and of any other entities as per the Explanatory Notes, the applicant must provide a breakdown of the information required in Section 6.12 for both the applicant and the other entities separately and submit these as Annexure 6Q.
- r) Section 6.13: If "Yes" provide a detailed description of the applicant's participation in such skills development programmes, as well as any supporting documentation from the SETA, as Annexure 6R.
- s) Section 6.14.1 and 6.14.2: If the applicant completed Sections 6.14.1 and 6.14.2 with reference to the skippers of both the applicant and of any other entities as per the Explanatory Notes, the applicant must provide a breakdown of the information required in Section 6.14.1 and 6.14.2 for both the applicant and the other entities separately and submit these as Annexure 6S.
- t) Section 6.15, 6.16 and 6.17: If the applicant completed Sections 6.15, 6.16 and 6.17 with reference to the donations of both the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the table in Section 6.17 for both the applicant and the other entities separately and submit these as Annexure 6T.
- u) Section 6.18, 6.19 and 6.20: If the applicant completed Sections 6.18 and 6.19 with reference to the donations of both the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the table in Section 6.20 for both the applicant and the other entities separately and submit these as Annexure 6U.
- v) Section 6.21: If "Yes" provide a copy of the Affirmative Procurement Policy as Annexure 6V.
- w) Section 6.22: Provide a breakdown of capital and operational expenditure paid to South African suppliers, including the percentage black ownership of these suppliers as Annexure 6W.
- x) Section 6.23: If "Yes," Explain how the Applicant determined its affirmative procurement spend as Annexure 6X.



**Schedule 7 - Safety**

- a) Section 7.1: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure 7A.
- b) Section 7.2: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure 7B.
- c) Section 7.3: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure 7C.
- d) Section 7.4: If "Yes," provide a detailed description of the accident as Annexure 7D.
- e) Question 7.5: If "Yes," provide the name, identity number and qualification of each safety officer for each vessel. If "No," please provide a detailed explanation of why the applicant has not appointed a qualified safety officer for each vessel. The information provided under this section must be contained in Annexure 7E.
- f) Section 7.6: If "No," provide a detailed explanation as Annexure 7F.
- g) Section 7.7: If "Yes," provide a copy of the Safe Manning Document as Annexure 7G. If "No," and the nominated vessel is of 25 gross tonnage or more, provide a detailed explanation as Annexure 7G.
- h) Section 7.10: If "Yes," provide a copy of the policy as Annexure 7H. If "No," an explanation of why the applicant does not have an HIV/AIDS policy must be provided as Annexure 7H.
- i) Section 7.11: If "Yes," provide a copy of the Local General Safety Certificate as Annexure 7I. If "No," a detailed explanation must be provided as Annexure 7I.
- j) Section 7.13: If "Yes," provide details and documentation regarding the conduct of the applicant, its members, shareholders or directors resulting in the convictions and penalties imposed as Annexure 7J.
- k) Section 7.14: If "Yes," provide a copy of the plan as Annexure 7K. If "No," provide a detailed explanation of why not as Annexure 7K.

**Schedule 8 - Job Creation**

- a) Section 8.1: The applicant must provide breakdowns as described in the Explanatory Notes as Annexure 8A.
- b) Section 8.1.4: If the applicant completed Questions 8.1.4 with reference to the payrolls of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the table in Question 8.1.4 for both the applicant and the other entities separately, and submit these as Annexure 8B.

**Schedule 9 - Investment**

- a) Section 9.1 and 9.1.2: Provide breakdowns as described in the Explanatory Notes as Annexure 9A
- b) Section 9.1.5: Provide a detailed explanation of all investments in marketing activities, including investments in distribution channels, product research and market research as Annexure 9B.
- c) Section 9.1.6: Provide a detailed explanation of all investments in processing activities as Annexure 9C.



**Schedule 10 - Local Economic Development**

- a) Section 10.3: If "Yes," provide a detailed explanation of all investments made in order to make landing catches at identified harbours possible as Annexure 10A.

**Schedule 11 - Value Add & Enterprise Development**

- a) Section 11.1: If "Yes," provide a detailed explanation of how the applicant is involved in value adding processes, and what the processes are, as Annexure 11A.
- b) Section 11.2: If "Yes," provide a detailed explanation of how the applicant is responsible for enterprise development as Annexure 11B.

**Schedule 12 - Performance (Financial)**

- a) Section 12.1: Provide a copy of the applicant's 2004 audited financial statements as Annexure 12A. The applicant's auditors will be required to confirm its responses to all questions in Section 12.
- b) Section 12.2: If the applicant completed the table in Section 12.2 with reference to the turnover of both the applicant and of any other entity(ies) as per the Explanatory Notes, the applicant must complete the table in Section 12.1 for both the applicant and the other entity(ies) separately and submit these as Annexure 12B

**Schedule 13 - Fishing Plan**

- a) Section 13: If "Yes," provide a synopsis of the applicant's fishing plan as Annexure 13A, paying particular attention to:
- a) days to be spent fishing per vessel nominated;
  - b) areas to be targeted (inshore or offshore fishing activities or both);
  - c) species to be targeted and mix of species;
  - d) expected size of species to be targeted;
  - e) detailed information regarding:
    - Age
    - Size
    - Gear
    - Fishing capacity and
    - Processing capacity of each nominated vessel (where appropriate).

The fishing plan must clearly demonstrate the applicant's ability to perform effectively in the fishery.

**Schedule 14 - By-Catch and Environmentally Sustainable Practices**

- a) Section 14.1: Provide a detailed explanation of how the applicant manages bycatch, as Annexure 14A.
- b) Section 14.2: Provide a detailed explanation of measures put in place to reduce energy and fuel consumption on vessels and in processing facilities, as Annexure 14B.
- c) Section 14.3: Provide a detailed explanation of intended measures to reduce energy and fuel consumption on vessels and in processing facilities, as Annexure 14C.
- d) Section 14.4: Provide a detailed explanation of any research undertaken or sponsored by the applicant in relation to environmentally sustainable practices, as Annexure 14D.
- e) Section 14.5: Provide a detailed explanation of measures put in place to reduce damage to sea beds as Annexure 14E.



**FOR OFFICIAL USE ONLY: DO NOT TEAR OFF****RECEIPT****Received by:** \_\_\_\_\_**Date of Receipt:** 14 July 2005 or 15 July 2005**Time of Receipt:** \_\_\_\_\_ h \_\_\_\_\_**Application Number:** \_\_\_\_\_**Departmental Stamp:**

**Disclaimer:** The receipting of this application does not imply an acknowledgement of the completeness of the application or the correctness of its content.

**RECEIPT - FOR APPLICANT TO RETAIN****Received by:** \_\_\_\_\_**Date of Receipt:** 14 July 2005 or 15 July 2005**Time of Receipt:** \_\_\_\_\_ h \_\_\_\_\_**Application Number:** \_\_\_\_\_**Departmental Stamp:**

**Disclaimer:** The receipting of this application does not imply an acknowledgement of the completeness of the application or the correctness of its content.

APPLICATION NUMBER: ☐ lock the app no.

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM

BRANCH: MARINE AND COASTAL MANAGEMENT

# Patagonian Toothfish

**Long Term Rights Allocation Process: 2005****Cluster A****Application Form For: Experimental Permit Holders**

Registered Name of Applicant

Company Registration Number

or

Close Corporation Registration  
Number

Principal Place of Business

Number of Vessels Nominated



**IMPORTANT INFORMATION****INSTRUCTIONS****GENERAL**

- 1) This application form must be read together with these Instructions, the Explanatory Notes, the Schedules to the application form and the Procedures for Independent Auditors (available on the Public Accountants' and Auditors' Board website, [www.paab.co.za](http://www.paab.co.za) or [www.saica.co.za](http://www.saica.co.za)).
- 2) When completing the application form, applicants are advised to read carefully the General Policy on the Allocation and Management of Long Term Fishing Rights, as well as the applicable Fishery Specific Policy. These policies are available at [www.mcm-deat.gov.za](http://www.mcm-deat.gov.za). The policies guide the Minister or his delegate when considering the application.
- 3) Should the applicant have any queries regarding the completion of the application form, it must e-mail the Department at [clustersa@deat.gov.za](mailto:clustersa@deat.gov.za). Every query and response will be collated and circulated by e-mail to all the applicants in the sector and will be made available on [www.mcm-deat.gov.za](http://www.mcm-deat.gov.za). Should the applicant require technical assistance with the application form software, it must contact the Rights Verification Unit in one of the following ways:

Tel: (021) 670-3669

Fax: (021) 670-1782

E-mail: [RVU@deloitte.co.za](mailto:RVU@deloitte.co.za)

Applicants or their representatives may not communicate with the Minister, the delegated authority, or officials in the Department regarding their applications in any other manner. Moreover, no reliance may be placed on any information given or obtained in any other manner.

**ICONS**

- 4) Applicants must pay attention to the icons in the application form in order to determine whether:
  - the information provided will be treated as confidential;
  - there is any documentation or information required in response to a question in the form of an annexure;
  - the applicant's auditors need to verify a response; and
  - there are consequences of not answering a question.

- 5) The application form makes use of the following icons:



The books icon means that the information provided will be treated as confidential.



The clipboard icon means that the applicant must complete the corresponding Schedule to the application form. Applicants are instructed in the schedules regarding the documentation or information required as annexures. If the required documentation or information is not submitted, the application may be adversely affected. Failure to submit certain requested documents or information may result in the application being refused.



The magnifying glass icon means that the applicant's response to the question must be verified by an auditor (registered with the Public Accountants and Auditors board) engaged by the applicant as per the Procedures for Independent Auditors. The auditor must complete and sign the Audit Report on failing which the application will be refused.



The warning icon means that if the applicant fails to answer the question, the answer will be deemed to be adverse to the applicant.

**COMPLETION OF APPLICATION FORM**

- 6) The applicant must complete all fifteen sections of the application form. The applicant must respond in the spaces provided in the application form. Information may not be submitted by way of annexures except where applicants are specifically allowed to do so.
- 7) The application form must be completed electronically, and saved onto the two blank CDs provided on registration. One of these CDs must be submitted in the manner described below, while the other must be retained by the Applicant. Annexures to the application form do not need to be scanned and saved on to the CDs. The Department may request additional electronic copies of the application at a later stage.
- 8) This form is tagged and coded in order to facilitate electronic uploading of the application into a database. The applicant may not submit the application in any other form. If the applicant submits its application in any other form, the application will be refused.
- 9) The application must also be printed out and the declaration must be signed and attested by the Applicant's authorised representative, and, if applicable, the authorised representative(s) of the holding company, sister company(ies) and the joint venture partner(s). If the declaration is not signed and attested, the application will be refused.
- 10) The printed version of the electronic application, duly signed and attested, must be punched and placed into lever arch files with a divider before each annexure. The annexures must be numbered according to the schedules. Confidential information requested under questions marked by the books icon should be placed in a sealed A4 envelope marked with the application number, punched and placed in the lever arch file after the annexures.



**IMPORTANT INFORMATION****INSTRUCTIONS**

- 11) One true copy of the printed version of the application must be made. This copy must be punched and divided in the same manner as the original. The copy does not have to be certified as a true copy of the original, but it will be assumed to be the same as the original. Any discrepancy may invalidate the application.

**LODGEMENT OF APPLICATION**

- 12) The CD containing the application, the original printed version (signed and attested), and a copy of the printed version must be hand delivered to the place, on the dates and times stated below:

Place: Good Hope Centre

Dates and Times: Thursday 14 July 2005 between 08h00 and 19h00, or Friday 15 July between 08h00 and 17h00

- 13) The application may not be submitted by post or by fax. An application not submitted by hand within the above times, on the above dates at the above address will be refused.

**IMPROPER LODGEMENT**

- 14) Improperly lodged applications will be refused.

An application is improperly lodged if:

- it is received late;
- the applicant makes no payment, or short payment, or late payment of the application fee;
- the application is lodged in a manner contrary to the instructions.

**MATERIAL DEFECTS**

- 15) Applications that are materially defective will be refused.

An application is materially defective if:

- the declaration is not signed and attested by the Applicant's authorised representative, and, if applicable, the authorised representative(s) of the holding company, sister company(ies) and the joint venture partner(s).
- the auditor's report is not submitted or signed;
- more than one application is received for a right in the same sector;
- the applicant, or, if applicable, the holding company, sister company(ies) and the joint venture partner(s) provides false information or documents, fails to disclose material information or attempts to influence the Minister or the delegated authority other than in the manner provided for in the General Policy and in this application form.



## Section 1

## Applicant Details

1. The applicant must supply a profile of its organisation including an organogram and a description of its fishing operations, as Schedule 1A. 

1.1 Registered Name of Applicant

1.2 Trading Name of Applicant:

1.3 Registration Number:

1.4 Income Tax Number:

1.5 Vat Number:

1.6 Skills Development Levy Number:

- 1.7 Have the applicant's details (1.8.1 - 1.8.7d) changed since the applicant registered?

☐ Yes ☐ No

- 1.8 If "Yes", complete only those details that have changed:

1.8.1 Principal Place of Business:

Number and Street:

Suburb:

Town / City:

Postal Code:

1.8.2 Postal Address: Number and Street / PO Box:

Suburb:

Town / City:

Postal Code:

Area Code:

1.8.3 Telephone Number:

1.8.4 Additional Telephone Number:

1.8.5 Fax Number:

1.8.6 Authorised Contact Person First Name:

1.8.7 Authorised Contact Person Surname:

a) Identity Number:

b) Position Held / Relationship to Applicant

c) Cellular Number:

d) E-mail Address:

**Section 2****Form of Applicant**

2.1 Does the applicant currently hold an experimental permit in this sector?

☐ Yes ☐ No



2.2 If "Yes", to which entity or person was the experimental permit allocated in 2004?

<input checked="" type="checkbox"/> Company	<input type="checkbox"/>	Name	
<input type="checkbox"/> Close Corporation	<input type="checkbox"/>	Name	
<input type="checkbox"/> Trust	<input type="checkbox"/>	Name	
<input type="checkbox"/> Individual	<input type="checkbox"/>	Name	

2.3 In what form of entity is the experimental permit currently held?



<input type="checkbox"/> Company	<input type="checkbox"/>	Name	
<input type="checkbox"/> Close Corporation	<input type="checkbox"/>	Name	
<input type="checkbox"/> Trust	<input type="checkbox"/>	Name	
<input type="checkbox"/> Individual	<input type="checkbox"/>	Name	

2.4 Is the applicant more than 50% South African owned?

☐ Yes ☐ No



2.5 Does the applicant have a valid tax clearance certificate?

☐ Yes ☐ No



2.6 Complete the following table in relation to asset value and turnover:



Year	Turnover	Gross Asset Value (excluding fixed property)
2004 (Financial Year End)		

2.7 Does the applicant hold any share(s) in any other company that is applying as a medium term right holder in this sector?

☐ Yes ☐ No



2.8 Does the applicant hold any share(s) in any company that is applying as a new entrant in this sector?

☐ Yes ☐ No

**Section 3****Compliance**

3.1 Has the applicant, or any of its members, shareholders or directors:

3.1.1 been convicted of a contravention of the MLRA, or the regulations, or permit conditions during the medium term right period?

☐ Yes ☐ No



3.1.2 entered into a plea bargain under the Criminal Procedure Act 51 of 1977, for a contravention of the MLRA, or the regulations, or permit conditions during the medium term right period?

☐ Yes ☐ No



3.1.3 paid an admission of guilt fine for a contravention of the MLRA, the regulations, or the permit conditions during the medium term right period?

☐ Yes ☐ No





**Section 3****Compliance**

- 3.1.4 been charged with an offence under the MLRA, or the regulations or permit conditions during the medium term right period?
- 3.2 Has a fishing vessel, motor vehicle, premises or any other assets of the applicant, or any of its shareholders, members or directors been detained, arrested or seized under the MLRA or restrained, preserved, confiscated or forfeited under the Prevention of Organised Crime Act 121 of 1998 during the medium term right period?
- 3.3 Was the applicant's right or permit suspended, revoked, cancelled, reduced or altered under section 28 of the MLRA during the medium term right period?

☐ Yes ☐ No

☐ Yes ☐ No

☐ Yes ☐ No
**Section 4****Vessel Details**

- 4.1 How many vessels has the applicant nominated for use in this fishery?

- 4.2 Fill in the relevant details in the tables below regarding each vessel nominated:



Vessel 1	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 2	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



## Section 4

## Vessel Details



Vessel 3	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 4	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 5	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



**Section 5****Catch Utilisation**

5.1 Did the applicant over-catch or under-catch by more than 10% during the experimental period?

☐ Yes ☐ No



5.2 Complete the following in relation to the applicant's catch records.



Year	Annual Catch Allocation (in metric tons)	Total Actual Catch of Applicants Allocation (Nominal tons)	Percentage under-caught	Percentage over-caught
2002 Season				
2003 Season				
2004 Season				

**Section 6****Transformation****Management and Employment Equity**

6.1 Was the applicant a designated employer as defined in section 1 of the Employment Equity Act, 55 of 1998 as at 28 February 2005?

☐ Yes ☐ No



6.2.1 If "Yes", has the applicant complied with the Employment Equity Act, 55 of 1998?

☐ Yes ☐ No



6.2.2 If "No", has the applicant voluntarily complied with the Employment Equity Act, 55 of 1998?

☐ Yes ☐ No



Section 6

Transformation

Management and Employment Equity

6.3.1 Complete the table below in respect of the applicant's board of directors (if a company) or members (if a close corporation) as at 28 February 2005.



	Director / Member Name (Initial & Surname)	Years of Service	Total Annual Remuneration (Total Cost to Company)	Black (Y/N)	Gender (M/F)	ID Number
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						



## Section 6

## Transformation

## Management and Employment Equity

6.3.2 Complete the table below in respect of employees at 28 February 2005.



Between 1 - 5 Employees	The Top Salary Earner (Total Cost to Company)
Between 6 - 30 Employees	The Top Two Salary Earners (Total Cost To Company)
Between 31 - 60 Employees	The Top 3 Salary Earners (Total Cost to Company)
Between 61 - 165 Employees	The Top 4 Salary (Total Cost to Company) Earners
More than 165 Employees	The Top 3% of Salary Earners (Total Cost to Company) up to 90 Employees

	Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black (Y/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							

## Section 6

## Transformation

## Management and Employment Equity




	Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black (Y/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
20							
21							
22							
23							
24							
25							
26							
27							
28							
29							
30							
31							
32							
33							
34							
35							
36							
37							
38							
39							
40							
41							
42							
43							
44							
45							
46							
47							
48							
49							
50							
51							
52							
53							
54							
55							



## Section 6

## Transformation

## Management and Employment Equity



	Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black (Y/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
56							
57							
58							
59							
60							
61							
62							
63							
64							
65							
66							
67							
68							
69							
70							
71							
72							
73							
74							
75							
76							
77							
78							
79							
80							
81							
82							
83							
84							
85							
86							
87							
88							
89							
90							



## Section 6

## Transformation

## Management and Employment Equity

6.4.1 Complete the following table in relation to income levels of the applicant's permanent employees at 28 February 2005:

	Gross Monthly Income (Total Cost to Company)	Number of Employees	Percentage of Total Employees	Number of Black Employees	Percentage of Total Black Employees	Number of Female Employees
1	<R2 500					
2	Between R2 500 and R5 500					
3	Between R5 501 and R10 500					
4	Between R10 501 and R16 000					
5	Between R16 001 and R20 000					
6	Between R20 001 and R25 000					
7	Between R25 001 and R30 000					
8	Between R30 001 and R40 000					
9	Between R40 001 and R60 000					
10	>R60 000					
	Total		100%		100%	

6.4.2 Does the applicant contribute towards medical aid and pension for its employees?

☐ Yes ☐ No

6.4.3 Does the applicant provide any other type of benefits for its employees?

☐ Yes ☐ No

6.5 Complete the following table in relation to the applicant's employment equity profile as provided to the Department of Labour in October 2004. If the applicant is not designated or did not voluntarily comply then the table must be completed as at 28 February 2005.

										Total	
Occupational Categories	Gender	A No	A %	C No	C %	I No	I %	W No	W %	ACI %	F %
Top & Senior Management / Senior Officials and Managers	Male										
	Female										
Professionally Qualified and experienced specialists and mid-management / Professionals	Male										
	Female										
Skilled Technical and academically qualified workers, supervisors, foremen, and superintendents / Technicians and Associate Professionals	Male										
	Female										
Semi-skilled and discretionary decision-making and unskilled and undefined decision-making / Clerks, Service & Sales Workers, Fishery Workers, Artisans & Related Trade Workers, Plant & Machine Operators & Assemblers, Elementary Occupations	Male										
	Female										
TOTAL	Male										
	Female										

A = African, C = Coloured, I = Indian, W = White, M = Male, F = Female, ACI = African, Coloured and Indian



## Section 6

## Transformation

## Management and Employment Equity

6.6.1 Complete the tables below in relation to employment equity figures for **Senior Officials and Managers** only.

[illegible]

6.6.2 Complete the tables below in relation to employment equity figures for **Professionals** only.

[illegible]



## Section 6

## Transformation

## Ownership - Companies Only

6.7 Is the applicant a company?

☐ Yes ☐ No

6.7.1 If "Yes", complete the table below in respect of shareholding held by black persons:

Year	Percentage Shareholding Held by Black Persons	Percentage Voting Rights Held by Black Persons	Percentage of Dividends Black Shareholders are Entitled To
2001 (as in 2001 application form)			
2005 (at date of application)			

6.7.2 Complete the following table in relation to shareholding held by women based on the flow through principle:

Year	Percentage Shareholding Held by Women	Percentage Voting Rights Held by Women	Percentage of Dividends Women are Entitled To
2005 (at date of application)			

6.7.3 Did the applicant have a share scheme in place in 2004 for employees?

☐ Yes ☐ No

6.7.4 If "Yes", what is the percentage shareholding held by or for employees not listed under question 6.3.2, through the scheme?

6.7.5 Complete the following table in relation to monies paid to shareholders:

Year	Salaries Paid to Shareholders	Loans Made to Shareholders	Dividends Paid to Shareholders
2002 (financial year)			
2003 (financial year)			
2004 (financial year)			

6.7.6 Was the applicant managed by another entity, or was the catching, processing or marketing of the 2004 allocation in this fishery performed by another entity during the 2004 financial year?

☐ Yes ☐ No

6.7.7 If "Yes", complete the table below:

Function	Rand Amount Paid to Other Entity during the 2004 Financial Year	Rand Amount as a Percentage of the Applicant's Total Turnover in 2004
Management		
Catching		
Processing		
Marketing		



## Section 6

## Transformation

## Ownership - Close Corporations Only

6.8 Is the applicant a close corporation ?

☐ Yes ☐ No

6.8.1 If "Yes", complete the table below in respect of members interest held by black persons:

Year	Percentage Interest Held by Black Persons	Percentage Voting Rights Held by Black Persons	Percentage Profit Distribution Black Persons are Entitled To
2001 (as in 2001 application form)			
2005 (as at date of application)			

6.8.2 Complete the table below in relation to members interest held by women:

Year	Percentage Interest Held by Women	Percentage Voting Rights Held by Women	Percentage Profit Distribution Women are Entitled To
2005 (as at date of application)			

6.8.3 Did the applicant have a profit sharing scheme for employees in place in 2004?

☐ Yes ☐ No

6.8.4 If "Yes", what percentage of profit were employees not listed under question 6.3.2 entitled to?

6.8.5 Complete the following table in relation to monies paid to members:

Year	Salaries Paid to Members	Loans Made to Members	Profit Distributed to Members
2002 (financial year)			
2003 (financial year)			
2004 (financial year)			

6.8.6 Was the applicant managed by another entity, or was the catching processing or marketing performed by another entity during the 2004 financial year?

☐ Yes ☐ No

6.8.7 If "Yes", complete the table below:

Function	Rand Amount Paid to Other Entity	Rand Amount as a Percentage of the Applicant's Turnover in 2004
Management		
Catching		
Processing		
Marketing		



## Section 6

## Transformation

## Skills Development

6.9 Has the applicant met the targets set in the Transformation Plan submitted in 2001?

☐ Fully☐ Somewhat/Partially☐ Not at all

6.10 Complete the following table in relation to compliance with the Skills Development Levies Act 9 of 1998:



Year	Did the applicant submit Workplace Skills Plan which was approved (Y/N)	Did the applicant submit an Annual Training Report which was approved (Y/N)	Rand Amount Paid to SARS in skills development levies	Percentage Salaries Billed Spent on Training	Percentage of Training Budget Spent on Black Employees
2001 (financial year end)					
2002 (financial year end)					
2003 (financial year end)					
2004 (financial year end)					

6.11 Did the applicant participate in a learnership programme during the medium term rights period?

☐ Yes ☐ No

6.12 If "Yes," indicate the number of learnerships as a percentage of the employees in respect of whom the applicant prepared IRP5 certificates in 2004 (tax year end).

6.13. Did the applicant participate in any other skills development programmes through its SETA in 2004 such as an SME Support Strategy?

☐ Yes ☐ No

6.14.1 How many skippers are used by the applicant?

6.14.2 What percentage of these skippers are black?

## Corporate Social Investment

6.15 Does the applicant make donations of its annual taxable income which qualify for deduction in terms of section 18A of the Income Tax Act 58 of 1962 ?

☐ Yes ☐ No

6.16 If "Yes", indicate what percentage of net profit earned in the 2004 financial year these donations amount to:

☐ 0 - 0.5 %☐ 0.5 - 1 %☐ > 1 %



## Section 6

### Transformation

### Corporate Social Investment

6.17 Indicate the five largest tax deductible donations made per annum since 2001 in the table below.

Year	Benefiting Organisation	Rand Value of Amount Donated
2001 - 1		
2001 - 2		
2001 - 3		
2001 - 4		
2001 - 5		
Year	Benefiting Organisation	Rand Value of Amount Donated
2002 - 1		
2002 - 2		
2002 - 3		
2002 - 4		
2002 - 5		
Year	Benefiting Organisation	Rand Value of Amount Donated
2003 - 1		
2003 - 2		
2003 - 3		
2003 - 4		
2003 - 5		
Year	Benefiting Organisation	Rand Value of Amount Donated
2004 - 1		
2004 - 2		
2004 - 3		
2004 - 4		
2004 - 5		

6.18 Does the applicant make any other donations (in addition to those which qualify for deduction in terms of section 18A of the Income Tax Act 58 of 1962, but not including school fees)?

☐ Yes ☐ No



6.19 If "Yes", indicate what percentage of net profit earned in the 2004 financial year these other donations amount to :

☐ 0 - 0.5 %

☐ 0.5 - 1 %

☐ > 1 %



6.20 If other donations were made, indicate the five largest such donations made in 2004 in the table below:

Year	Benefiting Organisation	Rand Value of Amount Donated
2004 - 1		
2004 - 2		
2004 - 3		
2004 - 4		
2004 - 5		

**Section 6****Transformation****Affirmative Procurement**

6.21 Does the applicant have a written affirmative procurement policy?

☐ Yes ☐ No



6.22 Provide the following information in relation to the applicant's top ten South African suppliers (operational expenditure) in 2004:



Name of Supplier	Percentage of Black Ownership of Supplier	Amount Paid to Supplier in Rands in 2004	Percentage of Total Expenses

6.23 Has the applicant determined its affirmative procurement spend as a percentage of total procurement spend?

☐ Yes ☐ No



6.24 Has the applicant instituted a system to measure its affirmative procurement spend as a percentage of total procurement spend?

☐ Yes ☐ No

**Section 7****Vessel, Crew and Environmental Safety****Contraventions**

7.1 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of penalty under section 324 of the Merchant Shipping Act, 57 of 1951?

☐ Yes ☐ No



7.2 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of penalty for contravening the Maritime Occupational Safety Regulations of 1994?

☐ Yes ☐ No





## Section 7

### Vessel, Crew and Environmental Safety Contraventions

7.3 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of a penalty for contravening the Crew Accommodation Regulations, 1961?

☐ Yes ☐ No



### Crew Safety and Working Conditions

7.4 Has the applicant ever reported an accident in terms of section 6 of the Maritime Occupational Safety Regulations?

☐ Yes ☐ No



7.5 Has a qualified safety officer been appointed for each nominated vessel in terms of section 36 of the Maritime Occupational Safety Regulations?

☐ Yes ☐ No



7.6 Has every crew member on board each nominated vessel completed the approved safety induction training required by the Merchant Shipping Act, 57 of 1951?

☐ Yes ☐ No



7.7 If a nominated vessel is of 25 gross tonnage or more, has the vessel been issued with a valid SAMSA Safe Manning Document required in terms of the Merchant Shipping (Safe Manning) Regulations?

☐ Yes ☐ No



7.8 Has the applicant completed a formal safety assessment in terms of Marine Notice no 26 of 2004?

☐ Yes ☐ No



7.9 Has the applicant registered with the Commissioner in terms of the Compensation for Occupational Injuries and Diseases Act 130 of 1993?

☐ Yes ☐ No



7.10 Does the applicant have an HIV/AIDS policy?

☐ Yes ☐ No



### Vessel Safety

7.11 Have the nominated vessel(s) been issued with a valid Local General Safety Certificate?

☐ Yes ☐ No



7.12 Are any operational limits imposed on the nominated vessel(s) by its Local General Safety Certificate (E.g. No more than 200 nautical miles off the South African coast)?

☐ Yes ☐ No

### Environmental Safety

7.13 Has the applicant, during the medium term right period, been convicted or forfeited a deposit for contravening any part of the Marine Pollution (Prevention of Pollution from Ships) Act 2 of 1986 or Section 30 of the Marine Pollution (Control and Civil Liability) Act 6 of 1981?

☐ Yes ☐ No



7.14 Does the applicant have a Garbage Management Plan for each nominated vessel as stipulated in terms of Annex V of Marpol, as set out in the Schedule to the Marine Pollution (Prevention of Pollution from Ships) Act 2 of 1986?

☐ Yes ☐ No





## Section 8

### Job Creation

8.1 Complete the following tables in relation to job creation.

8.1.1 Table 1

Year	Employees in respect of which the applicant prepares IRP5 Certificates (Land Based)	Employees in respect of which the applicant prepares IRP5 Certificates (Sea Based)	Employees in respect of which the applicant does not prepare IRP5 Certificates (Land Based)	Employees in respect of which the applicant does not prepare IRP5 Certificates (Sea Based)	Total Number of Employees (Columns 1 - 4)	Total Amount of Salary Bill as per Financial Statements	Percentage increase or decrease in total number of employees
2001 (date of application)							
2002 (financial year end)							
2003 (financial year end)							
2004 (financial year end)							
2005 (28 February 2005)							

8.1.2 Table 2

Applicant's Annual Catch Allocation (in tons) to the applicant in this fishery in 2004	Total Annual Salary Bill (in relation to this fishery) 2004 Financial Year End as per Table 8.1.1	How much does the applicant spend on salaries/wages per ton allocated?

8.1.3 Table 3

Applicant's Annual Catch Allocation (in tons) in this fishery in 2004	Total Employees (in relation to this fishery) (28 February 2005)	How many people does the applicant employ per ton allocated?	Total Employees less Seasonal Employees (in relation to this fishery) (28 February 2005)	How many people (less seasonal employees) does the applicant employ per ton allocated?

8.1.4 Table 4

Applicant's five highest annual salaries (total cost to company) paid between 1 March 2004 and 28 February 2005	Average of top five salaries	What was the multiple between the average of the five lowest and the average of the five highest salaries at 28 February 2005?
Applicant's five lowest annual salaries (total cost to company) paid between 1 March 2004 and 28 February 2005	Average of lowest five salaries	



## Section 9

### Investment

9.1 Complete the following tables:

9.1.1 Table 1

Year	Book Value of Total Fixed Assets (in relation to this fishery)	Percentage Increase or Decrease in Rand Value of Total Fixed Assets (in relation to this fishery)	Total Book Value of Total Land Based Fixed Assets (in relation to this fishery)	Total Book Value of Harbour and Sea Based Fixed Assets (in relation to this fishery)
2002 (financial year end)				
2003 (financial year end)				
2004 (financial year end)				

9.1.2 Table 2

Year	Insured Value of Total Fixed Assets (in relation to this fishery)	Percentage Increase or Decrease in Rand Value of Total Fixed Assets (in relation to this fishery)	Total Insured Value of Total Land Based Fixed Assets (in relation to this fishery)	Total Insured Value of Harbour and Sea Based Fixed Assets (in relation to this fishery)
2002 (financial year end)				
2003 (financial year end)				
2004 (financial year end)				

9.1.3 Table 3

Annual Catch Allocation (in tons) to the applicant in 2004	Book Value (in rands) of harbour and sea-based assets at 2004 financial year end	Book Value (in rands) of land-based assets at 2004 financial year end	Book Value of Harbour and Sea-Based Assets per ton allocated to applicant	Book Value of Land-Based Assets per ton allocated to applicant

9.1.4 Table 4

Annual Catch Allocation (in tons) to the applicant in 2004	Insured Value (in rands) of harbour and sea-based assets at 2004 financial year end	Insured Value (in rands) of land-based assets at 2004 financial year end	Insured Value of Harbour and Sea-Based Assets per ton allocated to applicant	Insured Value of Land-Based Assets per ton allocated to applicant

9.1.5 A detailed explanation of all investment made in marketing activities must be included as an annexure.

9.1.6 A detailed explanation of all investment made in processing activities must be included as an annexure.

## Local Economic Development

[illegible]

Harbour / Landing Site Names	

☒



## Section 11

### Performance

### Financial

11.1 What is the applicant's 2004 audited, verified or certified Annual Turnover?



11.2 Indicate the rand value and percentage of total turnover derived from this fishery:

Annual Catch Allocation (in tons) to the Applicant in 2004	Turnover Generated in 2004 financial year by Annual Catch Allocation	Percentage of Total Turnover

11.3 Complete the following table in relation to ratio performance:

Year	Return on Net Assets (RONA)	Debt: Equity Ratio	Current Ratio	Quick Ratio (Acid Test)
2001				
2002				
2003				
2004				

11.4 Provide the following information in relation to the applicant's income statements:

Year	Turnover	Profit After Tax	Retained Earnings	Dividends Paid / Distribution of Profits
2001				
2002				
2003				
2004				



**Section 11****Performance****Financial**

11.5 Provide the following information in relation to the applicant's balance sheet:

Year	Assets	Long-Term Liabilities	Current Liabilities	Shareholder's Equity / Member's Contribution
2001				
2002				
2003				
2004				

11.6 Provide the following information in relation to the applicant's cash flow:

Year	Net Cash Inflow / Outflow from Operations	Net Cash Inflow / Outflow from Investing Activities	Net Cash Inflow / Outflow from Financing Activities
2001			
2002			
2003			
2004			

**Section 12****Fishing Plan**

12.1 Does the applicant have a fishing plan?

☐ Yes ☐ No

**Section 13****By-Catch and Environmentally Sustainable Practices****By-Catch**

13.1 Indicate the proportion of the applicant's annual catch that is made up of by-catch species:



Year	Annual By-Catch (in tons)	Annual Utilised By-Catch as a Percentage of Total Catch	Annual Unutilised By-Catch, Juvenile Species and Endangered Species as a Percentage of Total Catch
2001			
2002			
2003			
2004			



**Section 13****By-Catch and Environmentally Sustainable Practices**

13.2 Has the applicant put in place any measures to reduce energy and fuel consumption on vessels, and in processing facilities?

☐ Yes ☐ No



13.3 Does the applicant intend to put in place any measures to reduce energy and fuel reduction consumption on vessels, and in processing facilities?

☐ Yes ☐ No



13.4 Has the applicant undertaken or sponsored any research in relation to environmentally sustainable practices?

☐ Yes ☐ No

**Section 14****Fishing Levies**

14.1 Please provide the following information in relation to levies paid since 2001:



Year	Species	Total Catch in Tons	Levies Paid
2001			
2001			
2001			
2001			
2001			
2002			
2002			
2002			
2002			
2002			
2003			
2003			
2003			
2003			
2003			
2004			
2004			
2004			
2004			
2004			

14.2 What was the date and amount of the applicant's most recent levy payment?

Date  
yyyy/mm/dd

Amount





## Section 15

I, the undersigned, do hereby make oath and declare that:

- I have read the instructions set out on pages 2 and 3 of this application form;
- the information submitted with and in this Application is true and correct and complete.
- I accept that if any information in this Application is not true or complete, or if false information is provided, or material Information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to my application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- The applicant undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- The applicant accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

## Applicant Declaration

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address

I, the undersigned, do hereby make oath and declare that:

- I have read the instructions set out on pages 2 and 3 of this application form;
- the information submitted with and in this Application is true and correct and complete.
- I accept that if any information in this Application is not true or complete, or if false information is provided, or material Information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to the application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

## Holding Company Declaration

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address



**Section 15****Sister Company Declaration**

I, the undersigned, do hereby make oath and declare that:

- (a) I have read the instructions set out on pages 2 and 3 of this application form;
- (b) the information submitted with and in this Application is true and correct and complete.
- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to my application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (f) \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

**Signature of Authorised Representative of Sister Company (if applicable)**

**Signed at:** \_\_\_\_\_

**This** \_\_\_\_\_ **day of** \_\_\_\_\_ **2005**

**Signature of Authorised Representative:** \_\_\_\_\_

**Representative's Full Name:** \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address

**JV Partner Declaration**

I, the undersigned, do hereby make oath and declare that:

- (a) I have read the instructions set out on pages 2 and 3 of this application form;
- (b) the information submitted with and in this Application is true and correct and complete.
- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to the application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (f) \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

**Signature of Authorised Representative of JV Partner (if applicable)**

**Signed at:** \_\_\_\_\_

**This** \_\_\_\_\_ **day of** \_\_\_\_\_ **2005**

**Signature of Authorised Representative:** \_\_\_\_\_

**Representative's Full Name:** \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address



## **SCHEDULES**

**IF THE APPLICANT CANNOT PROVIDE THE INFORMATION REQUESTED IN ANY OF THE SCHEDULES BELOW, THE APPLICANT MAY SUBMIT AN EXPLANATION FOR THIS IN PLACE OF THAT ANNEXURE**

### **Schedule 1 - Applicant Details**

- a) Provide, as Annexure 1A a brief profile of the applicant organisation including an organogram which clearly indicates the applicant's business model including holding company, sister company and joint venture partner relationships. The applicant should pertinently indicate if it intends to apply in more than one sector, is involved in industries other than the fishing industry and if the applicant does rely on information of holding companies, sister companies and joint venture partners in this application. The profile may not exceed 5 pages.
- b) Section 1.3: Provide a copy of a valid company or close corporation registration certificate as Annexure 1B.
- c) Section 1.8.6: Provide a copy of a resolution duly authorising the person named in Section 1.8.6 to be the authorised contact person, as Annexure 1C.

### **Schedule 2 - Form of Applicant**

- a) Section 2.1: Provide a copy of the 2005 permit as Annexure 2A.
- b) Section 2.2: Provide a copy of the letter granting a right as Annexure 2B.
- c) Section 2.3: If the medium term right is currently held by an entity different from the one listed in Section 2.2, provide a detailed explanation as Annexure 2C.
- d) Section 2.5: Provide a copy of a valid SARS tax clearance certificate as Annexure 2D.
- e) Section 2.7: If "Yes," provide a detailed statement describing percentage of shareholding, the name and the registration number of the company as Annexure 2E.
- f) Section 2.8: If "Yes," provide a detailed statement describing percentage of shareholding, the name and the registration number of the company as Annexure 2G.

### **Schedule 3 - Compliance**

- a) Section 3.1.1: If "Yes", provide details and documentation regarding the conduct of the applicant, the identity and conduct of the members, shareholders or directors resulting in the conviction, the dates of conviction, and the penalties imposed as Annexure 3A.
- b) Section 3.1.2: If "Yes", provide details and any documentation of the plea bargain arrangement entered into, and details regarding the conduct and identity of the individuals giving rise to the plea bargain, the dates and specifics of the plea bargain, as Annexure 3B.
- c) Section 3.1.3: If "Yes", provide details and any documentation regarding the admission of guilt fine paid, including information regarding the conduct and identity of the individuals giving rise to the fine, the date of offence and rand amount paid as Annexure 3C.
- d) Section 3.1.4: If "Yes", provide details and any documentation regarding the offence including information regarding the conduct and identity of the individuals giving rise to the fine, the date of offence and penalty as Annexure 3D.
- e) Section 3.2: If "Yes", provide details regarding the detention, arrest or seizure, including information regarding the conduct and identity of individuals involved as Annexure 3E. Also provide details if a final confiscation or forfeiture order was / was not granted under the Prevention of Organised Crime Act.
- f) Section 3.3: If "Yes", provide details and any documentation including the identity and conduct of individuals giving rise to the Section 28 procedure as Annexure 3F.



#### Schedule 4 - Vessel Details

- a) Section 4.2: For each vessel nominated, provide copies of the following documents:
- i) SAMSA Safety Certificate(s) as Annexure 4A;
  - ii) South African Certificate(s) of Registry as Annexure 4B;
  - iii) agreement(s) providing access to the vessel if the applicant is not the majority shareholder or the sole owner of the vessel as Annexure 4C;
  - iv) Local General Safety Certificate(s) as Annexure 4D.
- b) If the applicant is unable to furnish any of the above documents for any of the nominated vessels, the applicant must provide an explanation for this as Annexure 4E.

#### Schedule 5 - Catch Utilisation

- a) Section 5.2: If the applicant over- or under-caught by more than 10% in any year, a detailed explanation must be attached as Annexure 5A.

#### Schedule 6 - Transformation

- a) Section 6.3.1: If the applicant completed Section 6.3.1 in respect of the board of directors of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.3.1 for the applicant and the other entities separately, and submit these as Annexure 6A.
- b) Section 6.3.2: If the applicant completed Section 6.3.2 in respect of the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.3.2 for the applicant and the other entities separately, and submit these as Annexure 6B.
- c) Section 6.4.1: If the applicant completed Section 6.4.1 in respect of the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.4.1 for the applicant and the other entities separately, and submit these as Annexure 6C.
- d) Section 6.4.2: If "Yes," the applicant must provide details of contributions made to medical aid and pension, including details of the classes of beneficiaries, the employer's contributions and the nature of the benefits as Annexure 6D.
- e) Section 6.4.3: If "Yes," the applicant must provide details of the nature of the benefits provided, classes of beneficiaries and the employer's contribution as Annexure 6E.
- f) Section 6.5, 6.6.1 and 6.6.2: If the applicant completed Sections 6.5, 6.6.1 and 6.6.2 with reference to the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.5, 6.6.1 and 6.6.2 for the applicant and the other entities separately and submit these as Annexure 6F.
- g) Section 6.7.1: Explain how black shareholding and black voting rights were calculated as Annexure 6G. This annexure should include details of any Black Economic Empowerment deals the applicant has concluded. The annexure must also include a complete list of all shareholders, following the flow through principle. This list should indicate the name, identification / registration number, whether the shareholder is black (if natural person), or what percentage of the shareholder is black (if company or close corporation), the gender of the shareholder (if natural person), or what percentage of the shareholder is female (if company or close corporation).
- h) Section 6.7.3: If "Yes," provide details regarding the applicant's employee share scheme, paying particular attention to actual employee benefits, as well as a copy of the employee share scheme policy as Annexure 6H.



## Schedule 6 - Transformation

- i) Section 6.7.5: Provide a breakdown of all salaries, loans and dividends paid to shareholders for each year including the name, identification number of the shareholder, as well as whether the shareholder is Black (if natural person, or name and company registration number and percentage black shareholding or interest if juristic person), as Annexure 6I.
- j) Section 6.7.7: If the applicant completed any part of the table in question 6.7.7, the applicant must provide details regarding the entity, the relationship between the applicant and the entity, and whether the applicant or the applicant's holding company have any equity interest in the other entity, as Annexure 6J.
- k) Section 6.8.1: Provide a list of all the applicant's members names, identification number, whether the member is black and the gender of the member, as Annexure 6K.
- l) Section 6.8.3: If "Yes," provide details of the applicant's employee profit sharing scheme, paying particular attention to actual benefits to employees, as well as a copy of the employee share scheme policy as Annexure 6L.
- m) Section 6.8.5: Provide a breakdown of all salaries, loans and profit distribution paid to members for each year, including the name and identification number of the member, as well as whether the member is Black, as Annexure 6M.
- n) Section 6.8.7: If the applicant completed any part of the table in question 6.8.7, the applicant must provide details regarding the entity, the relationship between the applicant and the entity, and whether the applicant or the applicant's holding company have any equity interest in the other entity as Annexure 6N.
- o) Section 6.9: Provide a summary of the targets set in the Transformation Plan, the extent to which these were met and the measures taken to reach the targets as Annexure 6O.
- p) Section 6.10: If the applicant completed Section 6.10 with reference to the payroll and training budgets of both the applicant and of any other entity(ies) as per the Explanatory Notes, the applicant must complete the table in Section 6.10 for both the applicant and the other entity(ies) separately and submit these as Annexure 6P.
- q) Section 6.12: If the applicant completed Section 6.12 with reference to the leanerships of both the applicant and of any other entities as per the Explanatory Notes, the applicant must provide a breakdown of the information required in Section 6.12 for both the applicant and the other entities separately and submit these as Annexure 6Q.
- r) Section 6.13: If "Yes" provide a detailed description of the applicant's participation in such skills development programmes, as well as any supporting documentation from the SETA, as Annexure 6R.
- s) Section 6.14.1 and 6.14.2: If the applicant completed Sections 6.14.1 and 6.14.2 with reference to the skippers of both the applicant and of any other entities as per the Explanatory Notes, the applicant must provide a breakdown of the information required in Section 6.14.1 and 6.14.2 for both the applicant and the other entities separately and submit these as Annexure 6S.
- t) Section 6.15, 6.16 and 6.17: If the applicant completed Sections 6.15, 6.16 and 6.17 with reference to the donations of both the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the table in Section 6.17 for both the applicant and the other entities separately and submit these as Annexure 6T.
- u) Section 6.18, 6.19 and 6.20: If the applicant completed Sections 6.18 and 6.19 with reference to the donations of both the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the table in Section 6.20 for both the applicant and the other entities separately and submit these as Annexure 6U.
- v) Section 6.21: If "Yes" provide a copy of the Affirmative Procurement Policy as Annexure 6V.
- w) Section 6.22: Provide a breakdown of capital and operational expenditure paid to South African suppliers, including the percentage black ownership of these suppliers as Annexure 6W.
- x) Section 6.23: If "Yes," explain how the Applicant determined its affirmative procurement spend as Annexure 6X.



**Schedule 7 - Safety**

- a) Section 7.1: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure 7A.
- b) Section 7.2: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure 7B.
- c) Section 7.3: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure 7C.
- d) Section 7.4: If "Yes," provide a detailed description of the accident as Annexure 7D .
- e) Question 7.5: If "Yes," provide the name, identity number and qualification of each safety officer for each vessel. If "No," please provide a detailed explanation of why the applicant has not appointed a qualified safety officer for each vessel. The information provided under this section must be contained in Annexure 7E.
- f) Section 7.6: If "No," provide a detailed explanation as Annexure 7F.
- g) Section 7.7: If "Yes," provide a copy of the Safe Manning Document as Annexure 7G. If "No," and the nominated vessel is of 25 gross tonnage or more, provide a detailed explanation as Annexure 7G.
- h) Section 7.10: If "Yes," provide a copy of the policy as Annexure 7H. If "No," an explanation of why the applicant does not have an HIV/AIDS policy must be provided as Annexure 7H.
- i) Section 7.11: If "Yes," provide a copy of the Local General Safety Certificate as Annexure 7I. If "No," a detailed explanation must be provided as Annexure 7I.
- j) Section 7.13: If "Yes," provide details and documentation regarding the conduct of the applicant, its members, shareholders or directors resulting in the convictions and penalties imposed as Annexure 7J.
- k) Section 7.14: If "Yes," provide a copy of the plan as Annexure 7K. If "No," provided a detailed explanation of why not as Annexure 7K.

**Schedule 8 - Job Creation**

- a) Section 8.1: The applicant must provide breakdowns as described in the Explanatory Notes as Annexure 8A.
- b) Section 8.1.4: If the applicant completed Questions 8.1.4 with reference to the payrolls of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the table in Question 8.1.4 for both the applicant and the other entities separately, and submit these as Annexure 8B.

**Schedule 9 - Investment**

- a) Section 9.1 and 9.1.2: Provide breakdowns as described in the Explanatory Notes as Annexure 9A
- b) Section 9.1.5: Provide a detailed explanation of all investments in marketing activities, including investments in distribution channels, product research and market research as Annexure 9B.
- c) Section 9.1.6: Provide a detailed explanation of all investments in processing activities as Annexure 9C.



**Schedule 10 - Local Economic Development**

- a) Section 10.3: If "Yes," provide a detailed explanation of all investments made in order to make landing catches at identified harbours possible as Annexure 10A.

**Schedule 11 - Performance (Financial)**

- a) Section 11.1: Provide a copy of the applicant's 2004 audited financial statements as Annexure 11A. The applicant's auditors will be required to confirm its responses to all questions in Section 11.
- b) Section 11.2: If the applicant completed the table in Section 11.2 with reference to the turnover of both the applicant and of any other entity(ies) as per the Explanatory Notes, the applicant must complete the table in Section 11.2 for both the applicant and the other entity(ies) separately and submit these as Annexure 11B

**Schedule 12 - Fishing Plan**

- a) Section 12: If "Yes," provide a synopsis of the applicant's fishing plan as Annexure 12A, paying particular attention to:
- a) demonstration of knowledge of the fishery;
  - b) research undertaken regarding this fishery;
  - c) days to be spent fishing per vessel nominated;
  - d) areas to be targeted;
  - e) species to be targeted and mix of species;
  - f) expected size of species to be targeted;
  - g) detailed information regarding:
    - Age
    - Size
    - Gear
    - Fishing capacity
    - Whether the nominated vessel(s) is ice strengthened and
    - Whether the nominated vessel(s) has ever been listed on a fishery organisation's negative list.

The fishing plan must clearly demonstrate the applicant's ability to perform effectively in the fishery.

**Schedule 13 - By-Catch and Environmentally Sustainable Practices**

- a) Section 13.1: Provide a detailed explanation of how the applicant manages bycatch, as Annexure 13A.
- b) Section 13.2: Provide a detailed explanation of measures put in place to reduce energy and fuel consumption on vessels and in processing facilities, as Annexure 13B.
- c) Section 13.3: Provide a detailed explanation of intended measures to reduce energy and fuel consumption on vessels and in processing facilities, as Annexure 13C.
- d) Section 13.4: Provide a detailed explanation of any research undertaken or sponsored by the applicant in relation to environmentally sustainable practices, as Annexure 13D.



**FOR OFFICIAL USE ONLY: DO NOT TEAR OFF****RECEIPT**

Received by: \_\_\_\_\_

Date of Receipt: 14 July 2005 or 15 July 2005

Time of Receipt: \_\_\_\_\_ h \_\_\_\_\_

Application Number: \_\_\_\_\_

Departmental Stamp:

**Disclaimer:** The receipting of this application does not imply an acknowledgement of the completeness of the application or the correctness of its content.

**RECEIPT - FOR APPLICANT TO RETAIN**

Received by: \_\_\_\_\_

Date of Receipt: 14 July 2005 or 15 July 2005

Time of Receipt: \_\_\_\_\_ h \_\_\_\_\_

Application Number: \_\_\_\_\_

Departmental Stamp:

**Disclaimer:** The receipting of this application does not imply an acknowledgement of the completeness of the application or the correctness of its content.

APPLICATION NUMBER: ☐ lock the app no.

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM

BRANCH: MARINE AND COASTAL MANAGEMENT



# South Coast Rock Lobster

**Long Term Rights Allocation Process: 2005****Cluster A****Application Form For: Medium Term Right Holders**

Registered Name of Applicant

Company Registration Number

or

Close Corporation Registration  
Number

Principal Place of Business

Number of Vessels Nominated



**IMPORTANT INFORMATION****INSTRUCTIONS****GENERAL**

- 1) This application form must be read together with these Instructions, the Explanatory Notes, the Schedules to the application form and the Procedures for Independent Auditors (available on the Public Accountants' and Auditors' Board website, [www.paab.co.za](http://www.paab.co.za) or [www.saica.co.za](http://www.saica.co.za)).
- 2) When completing the application form, applicants are advised to read carefully the General Policy on the Allocation and Management of Long Term Fishing Rights, as well as the applicable Fishery Specific Policy. These policies are available at [www.mcm-deat.gov.za](http://www.mcm-deat.gov.za). The policies guide the Minister or his delegate when considering the application.
- 3) Should the applicant have any queries regarding the completion of the application form, it must e-mail the Department at [clustersa@deat.gov.za](mailto:clustersa@deat.gov.za). Every query and response will be collated and circulated by e-mail to all the applicants in the sector and will be made available on [www.mcm-deat.gov.za](http://www.mcm-deat.gov.za). Should the applicant require technical assistance with the application form software, it must contact the Rights Verification Unit in one of the following ways:

Tel: (021) 670-3669

Fax: (021) 670-1782

E-mail: [RVU@deloitte.co.za](mailto:RVU@deloitte.co.za)

Applicants or their representatives may not communicate with the Minister, the delegated authority, or officials in the Department regarding their applications in any other manner. Moreover, no reliance may be placed on any information given or obtained in any other manner.

**ICONS**

- 4) Applicants must pay attention to the icons in the application form in order to determine whether:
  - the information provided will be treated as confidential;
  - there is any documentation or information required in response to a question in the form of an annexure;
  - the applicant's auditors need to verify a response; and
  - there are consequences of not answering a question.

- 5) The application form makes use of the following icons:



The books icon means that the information provided will be treated as confidential.



The clipboard icon means that the applicant must complete the corresponding Schedule to the application form. Applicants are instructed in the schedules regarding the documentation or information required as annexures. If the required documentation or information is not submitted, the application may be adversely affected. Failure to submit certain requested documents or information may result in the application being refused.



The magnifying glass icon means that the applicant's response to the question must be verified by an auditor (registered with the Public Accountants and Auditors board) engaged by the applicant as per the Procedures for Independent Auditors. The auditor must complete and sign the Audit Report on failing which the application will be refused.



The warning icon means that if the applicant fails to answer the question, the answer will be deemed to be adverse to the applicant.

**COMPLETION OF APPLICATION FORM**

- 6) The applicant must complete all fifteen sections of the application form. The applicant must respond in the spaces provided in the application form. Information may not be submitted by way of annexures except where applicants are specifically allowed to do so.
- 7) The application form must be completed electronically, and saved onto the two blank CDs provided on registration. One of these CDs must be submitted in the manner described below, while the other must be retained by the Applicant. Annexures to the application form do not need to be scanned and saved on to the CDs. The Department may request additional electronic copies of the application at a later stage.
- 8) This form is tagged and coded in order to facilitate electronic uploading of the application into a database. The applicant may not submit the application in any other form. If the applicant submits its application in any other form, the application will be refused.
- 9) The application must also be printed out and the declaration must be signed and attested by the Applicant's authorised representative, and, if applicable, the authorised representative(s) of the holding company, sister company(ies) and the joint venture partner(s). If the declaration is not signed and attested, the application will be refused.
- 10) The printed version of the electronic application, duly signed and attested, must be punched and placed into lever arch files with a divider before each annexure. The annexures must be numbered according to the schedules. Confidential information requested under questions marked by the books icon should be placed in a sealed A4 envelope marked with the application number, punched and placed in the lever arch file after the annexures.

**IMPORTANT INFORMATION****INSTRUCTIONS**

- 11) One true copy of the printed version of the application must be made. This copy must be punched and divided in the same manner as the original. The copy does not have to be certified as a true copy of the original, but it will be assumed to be the same as the original. Any discrepancy may invalidate the application.

**LODGEMENT OF APPLICATION**

- 12) The CD containing the application, the original printed version (signed and attested), and a copy of the printed version must be hand delivered to the place, on the dates and times stated below:

Place: Good Hope Centre

Dates and Times: Thursday 14 July 2005 between 08h00 and 19h00, or Friday 15 July between 08h00 and 17h00

- 13) The application may not be submitted by post or by fax. An application not submitted by hand within the above times, on the above dates at the above address will be refused.

**IMPROPER LODGEMENT**

- 14) Improperly lodged applications will be refused.

An application is improperly lodged if:

- it is received late;
- the applicant makes no payment, or short payment, or late payment of the application fee;
- the application is lodged in a manner contrary to the instructions.

**MATERIAL DEFECTS**

- 15) Applications that are materially defective will be refused.

An application is materially defective if:

- the declaration is not signed and attested by the Applicant's authorised representative, and, if applicable, the authorised representative(s) of the holding company, sister company(ies) and the joint venture partner(s);
- the auditor's report is not submitted or signed;
- more than one application is received for a right in the same sector;
- the applicant, or, if applicable, the holding company, sister company(ies) and the joint venture partner(s) provides false information or documents, fails to disclose material information or attempts to influence the Minister or the delegated authority other than in the manner provided for in the General Policy and in this application form.



**Section 1****Applicant Details**

1. The applicant must supply a profile of its organisation including an organogram and a description of its fishing operations, as Schedule 1A. 

1.1 Registered Name of Applicant

1.2 Trading Name of Applicant:

1.3 Registration Number:

1.4 Income Tax Number:

1.5 Vat Number:

1.6 Skills Development Levy Number:

- 1.7 Have the applicant's details (1.8.1 - 1.8.7d) changed since the applicant registered?

☐ Yes ☐ No

1.8 If "Yes", complete only those details that have changed:

1.8.1 Principal Place of Business:

Number and Street:

Suburb:

Town / City:

Postal Code:

1.8.2 Postal Address: Number and Street / PO Box:

Suburb:

Town / City:

Postal Code:

Area Code:

1.8.3 Telephone Number:



1.8.4 Additional Telephone Number:



1.8.5 Fax Number:



1.8.6 Authorised Contact Person First Name:

1.8.7 Authorised Contact Person Surname:

a) Identity Number:

b) Position Held / Relationship to Applicant

c) Cellular Number:

d) E-mail Address:

**Section 2****Form of Applicant**

2.1 Does the applicant currently hold a medium term fishing right in this sector?

☐ Yes ☐ No



2.2 If "Yes", to which entity or person was the medium term fishing right allocated in 2001/2002?

<input checked="" type="checkbox"/> Company	<input type="checkbox"/>	Name	
<input type="checkbox"/> Close Corporation	<input type="checkbox"/>	Name	
<input type="checkbox"/> Trust	<input type="checkbox"/>	Name	
<input type="checkbox"/> Individual	<input type="checkbox"/>	Name	

2.3 In what form of entity is the medium term fishing right currently held?



<input type="checkbox"/> Company	<input type="checkbox"/>	Name	
<input type="checkbox"/> Close Corporation	<input type="checkbox"/>	Name	
<input type="checkbox"/> Trust	<input type="checkbox"/>	Name	
<input type="checkbox"/> Individual	<input type="checkbox"/>	Name	

2.4 Is the applicant more than 50% South African owned?

☐ Yes ☐ No



2.5 Does the applicant have a valid tax clearance certificate?

☐ Yes ☐ No



2.6 Complete the following table in relation to asset value and turnover:

Year	Turnover	Gross Asset Value (excluding fixed property)
2004 (Financial Year End)		

2.7 Does the applicant hold any share(s) in any other company that is applying as a medium term right holder in this sector?

☐ Yes ☐ No



2.8 Does the applicant hold any share(s) in any company that is applying as a new entrant in this sector?

☐ Yes ☐ No

**Section 3****Compliance**

3.1 Has the applicant, or any of its members, shareholders or directors:

3.1.1 been convicted of a contravention of the MLRA, or the regulations, or permit conditions during the medium term right period?

☐ Yes ☐ No



3.1.2 entered into a plea bargain under the Criminal Procedure Act 51 of 1977, for a contravention of the MLRA, or the regulations, or permit conditions during the medium term right period?

☐ Yes ☐ No



3.1.3 paid an admission of guilt fine for a contravention of the MLRA, the regulations, or the permit conditions during the medium term right period?

☐ Yes ☐ No





**Section 3****Compliance**

3.1.4 been charged with an offence under the MLRA, or the regulations or permit conditions during the medium term right period?

☐ Yes ☐ No



3.2 Has a fishing vessel, motor vehicle, premises or any other assets of the applicant, or any of its shareholders, members or directors been detained, arrested or seized under the MLRA or restrained, preserved, confiscated or forfeited under the Prevention of Organised Crime Act 121 of 1998 during the medium term right period?

☐ Yes ☐ No



3.3 Was the applicant's right or permit suspended, revoked, cancelled, reduced or altered under section 28 of the MLRA during the medium term right period?

☐ Yes ☐ No

**Section 4****Vessel Details**

4.1 How many vessels has the applicant nominated for use in this fishery?

4.2 Fill in the relevant details in the tables below regarding each vessel nominated:



Vessel 1	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 2	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



## Section 4

## Vessel Details



Vessel 3	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 4	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



Vessel 5	
Vessel name	
MCM Area Number	
SAMSA Number	
Number of crew according to SAMSA Safety Certificate	
Owner of Vessel as indicated by South African Certificate of Registry	
Nature of Access to Vessel	
Vessel fitted with a functioning VMS System (Y/N)	
Manufacture of VMS System	
Vessel Length in metres according to SAMSA Safety Certificate	
Vessel Horsepower as per SAMSA Safety Certificate	



**Section 5****Catch Utilisation**

5.1 Did the applicant over-catch or under-catch by more than 10% during the medium term rights period?

☐ Yes ☐ No



5.2 Complete the following in relation to the applicant's catch records.



Year	Annual Catch Allocation (in metric tons)	Total Actual Catch of Applicants Allocation (Nominal tons)	Percentage under-caught	Percentage over-caught
2002 Season				
2003 Season				
2004 Season				

**Section 6****Transformation****Management and Employment Equity**

6.1 Was the applicant a designated employer as defined in section 1 of the Employment Equity Act, 55 of 1998 as at 28 February 2005?

☐ Yes ☐ No



6.2.1 If "Yes", has the applicant complied with the Employment Equity Act, 55 of 1998?

☐ Yes ☐ No



6.2.2 If "No", has the applicant voluntarily complied with the Employment Equity Act, 55 of 1998?

☐ Yes ☐ No



Section 6

Transformation

Management and Employment Equity

6.3.1 Complete the table below in respect of the applicant's board of directors (if a company) or members (if a close corporation) as at 28 February 2005.



	Director / Member Name (Initial & Surname)	Years of Service	Total Annual Remuneration (Total Cost to Company)	Black (Y/N)	Gender (M/F)	ID Number
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						



## Section 6

## Transformation

## Management and Employment Equity

6.3.2 Complete the table below in respect of employees at 28 February 2005.



Between 1 - 5 Employees	The Top Salary Earner (Total Cost to Company)
Between 6 - 30 Employees	The Top Two Salary Earners (Total Cost To Company)
Between 31 - 60 Employees	The Top 3 Salary Earners (Total Cost to Company)
Between 61 - 165 Employees	The Top 4 Salary (Total Cost to Company) Earners
More than 165 Employees	The Top 3% of Salary Earners (Total Cost to Company) up to 90 Employees

	Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black (Y/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							

Section 6

Transformation

Management and Employment Equity



	Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black (Y/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
20							
21							
22							
23							
24							
25							
26							
27							
28							
29							
30							
31							
32							
33							
34							
35							
36							
37							
38							
39							
40							
41							
42							
43							
44							
45							
46							
47							
48							
49							
50							
51							
52							
53							
54							
55							



Section 6

Transformation

Management and Employment Equity



	Employee Name	Organisational Title	Annual Salary (Total Cost to Company)	Black (Y/N)	Salary as a Percentage of Total Salaries in this Table	Gender (M/F)	ID Number
56							
57							
58							
59							
60							
61							
62							
63							
64							
65							
66							
67							
68							
69							
70							
71							
72							
73							
74							
75							
76							
77							
78							
79							
80							
81							
82							
83							
84							
85							
86							
87							
88							
89							
90							



## Section 6

## Transformation

## Management and Employment Equity

6.4.1 Complete the following table in relation to income levels of the applicant's permanent employees at 28 February 2005:



	Gross Monthly Income (Total Cost to Company)	Number of Employees	Percentage of Total Employees	Number of Black Employees	Percentage of Total Black Employees	Number of Female Employees
1	<R2 500					
2	Between R2 500 and R5 500					
3	Between R5 501 and R10 500					
4	Between R10 501 and R16 000					
5	Between R16 001 and R20 000					
6	Between R20 001 and R25 000					
7	Between R25 001 and R30 000					
8	Between R30 001 and R40 000					
9	Between R40 001 and R60 000					
10	>R60 000					
	Total		100%		100%	

6.4.2 Does the applicant contribute towards medical aid and pension for its employees?

☐ Yes ☐ No

6.4.3 Does the applicant provide any other type of benefits for its employees?

☐ Yes ☐ No

6.5 Complete the following table in relation to the applicant's employment equity profile as provided to the Department of Labour in October 2004. If the applicant is not designated or did not voluntarily comply then the table must be completed as at 28 February 2005.

										Total	
Occupational Categories	Gender	A No	A %	C No	C %	I No	I %	W No	W %	ACI %	F%
Top & Senior Management / Senior Officials and Managers	Male										
	Female										
Professionally Qualified and experienced specialists and mid-management / Professionals	Male										
	Female										
Skilled Technical and academically qualified workers, supervisors, foremen, and superintendents / Technicians and Associate Professionals	Male										
	Female										
Semi-skilled and discretionary decision-making and unskilled and undefined decision-making / Clerks, Service & Sales Workers, Fishery Workers, Artisans & Related Trade Workers, Plant & Machine Operators & Assemblers, Elementary Occupations	Male										
	Female										
TOTAL	Male										
	Female										

A = African, C = Coloured, I = Indian, W = White, M = Male, F = Female, ACI = African, Coloured and Indian



## Section 6

## Transformation

## Management and Employment Equity

6.6.1 Complete the tables below in relation to employment equity figures for **Senior Officials and Managers** only.

[illegible]

6.6.2 Complete the tables below in relation to employment equity figures for **Professionals** only.

[illegible]



## Section 6

## Transformation

## Ownership - Companies Only

6.7 Is the applicant a company?

☐ Yes ☐ No

6.7.1 If "Yes", complete the table below in respect of shareholding held by black persons:

Year	Percentage Shareholding Held by Black Persons	Percentage Voting Rights Held by Black Persons	Percentage of Dividends Black Shareholders are Entitled To
2001 (as in 2001 application form)			
2005 (at date of application)			

6.7.2 Complete the following table in relation to shareholding held by women based on the flow through principle:

Year	Percentage Shareholding Held by Women	Percentage Voting Rights Held by Women	Percentage of Dividends Women are Entitled To
2005 (at date of application)			

6.7.3 Did the applicant have a share scheme in place in 2004 for employees?

☐ Yes ☐ No

6.7.4 If "Yes", what is the percentage shareholding held by or for employees not listed under question 6.3.2, through the scheme?

6.7.5 Complete the following table in relation to monies paid to shareholders:

Year	Salaries Paid to Shareholders	Loans Made to Shareholders	Dividends Paid to Shareholders
2002 (financial year)			
2003 (financial year)			
2004 (financial year)			

6.7.6 Was the applicant managed by another entity, or was the catching, processing or marketing of the 2004 allocation in this fishery performed by another entity during the 2004 financial year?

☐ Yes ☐ No

6.7.7 If "Yes", complete the table below:

Function	Rand Amount Paid to Other Entity during the 2004 Financial Year	Rand Amount as a Percentage of the Applicant's Total Turnover in 2004
Management		
Catching		
Processing		
Marketing		



## Section 6

## Transformation

## Ownership - Close Corporations Only

6.8 Is the applicant a close corporation ?

☐ Yes ☐ No

6.8.1 If "Yes", complete the table below in respect of members interest held by black persons:

Year	Percentage Interest Held by Black Persons	Percentage Voting Rights Held by Black Persons	Percentage Profit Distribution Black Persons are Entitled To
2001 (as in 2001 application form)			
2005 (as at date of application)			

6.8.2 Complete the table below in relation to members interest held by women:

Year	Percentage Interest Held by Women	Percentage Voting Rights Held by Women	Percentage Profit Distribution Women are Entitled To
2005 (as at date of application)			

6.8.3 Did the applicant have a profit sharing scheme for employees in place in 2004?

☐ Yes ☐ No

6.8.4 If "Yes", what percentage of profit were employees not listed under question 6.3.2 entitled to?

6.8.5 Complete the following table in relation to monies paid to members:

Year	Salaries Paid to Members	Loans Made to Members	Profit Distributed to Members
2002 (financial year)			
2003 (financial year)			
2004 (financial year)			

6.8.6 Was the applicant managed by another entity, or was the catching processing or marketing performed by another entity during the 2004 financial year?

☐ Yes ☐ No

6.8.7 If "Yes", complete the table below:


Function	Rand Amount Paid to Other Entity	Rand Amount as a Percentage of the Applicant's Turnover in 2004
Management		
Catching		
Processing		
Marketing		



## Section 6

Transformation  
Skills Development

6.9 Has the applicant met the targets set in the Transformation Plan submitted in 2001? ☐ Fully ☐ Somewhat/Partially ☐ Not at all 

6.10 Complete the following table in relation to compliance with the Skills Development Levies Act 9 of 1998: 

Year	Did the applicant submit Workplace Skills Plan which was approved (Y/N)	Did the applicant submit an Annual Training Report which was approved (Y/N)	Rand Amount Paid to SARS in skills development levies	Percentage Salaries Bill Spent on Training	Percentage of Training Budget Spent on Black Employees
2001 (financial year end)					
2002 (financial year end)					
2003 (financial year end)					
2004 (financial year end)					

6.11 Did the applicant participate in a learnership programme during the medium term rights period? ☐ Yes ☐ No 


6.12 If "Yes," indicate the number of learnerships as a percentage of the employees in respect of whom the applicant prepared IRP5 certificates in 2004 (tax year end).

6.13. Did the applicant participate in any other skills development programmes through its SETA in 2004 such as an SME Support Strategy? ☐ Yes ☐ No 

6.14.1 How many skippers are used by the applicant?

6.14.2 What percentage of these skippers are black?

## Corporate Social Investment

6.15 Does the applicant make donations of its annual taxable income which qualify for deduction in terms of section 18A of the Income Tax Act 58 of 1962? ☐ Yes ☐ No 

6.16 If "Yes", indicate what percentage of net profit earned in the 2004 financial year these donations amount to:

- ☐ 0 - 0.5 %  
☐ 0.5 - 1 %  
☐ > 1 %





**Section 6****Transformation****Corporate Social Investment**

6.17 Indicate the five largest tax deductible donations made per annum since 2001 in the table below.

Year	Benefitting Organisation	Rand Value of Amount Donated
2001 - 1		
2001 - 2		
2001 - 3		
2001 - 4		
2001 - 5		
Year	Benefitting Organisation	Rand Value of Amount Donated
2002 - 1		
2002 - 2		
2002 - 3		
2002 - 4		
2002 - 5		
Year	Benefitting Organisation	Rand Value of Amount Donated
2003 - 1		
2003 - 2		
2003 - 3		
2003 - 4		
2003 - 5		
Year	Benefitting Organisation	Rand Value of Amount Donated
2004 - 1		
2004 - 2		
2004 - 3		
2004 - 4		
2004 - 5		

6.18 Does the applicant make any other donations (in addition to those which qualify for deduction in terms of section 18A of the Income Tax Act 58 of 1962, but not including school fees)?

☐ Yes ☐ No



6.19 If "Yes", indicate what percentage of net profit earned in the 2004 financial year these other donations amount to :

☐ 0 - 0.5 %

☐ 0.5 - 1 %

☐ > 1 %



6.20 If other donations were made, indicate the five largest such donations made in 2004 in the table below:

Year	Benefitting Organisation	Rand Value of Amount Donated
2004 - 1		
2004 - 2		
2004 - 3		
2004 - 4		
2004 - 5		

**Section 6****Transformation****Affirmative Procurement**

6.21 Does the applicant have a written affirmative procurement policy?

☐ Yes ☐ No



6.22 Provide the following information in relation to the applicant's top ten South African suppliers (operational expenditure) in 2004:



Name of Supplier	Percentage of Black Ownership of Supplier	Amount Paid to Supplier in Rands in 2004	Percentage of Total Expenses

6.23 Has the applicant determined its affirmative procurement spend as a percentage of total procurement spend?

☐ Yes ☐ No



6.24 Has the applicant instituted a system to measure affirmative procurement spend as a percentage of total procurement spend in future?

☐ Yes ☐ No

**Section 7****Vessel, Crew and Environmental Safety****Contraventions**

7.1 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of penalty under section 324 of the Merchant Shipping Act, 57 of 1951?

☐ Yes ☐ No



7.2 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of penalty for contravening the Maritime Occupational Safety Regulations of 1994?

☐ Yes ☐ No





**Section 7****Vessel, Crew and Environmental Safety  
Contraventions**

7.3 Has the applicant, during the medium term rights period, been convicted, or forfeited a deposit by way of a penalty for contravening the Crew Accommodation Regulations, 1961?

☐ Yes ☐ No

**Crew Safety and Working Conditions**

7.4 Has the applicant ever reported an accident in terms of section 6 of the Maritime Occupational Safety Regulations?

☐ Yes ☐ No



7.5 Has a qualified safety officer been appointed for each nominated vessel in terms of section 36 of the Maritime Occupational Safety Regulations?

☐ Yes ☐ No



7.6 Has every crew member on board each nominated vessel completed the approved safety induction training required by the Merchant Shipping Act, 57 of 1951?

☐ Yes ☐ No



7.7 If a nominated vessel is of 25 gross tonnage or more, has the vessel been issued with a valid SAMSA Safe Manning Document required in terms of the Merchant Shipping (Safe Manning) Regulations?

☐ Yes ☐ No



7.8 Has the applicant completed a formal safety assessment in terms of Marine Notice no 26 of 2004?

☐ Yes ☐ No



7.9 Has the applicant registered with the Commissioner in terms of the Compensation for Occupational Injuries and Diseases Act 130 of 1993?

☐ Yes ☐ No



7.10 Does the applicant have an HIV/AIDS policy?

☐ Yes ☐ No

**Vessel Safety**

7.11 Have the nominated vessel(s) been issued with a valid Local General Safety Certificate?

☐ Yes ☐ No



7.12 Are any operational limits imposed on the nominated vessel(s) by its Local General Safety Certificate (E.g. No more than 200 nautical miles off the South African coast)?

☐ Yes ☐ No

**Environmental Safety**

7.13 Has the applicant, during the medium term right period, been convicted or forfeited a deposit for contravening any part of the Marine Pollution (Prevention of Pollution from Ships) Act 2 of 1986 or Section 30 of the Marine Pollution (Control and Civil Liability) Act 6 of 1981?

☐ Yes ☐ No



7.14 Does the applicant have a Garbage Management Plan for each nominated vessel as stipulated in terms of Annex V of Marpol, as set out in the Schedule to the Marine Pollution (Prevention of Pollution from Ships) Act 2 of 1986?

☐ Yes ☐ No





## Section 8

## Job Creation

8.1 Complete the following tables in relation to job creation.

8.1.1 Table 1

Year	Employees in respect of which the applicant prepares IRP5 Certificates (Land Based)	Employees in respect of which the applicant prepares IRP5 Certificates (Sea Based)	Employees in respect of which the applicant does not prepare IRP5 Certificates (Land Based)	Employees in respect of which the applicant does not prepare IRP5 Certificates (Sea Based)	Total Number of Employees (Columns 1- 4)	Total Amount of Salary Bill as per Financial Statements	Percentage increase or decrease in total number of employees
2001 (date of application)							
2002 (financial year end)							
2003 (financial year end)							
2004 (financial year end)							
2005 (28 February 2005)							

8.1.2 Table 2

Applicant's Annual Catch Allocation (in tons) to the applicant in this fishery in 2004	Total Annual Salary Bill (in relation to this fishery) 2004 Financial Year End as per Table 8.1.1	How much does the applicant spend on salaries/wages per ton allocated?

8.1.3 Table 3

Applicant's Annual Catch Allocation (in tons) in this fishery in 2004	Total Employees (in relation to this fishery) (28 February 2005)	How many people does the applicant employ per ton allocated?	Total Employees less Seasonal Employees (in relation to this fishery) (28 February 2005)	How many people (less seasonal employees) does the applicant employ per ton allocated?

8.1.4 Table 4

Applicant's five highest annual salaries (total cost to company) paid between 1 March 2004 and 28 February 2005	Average of top five salaries	What was the multiple between the average of the five lowest and the average of the five highest salaries at 28 February 2005?
Applicant's five lowest annual salaries (total cost to company) paid between 1 March 2004 and 28 February 2005	Average of lowest five salaries	



## Section 9

### Investment

9.1 Complete the following tables:

9.1.1 Table 1

Year	Book Value of Total Fixed Assets (in relation to this fishery)	Percentage Increase or Decrease in Rand Value of Total Fixed Assets (in relation to this fishery)	Total Book Value of Total Land Based Fixed Assets (in relation to this fishery)	Total Book Value of Harbour and Sea Based Fixed Assets (in relation to this fishery)
2002 (financial year end)				
2003 (financial year end)				
2004 (financial year end)				

9.1.2 Table 2

Year	Insured Value of Total Fixed Assets (in relation to this fishery)	Percentage Increase or Decrease in Rand Value of Total Fixed Assets (in relation to this fishery)	Total Insured Value of Total Land Based Fixed Assets (in relation to this fishery)	Total Insured Value of Harbour and Sea Based Fixed Assets (in relation to this fishery)
2002 (financial year end)				
2003 (financial year end)				
2004 (financial year end)				

9.1.3 Table 3

Annual Catch Allocation (in tons) to the applicant in 2004	Book Value (in rands) of harbour and sea-based assets at 2004 financial year end	Book Value (in rands) of land-based assets at 2004 financial year end	Book Value of Harbour and Sea-Based Assets per ton allocated to applicant	Book Value of Land-Based Assets per ton allocated to applicant

9.1.4 Table 4

Annual Catch Allocation (in tons) to the applicant in 2004	Insured Value (in rands) of harbour and sea-based assets at 2004 financial year end	Insured Value (in rands) of land-based assets at 2004 financial year end	Insured Value of Harbour and Sea-Based Assets per ton allocated to applicant	Insured Value of Land-Based Assets per ton allocated to applicant

9.1.5 A detailed explanation of all investment made in marketing activities must be included as an annexure.

9.1.6 A detailed explanation of all investment made in processing activities must be included as an annexure.



**Section 9****Investment**

9.1.7 Has the applicant invested in on-board or land based processing facilities?

☐ Yes ☐ No

9.1.8 If yes, please complete the following table:

Annual Catch Allocation (in metric tons) to the applicant in 2004	Nominal Tons of Applicant's Allocation Processed On Board Vessel	Nominal Tons of Applicant's Allocation Processed on Land	Nominal Tons Processed on Behalf of other Right Holders On Board Vessel	Nominal Tons Processed on Behalf of other Right Holders on Land

**Section 10****Local Economic Development**

10.1 Complete the following table in relation to harbours and landing sites used:

Harbour / Landing Site Name	Tons Landed at Harbour in 2004 calendar year	Percentage of Total Catch Landed in 2004 calendar year
TOTAL		

10.2 At which harbours and  
landing sites will the  
applicant land its catches?

Harbour / Landing Site Names	

10.3 Has the applicant made any investment in physical infrastructure at these  
harbours or landing sites in order to improve or make landing catches at  
these harbours possible?

☐ Yes ☐ No





## Section 11

## Performance

## Financial

11.1 What is the applicant's 2004 audited, verified or certified Annual Turnover?



11.2 Indicate the rand value and percentage of total turnover derived from this fishery:

Annual Catch Allocation (in tons) to the Applicant in 2004	Turnover Generated in 2004 financial year by Annual Catch Allocation	Percentage of Total Turnover

11.3 Complete the following table in relation to ratio performance:

Year	Return on Net Assets (RONA)	Debt: Equity Ratio	Current Ratio	Quick Ratio (Acid Test)
2001				
2002				
2003				
2004				

11.4 Provide the following information in relation to the applicant's income statements:

Year	Turnover	Profit After Tax	Retained Earnings	Dividends Paid / Distribution of Profits
2001				
2002				
2003				
2004				

**Section 11**

**Performance**

**Financial**

11.5 Provide the following information in relation to the applicant's balance sheet:

Year	Assets	Long-Term Liabilities	Current Liabilities	Shareholder's Equity / Member's Contribution
2001				
2002				
2003				
2004				

11.6 Provide the following information in relation to the applicant's cash flow:

Year	Net Cash Inflow / Outflow from Operations	Net Cash Inflow / Outflow from Investing Activities	Net Cash Inflow / Outflow from Financing Activities
2001			
2002			
2003			
2004			

**Section 12**

**Fishing Plan**

12.1 Does the applicant have a fishing plan?

☐ Yes ☐ No



**Section 13**

**By-Catch and Environmentally Sustainable Practices**

**By-Catch**

13.1 Indicate the proportion of the applicant's annual catch that is made up of by-catch species:


Year	Annual By-Catch (in tons)	Annual Utilised By-Catch as a Percentage of Total Catch	Annual Unutilised By-Catch, Juvenile Species and Endangered Species as a Percentage of Total Catch
2001			
2002			
2003			
2004			





Section 13

By-Catch and Environmentally Sustainable Practices

- 13.2 Has the applicant put in place any measures to reduce energy and fuel consumption on vessels, and in processing facilities?

☐ Yes ☐ No 
- 13.3 Does the applicant intend to put in place any measures to reduce energy and fuel reduction consumption on vessels, and in processing facilities?

☐ Yes ☐ No 
- 13.4 Has the applicant undertaken or sponsored any research in relation to environmentally sustainable practices?

☐ Yes ☐ No 

Section 14

Fishing Levies

14.1 Please provide the following information in relation to levies paid since 2001:

Year	Species	Total Catch in Tons	Levies Paid
2001			
2001			
2001			
2001			
2001			
2002			
2002			
2002			
2002			
2002			
2003			
2003			
2003			
2003			
2003			
2004			
2004			
2004			
2004			
2004			

14.2 What was the date and amount of the applicant's most recent levy payment?

Date  
yyyy/mm/dd

Amount



## Section 15

I, the undersigned, do hereby make oath and declare that:

- (a) I have read the instructions set out on pages 2 and 3 of this application form;
- (b) the information submitted with and in this Application is true and correct and complete.
- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to my application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) The applicant undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (f) The applicant accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

## Applicant Declaration

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address

I, the undersigned, do hereby make oath and declare that:

- (a) I have read the instructions set out on pages 2 and 3 of this application form;
- (b) the information submitted with and in this Application is true and correct and complete.
- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to the application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (f) \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

## Holding Company Declaration

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address



**Section 15**

I, the undersigned, do hereby make oath and declare that:

- (a) I have read the instructions set out on pages 2 and 3 of this application form;
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- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to my application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (f) \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

**Sister Company Declaration****Signature of Authorised Representative of Sister Company (if applicable)**

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address

I, the undersigned, do hereby make oath and declare that:

- (a) I have read the instructions set out on pages 2 and 3 of this application form;
- (b) the information submitted with and in this Application is true and correct and complete.
- (c) I accept that if any information in this Application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the Application being refused, or to the revocation, suspension, cancellation, alteration or reduction of any right, license or permit granted on the strength of this Application, in terms of Section 28 of the Marine Living Resources Act 18 of 1998;
- (d) In order to allow for the proper verification of information submitted I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to the application, to disclose or make the information available to the Minister, his delegate or an official of the Department of Environmental Affairs and Tourism or the Rights Verification Unit;
- (e) \_\_\_\_\_ (3rd party name) undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises, vessels and documents. The applicant accepts that failure to co-operate in this regard will constitute an independent ground for refusing an application;
- (f) \_\_\_\_\_ (3rd party name) accepts that any attempt to influence the decision of the delegated authority or appellant authority on the allocation of a right or quantum or effort, in any manner other than provided for in the General Policy or in this application form, will result in the application being refused.

**JV Partner Declaration****Signature of Authorised Representative of JV Partner (if applicable)**

Signed at: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 2005

Signature of Authorised Representative: \_\_\_\_\_

Representative's Full Name: \_\_\_\_\_

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Commissioner of Oaths

Full Name

Designation

Physical Address



**SCHEDULES**

**IF THE APPLICANT CANNOT PROVIDE THE INFORMATION REQUESTED IN ANY OF THE SCHEDULES BELOW, THE APPLICANT MAY SUBMIT AN EXPLANATION FOR THIS IN PLACE OF THAT ANNEXURE**

**Schedule 1 - Applicant Details**

- a) Provide, as Annexure 1A a brief profile of the applicant organisation including an organogram which clearly indicates the applicant's business model including holding company, sister company and joint venture partner relationships. The applicant should pertinently indicate if it intends to apply in more than one sector, is involved in industries other than the fishing industry and if the applicant does rely on information of holding companies, sister companies and joint venture partners in this application. The profile may not exceed 5 pages.
- b) Section 1.3: Provide a copy of a valid company or close corporation registration certificate as Annexure 1B.
- c) Section 1.8.6: Provide a copy of a resolution duly authorising the person named in Section 1.8.6 to be the authorised contact person, as Annexure 1C.

**Schedule 2 - Form of Applicant**

- a) Section 2.1: Provide a copy of the 2005 permit as Annexure 2A.
- b) Section 2.2: Provide a copy of the letter granting a right as Annexure 2B.
- c) Section 2.3: If the medium term right is currently held by an entity different from the one listed in Section 2.2, provide a detailed explanation as Annexure 2C.
- d) Section 2.5: Provide a copy of a valid SARS tax clearance certificate as Annexure 2D.
- e) Section 2.7: If "Yes," provide a detailed statement describing percentage of shareholding, the name and the registration number of the company as Annexure 2E.
- f) Section 2.8: If "Yes," provide a detailed statement describing percentage of shareholding, the name and the registration number of the company as Annexure 2G.

**Schedule 3 - Compliance**

- a) Section 3.1.1: If "Yes", provide details and documentation regarding the conduct of the applicant, the identity and conduct of the members, shareholders or directors resulting in the conviction, the dates of conviction, and the penalties imposed as Annexure 3A.
- b) Section 3.1.2: If "Yes", provide details and any documentation of the plea bargain arrangement entered into, and details regarding the conduct and identity of the individuals giving rise to the plea bargain, the dates and specifics of the plea bargain, as Annexure 3B.
- c) Section 3.1.3: If "Yes", provide details and any documentation regarding the admission of guilt fine paid, including information regarding the conduct and identity of the individuals giving rise to the fine, the date of offence and rand amount paid as Annexure 3C.
- d) Section 3.1.4: If "Yes", provide details and any documentation regarding the offence including information regarding the conduct and identity of the individuals giving rise to the fine, the date of offence and penalty as Annexure 3E.
- e) Section 3.2: If "Yes", provide details regarding the detention, arrest or seizure, including information regarding the conduct and identity of individuals involved as Annexure 3E. Also provide details if a final confiscation or forfeiture order was / was not granted under the Prevention of Organised Crime Act.
- f) Section 3.3: If "Yes", provide details and any documentation including the identity and conduct of individuals giving rise to the Section 28 procedure as Annexure 3F.



**Schedule 4 - Vessel Details**

- a) Section 4.2: For each vessel nominated, provide copies of the following documents:
- i) SAMSA Safety Certificate(s) as Annexure 4A;
  - ii) South African Certificate(s) of Registry as Annexure 4B;
  - iii) agreement(s) providing access to the vessel if the applicant is not the majority shareholder or the sole owner of the vessel as Annexure 4C;
  - iv) Local General Safety Certificate(s) as Annexure 4D.
- b) If the applicant is unable to furnish any of the above documents for any of the nominated vessels, the applicant must provide an explanation for this as Annexure 4E.

**Schedule 5 - Catch Utilisation**

- a) Section 5.2: If the applicant over- or under-caught by more than 10% in any year, a detailed explanation must be attached as Annexure 5A.

**Schedule 6 - Transformation**

- a) Section 6.3.1: If the applicant completed Section 6.3.1 in respect of the board of directors of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.3.1 for the applicant and the other entities separately, and submit these as Annexure 6A.
- b) Section 6.3.2: If the applicant completed Section 6.3.2 in respect of the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.3.2 for the applicant and the other entities separately, and submit these as Annexure 6B.
- c) Section 6.4.1: If the applicant completed Section 6.4.1 in respect of the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.4.1 for the applicant and the other entities separately, and submit these as Annexure 6C.
- d) Section 6.4.2: If "Yes," the applicant must provide details of contributions made to medical aid and pension, including details of the classes of beneficiaries, the employer's contributions and the nature of the benefits as Annexure 6D.
- e) Section 6.4.3: If "Yes," the applicant must provide details of the nature of the benefits provided, classes of beneficiaries and the employer's contribution as Annexure 6E.
- f) Section 6.5, 6.6.1 and 6.6.2: If the applicant completed Sections 6.5, 6.6.1 and 6.6.2 with reference to the employees of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the tables in Section 6.5, 6.6.1 and 6.6.2 for the applicant and the other entities separately and submit these as Annexure 6F.
- g) Section 6.7.1: Explain how black shareholding and black voting rights were calculated as Annexure 6G. This annexure should include details of any Black Economic Empowerment deals the applicant has concluded. The annexure must also include a complete list of all shareholders, following the flow through principle. This list should indicate the name, identification / registration number, whether the shareholder is black (if natural person), or what percentage of the shareholder is black (if company or close corporation), the gender of the shareholder (if natural person), or what percentage of the shareholder is female (if company or close corporation).
- h) Section 6.7.3: If "Yes," provide details regarding the applicant's employee share scheme, paying particular attention to actual benefits to employees, as well as a copy of the employee share scheme policy as Annexure 6H.



**Schedule 6 - Transformation**

- i) Section 6.7.5: Provide a breakdown of all salaries, loans and dividends paid to shareholders for each year including the name, identification number of the shareholder, as well as whether the shareholder is Black (if natural person, or name and company registration number and percentage black shareholding or interest if juristic person), as Annexure 6I.
- j) Section 6.7.7: If the applicant completed any part of the table in question 6.7.7, the applicant must provide details regarding the entity, the relationship between the applicant and the entity, and whether the applicant or the applicant's holding company have any equity interest in the other entity, as Annexure 6J.
- k) Section 6.8.1: Provide a list of all the applicant's members names, identification number, whether the member is black and the gender of the member, as Annexure 6K.
- l) Section 6.8.3: If "Yes," provide details of the applicant's employee profit sharing scheme, paying particular attention to actual benefits to employees, as well as a copy of the employee share scheme policy as Annexure 6L.
- m) Section 6.8.5: Provide a breakdown of all salaries, loans and profit distribution paid to members for each year, including the name and identification number of the member, as well as whether the member is Black, as Annexure 6M.
- n) Section 6.8.7: If the applicant completed any part of the table in question 6.8.7, the applicant must provide details regarding the entity, the relationship between the applicant and the entity, and whether the applicant or the applicant's holding company have any equity interest in the other entity as Annexure 6N.
- o) Section 6.9: Provide a summary of the targets set in the Transformation Plan, the extent to which these were met and the measures taken to reach the targets as Annexure 6O.
- p) Section 6.10: If the applicant completed Section 6.10 with reference to the payroll and training budgets of both the applicant and of any other entity(ies) as per the Explanatory Notes, the applicant must complete the table in Section 6.10 for both the applicant and the other entity(ies) separately and submit these as Annexure 6P.
- q) Section 6.12: If the applicant completed Section 6.12 with reference to the leanerships of both the applicant and of any other entities as per the Explanatory Notes, the applicant must provide a breakdown of the information required in Section 6.12 for both the applicant and the other entities separately and submit these as Annexure 6Q.
- r) Section 6.13: If "Yes" provide a detailed description of the applicant's participation in such skills development programmes, as well as any supporting documentation from the SETA, as Annexure 6R.
- s) Section 6.14.1 and 6.14.2: If the applicant completed Sections 6.14.1 and 6.14.2 with reference to the skippers of both the applicant and of any other entities as per the Explanatory Notes, the applicant must provide a breakdown of the information required in Section 6.14.1 and 6.14.2 for both the applicant and the other entities separately and submit these as Annexure 6S.
- t) Section 6.15, 6.16 and 6.17: If the applicant completed Sections 6.15, 6.16 and 6.17 with reference to the donations of both the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the table in Section 6.17 for both the applicant and the other entities separately and submit these as Annexure 6T.
- u) Section 6.18, 6.19 and 6.20: If the applicant completed Sections 6.18 and 6.19 with reference to the donations of both the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the table in Section 6.20 for both the applicant and the other entities separately and submit these as Annexure 6U.
- v) Section 6.21: If "Yes" provide a copy of the Affirmative Procurement Policy as Annexure 6V.
- w) Section 6.22: Provide a breakdown of capital and operational expenditure paid to South African suppliers, including the percentage black ownership of these suppliers as Annexure 6W.
- x) Section 6.23: If "Yes," explain how the Applicant determined its affirmative procurement spend as Annexure 6X.



**Schedule 7 - Safety**

- a) Section 7.1: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure 7A.
- b) Section 7.2: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure 7B.
- c) Section 7.3: If "Yes," provide a detailed explanation of the contravention, including the date of contravention, the offence and the penalty imposed as Annexure 7C.
- d) Section 7.4: If "Yes," provide a detailed description of the accident as Annexure 7D.
- e) Question 7.5: If "Yes," provide the name, identity number and qualification of each safety officer for each vessel. If "No," please provide a detailed explanation of why the applicant has not appointed a qualified safety officer for each vessel. The information provided under this section must be contained in Annexure 7E.
- f) Section 7.6: If "No," provide a detailed explanation as Annexure 7F.
- g) Section 7.7: If "Yes," provide a copy of the Safe Manning Document as Annexure 7G. If "No," and the nominated vessel is of 25 gross tonnage or more, provide a detailed explanation as Annexure 7G.
- h) Section 7.10: If "Yes," provide a copy of the policy as Annexure 7H. If "No," an explanation of why the applicant does not have an HIV/AIDS policy must be provided as Annexure 7H.
- i) Section 7.11: If "Yes," provide a copy of the Local General Safety Certificate as Annexure 7I. If "No," a detailed explanation must be provided as Annexure 7I.
- j) Section 7.13: If "Yes," provide details and documentation regarding the conduct of the applicant, its members, shareholders or directors resulting in the convictions and penalties imposed as Annexure 7J.
- k) Section 7.14: If "Yes," provide a copy of the plan as Annexure 7K. If "No," provided a detailed explanation of why not as Annexure 7K.

**Schedule 8 - Job Creation**

- a) Section 8.1: The applicant must provide breakdowns as described in the Explanatory Notes as Annexure 8A.
- b) Section 8.1.4: If the applicant completed Questions 8.1.4 with reference to the payrolls of the applicant and of any other entities as per the Explanatory Notes, the applicant must complete the table in Question 8.1.4 for both the applicant and the other entities separately, and submit these as Annexure 8B.

**Schedule 9 - Investment**

- a) Section 9.1 and 9.1.2: Provide breakdowns as described in the Explanatory Notes as Annexure 9A
- b) Section 9.1.5: Provide a detailed explanation of all investments in marketing activities, including investments in distribution channels, product research and market research as Annexure 9B.
- c) Section 9.1.6: Provide a detailed explanation of all investments in processing activities as Annexure 9C.



**Schedule 10 - Local Economic Development**

- a) Section 10.3: If "Yes," provide a detailed explanation of all investments made in order to make landing catches at identified harbours possible as Annexure 10A.

**Schedule 11 - Performance (Financial)**

- a) Section 11.1: Provide a copy of the applicant's 2004 audited financial statements as Annexure 11A. The applicant's auditors will be required to confirm its responses to all questions in Section 11.
- b) Section 11.2: If the applicant completed the table in Section 11.2 with reference to the turnover of both the applicant and of any other entity(ies) as per the Explanatory Notes, the applicant must complete the table in Section 11.2 for both the applicant and the other entity(ies) separately and submit these as Annexure 11B

**Schedule 12 - Fishing Plan**

- a) Section 12: If "Yes," provide a synopsis of the applicant's fishing plan as Annexure 12A, paying particular attention to:
- a) days to be spent fishing per vessel nominated;
  - b) areas to be targeted;
  - c) species to be targeted and mix of species;
  - d) expected size of species to be targeted;
  - e) detailed information regarding:
    - Age
    - Size
    - Gear (length of lines, numbers of traps and winch carrying capacity)
    - Fishing capacity and
    - Processing capacity of each nominated vessel (where appropriate).

The fishing plan must clearly demonstrate the applicant's ability to perform effectively in the fishery.

**Schedule 13 - By-Catch and Environmentally Sustainable Practices**

- a) Section 13.1: Provide a detailed explanation of how the applicant manages bycatch, as Annexure 13A.
- b) Section 13.2: Provide a detailed explanation of measures put in place to reduce energy and fuel consumption on vessels and in processing facilities, as Annexure 13B.
- c) Section 13.3: Provide a detailed explanation of intended measures to reduce energy and fuel consumption on vessels and in processing facilities, as Annexure 13C.
- d) Section 13.4: Provide a detailed explanation of any research undertaken or sponsored by the applicant in relation to environmentally sustainable practices, as Annexure 13D.



**FOR OFFICIAL USE ONLY: DO NOT TEAR OFF****RECEIPT**

Received by: \_\_\_\_\_

Date of Receipt: 14 July 2005 or 15 July 2005

Time of Receipt: \_\_\_\_\_ h \_\_\_\_\_

Application Number: \_\_\_\_\_

Departmental Stamp:

**Disclaimer:** The receipting of this application does not imply an acknowledgement of the completeness of the application or the correctness of its content.

**RECEIPT - FOR APPLICANT TO RETAIN**

Received by: \_\_\_\_\_

Date of Receipt: 14 July 2005 or 15 July 2005

Time of Receipt: \_\_\_\_\_ h \_\_\_\_\_

Application Number: \_\_\_\_\_

Departmental Stamp:

**Disclaimer:** The receipting of this application does not imply an acknowledgement of the completeness of the application or the correctness of its content.





CONTINUES ON PAGE 545—PART 3