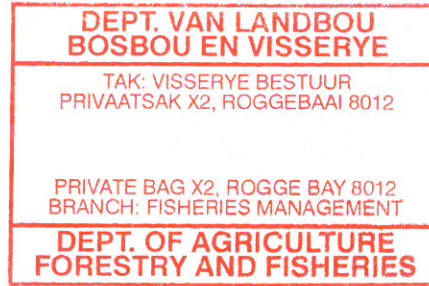




agriculture, forestry & fisheries

Department:
Agriculture, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA



PUBLIC NOTICE:

15 December 2017

FISH PROCESSING ESTABLISHMENT: UPDATE ON APPLICATIONS SUBMITTED IN ACCORDANCE WITH SECTION 18 OF THE MARINE LIVING RESOURCES ACT, 1998 (ACT NO. 18 OF 1998) (THE MLRA) AS WELL AS REQUIREMENTS FOR FISH PROCESSING ESTABLISHMENT (FPE) EXEMPTIONS GRANTED TO AUTHORISED FISHING VESSELS.

Cape Town – Friday, 15 December 2017: The Delegated Authority has taken a decision on 42 FPE rights applications (41 entities and one individual) submitted between 21 November 2017 and 13 December 2017. Accordingly, 36 applicants were successful, one was excluded (not commissioned) and five were reserved pending submission of additional information requested.

Appeals: In terms of Section 80 of the MLRA, read with Regulation 5 of Government Gazette Notice 1111 of 2 September 1998, every applicant shall be entitled to file an appeal against any aspect of the Delegated Authority's decision regarding FPE rights. Appeals must be filed by not later than 16h00 on 2 February 2018. Appeals shall only be emailed to FRAP2015appeals@daff.gov.za. Appeals that are hand-delivered, faxed, posted or e-mailed to any other e-mail address will **not** be accepted. Late appeals will **not** be considered.

The five reserved applications will be considered for an exemption to operate an FPE in the interim, without a right until a final decision is made on their applications. This is subject to submission of an FPE exemption application. In addition, the Delegated Authority decided that those unsuccessful applicants who had been operating on an FPE exemption permit valid for the period 1 January until 31

December 2017, and subsequently lodged an appeal in terms of section 80 of the MLRA, may apply for an exemption to operate a FPE pending the outcome of their appeal. Applicants falling into this category must attach their Record of Decision Letter when applying for a 2018 exemption.

The aforesaid offer does not apply to unsuccessful **first time applicants that have never held a right or an exemption to operate an FPE** and who have lodged an appeal.

As stipulated in the Media Release of 4 December 2017, an exemption in terms of section 81 of the MLRA was granted to **authorised fishing vessels that only pack fish in crates or use ice to land fresh fish; those engaged in the drying of legally caught and purchased fish; and the cleaning, heading, gutting, gilling and tailing of fish on board an authorised fishing vessel.** On submission of an application for a Local Fishing Vessel Licence, all authorised vessels falling under the aforesaid exemption are required to submit a valid National Regulator for Compulsory Specifications (NRCS) Certificate, clearly stipulating the type of processing taking place on board the authorised vessel. Failure to submit the required valid NRCS Certificate will result in the Local Fishing Vessel Licence being refused.

The exemption granted in terms of Section 80 of the MLRA to the squid vessels are valid until 28 February 2018. These exemption holders are urged to timeously apply for an FPE right prior to expiration of their exemptions on 28 February 2018.

Lastly, all FPE vessel based right applications to be lodged, must reflect the vessel owner as the applicant and no application will be considered if not lodged in the name of the vessel owner.



SIPHOKAZI NDUDANE
DEPUTY DIRECTOR-GENERAL: FISHERIES MANAGEMENT
DESIGNATION: Delegated Authority: Fish Processing Establishments
DATE: 15/12/2017