



## Helderberg Fishers Community

### SSFP Parliamentary Presentation

Friday 25<sup>th</sup> November 2016

#### FRAP PROCESS – 2015/16 Fishing Rights Allocation Process

DAFF presented a Public Consultation Meeting on Draft Fisheries Sector Specific Policies, Draft Application Forms and Application Fees at the South-End Library, Strand on Wednesday 22<sup>nd</sup> November 2015 from 10h00 to 12h00 – [this after the process held in 2013 was declared null and void]

This has been a total failure. We have Fishers in our regent still awaiting the outcome of the first appeals process. Now after the second round, applicants are still left in the dark regarding whether being successful in their application or not. Questions arise on what grounds wrt Criteria applied for verification, certain applicants were not granted/considered eligible for a Fishing permit.

#### SMALL-SCALE FISHING POLICY

Reasons why Fishing Communities do not trust the entegrity and honest implementation of Proposals and Policies for the following examples/reasons:

1. The initial format of Co-operative systems to be implemented, have changed drastically, since the idea wise made known to Communities  
\*[Refer to DAFF & DTI Workshop Training Minutes @ South-End Library – 3<sup>rd</sup> June 2013 – Attachment 1]
2. DAFF Proposals and/or Policies are seldom/never implemented and/and applied as drafted or intended as per the drafted documents ie 'What they say, and what they do are seldom/never in accordance with what has been decided upon by Legislation'
3. It's usually the targeted, marginalized and poor, who should initially be the primary beneficiaries, that are left out of these tabled /suggested processes.
4. The rich normally, in the long-run benefit most and the plight of the poor are ignored and falls on deaf ears.
5. DAFF has the tendency is to select their favourite 'Representatives' in most Communities whom they prefer to negotiate with and/or include in discussions pertaining to Community issues. They (the DAFF selected 'Reps') are normally /or in most cases not chosen by the majority to serve as their mouthpiece in debate or issues concerning their precious livelihood ie to be able to fish and honestly provide for their families
6. The marginalized, poor and desperate Fisher Community members feels exploited, abandoned and 'left to rot', while a handful of manipulators normally benefit and enrich themselves to the detriment of these down-trodden Fishers, who must eke a

daily living from the sea and what it has to offer. Hoping for the proverbial 'Pot of Gold at the end of the rainbow. But that 'rainbow' usually drifts away from them, thus leaving them gutted, hopelessly lost, betrayed and in utter despair.

7. Like now, with this new SSFP proposal. Many deserving people were left out of the system eg bona-fide fishers and fish-cleaners, fishermen's widows, women and the Youth (18 to 26 years old who do not have a 10 year history of fishing) at large, while Poachers and Fish-sellers [Langanas] were successful in their applications.
8. There are too numerous reasons to mention why Communities do not have faith in the implementation process of this new SSFP, judging by the failure of Marine Coastal Management (during the 90's) and DAFF that also now on numerous occasions, made empty promises, and miserably failed the very people whom they are supposed to assist with a livelihood and job-creation opportunities.
9. DAFF willy-nilly changes Policies and proposals without consideration and/or meeting/liaising with Communities about their intentions etc

**According to a schedule highlighting the 'Regulations Relating to Small-Scale Fisheries (of 2014) states specifically:**

**(2) The Purpose of these Regulations is to:**

- a) ensure equitable access to fish by Small-Scale Fishing Communities;
- b) recognise a multi-species approach in granting a Rights to Small-Scale Fisheries;
- c) transform the inequalities of the past fisheries system; and
- d) address the high levels of abject poverty, socio-economic development and food insecurity in the Small-Scale Fishing Communities.

**The Criteria to qualify is disproportionate, contradictory and exclusive [of Women and Youth]**

**(3) Criteria to be applied in determining whether Small-Scale applicant qualifies are:**

- a) must be a SA Citizen who associates with or resides in the relevant Small-Scale Fishing Community;
- b) must be at least 18 years old;
- c) must have historically been involved in Traditional Fishing operations, which include catching, processing or marketing of fish for a cumulative period of at least 10 years; and
- d) must derive the major of his/her livelihood from Traditional Fishing operations, and be able to show historical dependence on fish, either directly or in a household context, to meet food and basic livelihood needs.

### **Co-operatives and the Granting of Fishing Rights:**

(2) In order to be considered for granting of Fishing Right, at least five (5) recognised Small-Scale Fishers from a SSFC are first required to successfully apply for Registration as a Primary in terms of the Co-operatives Act, 2005.

The very point is that, from the 76 Interim Relief Dispensation beneficiaries, quite a few (definite numbers still unknown) in the Helderberg area were unsuccessful in their application. Most of them did not even apply, due to having been informed they need not do so and a predetermination were already made prior to the official application, who will be excluded.

The rest of the proposal, pertaining to registration as Primary Co-op etc, relates to a very long term process, whereby poverty and joblessness will increase, rather than meet the whole objective of the implementation of this new Fishing Policy proposal.

Very few of Fishermen are business-minded/have business acumen, and that's exactly where exploitation of these vulnerable people will increase, as has been proven during similar previous /processes, which failed miserably and left Fishers and Fisher Communities even worst off in the end /long run.

The whole Policy proposal in its entirety looks well on paper. Is it doable? That's another 'Kettle of Fish' [pardon the pun], because most poor will be left with nothing but sorrows and hope for a better future. Loss of jobs, no or very little income will lead to degradation of Community conditions who can ill-afford to even contemplate a worse scenario than the bleak one already facing right at this very moment. People have been dropped from a system they believe would have accepted them, to create that brighter future as supposedly relayed in the Policy proposal, which is very far from the truth, and the Fishers and their dependants, the greater Fishing Communities are realizing that right at this very moment,

Spending hard-earned money, actually meant for their daily survival to provide food to feed their families, must now be spent on Train-, Taxi- and/or Bus-fare to appeal for a Right which they should have been granted from 'the very word go'. Now they are struggling even much more to make ends meet, Stress and anxiety levels have increased rapidly. Older Fishers are now even more sick than before the Application process. The Youth and Womenfolk (especially widows) feel betrayed and feels the system failed them. So many negative defects can be highlighted, though this was meant to be a positive exercise and was actually meant to improve the already struggling and impoverished peoples' lives. The future looks very bleak for most.

## Helderberg Fishers Community's personal input /commentary

### Helderberg Vissers-gemeenskap se persoonlike insae /kommentaar

(1) "Goeie Middag, dankie vir die boodskap, Henry Kehl se vrou hier.

Hy het mos nie Whatsapp nie so ek is gelys as sy kontak nr. Ek het hom nie gesien van gisteraand nie want hul werk op see saans.

*Ek sal terugvoer gee van sy idees later vanmiddag na ek hom gesien het.*

*Groete, Catherine Kehl*

(2) *Hi Dullah. Ek dink dat as die co-op inplek is gaan party mense werk en ander net by die huis sit en ontvang. So dalk sal dit beter wees as elke person sy eie ding doen en self sy bron ontgun, dan sal die regte vissers baat.*

*Dankie vir al die moeite wat jy moet deurgaan. Sterkte!!! – Cornel Olivier*

(3) *Hi Dullah! Jammer date k nou eers reageer. Was bietjie besig en nie so noukeurig my Whatsapp dop gehou nie.*

*Ek dink jy moet baie klem le^ op die feit dat die Small-Scale sy doel moet dien en dus net bedoel is vir die armste van die armstes (Armoede verligting wat dit tans nie doen nie)*

*Die Verification is 'n klug. DAFF moet dit meer intens doen. Dis bedoel slegs vir mense wat uit die see lewe.*

*Baie mense werk wat deel uitmaak van die proses. Die enigste mense is die weduwees van Vissers wat kan kwalifiseer, saam met die wat waarlik vissers is. Te veel jump op die bandwagon. Dan sal daar minder ontevredenheid wees.*

*Daar moet ook seker gemaak word oor die met Vissers history, of hulle nog steeds slegs uit die see lewe.*

*Die Small-Scale moet tot sy reg kom en dit so huisbring in die gemeenskappe.*

*Soos ons as die gemeenskap-werkers die idee in die Hottentots Holland Vissers Verening na gestrewe het.*

*Baie Geluk met jou uitnodiging. Voorspoed en doen die regte ding! – Leonard Cloete*

(4) *Was laas nag heelnag oppi see. Wil maar net so biekie rus voor ons weer moet gan.*

*My aansoek is een van die mense in ons community wat nie geslaag het nie, omdat ek kamstig nie "Huidiglik" uit die see 'n lewe verdien nie... so vokn belaglik. Maar dis wat dit is. So ek sal terugkom na jou jou. Wil net graag nou bietji rus....my oe brand van moegheid..- Phillip Schoeman*

(5) Ek voel dat die nuwe kleinskaalse beleid wat veronderstel is om alle vissers te bevoordeel nie regverdig is nie. Ek weet van talle vissers wat nie goedgekeur is omdat ek dink dat sekere persone op die selekteerdekomitee/panel nie regverdig was met besluitneming nie.

Daar is vissers afgekeur wat al meer as 20 jaar visvang. Verder stem ek geensins saam met die kriteria waarvolgens persone gekeur word nie.

Eerstens moet die person meer as 10 jaar 'n visser wees, wat ek verstaan hulle wil seker maak dis iets wat hul as beroep doen en nie net nou en dan.

My bekommernis is die Jeug, want hul jare tel eers vanaf hul 18 is, en sommige van hulle noodgedwonge van al vanaf 14 en 16 jarige ouderdom en dan mag hul eers as hul 28 jaar oud is die voordele geniet.

Baie van hulle het ook reeds families; baie van hulle moet sorg vir hul ouers wat ook vissers was en se gesondheid veroorsaak dat hul nie meer kan see toe gaan nie, en nou gaan hulle nie voordele geniet nie

Verder voel ek hulle kan gerus subsidies gee vir die jonger persone om Skippers en veiligheid kursusse te gaan leer. Ul vang vis en sukkel daagliks om kop bo water te hou. So het nie geld vir dit (verder opleiding) nie; hul soms nie geskoold omdat hul op jong ouderdom moes gaan visvang vir hul ouers en dusk on nie 'n beurs kry om iets te studier nie.

## ATTACHMENT 2

### VERIFICATION PROCESS: Dissatisfaction amongst Local Fishers wrt this process

Since the promulgation [declaration] of the (MLRA) Marine Living Resources Amendment Act in May 2015, the allocation of Fishing Rights to the Small-scale Fishing Sector has been a matter of dispute [bone of contention]

Many Communities and Organisations [Masinfundisa; Coastal Links SA] have been calling for more effective and rapid implementation of the Policy, including the announcement of rights that will be allocated for the sector.

These Organisations have maintained that all allocations should be made at the same time as the Small-scale Fishing baskets are allocated, to prevent a situation whereby the Small-scale Fisheries Sector is only allocated the left-overs after allocations have been made to the Commercial Sector.

Yet, until today Small-scale Fishers still do not know what will be allocated to them, and while the Department [DAFF] is allocating rights under FRAP, the Small-scale Fishing Basket seems to be rapidly diminishing.

This has been proven true when the Department [DAFF] allocated Line-fish, Net-fish, Mussels and the recent announcement for West Coast Rock Lobster (WCRL) leaving the Sector with scraps.

Moreover, this has been aggravated by the fact that the recent announcement of the WCRL season does not properly recognise the Small-Scale Fishing Sector as per the MLRA promulgated by the President of SA in May 2015, because **235,30 tons of WCRL allocated is for Interim Relief Permit Holders.**

Furthermore, the allocation that is deemed to fall under the "Small-Scale Fishing Sector" is not and will not be viable for the entire Small-Scale Fishing Sector, due to the fact that the current Implementation of the Small-Scale Fisheries Policy will take in [presumably] more bona-fide Fishers who were left out of the Interim Relief Dispensation.

As it stands, there has not been an announcement of what the Small-Scale Fishers will receive as part of their **Basket of Species**, and Small-Scale Fishers are demanding that the Small-Fishing Sector be prioritised and no further allocation should be announced until such time as the Sector has been provided adequate rights.

[Collaborated Aggrieved and Concerned Group Memorandum]

## ATTACHMENT 1

Minutes of the Co-operative Training Workshop presented at the South-End Library on Monday 3<sup>rd</sup> June 2013 scheduled for 10h00

### PRESENT:

- Redah Cox [DAFF-CDW Representative]
- Petunia Digomo [Presenter – DTI ~Dept Trade & Industry]
- Helderberg Fisher Community members

The gathering was officially declared open by Redah Cox (DAFF) at 10h10, who welcomed all and briefly explained proceedings/purpose of meeting.

A Presentation was then done by Petunia Digomo (DTI):

- How a Co-operative [Co-op] works and operates
- Only Co-ops will get Grant [Financial Funding] at DTI
- Co-op can be either PTY or LTD
- Application Forms available after Meeting

#### **(1) Formation and Operation**

- Co-op is formed by minimum five (5) individuals/persons:
  1. As a Business
  2. All with the same aims/ideas
  3. Participation is voluntary
  4. Founders Meeting to be held to establish
- Definition: 'Is an autonomous Association of persons meeting voluntarily, to meet economic and social needs and aspirations.'
- Democratically controlled and operated on Co-operation Principles

#### **(2) Various Co-ops Models:**

1. Primary Co-op - Consisting of min. 5 individuals
2. Secondary Co-op – Two (2) Primary Co-ops together
3. Tertiary Co-op – ‘Mother Body’ ~ Union of a number of Primary Co-ops tog

- :
- :
- : Voluntary and open membership
- : Membership Fee payable [monthly]
- : Formed by at least two (2) Secondary Co-ops
- : Must have Constitution [Model Constitution available]
- : Democratic Members Control
- : Directive of Management of Co-op eg Directors; Secretary; etc [Working Members] are elected
- : All decisions to be taken in form/by way of meeting
- : Members who do not contribute [ie non-conforming members] can be ‘taken out’

#### **(3) Completion of required Forms:**

- ❖ CR-2 Form: Affidavit @ SAPS and Meeting Minutes/notes

#### Members' economic participation:

- ↳ Have membership as co-op

- ↳ Open Banking Account
- ↳ Marketing and Sales
- ↳ Membership Fees assist Co-op when immediate Finances are needed to attend Training Workshops or Meetings
- ↳ SEDA Training only for Co-op is 100% free

**(4) Autonomy and Independence**

- ❖ A Co-op that can stand alone
- ❖ Once you have a Business, you should Market and Promote your Co-op in order to make money

**(5) Education; Training and Information Techniques**

- **Apply to get Fishing Permit**
- Each person have individual experience regarding the Business eg Skipper; Fisherman; as well as Sales and Admin Skilled persons
- Teach each other skills and share info

**(6) Co-operation among Co-ops**

- Know the Co-ops that are in your Sector or outside your area, in order to promote Sales and create contacts, to work together, so Business can prosper

**(7) Consent for Community**

- ❖ Do something for Community
- ❖ Co-op is a voluntary form of Enterprise eg Helping the needy in your immediate Community area
- ❖ The purpose of a Co-op is 'Service Delivery'
- ❖ Investors make money available for Profit eg to buy Stock or Machinery

**(8) Voting**

- ✓ All decisions in a Co-op is taken by Vote –[One (1) vote per Member]
- ✓ All are equal in a Meeting

**(9) Shareholding**

- You have the choice of having Shares or not
- Shares are made by the Member [in order to expand]

**Other forms of Co-ops**

- (i) **Housing Co-op**
  - ~ To build houses for Co-op/Community members
- (ii) **Social Co-op**
  - ~ Same work as NPO – assist Sick; Elderly and Children

**(iii) Burial Society Co-op**

- ~ Register as Burial Society Co-operative
- ~ People in your Community with specific skills can be employed eg to make Artificial Flower arrangements/bouquets, Carpentry etc
- ~ Get building from Municipality to house your Business
- ~ Get Financial assistance for purchase of Machinery and tools from DTI to make Burial Caskets

**(iv) Financial Service Co-op**

- ~ Formed by [more than] eighteen (18) persons
- ~ To lend each other money /household goods
- ~ Each member should contribute financially eg R100 to R300 per month
- ~ Must have a certain amount of money in Bank Account before a Loan can be made at DTI

**(v) Services Co-op**

- ~ Enter in Tourism, Transport and Communication eg Internet Café

**(vi) Marketing and Supply Co-op**

- ~ Form in order to target a specific Co-op eg to Supply Raw Materials etc

**(vii) Multi-Purpose Co-op**

- ~ Where you do all of the above together

**Establishment**

1. Must have/hold Founders Meeting
2. Take/record Minutes of the Meeting/proceedings
3. Adopt a Constitution
4. Create/establish a Name for the Co-op
5. Select Directors and Admin Staff eg [minimum 3]

**Other Forms to be completed upon Application**

**CR-5 Form**

- ✓ Directors name listed in sequence of priority

**CR-1 Form**

- ✓ All information concerning/about the Co-op
- ✓ All Members MUST sign

**CR-8 Form**

- ✓ Can you afford Accountant or Bookkeeper to manage the Financial Assets of Co-op

**On Application**

- ✓ Once you are Registered as Co-op the following are required
- ✓ Two (2) copies of Constitution
- ✓ ID copies of all members

- ✓ Registration Fee of R215
- ✓ Individual Members should contribute towards Registration
- ✓ Pay at ABSA
- ✓ Or DTI Office
- ✓ Or via CIPC Website

Commission for Intellectual Corporative [for Banking details]

#### **Other details**

- ❖ Change of Constitution should be taken by 2/3<sup>rd</sup> of Members taken at a Special Meeting and Register at CIPC for change
- ❖ In a Co-op the Liability are limited
- ❖ When a Member wants withdraw from a Co-op must [give a certain amount in Cash] pay out individual's Shares
- ❖ Have right to postpone payment until Co-op is financially stable
- ❖ When Bank want to attack goods to [repay Loan], you /members are liable for Loans made
- ❖ To establish a Co-op you do not need any financial backing available [ie no money needed to start a Co-op]
- ❖ You should have a sustainable market to sell your goods

#### **Funding**

- DTI make Finance available
- A grant of R360 000 for Equipment and Machinery

#### **Requirements**

- Must have a Registration Certificate
- Tax Clearance
- Banking Account
- Detailed Business Plan
- CV of individual members
- Copies of members' Identity Document

#### **More**

- Must be at least twelve (120 months in operation /business
- Loan from DTI [Agency] to be re-paid over a period of twelve (12) months – starting after one (1) year of receiving Funding /Loan
- Split up Committee /Association into Groups of +8 to 10 persons registered with Mother Body Association
- Register as individual Co-operatives
- Purchase one (1) boat - belonging to Association
- Fish Buyers must give assurance you are a Supplier [Certified /Written proof]
- If you are legally Registered, you can buy into another entity by buying shares or working together a /to assist each other
- Once you are a business you can get a Contract eg I&J (Business Contract)
- Even employ people
- You can even compete with other Fishing businesses
- Have your own Brand of Fish (Packaging) with your own label and name
- Promote your product at Pick & Pay; Spar; Checkers etc

### **Phases**

- (1) Registration of Co-op to obtain Certificate
- (2) Applying for Funding
- (3) Apply for Permits eg Fishing etc

### **Question and Answer session**

**Q:** Your Support Service – does it entail connecting big businesses eg I&J with the Co-op?

**A:** SEDA Office can supply information regarding this issue /question

**Q:** How do Forums /Associations connect?

**A:** Organise next meeting asap with SEDA; DAFF and DTI [for more info] and collect Application Forms

### **Further valuable information**

- : Auditor must be registered
- : Yearly /Annual Financial Report must be cleared with CIPC
- : SEDA provide Service Provider for your individual Training needs
- : SAMSA Training for Fisherman