**2. Report of the Portfolio Committee on Agriculture, Forestry and Fisheries on an Oversight Visit to the Western Cape Province, Dated 17 February 2015.**

**1. INTRODUCTION**

As per Parliament’s constitutional mandate, the Portfolio Committee on Agriculture, Forestry and Fisheries (hereinafter referred to as the Committee) undertook an oversight visit to the Western Cape from 3 – 4 February 2014, to oversee the Fisheries Management Branch (hereinafter referred to as the Branch). The Branch is one of the six programmes of the Department of Agriculture, Forestry and Fisheries (hereinafter referred to as the Department or DAFF).

* 1. **Delegation**

The delegation of the Portfolio Committee composed of Ms MR Semenya, ANC (Chairperson and leader of the delegation); Mr CHM Maxegwana, ANC; Ms Z Jongbloed, DA; Mrs A Steyn, DA; Mr BD Joseph, EFF and Mr LM Ntshayisa, AIC. The Committee was supported by Ms A Kakaza, Committee Secretary; Ms N Mgxashe, Content Advisor; Mr N Ginindza, Committee Researcher (Fisheries) and Mr F Bulawa, Committee Assistant.

**1.2 In attendance**

The following were in attendance: **Department of Agriculture, Forestry and Fisheries (DAFF):** Mr KCM Mannya, Deputy Director-General (DDG), Fisheries Management Branch; Ms SC Middleton, Chief Director: Fisheries Operations Support; Mr AJ Matshili, Acting Chief Director: Fisheries Research and Management (FRD); Ms S Ndudane, Chief Director: Marine Resources Management; Mr B Semoli, Acting Chief Director: Aquaculture and Economic Development; Ms L Mouton, Acting Chief Director: Financial Management; Mr N Mtoba, Chief Director: Monitoring, Control and Surveillance (MCS); Mr DDA Stevens, Director: Stakeholder Engagement; Mr AJ Busby, Control Scientific Technician; Dr C Fouche, Specialist Scientist: Aquaculture Research, Mr MJ Madibana, Production Scientist: Aquaculture Research; Mrs DC Arendse, Production Scientist; Mr A Njobeni, Director: Sustainable Aquaculture Management; Ms N Mafani, Parliamentary Coordinator; Mr T Makoloane, Office Assistant; Mr KP Mphahlele, Communication Services Intern; **Ministry:** Ms UPL Fumba, Administrative Secretary, Ms R Thompson, Parliamentary Liaison Officer and Mr A Dietrich, Advisor to the Minister. Mr JL Knapp, PhD Student, University of Stellenbosch.

**2. OBJECTIVES OF THE OVERSIGHT**

The objectives of the oversight were to:

* oversee the operations in the Fisheries Management Branch, a programme within the Department that is responsible for managing the development and sustainable use of South Africa’s marine and fisheries resources as well as to protect the integrity and quality of the country’s marine and coastal ecosystems;
* oversee the state and operations of the Department’s fishing vessels; and
* oversee the operational activities of the Fisheries Branch with respect to physical inspections of fishing vessels from the sea.

**3. COMMITTEE OVERSIGHT FINDINGS**

**3.1 Briefing by the National Department of Agriculture, Forestry and Fisheries (DAFF).**

The DDG for the Fisheries Management Branch, Mr Mannya presented the mandate and an overview of the Fisheries Management Branch. The Chief Directors for different portfolios within the Branch also presented and provide responses to the Committee Members’ questions. In his presentation, Mr Mannya gave a brief history of the location of the fisheries sector within Government until its final placement in the Department of Agriculture, Forestry and Fisheries in 2010. The DDG mentioned that within the Fisheries Management Branch, there is a Marine Living Resources Fund (MLRF), a Schedule 3A Public Entity, established in terms of Section 10 of the Marine Living Resources Act (Act No. 18 of 1998), which serves as the main source of funding for operations of the Fisheries Branch. He reported that the revenue that is generated from fishing licence fees, permits and fines, the collection of which is declining, are paid into the MLRF and also cover the operating costs of the Branch including support functions. He highlighted that the Department’s Medium Term Expenditure Framework (MTEF) allocation covers only personnel functions, vessel operating costs, Working for Fisheries Programme (WFP) and part of the marine aquaculture function.

Mr Mannya reported that freshwater aquaculture is unfunded and will form part of Operation Phakisa. He mentioned that the first draft of an Aquaculture legislation is expected by the end of March for internal consultation and might be ready for tabling in Parliament in 2016. He further mentioned that fisheries research is highly underfunded and research funding in general is declining across most sectors in the country. Another challenge that was mentioned was skills shortage within the Branch. It was reported that according to international norms, the Department needs approximately 2 000 Fisheries Control Officers (FCOs) to be able to appropriately cover the entire coast of South Africa, and it currently has 250 FCOs. It was mentioned that 25 additional posts were approved for the Branch, mostly for Operation Phakisa, Aquaculture and Harbour Masters but none for FCOs.

It was mentioned that there are number of key multi-lateral agreements between South Africa and other countries on the management and use of marine resources and one of those was the Convention for the Conservation of Southern Bluefin Tuna (CCSBT) that is currently before the Portfolio Committee for approval to accession. It was mentioned that if South Africa does not accede to the Convention by 31 March 2015, the country allocation for bluefin tuna will be cut by 135 tons. The Department also reported on harbor refurbishment, mentioning that funds from the Department of Public Works (DPW) will be used to refurbish infrastructure in the existing 12 proclaimed fishing harbours, which are all in the Western Cape, as the initial phase. The second phase will be the proclamation of new fishing harbours on existing ports at Port St Johns, Port St Francis and Port Alfred in the Eastern Cape.

In terms of the Smallscale Fisheries (SSF) Policy, it was reported that no targets were set for 2015 and the target for smallscale fishing rights that was set for June 2014 was not met. The Department reported that it hopes to implement the SSF Policy by the end of 2015, which will coincide with the end of the existing fishing rights period. The Department reported that they are working with the Department of Trade and Industry (the dti) on building the capacity of fisheries cooperatives on governance. It was further mentioned that the fishing rights allocation process (FRAP) is being addressed and the Minister of Agriculture, Forestry and Fisheries will make a pronouncement on the matter soon.

The Committee observed that notwithstanding the challenges that were reported by the Branch regarding illegal fishing and/or poaching and the reportedly existing relationships between the Department and the country’s law enforcement agencies, there doesn’t seem to be well-organised collaborations among the different stakeholders.

**4. SITE VISITS**

***Vessel Monitoring System***

The Committee visited the Vessel Monitoring System (VMS) within the Fisheries Branch and was given a briefing and a visual presentation on what the System does and how it works. The Committee Members commended the Department for the briefing on the VMS, which plays a big role in the monitoring and surveillance of the country’s coast.

***Marine Fisheries Research Centre (Aquarium)***

The Committee also visited the Marine Research Aquarium in Sea Point, which is the research institution for marine aquaculture. The Acting Chief Director for Aquaculture and Economic Development, Mr Semoli, gave a presentation on the Integrated Aquaculture Development Strategy, which is part of Operation Phakisa. The presentation listed a few highlights of Operation Phakisa, namely, the selection and implementation of 24 aquaculture projects; setting up of an Interdepartmental Authorisations Committee and the establishment of the Aquaculture Development Fund. He mentioned that the Phakisa Unit resides with the Presidency and the Minister of Agriculture, Forestry and Fisheries chairs the Steering Committee for Integrated Aquaculture Development. Mr Semoli also reported that a January 2015 report on Monitoring of Streamlining Aquaculture Development was available at [www.operationphakisa.gov.za](http://www.operationphakisa.gov.za). He mentioned that as global fish stocks are declining and countries are unable to meet the demand for fish, aquaculture plays a crucial role in meeting the demand and generating revenue. To meet the demand for fish, it was reported that South Africa imports tilapia (from China and Zimbabwe) and approximately 600 tons of trout. Operation Phakisa was highlighted as a key programme to fast-track economic growth through coastal resources.

Mr Busby made a presentation on the Aquaculture Research System and indicated that the Centre mainly focuses on aquaculture research and sometimes sell larvae to aquaculture farms. He mentioned that the research that they do supports the commercial aquaculture sector. He further reported that DAFF has no funding allocation for Operation Phakisa and some of the Operation Phakisa projects are private sector-driven. It was reported that the limited funding available for Operation Phakisa was given to the Department of Environmental Affairs (DEA), which is the lead Department. After the presentations, the Committee delegation was taken for a tour of the facilities and shown the different research projects. In each project, the scientists involved gave a brief background, fielded questions and provided explanations where required.

The Committee commended the Department for its research efforts despite the limited funding. Members raised concerns that aquaculture development is part of Operation Phakisa, yet there is no additional funding that has been allocated to ensure effective implementation of programmes.

***Miller’s Point Slipway***

Miller’s Point is not a proclaimed fishing harbor but has a Slipway that is used by commercial linefish (e.g. snoek) and crayfish (West Coast Rock Lobster (WCRL) and abalone) fishers, as well as for recreational fishing and diving. The Committee paid an unannounced visit to the area to determine the Department’s presence and how inspections on vessels from the sea are carried out. Members arrived at the Slipway just before the arrival of the first few linefish (mostly snoek) vessels. The delegation was later joined by Mr Croome, the Chairman of the South African Commercial Linefish Association. Mr Croome gave a background on the Association and its members’ activities including challenges. He informed the Committee that in addition to the socioeconomic challenges, the Linefish Association has also experienced challenges with the Department in recent years regarding fishing rights (permits) allocation, a matter that is still sub judice. Mr Croome also briefed the Committee on the whole fishing process starting from when fishing vessels arrive at the Slipway from the sea, paperwork inspections and bidding by hawkers or fish shops for the catch.

The Committee Members observed that the two Department officials only inspected the paperwork that is provided by the vessel skipper but did not physically verify what’s inside the vessel. Members observed that the Military Veterans, who are based in Kalk Bay, that are assigned the responsibility for inspections and monitoring of fishing vessels only arrived at the Slipway at midday long after the linefish vessels have been arriving from the sea, just before the crayfish vessels arrive. The Committee observed that inspections of the fishing vessel contents by the Military Veterans and the Catch Data Monitors including on-site weighing and measuring of species, was only done on crayfish but not on linefish vessels. The Members observed that the linefish vessels could potentially be used for abalone and other crayfish poaching as they were not physically inspected. In addition, because the officials that are doing the inspections work between 8h00 and 16h30, a lot of illegal fishing and poaching could be taking place outside these hours, particularly for abalone.

***Cape Town Harbour***

The Committee was taken through the two research vessels in the harbour, namely, Ellen Khuzwayo and Africana. The Department reported that the vessel, Ellen Khuzwayo is currently in good working condition and has been sailing for about a year. The Africana has reportedly been under repair for a period of two and a half years and the Committee was given a guarantee that the vessel will be ready to sail by the end of February 2015. The DDG mentioned that the Department is in a process of replacing the Africana due to aging. It was also reported that the South African Maritime Safety Authority (SAMSA) is managing all the Departmental research vessels.

**5. RECOMMENDATIONS**

The Committee made the following recommendations to the Minister of Agriculture, Forestry and Fisheries:

* DAFF should strengthen relationships and formalise collaborations with other law enforcement agencies to prevent and address illegal activities and continued poaching that is happening along the South African coastline. During its briefing, the Department assured the Committee that it is collaborating with other law enforcement agencies including local communities and conservation bodies. In this regard, the Department must report back to the Committee with details of such collaborations including the areas and communities involved throughout the South African coast, by June 2015.
* DAFF should present a report to the Committee before 10 March 2015 on its catch inspection programmes for fishing vessels from the sea in all harbours and slipways, providing reasons for the selective inspection of fishing vessels from the sea, where inspections were only done at certain times of the day and for certain species particularly at Millers Point Slipway and in Kalk Bay, which were visited by the Committee on 04 February 2015. In this regard, the Department must also provide full details of officials who are supposed to do the inspections on these vessels and other Departments or agencies that are involved in the process.
* DAFF should present its business plan to the National Treasury for additional funding allocation for Aquaculture Development, which forms part of Operation Phakisa and is not funded, yet has potential for revenue generation and job creation. The Department should report back to the Committee on this by June 2015.
* Ensure that the Africana serves its intended purpose in fisheries research and monitoring of fish stocks and operates at the time as reported during the visit.
* DAFF should brief the Portfolio Committee on 10 March 2015, on the status of fisheries research capacity and clarify who has been responsible for research and how it was carried out in the past two years when the research vessels were under repair and not sailing.

Report to be considered.