



## forestry, fisheries & the environment

Department:  
Forestry, Fisheries and the Environment  
REPUBLIC OF SOUTH AFRICA

Ref: O2/1/5/2

### NATIONAL ASSEMBLY

(For written reply)

QUESTION NO. 165 {NW170E}

INTERNAL QUESTION PAPER NO. 1 of 2023

DATE OF PUBLICATION: 09 February 2023

#### **Mr M N Paulsen (EFF) to ask the Minister of Forestry, Fisheries and the Environment:**

In view of the 2021-22 Fishing Rights Allocation Process that seems fraught with errors, what (a) number of appeals were lodged against the outcome and (b) are the further relevant details?


#### **165. THE MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT REPLIES:**

- a) The Department of Forestry, Fisheries and the Environment (DFFE) received a total number of 2 473 applications for the allocation of commercial fishing rights in accordance with the 2021/2022 fishing rights allocation process (FRAP 2021/2022), in the following sectors: Hake Deep Sea Trawl; Hake Longline; South Coast Rock Lobster; Small pelagic (sardine and anchovy); KwaZulu-Natal crustacean trawl; Demersal shark; Squid; Tuna pole-line; and Traditional linefish. The allocation of fishing rights in terms of the FRAP 2021/2022 process was finalised during February 2022, and aggrieved parties were then entitled to submit their appeals against the decisions of the delegated authorities in relation to the FRAP 2021/2022 to the Minister, in terms of section 80 of the Marine Living Resources Act, 1998 (Act No. 18 of 1998) (MLRA).

The purpose of an internal statutory appeal process is to rectify any errors that arose during the delegated authority's decision-making process. Each appeal is being thoroughly interrogated and is dealt with de novo (afresh) so that the correct decision is arrived at. Therefore, if there have been errors in the consideration of any application during the FRAP 2020/21, these will be addressed during the appeal process.

The DFFE received a total number of 1 213 appeals across the above-mentioned 9 fishing sectors. For the sake of efficiency, expedience and to ensure a fair and proper process and outcome, the 1 213 appeals are being dealt with on a sector-by-sector basis, in phases, as follows: **phase one** of the appeal process relates to the Demersal Shark sector, the KwaZulu-Natal Crustacean Trawl sector and miscellaneous issues arising (non-compliant and late appeals); **phase two** of the appeal process relates to South Coast Rock Lobster sector and in the Traditional Linefish sector; **phase three** of the appeal process relates to the Tuna Pole Line and Squid Sectors; **phase four** relates to the Hake Deep Sea Trawl and Hake Longline sectors; and **phase five** of appeal process relates to the small pelagic sector (sardine and anchovy).

- b) As of 10 February 2023, Minister Creecy completed phase 1 of the appeal process. Minister Creecy is now in the process of handling phase 2 of the appeal process. The DFFE on an ongoing basis publish its progress in relation to each phase of the appeals process on its website. The Department is endeavouring to complete the entire appeal process before the end of 2023.



**MS B D CREECY, MP**  
**MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT**

DATE: 15/2/2023