



forestry, fisheries & the environment

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

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NATIONAL ASSEMBLY

(For written reply)

QUESTION NO. 3139 {NW4211E}

INTERNAL QUESTION PAPER NO. 33 of 2023

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Ms T Breedt (FF Plus) to ask the Minister of Forestry, Fisheries and the Environment:

- (1) What (a)(i) total number of and (ii) which fishing rights were allocated to (aa) individuals and (bb) companies and/or any other entity in each province and (b) total number of licences were denied in each province;
- (2) whether it is a requirement for applicants to indicate their racial profile; if not, what is the position in this regard; if so, what total number of licences were allocated to (a) each race in (b) each province;
- (3) whether any communities and/or individuals are excluded from applying and/or being awarded fishing rights, permits and/or licences; if not, what is the position in this regard; if so, on what grounds?

3139. THE MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT REPLIES:

1) (a)(i)(ii), (aa), (bb), b, 2 (a) (b) , 3

Fishing rights are allocated in terms of Section 18 of the Marine Living Resources Act, 1998 (Act No. 18 of 1998) (MRLA). Several Senior Officials in the Department of Forestry, Fisheries and the Environment have been assigned delegations to allocate commercial and small-scale fisheries rights. In allocating fishing rights, the Delegated Authorities are guided by the General Policy on the Allocation of Commercial Fishing Rights: 2021, and the Policy for the Small-scale Fisheries Sector in South Africa (henceforth referred to as "the Policies"), respectively. The policies guide the allocation and granting of

commercial and small-scale fishing rights prescribed by section 18 of the MRLA. The policies are informed by various pieces of South African legislation that give effect to key government priorities. The policies aim to reform South Africa's fisheries to balance racial representation and the need to increase access and balance the social and economic benefits of fishery resources against the finite nature of the resource and the need to ensure sustainability for future generations. The fishing industry has since been reformed by granting access to a number of new entrants or historically disadvantaged individuals into most commercial and small-scale fisheries.

The Policies and Application Forms for Commercial Fishing Rights and/or recognition of small-scale fishers have been consulted thoroughly with the prospective applicants throughout the entire coastline and were also translated into the four prominent coastal languages to ensure inclusivity. Therefore, prior to application processes, all prospective applicants were well aware of the requirements and the exclusionary criteria. Due to the competitive nature of the commercial Fishing Rights Allocation Process, applicants were assessed and subjected to an agreed weighted scoring and balancing criteria and rights allocated to applicants with the highest scores. Criteria varied for applicants that were in the sector being applied for and applicants that are holding commercial fishing rights in other sectors as well as those applicants who were applying for commercial fishing rights for the very first time.

In the case of the small-scale fisheries allocations, coastal communities were assessed and classified as fishing communities and within fishing communities, bona fide fishers meeting criteria were verified and registered. In both allocation processes, unsuccessful applicants were afforded an opportunity to appeal the decision of the delegated authority.

The South African Constitution is the supreme law of the country and establishes the legal framework for governance and the protection of rights. It includes provisions related to natural resources, environmental protection and land use. As fisheries are natural resources, they must be protected for the benefit of all as they belong to all South Africans.

A Commercial Fishing rights Allocation Process is therefore not exclusive to coastal applicants but to all South Africans. As such, commercial fishing allocations are not allocated on the basis of provinces.



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MS B D CREECY, MP

MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

DATE:6/10/2023