

Response to the Questions Raised during the Public Hearings on Fisheries Transformation

BRANCH: FISHERIES MANAGEMENT



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Performance Review & Future Rights Allocations

- DAFF is finalizing Performance Review of the fishing industry - not a Rights Review, but provides information for use in a rights review.
- Reports compiled for each sector to inform extent of transformation and will be made available in due course.
- In 2005, rights allocated for 8, 10 and 15 years. Rights allocation policies will be revised in years preceding 2013, 2015 and 2020, based on socio-economic information and new policies, e.g. Small Scale Fishing Policy. Marine Living Resources Act will also be revised.
- Preparations being made to revise rights allocation policies in 6 sectors in 2012 for implementation in 2013.
- Fisheries Transformation Charter is being developed to set transformation targets in each sector



Rights allocation

Dominance of Western Cape

- Rights allocated by resources, not per province
- Natural distribution of resources is a key determinant
- There was no criterion in 2005 to link allocation to provinces
- In future rights allocations such a criterion could be considered

Redistribution & transformation

- Current policy emphasises transformation not redistribution
- Transformation targets will be set through the Charter



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Transformation 1

BBBEE Code of Good Practice

- When last rights allocation process took place in 2005, Codes were not yet in existence
- But a set of criteria was used with emphasis on ownership, management control & compliance with employment equity and worker empowerment (share schemes), CSI, and affirmative procurement
- Criteria used in 2005 put business principles first, but were not conducive to Small-Scale Fishers getting rights, or any community allocations being made



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Transformation 2

- Although many small scale fishers applied for individual rights in 2005 no allocations were set aside for them
- As a result of the fact that these fishers were neglected in 2005, SSFP was developed to address their needs
- Transformation includes economic activity in other parts of the value chain, not only in rights holding.
- DAFF intends to better support participation in all segments of the value-chain by SMMEs & SSFs through implementation of the SSFP



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Transformation 3

- DAFF has begun the process of developing a draft Fisheries Charter, learning from the AgriBEE and Forestry Charters to set transformation
- Fronting is recognized to be a major issue and investigations underway in St. Helena Bay & Jeffrey's Bay
- Other areas will be addressed if fishers provide affidavits to uncover fronting
- The Department can revoke rights in cases when fronting is proven.



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Percentage black ownership in 2001, 2005, 2009, as % of rightholders with > 50 % ownership allocation / total allocation.

*** exact % ownership allocation/total allocation.**

SECTOR	2001	2005	2009	2009*
Hake Deep Sea Trawl	25	27	59	56
South Coast Rock Lobster	72	71	79	64
Horse Mackerel	41	43	38	41
Hake Inshore Trawl	42	48	99	82
Small Pelagics	75	61	51	60
Patagonian Toothfish	40	58	47	60
KZN Prawn Trawl	17	63	40	59
Demersal Shark	50	73	86	69
Hake longline	90	91	92	80
Seaweed	43	55	6	14
Tuna Pole	43	55	50	42
Squid	33	48	45	49
West Coast Rock Lobster (Offshore)	60	62	73	70



% Black ownership (No. of Black rightholders/ total no. of rightholders) in a number of small-scale fisheries

SECTOR	2001	2005	2009
Hake Handline	26	36	40
W Coast R Lobster (Nearshore)	66	93	93
KZN Beach Seine	50	37	-
Netfish	-	51	47
Oysters	26	60	-
White Mussels	-	100	-
Traditional Linefish	28	44	43



Poaching

- Environmental crimes are increasing in SA and globally
- Anti-poaching strategy by DAFF & partners developed across all sectors.
- A multi-agency Integrated Fisheries Security Strategy (IFSS) has been developed with SAPS, SANDF, SARS, DoJ&CD, NPA, CapeNature, SANPARKS & submitted to Cabinet for approval
- DAFF routinely performs joint operations with the Provincial Border Control Operating Coordinating Committees (BCOCC)
- Deployment of Military Veterans at identified hotspot areas



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Small-Scale Fisheries Policy

- To be finalised by end of 2011
- Addresses the needs of small-scale fishers marginalised by the Long-Term Rights Allocation process
- Fishing communities will be encouraged to organise themselves into legal entities which will be assisted by government in order to increase benefits through the value-chain
- The policy will be implemented in communities beginning in 2012
- Rights will be allocated within TACs/TAEs, therefore sectoral splits will be adjusted to address needs of SSFs
- Interim relief dispensation will have to continue until SSFP is fully implemented



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Small-Scale Fisheries Policy

- SSFP makes allowance for multi-species permits for communities; but commercial allocations will still be done on a species basis
- It should also be noted that the policy makes special provision for gender transformation to be emphasised
- DAFF is already supporting infrastructure development, e.g. fish processing facilities, upgrading fishing harbours through the Working for Fisheries Programme (EPWP)



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Decentralisation of Fisheries Services

Purpose:

- Establish offices for integrated fisheries services (processing & approval of permits & licenses, revenue collection, catch data, compliance, stakeholder liaison)

Infrastructure roll-out

- Upgrading offices in Saldanha & PE in current financial year
- Interim: Mobile Customer Services
- Roll-out to other areas next financial year

Initiated a Fisheries Development Worker Programme

- 22 posts advertised, to be appointed within financial year



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Addressing labour & safety issues

- Revise permit conditions to include good labour practice
- SSFP includes development of Social Security Programme
- Further options to be considered:
 - Industry Compensation Fund
 - Investigating Sea/Road Accident Fund
 - Engage with DoT & SAMSA



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Management of TACs/TAEs

- Not enough resources to satisfy all the demands for access
- WCRL has been reduced to only 3% of the original resource (safe limit considered to be 20%) & stock should be rebuilt to get greater benefits/bigger catches
- WCRL grows very slowly which limits the amount that can be harvested annually (takes 7 years to reach legal size, 75 mm) and affects the TAC
- The inshore season is limited in time by presence of females with eggs after May
- The offshore season can extend for longer periods because it is mainly males that are caught offshore
- It should be noted that there is no allocation for poaching in the TAC.



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Transfer of Rights

- Transfer policy developed & being opposed by some role players in industry
- DAFF considers policy to be necessary to ensure that transformation levels are maintained & will continue to implement it in its present form
- However DAFF is prepared to consider possible future changes to the transfer policy if necessary and practical



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