

DEPARTMENT OF EMPLOYMENT AND LABOUR

NO. 233

19 March 2021

**MARINE LIVING RESOURCES ACT, 1998
(ACT NO. 18 OF 1998)**

**INVITATION TO APPLY FOR A RIGHT TO CONDUCT SEA-BASED ABALONE
RANCHING IN THE AREA BETWEEN DORING BAY AND STRANDFONTEIN BAY,
WESTERN CAPE**

I, Barbara Dallas Creecy, Minister of Forestry, Fisheries and the Environment, hereby invite the public to apply for a single right in terms of section 18 of the Marine Living Resources Act, 1998 (Act No. 18 of 1998) to conduct sea-based abalone ranching of *Haliotis midae* along an approximately seven (7) kilometre stretch of coastline between Doring Bay and Strandfontein Bay in the Western Cape, as depicted on the map in the Schedule hereto. Only one right to conduct ranching is available for this area.

Any person who wishes to apply for the right to conduct the sea-based abalone ranching in the area described in this notice may submit an application for that right to the Department of Environment, Forestry and Fisheries, Branch: Fisheries Management, to the following addresses:

By post to: Department of Environment, Forestry and Fisheries
Deputy-Director General: Fisheries Management
Attention: Ms Zimasa Jika
Private Bag X2
VLAEBERG
8018

By hand at: DDG: Fisheries Management, Attention: Ms Zimasa Jika, Foretrust Building,
Martin Hammerschlag Way, Foreshore, Cape Town

Application requirements and process

The process governing this application procedure and all of the requirements pertaining to the submission of the application (such as the application form etc.) are set out in the Schedule.

Any enquiries in connection with this notice can be directed to Mr Asanda Njobeni on 082 924 0101 or Ms Zimasa Jika on 082 332 7943.



**BARBARA DALLAS CREECY
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT**

SCHEDULE

Process governing this application process

The process governing this application process is governed by the following published documents:

- Criteria for allocating rights for abalone ranching or stock enhancement pilot projects published in Government Notice No. 353 of *Government Gazette* 34241 dated 21 April 2011;
- General Guidelines for Marine Ranching and Stock Enhancement in South Africa published in Government Notice No. 729 of *Government Gazette* 33470 dated 20 August 2010; and
- Guidelines and Potential Areas for Marine Ranching and Stock Enhancement of Abalone (*Haliotis midae*) in South Africa published in Government Notice No. 729 of *Government Gazette* 33470 dated 20 August 2010.

The criteria and both sets of guidelines are available on the Department's website at https://www.environment.gov.za/legislations/gazetted_notices/abaloneranching_dorin_gstrandfonteinbays_singlerightapplication

The application process shall be done in two phases (see paragraph 15 below for the application process flow diagram), i.e. Phase 1 and Phase 2.

Phase 1 involves the submission of the application forms with the relevant documentation specified in the Application form. At this phase, the application will be evaluated based on the Exclusionary Criteria. After the initial screening of applications by the Department, the applicant will be informed on whether to proceed with Phase 2.

Phase 2 involves the Public Participation process and the submission of full proposal as outlined in the Criteria and Invitation to apply for abalone ranching pilot projects. At this phase, the full proposal will be evaluated against the Balancing Criteria.

CRITERIA FOR ALLOCATING A RIGHT FOR ABALONE RANCHING

EXCLUSIONARY CRITERIA (to be applied in Phase 1 of the application process)

CRITERIA

RATIONALE

(a)	Application form	All applicants must complete an application form. Applications will not be considered if incorrectly completed or incomplete. All applicants are required to pay the application fee as required by the Department and the proof of payment must be attached to the application form. Applications that do not have proof of payment attached to their application will not be considered. All applications must be accompanied by a valid tax clearance from the South African Revenue Services (SARS).
(b)	Compliance	A right to engage in a Pilot Project for abalone Ranching or Stock Enhancement will not be allocated to an applicant, if the applicant or its members, directors or controlling shareholders, had any

		<p>fishing and/ or aquaculture right cancelled, suspended or revoked in terms of the MLRA, or if their assets were seized under the MLRA or the Prevention of Organised Crime Act, 1998 (Act No. 21 of 1998).</p> <p>If an applicant, or its members, directors or controlling shareholders have been convicted of any offence in terms of the MLRA or any other fishery-related and/or aquaculture-related legislation, the applicant will not be allocated a Marine Ranching or Stock Enhancement Pilot Project.</p> <p>Applicants that have not been convicted of one of the offences as listed above, and that have paid an admission of guilt fine will not be disqualified in their application for a Marine Ranching or Stock Enhancement Pilot Project right.</p>
(c)	Access to finance	The applicant(s) must demonstrate that they will have access to finance in order to implement the project.
(d)	Access to seed/spat	The applicant(s) must demonstrate that they have access to spat/seed from a reputable hatchery that is authorised by the Department. A hatchery seed supply agreement must be signed and submitted to the Department.
(e)	Transformation	The participation of historically disadvantaged individuals (“HDI”) in the marine aquaculture industry, i.e. BEE, BBEE and including BBEE SMME, is a national priority and therefore applicants who accommodate this priority will be preferred. Compliance with the Employment Equity Act, 1998 (Act No. 55 of 1998) and the representatively of HDIs at the various levels of employment will be a requirement.

BALANCING CRITERIA (to be applied in Phase 2 of the application process)

CRITERIA RATIONALE

(a)	Equity and job creation	Inequalities of the past and the decline in fish stocks have compromised the viability of coastal livelihoods resulting in hardships for coastal communities. These communities should thus be the primary beneficiaries and partners of opportunities for the marine-based component of Ranching and Stock Enhancement of abalone Pilot Projects. Although the nature of the Pilot Projects for Marine Ranching and Stock Enhancement of abalone activities are recognised, provision for permanent jobs or greater levels of job security for lower level skilled and unskilled staff is promoted. Applicants who are able to create or indicate how they will create significant amounts of jobs per tonnage harvested will score higher.
(b)	Capacity (Technical)	Pilot Projects for Marine Ranching and Stock Enhancement of abalone require a widespread, level of technical ability (involvement in related fishing sector, fish farming, diving etc.) and an understanding of marine aquaculture sector. A successful Marine Ranching or Stock Enhancement Pilot Project enterprise will need to display a well-rounded technical capability and capacity.
(c)	Future Investment in the sector	Applicants must be able to demonstrate plans to invest in fixed assets and research done in the development of marine ranching products. Applicants will have to show how they intend to process and market marine ranching products and whether they have

		invested in any research into the harvesting and marketing of these products.
(d)	Environmental considerations	The applicant should be able to identify key environmental risks and demonstrate how the risks will be managed by a specialist. A copy of an agreement for the appointment of a specialist to monitor environmental impacts should be attached to the application.

Submission of Applications

1. Applications to apply for a right to undertake ranching the area concerned should be forwarded to the Department on the approved original Application Form supplied by the Department. Applications submitted in any form other than the approved Application Form will not be considered.
2. The Department will allocate one right to engage in a pilot project for abalone ranching for the specified concession area in Doring Bay. The beneficiaries of this right can be one entity and or person. Details of the concession area are provided in paragraph 14 below.
3. No amendments, alterations or additions can be made to an application, except where such amendment, alteration or addition is in response to a specific request from the Department.
4. The Department, through the Sustainable Aquaculture Management Directorate, will undertake any relevant investigative measure to verify or ascertain information submitted in any application.
5. Applicants must note that in terms of section 28 of the Act, a right may be cancelled, suspended or revoked if the document that was presented or the statement that was made to the Department was false or misleading in any material respect.
6. Applications (one hard copy application and an electronic version on a memory stick) must be posted to the address below. The Department will also accept applications delivered during weekdays from 08:00 until 16:00 at the following address:

Department of Environment, Forestry and Fisheries

Attention: Zimasa Jika

Deputy Director: Aquaculture Authorisations

Customer Services Centre

Foretrust Building

Martin Hammerschlag Way

Foreshore

Cape Town

8001

7. Interested parties must submit their applications to the Department by 17:00 on **19 April 2021**.

Application Forms, Ranching Guidelines and Evaluation Criteria

8. The Application Forms, Ranching Guidelines and the Evaluation Criteria can be downloaded on the Department's website at the following link:

https://www.environment.gov.za/legislations/gazetted_notices/abaloneranching_doringstrandfonteinbays_singlerightapplication

Alternatively, the documents may be obtained from Ms. Zimasa Jika at E-mail ZimasaJ@daff.gov.za.

9. It will be up to the applicants to ensure that they are aware of any additional information, any changes or developments and to satisfy themselves of the veracity of the information supplied
10. An application fee of R 9302.00 is charged for lodging an application for a right to engage in abalone ranching or stock enhancement pilot projects as per section 25 of the Act.
11. All applicants are herewith informed that any application submitted without proof of payment of the stipulated fee at the time of lodging, will not be considered.
12. Monies must be paid to the Marine Living Resources Fund and proof of such deposit, by way of deposit slip, must be attached to each Application Form.

BANKING DETAILS FOR THE MARINE LIVING RESOURCES FUND

ACCOUNT NAME: **Marine Living Resources Fund - Deposit Account**
BANK: **First National Bank (FNB)**
BRANCH NAME: **Corporate Account Services Cape Town**
ACCOUNT NO: **62 123 256 382**
BRANCH CODE: **210651**
ACCOUNT TYPE: **Current**
PAYMENT REF.: **Party Number or *Invoice number**

***Invoice numbers must be obtained from the Customer Services Centre by requesting it by sending an emailed request to marineaquaculture@daff.gov.za.**

For general payment enquiries, please email marineaquaculture@daff.gov.za.

13. Application fees are not refundable

Proposed Concession Area for the ranching (Table of Coordinates and Map)

14. The area outlined below will be considered for the pilot project.

Table of coordinates of ranching area

Points		
A	31°45'26,34"S	18°13'25,35"E
B	31°49'14,43"S	18°13'54,44"E

Map of proposed locations



APPLICATION PROCESS FLOW DIAGRAM

The following process flow diagram outlines the process that will be followed for all applications. The application process flow diagram outlined below will take precedence over the application process flow diagram published in the Government Gazette No. 729 of 20 August 2010.

