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DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

NO. 8136 **6 November 2026**

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

INVITATION TO SUBMIT AN EXPRESSION OF INTEREST TO UNDERTAKE EXPLORATORY FISHING OF OCTOPUS (*OCTOPUS VULGARIS*) IN AREAS OUTSIDE OF FALSE BAY

I, David Maynier, Minister of Forestry, Fisheries and the Environment, hereby invite the public to submit written expressions of interest to undertake exploratory fishing of octopus (*Octopus vulgaris*) and to conduct a practical experiment to assess the fishing technique, economic feasibility, population biology and management options for a possible future commercial octopus fishery in certain identified areas.

The public is invited to submit their written expression of interest in accordance with the provisions set out in the Schedule to this Notice, within 30 days from the date of the publication of this notice in the *Government Gazette* or the newspaper, whichever date is later, to any of the following addresses:

By Post: Department of Forestry, Fisheries and the Environment
Private Bag X2
Vlaeberg
8018

By hand: Department of Forestry, Fisheries and the Environment
Customer Service Centre, Ground Floor
Foretrust Building, Martin Hammerschlag Way
Foreshore, Cape Town
Attention: Fisheries Research and Development

By email: **mrothman@dffe.gov.za** or **sconrad@dffe.gov.za**

Enquiries: Dr Mark Rothman email: mrothman@dffe.gov.za tel: 083 564 3440 / Mrs Simone Conrad SConrad@dffe.gov.za.

A written expression of interest received after the closing date may be disregarded.



DAVID MAYNIER
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

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SCHEDULE

INVITATION TO SUBMIT AN EXPRESSION OF INTEREST (EOI) TO UNDERTAKE EXPLORATORY FISHING OF OCTOPUS (*OCTOPUS VULGARIS*) IN AREAS OUTSIDE OF FALSE BAY

1. Background

1.1. The Department has, for several years, been investigating the feasibility of establishing a fishery for octopus along the South African coastline. This commenced with an expression of interest published in 2011 followed by a five-year exploratory fishery which commenced in 2013 and was later extended by three years, concluding in February 2021. Although the experiment covered various areas along the coast, substantive and reliable data were collected only from the False Bay area due to a lack of active fishing in the other areas.

1.2. In light of this and recognising the continued interest in exploring the viability of an *octopus vulgaris* fishery beyond False Bay, the Department hereby invites the public to submit written expressions of interest to participate in a further five-year exploratory fishing period in respect of the areas specified below (excluding False Bay). The intention is to generate catch-and-effort data from the other coastal regions for which data remain unreliable to inform the feasibility of a potential directed octopus fishery in those areas.

1.3. This fishery will operate through a permitting system under which permits will be issued subject to appropriate conditions. The aim is to generate data on fishing methods, catch economics, resource distribution, population biology, and appropriate management approaches for a potential directed fishery.

2. Invitation

2.1. The Department hereby invites the public to submit written expressions of interest to participate in the proposed five-year exploratory fishery for octopus (*Octopus vulgaris)* around the South African coast, excluding False Bay. The proposed areas are set out below.

2.2. Further correspondence regarding the permit application process will be restricted to those who respond to this invitation by submitting an expression of interest.

2.3. Interested persons must clearly indicate their first, second and third preferences for the areas listed in the table below (see Table 1 and Figure 1 for a visual illustration). **Please note** that Area 8 does not appear in the list in Table 1 below because it does not fall within the scope of this invitation,

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even though that area is indicated on the map below. This is because Area 8 has already undergone exploration and sufficient data has been collected for that area. **Area 8 is therefore not an option for which a written expression of interest may be submitted in response to this invitation.**

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Table 1: Areas allocated for exploratory octopus fishing.

Area name	Area Number	Point Type	longitude	latitude
Alexander Bay - Kleinzee	1	Start	16.4705626	-28.6429823
		End	17.0530288	-29.6831762
Skulpbank - Rooiklippies	2	Start	17.0588597	-29.7289822
		End	17.6295310	-30.9485153
Strandfontein North - Strandfontein South	3	Start	17.6599005	-30.9763346
		End	18.2277288	-31.7557283
Veldrif - Doringbaai	4	Start	18.1450477	-32.7708569
		End	18.2345888	-31.8196130
St Helena Bay - Saldanha Bay	5	Start	17.9928712	-32.7349606
		End	18.0437893	-33.1837525
Sixteen Mile Beach Cove - Salt River Mouth	6	Start	18.0543070	-33.1883822
		End	18.4682434	-33.9080950
Green Point Lighthouse - Cape of Goodhope	7	Start	18.3990450	-33.9004695
		End	18.4984426	-34.3570332
Hangklip - Pearly Beach	9	Start	18.8343828	-34.3854507
		End	19.4983398	-34.6695571
Pearly Beach - Quoin Point	10	Start	19.5081880	-34.6722287
		End	19.6506342	-34.7840079
Die Dam - Denel Fence Arniston	11	Start	19.6639310	-34.7845568
		End	20.2710974	-34.6377929
Infanta - Vleesbaai	12	Start	20.8675615	-34.4274981
		End	22.0845890	-34.2151071
Mossel Bay - Platbank	13	Start	22.1593294	-34.1815825
		End	23.0469870	-34.0878051
Brenton-on-Sea - Tsitsikamma	14	Start	22.9746479	-34.0864558
		End	23.5595313	-33.9835333
Port Elizabeth - Motherwell	15	Start	25.1597645	-33.9718215
		End	25.8675804	-33.7305755
Boknes Strand - Kidds Beach	16	Start	26.4704975	-33.7795581
		End	27.6993614	-33.1515408
East London - Haga haga	17	Start	27.8436440	-33.0711036
		End	28.2682373	-32.7596583
Double mouth - Dwesa Point	18	Start	28.3095657	-32.7264626
		End	28.8542861	-32.2984476
Cwebe - Mzimvubu River Mouth	19	Start	28.9579380	-32.1952851
		End	29.5635987	-31.6340184
Mtamvuna - Mzimayi	20	Start	30.2045288	-31.0849798
		End	30.5717644	-30.5841697
Mkomazi River Mouth - Jacobs	21	Start	30.8060318	-30.2007855
		End	30.9815451	-29.9695319
Blue Lagoon - Mzimbelwe	22	Start	31.0428413	-29.8101638
		End	31.6435053	-29.0887430
Mbizimbelwe - Manzamnyama	23	Start	31.6550056	-29.0794390
		End	32.4027546	-28.5219907

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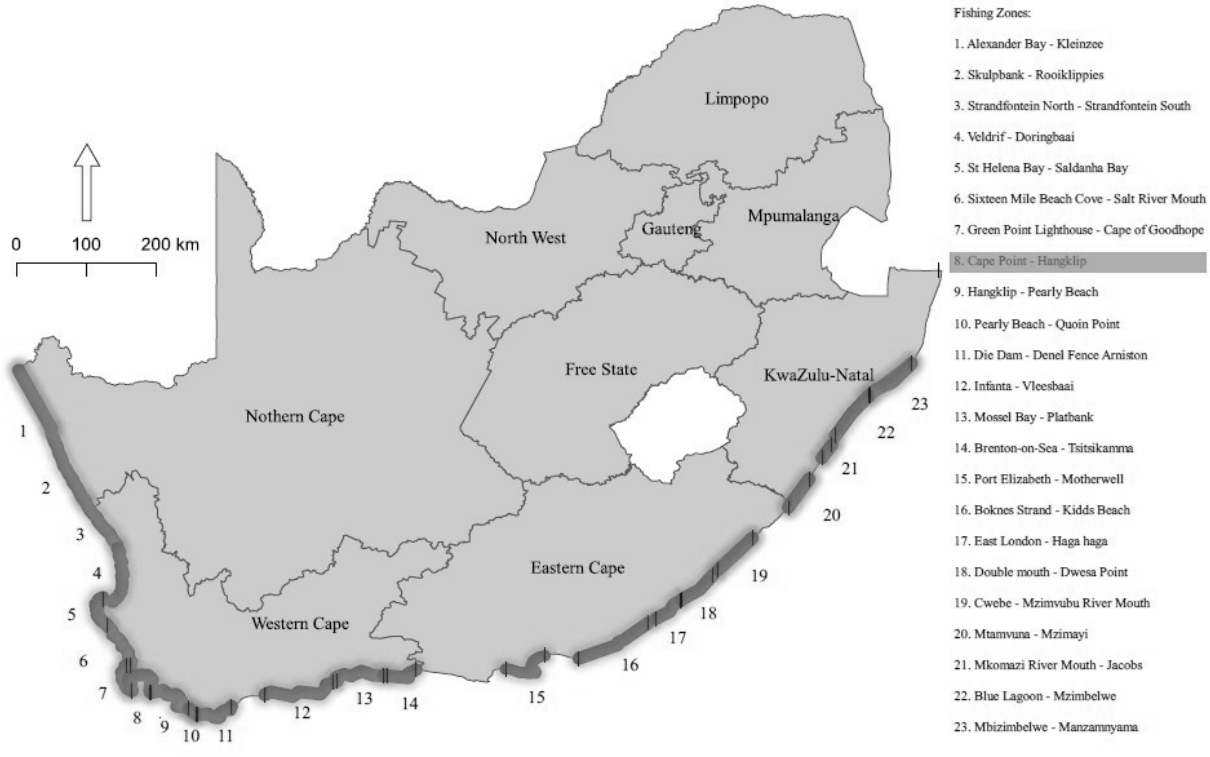


Figure 1: Areas designated as part of the exploratory fishery for *Octopus vulgaris* along the South African coast.
PLEASE NOTE that Area 8 - Hangklip (highlighted in the legend) is excluded from this invitation even though it appears on the above map.

2.4. Interested persons must comply with the following requirements and submit proof of their compliance.

2.4.1. An interested person must be a juristic or a natural person who is—

a) a South African citizen in terms of the South African Citizenship Act, 1995 (Act No. 88 of 1995); and

b) a company registered in terms of the Companies Act, 2008 (Act No. 71 off 2008), of which the majority of members are South African persons; or

c) a Close Corporation in terms of the Close Corporation Act, 1984 (Act No. 69 of 1984), of which the majority of members are South African persons.

2.4.2. Applicants will be required to complete Table 2 below (the expression of interest form) and submit a short written motivation (summary of evidence and certified documents), motivating their interest in the fishery and must clearly indicate their first, second and third area preferences from those listed above. **Please note this is not an application to enter the fishery - it is only an invitation to submit a written expression of interest.**

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2.4.3. Applicants who do not meet the following requirements will be excluded:

a) The applicant is not a South African person as defined in paragraph 2.4.1.

b) The application is improperly lodged. An application is improperly lodged if it was received late, if the applicant made no payment or short payment or late payment of the application fee, if there is any outstanding information, if it was lodged in a manner contrary to the instructions or on a form other than the official application form provided as part of the invitation to apply.

c) The application is submitted by a deregistered (from CIPC) juristic person or the applicant is not tax compliant.

d) The applicant is under the age of 18.

e) The applicant submits more than one application for the same exploratory fishery.

f) The applicant submits false and/or misleading information or false documentation.

g) An applicant or any of their members and shareholders or directors has been convicted of an offence in terms of the MLRA or its regulations or permit conditions and sentenced to direct imprisonment or a fine other than an admission of guilt fine;

h) An applicant that has entered into a plea agreement in terms of section 105A of the Criminal Procedure Act, 1997 (Act No. 51 of 1977), for a contravention of the MLRA, the regulations, or permit conditions.

i) An applicant had an asset forfeited to the State for a violation of a provision in the MLRA.

j) The applicant had a fishing right, exemption or permit cancelled, withdrawn or revoked in terms of section 28 or 81 of the MLRA.

2.5. Interested persons are advised that when written expressions of interest and thereafter applications to participate in the fishery are considered, the Chief Director, Fisheries Research and Development will consider the following information:

a) the ability to manufacture or purchase a minimum of 1 800 pots and the ability to commence fishing within six (6) months of being awarded an exploratory permit (damaged or lost pots are required to be continuously replaced by the permit holder);

b) whether applicants have access to a vessel of at least seven (7) meters in length that is fitted with an appropriate line hauler, GPS and echo-sounder;

c) whether the vessel has a valid safety certificate as issued by the South African Maritime Safety Authority;

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d) a comprehensive description of the method and gear that the applicant wishes to deploy - keeping in mind the compulsory cetacean mitigation measures (sinking rope, subsurface buoys attached to release mechanism, PVC pipe around first two meters of rope below the buoy etc.);
e) a written fish processing agreement with a Fish Processing Establishment that is permitted to operate in terms of the Marine Living Resources Act; and
f) a business plan setting out the required skills, knowledge and ability of the applicant to operate in such a fishery.

2.6. Exploratory fishing for *Octopus vulgaris* will be conducted using pots, deployed via the long line method. While the Department does not prescribe a specific pot design, all gear must be purpose-built for octopus fishing and must be reviewed and approved in writing by the New Fisheries Scientific Working Group of the Department, or a member of that working group, prior to deployment. Successful applicants will be allowed to deploy up to a maximum of 6 000 pots, whether configured individually or as a part of a cradle, at any given time.

2.7. Interested persons are further advised that preference will be given to applicants who live in close proximity to their intended area of operation where more than one applicant has indicated preference for an area and where that area cannot accommodate all of those successful applicants.

2.8. Preference will also be given to applicants who are historically disadvantaged, who meet the above-mentioned criteria. In this regard, applicants will be required to provide a copy of their latest Broad-Based Black Economic Empowerment (BBBEE) certificate, indicating its contributor level in terms of the BBBEE Codes. Interested persons are reminded that a qualifying micro-enterprise (turnover less than R 5 million per annum) is deemed to be a level 4. An applicant wishing to claim a level 4 contributor status will be required to submit, as an annexure, a letter from their auditors or accounting officers demonstrating that their turnover is less than R 5 million in the last financial year.

2.9. Successful applicants will bear the cost of accommodating scientific observers on board their vessels, either scientific staff of the Department or observers from an accredited company/institution to be vetted by the Department.

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2.10. The exploration and authorisation in terms of the exploratory permit will not afford the permit holder any fishing right in terms of the Marine Living Resources Act whatsoever, including a right to undertake commercial fishing for octopus in the future.

2.11. Applicants who previously applied to undertake exploratory fishing for octopus, including successful applicants who were granted permits, must submit a written expression of interest if they wish to participate in this further 5-year exploratory fishery.

2.12. The closing date for this invitation to submit a written expression of Interest is 30 days from the date of the publication of this notice in the *Government Gazette* or newspaper, whichever is the later date.

2.13. There is no fee payable for the submission of an expression of interest.

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Table 2: Requirements checklist for expression of interest in the Exploratory *Octopus vulgaris* fishery

Exploratory Octopus vulgaris fishing requirement check list for expression of interest.			
Requirements marked with "*" must have evidence attached			
Requirements	**Yes**	**No**	**Evidence required to be submitted (All Official documents must be certified)**
SA Citizenship or Registered SA Business. *			Yes. SA ID or Business Licence.
Expression of Interest in fishing for ***octopus***.			No.
History of fishing in the octopus fishery or a similar fishing method (demersal long line). *			Yes. Copies of permits previously issued.
SARS Tax compliant. *			Yes. SARS Tax compliance certificate or SARS pin.
Applicant has the skills, knowledge an ability to operate in the fishery. *			Yes. Summarised Business Plan setting out the required skills, knowledge and ability of the applicant to operate
Applicants are historically disadvantaged. *			Yes. BBBEE Certificate or auditor's or accounting officer's letter demonstrating that turnover is

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			less than R 5 million in the last financial year if claiming level 4 status.
Area of operation. Please list three (3) areas, in order of preference. *			Yes. List three (3) areas in order of preference.
Ability to manufacture and or purchase a minimum of 1 800 pots and commence fishing within six months of being awarded an exploratory permit. *			Yes. Photographs of gear, copy of agreement or invoice to purchase gear.
Access to a vessel of at least 7 (seven) meters in Length. *			Yes. SAMSA registration or Local General Safety Certificate.
Vessel complies to safety standards. *			Yes. Valid, in-date SAMSA General Safety Certificate.
Applicant has a fish processing agreement with a valid Fish Processing Establishment. *			Yes. Signed fish processing agreement with a valid Fish Processing Establishment.

PLEASE NOTE! The above table is **not** an exploratory octopus application form - it is an answer to this Expression of Interest, to show the Department an applicant's level of interest in becoming a part of the *Octopus vulgaris* exploratory fishery. Evidence provided need not be extensive, but rather a summary, and must show adequate proof of meeting the requirements, should the answer to any of the above requirements by "YES". Much of the information required above will be duplicated in the eventual application for an exploratory *Octopus vulgaris* fishery permit, if successful, but in greater detail.

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3. Criteria for scoring of Exploratory Octopus applications after this invitation to submit an Expression of Interest

3.1. Applicants that submit their interest to participate in this exploratory fishery will be scored based on the information provided in the exploratory octopus expressions of interest received by the Department.

3.2. Thereafter, all applications received before the closing date will be scored.

3.3. Scoring will be conducted as follows:

Table 3: Scoring table

Past performance in octopus fishery (2pts) or evidence of prior fishing experience in a similar fishery (long line) (1pt)	Y = 2	N = 0
Access to suitably sized and suitably equipped vessel. Allocate a point for each of the following: length >= 7m; appropriate line hauler; GPS; echo-sounder (4 pts); Vessel dedicated to octopus (1 pt)	Y = 5	N = 0
Evidence of cetacean mitigation measures as stipulated in permit conditions: Sinking ropes (leaded ropes) (1pt); no buoys or alternatively time/acoustic/electronic release buoys (1pt); 2m PVC pipe directly below buoy (1pt); 1 – 2m chain directly attached to anchor at the base of the buoy line (1pt)	Y = 4	N = 0
SAMSA certificate	Y = 1	N = 0
Proof of ability to deploy 1 800 pots in the first 12 months	Y = 1	N = 0
Close proximity to area: < 20km = 2 pt, 20-40km = 1 pt	Y = 2	N = 0
BBBEE	Y = 2	N = 0
FPE agreement	Y = 1	N = 0
Sound Business plan	Y = 1	N = 0
Knowledge of pot & long-line method of octopus fishing	Y = 1	N = 0
Total	20	

3.4. Scoring for cetacean mitigation and vessel suitability will be a ranged score between 1 – 4 and 1 – 5 respectively.

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3.5. The applicant with the highest score will be invited to apply for a permit to operate in the first area of their choice – according to the preferred area they indicated.

3.6. If applicants have equal scores and indicated the same area as their preferred area, the following criteria will be used to guide the decision as to who should be given preference to the contested area – the criteria will be applied in the order in which they appear below.

(a) The applicant that has prior history of participation in the fishery will be allocated that area, and the other applicant will be allocated their second or third choice.

(b) If applicants have scored equally, the applicant who is fully equipped to start fishing, will be offered their choice of area.

(c) If applicants have scored equally and neither applicant has consistently successfully fished in the exemption period (post 2021), and neither is fully equipped to start fishing, then the applicant's proximity (i.e. where they reside or primarily conduct their business) will be used to determine which applicant is offered their choice of area.

(d) Where all of the criteria set out in paragraphs (a) to (c) have been applied and an applicant cannot be offered their preferred area based on that criterion, then the applicant's BBBEE status will be used to determine which applicant is offered their choice of area.

(e) Where all the criteria set out in paragraphs (a) to (d) have been applied and an applicant cannot be offered their preferred area based on that criterion, the Department will decide based on overall fairness considering various factors including an applicant's likelihood of fish consistently and ability to provide reliable fisheries data to the Department.

4. Further information on the exploratory octopus fishery can be obtained from the Department via the Chairperson of the New Fisheries Scientific Working Group, Dr Mark Rothman, at **MRothman@dffe.gov.za**, or the Convenor, Mrs Simone Conrad at SConrad@dffe.gov.za.