



5 June 2006

SUPPLEMENTARY GENERAL REASONS FOR THE DECISIONS ON THE ALLOCATION OF RIGHTS AND QUANTUM IN THE HAKE HANDLINE FISHERY – RESERVED DECISIONS

1. Introduction: the Investigation and Decision Making Process

The delegated authority responsible for allocating Hake Handline (“handline”) fishing rights reserved his decisions on a number of applications.

The delegated authority reserved his decisions on applications if comments were received concerning the applicant after the provisionally successful lists were published and the comments needed to be investigated before a final decision could be made.

The process and outcome of the investigations into the reserved applications are set out below.

1.1 Comments on the provisionally successful lists of applicants

As stated above, the delegated authority reserved his decisions on applicants if comments were received concerning an applicant after the provisionally successful lists were published and the comments needed to be investigated before a final decision could be made. In order not to delay the finalisation of the rest of the applications, the delegated authority reserved his decisions on affected applications and announced his decisions in respect of the rest of the applications.

Not all comments received on the provisional list of successful applicants were taken into account by the delegated authority. Irrelevant comments and vague statements, incapable of being investigated, were ignored.

No comment was taken into account unless the matter was investigated by the Rights Verification Unit (“RVU”). The RVU was requested to provide the delegated authority with the necessary facts to make a final decision. The RVU adopted the following procedures in order to fulfil their mandate:

- The RVU studied a copy of the original application submitted by the applicant, particularly those aspects that were relevant to the investigation.
- The RVU studied all comments received on the issue that needed to be investigated.
- If possible, the persons that provided the comment(s) were personally interviewed.
- The applicant was personally interviewed and questioned about the issue under investigation.
- Other steps considered necessary, practical or expedient were taken in order to establish the facts necessary for a decision to be made. These steps included, but were not necessarily limited to, interviewing Fishery Control Officers, consulting government departments, conducting ITC checks or further interviews and physical inspections.

The RVU compiled a report on each investigation. The delegated authority was guided by this report when deciding the reserved application. The delegated authority’s assessment is captured in the annexed spreadsheets. If an applicant provided false information during the interview, provided information which was materially inconsistent with the information that was provided in the application form or failed to fully cooperate with investigators by failing to timeously submit written requests for information and by failing to provide requested documentation, the application was refused for being materially defective.

The RVU reports will be released, on request, to affected applicants now that the delegated authority had made a decision on the reserved applications. Requests for access to all comments received on the provisional lists will be considered, if applications are made under the Promotion of Access to Information Act 2 of 2000. The Department’s information officer has taken the view that comments will not be released until the investigation of the RVU is completed and a decision is made on the application by the delegated authority. This has now been done and requests for access to all comments received will now be considered. However, the identity of third parties that submitted comments will at all times be kept strictly confidential. The delegated authority is also not privy to this information.

2. The decisions on the reserved applications

2.1 Hake Handline Reserved Decisions

In the Hake Handline sector 13 applications were reserved (4 New Entrant applications and 9 Medium Term Right Holder applications). Of these reserved applications, the delegated authority decided to allocate 6 rights to applicants (4 Medium Term Right Holder applicants and 2 New Entrant applicants).

2.4 Spreadsheets and Successful List

A list of all the successful applicants in all areas, with their application numbers, nominated vessels and effort allocation is annexed marked "A1". The spreadsheet containing the assessment of the New Entrant applications (per area) is annexed marked "A2". The spreadsheet containing the assessment of the Medium Term Right applications (per area) is annexed marked "A3".

Mr C Wilke

Delegated Authority: Hake Handline

5 June 2006

Annexure A1
Successful Reserved Applicant List

APP NO	APPLICANTS NAME	VESSEL NAME	ALLOCATED CREW
HHLM02059	Arthur Peter Riordan	Dankie Pa	12
HHLM01107	Pieter Dreyer Truter	Nauti Boy	8
HHLM01113	Fynbosland CC	Mola Mola	10
HHLM02008	Deon Hattingh	Cara Mia	8
HHLM02082	Pieter Andries Johannes van Staden	Waterberg	8
HHLM01118	Fantique Trade 627 CC	Wakkerloop	10