

Appeals process for fishing rights allocation opens

Minister of Forestry, Fisheries and the Environment, Barbara Creecy, has urged any applicant who is dissatisfied with the 2021 Fishing Rights Allocation Process (FRAP) to lodge an appeal.



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“Appeals must be lodged electronically online on the prescribed Appeals Form through the FRAP 2021 website starting from the 29th of March 2022 until the closing date of 29th of April 2022,” the Department of Forestry, Fisheries and the Environment said on Sunday.

The Department has loaded all the Grant of Right Letter and Scoresheet on the 2021 Fishing Rights Allocation Process online platform for all the fishing sectors.

Applicants can with immediate effect, log on to the FRAP2021 Online Application Website (<https://www.frap2021.co.za/>) using their logon credentials to access and download their Grant of Right Letter and Scoresheet.

Applicants who want to lodge appeals and need help can go to one of the nine decentralised offices which will be open from

the 4-14 April 2022, at 8am - 4pm (including Saturday, 9 April from 8am – 1pm.)

Appellants, who cannot access the online portal and/or for whatever reason are not able to visit any of the identified decentralised centres to appeal, can contact the department on telephone: +27 (0)21 402 3727 or email to: FRAPenq_2020@environment.gov.za so that an alternative arrangement can be made.

Appeals received after the closing date of 29 April will not be accepted.

Provision to appeal

The General Policy on the Allocation of Commercial fishing rights 2021 and the Fisheries sector specific policies, makes provisions for any applicants or affected or interested person to appeal to the Minister against the decisions of the Delegated Authority in any respective fishing sector.

“The appeal may be lodged against an exclusion, a refusal to grant a right or against the decision, process, and/or methodology on quantum or effort.

“The Minister, as the appeal authority, will consider the facts and supporting documents as presented by the appellant as they were at the closing date for applications and will not take into account facts that came into existence thereafter,” the department said.

All appellants are required to retain a copy of their original appeals submitted to the department with proof of submission until the decision on appeals is made.

“Subject to the appeals received and the assessment thereof, the rights registers may change and the proportion of the available Total Allowable Catch (TAC), Total Applied Effort (TAE) or a combination thereof to successful and/or existing right holders may be adjusted upwards or downwards based on the outcomes so as not to exceed the approved TAC/TAE.

“The implementation of adjustments will differ per sector as outlined in the fishery sector specific policies. Should the appellants still not be happy with the decisions of the Appeals Authority, appellants may approach the courts for judicial review within 180 days after the appellant has been informed of the decision of the appellate authority,” the department said.

In the event applicants experience any challenges in accessing the online system and their outcomes, assistance can be requested telephonically on +27 (0)21 402 3727 or email to: FRAPenq_2020@environment.gov.za.

Applicants who require IT support must contact +27 (0)10 500 2323 / 0800 014 5304 or email frapitsupport@navayugainfotech.com.

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