

**IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE DIVISION, CAPE TOWN)**

Case no. 4020 /2021

In the matter of:

**MINISTER OF FORESTRY, FISHERIES
AND ENVIRONMENT**

Applicant

and

**VARIOUS SMALL-SCALE FISHERS
AND FISHING COMMUNITIES LISTED IN
ANNEXURE “A”**

Respondents

and

**FURTHER SMALL-SCALE FISHERS LISTED IN
ANNEXURE “A”**

Intervening Parties

DRAFT ORDER

By agreement between the Applicant and the Intervening Parties, the following order is made:

1. The Applicant’s delay in bringing this application is condoned.
2. The Applicants in the application for intervention launched on 18 July 2022 are granted leave to intervene as Intervening Parties.
3. The following decisions are declared unlawful and invalid, and are reviewed and set aside.

- 3.1. The process which was followed for dealing with the applications which were lodged for the verification of small-scale fishers and communities in the Western Cape between 2016 and 2019;
 - 3.2. The decisions which were made by the Department of Forestry, Fisheries and Environment or its predecessor with regard to those applications; and
 - 3.3. The decisions in that regard which were made by the applicant's predecessor on appeal,
4. The applications which have been made for the verification and confirmation of small-scale fishers and communities in the Western Cape are remitted to the Department of Forestry, Fisheries and Environment and the Applicant for decision.
5. Those people listed in annexure "B" to this Order shall also be entitled to make applications for the verification and confirmation of their status as small-scale fishers, in accordance with directions to be issued by the Department.
6. Pending the outcome of the verification and recognition process envisaged in paragraph 4, all the small-scale fishing rights currently held by persons or entities listed in annexure "A" to the Notice of Motion, and Annexure "B" to this Order remain in force and effect.
7. There is no order as to costs.

By order of the Court

COURT REGISTRAR

ANNEXURE “B”

1. Abraham Johannes Maarman
2. Andre Stewe
3. Andrew du Plessis
4. Angeline Sophia Papier
5. Anthony Williams Stoffberg
6. Calvin Harris
7. Carolus Julies
8. Charlene Achilles
9. Christina Magdalena Jacobs
10. Christine Marneville
11. Clarence Koordom
12. Cupido Dam (Nuwepost)
13. Cupido Dam (Olifantsdrif)
14. Danido Julies
15. Danville Don
16. Danville Van Der Poll
17. Dean Rosant
18. Deidre Valmay Mitchells
19. Duncan Felix

20. Elizabeth Jennifer Rheder
21. Elsie Stringer
22. Elton Anthony Roux
23. Emerentia Christina Pieterse
24. Ettiene Joseph
25. Franklin Goliath
26. Frederick J Julies
27. Geeno Goedeman
28. Gert Cloete
29. Gert Jacobus Dawid Donn
30. Hadley Rustum Cloete
31. Hendrik Daniel Engel
32. Henry Goliath
33. Insaaf Neale
34. Jacobus Cloete
35. Jade Deboela
36. Jannie Van Rooi
37. Jenefer Smith
38. John Boois
39. Jonathan April
40. Joseph Goliath

41. Karin Davids
42. Karin Esmerelda Cloete
43. Keaton Don
44. Kenneth Miggels
45. Kenneth Peter Raatus
46. Leonard Miggels
47. Lesley Miggel
48. Levonia Ruiters
49. Lodewyk Don
50. Louisa Christina Marais
51. Maria Magdalena Hoffman
52. Mario Blankenberg
53. Mario Van Wyk
54. Marius William Blankenburg
55. Melissa Janine Esau
56. Melving Kearns
57. Mercia Christina Markus
58. Michael Love
59. Neville S Miggel
60. Owen Leroy Galant
61. Patrick Goedeman

62. Patrick Marco Don
63. Pejulia Scholtz
64. Petrus Don
65. Priscilla Abrahams
66. Quinton Macock
67. Rosetta Marina Shoshola
68. Rudolf Jacobus Maarman
69. Ryno Thompson
70. Salome Geraldine Adams
71. Sheronise Smith
72. Stephan Garfield Clark
73. Steward Don
74. Theodore Coetzee
75. Vernon Cloete
76. Vernon Van Niekerk
77. Wihelmine Elizabeth Matthys
78. William August
79. William Snyders
80. Zainap Mosaval

