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GOVERNMENT NOTICE

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM

No. 1719 31 October 1995

SEA FISHERY ACT, 1988
(ACT No. 12 OF 1988)

LEVIES ON FISH AND FISH PRODUCTS

I, Dawid Jacobus de Villiers, Minister of Environmental Affairs and Tourism, acting after consultation with the Sea Fishery Advisory Committee and with the concurrence of the Minister of Finance, hereby under section 29 of the Sea Fishery Act, 1988 (Act No. 12 of 1988), amend the levies on fish and fish products as set out in the Schedule.

D. J. DE VILLIERS,

Minister of Environmental Affairs and Tourism.

SCHEDULE

1. In this Schedule any word or expression to which a meaning has been assigned to in the Act, shall bear the meaning so assigned to it and, unless the context otherwise indicates—

“**abalone**” means any shellfish of the species *Haliotis midae* also known as “perlemoen”;

“**anchovy**” means any fish of the species *Engraulis capensis*;

“**concessionholder**” means any person to whom a concession to collect seaweed has been granted;

“**east coast crustacean**” means any crustacean, including shrimps, prawns and langoustines found in the waters of Natal and caught by means of bottom trawl nets;

GOEWERMENTSKENNISGEWING

DEPARTEMENT VAN OMGEWING- SAKE EN TOERISME

No. 1719 31 Oktober 1995

WET OP SEEVISSERY, 1988
(WET No. 12 VAN 1988)

HEFFINGS TEN OPSIGTE VAN VIS EN VISPRODUKTE

Ek, Dawid Jacobus de Villiers, Minister van Omgewingsake en Toerisme, handelende na oorleg met die Seevisserij-advieskomitee en met die instemming van die Minister van Finansies, wysig kragtens artikel 29 van die Wet op Seevisserij, 1988 (Wet No. 12 van 1988), die heffings ten opsigte van vis en visprodukte soos in die Bylae uiteengesit.

D. J. DE VILLIERS,

Minister van Omgewingsake en Toerisme.

BYLAE

1. In hierdie Bylae het 'n woord of uitdrukking waaraan in die Wet 'n betekenis geheg word, die betekenis aldus daaraan geheg, en, tensy uit die samehang anders blyk, beteken—

“**ansjovis**” enige vis van die spesie *Engraulis capensis*;

“**bottersnoek**” enige vis van die spesie *Lepidopus caudatus*;

“**die Wet**” die Wet op Seevisserij, 1988 (Wet No. 12 van 1988);

“**garnaal**” enige skaaldier van die superfamilie *Caridea*;

“**koningklip**” enige vis van die spesie *Genypterus capensis*;

- "east coast sole"** means any fish of the species *Austroglossus pectoralis*;
- "hake"** means any fish of the species *Merluccius capensis* and *Merluccius paradoxus*;
- "horse-mackerel"** means any fish of the species *Trachurus trachurus capensis*;
- "kingklip"** means any fish of the species *Genypterus capensis*;
- "langoustine"** means any crustacean of the species *Metanephrops andamanicus*;
- "linefish vessel"** means any fishing boat of which the owner is in possession of a valid commercial linefish or semi-commercial linefish permit or a tuna permit or a shark permit;
- "monkfish"** means any fish of the species *Lophius vomerinus*;
- "pilchard"** means any fish of the species *Sardinops ocellatus*;
- "redeye roundherring"** means any fish of the species *Etrumeus whiteheadi*;
- "red spotted tongfish"** means any fish of the species *Cynoglossus Zanzibarensis*;
- "ribbonfish"** means any fish of the species *Lepidopus caudatus*;
- "seaweed"** means any seaweed of the species *Porphyra capensis*, *Gelidium amanzii*, *Gelidium cartilagineum*, *Geldium pristoides*, *Suhria vittata*, *Gracilaria verrucosa*, *Laminaria pallida*, *Laminaria schinzii*, *Ecklonia maxima*, *Gigartina radula* and *Hypnea spicifera*;
- "shrimp"** means any crustacean of the superfamily *Caridea*;
- "snoek"** means any fish of the species *Thyrsites atum*;
- "south coast rock lobster"** means any rock lobster of the species *Palinurus gilchristi*;
- "squid"** means any squid or chokka *Loligo vulgaris reynaundii*;
- "the Act"** means the Sea Fishery Act, 1988 (Act No. 12 of 1988);
- "west coast rock lobster"** means any Cape or spiny rock lobster of the species *Jasus lalandii*; and
- "west coast sole"** means any fish of the species *Austroglossus microlepis*.

2. Subject to paragraph 3—

- (a) a pelagic quota holder shall pay the following levy per ton whole mass fish:
- R5,60 if the pelagic fish is used for industrial purposes and R12,40 if it is intended for human consumption;
- (b) a pelagic bait quota holder shall pay the following levy per ton whole mass fish:
- R5,60 if the pelagic fish is used for industrial purposes and R12,40 if it is intended for human consumption.

"konsessiehouer" die persoon aan wie 'n konsessie verleen is om seewier te versamel;

"langoustine" enige skaaldier van die spesie *Matanephrops andamanicus*;

"lynvisboot" 'n vissersboot ten opsigte waarvan die eienaar oor 'n geldige kommersiële of semi-kommersiële lynvispermit of 'n haaipermit of tuna-permit beskik;

"marsbanker" enige vis van die spesie *Trachurus trachurus capensis*;

"monnikvis" enige vis van die spesie *Lophius vomerinus*;

"ooskusskaaldiere" enige skaaldier, insluitende garnale, steurgarnale en langoustines wat in Natalse waters aangetref en met bodemtreilnette gevang word;

"ooskustongvis" enige vis van die spesie *Austroglossus pectoralis*;

"perlemoen" enige skulpvis van die spesie *Haliotis midae*;

"pylinkvis" enige pylinkvis of tjokka *Loligo vulgaris reynaundii*;

"rooi gespikkelde tongvis" enige vis van die spesie *Cynoglossus Zanzibarensis*;

"rooi-oog" enige vis van die spesie *Etrumeus whiteheadi*;

"sardyn" enige vis van die spesie *Sardinops ocellatus*;

"seewier" enige seewier van die spesies *Porphyra capensis*, *Gelidium amanzii*, *Gelidium cartilagineum*, *Geldium pristoides*, *Suhria vittata*, *Gracilaria verrucosa*, *Laminaria pallida*, *Laminaria schinzii*, *Ecklonia maxima*, *Gigartina radula* en *Hypnea spicifera*;

"snoek" enige vis van die spesie *Thyrsites atum*;

"stokvis" enige vis van die spesie *Merluccius capensis* en *Merluccius paradoxus*;

"suidkuskreef" enige kreef van die spesie *Palinurus gilchristi*;

"weskuskreef" enige Kaapse rots- of stekelrige kreef van die spesies *Jasus lalandii*; en

"weskustongvis" enige vis van die spesie *Austroglossus microlepis*.

2. Behoudens paragraaf 3, betaal—

- (a) 'n pelagiese kwotahouer die volgende heffing per ton heelgewig vis:
- R5,60 indien pelagiese vis vir industriële doeleindes gebruik word en R12,40 indien dit vir menslike gebruik bedoel is;
- (b) 'n pelagiese aaskwotahouer die volgende heffing per ton heelgewig vis:
- R5,60 indien pelagiese vis vir industriële doeleindes gebruik word en R12,40 indien dit vir menslike gebruik bedoel is.

3. For the purposes of paragraph 2 the mass of pilchard, anchovy, redeye round-herring and horse mackerel shall be determined at a processing factory in the presence of a fishery control officer at the fish processing factory.

4. A west coast rock lobster quota holder shall pay a levy of R130,00 per ton whole mass west coast rock lobster received.

5. A south coast rock lobster quota holder shall pay a levy of R130,00 per ton whole mass or a levy of R281,80 per ton tail mass south coast rock lobster caught.

6. Subject to paragraph 11, a person who is authorised to use a bottom trawl or midwatertrawl net shall pay the following levy per ton whole mass:

Hake R20,60, sole R63,60, kingklip R61,10, horse mackerel R7,60, squid R58,60, east coast crustacean R56,10, monkfish R12,70, ribbonfish R6,30, snoek R8,90 and hake caught by means of the longline method R40,00.

7. An abalone quota holder shall pay a levy of R136,10 per ton whole mass abalone received.

8. The owner of a linefish boat shall pay a levy per tuna permit and/or shark permit and/or commercial and/or semi-commercial linefish permit and the levy/levies shall be calculated as follows:

Length of boat	Levies
5,00 metre and under 5,00 metre	R 27
Over 5,00 metre to 8,00 metre.....	R 39
Over 8,00 metre to 12,00 metre.....	R 67
Over 12,00 metre to 20,00 metre.....	R134
Over 20,00 metre	R202

9. The owner of a fishing boat who is in possession of a valid squid permit shall pay a levy of R58,60 per ton whole mass squid caught.

10. A seaweed permitholder shall pay a levy of R2 583 per year plus R7,50 per dry ton seaweed gathered.

11. For the purposes of paragraphs 4 and 6 the whole mass of fish shall be determined by multiplying the mass of the fish caught indicated in column 1 of the following table with the appropriate figure indicated in column 2:

1	2
(a) Hake, headless and gutted	× 1,46
(b) Hake, untrimmed fillets	× 1,94
(c) Hake, trimmed, skinless fillets.....	× 2,25
(d) Hake, broken and/or sour.....	× 1,46
(e) Hake, caught by the longline method	× 1,10
(f) Sole, gutted:	
East coast sole	× 1,046
West coast sole	× 1,06
Red spotted sole	× 1,06
(g) Kingklip, headless and gutted	× 1,52
(h) Kingklip, untrimmed fillets	× 2,28
(i) Shrimps, prawns, tails.....	× 1,6

3. By die toepassing van paragraaf 2 word die massa van sardyn, ansjovis, rooi-oog en marsbanker by die visverwerkingsfabriek in die teenwoordigheid van 'n visserybeheerbeampte bepaal.

4. 'n Weskuskreefkwotahouer betaal 'n heffing van R130,00 per ton heelgewig weskuskreef ontvang.

5. 'n Suidkuskreefkwotahouer betaal 'n heffing van R130,00 per ton heelgewig of 'n heffing van R281,80 per ton stertmassa van suidkuskreef gevang.

6. Behoudens paragraaf 11 betaal die persoon wat gemagtig is om 'n bodemtreil- of midwatertreilnet te gebruik, die volgende heffing per ton heelgewig:

Stokvis R20,60, tongvis R63,60, koningklip R61,10, marsbanker R7,60, pylinkvis R58,60, ooskusskaaldiere R56,10, monnikvis R12,70, battersnoek R6,30, snoek R8,90 en stokvis met langlynmetode R40,00 wat deur hom gevang word.

7. 'n Perlemoenkwotahouer betaal 'n heffing van R136,10 per ton heelgewig perlemoen ontvang.

8. Die eienaar van 'n lynvisboot betaal jaarliks 'n heffing per tunapermit en/of haaipermit en/of kommersiële en/of semi-kommersiële lynvispermit en gemelde heffing/s word as volg bereken:

Lengte van boot	Heffings
5,00 meter en onder 6,00 meter	R 27
Bo 5,00 meter tot 8,00 meter	R 39
Bo 8,00 meter tot 12,00 meter	R 67
Bo 12,00 meter tot 20,00 meter	R134
Bo 20,00 meter	R202

9. Die eienaar van 'n vissersboot wat oor 'n geldige pylinkvispermit beskik, betaal 'n heffing van R58,60 per ton heelgewig pylinkvis wat gevang word.

10. Die houer van 'n permit vir die versameling van seewier betaal jaarliks 'n heffing van R2 583 plus R7,50 vir elke ton (drooggewig) seewier versamel.

11. By die toepassing van paragrawe 4 en 6 word die heelmassa van die vis bepaal deur die massa van die verwerkte visspesies gevang, soos aangedui in kolom 1 van die volgende tabel te vermenigvuldig met die toepaslike syfer in kolom 2 aangedui:

1	2
(a) Stokvis, sonder kop en derms.....	× 1,46
(b) Stokvis, onbewerk, vellose filette	× 1,94
(c) Stokvis, bewerk, vellose filette	× 2,25
(d) Stokvis, gebreek of suur	× 1,46
(e) Stokvis, met langlynmetode gevang	× 1,10
(f) Tongvis, sonder derms:	
Ooskustongvis	× 1,046
Weskustongvis.....	× 1,06
Rooi gespikkelde tongvis.....	× 1,06
(g) Koningklip, sonder kop en derms	× 1,52
(h) Koningklip, onbewerkte filette	× 2,28
(i) Garnale, steurgarnale, sterte	× 1,6

1	2
(j) Langoustines, tails.....	× 2,8
(k) West coast rock lobster (spiny or slipper), tails.....	× 2,2
(l) Horse mackerel, headless and gutted.....	× 1,40
(m) Horse mackerel, gutted.....	× 1,09
(n) Snoek, frozen.....	× 1,41
(o) Snoek, salted (flecked).....	× 2,12
(p) Monkfish, tails.....	× 3,44
(q) Ribbonfish, headed and tailed.....	× 1,80
(r) Ribbonfish, headed and gutted.....	× 1,40
(s) Gurnard, headed and gutted.....	× 1,40

12. The levies payable in respect of fish caught during any one month shall be paid before the end of the following month.

13. All payments of levies shall be accompanied by a certified prescribed form indicating the whole mass of fish caught or received during the month concerned. This form is obtainable from the Chief Director: Sea Fisheries, Private Bag X2, Roggebaai, 8012.

14. Interest at the rate determined by the Treasury from time to time, shall be imposed on any outstanding amount and such interest shall be calculated from the first day of the month following the month in which the fish is landed.

15. Levies and interest payable in terms of this Schedule, shall be paid to the Chief Director: Sea Fisheries, Private Bag X2, Roggebaai, 8012.

16. Any person who contravenes or fails to comply with any provision of this notice shall be guilty of an offence and liable on conviction to a fine not exceeding R50 000 or to imprisonment for a period not exceeding six years or to both such fine and such imprisonment.

17. Government Notice No. R. 2018 dated 25 November 1994 is hereby repealed.

18. These levies shall be applicable as from **1 November 1995**.

1	2
(j) Langoustines, sterte.....	× 2,8
(k) Weskuskreef ("spiny" of "slipper"), sterte.....	× 2,2
(l) Marsbanker, sonder kop en derms.....	× 1,40
(m) Marsbanker, sonder derms.....	× 1,09
(n) Snoek, gevries.....	× 1,41
(o) Snoek, gesout (gevelek).....	× 2,12
(p) Monnikvis, sterte.....	× 3,44
(q) Bottersnoek, sonder kop en sterte.....	× 1,80
(r) Bottersnoek, sonder kop en derms.....	× 1,40
(s) Lanternvis, sonder kop en derms.....	× 1,40

12. Die heffings betaalbaar ten opsigte van die vis wat gedurende enige maand gevang is, moet voor die einde van die daaropvolgende maand betaal word.

13. Alle betalings van heffings moet vergesel wees van die gesertifiseerde voorgeskrewe vorm waarin die totale massa vis gevang of ontvang gedurende die betrokke maand getoon word. Hierdie vorm is verkrygbaar by die Hoofdirekteur: Seevisserie, Privaatsak X2, Roggebaai, 8012.

14. Rente teen die rentekoers soos van tyd tot tyd deur die Tesourie bepaal, sal gehef word op enige uitstaande bedrae en sodanige rente word bereken vanaf die eerste dag van die maand wat volg op die maand waarin die vis geland is.

15. Heffings en rente betaalbaar ingevolge hierdie Bylae, moet betaal word aan die Hoofdirekteur: Seevisserie, Privaatsak X2, Roggebaai, 8012.

16. Enige persoon wat 'n bepaling van hierdie kennisgewing oortree of versuim om daaraan te voldoen is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R50 000 of met gevangenisstraf vir 'n tydperk van hoogstens ses jaar of met sodanige boete sowel as sodanige gevangenisstraf.

17. Goewermenskennisgewing No. R. 2018 van 25 November 1994 word hierby herroep.

18. Hierdie heffings sal vanaf **1 November 1995** van toepassing wees.

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