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GOVERNMENT NOTICE GOEWERMENTSKENNISGEWING

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM DEPARTEMENT VAN OMGEWINGSAKE EN TOERISME

No. 701

27 July 2001

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

I, Mohammed Valli Moosa, Minister of Environmental Affairs and Tourism, acting in consultation with the Minister of Finance, hereby under section 25 of the Marine Living Resources Act, 1998 (Act No. 18 of 1998) ("the Act"), determine the fees payable in respect of applications for and the issuing or granting of rights, permits and licences in terms of the Act as set out in the Schedule.

MV MOOSA

Minister of Environmental Affairs and Tourism

SCHEDULE

1. APPLICATION FEES

(a) Fee payable in respect of an application for a right to –

(i)	undertake commercial fishing (including the harvesting of seaweed)	R 6000
(ii)	operate a fish processing establishment	R 6000
(iii)	engage in mariculture	R 6000
(iv)	undertake commercial fishing of no more than 60 000 oysters using no more than four harvesters	R 500
(v)	undertake commercial fishing of white mussels for bait purposes	R 500
(vi)	undertake commercial fishing by means of small nets (beach seine for mixed shoal fish, drag, gill, drift, cast and shove)	R 500
(vii)	undertake commercial fishing of 850 kg or less abalone	R 500
(viii)	undertake commercial fishing of 1.5 tonnes or less west coast rock lobster	R 500
(ix)	undertake commercial fishing of Linefish Traditional with no more than four crew	R 500
(x)	undertake subsistence fishing	R 5

- (b) Fee payable in respect of an application for a permit to exercise a right granted to –
- (i) undertake commercial fishing (including seaweed): R105;
 - (ii) operate a fish processing establishment: R105;
 - (iii) engage in mariculture: R105;
 - (iv) to undertake subsistence fishing: R5.
- (c) Fee payable in respect of an application for a permit to undertake recreational fishing: R5.
- (d) Fee payable in respect of an application for a permit by a person other than a South African person (does not include permits issued in terms of an international agreement) –
- (i) to undertake fishing or related activities: R8 000;
 - (ii) to undertake exploratory fishing: R800.
- (e) Fee payable in respect of an application for a permit to perform an activity in terms of the Act not mentioned in paragraph (b), (c) and (d) above: R55.
- (f) Fee payable in respect of an application for a local fishing vessel licence: R105.
- (g) Fee payable in respect of an application for a high seas fishing vessel licence: R105.
- (h) Fee payable in respect of an application for a foreign fishing vessel licence (does not include vessels licensed in terms of an international agreement)
- (i) in respect of a vessel to be utilised in a joint venture arrangement with a South African person: R800;
 - (ii) in respect of a vessel to be utilised by a foreign company: R8 000;
 - (iii) in respect of a vessel to be utilised for exploratory fishing: R800.

2. PERMIT FEES

- (a) Fee payable in respect of the issuing of a permit to exercise a right to –
- (i) undertake commercial fishing (including seaweed): R550;
 - (ii) operate a fish processing establishment: R1 100;
 - (iii) engage in mariculture: R1 100;
 - (iv) undertake subsistence fishing: R25.

(b) Fee payable in respect of the issuing of a permit –

- (i) to undertake high seas fishing: R550;
- (ii) authorising a person other than a South African person to undertake fishing in South African waters (does not include permits issued in terms of an international agreement): R20 000;
- (iii) authorising a foreign person to take part in exploratory fishing in South African waters: R800.

(c) Fee payable in respect of the issuing of a permit to undertake recreational fishing of –

(i)	abalone	R 50
(ii)	west Coast Rock Lobster	R 50
(iii)	east Coast Rock Lobster	R 50
(iv)	molluscs including octopus, squid, worms, other invertebrates and aquatic plants	R 50
(v)	mud crab	R 50
(vi)	marine aquarium fish	R 50
(vii)	angling	R 35
(viii)	spearfishing	R 50
(ix)	use of cast or throw net	R 50
(x)	additional fee per vessel (only payable by the skipper) for recreational fishing from such a vessel where applicable	R 50

(d) Fee payable in respect of the issuing of a short term permit (only valid for four weeks) to undertake recreational fishing of –

- (i) molluscs including octopus, squid, worms, other invertebrates and aquatic plants R25;
- (ii) mud crab R25;
- (iii) marine aquarium fish R25;
- (iv) angling R20;
- (v) spearfishing R25;
- (vi) use of cast or throw net R25;
- (vii) additional fee per vessel (only payable by the skipper) for recreational fishing from such a vessel where applicable R25.

- (e) Fee payable in respect of the issuing of a permit to conduct boat based whale-watching –
- (i) vessels licensed in terms of the relevant legislation to carry five or less than five persons: R2 750;
 - (ii) vessels licensed in terms of the relevant legislation to carry six to 10 persons: R5 500;
 - (iii) vessels licensed in terms of the relevant legislation to carry 11 to 20 persons: R10 750;
 - (iv) vessels licensed in terms of the relevant legislation to carry 21 or more persons: R21 500.
- (f) Fee payable in respect of the issuing of a permit to view sharks by conducting shark cage diving -
- (i) vessels licensed in terms of the relevant legislation to carry five or less than five persons: R5 500;
 - (ii) vessels licensed in terms of the relevant legislation to carry six to 10 persons: R10 750;
 - (iii) vessels licensed in terms of the relevant legislation to carry 11 or more persons: R21 500.
- (g) Fee payable in respect of the issuing of a permit to perform any other activity in terms of the Act not mentioned in paragraphs (a), (b), (c), (d), (e) and (f): R55.

3. LICENCE FEES

- (a) Fee payable in respect of the issuing of a licence for a local fishing vessel with a length of –
- (i) 5 metres and less: R175;
 - (ii) more than 5 m to 8 metres: R250;
 - (iii) more than 8 m to 12 metres: R400;
 - (iv) more than 12 m to 20 metres: R750;
 - (v) more than 20 metres: R1 200.
- (b) Fee payable in respect of the issuing of a high seas fishing vessel licence: R1 300.
- (c) Fee payable in respect of the issuing of a foreign fishing vessel licence (does not include vessels utilised in terms of an international agreement): R9 500.

4. OTHER FEES

- (a) Fee payable in respect of the transfer of a right or licence: R125.
- (b) Fee payable in respect of the issuing of a new right, licence or permit due to the amendment of the terms or conditions of the existing right, licence or permit at the request of the holder: R125.
- (c) Fee payable in respect of the issuing of a permit to import fish: R125.
- (d) Fee payable in respect of the issuing of a permit to export fish: R125.
- (e) Fee payable in respect of the issuing of a duplicate licence or permit:
 - (i) angling (recreational) R25
 - (ii) other types (including multiple permits) R100

5. The following Government notices are hereby repealed:

No. 1693 dated 24 December 1998

No. 416 dated 18 February 2000.

No. 701

27 Julie 2001

WET OP LEWENDE MARIENE HULPBRONNE, 1998 (WET NO. 18 VAN 1998)

Ek, Mohammed Valli Moosa, Minister van Omgewingsake en Toerisme, handelend in oorleg met die Minister van Finansies, bepaal hierby kragtens artikel 25 van die Wet op Lewende Mariene Hulpbronne, 1998 (Wet no. 18 van 1998) ("die Wet") die gelde betaalbaar ten opsigte van die aansoeke om, en die uitreiking of toekenning van regte, permitte en lisensies ingevolge die Wet soos in die Bylae uiteengesit.

MV MOOSA**Minister van Omgewingsake en Toerisme****BYLAE****1. AANSOEKGELDE**

(a) Geld betaalbaar ten opsigte van 'n aansoek om 'n reg om –

(i)	kommersiële visvangs te onderneem (insluitende die versameling van seebamboes),	R6000
(ii)	'n visverwerkingsaanleg te bedryf	R 6000
(iii)	marikultuur te beoefen	R 6000
(iv)	kommersiële visvangs van nie meer as 60 000 oesters per jaar met behulp van nie meer as vier ontginners nie, te onderneem.	R 500
(v)	kommersiële visvangs van witmossels vir aasdoeleindes te onderneem.	R 500
(vi)	kommersiële visvangs by wyse van klein nette (strandtrekseën vir gemengde skool visse, kief, dryf, gooi, sleep, stoot) te onderneem.	R 500
(vii)	kommersiële visvangs van 850 kilogram of minder perlemoen, te onderneem	R 500.
(viii)	kommersiële visvangs van 1.5 ton of minder wesuskreef, te onderneem	R 500.
(ix)	kommersiële lynvisvangs (tradisionele) met nie meer as vier bemanningslede nie, te onderneem	R 500.
(x)	bestaansgrondslagvisvang te onderneem	R 5

- (b) Geld betaalbaar ten opsigte van 'n aansoek om 'n permit vir die uitoefening van 'n reg toegeken om -
- (i) kommersiële visvangs te onderneem (insluitende seebamboes): R 105;
 - (ii) 'n visverwerkingsaanleg te bedryf: R 105;
 - (iii) marikultuur te beoefen: R 105;
 - (iv) bestaansgrondslagvisvang te onderneem: R 5.
- (c) Geld betaalbaar ten opsigte van 'n aansoek vir 'n permit om sportvisvangs te onderneem: R 5.
- (d) Geld betaalbaar ten opsigte van 'n aansoek vir 'n permit deur 'n persoon wat nie 'n Suid-Afrikaanse persoon is nie (sluit nie permitte in wat uitgereik word in terme van internasionale vissery ooreenkomste nie) ten einde -
- (i) visvangs of verwante aktiwiteite te onderneem: R 8 000;
 - (ii) ondersoekende visvangs te onderneem: R 800.
- (e) Geld betaalbaar ten opsigte van 'n aansoek om 'n permit ten einde deel te neem aan enige aktiwiteit nie genoem in paragrawe (b), (c) en (d) hierbo nie: R55.
- (f) Geld betaalbaar ten opsigte van 'n aansoek om 'n plaaslike vissers-bootlisensie: R105.
- (g) Geld betaalbaar ten opsigte van 'n aansoek om 'n oopseevissersboot-lisensie: R105.
- (h) Geld betaalbaar ten opsigte van 'n aansoek om 'n buitelandse vissersbootlisensie (sluit nie bote gelisensieer in terme van 'n internasionale vissery ooreenkoms in nie) -
- (i) ten opsigte van 'n boot wat benut gaan word vir 'n gesamentlike ondernemings ooreenkoms met 'n Suid-Afrikaanse persoon: R 800;
 - (ii) ten opsigte van 'n boot wat benut gaan word deur 'n buitelandse maatskappy: R 8 000;
 - (iii) ten opsigte van 'n boot wat benut gaan word vir ondersoekende visvangaktiwiteite: R 800.

2. PERMITGELDE

- (a) Geld betaalbaar ten opsigte van die uitreiking van 'n permit vir die uitoefening van 'n reg om -

- (i) kommersiële visvangs te onderneem (insluitende seebamboes): R550;
 - (ii) 'n visverwerkingsaanleg te bedryf: R 1 100;
 - (iii) marikultuur te beoefen: R 1 100;
 - (iv) bestaansgrondslagvisvangs te onderneem: R 25.
- (b) Geld betaalbaar ten opsigte van die uitreiking van 'n permit -
- (i) om oopseevisvangs te onderneem: R 550;
 - (ii) wat toestemming aan 'n persoon wat nie 'n Suid-Afrikaanse persoon is nie, verleen om in Suid-Afrikaanse waters vis te vang (sluit nie permitte uitgereik in terme van 'n internasionale visserye ooreenkoms in nie):
R 20 000;
 - (iii) wat toestemming aan 'n persoon wat nie 'n Suid-Afrikaanse persoon is nie, verleen om ondersoekende visvangs in Suid-Afrikaanse waters te onderneem: R 800.
- (c) Geld betaalbaar ten opsigte van die uitreiking van 'n permit om sportvisvang te onderneem vir -
- (i) perlemoen: R 50;
 - (ii) weskuskreef: R 50;
 - (iii) ooskuskreef: R 50;
 - (iv) weekdiere insluitende seekat, pylinkvis, wurms, ander ruggraatlose diere en waterplante: R 50;
 - (v) modderkrap: R 50;
 - (vi) mariene akwarium vis: R 50;
 - (vii) hengel: R 35;
 - (viii) spieshengel: R 50;
 - (ix) gebruik van gooi- of werpnette: R 50;
 - (x) addisionele gelde vir die gebruik van 'n boot vir die beoefening van enige tipe sportvisvangs soos bo vermeld, waar van toepassing (slegs betaalbaar deur skipper): R 50.

- (d) Gelde betaalbaar ten opsigte van die uitreiking van 'n korttermyn permit (slegs geldig vir vier weke) ten opsigte van die beoefening van sportvisvangs vir:
- (i) weekdiere insluitende seekat, pylinkvis, wurms, ander ruggraatlose diere en waterplante: R 25;
 - (ii) modderkrap: R 25;
 - (iii) mariene akwarium vis: R 25;
 - (iv) hengel: R 20;
 - (v) spieshengel: R 25;
 - (vi) gebruik van gooi- of vangnette: R 25.
 - (vii) addisionele gelde vir die gebruik van 'n boot vir die beoefening van enige tipe sportvisvangs soos bo vermeld, waar van toepassing (slegs betaalbaar deur die skipper): R 25.
- (e) Gelde betaalbaar ten opsigte van die uitreiking van 'n permit om 'n walvisbesigtigingsaak vanaf 'n boot te bedryf –
- (i) bote gelisensieer in terme van die relevante wetgewing om vyf of minder persone te vervoer: R 2 750;
 - (ii) bote gelisensieer in terme van die relevante wetgewing om 6 tot 10 persone te vervoer: R 5 500;
 - (iii) bote gelisensieer in terme van die relevante wetgewing om 11 tot 20 persone te vervoer: R 10 750;
 - (iv) bote gelisensieer in terme van die relevante wetgewing om 21 of meer persone te vervoer: R 21 500.
- (f) Geld betaalbaar ten opsigte van die uitreiking van 'n permit om haaië te besigtig deur aan haaihoukduikaktiwiteite deel te neem –
- (i) bote gelisensieer in terme van die relevante wetgewing om 5 of minder persone te vervoer: R 5 500;
 - (ii) bote gelisensieer in terme van die relevante wetgewing om 6 tot 10 persone te vervoer: R 10 750;
 - (iii) bote gelisensieer in terme van die relevante wetgewing om 11 of meer persone te vervoer: R 21 500.
- (g) Geld betaalbaar ten opsigte van die uitreiking van 'n permit om enige aktiwiteit in terme van die Wet te beoefen wat nie vermeld is in paragrawe (a) tot (f) nie: R55.

3. LISENSIEGELDE

- (a) Gelde betaalbaar ten opsigte van die uitreik van 'n lisensie vir 'n plaaslike vissersboot met 'n lengte van –
- (i) 5 meter of minder: R 175;
 - (ii) meer as 5m tot 8 meter: R 250;
 - (iii) meer as 8m tot 12 meter: R 400;
 - (iv) meer as 12 tot 20 meter: R 750;
 - (v) meer as 20 meter: R 1 200.
- (b) Gelde betaalbaar ten opsigte van die uitreiking van 'n lisensie vir 'n oopseevissersboot: R 1 300.
- (c) Geld betaalbaar ten opsigte van die uitreiking van 'n lisensie vir 'n buitelandse vissersboot (sluit nie bote wat benut word in terme van 'n internasionale visserye ooreenkoms in nie): R 9 500.

4. ANDER GELDE

- (a) Geld betaalbaar ten opsigte van die oordrag van 'n reg of lisensie: R 125.
- (b) Geld betaalbaar ten opsigte van die uitreiking van nuwe reg, lisensie of permit weens 'n wysiging van die bepalings of terme van die bestaande reg, lisensie of permit op versoek van die houer: R 125.
- (c) Geld betaalbaar ten opsigte van die uitreiking van 'n permit om vis in te voer: R 125.
- (d) Geld betaalbaar ten opsigte van die uitreiking van 'n permit om vis uit te voer: R 125.
- (e) Geld betaalbaar ten opsigte van die uitreiking van 'n duplikaatlisensie of permit vir:
- hengel (sportvisvangs) R 25
 - ander tipes (insluitend veelvoudige permitte) R 100

5. Die volgende Goewermentkennisgewings word hiermee herroep:

No. 1693 gedateer 24 Desember 1998

No. 416 gedateer 18 Februarie 2000.

GENERAL NOTICES

NOTICE 1767 OF 2001

SOUTH AFRICAN ACCEPTANCE OF THE *FAO CODE OF CONDUCT FOR RESPONSIBLE FISHERIES* AND THE *FAO COMPLIANCE AGREEMENT*

Subject to Section 231 of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996), the Department of Environmental Affairs and Tourism is instituting a process of consultation before submitting the *FAO Code of Conduct for Responsible Fisheries* and the *FAO Compliance Agreement* to Cabinet and Parliament for final acceptance by South Africa.

The primary aim of the *FAO Code of Conduct for Responsible Fisheries* is to provide a basis for domestic action to encourage policy initiatives and to shape specific legislative provisions for fisheries. Much of its basic philosophy and many of its key provisions were subsumed into the **Marine Living Resources Act, 1998** (act No. 18, 1998). The *FAO Compliance Agreement* attempts to ensure compliance with internationally-agreed conservation and management measures for fisheries on the high seas. Copies of both agreements may be found on the Department of Environmental Affairs and Tourism, Branch: Marine and Coastal Management Website at address - <http://www.environment.gov.za/mcm/hot.htm> ("HOT TOPICS")

Written submissions concerning South African acceptance of either, or both, the *FAO Code of Conduct for Responsible Fisheries* and the *FAO Compliance Agreement* are welcomed and should be forwarded to:

The Deputy Director-General
(Attention: Dr. DGM Miller)
Department of Environmental Affairs and Tourism
Branch: Marine and Coastal Management
Private Bag X2
ROGGEBAAI
8012.

The fax number is +27-(0)21- 4217406 and telephone enquiries may be made to Dr.D Miller at +27-(0)21- 4023143.

All comments should be received by **30 August 2001**.

NOTICE 1768 OF 2001**SOUTH AFRICAN RATIFICATION OF THE CONVENTION ON THE
CONSERVATION OF THE FISHERIES RESOURCES OF THE SOUTH-EAST
ATLANTIC OCEAN**

Subject to Section 231 of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996), the Department of Environmental Affairs and Tourism is instituting a process of consultation before submitting the *Convention on the Conservation of the Fisheries Resources of the South-East Atlantic Ocean (SEAFO)* to Cabinet and Parliament for final ratification by South Africa.

The *SEAFO Convention* aims to regulate fisheries in the South East Atlantic in a sustainable manner. A copy of the *Convention* may be found on the Marine and Coastal Management Website at address - <http://www.environment.gov.za/mcm/hot.htm> ("HOT TOPICS").

Written submissions concerning South African ratification of the *SEAFO Convention* are welcomed and should be forwarded to:

The Deputy Director-General
(Attention: Dr. DGM Miller)
Department of Environmental Affairs and Tourism
Branch: Marine and Coastal Management
Private Bag X2
ROGGEBAAI
8012

The fax number is +27-(0)21- 4217406 and telephone enquiries may be made to Dr. D Miller at +27-(0)21- 4023143.

All comments should be received by **30 August 2001**.

NOTICE 1769 OF 2001**INVITATION TO APPLY FOR EXPERIMENTAL FISHING PERMITS FOR THE CATCHING OF PATAGONIAN TOOTHFISH (*DISSOSTICHUS SPP*) IN TERMS OF THE ANTARCTIC TREATIES ACT, 1996 (ACT NO. 60 OF 1996)**

The Department of Environmental Affairs and Tourism hereby announces for general information that it is the intention of the Honourable Minister of Environmental Affairs and Tourism to issue **2 experimental fishing permits for the catching of Patagonian Toothfish (*Dissostichus spp*) in two Statistical Subareas (Subareas 88.1 and 88.2) within the area managed by the international Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) outside South Africa's Exclusive Economic Zone from 1 December 2001 to 31 August 2002 in respect of Subarea 88.1 and 15 December 2001 to 31 August 2002 in respect of Subarea 88.2.**

Interested persons are herewith invited to apply. Applicants are advised that in assessing applications the Minister will require information on:

- (i) Name and flag of vessel to be used, including any record of past involvement in fishing for Toothfish, a history of the vessel's flag designation and a valid marine safety certificate;
- (ii) Whether or not the applicant exhibits the necessary experience and technical ability to carry out the experimental fishery in an efficient and safe manner under extreme weather conditions remote from port;
- (iii) The extent of sea-borne and shore-based facilities to support fishing operations;
- (iv) The willingness to work according to a fishing plan and to supply the necessary fishery data in the manner required by the Chief Director: Marine and Coastal Management;
- (v) The ability and willingness to abide by the relevant CCAMLR Conservation Measures in force and by any subsequent provisions subsumed by the Marine Living Resources Act, 1998 (Act No. 18 of 1998) or by the Regulations (Regulation No. R. 980 of 18 July 1997) under the Antarctic Treaties Act, 1996 (Act No. 60 of 1996), and
- (vi) The extent of participation by South Africans subject to a permit being granted.

Information on (ii) and (vi) above will also be required with respect to the processing and marketing of the catches. Full information on the applicant's history, if any, in the Patagonian Toothfish fishery must be furnished.

It must be noted that:

- (i) It is a requirement of CCAMLR that any vessel intending to operate in Subareas 88.1 and 88.2 must have been registered with the Secretariat of CCAMLR three months prior to commencing fishing operations.
- (ii) The granting of an experimental permit will be subject to the mandatory use of South African flagged vessels to catch the fish;
- (iii) Subject to the provisions of the relevant CCAMLR Conservation Measures in force, the Chief Director: Marine and Coastal Management will have sole discretion in allocating the allowable catch and fishing area allocated to each successful applicant;
- (iv) All vessels will be required to undertake longline-weighting trials according to the provisions of CCAMLR 210/XIX and meet the stringent requirements attached thereto, and particularly, the number of Depth Recorders (TDR's) required, prior to commencing fishing;
- (v) All vessels will be required to carry two scientific observers (at least one appointed in accordance with the CCAMLR System of Scientific Observation) and satellite vessel monitoring systems approved by the Chief Director: Marine and Coastal Management, and
- (vi) Permits (depending on area) will only be granted from 1 December 2001 to 31 August 2002 in respect of Subarea 88.1 and 15 December 2001 to 31 August 2002 in of Subarea 88.2.

The closing date for applications will be **31 AUGUST 2001**. Applicants must ensure that their applications reach the offices of the Chief Directorate: Marine and Coastal Management, 7th Floor, Foretrust Building, Martin Hammerschlag Way, Foreshore, Cape Town, 8001 / Private Bag X2, Roggebaai, 8012 (Attention: Ms. R Zeelie) before or on the due date (31/08/01) stipulated above. No application will be accepted after 16:00 on the abovementioned due date. As previous applications will not be taken into consideration, interested persons who submitted such applications are advised to re-apply.

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