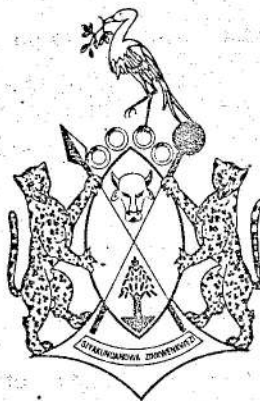




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REPUBLIC OF  
CISKEI

GOVERNMENT  
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OFFICE OF THE PRESIDENCY

GOVERNMENT NOTICE No. 53

IT IS HEREBY NOTIFIED THAT THE PRESIDENT HAS  
ASSENTED TO THE FOLLOWING ACT WHICH IS HEREBY  
PUBLISHED FOR GENERAL INFORMATION:-

TERRITORIAL WATERS ACT, 1986

ACT No. 12 OF 1986

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# TERRITORIAL WATERS ACT, 1986

## ACT

To determine and define the territorial waters, the exclusive economic zone and the continental shelf of the Republic of Ciskei and to provide for incidental matters.

(English text signed by the President. Assented to on 16 July 1986).

BE IT ENACTED by the National Assembly of the Republic of Ciskei, as follows:-

1. **Definitions.** - (1) In this Act, unless the context otherwise indicates -  
"Ciskei" means the Republic of Ciskei;  
"exclusive economic zone" means the exclusive economic zone of Ciskei described, and determined as provided, in section 3;  
"low-water mark" means the lowest mark on land in Ciskei to which the water of the sea recedes with ordinary spring tide, as marked on large-scale charts officially recognized by the Government of Ciskei;  
"nautical mile" means the international nautical mile of 1852 metres;  
"sea" means the water and the bed of the sea;  
"territorial waters" means the territorial waters of Ciskei as described in, and determined in accordance with the provisions of, section 2.
2. **Territorial waters of Ciskei.** - (1) The sea within a distance of twelve nautical miles from the low-water mark shall be the territorial waters of Ciskei.  
(2) The extent of the territorial waters shall be determined in accordance with the rules set out in Schedule 1.
3. **Exclusive economic zone.** - (1) The sea outside the territorial waters of Ciskei but within a distance of two hundred nautical miles from the low-water mark shall constitute the exclusive economic zone of Ciskei.  
(2) The extent of the exclusive economic zone shall be determined in accordance, *mutatis mutandis*, with the rules mentioned in section 2 (2).  
(3) The laws relating to the conservation, utilization and exploitation of the resources of the sea shall be of full force and effect within the exclusive economic zone and the State shall have the right to exercise any powers which it may deem necessary to ensure compliance with the said laws, as well as any fiscal laws and the laws relating to customs, emigration and health.
4. **Continental shelf and status thereof.** - The continental shelf of Ciskei shall be the continental shelf as defined in the United Nations Convention on the Law of the Sea, 1982 and shall be deemed to be unalienated State land for the purposes of -  
(a) the exploitation of the resources referred to in the said Convention; and  
(b) the application of the laws relating to mining, precious stones, metals or minerals, including natural oil.
5. **Application of certain laws.** - Any law relating to the territorial waters of Ciskei or to the sea within a distance of less than twelve nautical miles of the low-water mark shall apply -  
(a) in respect of the full extent of the territorial waters, determined as provided in section 2 (2); and  
(b) in so far as such law relates to fish or fishing, in respect of the full extent of the exclusive economic zone.
6. **Amendment and repeal of laws.** - The law mentioned in Part 1 of Schedule 2 is hereby amended in accordance with that Part and the laws mentioned in Part 2 of Schedule 2 are hereby repealed.
7. **Short title.** - This Act shall be called the Territorial Waters Act, 1986.

# TERRITORIAL WATERS ACT, 1986

## SCHEDULE 1

### RULES FOR THE DETERMINATION OF THE EXTENT OF THE TERRITORIAL WATERS

#### *Seaward limit of territorial waters*

The outer limit of the territorial waters is the line every point of which is at a distance of 12 nautical miles from the nearest point on the low-water mark.

#### *Internal waters*

Waters on the landward side of the low-water mark shall be the internal waters of Ciskei.

#### *Estuaries*

In a river flowing directly into the sea, the low-water mark shall be a straight line across the mouth of the river between points on the low-water mark on both banks.

#### *Harbours*

In the delimitation of the territorial waters the outermost permanent harbour works which form an integral part of the harbour system shall be regarded as forming a part of the coast.

## SCHEDULE 2

### PART 1

#### LAW AMENDED

Republic of Ciskei Constitution Act, 1981 (Act 20 of 1981) amended by the substitution for Schedule 1 of the following Schedule:

#### "SCHEDULE 1

#### AREA COMPRISING CISKEI

The districts of Hewu, Keiskammahoek, Mdantsane, Middledrift, Mpofu, Peddie, Victoria East and Zwelitsha, together with the seashore and territorial waters whereof.

For the purposes of this Schedule "territorial waters" means the territorial waters of the Republic of Ciskei determined in accordance with the provisions of the Territorial Waters Act, 1986, including, within the meaning and for objects of that Act, the exclusive economic zone and the continental shelf."

### PART 2

#### LAWS REPEALED

No. and Year of law	Short title
Act 57 of 1963	Territorial Waters Act, 1963
Act 98 of 1977	Territorial Waters Amendment Act, 1977