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GOVERNMENT NOTICE GOEWERMENTSKENNISGEWING

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM DEPARTEMENT VAN OMGEWINGSAKE EN TOERISME

No. 180

28 February 2001

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

LEVIES ON FISH AND FISH PRODUCTS

I, Mohammed Valli Moosa, Minister of Environmental Affairs and Tourism, acting with the concurrence of the Minister of Finance, hereby under section 29 of the Sea Fishery Act, impose the levies on fish and fish products as set out in the Schedule.

M. V. MOOSA

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*;

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

“**east coast sole**” means any fish of the species *Austroglossus pectoralis*;

“**hake**” means any fish of the genus *Merluccius*;

“**horse-mackerel**” means any fish of the species cape *Trachurus trachurus capensis*;

“**kingklip**” means any fish of the species *Genypterus capensis*;

“**langoustine**” means any crustacean of the species *Metanephrops mozambicus* (previous known as *Metanephrops andamanicus*);

“**monkfish**” means any fish of the species *Lophius vomerinus*;

“**pilchard**” means any fish of the species *Sardinops sagax*;

“**redeye round herring**” means any fish of the species *Etrumeus whiteheadi*;

“**red spotted sole**” 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*, *Gelidium pristoides*, *Suhria vittata*, *Gracilaria verrucosa*, *Laminaria pallida*, *Laminaria schinzii*, *Ecklonia maxima*, *Gigartina radula* and *Hypnea spicifera*;

“**shark**” means any fish of the class *chondrichthyes*;

“**shrimp**” means any crustacean of the superfamilies Caridea and Penaeodae including genus *Callinassa* and *Upogebia*;

“**tuna**” means the species *Allothunnus fallai*, *Euthynnus affinis*, *Gymnosarda unicolor*, *Katsuworus pelamis*, *Sarda orientalis* or *Sarda sarda* or any species of the genus *Thunnus*;

“**snoek**” means any fish of the species *Thyrstites atun*;

“**south coast rock lobster**” means any rock lobster of the species *Palinurus gilchristi*;

“**squid**” means any squid or chokka squid *Loligo vulgaris reynaudii*;

“**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 holder of a right to undertake commercial fishing of pelagic fish shall pay the following levy per ton whole mass fish:

R8,20 if the pelagic fish is used for industrial purposes and R31,20 if it is intended for human consumption;

- (b) a holder of a right to undertake commercial fishing of pelagic bait shall pay the following levy per ton whole mass fish:

R8,20 if the pelagic fish is used for industrial purposes and R31,20 if it is intended for human consumption.

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

4. A holder of a right to undertake commercial fishing of west coast rock lobster shall pay a levy of R3 000,00 per ton whole mass west coast rock lobster received/caught (subject to paragraph 14).

5. A holder of a right to undertake commercial fishing of south coast rock lobster shall pay a levy of R2 250,00 per ton whole mass or a levy of R5 000,00 per ton tail mass south coast rock lobster caught.

6. Subject to paragraph 14, a person who is the holder of a right to undertake commercial fishing by means of a bottom trawl net or midwater trawl net shall pay the following levy per ton whole mass caught:

Hake R115,00 sole R185,00, kingklip R187,50, horse mackerel R12,00, squid R291,00, east coast crustacean R115,00, monkfish R100,00, ribbonfish R12,00 and snoek R14,00.

7. A holder of a right to undertake commercial fishing of abalone shall pay a levy of R4 800,00 per ton whole mass abalone caught or received.

8. A holder of a right to undertake commercial fishing of linefish shall pay the following levies (fixed payment per category) on whole mass fish caught:

Whole mass catches per year	Levy per year
Two or less than two tonnes.....	R 110,00
Five tonnes and less, but more than two tonnes	R 385,00
Ten tonnes and less, but more than five tonnes	R 825,00
20 tonnes and less, but more than 10 tonnes.....	R1 650,00
30 tonnes and less, but more than 20 tonnes.....	R2 750,00
More than 30 tonnes	R3 850,00

9. A holder of right to undertake commercial fishing of tuna shall pay a levy of R100,00 per ton whole mass tuna caught.

10. A holder of a right to undertake commercial fishing of shark by means of a longline shall pay a levy of R100,00 per ton whole mass shark caught.

11. A holder of a right to undertake commercial fishing of hake by means of a longline shall pay a levy of R115,00 per ton whole mass hake caught as well as a levy of R187,50 per ton whole mass kingklip caught (subject to paragraph 14).

12. The holder of a right to undertake commercial fishing of squid shall pay a levy of R291,00 per ton whole mass squid caught.

13. A holder of a right to undertake commercial harvesting of seaweed shall pay a levy of R12 032,00 per year plus R39,00 per dry ton seaweed gathered.

14. For the purposes of paragraphs 4, 6 and 11 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:

Column 1	Column 2
Gurnard, headed and gutted	×1,40
Hake, broken and/or sour.....	×1,94
Hake, caught by means of the longline method.....	×1,10
Hake, headless and gutted	×1,46
Hake, trimmed, skinless fillets.....	×2,25
Hake, untrimmed fillets.....	×1,94
Horse mackerel gutted	×1,09
Horse mackerel, headless and gutted	×1,40
Kingklip, headless and gutted	×1,52
Kingklip, untrimmed fillets	×2,28
Langoustines, tails.....	×2,80
Monkfish, tails.....	×3,44

Column 1	Column 2
Ribbonfish, headed and gutted	×1,40
Ribbonfish, headed and tailed.....	×1,80
Shrimps, prawns, tails	×1,60
Snoek, frozen	×1,41
Snoek, salted (flecked).....	×2,12
Sole, (East coast sole) gutted	×1,046
Sole, (Red spotted sole) gutted	×1,06
Sole, (West coast sole) gutted	×1,06
West coast rock lobster (spiny or slipper tails)	×2,20

15. The levies payable in respect of fish caught during any one month shall be paid before the end of the following month except in the case of linefish (paragraph 8) where the levies will be paid before 31 December of the relevant year (based on the permit holders' own catch returns). If necessary, in the case of linefish, adjustments in respect of the levies payable will be made in the following year, and permit holders will be allowed to pay the adjusted levies on or before 30 June of the following year.

16. All payments of levies shall be accompanied by a form, certified by the holder of the right to undertake commercial fishing, that indicates the whole mass of fish caught or received during the month (or months in the instance of linefishing) concerned. This form is obtainable from the Chief Directorate: Marine and Coastal Management, 7th Floor, Foretrust Building, Martin Hammerschlag Way, Foreshore, Cape Town, 8001 or Private Bag X2, Roggebaai, 8012.

17. 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 (except in the case of linefish, where it will be calculated from the first day of the year following the year in which the fish is landed).

18. Levies and interest payable in terms of this Schedule, shall be paid to the Chief Directorate: Marine and Coastal Management, 7th Floor, Foretrust Building, Martin Hammerschlag Way, Foreshore, Cape Town, 8001 or Private Bag X2, Roggebaai, 8012.

19. 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.

20. Government Notice No. 1694 dated 24 December 1998, is hereby repealed.

21. This notice takes effect on **1 March 2001**.

No. 180

28 Februarie 2001

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

HEFFINGS TEN OPSIGTE VAN VIS EN VISPRODUKTE

Ek, Mohammed Valli Moosa, Minister van Omgewingsake en Toerisme, handelende met die instemming van die Minister van Finansies, lê kragtens artikel 29 van die Wet op Seevisserij, 1988 (Wet No. 12 van 1988), die heffings ten opsigte van vis en visprodukte op soos in die Bylae uiteengesit.

M. V. MOOSA

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 superfamilies Caridea en Penaeoidea met inbegrip van *Callinassa* en *Upogebia*;

“haai” enige vis van die klas *chondrichthyes*;

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

“langoustine” enige skaaldier van die spesie *Metanephrops mozambicus* (voorheen *Metanephrops andamanicus*);

“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 die waters van die provinsie KwaZulu-Natal aangetref en met bodemtreilnette gevang word;

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

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

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

"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 sagax*;

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

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

"stokvis" enige vis van die genus *Merluccius*;

"tuna" enige vis van die spesies *Allothunnus fallai*, *Euthynnus affinis*, *Gymnosardo unicolor*, *Katsuworus pelamis*, *Sarda orientalis* of *Sarda sarda* of enige spesie van die genus *Thunnus*;

"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 Houer van 'n reg om kommersiële visvangs van pelagiese vis te onderneem, die volgende heffing per ton heelgewig vis:

R8,20 indien pelagiese vis vir industriële doeleindes gebruik, word en R31,20 indien dit vir menslike gebruik bedoel is.

- (b) 'n Houer van 'n reg om kommersiële visvangs van pelagiese aas te onderneem, die volgende heffing per ton heelgewig vis:

R8,20 indien pelagiese vis vir industriële doeleindes gebruik word en R31,20 indien dit vir menslike gebruik bedoel is.

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

4. 'n Houer van 'n reg om kommersiële visvangs van weskuskreef te onderneem betaal 'n heffing van R3 000,00 per ton heelgewig weskuskreef ontvang/gevang (behoudens paragraaf 14).

5. 'n Houer van 'n reg om kommersiële visvangs van suidkuskreef te onderneem betaal 'n heffing van R2 250,00 per ton heelgewig of 'n heffing van R5 000,00 per ton stertmassa van suidkuskreef gevang.

6. 'Behoudens paragraaf 14, betaal die persoon wat 'n houer is van 'n reg om kommersiële visvangs te onderneem by wyse van 'n bodemtreil- of midwatertreilnet, die volgende heffing per ton heelgewig gevang:

Stokvis R115,00, tongvis, R185,00, koningklip R187,50, marsbanker R12,00, pylinkvis R291,00, ooskusskaaldiere R115,00, monnikvis R100,00, bottersnoek R12,00 en snoek R14,00.

7. 'n Houer van 'n reg om kommersiële visvangs van perlemoen te onderneem betaal 'n heffing van R4 800,00 per ton heelgewig perlemoen ontvang/gevang.

8. 'n Houer van 'n reg om kommersiële visvangs van lynvis te onderneem betaal die volgende heffings (vaste betaling per kategorie) op heelgewig vis gevang:

Heelgewig vis gevang per jaar	Heffing per jaar
Twee of minder as twee ton	R 110,00
Vyf ton en minder, maar meer as twee ton	R 385,00
Tien ton en minder, maar meer as vyf ton	R 825,00
20 ton en minder, maar meer as tien ton	R1 650,00
30 ton en minder, maar meer as 20 ton	R2 750,00
Meer as 30 ton	R3 850,00

9. 'n Houer van 'n reg om kommersiële visvangs van tuna te onderneem betaal 'n heffing van R100,00 per ton heelgewig tuna gevang.

10. 'n Houer van 'n reg om kommersiële visvangs van haai by wyse van 'n langlyn te onderneem betaal 'n heffing van R100,00 per ton heelgewig haai gevang.

11. 'n Houer van 'n reg om kommersiële visvangs van stokvis by wyse van 'n langlyn te onderneem betaal 'n heffing van R115,00 per ton heelgewig stokvis asook R187,50 per ton heelgewig koningklip gevang (onderworpe aan paragraaf 14).

12. 'n Houer van 'n reg om kommersiële visvangs van pylinkvis te onderneem betaal 'n heffing van R291,00 per ton heelgewig pylinkvis wat gevang word.

13. 'n Houer van 'n reg om kommersiële oestery van seewier te onderneem betaal 'n heffing van R12 032,00 per jaar plus R39,00 vir elke ton (drooggewig) seewier versamel.

14. By die toepassing van paragraaf 4, 6 en 11 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:

Kolom 1	Kolom 2
Bottersnoek, sonder kop en derms	×1,40
Bottersnoek, sonder kop en sterte	×1,80
Garnale, steurgarnale, sterte	×1,60
Koningklip, onbewerkte filette	×2,28
Koningklip, sonder kop en derms	×1,52
Langoustines, sterte	×2,80
Lanternvis, sonder kop en derms	×1,40
Marsbanker, sonder derms	×1,09
Marsbanker, sonder kop en derms	×1,40
Monnikvis, sterte	×3,44
Snoek, gesout (gevlak)	×2,12
Snoek, gevries	×1,41
Stokvis, bewerk, vellose filette	×2,25
Stokvis, gebreek en/of suur	×1,94
Stokvis, met langlynmetode gevang	×1,10
Stokvis, onbewerkte filette	×1,94
Stokvis, sonder kop en derms	×1,46
Tongvis, (Ooskustongvis) sonder derms	×1,046
Tongvis, (Rooi gespikkelde tongvis) sonder derms	×1,06
Tongvis, (Weskustongvis) sonder derms	×1,06
Weskuskreef ("spiny" of "slipper") sterte	×2,20

15. Die heffings betaalbaar ten opsigte van die vis wat gedurende enige maand gevang is, moet voor die einde van die daaropvolgende maand betaal word, behalwe in die geval van lynvis (paragraaf 8) waar die heffings voor 31 Desember van die betrokke jaar betaal moet word (gebaseer op die permithouers se eie vangsofgawes). Indien nodig, in geval van lynvis, sal aanpassings ten opsigte van die heffings betaalbaar in die daaropvolgende jaar gemaak word en sal permithouers toegelaat word om die aangepaste heffings voor of op 30 Junie van die daaropvolgende jaar te betaal.

16. Alle betalings van heffings moet vergesel wees van 'n vorm, gesertifiseer deur die houder van die reg om kommersiële visvangs te onderneem, waarin die totale massa vis gevang of ontvang gedurende die betrokke maand (of maande in die geval van lynvis), getoon word. Hierdie vorm is verkrygbaar by die Hoofdirektoraat: Mariene en Kusbestuur, 7de Verdieping, Foretrustgebou, Martin Hammerslagweg, Strandgebied, Kaapstad of Privaatsak X2, Roggebaai, 8012.

17. 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 (behalwe in die geval van lynvis, waar dit bereken sal word vanaf die eerste dag van die jaar wat volg op die jaar waarin die vis gevang is).

18. Heffings en rente betaalbaar ingevolge hierdie Bylae, moet betaal word aan die Hoofdirektoraat: Mariene en Kusbeheer, 7de Verdieping, Foretrustgebou, Martin Hammerslagweg, Strandgebied, Kaapstad of Privaatsak X2, Roggebaai, 8012.

19. 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.

20. Goewermentskennisgewing No. 1694 van 24 Desember 1998 word hierby herroep.

21. Hierdie kennisgewing tree op **1 Maart 2001** in werking.

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