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**AIDS HELPLINE: 0800-123-22 Prevention is the cure**

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## GENERAL NOTICE ALGEMENE KENNISGEWING

### NOTICE 924 OF 2001

#### SOUTH AFRICAN MARITIME SAFETY AUTHORITY

SOUTH AFRICAN MARITIME SAFETY AUTHORITY LEVIES ACT, 1998  
(ACT No. 6 OF 1998)

#### DETERMINATION OF LEVIES

The South African Maritime Safety Authority has, under section 2 of the South African Maritime Safety Authority Levies Act, 1998 (Act No. 6 of 1998), revoked the determination published by General Notice 1420 of 31 March 2000, and has, under the said section, made the determination in the accompanying Schedule, with effect in each case from 1 June 2001.

### SCHEDULE

#### Definitions

1. In this determination any word or expression given a meaning in the Act has the meaning so given and, unless the context indicates otherwise—

**"Chief Executive Officer"** has the same meaning as in section 1 of the South African Maritime Safety Authority Act, 1998 (Act No. 5 of 1998);

**"coaster"** means any ship that is treated as a coaster for the purposes of liability for light dues in terms of the applicable Portnet tariffs;

**"commercial port"** means a harbour of which Transnet Limited has become the owner in terms of section 3 of the Legal Succession to the South African Transport Services Act, 1989 (Act No. 9 of 1989);

**"fishing vessel"** means any ship used for the catching, storage or processing of fish or other living resources of the sea for financial gain or reward;

**"overall length"**, in relation to a ship, means the distance between—

- (a) a vertical line passing through a point, being the foremost part of the stem of the ship; and
- (b) a vertical line passing through a point, being the aftermost part of the stern of the ship;

**"port"** has the same meaning as in section 2(1) of the Merchant Shipping Act, 1951 (Act No. 57 of 1951);

**"Portnet"** means the division of Transnet Limited having responsibility for commercial ports;

**"sport or recreation"** has the same meaning as in section 2(1) of the Merchant Shipping Act, 1951 (Act No. 57 of 1951);

**"the Act"** means the South African Maritime Safety Authority Levies Act, 1998 (Act No. 6 of 1998);

**"ton"**, in relation to a ship, means—

- (a) the gross tonnage of the ship as reflected in its tonnage certificate issued in conformity with the International Convention on Tonnage Measurement of Ships, 1969, converted to cubic metres (conversion factor 2,83); or
- (b) where the ship's tonnage certificate is not available, the ship's highest tonnage as reflected in Lloyds Register of Shipping, converted to cubic metres (conversion factor 2,83).

#### **Determination not applicable to certain ships**

2. This determination does not apply to—

- (a) ships in distress;
- (b) ships in innocent passage;
- (c) ships used solely for sport or recreation;
- (d) ships belonging to the South African Police Service;
- (e) ships belonging to the South African National Defence Force or the defence force of another state; or
- (f) ships belonging to the National Sea Rescue Institute.

#### **Imposition of levies**

3. (1) Levies are payable in accordance with the Annex by the ship's owner, charterer, operator or agent.

(2) Any person who has paid an amount in respect of levy, being an amount not due to the Authority, may apply in writing to the Authority for a refund of that amount.

(3) Nothing in this paragraph prevents the collection by the Authority directly of any levy expressed to be payable to Portnet.

#### **Overdue levies**

4. Interest at the applicable prime bank overdraft rate charged by the Authority's banker, plus one per cent, compounded monthly, is payable in respect of the outstanding balance of any levy after the due date.

#### **Variation and waiver of levies**

5. The Chief Executive Officer may in special cases reduce or waive any levy on such conditions (if any) as he or she thinks fit.

**ANNEX**  
(Paragraph 3)

**LEVIES\***

The amounts in the table exclude value-added tax (VAT).

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>(a) <b><i>Ships required to hold a local safety certificate issued in terms of the Merchant Shipping Act, 1951 (Act No. 57 of 1951):</i></b></p> <ul style="list-style-type: none"> <li>● Per metre overall length or part thereof per calendar year or part thereof—R2,60.</li> <li>● Payable to the Authority at the same time as the charge for the initial or renewal survey of the ship for the issue of a local safety certificate, unless proof of prior payment to Portnet is produced.*</li> </ul>                                                |
| <p>(b) <b><i>Fishing vessels not required to hold a local safety certificate issued in terms of the Merchant Shipping Act, 1951 (Act No. 57 of 1951):</i></b></p> <ul style="list-style-type: none"> <li>● Per 100 tons or part thereof—R5,57.</li> <li>● Payable to Portnet upon each call at a commercial port.*</li> </ul>                                                                                                                                                                                                                                 |
| <p>(c) <b><i>Coasters:</i></b></p> <ul style="list-style-type: none"> <li>● Per 100 tons or part thereof per calendar month or part thereof—R5,57.</li> <li>● Payable to Portnet.*</li> <li>● If a coaster proceeds to a port outside the Republic of South Africa or the Republic of Namibia, then item (d) also applies.</li> </ul>                                                                                                                                                                                                                         |
| <p>(d) <b><i>All other ships:</i></b></p> <ul style="list-style-type: none"> <li>● Per 100 tons or part thereof—R5,57.</li> <li>● Payable upon first entry into the territorial waters of the Republic after a voyage from a port outside the Republic, except in the case of a ship engaged solely in replenishing provisions or changing crew beyond port limits.</li> <li>● Payable to Portnet in the case of a ship calling at a commercial port, or to the Authority in any other case unless proof of prior payment to Portnet is produced.*</li> </ul> |

**Note:** \* All levies are payable strictly in accordance with the relative assessment issued by the Authority or Portnet, as the case may be.

\* Current levies have been inserted for comparative purposes and appear in bold text in square brackets after the proposed levy.



**KENNISGEWING 924 VAN 2001****SUID-AFRIKAANSE MARITIEME VEILIGHEIDSOWERHEID****WET OP HEFFINGS VAN DIE SUID-AFRIKAANSE MARITIEME  
VEILIGHEIDSOWERHEID, 1998 (WET No. 6 VAN 1998)****VASSTELLING VAN HEFFINGS**

Die Suid-Afrikaanse Maritieme Veiligheidsowerheid het kragtens artikel 2 van die Wet op Heffings van die Suid-Afrikaanse Maritieme Veiligheidsowerheid, 1998 (Wet No. 6 van 1998), die vasstelling wat by Algemene Kennisgewing 1420 van 31 Maart 2000 afgekondig is, herroep en het kragtens gemelde artikel die vasstelling in die bygaande Bylae gemaak, in elke geval met ingang vanaf 1 Junie 2001.

**BYLAE****Woordomskrywing**

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

**"die Wet"** die Wet op Heffings van die Suid-Afrikaanse Maritieme Veiligheidsowerheid, 1998 (Wet No. 6 van 1998);

**"hawe"** dieselfde as in artikel 2(1) van die Handelskeepvaartwet, 1951 (Wet No. 57 van 1951);

**"Hoof- Uitvoerende Beampte"** dieselfde as in artikel 1 van die Wet op die Suid-Afrikaanse Maritieme Veiligheidsowerheid, 1998 (Wet No. 5 van 1998);

**"kommersiële hawe"** 'n hawe waarvan Transnet Beperk ingevolge artikel 3 van die Wet op die Regsopvolging van die Suid-Afrikaanse Vervoerdienste, 1989 (Wet No. 9 van 1989), die eienaar geword het;

**"kusvaarder"** 'n skip wat vir die doeleindes van aanspreeklikheid vir liggelde ingevolge die toepaslike Portnet-tariewe as 'n kusvaarder behandel word ;

**"Portnet"** die afdeling van Transnet Beperk wat verantwoordelikheid vir kommersiële hawens het;

**"sport of ontspanning"** dieselfde as in artikel 2(1) van die Handelskeepvaartwet, 1951 (Wet No. 57 van 1951);

**"ton"**, met betrekking tot 'n skip—

- (a) die bruto tonnemaat van die skip soos weerspieël deur die skip se tonnemaatsertifikaat uitgereik in ooreenstemming met die Internasionale Konvensie insake die Tonnemaatberekening van Skepe, 1969, omgerek en tot kubieke meter (omrekeningsfaktor 2,83); of
- (b) waar die skip se tonnemaatsertifikaat nie beskikbaar is nie, die skip se hoogste tonnemaat weerspieël in die Lloyds-skeepsregister, omgerek en tot kubieke meter (omrekeningsfaktor 2,83);

"totale lengte", met betrekking tot 'n skip, die afstand tussen—

- (a) 'n vertikale lyn wat deur 'n punt loop wat die heel voorste deel van die voorstewe van die skip is; en
- (b) 'n vertikale lyn wat deur 'n punt loop wat die heel agterste deel van die agterstewe van die skip is;

"vissersvaartuig" 'n skip wat vir die vang, opberging of verwerking van vis of ander lewende hulpbronne van die see vir geldelike voordeel of beloning gebruik word.

### **Vasstelling nie van toepassing nie op sekere skepe**

2. Hierdie vasstelling is nie van toepassing nie op—

- (a) skepe wat in nood verkeer;
- (b) skepe wat op vrye en vreedsame deurvaart is;
- (c) skepe wat slegs vir sport en ontspanning gebruik word;
- (d) skepe wat aan die Suid-Afrikaanse Polisie behoort;
- (e) skepe wat aan die Suid-Afrikaanse Nasionale Weermag of die weermag van 'n ander land behoort; of
- (f) skepe wat aan die Nasionale Seereddingsinstituut behoort.

### **Oplegging van heffings**

3. (1) Heffings word ooreenkomstig die Aanhangsel deur die skip se eienaar, bevrachter, operateur of agent betaal.

(2) Enigiemand wat 'n bedrag ten opsigte van 'n heffing betaal het, welke bedrag nie aan die Owerheid verskuldig is nie, kan skriftelike by die Owerheid aansoek doen om terugbetaling van daardie bedrag.

(3) Hierdie paragraaf verhoed nie die direkte insameling deur die Owerheid van 'n heffing wat aan Portnet betaalbaar is, nie.

### **Agterstallige heffings**

4. Rente teen die toepaslike prima bankkoers wat deur die Owerheid se bankier gehef word, plus een persent, maandeliks saamgestel, is betaalbaar ten opsigte van die uitstaande balans van enige heffing ná die betaaldatum.

### **Wysiging en kwytskelding van heffings**

5. Die Hoof- Uitvoerende Beampte kan in besondere gevalle enige heffing verminder of dit kwytskeld op die voorwaardes (as daar is) wat hy of sy goeddink.

## AANHANGSEL

(Paragraaf 3)

## HEFFINGS

Die bedrae in die tabel vermeld sluit belasting op toegevoegde waarde (BTW) uit.

|     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (a) | <p><b><i>Skepe wat in besit moet wees van 'n plaaslike veiligheidsertifikaat uitgereik ingevolge die Handelskeepvaartwet, 1951 (Wet No. 57 van 1951):</i></b></p> <ul style="list-style-type: none"> <li>● Per meter totale lengte of deel daarvan per kalender jaar of deel daarvan—R2,60.</li> <li>● Betaalbaar aan die Owerheid by betaling van die gelde vir die aanvangs- of hernuwingsopname van die skip vir die uitreiking van 'n plaaslike veiligheidsertifikaat, tensy bewys van voorafbetaling aan Portnet getoon kan word.*</li> </ul>                          |
| (b) | <p><b><i>Vissersvaartuie wat nie in besit moet wees van 'n plaaslike veiligheidsertifikaat uitgereik ingevolge die Handelskeepvaartwet, 1951 (Wet No. 57 van 1951):</i></b></p> <ul style="list-style-type: none"> <li>● Per 100 ton of deel daarvan—R5,57.</li> <li>● Betaalbaar aan Portnet by elke aandoen by 'n kommersiële hawe.*</li> </ul>                                                                                                                                                                                                                           |
| (c) | <p><b><i>Kusvaarders:</i></b></p> <ul style="list-style-type: none"> <li>● Per 100 ton of deel daarvan per kalender maand of deel daarvan—R5,57.</li> <li>● Betaalbaar aan Portnet.*</li> <li>● Indien 'n kusvaarder na 'n hawe buite die Republiek van Suid Afrika of die Republiek van Namibië reis, is item (d) ook van toepassing.</li> </ul>                                                                                                                                                                                                                           |
| (d) | <p><b><i>Alle ander skepe:</i></b></p> <ul style="list-style-type: none"> <li>● Per 100 ton of deel daarvan—R5,57.</li> <li>● Betaalbaar by die eerste ingaan van die territoriale waters van die Republiek ná 'n reis vanaf 'n hawe buite die Republiek, behalwe in die geval van 'n skip wat buite haweperke slegs proviand aanvul of bemanning verander.</li> <li>● Betaalbaar aan Portnet in die geval van 'n skip wat by 'n kommersiële hawe aandoen, of aan die Owerheid in enige ander geval tensy bewys van voorafbetaling aan Portnet getoon kan word.*</li> </ul> |

**Opmerking:** \* Alle heffings is betaalbaar streng ooreenkomstig die betrokke aanslag uitgereik deur die Owerheid of Portnet, na gelang van die geval.