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GENERAL NOTICE ALGEMENE KENNISGEWING

NOTICE 1751 OF 2001

INVITATION TO APPLY FOR PERMITS TO OPERATE A WHALE WATCHING BUSINESS FROM A VESSEL IN TERMS OF THE PROVISIONS OF THE MARINE LIVING RESOURCES ACT, 1998 (ACT NO. 18 OF 1998)

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 a total of 13 permits to operate a Whale Watching Business from a Vessel in terms of the provisions of the Marine Living Resources Act, 1998 (Act no. 18 of 1998) ("the Act") for the 2001/2002 season for the following areas:

BOAT BASED WHALE WATCHING AREAS:				
NB. ALL POSITIONS ARE BASED ON THE NAVIGATION FORMAT WGS84				
In all cases the boundaries of each area are defined, on the West Coast up to Slangkop Lighthouse by as a line due west (true bearing) through the given position, Cape Point up to Woody Cape by a line drawn due south (true bearing) through the given position and on the East Coast up to Cape Vidal by a line drawn due east (true bearing) through the given position. No commercial whale or dolphin watching vessel may enter a closed area.				
AREA	DESCRIPTION	LATITUDE	LONGITUDE	
AREA LAMBERT'S BAY	Olifants River Mouth (Northern Boundary) to Cape Deseeda (Southern Boundary)	31°42.0'S 32°19.0632'S	18°11.20'E 18°19.1766'E	1 Permit
SALDANHA BAY AREA	North Head Lighthouse Saldanha Bay (Northern boundary) to Dassen Island Lighthouse (Southern Boundary)	33°03.0'S 33°25.917'S	17°54.75'E 18°05.417'E	1 Permit
STRUISBAAI/ARNISTON AREA	Cape Agulhas lighthouse. (Western boundary) to Skipskop onshore (Waypoint 1) and then extending due south (true bearing) from waypoint 1	34° 49.758'S 34° 34.938'S	20° 0.579'E 20° 21.8898'E	1 Permit
PLETTENBERG BAY AREA	The Western boundary is a line joining Waypoints 1,2,3,4 and then extending due south (true bearing) from Waypoint 4: 1nm East of Robberg Peninsula (on land) Waypoint 1 1nm offshore Robberg Beach Waypoint 2 1nm offshore Robberg Peninsula Waypoint 3 1nm offshore Robberg Peninsula Waypoint 4 The Eastern boundary is a line drawn due south (true bearing) through Nature's Valley (on land)	34°04.992'S 34°04.937'S 34°05.283'S 34°06.446'S 33°59.399'S	23°22.343'E 23°23.524'E 23°24.695'E 23°25.981'E 23°32.236'E	2 Permits
PORT ELIZABETH AREA	Cape Recife (Western boundary) to Woody Cape (Eastern boundary)	34°01.731'S 33°45.935'S	25°42.043'E 26°20.016'E	1 Permit
WOODY CAPE TO ROCKY POINT AREA	Woody Cape (Western boundary) to Rocky Point at the Great Fish River mouth (Northern boundary)	33°45.935'S 33°29.642'S	26°20.016'E 27°08.580'E	1 Permit
EAST LONDON AREA	Rocky Point at the Great Fish River mouth (Southern boundary) to Kei River Mouth, North Bank (Northern boundary)	33°29.642'S 32°40.589'S	27°08.580'E 28°23.146'E	1 Permit
TRANSKEI AREA	Kei River Mouth, north Bank (Southern boundary) to Rame Head, Coffee Bay area (Northern boundary).	32°40.589'S 31°48.249'S	28°23.146'E 29°20.968'E	1 Permit
PORT ST JOHNS AREA	Rame Head, Coffee Bay area (Southern boundary) to South Sand Bluff Lighthouse, Port St Johns area (Northern boundary)	31°48.249'S 31°19.652'S	29°20.968'E 29°57.660'E	1 Permit

SOUTH SAND BLUFF TO MARGATE AREA	South Sand Bluff Lighthouse, Port St Johns area (Southern boundary) to Margate (Northern boundary)	31°19.652'S 30°51.602'S	9°57.660'E 30°22.412'E	1 Permit
DURBAN AREA	Green Point Lighthouse, Scottburgh (Southern boundary) to Tugela River, North Bank (Northern boundary)	30°14.919'S 29°13.308'S	30°46.607'E 31°30.288'E	1 Permit
SODWANA BAY AREA	N5 beacon, Red Cliffs (Southern boundary) to N3 beacon approximately 11 km north of Ngoboseleni stream, Sordwana Bay (Northern boundary)	27° 43.056'S 27° 26.837'S	32°37.592'E 32° 42.143'E	1 Permit

Interested parties may apply for the permits as set out in the table above on the application form which is available at the Cape Town office of the Department of Environmental Affairs and Tourism, Branch: Marine and Coastal Management, 7th Floor, Foretrust Building, Martin Hammerschlag Way, Foreshore, Cape Town, 8001 / Private Bag X2, Roggebaai, 8012.

An applicant must be one of the following:

- (a) A South African citizen in terms of the South African Citizenship Act, 1995 (Act No. 88 of 1995);
- (b) a company registered in terms of the Companies Act, 1973 (Act No. 61 of 1973), in which the majority of shareholders are South African citizens;
- (c) a close corporation in terms of the Close Corporation Act, 1984 (Act No. 69 of 1984), of which the majority of members are South African citizens; or
- (d) a trust in which –
 - (i) the majority of trustees, having the controlling power, are South African citizens; or
 - (ii) a majority of the beneficial interests are held by South African citizens.

Applicants should note that in addition to the principles and objectives set out in Section 2 of the Act, the following factors will be considered as prerequisites in the assessment of applications duly submitted in terms of this notice:

- (a) An operational specialised BBWW vessel (excluding aircraft) endorsed by SAMSA is a prerequisite.
- (b) A registered tour guide as a staff member is a prerequisite. All guides should hold tourism certificates for at least level two – general guiding, according to National Qualification Standards.
- (c) Boats carrying five persons or less require a skipper/guide only. Boats carrying more than five persons, up to fourteen persons need at least one guide on board. Boats carrying more than fourteen persons on board require two guides on board.
- (d) Skippers need to hold a valid skippers ticket with the necessary SAMSA ratings to carry passengers. The guides and the skipper need to have completed the training module “Whale watching Theory for Boat Based Whale Industry”. In addition to the theory module, the skipper needs to have completed his practical on ‘approaches’.

The closing date for applications will be **21 days after publication of this notice**. Applicants must ensure that their applications reach the office of the The Deputy Director-General, Department of Environmental Affairs and Tourism, Branch: Marine and Coastal Management, 7th Floor, Foretrust Building, Martin Hammerschlag Way, Foreshore, Cape Town, 8001 / Private Bag X2, Roggebaai, 8012 (Attention: Mr. R Bodenham, Tel. no.: 021- 4023911, Fax no.: 021 - 4252920) before or on the due date (21 days after publication of this notice) stipulated above. No faxed applications will be accepted. Applications received after the closing date will not be considered. As previous applications will not be taken into consideration, interested persons who submitted such applications are advised to re-apply.

KENNISGEWING 1751 VAN 2001**UITNODIGING OM AANSOEK TE DOEN VIR PERMITTE OM 'n WALVISBESIGTIGINGSAAK VANAF 'n BOOT TE BEDRYF INGEVOLGE BEPALINGS VAN DIE WET OP LEWENDE MARIENE HULPBRONNE, 1998 (WET NO. 18 VAN 1998)**

Die Departement van Omgewingsake en Toerisme maak hiermee vir algemene inligting bekend dat die Agbare Minister van Omgewingsake Sake en Toerisme van plan is om 13 permitte om 'n walvisbesigtigingszaak vanaf 'n boot te bedryf ingevolge bepalings van die Wet op Lewende Mariene Hulpbronne, 1998 (Wet No. 18 van 1998) ("die Wet") uit te reik vir die 2001/2002 seisoen vir die volgende areas:

AREAS VIR WALVISBESIGTIGING VANAF BOTE:				
NB. ALLE POSISIES IS GEBASEER OP NAVIGASIE FORMAAT WGS84				
In alle gevalle word die grense van elke area gedefinieer, aan die Weskus tot by Slangkop Vuurtoring, deur 'n lyn reg wes deur die gegewe verwysingspunt, Kaappunt tot by Woody Cape deur 'n lyn reg suid deur die gegewe verwysingspunt en aan die Ooskus tot by Kaap Vidal, deur 'n lyn reg oos deur die gegewe verwysingspunt, behalwe waar aangedui. Geen kommersiële walvis of dolfinbesigtigingsboot mag 'n geslote area binnegaan nie				
AREA	BESKRYWING	BREEDTE- GRAAD	LENGTE- GRAAD	
LAMBERTSBAAI AREA	Olifantsriviermond (Noordelike grens) na Kaap Deseeda (Suidelike grens)	31°42.0'S 32°19.0632'S	18°11.20'E 18°19.1766'E	1 Permit
SALDANHABAAI AREA	Noordkop Vuurtoring Saldanhabaai (Noordelike grens) na Dassen Eiland Vuurtoring (Suidelike grens)	33°03.0'S 33°25.917'S	17°54.75'E 18°05.417'E	1 Permit
STRUISBAAI/ARNISTON AREA	Kaap Agulhas Vuurtoring (Westelike grens) na Skipskop aanlandig (Verwysingspunt 1) en verleng dan reg suid (ware rigting) vanaf verwysingspunt 1	34°49.758'S 34°34.938'S	20°0.579'E 20°21.8898'E	1 Permit
PLETTENBERGBAAI AREA	Die Westelike grens is 'n lyn wat verwysingspunte 1,2,3,4 verbind en dan reg suid (ware peiling) verleng vanaf verwysingspunt 4: 1 seemyl Oos van Robberg Skiereiland (op land) (Verwysingspunt 1) 1 seemyl aflandig Robbergstrand (Verw.punt 2) 1 seemyl aflandig Robberg Skiereiland (Verwysingspunt 3) 1 seemyl aflandig Robberg Skiereiland (Verwysingspunt 4) Die Oostelike grens is 'n lyn getrek reg suid (ware peiling) deur Nature's Valley (op land)	34°04.992'S 34°04.937'S 34°05.283'S 34°06.446'S 33°59.399'S	23°22.343'E 23°23.524'E 23°24.695'E 23°25.981'E 23°32.236'E	2 Permitte
PORT ELIZABETH AREA	Kaap Recife (Westelike grens) na Woody Kaap (Oostelike grens)	34°01.731'S 33°45.935'S	25°42.043'E 26°20.016'E	1 Permit
WOODY CAPE TOT ROCKYPUNT AREA	Woody Kaap (Westelike grens) na Rockypunt by die Groot Visrivier mond (Noordelike grens)	33°45.935'S 33°29.642'S	26°20.016'E 27°08.580'E	1 Permit
OOSLONDEN AREA	Rockypunt by die Groot Visrivier mond (Suidelike grens) na Keirivier mond, Noordelike Wal (Noordelike grens)	33°29.642'S 32°40.589'S	27°08.580'E 28°23.146'E	1 Permit
TRANSKEI AREA	Keirivier mond, Noordelike Wal (Suidelike grens) na Rame Head, Koffiebaai area (Noordelike grens).	32°40.589'S 31°48.249'S	28°23.146'E 29°20.968'E	1 Permit
PORT ST JOHNS AREA	Rame Head, Koffiebaai area (Suidelike grens). na South Sand Bluff Vuurtoring, Port St Johns area (Noordelike grens)	31°48.249'S 31°19.652'S	29°20.968'E 29°57.660'E	1 Permit

SOUTH SAND BLUFF TOT MARGATE AREA	South Sand Bluff Vuurtoring, Port St Johns area (Suidelike grens) na Margate (Noordelike grens)	31°19.652'S 30°51.602'S	29°57.660'E 30°22.412'E	1 Permit
DURBAN AREA	Groenpunt Vuurtoring, Scottburgh (Suidelike grens) na Tugelarivier, Noordoewer (Noordelike grens)	30°14.919'S 29°13.308'S	30°46.607'E 31°30.288'E	1 Permit
SODWANABAAI AREA	N5 baken, Red Cliffs (Suidelike grens) na N3 baken ongeveer 11 km noord van Ngoboseleni stroom, Sodwanabaai (Noordelike grens)	27°43.056'S 27°26.837'S	32°37.592'E 32°42.143'E	1 Permit

Belangstellende partye mag aansoek doen vir die permitte soos in die tabel hierbo uiteengesit, op die aansoekvorm wat verkrygbaar is by die Kaapstadse kantoor van die Departement van Omgewingsake en Toerisme, Tak: Mariene- en Kusbestuur, 7de Vloer, Foretrustgebou, Martin Hammerschlag Weg, Strandgebied, Kaapstad 8001 / Privaatsak X2, Roggebaai, 8012.

'n Aansoeker moet een van die volgende wees:

- (a) 'n Suid-Afrikaanse burger, ingevolge die Wet op Suid-Afrikaanse Burgerskap, 1995 (Wet No. 88 van 1995);
- (b) 'n Maatskappy, geregistreer ingevolge die Maatskappywet, 1973 (Wet No. 61 van 1973), waarvan die mederheid aandeelhouers Suid-Afrikaanse burgers is;
- (c) 'n Beslote Korporasie, ingevolge die wet op Beslote Korporasies, 1984 (Wet No. 69 van 1984), waarvan die meerderheid aandeelhouers Suid-Afrikaanse burgers is; of
- (d) 'n Trust waarvan –
 - (i) die meerderheid van die trustees wat die beheerende bevoegdheid het op Suid-Afrikaanse burgers is; of
 - (ii) die voordele meerendeels Suid-Afrikaanse burgers toeval.

Aansoekers moet daarop let dat addisioneel tot beginsels en doelwitte soos uiteengesit in Artikel 2 van die Wet, die volgende faktore as voorvereistes in aanmerking geneem sal word by die evaluering van aansoeke wat behoorlik ingevolge hierdie kennisgewing ingedien is:

- (a) 'n Operasioneel gespesialiseerde walvisbesigtigings vaartuig (vliegtuie uitgesluit) endosseer deur SAMSA is 'n voorvereiste.
- (b) 'n Geregistreerde toergids as 'n personeellid is 'n voorvereiste. Alle toergidse moet toerisme sertifikate tot op vlak twee hê – algemene leiding, volgens die Nasionale Kwalifikasie Standaard.
- (c) Vaartuie wat vyf persone of minder dra benodig slegs 'n skipper/gids. Vaartuie wat vanaf vyf tot veertien persone dra, benodig ten minste een gids aan boord. Vaartuie wat meer as veertien persone aan boord dra benodig twee gidse aan boord.
- (d) Skippers moet 'n geldige skipper sertifikaat hê met die nodige SAMSA graderings om passasiers te vervoer. Die gidse en die skipper moes reeds die opleidingsmodule "Walvisbesigtiging Teorie vir Bootgebaseerde Walvis Industrie" voltooi het. Addisioneel tot die teorie module moet die skipper ook die praktika van "naderings" voltooi het.

Die sluitingsdatum vir aansoeke sal **21 dae na publikasie hierdie kennisgewing wees.** Aansoekers moet toesien dat hul aansoeke die kantoor van die Departement van Omgewingsake en Toerisme, Adjunk Direkteur-Generaal: Tak Mariene- en Kusbestuur, 7de Vloer, Foretrustgebou, Martin Hammerschlag Weg, Strandgebied, Kaapstad 8001 / Privaatsak X2, Roggebaai, 8012, (Aandag: Mnr. R Bodenham, Tel. No.: 021 – 4023911, Faksnommer: 021 – 4252920) voor of op die sluitingsdatum (21 dae na publikasie van hierdie kennisgewing) bereik. Geen faks aansoeke sal aanvaar word nie. Aansoeke wat na die sluitingsdatum ontvang word, sal nie oorweeg word nie. Aangesien vorige aansoeke nie in aanmerking geneem sal word nie, word belangstellende partye versoek om opnuut weer aansoek te doen.

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