



Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID-AFRIKA

Vol. 474

Pretoria, 8 December 2004
Desember

No. 27067



AIDS HELPLINE: 0800-0123-22 Prevention is the cure

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GOVERNMENT NOTICE GOEWERMENTSKENNISGEWING

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM DEPARTEMENT VAN OMGEWINGSAKE EN TOERISME

No. 1427

8 December 2004

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

LEVIES ON FISH AND FISH PRODUCTS

I, Marthinus van Schalkwyk, 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.

MARTHINUS VAN SCHALKWYK
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—

"albacore" means the species *Athunnus allalunga*.

"bigeye tuna" means the species *Thunnus obesus*;

"shark" means any fish of the class *Chondrichthyes*

"southern bluefin tuna " means the species *Thunnus maccoyii*;

"swordfish" means the species *Xiphias gladius*;

"the Act " means the Sea Fishery Act, 1988 (Act no. 12 of 1988);

"yellowfin tuna " means the species *Thunnus albacares*;

2. A holder of a right to undertake commercial fishing of tuna or swordfish by means of a longline must pay the following levies per ton of fish landed if a South African flagged vessel is used to land the fish:

SPECIES	LEVY (R/TON) ON WHOLEMASS LANDINGS
Southern bluefin tuna	900
Bigeye tuna	300
Yellowfin tuna	300
Swordfish	300
All other species (including albacore and shark)	113

3. A holder of a right to undertake commercial fishing of tuna or swordfish by means of a longline must pay the following levies per ton fish landed if a foreign flagged vessel is used to land the fish:

SPECIES	LEVY (R/TON) ON WHOLEMASS LANDINGS
Southern bluefin tuna	1800
Bigeye tuna	600
Yellowfin tuna	600
Swordfish	600
All other species (including albacore and shark)	226

4. The levies payable in respect of fish caught during any one month must be paid before the end of the following month.
5. All payments of levies must be accompanied by a form, certified by the holder of the right to undertake commercial fishing, that indicates the whole mass of fish caught during the month concerned. This form is obtainable from: Marine and Coastal Management, 6th Floor, Foretrust Building, Martin Hammerschlag Road, Foreshore, Cape Town, 8001 / Private Bag X2, Roggebaai, 8012.
6. 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.
7. Levies and interest payable in terms of this Schedule, must be paid to: the Marine Living

Resources Fund at Marine and Coastal Management, 6th Floor, Foretrust Building, Martin Hammerschlag Road, Foreshore, Cape Town, 8001 / Private Bag X2, Roggebaai, 8012.

8. **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.**
9. **This notice comes into effect immediately upon promulgation.**

WET OP SEEVISSERY, 1988 (WET NO. 12 VAN 1988)**HEFFINGS TEN OPSIGTE VAN VIS EN VISPRODUKTE**

Ek, Marthinus van Schalkwyk, 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.

MARTHINUS VAN SCHALKWYK

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 -

“albakoer” die spesie *Athunnus allalunga*;

“die Wet” die Wet op Seevisserij, 1988 (Wet No. 12 van 1988);

“geelvin-tuna” die spesie *Thunnus albacares*;

“grootoog-tuna” die spesie *Tunnis obesus*;

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

“suidelike blouvin-tuna” die spesie *Thunnus maccoyii*;

“swaardvis” die spesie *Xiphias gladius*;

2. 'n Houer van 'n reg om kommersiële visvangs van tuna of swaardvis by wyse van 'n langlyn te onderneem betaal die volgende heffings per ton heelgewig vis geland indien die vangste deur middel van 'n vissersboot wat onder die Suid Afrikaanse vlag geregistreer is, gemaak word:

SPESE	HEFFING (R/TON) OP VOLMASSA LANDINGS
Suidelike blouvin-tuna	900
Grootoog-tuna	300
Geelvin-tuna	300
Swaardvis	300
Alle ander spesies (insluitende albakoor en haai)	113

3. 'n Houer van 'n reg om kommersiële visvangs van tuna of swaardvis by wyse van 'n langlyn te onderneem betaal die volgende heffings per ton heelgewig vis geland indien die vangste deur middel van 'n vissersboot wat onder 'n buitelandse vlag geregistreer is, gemaak word:

SPECIES	LEVY (R/TON) ON WHOLEMASS LANDINGS
Suidelike blouvin-tuna	1800
Grootoog-tuna	600
Geelvin-tuna	600
Swaardvis	600
Alle ander spesies (insluitende albakoor en haai)	226

4. Die heffings betaalbaar ten opsigte van die vis wat gedurende enige maand gevang is, moet voor die einde van die daaropvolgende maand betaal word
5. Alle betalings van heffings moet vergesel wees van 'n vorm, gesertifiseer deur die houer van die reg om kommersiële visvangs te onderneem, waarin die totale massa vis gevang gedurende die betrokke maand getoon word. Hierdie vorm is verkrygbaar by: Mariene en Kusbestuur, 6de Verdieping, Foretrustgebou, Martin Hammerslagweg, Strandgebied, Kaapstad / Privaatsak X2, Roggebaai, 8012.
6. 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.

7. Heffings en rente betaalbaar ingevolge hierdie Bylae, moet betaal word aan die Marine Living Resources Fund van Mariene en Kusbestuur, 6de Verdieping, Foretrustgebou, Martin Hammerschlagweg, Strandgebied, Kaapstad / Privaatsak X2, Roggebaai, 8012.
 8. 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.
 9. Hierdie kennisgewing tree onmiddellik in werking.
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Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001
Publications: Tel: (012) 334-4508, 334-4509, 334-4510
Advertisements: Tel: (012) 334-4673, 334-4674, 334-4504
Subscriptions: Tel: (012) 334-4735, 334-4736, 334-4737
Cape Town Branch: Tel: (021) 465-7531

Gedruk deur en verkrygbaar by die Staatsdrukker, Bosmanstraat, Privaatsak X85, Pretoria, 0001
Publikasies: Tel: (012) 334-4508, 334-4509, 334-4510
Advertensies: Tel: (012) 334-4673, 334-4674, 334-4504
Subskripsies: Tel: (012) 334-4735, 334-4736, 334-4737
Kaapstad-tak: Tel: (021) 465-7531