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#### **PROCLAMATION**

# **PROCLAMATION**

## by the

# President of the Republic of South Africa

No. 16, 2013

# TRANSFER OF ADMINISTRATION AND POWERS AND FUNCTIONS ENTRUSTED BY LEGISLATION TO CERTAIN CABINET MEMBERS IN TERMS OF SECTION 97 OF THE CONSTITUTION

In terms of section 97 of the Constitution of the Republic of South Africa, 1996, I hereby transfer the administration and powers and functions entrusted by the specified legislation, and all amendments thereto, to the specified Cabinet member and amend and clarify previous proclamations as set out in the Schedule in English and isiZulu, with effect from the date of publication of this Proclamation in the *Gazette*.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town on this 23rd day of May, Two Thousand and Thirteen



By Order of the President-in-Cabinet:

MINISTER OR THE CABINET

MINISTER OF THE CABINET

### **SCHEDULE**

- 1. The administration of and the powers and functions entrusted by the legislation, mentioned in Column 1 of the tables below, to a Cabinet member mentioned in column 2 of the tables below are hereby transferred to the Cabinet member mentioned in column 3 of the tables below.
- 2. Column 2 of the Schedule states the Minister or Ministers in whom, immediately prior to the commencement of this Proclamation, by virtue of the following Proclamations, the administration or powers and functions of the legislation mentioned in Column 3 vests:
  - (a) Proclamation No. 44 of 1 July 2009, published in Government Gazette No 32367 of that date; and
  - (b) Proclamation No. 1 of 10 February 2010, published in Government Gazette No. 32945 of that date.
- 3. Column 3 of the Schedule states the relevant Minister and the extent of the transfer of the administration of legislation and the powers and functions entrusted by legislation to that Minister. Column 3 also states instances where the administration of and powers and functions entrusted by legislation remain with the relevant Minister.
- 4. In so far as this Schedule may differ from or be in conflict with the Schedules to the Proclamations mentioned in item 2 above, and in so far as those Schedules relate to the Marine Living Resources Act, 1998 (Act No. 18 of 1998), this Schedule prevails.
- 5. Below, the Marine Living Resources Act, 1998 (Act No. 18 of 1998), is referred to as the Marine Living Resources Act, 1998.

# **ENVIRONMENTAL RELATED LEGISLATION:**

COLUMN 1	COLUMN 2	COLUMN 3
LEGISLATION	CABINET MEMBER PREVIOUSLY RESPONSIBLE	CABINET MEMBER TO WHOM FUNCTION IS TRANSFERRED AND EXTENT OF TRANSFER
1. Marine Living Resources Act, 1998: Sections 1 to 4	Minister of Water and Environmental Affairs and Minister of Agriculture, Forestry and Fisheries	1. The Minister of Water and Environmental Affairs in so far as the administration of and the powers and duties provided for in the sections referred to in Column 1 pertain to the administration of, and the exercise of the powers and performance of the functions contained in—  (a) section 43 of the Marine Living Resources Act, 1998; and  (b) the regulations and other provisions listed in this proclamation relating to marine protected areas; and  (c) the regulations listed in this proclamation relating to whales, dolphins, turtles and white sharks.

		2. The Minister of Agriculture, Forestry and Fisheries in so far as the administration of and the powers and duties provided for in the sections referred to in Column 1 pertain to the administration of, and the exercise of the powers and performance of the functions contained in, the provisions of the Marine Living Resources Act, 1998, not mentioned in item 1 and the regulations listed in this proclamation that relate to fishing within a marine protected area.
2. Marine Living Resources	Minister of Agriculture,	Minister of Agriculture,
Act, 1998: Sections 5 to 7,	Forestry and Fisheries	Forestry and Fisheries:
10, 11, 14, 15, 17,18 to 27, 29 to 41 and 44 to 50		The administration of and the powers and duties provided for in the sections referred to in Column 1 remain with the
		Minister.
3. Marine Living Resources	Minister of Water and	Minister of Agriculture,
Act, 1998: <b>Section 8</b>	Environmental Affairs	Forestry and Fisheries:
	1	1

	and Minister of Agriculture, Forestry and Fisheries	The administration of and the powers and duties provided for in the section referred to in Column 1.
4. Marine Living Resources Act, 1998: Section 9	Minister of Water and Environmental Affairs and Minister of Agriculture, Forestry and Fisheries	1. Minister of Water and Environmental Affairs in so far as the administration of and the powers and duties provided for in the section referred to in Column 1 pertain to designating persons—  (a) to perform enforcement functions within marine protected areas; and  (b) enforcing the regulations listed in this Proclamation relating to marine protected areas, and those relating to whales, dolphins, turtles and white sharks.  2. Minister of Agriculture, Forestry and Fisheries in so far as the administration of and the powers and duties provided for in the section referred to in Column 1

pertain to designating persons to enforce all fisheries related and all other matters in terms of the Marine Living Resources Act, 1998, not mentioned in item 1 and the regulations listed in this proclamation that relate to fishing within a marine protected area. 1. Minister of Water and 5. Marine Living Resources Minister of Agriculture, Environmental Affairs in so Act, 1998: **Section 12** Forestry and Fisheries far as the administration of and the powers and duties provided for in the section referred to in Column 1 pertain to the keeping of-(a) a register for permits issued in terms of the Marine Living Resources Act, 1998, in respect of activities within marine protected areas; and (b) a register for permits issued in terms of the regulations listed in this proclamation in respect of activities within marine protected areas, excluding a register contemplated in item

		2(a); and
		(c) a register for permits
		issued in terms of regulations
		relating to whales, dolphins,
		turtles and white sharks.
		O Minister of Amrieulture
		2. Minister of Agriculture,
		Forestry and Fisheries in so
		far as the administration of
		and the powers and duties
		provided for in the section referred to in Column 1
		pertain to the keeping of-
		(a) a register relating to
		permits issued in terms of
		the regulations listed in this
		proclamation in respect of
		fishing within a marine
		protected area; and
		(b) a register relating to any
		other right, permit and
		licence issued in terms of the
		Marine Living Resources Act,
		1998, not mentioned in item
		1.
6. Marine Living Resources	Minister of Water and	Minister of Water and
Act, 1998: <b>Section 13</b>	Environmental Affairs	Environmental Affairs in so
,		far as the administration of

and

Minister of Agriculture, Forestry and Fisheries and the powers and duties provided for in the section referred to in Column 1 pertain to—

- (a) permits issued in terms of the Marine Living Resources Act, 1998, in respect of activities within marine protected areas; and
- (b) permits issued in terms of the regulations listed in this proclamation in respect of activities within marine protected areas, excluding fishing permits contemplated in item 2(a); and
- (c) permits issued in terms of regulations relating to whales, dolphins, turtles and white sharks.
- 2. Minister of Agriculture,
  Forestry and Fisheries in so
  far as the administration of
  and the powers and duties
  provided for in the section
  referred to in Column 1
  pertain to—
- (a) fishing permits issued in

		terms of the regulations listed in this proclamation in respect of fishing within marine protected areas; and (b) any other permit issued in terms of the Marine Living Resources Act, 1989, not mentioned in item 1.
7. Marine Living Resources Act, 1998: <b>Section 16</b>	Minister of Water and Environmental Affairs and Minister of Agriculture, Forestry and Fisheries	Minister of Agriculture, Forestry and Fisheries: The administration of and the powers and duties provided for in the section referred to in Column 1.
8. Marine Living Resources Act, 1998: Section 28	Minister of Water and Environmental Affairs and Minister of Agriculture, Forestry and Fisheries	1. Minister of Water and Environmental Affairs in so far as the administration of and the powers and duties provided for in the section referred to in Column 1 pertain to—  (a) permits issued in terms of the Marine Living Resources Act, 1998, in respect of activities within marine protected areas; and

- (b) permits issued in terms of the regulations listed in this proclamation in respect of activities within marine protected areas, excluding fishing permits contemplated in item 2(a); and
- (c) permits issued in terms of regulations relating to whales, dolphins, turtles and white sharks.
- 2. Minister of Agriculture,
  Forestry and Fisheries in so
  far as the administration of
  and the powers and duties
  provided for in the section
  referred to in Column 1
  pertain to—
- (a) fishing permits issued in terms of the regulations listed in this proclamation in respect of fishing within marine protected areas; and
- (b) Any other permit, right or licence issued in terms of the Marine Living Resources Act, 1998, not mentioned in item1.

9. Marine Living Resources	Minister of Water and	1. Minister of Water and
Act, 1998: Section 42	Environmental Affairs and Minister of Agriculture, Forestry and Fisheries	Environmental Affairs in so far as the administration of and the powers and duties provided for in the section referred to in Column 1 pertain to any matter relating to marine protected areas and any matter relating to whales, dolphins, turtles and white sharks.  2. Minister of Agriculture, Forestry and Fisheries in so far as the administration of and the powers and duties provided for in the section referred to in Column 1 pertain to any matter contained in the Marine Living Resources Act, 1998, not mentioned in item 1.
10. Marine Living Resources Act, 1998: <b>Section 43</b>	Minister of Water and Environmental Affairs	Minister of Water and Environmental Affairs:  The administration of and the powers and duties provided for in the section referred to

11. Marine Living Resources Act, 1998: Sections 51 to 76	Minister of Water and Environmental Affairs	in Column 1, read together with—  (a) the regulations and other provisions listed in this proclamation relating to marine protected areas; and  (b) the regulations listed in this proclamation relating to whales, dolphins, turtles and white sharks.  1. Minister of Water and Environmental Affairs in so far as the administration of
	and Minister of Agriculture, Forestry and Fisheries	and the powers and duties provided for in the sections referred to in Column 1 pertain to any matter relating to marine protected areas and any matter relating to whales, dolphins, turtles and white sharks.  2. Minister of Agriculture, Forestry and Fisheries in so far as the administration of and the powers and duties provided for in the sections referred to in Column 1 pertain to any matter

		Living Resources Act, 1998,
		not mentioned in item 1 and
		the regulations listed in this
		proclamation that relate to
		fishing within a marine
		protected area.
·		
	REGULATIONS	
	REGOERHORG	
13. Declaration of Areas as	Minister of Water and	Minister of Water and
Marine Protected Areas,	Environmental Affairs	Environmental Affairs:
issued in terms of section 43		The administration of and the
of the Marine Protected		powers and duties provided
Areas Act, 1998		for in the paragraphs referred
(Government Notice No.		to in Column 1 remain with
R.1429 of 29 December		the Minister.
2000):		
Paragraph 1 and paragraph		
2 (Description of boundaries		
of marine protected areas):		
2(1) Castle Rock		
2(2) Betty's Bay		
2(3) De Hoop		
2(4) Goukamma		
2(5) Robberg		
2(6) Sardinia Bay		
2(7) Dwesa Cwebe		
2(8) Hluleka		
2(9) Mkambati		
2(10) Trafalgar		
2(11) St Lucia		

2(12) Maputoland		
2(13) Langebaan Lagoon		
2(14) Sixteen Mile beach		
2(15) Malgas Island		
2(16) Jutten Island		
2(17)Marcus Island		
2(18) Helderberg		
, ,		
2(19) Tsitsikamma; and		
Paragraphs 3(2), 3(3), 3(4)		
and 3(5) (Stipulations		
Marine Protected Areas)		
44.5		
14. Declaration of Areas as	Minister of Water and	Minister of Agriculture,
Marine Protected Areas,	Environmental Affairs	Forestry and Fisheries:
issued in terms of section 43		1. The administration of and
of the Marine Protected		the powers and duties
Areas Act. 1998		provided for in the
(Government Notice No.		paragraphs referred to in
R.1429 of 29 December		Column 1 in so far as those
2000):		matters relate to fisheries
Paragraph 3 (Stipulations		management including
Marine Protected Areas):		permitting, fishing rights,
<b>3(1)(a)</b> – Betty's Bay,		fisheries related research
Goukamma and Robberg		and enforcing the
Marine Protected Areas;		paragraphs with regard to
<b>3(1)(b)</b> – Castle Rock		the types of fishing specified
Marine Protected Area;		therein.
3(1)(c) and 3(1)(d) -		thoroni.
Langebaan Lagoon Marine		
Protected Area;		Minister of Water and
3(1)(e) - Sixteen Mile Beach		Environmental Affairs:

Marine Protected Area;  3(1)(f) – Malgas Island, Jutten Island and Marcus Island Marine Protected Areas;  3(1)(g) – Trafalgar Marine Protected Area and the restricted areas of the St Lucia and Maputaland Marine Protected Areas		2. The administration of and the powers and duties provided for in the Declaration referred to in Column 1, in so far as those matters do not relate to the matters mentioned in item 1, remain with Minister of Water and Environmental Affairs.
15. Regulations prescribing the management and protection measures for the Table Mountain Marine Protected Area, made in terms of section 77 of the Marine Living Resources Act, 1998 (Government Notice No. 695 of 4 June 2004):  Regulations 1, 2, 3, 4, 5, 6(1), 6(3), 6(4), 8, 9, 11, 13, 14 and 15	Minister of Water and Environmental Affairs	Minister of Water and Environmental Affairs:  The administration of and the powers and duties provided for in the regulations referred to in Column 1 remain with the Minister.
16. Regulations prescribing the management and protection measures for the Table Mountain Marine Protected Area, made in terms of section 77 of the	Minister of Water and Environmental Affairs	Minister of Agriculture, Forestry and Fisheries.  1. The administration of and the powers and duties provided for in the

Marine Living Resources		regulations, referred to in
Act, 1998 (Government		Column 1, in so far as those
Notice No. 695 of 4 June	•	matters relate to fisheries
2004):		management including
Regulations 6(2) and 7		permitting, fishing rights,
nogulations o(2) and i		fisheries related research
		and enforcing the regulations
		with regard to the types of
		fishing specified therein.
		norming opcomed therein.
		Minister of Water and
		Environmental Affairs:
		2. The administration of and
		the powers and duties
		provided for in the
		regulations, referred to in
		Column 1, in so far as those
		matters do not relate to the
		matters mentioned in item 1,
		remain with Minister of Water
		and Environmental Affairs.
47 Dogulations are suiting	Minister of Material	Minister of Assistant
17. Regulations prescribing	Minister of Water and	Minister of Agriculture,
the management and	Environmental Affairs	Forestry and Fisheries:
protection measures for the		1. The administration of and
Table Mountain Marine		the powers and duties
Protected Area, made in		provided for in the
terms of section 77 of the		regulations, referred to in
Marine Living Resources		Column 1, in so far as those
	L	<u> </u>

Act, 1998 (Government		matters relate to regulations
Notice No. 695 of 4 June		6(2) and 7 transferred to the
2004):		Minister in Row 16 above.
Regulations 10 and 12		
		Minister of Water and
		Environmental Affairs:
		2. The administration of and
		the powers and duties
		provided for in the
		Regulations, referred to in
		Column 1, in so far as those
		matters relate to powers and
		functions not referred to in
		item 1 above, remain with
		the Minister of Water and
		Environmental Affairs.
18. Regulations prescribing	Minister of Water and	Minister of Water and
the management and	Environmental Affairs	Environmental Affairs:
protection measures for the		The administration of and the
Bird Island Group Marine		powers and duties provided
Protected Area, made in		for in the regulations referred
terms of section 77 of the		to in Column 1 remain with
Marine Living Resources		the Minister.
Act, 1998 (Government		
Notice No. 696 of 4 June		
2004)		
The whole		
19. Declaration of Area as	Minister of Water and	Minister of Water and
Marine Protected Area in		

		<b>P</b>
terms of section 43 of the	Environmental Affairs	Environmental Affairs
Marine Protected Areas Act,		The administration of and the
1998 - Walker Bay Whale		powers and duties provided
Sanctuary Marine Protected		for in the Declaration referred
Area (Government Notice		to in Column 1 remain with
No. 473 of 29 May 2001:		the Minister.
Paragraphs 1, 2		
(Description of boundaries of		
marine protected area), 3(1),		
3(2) (Stipulations: Marine		
protected area) and 4		
20. Declaration of Area as	Minister of Water and	Minister of Agriculture,
Marine Protected Area,	Environmental Affairs	Forestry and Fisheries:
issued in terms of section 43		1. The administration of and
of the Marine Protected		the powers and duties
Areas Act, 1998 - Walker		provided for in the
Bay Whale Sanctuary		paragraph, referred to in
Marine Protected Area		Column 1, in so far as those
(Government Notice No. 473		matters relate to fisheries
of 29 May 2001:		management including
Paragraph 3(3)		permitting, fishing rights,
(Stipulations : Marine		fisheries related research
Protected Area)		and enforcing the paragraph
		with regard to the types of
		fishing specified therein.
		noming appointed therein.
		Minister of Water and
		Environmental Affairs:
		2. The administration of and

		the powers and duties provided for in the paragraph, referred to in Column 1, in so far as those matters do not relate to the matters mentioned in item 1, remain with Minister of Water and Environmental Affairs.
21. Regulations prescribing the management and protection measures for the Aliwal Shoal Marine Protected Area, made in terms of section 77 of the Marine Living Resources Act, 1998 (Government Notice No. 697 of 4 June 2004):  Regulations 1 to 6, 7(2), 7(4), 8, 9, 11, 13, 14 and 15	Minister of Water and Environmental Affairs	Minister of Water and Environmental Affairs  The administration of and the powers and duties provided for in the regulations referred to in Column 1 remain with the Minister.
22. Regulations prescribing the management and protection measures for the Aliwal Shoal Marine Protected Area, made in terms of section 77 of the Marine Living Resources Act, 1998 (Government	Minister of Water and Environmental Affairs	Minister of Agriculture, Forestry and Fisheries.  1. The administration of and the powers and duties provided for in the regulations, referred to in Column 1, in so far as those matters relate to fisheries

Notice No. 697 of 4 June		management including
2004):		permitting, fishing rights,
Regulations 7(1) and 7(3)		fisheries related research and enforcing the regulations with regard to the types of fishing specified therein.
		Minister of Water and Environmental Affairs:  2. The administration of and the powers and duties provided for in the regulations, referred to in Column 1, in so far as those matters do not relate to the matters mentioned in item 1, remain with Minister of Water and Environmental Affairs.
23. Regulations prescribing	Minister of Water and	Minister of Agriculture,
the management and	Environmental Affairs	Forestry and Fisheries
protection measures for the Aliwal Shoal Marine Protected Area, made in terms of section 77 of the Marine Living Resources Act, 1998 (Government Notice No. 697 of 4 June 2004):		1. The administration of and the powers and duties provided for in the regulations, referred to in Column 1, in so far as those matters relate to regulations 7(1) and 7(3) transferred to the Minister in Row 22

Regulations 10 and 12		above.
		Minister of Water and
		Environmental Affairs:
		2. The administration of and the powers and duties provided for in the regulations, referred to in Column 1, in so far as those matters relate to powers and functions not referred to in item 1 above, remain with the Minister of Water and Environmental Affairs.
Of David for a great live	Maria da ang 6 Malanana da	
24. Regulations prescribing the management and	Minister of Water and Environmental Affairs	Minister of Water and Environmental Affairs
protection measures for the	Livioniionai / tialio	
Pondoland Marine Protected		The administration of and the powers and duties provided
Area, made in terms of		for in the regulations referred
section 77 of the Marine		to in Column 1 remain with
Living Resources Act, 1998		the Minister.
(Government Notice No. 694		
of 4 June 2004):		
Regulations 1 to 6, 8, 9, 11,		
13, 14, 15 and 16		
25. Regulations prescribing	Minister of Water and	Minister of Agriculture,
the management and	Environmental Affairs	Forestry and Fisheries.

protection measures for the 1. The administration of and Pondoland Marine Protected the powers and duties Area, made in terms of provided for in the regulation, section 77 of the Marine referred to in Column 1, in so Living Resources Act, 1998 far as those matters relate to (Government Notice No. 694 fisheries management of 4 June 2004): including permitting, fishing Regulation 7 rights, fisheries related research and enforcing the regulation with regard to the types of fishing specified therein. Minister of Water and **Environmental Affairs:** 2. The administration of and powers and duties provided for in the regulation, referred to in Column 1, in so far as those matters do not relate the matters to mentioned in item 1, remain with Minister of Water and Environmental Affairs. 26. Regulations prescribing Minister of Water and Minister of Agriculture, **Environmental Affairs** the management Forestry and Fisheries protection measures for the 1. The administration of and

Pondoland Marine Protected		the powers and duties
Area, made in terms of		provided for in the
section 77 of the Marine		regulations, referred to in
Living Resources Act, 1998		Column 1, in so far as those
(Government Notice No. 694		matters relate to regulation 7
of 4 June 2004):		transferred to the Minister in
Regulations 10 and 12		Row 25 above.
		Minister of Water and
		Minister of Water and
		Environmental Affairs:
		2. The administration of and
		the powers and duties
		provided for in the
		regulations, referred to in
		Column 1, in so far as those
		matters relate to powers and
		functions not referred to in
		item 1 above, re main with
		Minister of Water and
		Environmental Affairs.
27. Regulations on the	Minister of Water and	Minister of Water and
Stilbaai Marine Protected	Environmental Affairs	Environmental Affairs
Area, made in terms of		
section 77 of the Marine		The administration of and the
Living Resources Act, 1998		powers and duties provided
(Government Notice No.		for in the regulations referred
R.1108 of 17 October 2008):		to in Column 1 remain with
		the Minister.

Regulations 1 to 4, 6, 7, 8

# and 10 the Minister of Water and 28. Regulations on Minister of Agriculture, Stilbaai Marine Protected **Environmental Affairs** Forestry and Fisheries. Area, made in terms of 1. The administration of and section 77 of the Marine the powers and duties Living Resources Act, 1998 provided for in the (Government Notice No. regulations, referred to in R.1108 of 17 October 2008): Column 1, in so far as those **Regulation 5** matters relate to fisheries management including permitting, fishing rights, fisheries related research and enforcing the regulation with regard to the types of fishing specified therein. Minister of Water and **Environmental Affairs:** 2. The administration of and the powers and duties provided for in the regulation, referred to in Column 1, in so far as those matters do not relate to the matters mentioned in item 1, remain with Minister of Water and **Environmental Affairs.**

29. Regulations on the	Minister of Water and	Minister of Agriculture,
Stilbaai Marine Protected	Environmental Affairs	Forestry and Fisheries
Area, made in terms of		1. The administration of and
section 77 of the Marine		the powers and duties
Living Resources Act, 1998		provided for in the regulation,
(Government Notice No.		referred to in Column 1, in so
R.1108 of 17 October 2008):		far as those matters relate to
Regulation 9		regulation 5 transferred to
		the Minister in Row 28
		above.
		Minister of Water and Environmental Affairs:  2. The administration of and the powers and duties provided for in the regulation, referred to in Column 1, in so far as those matters relate to powers and functions not referred to in item 1 above, remain with the Minister of Water and Environmental Affairs.
30. Notice Declaring the	Minister of Water and	Minister of Water and
Stilbaai Marine Protected	Environmental Affairs	Environmental Affairs
Area, issued in terms of section 43 of the Marine		The administration of and the

Living Resources Act, 1998		powers and duties provided
(Government Notice No.		for in the Notice referred to in
•		
1109 of 17 October 2008		Column 1 remain with the
The whole		Minister.
31. Regulations for the	Minister of Water and	Minister of Water and
Management of the	Environmental Affairs	Environmental Affairs
Amathole Marine Protected		The administration of and the
Area, made in terms of		powers and duties provided
section 77 of the Marine		for in the regulations referred
Living Resources Act, 1998		to in Column remain with the
(Government Notice No.		Minister.
R.731 of 16 September		
2011		
The whole		
32. Declaration of Amathole	Minister of Water and	Minister of Water and
Marine Protected Area,	Environmental Affairs	Environmental Affairs
issued in terms of section 43		The administration of and the
of the Marine Living		powers and duties provided
Resources Act, 1998		for in the Declaration referred
(Government Notice No.		to in Column 1 remain with
R.730 of 16 September		the Minister.
2011		
The whole		
33. Regulations in terms of	Minister of Agriculture,	Minister of Agriculture,
sections 7(5), 9(3), 12(2)	Forestry and Fisheries	Forestry and Fisheries
and (3), 39(2), 45, 47, 50(1),		The administration of and the
77 and 80(2) of the Marine		powers and duties provided
Living Resources Act, 1998		potroto ana autioo providod

(Government Notice No. R.1111 of 2 September		for in the Regulations referred to in Column 1
1998 The whole		remain with the Minister.
34. Regulations for the Protection of Wild Abalone (Haliotis), made in terms of section 77 of the Marine Living Resources Act, 1998 (Government Notice No. R.62 of 1 February 2008)  The whole	Minister of Agriculture, Forestry and Fisheries	Minister of Agriculture, Forestry and Fisheries The administration of and the powers and duties provided for in the Regulations referred to in Column 1 remain with the Minister.
35. Regulations for the Management of Boat Based Whale Watching and Protection of Turtles, made in terms of section 77 of (the Marine Living Resources Act, 1998 (Government Notice No. R.725 of 4 July 2008  The whole	Minister of Water and Environmental Affairs	Minister of Water and Environmental Affairs The administration of and the powers and duties provided for in the Regulations referred to in Column 1 remain with the Minister.
36. Regulations for the Management of White Shark Cage Diving, made in terms of section 77 of the Marine Living Resources Act, 1998 (Government Notice No. R.	Minister of Water and Environmental Affairs	Minister of Water and Environmental Affairs The administration of and the powers and duties provided for in the Regulations

724 of 4 July 2008)	re	eferred to in Column 1
The whole	re	emain with the Minister.

# **EXPLANATORY MEMORANDUM**

- 1. On 10 May 2009 the President announced the appointment of Ministers and Deputy Ministers in terms of sections 91(2) and 93(1) of the Constitution of the Republic of South Africa, 1996 (the Constitution). Since the Ministers' portfolios differed from the Ministers' portfolios before the President took the oath on 9 May 2009, it was necessary to align the administration of legislation and powers and functions entrusted by legislation to the new portfolios of Ministers announced by the President.
- 2. The administration and the powers and functions entrusted by the Marine Living Resources Act, 1998 (Act No. 18 of 1998), pertaining to mariculture, were transferred from the Minister of Water and Environmental Affairs to the Minister of Agriculture Forestry and Fisheries by Proclamation No. 44 on 1 July 2009.
- 3. The administration and the powers and functions entrusted by the Marine Living Resources Act, 1998: pertaining to fisheries (excluding marine protected areas and the regulations related to Boatbased Whale Watching and White Shark Cage Diving), were transferred from the Minister of Water and Environmental Affairs to the Minister of Agriculture Forestry and Fisheries by Proclamation No. 1 of 10 February 2010.
- 4. The Proclamation of 10 February 2010 resulted in confusion as to the extent and exact nature of the transfer of functions, particularly in relation to regulations under the Marine Living Resources Act, 1998 (Act No. 18 of 1998) that were not mentioned in the 10 February Proclamation. This Proclamation, which is done in terms of section 97 of the Constitution, seeks to provide clarity on the exact nature and extent of the transfer of powers and functions under the Marine Living Resources Act, 1998 (Act No. 18 of 1998) including regulations. In some instances where the same Minister appears in both columns 2 and 3, this indicates that no transfer has taken place, thus providing clarity as to the nature of the transfer in the 10 February Proclamation. Section 97 of

the Constitution provides that the "President by proclamation may transfer to a member of the Cabinet-

- (a) the administration of any legislation entrusted to another member; or
- (b) any power or function entrusted by legislation to another member.".

### **ISIMEMEZELO**

# SikaMongameli waseRiphebhuliki yaseNingizimu Afrika

No. 16, 2013

# UKUDLULISA UKUPHATHA, AMANDLA KANYE NEMISEBENZI ETHWESWE NGOMTHETHO OTHILE KUMALUNGU EKHABHINETHI NGOKWEMIGOMO YESIGABA SAMA-97 SOMTHETHOSISEKELO

Ngokwemigomo yesigaba sama-97 soMthethosisekelo waseRiphabhuliki yaseNingizimu Afrika, ka-1996, ngakho-ke ngidlulisa ukuphatha namandla kanye nemisebenzi ethweswe ngomthetho othile, nazo zonke izichibiyelo zawo, kumalungu athile eKhabhinethi ngokuchibiyela nangokuhlaziya izimemezelo zaphambilini ezibalulwe esiThasiselweni ngesiNgisi nangesiZulu, kusukela ngosuku lokushicilelwa kwesiMemezelo kuSomgulu.

Nginikeza ngaphansi kweNgalo yami nangesiGxivizo zaseRiphabhuliki yaseNingizimu Afrika endaweni Cape Town mhlaka ...23... enyangeni .kuNhlaba... onyakeni ka-2013.

UMONGAMELI

Ngomyalelo kaMongameli kuKhabhinethi:

UNGQQNGQQŞHE WEKHABHINETHI

UNGQONGQOSHE WEKHARHINETHI

### **ISITHASISELO**

- 1. Ukuphatha namandla kanye nemisebenzi ethweswe ngomthetho, ebalulwe kuKholamu 1 yamathebula alandelayo, kumalungu eKhabhinethi abalulwe kuKholamu 2 yamathebula alandelayo adluliselwa kumalungu eKhabhinethi avezwe kuKholamu 3 yamathebula alandelayo.
- 2. Ikholamu 2 yesiThasiselo ibeka ukuthi uNgqongqoshe noma oNgqongqoshe, ngaphambi kokuqala kwalesi siMemezelo, ngokwalesi siMemezelo esilandelayo, ukuphathwa noma amandla noma imisebenzi yomthetho ebalulwe kuKhomalu 3 athweswe:
  - (a) NgesiMemezelo sama-40 mhlaka 1 Julayo 2009, esishicilelwe kuSomqulu kaHulumeni 32367 sangalolo suku; futhi
  - (b) IsiMemezelo soku-1 mhlaka 10 Febhuwari 2010, esishicilelwe kuSomqulu kaHulumeni 32945 sangalolo suku.
- 3. Ikholamu 3 yesiThasiselo sibeka ngokuthi uNgqongqoshe oqondene nendlela yokudlulisa ukuphathwa komthetho namandla kanye nemisebenzi ethweswe ngomthetho nguNgqongqoshe. Ikholamu 3 iphinde iveze izimo lapho ukuphathwa namandla kanye nemisebenzi ethweswe ngomthetho kuzohlala ezandleni zikaNgqongqoshe.
- 4. Uma lesi siThasiselo sihluka noma sishayisana neziThasiselo zesiMemezelo ezibalulwe ohlamvini 2 ngaphezulu, futhi nalezo ziThasiselo ezihambisana ne-*Marine Living Resources Act, 1998 (Act No. 18 of 1998)*, lesi siThasiselo isona esizosebenza.
- 5. Lokhu okulandelayo, i-Marine Living Resources Act, 1998 (Act No. 18 of 1998), ebizwa ngokuthi i-Marine Living Resources Act, 1998.

# **IMITHETHO EHAMBISANA NENDAWO:**

IKHOLAMU 1	IKHOLAMU 2	IKHOLAMU 3
UMTHETHO	ILUNGU LEKHABHINETHI EBELIBHEKELE LOKHU PHAMBILINI	ILUNGU LEKHABHINETHI ELIDLULISELWE UMSEBENZI NENDLELA ODLULISWE NGAYO
1. I-Marine Living Resources Act, 1998: Izigaba 1-4	UNgqongqoshe weziNdaba zaManzi neziNdawo kanye noNgqongqoshe wezoLimo, amaHlathi nezeziNhlanzi	1. UNgqongqoshe weziNdaba zaManzi neziNdawo mayelana nokuphatha, amandla nemisebenzi evezwe ezigabeni ezibalulwe kuKholamu 1 ehambisana nokusingatha, ukusebenzisa amandla nokuqhuba umsebenzi equkethwe—  (a) isigaba sama-43 se- Marine Living Resources Act, 1998; kanye  (b) izimiso zomthetho kanye neminye imibandela esohlwini lwalesi simemezelo ehambisana nezindawo zamanzi ezivikelwe; kanye  (c) nezimiso zomthetho ezisohlwini kulesi simemezelo ezihambisana nemikhoma, amahlengethwa, ufudu

		lwamanzi noshaka
		abamhlophe.
		2. UNgqongqoshe
		wezoLimo, amaHlathi
		nezeziNhlanzi mayelana
		nokuphatha, amandla
		nemisebenzi evezwe
		ezigabeni ezibalulwe
		kuKholamu 1 ehambisana
		nokusingatha, ukusebenzisa
		amandla nokuqhuba
		umsebenzi equkethwe
		emibandeleni ye- <i>Marine</i>
		Living Resources Act, 1998,
		engabaluliwe ohlamvini loku-
		1 nasezimisweni zomthetho
		ezisohlwini lwalesi
		simemezelo ezihambisana
		nokudoba ezindaweni
		ezinamanzi ezivikelwe.
0.14.		
2. Marine Living Resources	UNgqongqoshe wezoLimo,	UNgqongqoshe wezoLimo,
Act, 1998: Izigaba 5, 7, 10,	amaHlathi nezeziNhlanzi	amaHlathi nezeziNhlanzi:
11, 14, 15, 17,18 to 27, 29		Ukuphatha, amandla
to 41 nama-44 kuya kuma-		nemisebenzi evezwe
50		ezigabeni ezibalulwe
		kuKholamu 1 kusezandleni
		zikaNgqongqoshe.
3. Marine Living Resources	UNgqongqoshe weziNdaba	UNgqongqoshe wezoLimo,

Act, 1998: Isigaba sesi-8	zaManzi neziNdawo	amaHlathi nezeziNhlanzi:
	kanye noNgqongqoshe wezoLimo, amaHlathi nezeziNhlanzi	Ukuphatha, amandla nemisebenzi evezwe ezigabeni ezibalulwe kuKholamu.
4. Marine Living Resources Act, 1998: Isigaba 9	UNgqongqoshe weziNdaba zaManzi neziNdawo kanye noNgqongqoshe wezoLimo, amaHlathi nezeziNhlanzi	1. UNgqongqoshe weziNdaba zaManzi neziNdawo mayelana nokuphatha, amandla nemisebenzi evezwe ezigabeni ezibalulwe kuKholamu 1 ehambisana nokuqokwa kwabantu—  (a) abazoqhuba umsebenzi wokubophezela ezindaweni ezinamanzi ezivikelwe; kanye  (b) nokubophezela izimiso zomthetho ezisolwini lwalesi simemezelo ezihambisana nezindawo zamanzi ezivikelwe, nalezi ezithinta imikhoma, amahlengethwa, ufudu lwasemanzini noshaka abamhlophe.
		2. UNgqongqoshe wezoLimo, amaHlathi nezeziNhlanzi mayelana nokuphatha, amandla

		nemisebenzi evezwe
		ezigabeni ezibalulwe
		kuKholamu 1 ehambisana
		nokuqokwa kwabantu
		abazobophezela zonke
		izindaba eziphathelene
		nokudoba nazo zonke
		izindaba ngokwemigomo ye-
		Marine Living Resources Act,
		1998, ezingabaluliwe
		ohlamvini 1 nasezimisweni
		zomthetho ezisohlwini
		lwalesi simemezelo
		ezihambisana nokudoba
		endaweni yamanzi evikelwe.
5. Marine Living Resources	UNgqongqoshe wezoLimo,	1 UNagonagosho
Act, 1998: Isigaba 12	amaHlathi nezeziNhlanzi	UNgqongqoshe     weziNdaba zaManzi
Act, 1990. Isigaba 12		
		neziNdawo mayelana nokuphatha, amandla
		nemisebenzi evezwe
		ezigabeni ezibalulwe kuKholamu 1 ehambisana
		nokugcina-
		-
		(a) iregista yemvume
		ekhishwe ngokwemigomo
		ye-Marine Living Resources
		Act, 1998, emayelana
		nokwenziwayo endaweni
		enamanzi evikelwe; kanye
		(b) iregista yemvume

ekhishwe ngokwemigomo
yezimiso zomthetho
ezisohlwini lwalesi
siememzelo mayelana
nokwenziwayo ezindaweni
ezinamanzi ezivikelwe,
okungabandakanyi iregista
evezwe ohlamvini lwesi-2(a);
kanye

- (c) neregista yemvume
  ekhishwe ngokwemigomo
  yezimiso zomthetho
  ezihambisana nemikhoma,
  amahlengethwa, ufudu
  lwamanzi noshaka
  abamhlophe.
- 2. UNgqongqoshe wezoLimo, amaHlathi nezeziNhlanzi mayelana nokuphatha, amandla nemisebenzi evezwe ezigabeni ezibalulwe kuKholamu 1 ehambisana nokugcina—
- (a) ) iregista yemvume ekhishwe ngokwemigomo yezimiso zomthetho ezisohlwini lwalesi simemezelo mayelana nokudoba ezindaweni

		2(a); kanye
		(c) nemvume ekhishwe
		ngokwemigomo yezimiso
		zomthetho ezihambisana
		nemikhoma,
		amahlengethwa, ufudu
		lwasemanzini noshaka
		abamhlophe.
		2. UNgqongqoshe
		wezoLimo, amaHlathi
		nezeziNhlanzi mayelana
		nokuphatha, amandla
		nemisebenzi evezwe
		ezigabeni ezibalulwe
		kuKholamu 1 ehambisana-
		(a) imvume yokudoba
		ekhishwe ngokwemigomo
		yezimiso zomthetho
		ezisohlwini lwalesi
		simemezelo mayelana
		nokudoba ezindaweni
		ezinamanzi ezivikelwe;
		kanye
		(b) nenye imvume ekhishwe
		ngokwemigomo ye- <i>Marine</i>
		Living Resources Act, 1989,
		engabaluliwe ohlamvini 1.
7 44		
7. Marine Living Resources	UNgqongqoshe weziNdaba	UNgqongqoshe wezoLimo,

Act, 1998: Isigaba 16	zaManzi neziNdawo	amaHlathi nezeziNhlanzi:
	kanye	Ukuphatha, amandla
	noNgqongqoshe wezoLimo,	nemisebenzi evezwe
	amaHlathi nezeziNhlanzi	ezigabeni ezibalulwe
		kuKholamu 1.
8. Marine Living Resources	UNgqongqoshe weziNdaba	1. UNgqongqoshe
Act, 1998: Isigaba 28	zaManzi neziNdawo	weziNdaba zaManzi
	kanye	neziNdawo mayelana
	noNgqongqoshe wezoLimo,	nokuphatha, amandla
	amaHlathi nezeziNhlanzi	nemisebenzi evezwe
		ezigabeni ezibalulwe
		kuKholamu 1–
		(a) imvume ekhishwe
		ngokwemigomo ye- <i>Marine</i>
		Living Resources Act, 1989,
		emayelana nokwenziwayo
		ezindaweni ezinamanzi
		ezivikelwe; kanye
		(b) imvume ekhishwe
		ngokwemigomo yezimiso
		zomthetho esohlwini lwalesi
		simemezelo mayelana
		nokwenziwayo ezindaweni
		ezinamanzi ezivikelwe,
		kungabandakanyi imvume
		yokudoba evezwe ohlamvini
		lwesi-2(a); kanye
		(c) nemvume ekhishiwe
		ngokwemigomo yezimiso

zomthetho ehambisana nemikhoma, amahlengethwa, ufudu lwasemanzini noshaka abamhlophe. 2. UNgqongqoshe wezoLimo, amaHlathi nezeziNhlanzi mayelana nokuphatha, amandla nemisebenzi evezwe ezigabeni ezibalulwe kuKholamu 1 ezihambisana-(a) imvume yokudoba ekhishwe ngokwemigomo yezimiso zomthetho ezisohlwini lwalesi simemezelo mayelana nokudoba ezindaweni eiznamanzi ezivikelwe; kanye (b) nenye imvume ekhishwe ngokwemigomo ye-Marine Living Resources Act, 1989, engabaluliwe ohlamvini 1. 9. Marine Living Resources UNgqongqoshe weziNdaba 1. UNgqongqoshe Act, 1998: Isigaba 42 zaManzi neziNdawo weziNdaba zaManzi neziNdawo mayelana kanye

	noNgqongqoshe wezoLimo,	nokuphatha, amandla
	amaHlathi nezeziNhlanzi	nemisebenzi evezwe
		ezigabeni ezibalulwe
		kuKholamu 1 ezihambisana
		nanoma oluphi udaba
		oluphathelene nezindawo
		zamanzi ezivikelwe nezinye
		izindaba eizphathelene
		nemikhoma,
		amahlengethwa, ufudu
		lwamanzi noshaka
		abamhlophe.
		2. UNgqongqoshe
		wezoLimo, amaHlathi
		nezeziNhlanzi mayelana
		nokuphatha, amandla nemisebenzi evezwe
		ezigabeni ezibalulwe kuKholamu 1 ezihambisana
		nanoma oluphi udaba
		oluqukethwe i-Marine Living
		Resources Act, 1998,
		ezingabaluliwe ohlamvini 1.
10. Marine Living Resources	Minister of Water and	UNgqongqoshe weziNdaba
Act, 1998: Isigaba 43	Environmental Affairs	zaManzi neziNdawo:
		Ukuphatha, amandla
		nemisebenzi evezwe
		ezigabeni ezibalulwe
		kuKholamu 1 ezifundeka

11. Marine Living Resources Act, 1998: Izigaba 51 ukuya 76	UNgqongqoshe weziNdaba zaManzi neziNdawo kanye noNgqongqoshe wezoLimo, amaHlathi nezeziNhlanzi	ngokuhambisana—  (a) nezimiso zomthetho neminye imibandela osohlwini lwalesi siememzelo ehambisana nezindawo ezinamanzi eizvikelwe; kanye  (b) nezimiso zomthetho ezisohlwini lwalesi simemezelo ezihambisana nemikhoma, amahlengethwa, ufudu lwamanzi noshaka abamhlophe.  1. UNgqongqoshe weziNdaba zaManzi neziNdawo mayelana nokuphatha, amandla nemisebenzi evezwe ezigabeni ezibalulwe kuKholamu 1 ezihambisana nanoma oluphi udaba oluphathelene nezindawo ezinamanzi eizvikelwe nanoma oluphi udaba oluphathelene nemikhoma, amahlengethwa, ufudu lwamanzi noshaka abamhlophe.	
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wezoLimo, amaHlathi nezeziNhlanzi mayelana nokuphatha, amandla nemisebenzi evezwe ezigabeni ezibalulwe kuKholamu 1 ezihambisana nanoma oluphi udaba oluqukethwe i-Marine Living Resources Act, 1998, ezingabaluliwe ohlamvini 1 nasezimisweni zomthetho ezisohlwini lwalesi simemezelo ezihambisana nokudoba eizndaweni ezinamanzi ezivikelwe. 12. Marine Living Resources UNgqongqoshe weziNdaba 1. UNgqongqoshe Act, 1998: Izigaba 77 ukuya zaManzi neziNdawo weziNdaba zaManzi 86 neziNdawo mayelana kanye nokuphatha, amandla noNgqongqoshe wezoLimo, nemisebenzi evezwe amaHlathi nezeziNhlanzi ezigabeni ezibalulwe kuKholamu 1 ezihambisana nanoma oluphi udaba oluthinta izindawo ezinamanzi ezivikelwe nolunye udaba oluphathelene nemikhoma, amahlengethwa, ufudu lwamanzi noshaka abamhlophe, kubandakanya imvume, ukukhishelwa

eceleni nocwaningo.

2. UNgqongqoshe wezoLimo, amaHlathi nezeziNhlanzi neziNdawo mayelana nokuphatha, amandla nemisebenzi evezwe ezigabeni ezibalulwe kuKholamu 1 nanoma oluphi udaba oluqukethwe i-Marine Living Resources Act, 1998, ezingabaluliwe ohlamvini 1 nasezimisweni zomthetho ezisohlwini lwalesi simemezelo ezihambisana nokudoba eizndaweni ezinamanzi.

## **IZIMISO ZOMTHETHO**

13. IsiMemezelo seziddawo zasemanzini ezivikelwe, esikhishwe ngokwemigomo yesigaba sama-43 Marine Protected Areas Act, 1998 (Government Notice No. R.1429 of 29 December 2000): 2 Indima 1 nendima (Incazelo yemingcele

ezisemanzini

yezindawo

ezivikelwe):

UNgqongqoshe weziNdaba zaManzi neziNdawo

UNgqongqoshe weziNdaba zaManzi neziNdawo:

Ukuphatha, amandla nemisebenzi evezwe ezigabeni ezibalulwe kuKholamu 1 kusezandleni zikaNgqongqoshe.

2(1) Castle Rock		
2(2) Betty's Bay		
2(3) De Hoop	·	
2(4) Goukamma		
2(5) Robberg		
2(6) Sardinia Bay		
2(7) Dwesa Cwebe		
2(8) Hluleka		
2(9) Mkambati		
2(10) Trafalgar		
2(11) St Lucia		
2(12) Maputoland		
2(13) Langebaan Lagoon		
2(14) Sixteen Mile beach		
2(15) Malgas Island		
2(16) Jutten Island		
2(17)Marcus Island		
2(18) Helderberg		
2(19) Tsitsikamma;		
neziNdima 3(2), 3(3), 3(4)		
neyesi-3(5) (Imibandela		
yezindawo ezisemanzini		
ezivikelwe)		
14. IsiMemezelo sezindawo	UNgqongqoshe weziNdaba	UNgqongqoshe wezoLimo,
zasemanzini ezivikeliwe,	zaManzi neziNdawo	amaHlathi nezeziNhlanzi:
esikhishwe ngokwemigomo		1. Ukuphatha, amandla
yeisgaba sama-43 se-		nemisebenzi evezwe
Marine Protected Areas Act.		ezigabeni ezibalulwe
1998 (Isaziso sikaHulumeni		kuKholamu 1 mayelana
Se. R.1429 mhlaka 29		nalezo zindaba
Disemba 2000):		eziphathelene nokusingatha
	<u> </u>	

Indima 3 (Imibandela ezokudoba kubandakanya yezindawo zasemanzini amalungelo imvume. ezivikeliwe): okudoba. ucwaningo **3(1)(a)** – Betty's Bay, oluphathelene nokudoba Goukamma ne-Robberg nezindima ezibophezelayo Indawo esemanzini nohlobo mayelana evikeliwe; olubaluliwe lokudoba 3(1)(b) - Castle Rock kuzona. Indawo esemanzini evikeliwe; UNgqongqoshe weziNdaba 3(1)(c) ne-3(1)(d) zaManzi neziNdawo: Langebaan Lagoon Indawo 2. Ukuphatha, amandla esemanzini evikeliwe; nemisebenzi evezwe 3(1)(e) - Sixteen Mile Beach ezigabeni ezibalulwe Indawo esemanzini esiMemezelweni esivezwe evikeliwe; kuKholamu 1, mayelana 3(1)(f) – Malgas Island, nodaba olungahambisani **Jutten Island and Marcus** nezindaba ezivezwe Island Indawo esemanzini ohlsmvini 1 kuzoba evikeliwe; ngaphansi kwesandla 3(1)(g) – Trafalgar Indawo sikaNgqongqoshe esemanzini evikeliwe weziNdaba zaManzi nezindawo eizbekelwe neziNdawo. imikhawulo zase-St Lucia neMaputaland Indawo esemanzini evikeliwe 15. UNgqongqoshe weziNdaba Izimiso zoMthetho UNgqongqoshe weziNdaba ezinquma zaManzi neziNdawo ngekhambi zaManzi neziNdawo: lokusingatha nokuvikela i-Ukuphatha,amandla Table Mountain Marine nemisebenzi evezwe Protected Area, ezenziwe ezigabeni ezibalulwe

ngokwemigomo yesigaba kuKholamu 1 kusezandleni sama-77 se-Marine Living zikaNgqongqoshe Resources Act, 1998 (Isaziso sikaHulumeni Saama.693 mhlaka 4 Juni 2004): Izimiso zoMthetho 1, 2, 3, 4, 5, 6(1), 6(3), 6(4), 8, 9, 11, 13, 14, 15 16. zoMthetho UNgqongqoshe weziNdaba UNggonggoshe Izimiso wezoLimo, ezinguma ngamakhambi zaManzi neziNdawo amaHlathi nezeziNhlanzi: okusingatha nokuvikela i-1. Ukuphatha, amandla Table Mountain Marine nemisebenzi evezwe Protected Area, ezenziwe ezibalulwe ezigabeni ngokwemigomo yesigaba kuKholamu 1 mayelana sama-77 se-Marine Living nalezo zindaba Resources Act. 1998 eziphathelene nokusingatha sikaHulumeni (Isaziso ezokudoba kubandakanya Saama.694 mhlaka 4 Juni amalungelo imvume, 2004): okudoba, ucwaningo Izimiso zoMthetho 6(2) oluphathelene nokudoba nesesi-7 nezindima ezibophezelayo mayelana nohlobo olubaluliwe lokudoba kuzona. UNgqongqoshe weziNdaba zaManzi neziNdawo: 2. Ukuphatha, amandla nemisebenzi evezwe

ezigabeni ezibalulwe esiMemezelweni esivezwe kuKholamu 1, mayelana nodaba olungahambisani nezindaba ezivezwe 1 ohlamvini kuzoba kwesandla ngaphansi sikaNgqongqoshe weziNdaba zaManzi neziNdawo. 17. Izimiso zoMthetho UNgqongqoshe weziNdaba UNgqongqoshe wezoLimo, ezinquma ngamakhambi zaManzi neziNdawo amaHlathi nezeziNhlanzi: okusingatha nokuvikela i-1. Ukuphatha, amandla Table Mountain Marine nemisebenzi evezwe Protected Area. ezenziwe ezigabeni ezibalulwe ngokwemigomo yesigaba ezimisweni zomthetho. sama-77 se-Marine Living okuvezwe kuKholamu 1, Resources Act, 1998 mayelana nodaba (Isaziso sikaHulumeni olungahambisani nezimiso Saama.695 mhlaka 4 Juni zomthetho 6(2) nezesi-7 2004): ezidluliselwe Izimiso zoMthetho 10 kuNgqongqoshe eMgqeni nese-12 we-16 ngaphezulu. UNgqongqoshe weziNdaba zaManzi neziNdawo: 2. Ukuphatha, amandla nemisebenzi evezwe ezigabeni ezibalulwe zoMthetho. ezimisweni okuvezwe kuKholamu 1,

18. Izimiso zoMthetho ezinquma ngamakhambi okusingatha nokuvikela i-Table Mountain Marine Protected Area, ezenziwe ngokwemigomo yesigaba sama-77 se-Marine Living Resources Act, 1998 (Isaziso sikaHulumeni Saama.696 mhlaka 4 Juni 2004):  Zonke	UNgqongqoshe weziNdaba zaManzi neziNdawo	mayelana nalolo daba oluhambisana namandla nemisebenzi engabaluliwe ohlamvini 1 ngaphezulu , kuzoba sezandleni zikaNgqongqoshe weziNdaba zaManzi nezeNdawo:  UNgqongqoshe weziNdaba zaManzi neziNdawo:  1. Ukuphatha, amandla nemisebenzi evezwe ezigabeni ezibalulwe kuKholamu 1 kusezandleni zikaNgqongqoshe.
19. IsiMemezelo sezindawo zasemanzini ezivikelwe ngokwemigomo yesigaba sama-43 se- <i>Marine</i> Protected Areas Act, 1998 - Walker Bay Whale Sanctuary Marine Protected Area (Isaziso sikaHulumeni Sama. 473 mhlaka 29 Meyi 2001: Izindima 1, 2 (Incazelo	UNgqongqoshe weziNdaba zaManzi neziNdawo	UNgqongqoshe weziNdaba zaManzi neziNdawo Ukuphatha, amandla nemisebenzi evezwe ezigabeni ezibalulwe kuKholamu 1 kusezandleni zikaNgqongqoshe.

yemingcele yezindawo zasemanzini ezivikelwe), 3(1), 3(2) (Imibandela: Izindawo ezisemanzini ezivikelwe) neye-4 20. IsiMemezelo sezindawo UNgqongqoshe weziNdaba UNgqongqoshe wezoLimo, zasemanzini ezivikelwe zaManzi neziNdawo amaHlathi nezeziNhlanzi: ngokwemigomo yesigaba 1. Ukuphatha, amandla sama-43 se-Marine nemisebenzi evezwe Protected Areas Act, 1998 ezigabeni ezibalulwe Walker Bay Whale 1 kuKholamu mayelana Sanctuary Marine Protected nalezo zindaba Area (Isaziso sikaHulumeni eziphathelene nokusingatha Sama. 473 mhlaka 29 Meyi ezokudoba kubandakanya 2001: imvume, amalungelo Indima 3(3) (Imibandela: okudoba, ucwaningo Izindawo zasemanzini oluphathelene nokudoba ezivikelwe) nezindima ezibophezelayo mayelana nohlobo olubaluliwe lokudoba kuzona. UNgqongqoshe weziNdaba zaManzi neziNdawo: 2. Ukuphatha, amandla nemisebenzi evezwe ezigabeni ezibalulwe endimeni. okugondiswe kuKholamu 1, mayelana nalolo daba olungahambisani

21. Izimiso zoMthetho ezinquma amakhambi okusingatha nokuvikela i- Aliwal Shoal Marine Protected Area, ezenziwe	UNgqongqoshe weziNdaba zaManzi neziNdawo	nezindaba ezibalulwe ohlamvini 1, kusezandleni zikaNgqongqoshe weziNdaba zaManzi neziNdawo.  UNgqongqoshe weziNdaba zaManzi neziNdawo Ukuphatha, amandla nemisebenzi evezwe ezigabeni ezibalulwe
ngokwemigomo yesigaba sama-77 se- <i>Marine Living</i> <i>Resources Act, 1998</i> (Isaziso sikaHulumeni Sama.697 mhlaka 4 Juni 2004): Izimiso zoMthetho 1 ukuya 6, 7(2), 7(4), 8, 9, 11, 13, 14,		kuKholamu 1 kusezandleni zikaNgqongqoshe.
22. Izimiso zoMthetho ezinquma amakhambi okusingatha nokuvikela i- Aliwal Shoal Marine Protected Area, ezenziwe ngokwemigomo yesigaba sama-77 se-Marine Living Resources Act, 1998 (Isaziso sikaHulumeni Sama.697 mhlaka 4 Juni 2004):	UNgqongqoshe weziNdaba zaManzi neziNdawo	UNgqongqoshe wezoLimo, amaHlathi nezeziNhlanzi.  1. Ukuphatha, amandla nemisebenzi evezwe ezigabeni ezibalulwe kuKholamu 1 mayelana nalezo zindaba eziphathelene nokusingatha ezokudoba kubandakanya imvume, amalungelo

Izimiso zoMthetho 7(1)		okudoba, ucwaningo
nesesi-7(3)		oluphathelene nokudoba
		nezindima ezibophezelayo
		mayelana nohlobo
		olubaluliwe lokudoba
		kuzona.
		UNgqongqoshe weziNdaba
		zaManzi neziNdawo:
		2. Ukuphatha, amandla
		nemisebenzi evezwe
		ezigabeni ezibalulwe
		ezimisweni zomthetho,
		okuqondiswe kuKholamu 1,
		mayelana nalolo daba
		olungahambisani nezindaba
		ezibalulwe ohlamvini 1,
		kusezandleni
		zikaNgqongqoshe
		weziNdaba zaManzi
		neziNdawo.
23. Izimiso zoMthetho	UNgqongqoshe weziNdaba	UNgqongqoshe wezoLimo,
ezinquma amakhambi	zaManzi neziNdawo	amaHlathi nezeziNhlanzi.
okusingatha nokuvikela i-		1. Ukuphatha, amandla
Aliwal Shoal Marine		nemisebenzi evezwe
Protected Area, ezenziwe		ezimisweni zomthetho,
ngokwemigomo yesigaba		okuvezwe kuKholamu 1,
sama-77 se- <i>Marine Living</i>		mayelana nodaba
Resources Act, 1998		oluhambisani nezimiso
(Isaziso sikaHulumeni		
	L	

Sama.697 mhlaka 4 Juni		zomthetho 7(1) nezes-7(3)
2004):		ezidluliselwe
Izimiso zoMthetho 10		kuNgqongqoshe eMgqeni
nese-12		we-22 ngaphezulu.
		UNgqongqoshe weziNdaba zaManzi neziNdawo:  2. Ukuphatha, amandla nemisebenzi evezwe ezimisweni zomthetho, okuqondiswe kuKholamu 1, mayelana nalolo daba oluhambisana namandla nemisebenzi, kuzoba sezandleni zikaNgqongqoshe weziNdaba zaManzi
		neziNdawo.
24. Izimiso zoMthetho	UNgqongqoshe weziNdaba	UNgqongqoshe weziNdaba
ezinquma amakhambi	zaManzi neziNdawo	zaManzi neziNdawo
okusingatha nokuvikela i-		Ukuphatha, amandla
Pondoland Marine Protected		nemisebenzi evezwe
Area, ezenziwe		ezigabeni ezibalulwe
ngokwemigomo yesigaba		kuKholamu 1 kusezandleni
sama-77 se-Marine Living		zikaNgqongqoshe.
Resources Act, 1998		
(Isaziso sikaHulumeni		
Sama.694 mhlaka 4 Juni		
2004):		
Izimiso zoMthetho 1 ukuya		

6, 8, 9, 11, 13, 14, 15 nese-		
16		
25. Izimiso zoMthetho	UNgqongqoshe weziNdaba	UNgqongqoshe wezoLimo,
ezinquma amakhambi	zaManzi neziNdawo	amaHlathi nezeziNhlanzi.
okusingatha nokuvikela i-		1. Ukuphatha, amandla
Pondoland Marine Protected		nemisebenzi evezwe
Area, ezenziwe		ezigabeni ezibalulwe
ngokwemigomo yesigaba		kuKholamu 1 mayelana
sama-77 se-Marine Living		nalezo zindaba
Resources Act, 1998		eziphathelene nokusingatha
(Isaziso sikaHulumeni		ezokudoba kubandakanya
Sama.694 mhlaka 4 Juni		imvume, amalungelo
2004):		okudoba, ucwaningo
Izimiso zoMthetho 7		oluphathelene nokudoba
		nezindima ezibophezelayo
		mayelana nohlobo
		olubaluliwe lokudoba
		kuzona.
		UNgqongqoshe weziNdaba
		zaManzi neziNdawo:
		2. Ukuphatha, amandla
		nemisebenzi evezwe
		ezigabeni ezibalulwe
		ezimisweni zomthetho,
		eziqondiswe kuKholamu 1
		mayelana nalezo sindaba
		ezingahambisana nezindaba
		ezibalulwe ohlamvini 1,
		kusezandleni

26. Izimiso zoMthetho ezinquma amakhambi okusingatha nokuvikela i- Pondoland Marine Protected Area, ezenziwe ngokwemigomo yesigaba sama-77 se-Marine Living Resources Act, 1998 (Isaziso sikaHulumeni Sama.694 mhlaka 4 Juni 2004): Izimiso zoMthetho 10 nese-12  UNgqongqoshe weziNdaba zaManzi neziNdawo  UNgqongqoshe wezoLimo, amaHlathi nezeziNhlanzi  1. Ukuphatha, amandla nemisebenzi evezwe ezimisweni zomthetho, kuKholamu 1, mayelana nodaba oluhambisana nezimiso zomthetho 7 ezidluliselwe kuNgqongqoshe eMgqeni we-25 ngaphezulu.  UNgqongqoshe weziNdaba zaManzi neziNdawo: 2. Ukuphatha, amandla nemisebenzi evezwe ezimisweni zomthetho, okuvezwe kuKholamu 1, mayelana nodaba oluhambisana namandla nemisebenzi enikeziwe ngezimiso zomthetho, okuqondiswe kuKholamu 1, mayelana nalolo daba			zikaNgqongqoshe
26. Izimiso zoMthetho ezinquma amakhambi okusingatha nokuvikela i- Pondoland Marine Protected Area, ezenziwe ngokwemigomo yesigaba sama-77 se-Marine Living Resources Act, 1998 (Isaziso sikaHulumeni Sama.694 mhlaka 4 Juni 2004): Izimiso zoMthetho 10 nese-12  UNgqongqoshe weziNdaba zaManzi neziNdawo  1. Ukuphatha, amandla nemisebenzi evezwe ezimisweni zomthetho, kuKholamu 1, mayelana nodaba oluhambisana nezimiso zomthetho 7 ezidluliselwe kuNgqongqoshe eMgqeni we-25 ngaphezulu.  UNgqongqoshe weziNdaba zaManzi neziNdawo:  2. Ukuphatha, amandla nemisebenzi evezwe ezimisweni zomthetho, okuvezwe kuKholamu 1, mayelana nodaba oluhambisana namandla nemisebenzi enikeziwe ngezimiso zomthetho, okuqondiswe kuKholamu 1, mayelana nalolo daba			weziNdaba zaManzi
ezinquma amakhambi okusingatha nokuvikela i- Pondoland Marine Protected Area, ezenziwe ngokwemigomo yesigaba sama-77 se-Marine Living Resources Act, 1998 (Isaziso sikaHulumeni Sama.694 mhlaka 4 Juni 2004):  Izimiso zoMthetho 10 nese-12  UNgqongqoshe weziNdaba zaManzi nezindawo:  2. Ukuphatha, amandla nezimiso zomthetho 7 ezidluliselwe kuNgqongqoshe weziNdaba zaManzi nezindawo:  2. Ukuphatha, amandla nemisebenzi evezwe ezimisweni zomthetho, okuvezwe kuKholamu 1, mayelana nodaba oluhambisana nese-12 negezimiso zomthetho, okuvezwe kuKholamu 1, mayelana nodaba oluhambisana namandla nemisebenzi evezwe ezimisweni zomthetho, okuvezwe kuKholamu 1, mayelana nodaba oluhambisana namandla nemisebenzi enikeziwe ngezimiso zomthetho, okuqondiswe kuKholamu 1, mayelana nalolo daba			neziNdawo.
ezinquma amakhambi okusingatha nokuvikela i- Pondoland Marine Protected Area, ezenziwe ngokwemigomo yesigaba sama-77 se-Marine Living Resources Act, 1998 (Isaziso sikaHulumeni Sama.694 mhlaka 4 Juni 2004):  Izimiso zoMthetho 10 nese-12  UNgqongqoshe weziNdaba zaManzi nezindawo:  2. Ukuphatha, amandla nezimiso zomthetho 7 ezidluliselwe kuNgqongqoshe weziNdaba zaManzi nezindawo:  2. Ukuphatha, amandla nemisebenzi evezwe ezimisweni zomthetho, okuvezwe kuKholamu 1, mayelana nodaba oluhambisana nese-12 negezimiso zomthetho, okuvezwe kuKholamu 1, mayelana nodaba oluhambisana namandla nemisebenzi evezwe ezimisweni zomthetho, okuvezwe kuKholamu 1, mayelana nodaba oluhambisana namandla nemisebenzi enikeziwe ngezimiso zomthetho, okuqondiswe kuKholamu 1, mayelana nalolo daba			
okusingatha nokuvikela i- Pondoland Marine Protected Area, ezenziwe ngokwemigomo yesigaba sama-77 se-Marine Living Resources Act, 1998 (Isaziso sikaHulumeni Sama.694 mhlaka 4 Juni 2004): Izimiso zoMthetho 10 nese-12  UNgqongqoshe eMgqeni we-25 ngaphezulu.  UNgqongqoshe weziNdaba zaManzi neziNdawo: 2. Ukuphatha, amandla nemisebenzi evezwe ezimisweni zomthetho, okuvezwe kuKholamu 1, mayelana nodaba oluhambisana namandla nemisebenzi evezwe ezimisweni zomthetho, okuvezwe kuKholamu 1, mayelana nodaba oluhambisana namandla nemisebenzi enikeziwe ngezimiso zomthetho, okuqondiswe kuKholamu 1, mayelana nalolo daba	26. Izimiso zoMthetho	UNgqongqoshe weziNdaba	UNgqongqoshe wezoLimo,
Pondoland Marine Protected Area, ezenziwe ngokwemigomo yesigaba sama-77 se-Marine Living Resources Act, 1998 (Isaziso sikaHulumeni Sama.694 mhlaka 4 Juni 2004): Izimiso zoMthetho 10 nese-12  UNgqongqoshe weziNdaba zaManzi neziNdawo:  2. Ukuphatha, amandla nemisebenzi evezwe ezimisweni zomthetho 7 ezidluliselwe kuNgqongqoshe weziNdaba zaManzi neziNdawo:  2. Ukuphatha, amandla nemisebenzi evezwe ezimisweni zomthetho, okuvezwe kuKholamu 1, mayelana nodaba oluhambisana namandla nemisebenzi enikeziwe ngezimiso zomthetho, okuqondiswe kuKholamu 1, mayelana nalolo daba	ezinquma amakhambi	zaManzi neziNdawo	amaHlathi nezeziNhlanzi
Area, ezenziwe ngokwemigomo yesigaba sama-77 se-Marine Living Resources Act, 1998 (Isaziso sikaHulumeni Sama.694 mhlaka 4 Juni 2004): Izimiso zoMthetho 10 nese-12  UNgqongqoshe weziNdaba zaManzi nezindawo:  2. Ukuphatha, amandla nemisebenzi evezwe ezimisweni zomthetho 7 ezidluliselwe kuNgqongqoshe weziNdaba zaManzi neziNdawo:  2. Ukuphatha, amandla nemisebenzi evezwe ezimisweni zomthetho, okuvezwe kuKholamu 1, mayelana nodaba oluhambisana namandla nemisebenzi enikeziwe ngezimiso zomthetho, okuqondiswe kuKholamu 1, mayelana nalolo daba	okusingatha nokuvikela i-		
nemisebenzi evezwe ezimisweni zomthetho, kuKholamu 1, mayelana nodaba oluhambisana nezimiso zomthetho 7 ezidluliselwe kuNgqongqoshe weziNdaba zaManzi neziNdawo:  2. Ukuphatha, amandla nemisebenzi evezwe ezimisweni zomthetho, okuvezwe kuKholamu 1, mayelana nodaba oluhambisana nezimiso zomthetho 7 ezidluliselwe  kuNgqongqoshe eMgqeni we-25 ngaphezulu.  UNgqongqoshe weziNdaba zaManzi neziNdawo:  2. Ukuphatha, amandla nemisebenzi evezwe ezimisweni zomthetho, okuvezwe kuKholamu 1, mayelana nodaba oluhambisana namandla nemisebenzi enikeziwe ngezimiso zomthetho, okuqondiswe kuKholamu 1, mayelana nalolo daba	Pondoland Marine Protected		4 10 4 4 4 4 4 4 4
ngokwemigomo yesigaba sama-77 se-Marine Living Resources Act, 1998 (Isaziso sikaHulumeni Sama.694 mhlaka 4 Juni 2004): Izimiso zoMthetho 10 nese-12  UNgqongqoshe weziNdaba zaManzi nezinkdawo:  2. Ukuphatha, amandla nemisebenzi evezwe ezimisweni zomthetho, okuvezwe kuKholamu 1, mayelana nodaba oluhambisana nezimiso zomthetho 7 ezidluliselwe kuNgqongqoshe weziNdaba zaManzi neziNdawo:  2. Ukuphatha, amandla nemisebenzi evezwe ezimisweni zomthetho, okuvezwe kuKholamu 1, mayelana nodaba oluhambisana namandla nemisebenzi enikeziwe ngezimiso zomthetho, okuqondiswe kuKholamu 1, mayelana nalolo daba	Area, ezenziwe		·
Resources Act, 1998 (Isaziso sikaHulumeni Sama.694 mhlaka 4 Juni 2004): Izimiso zoMthetho 10 nese-12  UNgqongqoshe weziNdaba zaManzi neziNdawo:  2. Ukuphatha, amandla nemisebenzi evezwe ezimisweni zomthetho, okuvezwe kuKholamu 1, mayelana nodaba oluhambisana namandla nemisebenzi enikeziwe ngezimiso zomthetho, okuqondiswe kuKholamu 1, mayelana nalolo daba	ngokwemigomo yesigaba		
(Isaziso sikaHulumeni Sama.694 mhlaka 4 Juni 2004): Izimiso zoMthetho 10 nese-12  UNgqongqoshe weziNdaba zaManzi nezindawo: 2. Ukuphatha, amandla nemisebenzi evezwe ezimisweni zomthetho, okuvezwe kuKholamu 1, mayelana nodaba oluhambisana namandla nemisebenzi enikeziwe ngezimiso zomthetho, okuqondiswe kuKholamu 1, mayelana nalolo daba	sama-77 se-Marine Living		,
(Isaziso sikaHulumeni Sama.694 mhlaka 4 Juni 2004):  Izimiso zoMthetho 10 nese-12  UNgqongqoshe eMgqeni we-25 ngaphezulu.  UNgqongqoshe weziNdaba zaManzi neziNdawo: 2. Ukuphatha, amandla nemisebenzi evezwe ezimisweni zomthetho, okuvezwe kuKholamu 1, mayelana nodaba oluhambisana namandla nemisebenzi enikeziwe ngezimiso zomthetho, okuqondiswe kuKholamu 1, mayelana nalolo daba	Resources Act, 1998		
Sama.694 mhlaka 4 Juni 2004):  Izimiso zoMthetho 10 nese-12  UNgqongqoshe weziNdaba zaManzi neziNdawo:  2. Ukuphatha, amandla nemisebenzi evezwe ezimisweni zomthetho, okuvezwe kuKholamu 1, mayelana nodaba oluhambisana namandla nemisebenzi enikeziwe ngezimiso zomthetho, okuqondiswe kuKholamu 1, mayelana nalolo daba	(Isaziso sikaHulumeni		
Izimiso   zoMthetho   10   nese-12	Sama.694 mhlaka 4 Juni		
nese-12  We-25 ngaphezulu.  UNgqongqoshe weziNdaba zaManzi neziNdawo:  2. Ukuphatha, amandla nemisebenzi evezwe ezimisweni zomthetho, okuvezwe kuKholamu 1, mayelana nodaba oluhambisana namandla nemisebenzi enikeziwe ngezimiso zomthetho, okuqondiswe kuKholamu 1, mayelana nalolo daba	2004):		
UNgqongqoshe weziNdaba zaManzi neziNdawo:  2. Ukuphatha, amandla nemisebenzi evezwe ezimisweni zomthetho, okuvezwe kuKholamu 1, mayelana nodaba oluhambisana namandla nemisebenzi enikeziwe ngezimiso zomthetho, okuqondiswe kuKholamu 1, mayelana nalolo daba	Izimiso zoMthetho 10		kuNgqongqoshe eMgqeni
zaManzi neziNdawo:  2. Ukuphatha, amandla nemisebenzi evezwe ezimisweni zomthetho, okuvezwe kuKholamu 1, mayelana nodaba oluhambisana namandla nemisebenzi enikeziwe ngezimiso zomthetho, okuqondiswe kuKholamu 1, mayelana nalolo daba	nese-12		we-25 ngaphezulu.
zaManzi neziNdawo:  2. Ukuphatha, amandla nemisebenzi evezwe ezimisweni zomthetho, okuvezwe kuKholamu 1, mayelana nodaba oluhambisana namandla nemisebenzi enikeziwe ngezimiso zomthetho, okuqondiswe kuKholamu 1, mayelana nalolo daba			
zaManzi neziNdawo:  2. Ukuphatha, amandla nemisebenzi evezwe ezimisweni zomthetho, okuvezwe kuKholamu 1, mayelana nodaba oluhambisana namandla nemisebenzi enikeziwe ngezimiso zomthetho, okuqondiswe kuKholamu 1, mayelana nalolo daba			UNggonggoshe weziNdaha
2. Ukuphatha, amandla nemisebenzi evezwe ezimisweni zomthetho, okuvezwe kuKholamu 1, mayelana nodaba oluhambisana namandla nemisebenzi enikeziwe ngezimiso zomthetho, okuqondiswe kuKholamu 1, mayelana nalolo daba			
nemisebenzi evezwe ezimisweni zomthetho, okuvezwe kuKholamu 1, mayelana nodaba oluhambisana namandla nemisebenzi enikeziwe ngezimiso zomthetho, okuqondiswe kuKholamu 1, mayelana nalolo daba			
ezimisweni zomthetho, okuvezwe kuKholamu 1, mayelana nodaba oluhambisana namandla nemisebenzi enikeziwe ngezimiso zomthetho, okuqondiswe kuKholamu 1, mayelana nalolo daba			' '
okuvezwe kuKholamu 1, mayelana nodaba oluhambisana namandla nemisebenzi enikeziwe ngezimiso zomthetho, okuqondiswe kuKholamu 1, mayelana nalolo daba			
mayelana nodaba oluhambisana namandla nemisebenzi enikeziwe ngezimiso zomthetho, okuqondiswe kuKholamu 1, mayelana nalolo daba			
oluhambisana namandla nemisebenzi enikeziwe ngezimiso zomthetho, okuqondiswe kuKholamu 1, mayelana nalolo daba			
nemisebenzi enikeziwe ngezimiso zomthetho, okuqondiswe kuKholamu 1, mayelana nalolo daba			
ngezimiso zomthetho, okuqondiswe kuKholamu 1, mayelana nalolo daba			oluhambisana namandla
okuqondiswe kuKholamu 1, mayelana nalolo daba			nemisebenzi enikeziwe
mayelana nalolo daba			ngezimiso zomthetho,
			okuqondiswe kuKholamu 1,
			mayelana nalolo daba
oluhambisana namandla			oluhambisana namandla

		nemisebenzi engabaluliwe ohlamvini 1 ngaphezulu, kusezandleni zikaNgqongqoshe weziNdaba zaManzi neziNdawo.
27. Izimiso zoMthetho	UNgqongqoshe weziNdaba	UNgqongqoshe weziNdaba
mayelana ne-Stilbaai Marine	zaManzi neziNdawo	zaManzi neziNdawo
Protected Area, ezenziwe		Ukuphatha, amandla
ngokwemigomo yesigaba		nemisebenzi evezwe
sama-77 se-Marine Living Resources Act, 1998		ezigabeni ezibalulwe
(Isaziso sikaHulumeni		kuKholamu 1 kusezandleni
Sama. R.1108 of 17		zikaNgqongqoshe.
Okthoba 2008):		
Izimiso zoMthetho 1 kuya		
4, 6, 7, 8 nese-10		
28. Izimiso zoMthetho	UNgqongqoshe weziNdaba	UNgqongqoshe wezoLimo,
mayelana ne-Stilbaai Marine	zaManzi neziNdawo	amaHlathi nezeziNhlanzi.
Protected Area, ezenziwe		1. Ukuphatha, amandla
ngokwemigomo yesigaba		nemisebenzi evezwe
sama-77 se-Marine Living		ezigabeni ezibalulwe
Resources Act, 1998		kuKholamu 1 mayelana
(Isaziso sikaHulumeni Sama. R.1108 of 17		nalezo zindaba
Sama. R.1108 of 17 Okthoba 2008):		eziphathelene nokusingatha
Izimiso zoMthetho 5		ezokudoba kubandakanya
12mm30 20mmGuid 0		imvume, amalungelo
		okudoba, ucwaningo

oluphathelene nokudoba nezindima ezibophezelayo mayelana nohlobo olubaluliwe lokudoba kuzona. UNgqongqoshe weziNdaba zaManzi neziNdawo: 2. Ukuphatha, amandla nemisebenzi evezwe ezimisweni zomthetho, kuKholamu okuvezwe mayelana nodaba olungahambisana nezindaba ezivezwe ohlamvini 1, kusezandleni zikaNgqongqoshe weziNdaba zaManzi neziNdawo. 29. zoMthetho UNgqongqoshe weziNdaba UNgqongqoshe Izimiso wezoLimo, mayelana ne-Stilbaai Marine zaManzi neziNdawo amaHlathi nezeziNhlanzi Protected Area, ezenziwe 1. Ukuphatha, amandla ngokwemigomo yesigaba nemisebenzi evezwe sama-77 se-Marine Living ezimisweni zomthetho, 1998 Resources Act, kuKholamu 1, mayelana sikaHulumeni (Isaziso nodaba oluhambisana R.1108 Sama. of 17 nezimiso zomthetho Okthoba 2008): ezidluliselwe Izimiso zoMthetho 9 kuNgqongqoshe eMgqeni

		we-28 ngaphezulu.  UNgqongqoshe weziNdaba zaManzi neziNdawo:  2. Ukuphatha, amandla nemisebenzi evezwe ezimisweni zomthetho, kuKholamu 1, mayelana nodaba oluhambisana namandla nemisebenzi engabaluliwe ohlamvini 1 ngaphezulu, kusezandleni zikaNgqongqoshe weziNdaba zaManzi neziNdawo.
30. Isaziso esimemezela nge-Stilbaai Marine Protected Area, esikhishwe ngokwemigomo yesigaba sama-43 se-Marine Living Resources Act, 1998 (Isaziso sikaHulumeni Sama-1109 mhlaka 17 Okthoba 2008 Zonke	UNgqongqoshe weziNdaba zaManzi neziNdawo  UNgqongqoshe weziNdaba	UNgqongqoshe weziNdaba zaManzi neziNdawo Ukuphatha, amandla nemisebenzi evezwe ezigabeni ezibalulwe kuKholamu 1 kusezandleni zikaNgqongqoshe.  UNgqongqoshe weziNdaba
mayelana nokuphathwa kwe-Amathole Marine Protected Area, ezenziwe	zaManzi neziNdawo	zaManzi neziNdawo Ukuphatha, amandla

yesigaba sama-77 se- Marine Living Resources Act, 1998 (Isaziso sikaHulumeni Sama.R.62 mhlaka 1 Febhuwari 2008) Zonke  35. Izimiso zoMthetho zokuPhathwa kwe-Boat Based Whale Watching and Protection of Turtles, ezensiwe ngokwemigomo yesigaba sama-77 (se- Marine Living Resources Act, 1998 (Isaziso sikaHulumeni Sama.R.725 mhlaka 4 Julayi 2008	UNgqongqoshe weziNdaba zaManzi neziNdawo	nemisebenzi evezwe ezigabeni ezibalulwe kuKholamu 1 kusezandleni zikaNgqongqoshe.  UNgqongqoshe weziNdaba zaManzi neziNdawo Ukuphatha, amandla nemisebenzi evezwe ezigabeni ezibalulwe kuKholamu 1 kusezandleni zikaNgqongqoshe.
36. Izimiso zoMthetho ze- Management of White Shark Cage Diving, ezenziwe ngokwemigomo yesigaba sama-77 se-Marine Living Resources Act, 1998 (Isaziso sikaHulumeni Sama.R. 724 mhlaka 4 Julayi 2008) Zonke	UNgqongqoshe weziNdaba zaManzi neziNdawo	Ukuphatha,amandla nemisebenzi evezwe ezigabeni ezibalulwe kuKholamu 1 kusezandleni zikaNgqongqoshe.

## **IMEMORANDAMU ECHAZAYO**

- Mhlaka 10 Meyi 2009 uMongameli umemezelo ukuqokwa koNgqongqoshe namaPhini oNgqongqoshe ngokwemigomo yesigaba sama-91(2) nesama-93(1) zoMthethosisekelo waseRiphabhuliki yaseNingizimu Afrika, ka-1996 (uMthethosisekelo). Njengoba imisebenzi yoNgqongqoshe ihlukile emisebenzini yoNgqongqoshe yaphambilini uMongameli mhlaka 9 Meyi 2009 wafunga wathi, kusemqoka ukuhambisa ngendlela efanayo ukuphathwa namandla kanye nemisebenzi ethweswe ngomthetho emisebenzini emisha yoNgqongqoshe emenyezelwe nguMongameli.
- Ukuphatha namandla kanye nemisebenzi ethweswe nge-Marine Living Resources Act, 1998 (Act No. 18 of 1998), okuhambisana nesikompilo lwasolwandle, adluliswa esuswa kuNgqongqoshe weziNdaba zaManzi neziNdawo kudluliselwa kuNgqongqoshe wezoLimo, amaHlathi nezokuDoba ngesimemezelo sama-44 mhlaka 1 Julayi 2009.
- 3. Ukuphatha namandla kanye nemisebenzi ethweswe nge-*Marine Living Resources Act, 1998*: ephathelene nokudoba (ekhiphela eceleni izindawo ezivikelwe nezimiso zomthetho ezihambisana noMbukiso wameKhoma emiKhunjini nokuTshuza koShaka abaMhlophe abaseKhejini), kwadluliswa kususwa kuNgqongqoshe weziNdaba zaManzi neziNdawo kudluliselwa kuNgqongqoshe wezoLimo, amaHlathi nezokuDoba ngesiMemezelo soku-1 mhlaka 10 Febhuwari 2009.
- 4. IsiMemezelo samhlaka 10 Febhuwari 2010 sabangela indida ngendlala nangesimo sokudlulisa imisebenzi, ikakhulukazi leyo ehambisana nezimiso zomthetho ngaphansi kwe-Marine Living Resources Act, 1998 (Act No. 18 of 1998) eyabe ingabaluliwe esiMemezelweni samhlaka 10 Febhuwari. Lesi siMemezelo, esenziwa ngokwemigomo yesigaba sama-97 soMthethosisekelo, sihlose ukuhlinzekela ngokucacisa ngomsuka nengendlela yokudlulisa amandla nemisebenzi ngaphansi kwe-Marine Living Resources Act, 1998 (Act No. 18 of 1998) kubandakanya nezimiso zomthetho. Kwezinye izimo lapho lowo Ngqongqoshe evela kumakhomalu womabili yesi-2 neyesi-3, lokhu kuveza ukuthi akukho okudlulisiwe, futhi sicacise ngomsuka wokudluliswe ngesiMemezelo

mhlaka 10 Febhuwari. Isigaba sama-97 soMthethosisekelo sibeka ukuthi "uMongameli ngesimemezelo angadlulisela kwelinye ilungu leKhabhinethi-

- (a) ukuphathwa kwanoma omuphi umthetho othweswe kwelinye ilungu; noma
- (b) noma amaphi amandla noma imisebenzi ethweswe ngomthetho kwelinye ilungu.".

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