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**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**

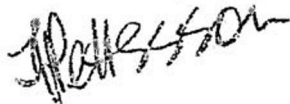
In terms of section 97 of the Constitution of the Republic of South Africa, 1996, I hereby transfer the administration and powers and functions entrusted by the specified legislation, and all amendments thereto, to the specified Cabinet member and amend and clarify previous proclamations as set out in 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

  
PRESIDENT

By Order of the President-in-Cabinet:

MINISTER OF 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:**

<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>
<b>LEGISLATION</b>	<b>CABINET MEMBER PREVIOUSLY RESPONSIBLE</b>	<b>CABINET MEMBER TO WHOM FUNCTION IS TRANSFERRED AND EXTENT OF TRANSFER</b>
1. Marine Living Resources Act, 1998: <b>Sections 1 to 4</b>	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.

		<p>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.</p>
<p>2. Marine Living Resources Act, 1998: <b>Sections 5 to 7, 10, 11, 14, 15, 17, 18 to 27, 29 to 41 and 44 to 50</b></p>	<p>Minister of Agriculture, Forestry and Fisheries</p>	<p>Minister of Agriculture, Forestry and Fisheries:</p> <p>The administration of and the powers and duties provided for in the sections referred to in Column 1 remain with the Minister.</p>
<p>3. Marine Living Resources Act, 1998: <b>Section 8</b></p>	<p>Minister of Water and Environmental Affairs</p>	<p>Minister of Agriculture, Forestry and Fisheries:</p>

	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: <b>Section 9</b>	Minister of Water and Environmental Affairs and Minister of Agriculture, Forestry and Fisheries	<p>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—</p> <p>(a) to perform enforcement functions within marine protected areas; and</p> <p>(b) enforcing the regulations listed in this Proclamation relating to marine protected areas, and those relating to whales, dolphins, turtles and white sharks.</p> <p>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</p>

		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.
5. Marine Living Resources Act, 1998: <b>Section 12</b>	Minister of Agriculture, Forestry and Fisheries	<p>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 the keeping of—</p> <p>(a) a register for permits issued in terms of the Marine Living Resources Act, 1998, in respect of activities within marine protected areas; and</p> <p>(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</p>



		<p>2(a); and</p> <p>(c) a register for permits issued in terms of regulations relating to whales, dolphins, turtles and white sharks.</p> <p>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—</p> <p>(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</p> <p>(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.</p>
6. Marine Living Resources Act, 1998: <b>Section 13</b>	Minister of Water and Environmental Affairs	1. Minister of Water and Environmental Affairs in so far as the administration of

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

		<p>(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</p> <p>(c) permits issued in terms of regulations relating to whales, dolphins, turtles and white sharks.</p> <p>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—</p> <p>(a) fishing permits issued in terms of the regulations listed in this proclamation in respect of fishing within marine protected areas; and</p> <p>(b) Any other permit, right or licence issued in terms of the Marine Living Resources Act, 1998, not mentioned in item 1.</p>
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<p>9. Marine Living Resources Act, 1998: <b>Section 42</b></p>	<p>Minister of Water and Environmental Affairs and  Minister of Agriculture, Forestry and Fisheries</p>	<p>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 any matter relating to marine protected areas and any matter relating to whales, dolphins, turtles and white sharks.</p> <p>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.</p>
<p>10. Marine Living Resources Act, 1998: <b>Section 43</b></p>	<p>Minister of Water and Environmental Affairs</p>	<p>Minister of Water and Environmental Affairs:</p> <p>The administration of and the powers and duties provided for in the section referred to</p>

		<p>in Column 1, read together with—</p> <p>(a) the regulations and other provisions listed in this proclamation relating to marine protected areas; and</p> <p>(b) the regulations listed in this proclamation relating to whales, dolphins, turtles and white sharks.</p>
<p>11. Marine Living Resources Act, 1998: <b>Sections 51 to 76</b></p>	<p>Minister of Water and Environmental Affairs and</p> <p>Minister of Agriculture, Forestry and Fisheries</p>	<p>1. 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 any matter relating to marine protected areas and any matter relating to whales, dolphins, turtles and white sharks.</p> <p>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</p>

		contained in 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.
12. Marine Living Resources Act, 1998: <b>Sections 77 to 86</b>	Minister of Water and Environmental Affairs and  Minister of Agriculture, Forestry and Fisheries	<p>1. 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 any matter relating to marine protected areas and any matter relating to whales, dolphins, turtles and white sharks, including permits, exemptions and research.</p> <p>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 contained in the Marine</p>

		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		
<p>13. Declaration of Areas as Marine Protected Areas, issued in terms of section 43 of the Marine Protected Areas Act, 1998 (Government Notice No. R.1429 of 29 December 2000):</p> <p>Paragraph 1 and paragraph 2 (Description of boundaries of marine protected areas):</p> <p>2(1) Castle Rock</p> <p>2(2) Betty's Bay</p> <p>2(3) De Hoop</p> <p>2(4) Goukamma</p> <p>2(5) Robberg</p> <p>2(6) Sardinia Bay</p> <p>2(7) Dwesa Cwebe</p> <p>2(8) Hluleka</p> <p>2(9) Mkambati</p> <p>2(10) Trafalgar</p> <p>2(11) St Lucia</p>	Minister of Water and Environmental Affairs	<p>Minister of Water and Environmental Affairs:</p> <p>The administration of and the powers and duties provided for in the paragraphs referred to in Column 1 remain with the Minister.</p>



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)		
14. Declaration of Areas as Marine Protected Areas, issued in terms of section 43 of the Marine Protected Areas Act. 1998 (Government Notice No. R.1429 of 29 December 2000): Paragraph 3 (Stipulations Marine Protected Areas): <b>3(1)(a)</b> – Betty's Bay, Goukamma and Robberg Marine Protected Areas; <b>3(1)(b)</b> – Castle Rock Marine Protected Area; <b>3(1)(c) and 3(1)(d)</b> - Langebaan Lagoon Marine Protected Area; <b>3(1)(e)</b> - Sixteen Mile Beach	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 paragraphs referred to in Column 1 in so far as those matters relate to fisheries management including permitting, fishing rights, fisheries related research and enforcing the paragraphs with regard to the types of fishing specified therein.  Minister of Water and Environmental Affairs:

<p>Marine Protected Area;  <b>3(1)(f)</b> – Malgas Island, Jutten Island and Marcus Island Marine Protected Areas;  <b>3(1)(g)</b> – Trafalgar Marine Protected Area and the restricted areas of the St Lucia and Maputaland Marine Protected Areas</p>		<p>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.</p>
<p>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):  <b>Regulations 1, 2, 3, 4, 5, 6(1), 6(3), 6(4), 8, 9, 11, 13, 14 and 15</b></p>	<p>Minister of Water and Environmental Affairs</p>	<p>Minister of Water and Environmental Affairs:</p> <p>The administration of and the powers and duties provided for in the regulations referred to in Column 1 remain with the Minister.</p>
<p>16. Regulations prescribing the management and protection measures for the Table Mountain Marine Protected Area, made in terms of section 77 of the</p>	<p>Minister of Water and Environmental Affairs</p>	<p>Minister of Agriculture, Forestry and Fisheries.</p> <p>1. The administration of and the powers and duties provided for in the</p>

<p>Marine Living Resources Act, 1998 (Government Notice No. 695 of 4 June 2004):</p> <p><b>Regulations 6(2) and 7</b></p>		<p>regulations, referred to in Column 1, in so far as those matters relate to fisheries management including permitting, fishing rights, fisheries related research and enforcing the regulations with regard to the types of fishing specified therein.</p> <p>Minister of Water and Environmental Affairs:</p> <p>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.</p>
<p>17. 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</p>	<p>Minister of Water and Environmental Affairs</p>	<p>Minister of Agriculture, Forestry and Fisheries:</p> <p>1. The administration of and the powers and duties provided for in the regulations, referred to in Column 1, in so far as those</p>

<p>Act, 1998 (Government Notice No. 695 of 4 June 2004):</p> <p><b>Regulations 10 and 12</b></p>		<p>matters relate to regulations 6(2) and 7 transferred to the Minister in Row 16 above.</p> <p>Minister of Water and Environmental Affairs:</p> <p>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.</p>
<p>18. Regulations prescribing the management and protection measures for the Bird Island Group Marine Protected Area, made in terms of section 77 of the Marine Living Resources Act, 1998 (Government Notice No. 696 of 4 June 2004)</p> <p><b>The whole</b></p>	<p>Minister of Water and Environmental Affairs</p>	<p>Minister of Water and Environmental Affairs:</p> <p>The administration of and the powers and duties provided for in the regulations referred to in Column 1 remain with the Minister.</p>
<p>19. Declaration of Area as Marine Protected Area in</p>	<p>Minister of Water and</p>	<p>Minister of Water and</p>

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

		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): <b>Regulations 1 to 6, 7(2), 7(4), 8, 9, 11, 13, 14 and 15</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 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

<p>Notice No. 697 of 4 June 2004):</p> <p><b>Regulations 7(1) and 7(3)</b></p>		<p>management including permitting, fishing rights, fisheries related research and enforcing the regulations with regard to the types of fishing specified therein.</p> <p>Minister of Water and Environmental Affairs:</p> <p>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.</p>
<p>23. 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):</p>	<p>Minister of Water and Environmental Affairs</p>	<p>Minister of Agriculture, Forestry and Fisheries</p> <p>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</p>

<b>Regulations 10 and 12</b>		<p>above.</p> <p>Minister of Water and Environmental Affairs:</p> <p>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.</p>
<p>24. Regulations prescribing the management and protection measures for the Pondoland Marine Protected Area, made in terms of section 77 of the Marine Living Resources Act, 1998 (Government Notice No. 694 of 4 June 2004):</p> <p><b>Regulations 1 to 6, 8, 9, 11, 13, 14, 15 and 16</b></p>	Minister of Water and Environmental Affairs	<p>Minister of Water and Environmental Affairs</p> <p>The administration of and the powers and duties provided for in the regulations referred to in Column 1 remain with the Minister.</p>
25. Regulations prescribing the management and	Minister of Water and Environmental Affairs	Minister of Agriculture, Forestry and Fisheries.



<p>protection measures for the Pondoland Marine Protected Area, made in terms of section 77 of the Marine Living Resources Act, 1998 (Government Notice No. 694 of 4 June 2004):</p> <p><b>Regulation 7</b></p>		<p>1. 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 fisheries management including permitting, fishing rights, fisheries related research and enforcing the regulation with regard to the types of fishing specified therein.</p> <p>Minister of Water and Environmental Affairs:</p> <p>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.</p>
<p>26. Regulations prescribing the management and protection measures for the</p>	<p>Minister of Water and Environmental Affairs</p>	<p>Minister of Agriculture, Forestry and Fisheries</p> <p>1. The administration of and</p>

<p>Pondoland Marine Protected Area, made in terms of section 77 of the Marine Living Resources Act, 1998 (Government Notice No. 694 of 4 June 2004):</p> <p><b>Regulations 10 and 12</b></p>		<p>the powers and duties provided for in the regulations, referred to in Column 1, in so far as those matters relate to regulation 7 transferred to the Minister in Row 25 above.</p> <p>Minister of Water and Environmental Affairs:</p> <p>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 Minister of Water and Environmental Affairs.</p>
<p>27. Regulations on the Stilbaai Marine Protected Area, made in terms of section 77 of the Marine Living Resources Act, 1998 (Government Notice No. R.1108 of 17 October 2008):</p> <p><b>Regulations 1 to 4, 6, 7, 8</b></p>	<p>Minister of Water and Environmental Affairs</p>	<p>Minister of Water and Environmental Affairs</p> <p>The administration of and the powers and duties provided for in the regulations referred to in Column 1 remain with the Minister.</p>

<b>and 10</b>		
<p>28. Regulations on the Stilbaai Marine Protected Area, made in terms of section 77 of the Marine Living Resources Act, 1998 (Government Notice No. R.1108 of 17 October 2008):</p> <p><b>Regulation 5</b></p>	<p>Minister of Water and Environmental Affairs</p>	<p>Minister of Agriculture, Forestry and Fisheries.</p> <p>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 management including permitting, fishing rights, fisheries related research and enforcing the regulation with regard to the types of fishing specified therein.</p> <p>Minister of Water and Environmental Affairs:</p> <p>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.</p>

<p>29. Regulations on the Stilbaai Marine Protected Area, made in terms of section 77 of the Marine Living Resources Act, 1998 (Government Notice No. R.1108 of 17 October 2008):</p> <p><b>Regulation 9</b></p>	<p>Minister of Water and Environmental Affairs</p>	<p>Minister of Agriculture, Forestry and Fisheries</p> <p>1. 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 regulation 5 transferred to the Minister in Row 28 above.</p> <p>Minister of Water and Environmental Affairs:</p> <p>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.</p>
<p>30. Notice Declaring the Stilbaai Marine Protected Area, issued in terms of section 43 of the Marine</p>	<p>Minister of Water and Environmental Affairs</p>	<p>Minister of Water and Environmental Affairs</p> <p>The administration of and the</p>

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

(Government Notice No. R.1111 of 2 September 1998 <b>The whole</b>		for in the Regulations referred to in Column 1 remain with the Minister.
34. Regulations for the Protection of Wild Abalone ( <i>Haliotis</i> ), made in terms of section 77 of the Marine Living Resources Act, 1998 (Government Notice No. R.62 of 1 February 2008) <b>The whole</b>	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) <b>The whole</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 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

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724 of 4 July 2008) <b>The whole</b>		referred to in Column 1 remain with the Minister.
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**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 Boat-based 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 kuSomqulu.

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



**UMONGAMELI**

Ngomyalelo kaMongameli kuKhabhinethi:

**UNGQONGQOSHE WEKhabhinethi**



**UNGQONGQOSHE WEKhabhinethi**



**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 kuKholamu 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>I-Marine Living Resources Act, 1998: Izigaba 1-4</i>	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- <i>Marine Living Resources Act,</i> <i>1998; kanye</i>  (b) izimiso zomthetho kanye neminye imibandela esohlwini lwalesi simemezelo ehambisana nezindawo zamanzi ezivikelwe; kanye  (c) nezimiso zomthetho ezisohlwini kulesi simemezelo ezihambisana nemikhoma, amahlengethwa, ufudu

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

<i>Act, 1998: Isigaba sesi-8</i>	zaManzi neziNdawo kanye noNgqongqoshe wezoLimo, amaHlathi nezeziNhlanzi	amaHlathi nezeziNhlanzi:  Ukuphatha, amandla nemisebenzi evezwe ezigabeni ezibalulwe kuKholamu.
4. <i>Marine Living Resources Act, 1998: Isigaba 9</i>	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

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

		<p>ekhishwe ngokwemigomo yezimiso zomthetho ezisohlwini lwalesi siememzelo mayelana nokwenziwayo ezindaweni ezinamanzi ezivikelwe, okungabandakanyi iregista evezwe ohlamvini lwesi-2(a); kanye</p> <p>(c) neregista yemvume ekhishwe ngokwemigomo yezimiso zomthetho ezihambisana nemikhoma, amahlengethwa, ufudu lwamanzi noshaka abamhlophe.</p> <p>2. UNgqongqoshe wezoLimo, amaHlathi nezeziNhlanzi mayelana nokuphatha, amandla nemisebenzi evezwe ezigabeni ezibalulwe kuKholamu 1 ehambisana nokugcina—</p> <p>(a) ) iregista yemvume ekhishwe ngokwemigomo yezimiso zomthetho ezisohlwini lwalesi simemezelo mayelana nokudoba ezindaweni</p>
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		<p>ezinamanzi ezivikelwe; kanye</p> <p>(b) neregista enamalungelo, imvume nelayisensi ekhishwe ngokwemigomo ye-<i>Marine Living Resources Act, 1998</i>, engabaluliwe ohlamvini 1.</p>
<p>6. <i>Marine Living Resources Act, 1998: Isigaba 13</i></p>	<p>UNgqongqoshe weziNdaba zaManzi neziNdawo</p> <p>kanye</p> <p>noNgqongqoshe wezoLimo, amaHlathi nezeziNhlanzi</p>	<p>1. UNgqongqoshe weziNdaba zaManzi neziNdawo mayelana nokuphatha, amandla nemisebenzi evezwe ezigabeni ezibalulwe kuKholamu 1ehambisana—</p> <p>(a) imvume ekhishwe ngokwemigomo ye-<i>Marine Living Resources Act, 1998</i>, mayelana nokwenziwayo ezindaweni ezinamanzi ezivikelwe; kanye</p> <p>(b) imvume ekhishwe ngokwemigomo yezimiso zomthetho osohlwini lwalesi simeemzelo mayelana nemisebenzi esezindaweni zamanzi ezivikelwe, kungabandakanyi imvume yokudoba evezwe ohlamvini</p>

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

<i>Act, 1998: Isigaba 16</i>	zaManzi neziNdawo kanye noNgqongqoshe wezoLimo, amaHlathi nezeziNhlanzi	amaHlathi nezeziNhlanzi:  Ukuphatha, amandla nemisebenzi evezwe ezigabeni ezibalulwe kuKholamu 1.
8. <i>Marine Living Resources Act, 1998: Isigaba 28</i>	UNgqongqoshe weziNdaba zaManzi neziNdawo kanye noNgqongqoshe wezoLimo, amaHlathi nezeziNhlanzi	1. UNgqongqoshe weziNdaba zaManzi neziNdawo mayelana nokuphatha, amandla nemisebenzi evezwe ezigabeni ezibalulwe kuKholamu 1–  (a) imvume ekhishwe ngokwemigomo ye- <i>Marine Living Resources Act, 1989</i> , 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

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

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

		<p>ngokuhambisana–</p> <p>(a) nezimiso zomthetho neminye imibandela osohlwini lwalesi siememzelo ehambisana nezindawo ezinamanzi eizvikelwe; kanye</p> <p>(b) nezimiso zomthetho ezisohlwini lwalesi simemzelo ezihambisana nemikhoma, amahlengethwa, ufudu lwamanzi noshaka abamhlophe.</p>
<p>11. <i>Marine Living Resources Act, 1998: Izigaba 51 ukuya 76</i></p>	<p>UNgqongqoshe weziNdaba zaManzi neziNdawo kanye</p> <p>noNgqongqoshe wezoLimo, amaHlathi nezeziNhlanzi</p>	<p>1. UNgqongqoshe weziNdaba zaManzi neziNdawo mayelana nokuphatha, amandla nemisebenzi evezwe ezigabeni ezibalulwe kuKholamu 1 ezihambisana nanoma oluphi udaba oluphathelele nezindawo ezinamanzi eizvikelwe nanoma oluphi udaba oluphathelele nemikhoma, amahlengethwa, ufudu lwamanzi noshaka abamhlophe.</p> <p>2. UNgqongqoshe</p>

		<p>wezoLimo, amaHlathi nezeziNhlanzi mayelana nokuphatha, amandla nemisebenzi evezwe ezigabeni ezibalulwe kuKholamu 1 ezihambisana nanoma oluphi udaba oluqukethwe i-<i>Marine Living Resources Act, 1998</i>, ezingabaluliwe ohlamvini 1 nasezimisweni zomthetho ezisohlwini lwalesi simemezelo ezihambisana nokudoba eizndaweni ezinamanzi ezivikelwe.</p>
<p>12. <i>Marine Living Resources Act, 1998: Izigaba 77 ukuya 86</i></p>	<p>UNgqongqoshe weziNdaba zaManzi neziNdawo kanye noNgqongqoshe wezoLimo, amaHlathi nezeziNhlanzi</p>	<p>1. UNgqongqoshe weziNdaba zaManzi neziNdawo mayelana nokuphatha, amandla nemisebenzi evezwe ezigabeni ezibalulwe kuKholamu 1 ezihambisana nanoma oluphi udaba oluthinta izindawo ezinamanzi ezivikelwe nolunye udaba oluphathelele nemikhoma, amahlengethwa, ufudu lwamanzi noshaka abamhlophe, kubandakanya imvume, ukukhishelwa</p>

		<p>eceleni nocwaningo.</p> <p>2. UNgqongqoshe wezoLimo, amaHlathi nezeziNhlanzi neziNdawo mayelana nokuphatha, amandla nemisebenzi evezwe ezigabeni ezibalulwe kuKholamu 1 nanoma oluphi udaba oluqukethwe i-<i>Marine Living Resources Act, 1998</i>, ezingabaluliwe ohlamvini 1 nasezimisweni zomthetho ezisohlwini lwalesi simemezelo ezihambisana nokudoba eizndaweni ezinamanzi.</p>
<b>IZIMISO ZOMTHETHO</b>		
<p>13. IsiMemezelo seziddawo zasemanzini ezivikelwe, esikhishwe ngokwemigomo yesigaba sama-43 se-<i>Marine Protected Areas Act, 1998 (Government Notice No. R.1429 of 29 December 2000)</i>:</p> <p>Indima 1 nendima 2 (Incazelo yemingcele yezindawo ezisemanzini ezivikelwe):</p>	UNgqongqoshe weziNdaba zaManzi neziNdawo	<p>UNgqongqoshe weziNdaba zaManzi neziNdawo:</p> <p>Ukuphatha, amandla nemisebenzi evezwe ezigabeni ezibalulwe kuKholamu 1 kusezandleni zikaNgqongqoshe.</p>



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 zasemanzini ezivikelwe, esikhishwe ngokwemigomo yeisgaba sama-43 se- <i>Marine Protected Areas Act.</i> 1998 (Isaziso sikaHulumeni Se. R.1429 mhlaka 29 Disemba 2000):	UNgqongqoshe weziNdaba zaManzi neziNdawo	UNgqongqoshe wezoLimo, amaHlathi nezeziNhlanzi:  1. Ukuphatha, amandla nemisebenzi evezwe ezigabeni ezibalulwe kuKholamu 1 mayelana nalezo zindaba eziphathelene nokusingatha

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

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

		<p>ezigabeni ezibalulwe esiMemezelweni esivezwe kuKholamu 1, mayelana nodaba olungahambisani nezindaba ezivezwe ohlamvini 1 kuzoba ngaphansi kwesandla sikaNgqongqoshe weziNdaba zaManzi neziNdawo.</p>
<p>17. 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.695 mhlaka 4 Juni 2004):</p> <p><b>Izimiso zoMthetho 10 nese-12</b></p>	<p>UNgqongqoshe weziNdaba zaManzi neziNdawo</p>	<p>UNgqongqoshe wezoLimo, amaHlathi nezeziNhlanzi:</p> <p>1. Ukuphatha, amandla nemisebenzi evezwe ezigabeni ezibalulwe ezimisweni zomthetho, okuvezwe kuKholamu 1, mayelana nodaba olungahambisani nezimiso zomthetho 6(2) nezesi-7 ezidluliselwe kuNgqongqoshe eMgqeni we-16 ngaphezulu.</p> <p>UNgqongqoshe weziNdaba zaManzi neziNdawo:</p> <p>2. Ukuphatha, amandla nemisebenzi evezwe ezigabeni ezibalulwe ezimisweni zoMthetho, okuvezwe kuKholamu 1,</p>

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

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

		nezindaba ezibalulwe ohlamvini 1, kusezandleni zikaNgqongqoshe weziNdaba zaManzi neziNdawo.
<p>21. Izimiso zoMthetho ezinquma amakhambi okusingatha nokuvikela i- <i>Aliwal Shoal Marine Protected Area</i>, ezenziwe ngokwemigomo yesigaba sama-77 se-<i>Marine Living Resources Act, 1998</i> (Isaziso sikaHulumeni Sama.697 mhlaka 4 Juni 2004):</p> <p><b>Izimiso zoMthetho 1 ukuya 6, 7(2), 7(4), 8, 9, 11, 13, 14, 15</b></p>	UNgqongqoshe weziNdaba zaManzi neziNdawo	<p>UNgqongqoshe weziNdaba zaManzi neziNdawo</p> <p>Ukuphatha, amandla nemisebenzi evezwe ezigabeni ezibalulwe kuKholamu 1 kusezandleni zikaNgqongqoshe.</p>
<p>22. Izimiso zoMthetho ezinquma amakhambi okusingatha nokuvikela i- <i>Aliwal Shoal Marine Protected Area</i>, ezenziwe ngokwemigomo yesigaba sama-77 se-<i>Marine Living Resources Act, 1998</i> (Isaziso sikaHulumeni Sama.697 mhlaka 4 Juni 2004):</p>	UNgqongqoshe weziNdaba zaManzi neziNdawo	<p>UNgqongqoshe wezoLimo, amaHlathi nezeziNhlanzi.</p> <p>1. Ukuphatha, amandla nemisebenzi evezwe ezigabeni ezibalulwe kuKholamu 1 mayelana nalezo zindaba eziphathelene nokusingatha ezokudoba kubandakanya imvume, amalungelo</p>

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



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

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

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

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

		<p>oluphathelele nokudoba nezindima ezibophezelayo mayelana nohlobo olubaluliwe lokudoba kuzona.</p> <p>UNgqongqoshe weziNdaba zaManzi neziNdawo:</p> <p>2. Ukuphatha, amandla nemisebenzi evezwe ezimisweni zomthetho, okuvezwe kuKholamu 1, mayelana nodaba olungahambisana nezindaba ezivezwe ohlamvini 1, kusezandleni zikaNgqongqoshe weziNdaba zaManzi neziNdawo.</p>
<p>29. Izimiso zoMthetho mayelana ne-<i>Stilbaai Marine Protected Area</i>, ezenziwe ngokwemigomo yesigaba sama-77 se-<i>Marine Living Resources Act, 1998</i> (Isaziso sikaHulumeni Sama. R.1108 of 17 Okthoba 2008):</p> <p><b>Izimiso zoMthetho 9</b></p>	UNgqongqoshe weziNdaba zaManzi neziNdawo	<p>UNgqongqoshe wezoLimo, amaHlathi nezeziNhlanzi</p> <p>1. Ukuphatha, amandla nemisebenzi evezwe ezimisweni zomthetho, kuKholamu 1, mayelana nodaba oluhambisana nezimiso zomthetho 5 ezidluliselwe kuNgqongqoshe eMgqeni</p>

		<p>we-28 ngaphezulu.</p> <p>UNgqongqoshe weziNdaba zaManzi neziNdawo:</p> <p>2. Ukuphatha, amandla nemisebenzi evezwe ezimisweni zomthetho, kuKholamu 1, mayelana nodaba oluhambisana namandla nemisebenzi engabaluliwe ohlamvini 1 ngaphezulu, kusezandleni zikaNgqongqoshe weziNdaba zaManzi neziNdawo.</p>
<p>30. Isaziso esimemezela nge-<i>Stilbaai Marine Protected Area</i>, esikhishwe ngokwemigomo yesigaba sama-43 se-<i>Marine Living Resources Act</i>, 1998 (Isaziso sikaHulumeni Sama-1109 mhlaka 17 Okthoba 2008)</p> <p><b>Zonke</b></p>	UNgqongqoshe weziNdaba zaManzi neziNdawo	<p>UNgqongqoshe weziNdaba zaManzi neziNdawo</p> <p>Ukuphatha, amandla nemisebenzi evezwe ezigabeni ezibalulwe kuKholamu 1 kusezandleni zikaNgqongqoshe.</p>
<p>31. Izimiso zoMthetho mayelana nokuphathwa kwe-<i>Amathole Marine Protected Area</i>, ezenziwe</p>	UNgqongqoshe weziNdaba zaManzi neziNdawo	<p>UNgqongqoshe weziNdaba zaManzi neziNdawo</p> <p>Ukuphatha, amandla</p>

ngokwemigomo yesigaba sama-77 se- <i>Marine Living Resources Act, 1998</i> (Isaziso sikaHulumeni Sama. R.731 mhlaka 16 Septhemba 2011 <b>Zonke</b>		nemisebenzi evezwe ezigabeni ezibalulwe kuKholamu 1 kusezandleni zikaNgqongqoshe.
32. Isimemezelo se- <i>Amathole Marine Protected Area</i> , esikhishwe ngokwemigomo yesigaba sama-43 se- <i>Marine Living Resources Act, 1998</i> (Isaziso sikaHulumeni Sama.16 Septhemba 2011 <b>Zonke</b>	UNgqongqoshe weziNdaba zaManzi neziNdawo	UNgqongqoshe weziNdaba zaManzi neziNdawo  Ukuphatha, amandla nemisebenzi evezwe ezigabeni ezibalulwe kuKholamu 1 kusezandleni zikaNgqongqoshe.
33. Izimiso zoMthetho ngokwemigomo yezigaba 7(5), 9(3), 12(2) nesesi-(3), 39(2), 45, 47, 50(1), 77 nama-80(2) ze- <i>Marine Living Resources Act, 1998</i> (Isaziso sikaHulumeni Sama-R.1111 mhlaka 2 Septhemba 1998 <b>Zonke</b>	UNgqongqoshe wezoLimo, amaHlathi nezeziNhlanzi	UNgqongqoshe wezoLimo, amaHlathi nezeziNhlanzi  Ukuphatha, amandla nemisebenzi evezwe ezigabeni ezibalulwe kuKholamu 1 kusezandleni zikaNgqongqoshe.
34. Iizimiso zoMthetho ze- <i>Wild Abalone (Haliotis)</i> , ezenziwe ngokwemigomo	UNgqongqoshe wezoLimo, amaHlathi nezeziNhlanzi	UNgqongqoshe wezoLimo, amaHlathi nezeziNhlanzi  Ukuphatha, amandla

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



**IMEMORANDAMU ECHAZAYO**

1. 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.
2. 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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