



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

R0,40

WINDHOEK — 24 April 1992

No. 399

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Government Notices

MINISTRY OF FISHERIES AND MARINE RESOURCES

No. 47 1992

IMPOSITION OF QUOTA LEVIES ON FISH: SEA FISHERIES ACT, 1973

Under the powers vested in me by section 20A of the Sea Fisheries Act, 1973 (Act 58 of 1973), I hereby impose on fish a quota levy at a rate according to mass as set out in the Schedule.

H.K. ANGULA
MINISTER OF FISHERIES AND
MARINE RESOURCES

Windhoek, 14th April 1992.

SCHEDULE

1. In this notice, unless the context otherwise indicates, any word or expression to which a meaning has been assigned in the Sea Fisheries Act, 1973 (Act 58 of 1973), shall have that meaning and -

“hake” means any fish of the species *Merluccius capensis* or *M. paradoxus*;

“horse mackerel” means any fish of the genus *Trachurus*;

“pilchard” means any fish of the species *Sardinops ocellata*;

“red crab” means any fish of the red crab species *Chaceon* (=Geryon) *maritae*;

“spider (stone) crab” means any fish of the species *Lithodes tropicalis*;

“tuna” means any fish of the genera *Sarda* and *Thunnus*;

“Namibian vessel” means a fishing vessel -

- (a) which is registered or licensed under the Merchant Shipping Act, 1951 (Act 57 of 1951);
- (b) which is permanently based in Namibia;
- (c) which flies the Namibian flag;
- (d) of which at least 51% of the beneficial ownership is held by Namibian citizens; and
- (e) of which at least 80% of the crew are Namibian citizens;

“Namibian-based vessel” means a fishing vessel -

- (a) which is registered or licensed under the Merchant Shipping Act, 1951 (Act 57 of 1951);
- (b) which is permanently based in Namibia;
- (c) which flies the Namibian flag;
- (d) of which less than 51% of the beneficial ownership is held by Namibian citizens; and
- (e) of which less than 80% of the crew are Namibian citizens;

“foreign vessel” means any fishing vessel which is not a Namibian vessel or a Namibian-based vessel; and

“processed on land” means any process executed within the borders of Namibia but excluding the territorial waters, by which -

- (a) the form of the fish landed is changed by removing the head or intestines or by filleting, mincing, trimming or individually wrapping such fish; or
- (b) the fish is salted or dried.

2. Every fisherman -

- (a) to whom any species of fish (excluding spider (stone) crab or tuna) has been allocated in terms of section 11 of the Sea Fisheries Act, 1973 (Act 58 of 1973), and who has accepted such allocation in writing shall pay in respect of every metric ton of fish so allocated and accepted and consisting of the species (excluding spider (stone) crab or tuna) mentioned in paragraph 3, the appropriate quota levy mentioned in paragraph 3;
- (b) who lands spider (stone) crab or tuna or portions of such crab or tuna shall pay in respect of every metric ton of such fish landed the appropriate quota levy mentioned in paragraph 3, plus a *pro rata* amount of the appropriate quota levy calculated on any portion of a metric ton.

3. Quota levies per metric ton:

Species of fish:	Levy per ton
(a) Hake -	
(i) allocated to Namibian vessels	R400;
(ii) allocated to Namibian-based vessels	R600;
(iii) allocated to foreign vessels	R800.

(A rebate of R200 per metric ton of wet fish landed is applicable if the fish is processed on land.)

- (b) Horse mackerel, excluding horse mackerel caught by the purse seine methods -
 - (i) allocated to Namibian vessels R31,30;
 - (ii) allocated to Namibian-based vessels R46,90;
 - (iii) allocated to foreign vessels R62,55.

(Based on a catch composition of

- 30% longer than 20 cm;
- 35% longer than 16 cm but shorter than 20 cm; and
- 35% used for fishmeal;

and a basic levy of

- R100 per ton of fishmeal product;
- R75 per ton for fish longer than 16 cm but shorter than 20 cm;
and
- R100 per ton for fish longer than 20 cm.).

(c) Pilchard -

- (i) allocated to Namibian vessels R100;
- (ii) allocated to Namibian-based vessels R150;
- (iii) used for processing of fish meal R 25.

(d) Tuna -

- (i) landed in Namibian ports and processed on land R400;
- (ii) all other tuna R2 400.

(e) Red crab -

sections, legs, flake, claw or round R556.

(f) Spider (stone) crab -

sections, legs, flake, claw or round R225.

(A rebate of R112,50 is applicable if landed in Namibian ports and processed on land.)

4. For the purposes of this notice the mass of fish shall be determined in the presence of a fisheries inspector and shall mean the quantity of fish in live (round) weight. In the case of processed fish being landed, the live (round) weight shall be calculated by multiplying the mass of the landed product with the appropriate conversion factor in the table below:

TABLE
CONVERSION FACTORS

Species and Product	Conversion Factor
(a) Hake	
Headed and gutted	1,46
Trimmed skinless fillets	2,25
Untrimmed skin-on fillets	1,94
Broken sour	1,46
(b) Kingklip	
Headed and gutted	1,52
(c) Monk	
Headed and gutted (tails)	3,04
(d) Sole	
Gutted	1,04
(e) Horse Mackerel	
Headed and tail off	1,570
Fillet	1,859
Fishmeal	5,556

5. Any quota levy payable shall be paid to the Permanent Secretary, Fisheries and Marine Resources, Private Bag 13355, Windhoek.
- (a) (i) In the case of hake, horse-mackerel, pilchard and red crab, monthly instalments shall be payable as per the formula set out in subparagraph (c).
- (ii) The first instalment shall be due 30 days after acceptance of the allocation referred to in paragraph 2.
- (iii) Subsequent instalments shall be due one month after the previous instalment has become due.
- (iv) Each instalment shall be paid within 90 days after it has become due.

(b) In the case of spider (stone) crab and tuna the quota levy payable shall be paid within 30 days after the catch was verified and certified by a fisheries inspector.

(c) Formula

$$\frac{Q \times L}{M} \quad \text{where -}$$

Q = the total quota allocation in tons to the holder of the catching right;

L = the quota levy applicable as per paragraph 3; and

M = the total number of months during which the catching rights are valid.

6. Each payment for tuna and spider (stone) crab in terms of paragraph 5 shall be accompanied by a statement certified by the inspector referred to in paragraph 4 stating the mass of the fish for which payment is being made.
 7. For every tonne caught over and above the allocated quantity of fish a quota levy equal to three times the quota levy payable in respect of foreign vessels shall be payable.
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MINISTRY OF FISHERIES AND MARINE RESOURCES

No. 48

1992

AMENDMENT OF REGULATIONS MADE UNDER THE SEA FISHERIES ACT, 1973

The President has under section 11 of the Sea Fisheries Act, 1973 (Act 58 of 1973), further amended the regulations promulgated by Government Notice 1912 of 1973 as set out in the Schedule.

SCHEDULE

1. The following heading is hereby substituted for the heading of regulation 26:

“B. PELAGIC AND DEMERSAL FISH”.

2. Regulation 26 is hereby amended by the substitution for subregulation (1) of the following subregulation:

“(1) The owners of fishing vessels specified in column 1 of Tables 1 to 7 below shall during the period specified in column 2 of the said Tables not catch a greater quantity of fish specified in Tables 1 to 7 than the quantity shown opposite their names in column 3 of the said Tables:

TABLE 1
PICLHARD

COLUMN 1	COLUMN 2	COLUMN 3
Owners of fishing vessels	Period during which fishing is permitted	Quantity of round fish in metric tons
Atlantic Harvesters	1 February 1992 to 30 April 1992	2 733
B L J Barnes		900
Consortium Fisheries		2 830
Etosha Fishing		1 962
General Development Co.		3 155
Henties Bay People		900
Kuiseb Fisheries		492
Matutura Fishing		900
Mukurob Fishing		900
Namib/Karibib Fisheries		2 595
Oshakati Fishing		900
Private Boat Owners		9 000
United Fishing Enterprises		2 733
	TOTAL	30 000

TABLE 2
HAKE

COLUMN 1	COLUMN 2	COLUMN 3
Owners of fishing vessels	Period during which fishing is permitted	Quantity of round fish in metric tons
Ark Fishing	1 January 1992 to 30 April 1992	900
Blue Angra		650
Blue Sea Fishing		900
Benguela Sea Products		976
Cadilu Fishing		3 253
Caroline (Pty) Ltd.		976
Cato Fishing		976
Consortium Fisheries		3 580
Eros Fishing		2 725
Ferina (Pty) Ltd.		900
Freddie Visserye		650
J M P R de Pao		650
Namib/Karibib Fisheries		1 300
Kuiseb Fish Products		2 725
Mangetti Fishing		900
Namcoast (Pty) Ltd.		650
Oryx Fisheries		900
Overberg Fishing		1 950
Pescanova Fishing	3 253	
Sea Harvest Corporation	650	
Skeleton Coast	3 253	
	TOTAL	30 000
Agatha Fishing	1 January 1992 to 31 December 1992	500
Lalandii (Pty) Ltd.		3 000
Saddle Hill Namibia		1 500
Seaflower Lobster		5 000
	TOTAL	10 000

TABLE 3
HORSE MACKEREL

COLUMN 1	COLUMN 2	COLUMN 3
Owners of fishing vessels	Period during which fishing is permitted	Quantity of round fish in metric tons
Blue Ribbon Fisheries	1 January 1992 to 30 April 1992	3 214
Cadilu Fishing		7 610
Caroline (Pty) Ltd.		950
Cato Fishing		3 810
CERET		3 214
Dun-Al Fishing		3 810
Etosha Fishing		3 810
General Development		3 810
Interatlantic		34 260
Interdenominational Youth Society		3 214
Kuiseb Fishing		38 060
Naku Fisheries Development		3 214
Peoples Company of Namibia ...		3 214
Pescanova Fishing		3 810
Sovrybloft		47 570
TNP Fishing		3 214
Uhuru Namibia Enterprises		3 214
	TOTAL	169 998.

TABLE 4
RED CRAB

COLUMN 1	COLUMN 2	COLUMN 3
Owners of fishing vessels	Period during which fishing is permitted	Quantity of round fish in metric tons
Nisho Iwai Corporation	1 January 1992 to 31 December 1992	3 000,00
Taiyo Fishery Co.		3 000,00
	TOTAL	6 000.

TABLE 5
SPIDER (STONE) CRAB

COLUMN 1	COLUMN 2	COLUMN 3
Owners of fishing vessels	Period during which fishing is permitted	Quantity of round fish in metric tons
Lalandii (Pty) Ltd.	1 January 1992 to 31 December 1992	Unlimited
Taiyo Fishery Co.		Unlimited

TABLE 6
TUNA

COLUMN 1	COLUMN 2	COLUMN 3
Owners of fishing vessels	Period during which fishing is permitted	Quantity of round fish in metric tons
African American Trading	1 January 1992 to 31 December 1992	Unlimited
Agatha Fishing		Unlimited
Eros Fishing Company		Unlimited
Federation of Japan Tuna Fisheries		Unlimited
Inter Namibia Enterprises		Unlimited
Khoi-Khoi Enterprises		Unlimited
Lalandii (Pty) Ltd.		Unlimited
Lüderitz Smokeries		Unlimited
Marine Corporation		Unlimited
Namibia Seafood Industries		Unlimited
Namibian Marine Products		Unlimited
Omega Investment Group		Unlimited
Prestige Fishing Company		Unlimited
SA Tuna Association		Unlimited
Saddle Hill Fishing Corp.		Unlimited
Seaflower Lobster Corp.		Unlimited

TABLE 7
ROCK LOBSTER

COLUMN 1	COLUMN 2	COLUMN 3
Owners of fishing vessels	Period during which fishing is permitted	Quantity of round fish in metric tons
Lalandii (Pty) Ltd.	1 November 1991 to 31 April 1992	33
Seaflower Lobster Corp.		50
	TOTAL	83
N. Eiman		1,7
M. Harris		1,7
S. Makapuli		1,7
E.J. Murtz		1,7
S. Pius		1,7
J.A. Schroeter		1,7
B. Temmers		1,7
P. Temmers		1,7
H. Kakoro		1,7
R.I. von Ast		1,7
	TOTAL	17,0

2. The mass of fish shall be determined in the presence of a fisheries inspector and shall mean the quantity of fish in live (round) weight. In the case of processed fish being landed, the live (round) weight shall be calculated by multiplying the mass of the landed product with the appropriate conversion factor in table 8 below:

TABLE 8
CONVERSION FACTORS

Species and Product	Conversion Factor
(a) Hake:	
Headed and gutted	1,46
Trimmed skinless fillets	2,25
Untrimmed skin-on fillets	1,94
Broken sour	1,46
(b) Kingklip:	
Headed and gutted	1,52
(c) Monk:	
Headed and gutted (tails)	3,04
(d) Sole:	
Gutted	1,04
(e) Horse Mackerel:	
Headed and tail off	1,570
Fillet	1,859
Fishmeal	5,556

MINISTRY OF FISHERIES AND MARINE RESOURCES

No. 49

1992

RESEARCH LEVIES ON FISH: SEA FISHERIES ACT, 1973

Under the powers vested in me by section 20 of the Sea Fisheries Act, 1973 (Act 58 of 1973), I hereby -

- (a) impose a levy on fish at a rate according to mass as set out in the Schedule; and
- (b) repeal Government Notices 1863 of 1973, R.1251 of 1975 and R.2508 of 1976.

Given under my Hand and the Seal of the Republic of Namibia at Windhoek this 13th day of April, One Thousand Nine Hundred and Ninety-two.

Sam Nujoma

President

BY ORDER OF THE PRESIDENT-IN-CABINET

SCHEDULE

1. In this notice, unless the context otherwise indicates, any word or expression to which a meaning has been assigned in the Sea Fisheries Act, 1973 (Act 58 of 1973), shall have that meaning and "pelagic fish" means any fish of the species anchovy (*Engraulis capensis*), pilchard (*Sardinops ocellata*), maasbanker (*Trachurus trachurus*), mackerel (*Scomber japonicus*), round herring (*Entrumeus*) and lantern fish (*Myctophidae*).
2. Every fisherman who lands any species of fish or the portions of species of fish mentioned in paragraph 3 by virtue of fishing rights obtained in terms of section 8, 11 or 22A of the Sea Fisheries Act, 1973 (Act 58 of 1973), shall pay in respect of every metric ton of such species of fish the appropriate levy specified in respect thereof, plus a *pro rata* amount of the appropriate levy calculated on any portion of a metric ton.

3. Levies per metric ton:

Species of fish:	Levy per ton
(a) Pilchard -	
(i) intended for human consumption	R 25,00
(ii) intended for use as bait or to be processed into fish meal	R 10,00
(b) Other pelagic fish	R 10,00
(c) Kingklip	R 25,00
(d) Monk	R 25,00

(e) West coast sole	R 25,00
(f) Hake -	
(i) whole fish	R 18,00
(ii) headed and gutted	R 25,00
(iii) fillets	R 45,00
(iv) broken sour	R 25,00
(g) Rock lobster	R125,00
(h) Horse mackerel	R 10,00
(i) Panga, redds, gurnards, jacopever, John Dory, skates, squid, kob, steenbras, angelfish, snoek, roes and offall	R 1,00
(j) All other fish	R 1,00.

4. For the purposes of this notice the mass of fish shall be determined in the presence of a fisheries inspector and shall mean the quantity of fish in live (round) weight. In the case of processed fish being landed, the live (round) weight shall be calculated by multiplying the mass of the landed product with the appropriate conversion factor in the table below:

TABLE
CONVERSION FACTORS

Species and Product	Conversion Factor
(a) Hake	
Headed and gutted	1,46
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Broken sour	1,46
(b) Kingklip	
Headed and gutted	1,52
(c) Monk	
Headed and gutted (tails)	3,04
(d) Sole	
Gutted	1,04
(e) Horse Mackerel	
Headed and tail off	1,570
Fillet	1,859
Fishmeal	5,556

5. The levy payable in terms of paragraph 2 shall be paid to the Permanent Secretary: Fisheries and Marine Resources, Private Bag 13355, Windhoek, 9000 within 30 days from the date on which the fish in question has been landed.
 6. Every payment in terms of paragraph 5 shall be accompanied by a statement certified by the inspector referred to in paragraph 4, stating the mass of the fish for which payment is being made.
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