

No. 1381

19 December 2008

MARINE LIVING RESOURCES ACT, 1998 (ACT NO. 18 OF 1998)**FEEES PAYABLE IN RESPECT OF APPLICATIONS AND THE ISSUING OF RIGHTS PERMITS AND LICENCES**

I, Marthinus Christoffel Johannes van Schalkwyk, Minister of Environmental Affairs and Tourism, hereby publish for public comment, proposed increases in the fees payable in respect of applications for and the issuing or granting of rights, permits and licenses, in terms of section 25 of the Marine Living Resources Act, 1998 (Act No. 18 of 1998), as set out in the Schedule hereto.

Any person who wishes to submit representations or comments in connection with the proposed levies are invited to do so by **16h00 on 2 February 2009**. All representations and comments must be submitted in writing to the Deputy Director-General of the Department of Environmental Affairs and Tourism, Branch Marine and Coastal Management:

**By post to: The Deputy Director-General:
Environmental Affairs and Tourism
Marine and Coastal Management
Attention: Mr Wickness Rooifontein
Private Bag X2
Roggebaai, 8012**

By fax to: (021)402 3228, and by e-mail to: WRooifontein@DEAT.Gov.za

**MARTHINUS VAN SCHALKWYK
MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM**

SCHEDULE**1. APPLICATION FEES**

- (a) Fee payable in respect of an application for a right to –

(i)	Operate a fish processing establishment.	R8 249.00
(ii)	Engage in mariculture.	R 8 249.00
(iii)	Undertake subsistence fishing.	R 6.00

- (b) Fees payable in respect of an application for a medium/long term renewable permit to view sharks by conducting shark cage diving: R8 249.00

- (c) Fees payable in respect of an application for a medium/long term renewable permit to conduct boat based whale watching: R8 249.00

Provided that:

- (i) 1(b) and 1(c) are only to be paid on application for medium/long term permits.
 - (ii) Once the medium/long term permits have been allocated there will be an annual application fee payable to renew the permits as well as an annual permit fee.
- (d) Fees payable in respect of an application for a permit to exercise a right granted to –
- (i) Undertake commercial fishing (including seaweed): R 141.00
 - (ii) Operate a fish processing establishment: R 141.00
 - (iii) Engage in mariculture: R 141.00
 - (iv) To undertake subsistence fishing: R 6.00
- (e) Fees payable in respect of an application for a permit to undertake recreational fishing: R 6.00
- (f) Fees payable in respect of an application for a permit by a person other than a South African person (does not include permits issued in terms of an international agreement) -
- (i) To undertake fishing or related activities: R 10 961.00
 - (ii) To undertake exploratory fishing: R 1 096.00
- (g) Fees payable in respect of an application for a permit from a holder of a commercial fishing permit to transport any fish or any part or product thereof from any landing point: R 141.00

- (h) Fees payable in respect of an application for a permit to have any gear, stake net, setnet, gillnet, bottom trawl net, midwater trawl net, purse seine net, purse net, longline and/or any type of rock lobster net on board of a fishing vessel or a vessel: R 141.00
- (i) Fees payable in respect of an application for a permit to import any fish or any part or product thereof on a recreational basis (recreational fishers): R 45.00
- (j) Fees payable in respect of an application for a local fishing vessel licence: R 141.00
- (k) Fees payable in respect of an application for a high seas fishing vessel licence: R 141.00
- (l) Fees payable in respect of an application for a foreign fishing vessel licence (does not include vessels licenced in terms of an international agreement):
- (i) In respect of vessel to be utilized in joint venture arrangement with a South African person: R 1 096.00
 - (ii) In respect of a vessel to be utilized by foreign company: R 10 961.00
 - (iii) In respect of a vessel to be utilized for exploratory fishing: R 1 096.00
- (m) Fees payable in respect of an application for a permit or licence to perform an activity in terms of the Act not mentioned in paragraphs (b) - (l) above: R 85.00
- (n) Fees payable in respect of an application for a right to engage in fishing of large pelagic: R 7 000.00

2. PERMIT FEES

- (a) Fees payable in respect of the issuing of permits to exercise a right to -
- (i) Undertake commercial fishing (including seaweed): R 751.00
 - (ii) Operating a fish processing establishment: R 1 503.00
 - (iii) Engage in mariculture: R 1 503.00
 - (iv) Undertake subsistence fishing: R 40.00

(b) Fees payable in respect of the issuing of permit -

- (i) To undertake high seas fishing: R 757.00
- (ii) Authorizing a person other than a South African person to undertake fishing in South African waters (does not include permits issued in terms on an international agreement): R 27 233.00
- (iii) Authorizing a foreign person to take part in exploratory fishing in South African waters: R 1 096.00

(c) Fees payable in respect of the issuing of a permit to undertake recreational fishing of -

i.	Abalone (not currently allowed)	R 79.00
ii.	West coast rock lobster	R 79.00
iii.	East coast rock lobster	R 79.00
iv.	Mollusks including octopus, squid, worms, other invertebrates and aquatic plants	R 79.00
v.	Mud crab	R 79.00
vi.	Marine aquarium fish	R 79.00
vii.	Angling	R 62.00
viii.	Spearfishing	R 79.00
ix.	Use of cast or throw net	R 79.00
x.	Additional fee per vessel (only payable by the skipper) for recreational fishing from such a vessel where applicable	R 79.00

(d) Fees payable in respect of the issuing of a short term permit (only valid for four four weeks) to undertake recreational fishing -

- (i) Mollusks including octopus, squid, worms, other invertebrates and aquatic plants: R 45.00
- (ii) Mud crab: R 45.00
- (iii) Marine aquarium fish: R 45.00
- (iv) Angling: R 40.00
- (v) Spearfishing : R 45.00

- (vi) Use of cast or throw net: R 45.00
- (vii) Additional fee per vessel (only payable by skipper) for recreational fishing from such a vessel where applicable: R 45.00
- (e) Fees payable in respect of issuing of permit to conduct boat based whale-Watching –
- (i) Vessel licensed in terms of the relevant legislation and registered by SAMSA to carry five or less than five paying passengers: R 3 797.00
- (ii) Vessel licensed in terms of the relevant legislation and registered by SAMSA to carry six to 10 paying passengers: R 7 458.00
- (iii) Vessel licensed in terms of the relevant legislation and registered by SAMSA to carry 11 to 20 paying passengers:
- A base fee of R7 458.00 plus R 2 180.00 for each additional paying passenger more than 10 that the vessel is registered to carry.
- (iv) Vessel licensed in terms of the relevant legislation and registered by SAMSA to carry 21 or more paying passengers: R 34 352.00
- (f) Fees payable in respect of the issuing of permits to view sharks by conducting Shark cage diving –
- (i) Vessel licensed in terms of the relevant legislation and registered by SAMSA to carry 12 or less than 12 paying passengers: R 21 244.00
- (ii) Vessel licensed in terms of the relevant legislation and registered by SAMSA to carry more than 12 paying passengers:
- A base of R21 244.00 plus additional fee R 1683.00 for each paying passenger more than 12 that the vessel is registered to carry.
- “SAMSA” means the South African Maritime Safety Authority established by Section 2 of the South African Maritime Safety Authority Act, 1998 (Act No. 5 of 1998).
- (g) Fees payable in respect of the issuing of permits to a holder of a commercial fishing permit to transport any fish or any part or product thereof from any landing point: R 170.00
- (h) Fees payable in respect of the issuing of a permit to have any gear, stake net, setnet, gillnet, bottom trawl, midwater trawl, purse seine net, purse net,

longline or any type of rock lobster net on board of a fishing vessel or a vessel: R 170.00

- (i) Fees payable in respect of the issuing of a permit to import any fish or any part or product thereof on a recreational basis (recreational fishers): R 90.00
- (j) Fees payable in respect of the issuing of a permit to perform any other activities in terms of the Act not mentioned in paragraphs (a) to (i): R 85.00

3. LICENCE FEES

- (a) Fees payable in respect of the issuing of a licence for a local fishing vessel with a length of -
 - (i) 5 metres and less: R 243.00
 - (ii) More than 5 m to 8 metres: R 339.00
 - (iii) More than 8 m to 12 metres: R 548.00
 - (iv) More than 12 m to 20 metres: R 1 028.00
 - (v) More than 20 meters: R 1 639.00
- (b) Fees payable in respect of the issuing of a high seas fishing vessel License: R 1 774.00
- (c) Fees payable in respect of the issuing of a foreign fishing vessel License (does not include vessels utilized in terms of an international agreement): R12 995.00

4. OTHER FEES

- (a) Fees payable in respect of the transfer of right or licence: R 170.00
- (b) Fees payable in respect of the issuing of a new right, licence or permit due to the amendment of the terms or conditions of the existing right, licence or permit at request of the holder: R 170.00
- (c) Fees payable in respect of the issuing of a permit to import fish on a commercial basis: R 170.00
- (d) Fees payable in respect of the issuing of permit to export fish: R 170.00

(e) Fees payable in respect of the issuing of a duplicate licence or permit:R 45.00

5. Government Notice No.878, dated 2 September 2005, is hereby repealed.

6. This notice takes effect on 1 April 2009.