

GOVERNMENT NOTICE GOEWERMENSKENNISGEWING

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM
DEPARTEMENT VAN OMGEWINGSAKE EN TOERISME

No. 223

10 March 2006

MARINE LIVING RESOURCES ACT, 1998 (ACT NO. 18 OF 1998)

FISHING HARBOUR FEES

I, Marthinus van **Schalkwyk**, Minister of Environmental Affairs and Tourism, acting with the concurrence of the Minister of **Finance**, hereby under section 27(3) of the Marine Living Resources Act, amend the fees payable for the use of fishing harbour facilities as set out in the Schedule.

MARTHINUS VAN SCHALKWYK
MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM

SCHEDULE

1. Accommodation of vessels: *(Each feature of the vessel shall be taken into consideration for the determination of the applicable fees)*

A. All seaworthy **registered** commercial and non-commercial vessels (fishing boats, leisure/recreational and other vessels) in active **lay-up**:

<i>(i)</i>	<i>Mooring alongside Departmental quays, breakwaters, jetties, sea-walls:</i>	<i>Per day</i>	<i>Per month</i>	<i>Per annum</i>
	Per full meter of total boat length	R0,85	R8,50	R33,50
	Exceeding 8 meters: Additional charge per full meter of boat length	R1,70	R16,50	R67,00
<i>(ii)</i>	<i>Mooring at a Departmental block or Departmental anchor point ("swing" mooring, Mediterranean mooring or "trot" mooring):</i>	70% of tariff 1.A (i)		
<i>(iii)</i>	<i>Mooring at a Departmental off-loading jetty other than during an off-loading operation (daily tariff only);</i>	5 x tariff 1.A (i)		

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| (iv) | Mooring at a <i>Departmental</i> repair jetty: | 1,5 x tariff 1.A (i) |
| (v) | Mooring at own mooring <i>or</i> own jetty: | 70% of tariff 1.A (i) |
| (vi) | Where <i>the vessel and</i> vessel owner are paid-up registered members of a <i>Department-</i> approved boat or yacht club and the vessel is moored at the jetty, quay, marina or equivalent mooring established or constructed and maintained by that <i>dub</i> : | 90% of tariff 1.A (v) |

Note: "Alongside" shall for the purpose of *this* item include **double and** multiple *banked* vessels *directly or indirectly* secured to the structures mentioned.

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| B. | Vessels which are not seaworthy <i>or</i> vessels other than those in active lay-up with an expired Safety Certificate of a period of expiration of longer than three months (monthly tariff only) | 5 x tariff 1.A |
| C. | Harbour lighting and navigation light fees for any vessel utilizing a proclaimed harbour for more than 30 days: | R105,00 per year |

The slipping of vessels at main and side slip-ways (all harbours):

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| | | For each 24-hour period or part thereof, including Saturdays, Sundays and public holidays on main and side slipways |
| A. | For each registered vessel of a gross register tonnage of <u>less than 25 tons</u> for the first 72 hours on the main or side slip: | Once off basic fee of R105 plus R12,50 per full meter of total vessel length |
| B. | For each registered vessel of a gross register tonnage of <u>more than 25 tons</u> for the first 72 hours on the main or side slip: | Once off basic fee of R394,00 plus R0,90 per ton (GRT x 2,83) |
| C. | For each registered vessel of a gross register tonnage of less than 25 tons <u>on the side-slip, after the first 72 hours</u> and up to a maximum of 90 days and thereafter tariff 2.A: | 60% of tariff 2A |
| D. | For each registered vessel of a gross register tonnage of 25 tons or more <u>on the side-slip, after the first 72 hours</u> and up to a maximum of 90 days and thereafter tariff 2.8: | 60% of tariff 2.8 |

- E. Slipping or un-slipping of any vessel outside normal working hours, Saturdays, Sundays or Public holidays an additional fee shall be payable: **R210,00** per vessel
- 3. Hauling out of vessels at Arniston and Stilbaai:**
- A. During normal working hours: **R12,50** per vessel
- B. Outside normal working hours: **R24,00** per vessel
- 4. Departmental cranes:**
- A. Ordinary cranes:
- 1. Per hour or part thereof during normal working hours: **R94,00***
*2. Per hour or part thereof, outside normal working hours: **R154,00***
- 5. Electrical power, availability and consumption, for each 8 hours or part thereof:**
- A. per 220 volt, single-phase connection: **R26,00**
or
- B. per 380 volt, three-phase connection: **R47,00**
or
- C. Own meter: at the tariff charged from time to time by the relevant supply authority to the Department from place to place
- 6. Fresh water, availability and consumption:**
- A. Charge per connection equal to **25mm** in diameter **R16,00**
or
- B. Charge per connection exceeding **25mm** in diameter **R29,00**
 plus
- C. For each kiloliter or part thereof: at the tariff charged from time to time by the relevant supply authority to the Department from place to place
- 7. Use of Departmental plant and equipment;**
- A. Salt water pumps (per connection per hour or part thereof): **R59,00**
- B. Hydraulic jacks and turlors (per unit per day): **R29,00**
- C. Ladders (per ladder per day or part thereof): **R24,00**

D.	Scaffolding (per set of two scaffolds and two trestles per day or part thereof):	R24,00		
8.	Floating Rafts:			
	Per square meter per year or part thereof:	R73,00		
9.	Temporary leasing of sites:			
A.	Sites not exceeding 25 square meters for repair and storage of fishing nets:			
1.	On quays and breakwaters (per day or part thereof):	R65,00		
2.	Elsewhere (per day or part thereof):	R9,50		
B.	Sites for other purposes;			
1.	On quays and breakwaters (per square meter, per week or part thereof):	R65,00		
2.	Elsewhere:			
(i)	Per square meter per week or part thereof:	R2,10		
(ii)	Minimum weekly tariff;	R94,00		
C.	Sites for social/community carnivals, film shoots, and other unique private commercial or social events:			
1.	Social/community carnivals:	R1 048,00		
2.	Film shoots	R2 620,00		
Note: Temporary leasing of sites shall be subjected to the approval of the National Department of Public Works.				
10.	Admission of vehicles:	Per day	Per month	Per annum
A.	All passenger vehicles, up to 14 seats per vehicle, motor cycles and other vehicles not exceeding 3,5 ton	R2,10	R31,00	R189,00
B.	Passengerbusses with more than 15, but not exceeding 25 seats, and any other vehicles between 3,5ton and 10 ton	R5,20	R79,00	R472,00

C.	Passenger busses with more than 25 seats, and any other vehicles exceeding 10 ton	R10,50	R157,00	R943,00
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Note: Exemptions:

Any vehicle that is being used in connection with construction and maintenance work on behalf of the Department, on any jetty, wharf or on any other Departmental harbour works, is exempt from paying an admission fee. This also applies to vehicles belonging to any official entering on official business, S.A.B.S. officials; S.A.P.S; N.S.R.I; and any emergency vehicles such as ambulances and fire tenders, as long as they are on official business. Busses carrying supervised scholars and teachers on official school outings, are also exempted from paying the admission of vehicles fee.

11. Admission of vessels by road

A.	Minimum basic charge per vessel		
	(i) Daily entrance	R31,00	
	(ii) Monthly entrance	R314,00	
	(iii) Yearly entrance	R1 572,00	
B.	Charge per trailer		
	(i) Daily entrance	R10,50	
	(ii) Monthly entrance	R105,00	
	(iii) Yearly entrance	R524,00	

12. Hawkers: (not using any fix structure)

All types, per day or part thereof per 6meter floor area:	R58,00
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Traders: (using any semi fix structure e.g single layer container)

All types (for permission to trade) per month or part thereof:	R445,00
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13. Use of fish-cleaning facilities:

A Per table, per day or part thereof:	R10,50
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14. Erection and display of advertising signage:

	Per month	Per annum
A. Per square meter display area or part thereof, except on a quay:	R 31,00	R105,00

B.	Per square meter on the quay: (placement subject to discretion of Harbour Manager)	R157,00	R524,00
15.	Transport by vessel of passengers for commercial purposes, within or from a fishing harbour: Per vessel per period or part thereof:-		
		Per month	Per annum
A.	Vessels up to 10 meter	R210,00	R1258,00
E.	Vessels exceeding 10 meter	R524,00	R3144,00
16.	Floating constructions used for commercial purposes, such as a restaurant, place of entertainment, shop or other commercial purposes:		
A.	Per area of water-space occupation, determined by multiplying the length of the floating construction by its breadth (per full square meter per month or part thereof:	R10,50	
17.	Removal of garbage and cleaning of slip-ways on quay-way and slipway in harbour area after using of facilities if not removed by user within 2 days, per load of 1 ton or part thereof:	R1048,00	
18.	Explanatory notes:		
A.	Where fees are prescribed "per year"- or "per month or part thereof", such periods shall extend from 01 January to 31 December of a calendar year or from the first to the last day of a month and such fees shall be payable in advance: provided that any permit or ticket which has been issued in accordance with these regulations in terms of the Act, and which has not yet expired at the commencement of any amendment thereof, shall be deemed to be a valid permit or ticket issued in terms of this Schedule.		
B.	For the purpose of this Schedule the expression "normal working hours" shall mean Mondays to Fridays (excluding public holidays): (08h00 to 16h00).		
C.	Where fees are described "per week or part thereof", such periods shall extend from Monday to Sunday.		
D.	The tariffs as set out in Section 2 above, shall include the slipping and un-slipping of vessels during normal working hours and shall, for all fishing harbours, be:		
	(i) measured between the extreme points the nearest full meter (only where the tariff is length-bases) and calculated from the time the slipway takes the vessel until the time the vessel leaves the slipway, and		

- (ii) payable for each continuous period of 24 hours or part thereof, including Saturdays, Sundays and public holidays, during which the slipway is occupied, excepting that the booking fee is payable in advance in order to secure a position on the slip.
- E.** Where reference is made to "Departmental" such reference shall denote ownership to or direct association with the Department of Environmental Affairs and Tourism.
- F.** Commercial: Commercial activity or commercial use shall mean with a purpose to secure a financial return.
- G.** Fishing vessel shall mean a vessel engaged in sea fishing for financial gain or reward.
- H.** Unseaworthy vessel shall mean a vessel that is not in a fit state as to the condition of her hull, equipment or machinery, the stowage of her cargo or ballast and fuel, or the number or qualifications of her master or crew, her provisions and in all other relevant respects, to encounter the ordinary perils of the purpose to which the vessel is engaged or about to be placed.
- I.** Register tons and register tonnage shall mean the tonnage of the vessel, either gross or net as the case may be, recorded in the vessel register referred to in section 15 of the Merchant Shipping Act No. 57 of 1951.
- J.** Passenger shall mean any person carried in a vessel except a person employed or engaged in any capacity on board the vessel on the business of the vessel and a child under one year of age.
- K.** Safety Certificate shall mean a certificate issued under section 194(1)(a) or (b)(ii) of the Merchant Shipping Act No. 57 of 1951.
- L.** A Mediterranean mooring shall mean the configuration of mooring a vessel so that its bow or stern is fastened to a quay, jetty, sea-wall, or breakwater, whilst its stem or bow (as applicable) is fastened to an anchor or block on the harbour floor, via a mooring line.
- M.** A Trot mooring shall mean a configuration where a vessel is moored by means of fastening two mooring lines, one from the bow and the other from the stern, each fastened at their other ends to their own anchor or block on the harbour floor.
- N.** A swing mooring shall mean a mooring configuration where the vessel is moored by one mooring line attached at one end to the bow and the other end to an anchor or block on the harbour floor.
- O.** A leisure or recreational vessel shall mean a vessel that is not used for commercial purposes.
- P.** Active lay-up means a vessel that is moored for a period that is longer than the norm for purposes of being repaired, altered, modified in part or whole or for some other acceptable on-going purpose, but where such vessel does not pose a threat or danger to other vessels in the harbour or to other harbour-users.
- Q.** Hawker is defined as any person who does not use a fixed structure and does not lease a temporary site to trade from.
- R.** Trader is defined as a person who uses a fixed structure and leases a temporary site to trade from.

In terms of section 81(1) of the Marine Living Resources Act, 1998 (Act No. 18 of 1998) the Minister may in writing exempt any person or group from any or all of the fees determined above.