

NOTICE 906 OF 2002**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM****INVITATION TO APPLY FOR PERMITS TO UNDERTAKE GREAT WHITE SHARK CAGE DIVING BY ATTRACTING SHARKS USING BAIT OR ANY OTHER MEANS IN TERMS OF SECTION 13 OF THE MARINE LIVING RESOURCES ACT OF 1998 (ACT No. 18 OF 1998)**

The Department of Environmental Affairs and Tourism hereby announces for general information that it is the intention of the Honourable Minister of Environmental Affairs and Tourism to allocate a total of 12 permits for Great White Shark Cage Diving by attracting sharks using bait or by any other means in terms of section 13 of the Marine Living Resources Act, 1998 (Act No. 18 of 1998) for a period of 4 years.

Interested persons are hereby invited to apply for the following areas:

Zone A: Seal Island, Mossel Bay [only one (1) permit will be allocated for this area] (closed during the Cape summer school holiday as determined by the Department of Education from year to year) within the following co-ordinates:

The northern boundary is a line (090° true bearing) drawn from position 34°08.800'S 22°07.100'E to position 34°08.800'S 22°07.600'E,

as an eastern boundary, a line (180° true bearing) drawn from position 34°08.800'S 22°07.600'E to position 34°09.400'S 22°07.600'E,

as an southern boundary, a line (270° true bearing) drawn from position 34°09.400'S 22°07.600'E to position 34°09.400'S 22°07.100'E and,

as a western boundary, a line (000° true bearing) drawn from position 34°09.400'S 22°07.100'E to position 34°08.800'S 22°07,100'E.

Zone B: Dyer Gansbaai [only eight (8) permits will be allocated for this area] within the following co-ordinates:

The northern boundary is a line (090° true bearing) drawn from position 34°38.000'S 19°24.000'E to position 34°38.000'S 19°25.500'E,

as an eastern boundary, a line (160° true bearing) drawn from position 34°38.000'S 19°25.500'E to position 34°42.000'S 19°27.300'E,

as an southern boundary, a line (247° true bearing) drawn from position 34°42.000'S 19°27.300'E to position 34°43.400'S 19°23.000'E and,

as an western boundary, a line (006° true bearing) drawn from position 34°43.400'S 19°23.000'E to position 34°38.000'S 19°24.000'E.

Zone C: Seal Island, False Bay [only three (3) permits will be allocated for this area] within the following co-ordinates:

The northern boundary is a line (090° true bearing) drawn from position 34°07.570'S 18°33.730'E to position 34°07.570'S 18°36.240'E,

as an eastern boundary, a line (180° true bearing) drawn from position 34°07.570'S 18°36.240'E to position 34°09.320'S 18°36.240'E,

as an southern boundary, a line (270° true bearing) drawn from position 34°09.320'S 18°36.240'E to position 34°09.320'S 18°33.730'E and,

as an western boundary, a line (000° true bearing) drawn from position 34°09.320'S 18°33.730'E to position 34°07.570'S 18°33.730'E.

APPLICANTS ARE INVITED TO TAKE NOTE OF THE FOLLOWING:

1. An applicant must be a juristic or a natural person who is—

- (a) a South African citizen in terms of the South African Citizenship Act, 1995 (Act No. 88 of 1995);
- (b) a company registered in terms of the Companies Act, 1976 (Act No. 61 of 1973), in which the majority of the shareholders, as prescribed by the Minister, are South African persons.
- (c) a Close Corporation in terms of the Close Corporation Act, 1984 (Act No. 69 of 1984), of which the majority of members are South African persons; or
- (d) a trust in which—
 - (i) the majority of trustees, having the controlling power, are South African citizens;
 - (ii) or a majority of the beneficial interests are held by South African citizens.

2. Applicants are advised that in order to assess the applications the Minister will require information on—

- (i) whether or not the applicant owns a suitable licensed vessel endorsed by SAMSA to perform such an activity or have access to a suitable vessel;
- (ii) whether or not the applicant exhibits the necessary experience and technical ability to perform such an activity in an efficient and safe manner;
- (iii) the extent to which the applicant provided certified proof of capital or access thereto in order to cover his/her operational expenses;
- (iv) the willingness of the applicant and/or its operators to comply with the code of conduct in terms of a signed, written undertaking and to supply the necessary data in the manner required by the Senior Manager: Resource Management;
- (v) whether the applicant and/or its operators have contravened the provisions of the Marine Living Resources Act, 1998 (Act No. 18 of 1998) and the regulations promulgated thereunder.

3. Applicants are also required to provide information and proof of the following:

- (i) The applicant's and/or its operators' suitability to act as skipper and/or guide on board the nominated vessel.
- (ii) That the applicant has adequate public liability insurance.
- (iii) That the applicant and/or its operators are in possession of a level II first aid certificate.
- (iv) That the applicant and/or its operators are registered satour guides.
- (v) That the applicant and/or its operators are certified dive masters.
- (vi) That the applicant and/or its operators have certification by a registered engineer or qualified welder pertaining to the shark cage.

4. Applicants are further advised that preference will be given to applicants who are in close proximity (i.e. within 30 km) to areas for which permits will be issued.

5. Attention is invited to the fact that successful applicants will only be permitted to use one vessel per area and should such applicants wish to replace the nominated vessel prior written permission must be obtained from the Senior Manager: Resource Management.

6. Application forms will be available at the Cape Town office of the Executive Manager: DEAT, Branch: Marine and Coastal Management, Private Bag X2, Roggebaai, 8012, or the Seventh Floor, Foretrust Building, Martin Hammerschlag Way, Foreshore, Cape Town (Ms N. Abdurahman, telephone: (021) 402-3381, fax: (021) 421-3197.)

7. The original application form accompanied by 2 copies thereof must reach the Cape Town office of the Department (attention: Ms N. Abdurahman) on or before the due date (21 days after publication of this notice).

8. The closing date for applications will be 21 days after publication of this notice. No applications received after 16:00 on the due date will be considered.
9. As previous applications will not be taken into consideration, interested persons are advised to re-apply.
10. Attention is invited to the fact that applications not submitted in accordance with this notice will neither be placed on record nor will they be considered.

(7 June 2002)