



# Government Gazette

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**AIDS HELPLINE: 0800-0123-22 Prevention is the cure**

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**GOVERNMENT NOTICE**  
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**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM**  
**DEPARTEMENT VAN OMGEWINGSAKE EN TOERISME**

No. 172

31 January 2003

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

**FISHING HARBOUR FEES**

I, Mohammed Valli Moosa, 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 18 of 1998, determine the fees payable for the use of fishing harbour facilities as set out in the Schedule.

**M.V.MOOSA**  
**MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM**

**SCHEDULE**

1. In this Schedule any word or expression to which a meaning has been assigned to in the Act, shall bear the meaning so assigned to it and, unless the context indicates otherwise—

**"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;

**"commercial activity or commercial use"** means with a purpose to secure a financial return;

**"departmental"** means ownership to or direct association with the Department of Environmental Affairs and Tourism;

**"fishing vessel"** means any vessel, boat, ship or other craft which is used for, equipped to be used for or of a type that is normally used for fishing or related activities, and includes all gear, equipment, stores, cargo and fuel on board the vessel;

**"hawker"** means any person who does not use a semi-fixed structure and who does not lease a temporary site to trade from;

**"leisure or recreational vessel"** means a vessel that is not used for commercial purposes;

**"mediterranean mooring"** means the configuration of mooring a vessel so that its bow or stern is fastened to a quay, jetty, sea-wall, or breakwater, whilst its stern or bow (as applicable) is fastened to an anchor or block on the harbour floor, via a mooring line;

**"normal working hours"** means from 08h00 to 16h00 Monday to Friday (excluding public holidays);

**"passenger"** means 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;

**"per month or part thereof"** means from the first to the last day of a month;

**"per week or part thereof"** means periods which extend from Monday to Sunday;

**"per year"** means from 01 January to 31 December of a calendar year;

**"register tons and register tonnage"** means 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, 1951 (Act No. 57 of 1951);

**"safety certificate"** means a certificate issued under section 194(1)(a) or (b)(ii) of the Merchant Shipping Act, 1951 (Act No. 57 of 1951);

**"swing mooring"** means 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;

**"the Act"** means the Marine Living Resources Act, 1998 (Act No. 18 of 1998);

**"trader"** means any person who use a semi-fixed structure and/or leases a temporary site to trade from;

**"trot mooring"** means 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;

**"unseaworthy"**, used in relation to a vessel, means that she is not in a fit state as to the condition of her hull, equipment or machinery, the stowage of her cargo or ballast, or the number or qualifications of her master or crew, or in any other respect, to encounter the ordinary perils of the voyage upon which she is engaged or is about to enter or be placed;

**"unseaworthy vessel"** means 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.

**"vessel"** includes any canoe, lighter, floating platform, decked boat, carrier vessel, vessel equipped with an inboard or outboard motor or any other craft, whether a surface craft or submarine;

2. **All fees are payable in advance provided that any permit or ticket which has been issued in accordance with the provisions of the Marine Living Resources Act 18 of 1998, and which has not yet expired at the date of this Notice, shall be deemed to be a valid permit or ticket issued in terms of this Notice.**

3. The tariffs as set out in paragraph 5, 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-based) 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, provided/excepting that the booking fee must be paid in advance /is payable in advance in order to secure a position on the slip.

4. Accommodation of vessels: (Each feature of the vessel shall be taken into consideration for the determination of the application fees)

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

		Per day	Per month	Per annum
(i)	Mooring alongside Departmental quays, break-waters, jetties, sea-walls:			
	Per full meter of total vessel length:	R 0,80	R 8,00	R 32,00
	Exceeding 8 meters: Additional charge per full meter of vessel length:	R 1,60	R 16,00	R 64,00
(ii)	Mooring at a Departmental block or Departmental anchor point ("swing" mooring, Mediterranean mooring or "trot" mooring):	70% of tariff 4.A (i)		
(iii)	Mooring at a Departmental off-loading jetty other than during an off-loading operation (daily tariff only):	5 x tariff 4.A (i)		
(iv)	Mooring at a Departmental repair jetty:	1,5 x tariff 4.A (i)		
(v)	Mooring at own mooring or own jetty:	70% of tariff 4.A (i)		
(vi)	Where the vessel and vessel owner are paid-up registered members of a <u>Department-approved</u> vessel or yacht club and the vessel is moored at the jetty, quay, marina or equivalent mooring established or constructed and maintained by that club:	90% of tariff 4.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.

B.

(i)	Vessels which are not seaworthy or 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 4.A
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(ii)	Harbour lighting and navigation light fees for any vessel utilizing a proclaimed harbour for more than 30 days per calendar year:	R 100,00 per year
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5. **The slipping of vessels at main and side slipways (all harbours)** (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 R 100,00 plus R 12,00 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 R 376,00 plus R 0,85 per ton ( GRT x 2,83)
C.	For each registered vessel of a gross register tonnage of <u>less than 25 tons on the side slip, after the first 72 hours and up to a maximum of 90 days and thereafter tariff 5.A:</u>	60% of tariff 5.A
D.	For each registered vessel of a gross register tonnage of <u>25 tons or more on the side slip, after the first 72 hours and up to a maximum of 90 days and thereafter tariff 5.B:</u>	60% of tariff 5.B
E.	Slipping or un-slipping of any vessel outside normal working hours, Saturdays, Sundays or Public holidays an additional fee shall be payable:	R 200,00 per vessel

6. **Hauling out of vessels at Arniston and Stilbaai:**

A.	During normal working hours:	R 12,00 per vessel
B.	Outside normal working hours:	R23,00 per vessel

7. **Departmental cranes:**

A.	Ordinary cranes:	
	(i) Per hour or part thereof during normal working hours:	R 90,00
	(ii) Per hour or part thereof, outside normal working hours:	R 147,00

**8. Electrical power, availability and consumption, for each 8 hours or part thereof:**

A.	per 220 volt, single-phase connection:	R 25,00
	or	
B.	per 380 volt, three-phase connection:	R 45,00
	or	
C.	Own meter:	at the tariff charged from time to time by the relevant supply authority to the Department from place to place

**9. Fresh water, availability and consumption:**

A.	Charge per connection equal to 25mm in diameter:	R 15,00
	or	
B.	Charge per connection exceeding 25mm in diameter:	R 28,00
	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

**10. Use of Departmental plant and equipment:**

A.	Salt water pumps (per connection per hour or part thereof):	R 56,00
B.	Hydraulic jacks and turfors (per unit per day):	R 28,00
C.	Ladders (per ladder per day or part thereof):	R 23,00
D.	Scaffolding (per set of two scaffolds and two trestles per day or part thereof):	R 23,00

**11. Floating Rafts:**

Per square meter per year or part thereof: R 70,00

**12. Temporary leasing of sites:****A. Sites not exceeding 25 square meters each for repair and storage of fishing nets:**

1.	On quays and breakwaters (per day or part thereof):	R 62,00
2.	Elsewhere (per day or part thereof):	R 9,00

**B. Sites for other purposes:**

1.	On quays and breakwaters (per square meter, per week or part thereof):	R 70,00
2.	Elsewhere:	
	(i) Per square meter per week or part thereof:	R 2,00
	(ii) Minimum weekly tariff:	R 90,00

**C. Sites for social/community carnivals, film shoots, and other unique private commercial or social events:**

1.	Social /community carnivals:	R 1 000,00
2.	Film shoots:	R 2 500,00

Attention is drawn to the fact that the temporary leasing of a site within a fishing harbour shall be subject to the applicant obtaining prior written approval from the National Department of Public Works for the leasing of such site.

**13. 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:	R 2,00	R 30,00	R 180,00
	Passenger busses with 15 or more, but not exceeding 25 seats, and any other vehicles between 3,5ton and 10 ton:	R 5,00	R 75,00	R 450,00
	Passenger busses with more than 25 seats, and any other vehicles exceeding 10 ton:	R 10,00	R 150,00	R 900,00

**14. Exemptions:**

The following vehicles are exempted from paying the admission of vehicles fee:

- (i) 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;
- (ii) any vehicle belonging to an organ of state entering on official business;
- (iii) any vehicle of the South African Bureau of Standards (SABS) on official business;
- (iv) any vehicle of the South African Police Services;
- (v) any vehicle of the National Sea and Rescue Institute (NSRI);
- (vi) any emergency vehicle such as ambulances and fire tenders as long as they are on official business; and
- (vii) any bus carrying supervised scholars and teachers on official school outings.

**15. Admission of vessels by road:**

<b>A.</b>	<b>Minimum basic charge per vessel:</b>	
	(i) Daily entrance:	R 30,00
	(ii) Monthly entrance:	R 300,00
	(iii) Yearly entrance:	R 1 500,00
<b>B.</b>	<b>Charge per trailer:</b>	
	(i) Daily entrance:	R 10,00
	(ii) Monthly entrance:	R 100,00
	(iii) Yearly entrance:	R 500,00

**16. Hawkers (not using any fix structure):**

All types, per day or part thereof per 6 square meter floor area R 55,00

**17. Traders ( using any semi fix structure e.g single layer container):**

All types (for permission to trade) per month or part thereof: R 425,00

**18. Use of fish-cleaning facilities:**

Per table, per day or part thereof R 10,00



**19. Erection and display of advertising signage:**

		<b>Per month</b>	<b>Per annum</b>
A.	Per square meter display area or part thereof, except on a quay:	R 30,00	R 100,00
B.	Per square meter on the quay: <i>(placement subject to discretion of officer in charge of the fishing harbour):</i>	R 150,00	R 500,00

**20. Transport by vessel of passengers for commercial purposes, within or from a fishing harbour:**

	<b>Per vessel per period or part thereof:</b>	<b>Per month</b>	<b>Per annum</b>
A.	Vessels up to 10 meter:	R 200,00	R 1200,00
B	Vessels exceeding 10 meter:	R 500,00	R 3000,00

**21. 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:	R 10,00
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**22. Removal of garbage and cleaning of slip-ways on quay-way and slip-way in harbour area after using of facilities if not removed by user within two (2) days:**

Per load of 1 ton or part thereof: R 1000,00

**23. In terms of section 81(1) of the Act, the Minister may, if he or she is of the opinion that there are sound reasons for doing so, and subject to the conditions that he or she may determine, in writing exempt any person or group of persons or organ of state from a provision of this notice.****24. Any person who contravenes or fails to comply with any provision of this notice shall be guilty of an offence and liable on conviction to a fine not exceeding two million rand, or to imprisonment for a period not exceeding not exceeding five years.****25. Government Notice No. 1692 dated 24 December 1998 is hereby repealed.****26. This notice takes effect on 1 February 2003.**