



Government Gazette

REPUBLIC OF SOUTH AFRICA

Vol. 445 Pretoria 16 July 2002 **No. 23633**



AIDS HELPLINE: 0800-123-22 Prevention is the cure

CONTENTS

No.	Page No.	Gazette No.
GENERAL NOTICE		
Transport, Department of		
<i>General Notice</i>		
1284 National Ports Authority Bill and Draft Independent Ports Regulator Bill, 2002: For general information	3	23633

GENERAL NOTICE

NOTICE 1284 OF 2002

Public consultations sessions for the Draft National Ports Authority Bill

PROVINCIAL SESSIONS

DATE	VENUE
23 JULY 2002	EAST LONDON (FOR THE E. CAPE)
24 JULY 2002	CAPE TOWN (FOR THE W. CAPE)
25 JULY 2002	DURBAN (FOR THE KZN)
26 JULY 2002	PRETORIA (FOR THE GAUTENG)
JULY 2002 (DATE TO BE CONFIRMED)	UPINGTON/ KIMBERLY (FOR THE N. CAPE)

NATIONAL SESSION

DATE	VENUE
31 JULY 2002	DURBAN

Comments to be forwarded to:

National Department of Transport
Maritime Transport Regulation
Private Bag X193, Pretoria, 0001

Attention Mr DT Ntuli

Closing Date for written comments: 16 August 2002

NATIONAL DEPARTMENT OF TRANSPORT
DRAFT NATIONAL PORTS AUTHORITY BILL
11 JULY, 2002 (FOR PUBLIC COMMENT)



DRAFT NATIONAL PORTS AUTHORITY BILL

To provide for the establishment of the National Ports Authority; and to provide for matters connected therewith.

Preamble

RECOGNISING that, Ports and harbours are our national heritage

RECOGNISING that, Ports are an engine of economic growth, because if operated efficiently they will stimulate trade between nations on a global scale;

RECOGNISING that because of the strategic geographical position of South Africa's coastline, the port system can have a multiplier role on the economy of the country and the region;

RECOGNISING that Ports restructuring worldwide is driven by the globalization of production and markets and consequently, the ports' transport function has fundamentally changed from commercial gateway to intermodal logistics and industrial nodal point;

RECOGNISING that the key trend affecting port operators and authorities are the intermodal investment that is required to ensure the efficient flow of cargo between a port and its hinterland

RECOGNISING that there is a need to separate operations, which can be competitive within a port from the landlord function;

AND IN ORDER TO:

- *Ensure affordable, effective, efficient and safe port services;*
- *Encourage fair competition based on transparent rules applied consistently across the transport and port system;*
- *Improve infrastructure and service levels where appropriate, based on user needs;*
- *Ensure safe transportation, a clean environment and service to designated areas;*
- *Establish appropriate institutional arrangements and legislation to support the governance of ports;*
- *Promote the development of an integrated regional production and distribution system in support of government industrial policies;*
- *Facilitate and enhance the expansion of international trade and tourism in general, and exports in particular;*
- *Promote the development of an efficient and productive South African port industry capable of competing in international markets;*
- *Establish an appropriate regulatory framework that is also flexible and responsive to market forces*
- *Promote increased international relations; and*
- *Ensure cost effective and efficient port management and operation.*

BE IT THEREFORE ENACTED by the Parliament of the Republic of South Africa as follows

INDEX

Section

1. Definitions
2. Objectives of Act

**CHAPTER 1
DECLARATION AND EXTENTION OF PORTS**

3. Proclamation and boundaries

**CHAPTER 2
ESTABLISHMENT AND INCORPORATION OF THE NATIONAL PORTS
AUTHORITY**

4. Establishment of the Authority
5. Incorporation of the Authority
6. Authority's memorandum and articles of association
7. Application of companies Act to the Authority
8. Certain provisions of Companies Act may be declared inapplicable to the Authority
9. The Authority's financial year
10. Judicial management and liquidation

**CHAPTER 3
FUNCTIONS, POWERS AND RESPONSIBILITIES OF NATIONAL PORTS
AUTHORITY**

11. Functions of the National Ports Authority
12. Co-operative governance
13. Principles applicable to the National Ports Authority
14. Powers of the National Ports Authority

CHAPTER 4 BOARD OF AUTHORITY AND STAFF

Part 1

National Ports Authority Board

15. National Ports Authority Board
16. Powers of the National Ports Authority Board
17. Composition of the Board and terms and conditions of appointment
18. Nomination of National Ports Authority Board
19. Persons disqualified from membership of the board
20. Terms of office of members of the board
21. Disclosure of interest by members of board
22. Meetings of the Board
23. Delegation and assignment of functions by the board

Part 2

Chief Executive Officer and staff

24. Appointment of Chief Executive Officer
25. Powers, duties of chief executive officer
26. Vacation of and removal from office of Chief Executive Officer
27. Acting chief executive officer

CHAPTER 5 OPERATION OF NATIONAL PORTS AUTHORITY

28. Annual budget and corporate plan
29. Appointment and transfer of staff of the National Ports Authority
30. Annual Reports
31. No state guarantees

CHAPTER 6**PROVISION OF PORT SERVICES AND PORT FACILITIES IN PORTS**

32. Transfer of ports and other real rights to National Ports Authority
33. Transfer of land to Authority
34. Effect of transfer from state to authority
35. Contracts and partnerships in terminal operations and other services
36. Licensing, authorizing provision of port services and facilities,
37. Conditions of licenses
38. Restrictions on transfer of license
39. Modification of conditions of license
40. Suspension or cancellation of license
41. Engagement of any person by the National ports Authority for the purpose of carrying out duties of licensed operators
42. Directives affecting licensed operators and other persons
43. Duties of licensed operators
44. Routine inspections
45. Special powers in emergency
46. Existing operators
47. Offshore cargo handling facilities

CHAPTER 7**DEVELOPMENT, ENVIRONMENT AND CLOSURE OF PORTS**

48. Construction, Development and Maintenance of Ports
49. Protection of environment
50. Closure of ports

CHAPTER 8**COMMERCIAL ASPECTS**

51. Commercial functions of National Ports Authority
52. National Ports Authority Tariff Book
53. Port charges payable to National Ports Authority

CHAPTER 9**SAFETY ASPECTS**

54. Safety of navigation and shipping in port
55. Safety on the land within ports
56. Pilotage
57. Liability of Pilots
58. Licensing of Pilots
59. Lighthouses, and other navigational aids

CHAPTER 10
PORTS POLICY, MINISTERIAL DIRECTIONS AND PORT REGULATIONS

- 60. Ports policy
- 61. Ministerial direction
- 62. Port regulations

CHAPTER 11
GENERAL

- 63. Port Consultative Committees
- 64. Port access
- 65. Limitation on legal proceedings against the National Ports Authority
- 66. Offences
- 67. Co-operation with state authorities
- 68. Amendment and repeal of laws
- 69. Short title and commencement

1. Definitions

In this Act unless the context otherwise indicates: –

“**assets**” means property of any description and includes both movable and immovable property;

“**appoint**” includes “re-appoint”

“**authority**”, means the National Ports Authority of South Africa established in terms of this Act.

“**beacon**” means an aid to navigation used to warn or guide ships in dangerous water, or a radio beacon used as an aid to navigation

“**berthing charges,**” means charges levied by the port authority for use of berthing facilities and services

“**berth dues**” means charges levied by the port authority to contribute towards provision and maintenance of quay wall infrastructure

“**berthing services**” means mooring a vessel alongside a quay

“**board**” means the National Port Authority board of directors established in terms of this Act;

“**buoy,**” means a small floating body, anchored to the sea bed, which marks a channel or alerts shipping to dangers, wrecks or other obstructions

“**cargo forecast,**” means an estimated indication of expected tonnages to be handled through the ports of South Africa

“**embarkation**” means a process of passengers boarding a vessel

“**Harbour Master**” means an employee of the Authority who has the final authority in respect of all matters relating to pilotage, navigation, navigational aids, dredging and all other matters relating to the movement of vessels within the port limits

“**Independent Ports Regulator**” means the overall regulator of the South African

Ports and harbours

"licensed operator" means a person authorised by a license of the port authority to provide a port service or facility in the port in terms of this Act

"light dues" means charges levied by the port authority to recover the cost of provision of aids to navigation along the South African coast

"light house" means a fixed structure in the form of a tower equipped with a light visible to mariners warning them of obstructions or for marking port or harbour entrances

"Minister" means the Minister of Transport or a duly appointed representative

"Shareholding Minister, means Minister of Public Enterprises or a duly appointed representative

"Transnet Limited" means the company incorporated in terms of section 2 of the Legal Succession Act;

"pilotage" means the act, carried out by a qualified person known as a pilot, of assisting the master of a vessel in navigation when entering or leaving a port or in confined waters

"pilotage dues" means charges levied by the port authority for the provision of pilotage

"port" means a place, whether proclaimed a public harbour or not, and whether natural or artificial, to which ships may resort for shelter or to load or discharge goods or persons

"port facilities" means the means or equipment facilitating the performance of the ports

"port dues" means charges levied by the port authority to recover the infrastructure cost associated with the provision and maintenance of entrance channels, breakwaters, turning basins, navigational aids (beacons and buoys inside port limits) and maintenance dredging inside port limits

"port infrastructure" means the basic structure of a commercial port, including breakwaters, seawalls, channels, basins, quay walls, jetties, road, rail, services and utilities (e.g. water, lights, power, sewerage and telecommunications)

"port users" to direct port users (ship owners), indirect port users (importers/exporters), intermediate port users (agents) and final port users (producers and consumers).

"tariff book," means an annual tariff book published by the port authority, containing its tariff of charges for services and facilities offered

"terminal infrastructure" means terminal buildings, workshops, substations, surfacing, rail sidings and terminal services and utilities (e.g. water, lights, power, sewerage and telecommunication) within terminal boundaries

"towage dues" means charges levied by the port authority for tug services

"tug services," means services performed by small, powerful vessels used for towing or pushing vessels in a port

"off-shore cargo handling facility " means an off-shore cargo handling facility such as the Single Buoy Mooring (SBM) in Durban

"vessel" means any ship or boat of any kind whatsoever, whether propelled by steam, diesel or otherwise

"vessel Traffic Services" means a system used to regulate and control vessel traffic to protect the environment

2. Objectives of Act

The objects of this Act are to: -

- (1) provide a legal framework to achieve the objectives of the White Paper on National Commercial Ports Policy;
- (2) promote and improve efficiency and performance in the management and operation of ports;
- (3) to strengthen the State's capacity to secure public interest-
 - (a) To separate operations, from the landlord function;
 - (b) To encourage employee participation, in order to motivate management and workers;
 - (c) To facilitate technology, information systems, and managerial expertise transfer through private sector involvement and participation.

CHAPTER 1

DECLARATION AND EXTENSION OF PORTS

3. Proclamation and boundaries

- (1) The Minister in consultation with Cabinet must by a proclamation in the national gazette declare national commercial ports, which must fall under the jurisdiction of the Authority;
- (2) The Minister in consultation with Cabinet has the power to review, vary or extend boundaries; and
- (3) Declare new commercial ports

CHAPTER 2
ESTABLISHMENT AND INCORPORATION OF THE NATIONAL PORTS
AUTHORITY

4. Establishment of the authority

- (1) There will be a National Ports Authority for the Republic for the purposes of owning, managing, controlling and administering the ports.
- (2) The Authority referred to in subsection (1) will be established upon being incorporated as a company in accordance with section 5, and a after approval has been granted by National Treasury in terms of section 38(1)(m) and Section 54 of the Public Finance Management Act (PFMA).
 - (a) The Authority shall be managed in terms of the Public Finance Management Act

5. Incorporation of the Authority

- (1) Subject to the provisions of this Act , the Shareholding Minister must take all the steps that are necessary for the formation and incorporation of the Authority as a public company with a share capital, and the issuing of a certificate to commence business, within the meaning of the Companies Act and the PFMA.
- (2) Despite the provisions of the Companies Act, the State will be the only member and shareholder of the authority
- (3) Despite the provisions of the Companies Act—
 - (a) The shareholding Minister, who represents the State, will sign the memorandum of association, articles of association and all other documents necessary in connection with the formation and incorporation of the company; and
 - (b) The Registrar of Companies must register the memorandum of association and articles of association as signed by the Shareholding Minister, and incorporate the Authority as a public company under the name 'the National Ports Authority of South Africa' with the State as its only member and shareholder and issue to the company a certificate to commence business with effect from the date of the company's incorporation
- (4) The State's rights as a member and shareholder of the Authority are to be exercised by the Shareholding Minister

6. Authority's memorandum and articles of association

- (1) The memorandum of association and articles of association of the Authority must be drawn up in such a manner that the contents thereof are consistent with this Act. In the event of an inconsistency between the memorandum of association or articles of association and the provisions of this Act, the provisions of this Act will prevail.
- (2) Despite the provisions of the Companies Act, an amendment of the memorandum of association or articles of association affecting any arrangement made by any

provision of this Act, will not be operative or have any legal force unless and until the relevant provision of this Act has been amended accordingly and that amendment has come into effect.

7. Application of Companies Act to the Authority

- (1) Subject to the provisions of subsection (2), the provisions of the Companies Act which are not in conflict with this Act, apply to the Authority.
- (2) A provision of the Companies Act will not apply to the authority in the following circumstances—
 - (a) because of any special or contrary arrangement made by this Act, such a provision is clearly inappropriate or inapplicable; or
 - (b) the Minister of Trade and Industry has issued a declaration under section 8 with regard to the provision

8. Certain provisions of Companies Act may be declared inapplicable to the Authority

- (1) The shareholding Minister, on the recommendation of the Authority, may from time to time request the Minister of Trade and Industry to declare any particular provision of the Companies Act to be inapplicable to the Authority.
- (2) The request contemplated in subsection (1) must be fully motivated, and the necessary particulars relating to the request must be made known by the Registrar of Companies, together with the motivation thereof, by notice in the Gazette. In such notice, the Registrar must also invite interested persons to submit objections and representations to a person named in the notice within the period stipulated in such notice.
- (3) After having considered the objections and representations (if any) received in terms of subsection (2), the Minister of Trade and Industry, by notice in the Gazette, may declare the whole or any part of any provision of the Companies Act about which the request contemplated in subsection (1) was made, to be inapplicable to the authority with effect from the date stipulated in that notice, if satisfied on reasonable grounds that the inapplicability of that provision to the Authority—
 - (a) will contribute to the Authority's efficiency
 - (b) will not reduce or limit the authority's accountability as a public institution or reduce the transparency of its functioning and operations; and
 - (c) will not be prejudicial to the rights, interests or claims of the Authority's creditors or employees or to the rights or interests of any other persons

9. The Authority's financial year

- (1) The Authority's financial year will be from 1 April in any year to 31 March in the year following year, both days included.

10. Judicial management and liquidation

- (1) Despite the provisions of any other law, the Authority may not be placed under judicial management or liquidation, except if authorized by an Act of Parliament adopted specifically for that purpose.

CHAPTER 3
FUNCTIONS, POWERS AND RESPONSIBILITIES OF NATIONAL PORTS
AUTHORITY

11. Functions of National Ports Authority

- (1) The company has the powers of a company as contemplated in section 34 of the Companies Act, 1973 (Act 61 of 1973), unless expressly excluded or qualified by this Act and the PFMA
- (2) The Authority may—
 - (a) plan, provide, maintain and improve port infrastructure such as breakwaters, entrance channels, turning basins and quay walls;
 - (b) prepare and periodically update a port development framework plan for each port, which shall reflect the ports Authority's policy for port development and land use;
 - (c) control land use within the ports, including the power to lease land under such conditions as the Ports authority may determine;
 - (d) provide road and rail access to port facilities;
 - (e) provide services and utilities such as water, light, power, sewerage and telecommunications;
 - (f) maintain the sustainability of the ports and their surroundings;
 - (g) regulate and control-
 - (i) navigation within the limits of the ports and the approaches to the ports;
 - (ii) entry of vessels in ports, their stay, movements or operations in, and departures from ports;
 - (iii) loading, unloading and storage of cargo and the embarkation and disembarkation of passengers;
 - (iv) the development of ports
 - (v) off-shore cargo handling facilities both within and outside the limits of the ports
 - (vi) pollution and protection of the environment within the port limits;
 - (vii) the enhancement of safety and security within the port limits
 - (h) encourage and facilitate private sector investment and participation in the provision of port superstructure, services and facilities;

- (i) enter into concession contracts and public private partnerships agreements for the provision of port and cargo handling services by qualified and licensed operators;
- (j) ensure that adequate and efficient port services and facilities are provided
- (k) exercise concession, licensing, regulating and controlling functions in respect of services and facilities in the port estates not supplied by the ports;
- (l) ensure that any person who is required to render any port services and facilities is able to provide those services and facilities efficiently;
- (m) promote efficiency, reliability and economy on the part of the licensees in accordance with, recognised international standards and public demand;
- (n) prescribe the limits within which and the levels to which dredging may be carried out in the ports and the approaches thereto;
- (o) provide tugs, pilot boats and other facilities and services for the navigation and berthing of vessels in the ports;
- (p) prescribe tariffs; rates, charges and dues for services provided by the Authority, the individual ports or service providers;
- (q) provide, control and maintain vessel traffic services;
- (r) disseminate navigational information
- (s) promote the use, improvement and development of ports;
- (t) implement the Government commercial ports policy, keep it under review and advise on all matters relating to the port sector, port services and port facilities;
- (u) discharge or facilitate the discharge of international obligations;
- (v) facilitate the performance of any function or duty by any department or agency of Government at the ports;
- (w) assist in sea search and rescue and in its discretion to engage in operations for the salvage of vessels and cargo inside or outside port limits;
- (x) perform all other functions as prescribed by this Act;
- (y) promote research and development in the spheres of port services and facilities;
- (z) undertake any other activities that encourage and facilitate the development of trade and commerce for the economic benefit and interest of the national economy;
- (aa) collaborate with educational institutions for the promotion of technical education in the spheres of port services and facilities;
- (bb) perform all other functions contemplated in this Act

(3) The Authority must do everything necessary for the effective and economic management, planning and control of the ports

12. Co-operative governance

- (1) To give effect to the principles of co-operative government and inter-governmental relations contemplated in Chapter 3 of the Constitution of the Republic of the South Africa, 1996 (Act No. 108 of 1996), all organs of state, as defined in section 239 of the Constitution, including the Department of Transport, on which functions in respect of any aspect of Ports regulation are conferred by this Act or other legislation, must co-operate with one another in order to-
 - (a) ensure the effective management of all commercial ports
 - (b) ensure the effective oversight of ports
 - (c) co-ordinate the exercise of such functions
 - (d) minimize the duplication of such functions and procedures regarding the exercise of such functions
 - (e) promote consistency in the exercise of such functions.
- (2) The Authority must conclude a co-operative Memorandum of Understanding with every relevant organ of state to give effect to the co-operation contemplated in subsection (1).
- (3) The Minister may, after consultation with the board and in consultation with ministers responsible for the relevant organs of state, make regulations regarding-
 - (a) time periods and procedures, including procedures for public participation and mechanisms for dispute resolution, in respect of the conclusion of co-operative agreements referred to subsection (2).
 - (b) matters that must be provided for in co-operative agreements, including provision for-
 - (i) time periods for the implementation of co-operative agreements;
 - (ii) the co-ordination of the functions referred to subsection (1) in a manner that avoids unnecessary duplication and omissions regarding port management and the issuing of conflicting instructions;
 - (iii) measures to be taken in the event of non-compliance with a co-operative agreement;
 - (iv) dispute resolution in respect of the interpretation or application of co-operative agreements referred to in subsection (3).

- (4) The Minister must publish by notice in the Gazette every co-operative agreement concluded in terms of subsection (2).

13. Principles applicable to the National Ports Authority

- (1) In discharging the functions and duties imposed on it by this Act, the Authority is guided by the following underlying principles-
- (a) conducting business in a manner designed to achieve the objectives of the White Paper on National Commercial Ports Policy and does not jeopardize national interest;
 - (b) remain financially autonomous and not require subsidization from Government;
 - (c) operating a successful business to provide an adequate rate of return;
 - (d) enable the port users to access the port system in the most efficient way possible;
 - (e) satisfying all reasonable demands for port services and port facilities;
 - (f) co-ordinating the activities of the ports;
 - (g) not unduly discriminating against or amongst various port users or categories of port users of a port;
 - (h) ensuring that orderly, efficient and reliable port services, including safe and secure cargo storage and handling facilities, are provided to port users;
 - (i) fostering the development and expansion of port services and facilities elsewhere in the world in collaboration with other countries and international organisations;
 - (j) enabling persons providing port services and facilities in the Republic of South Africa to compete outside South Africa effectively in relation to the provision of such services and facilities;
 - (k) promoting measures for the safety of life in the ports
- (2) Nothing in sub-section (1) shall preclude the Authority from doing any thing reasonably necessary for the effective and economic management, planning and control of the ports.

14. Powers of National Ports Authority

- (1) The Authority on behalf of the Republic of South Africa has the powers of a company as contemplated in section 34 of the Companies Act, unless expressly excluded or qualified in terms of this Act
- (2) Subject to the provisions of this Act, and without limiting its powers under subsection (1), the other provisions of this Act and any other law, the Authority has the power to—
 - (a) to perform all port landlord functions in terms of this Act
 - (b) carry on activities, which are necessary or convenient for it to perform in connection with the discharge of its functions and duties under this Act;
 - (c) prescribe tariffs, levy and collect fees and charges in respect of the provision by the Authority of basic port infrastructure, including land rentals, light dues, vessel traffic services, port dues, cargo dues, berth dues subject to the approval of the Minister in concurrence with the Minister of Finance;
 - (d) prescribe tariffs, levy and collect fees and charges in respect of the provision by Authority of port services, including pilotage, towage charges, berthing charges, ship repairs and any other services rendered by or on behalf of the Authority, subject to the approval of the Minister in concurrence with the Minister of Finance;
 - (e) levy fees for granting of licenses, concessions for port services and facilities provided in the Authority's sole discretion subject to the approval of the Minister in concurrence with the Minister of Finance
 - (f) enter into concession contracts and public private partnerships with qualified and licensed operators for the provision of port and cargo handling services under terms and conditions determined by the Authority including the determination of performance standards, quality of services and enforcement;
 - (g) perform any activity incidental to any of its functions and duties;
 - (h) direct that any vessel in a port, which has been arrested or attached by order of court or by a relevant authority, be moved to a designated place within the port, and if necessary, to move the vessel to that place;
- (2) In addition to the functions imposed by this Act, the Authority may undertake any other functions the Shareholding Minister may assign to it.
- (3) Without limiting its powers referred to in subsection (1), the company has the power to raise or receive income from sources other than levies, charges and dues, included, but not limited to, the power to enforce any contract providing for such raising or receipt of income. Borrowings shall be dealt with in accordance with Section (66) of the PFMA.

CHAPTER 4
BOARD OF AUTHORITY AND STAFF

Part 1

15. The National Ports Authority Board.

- (1) The Authority is governed and controlled in terms of this Act, by a board of directors.
- (2) The board of directors-
 - (a) Perform, exercise and discharge the functions, powers and duties of the authority;
 - (b) are publicly accountable for their actions

16. Powers of National Ports Authority Board.

- (1) The board represents the Authority and all actions performed by the board in terms of this Act and within its authority are deemed the actions of the Authority
- (2) The directors must, in the exercise of their powers, act within a statement of corporate intent (short-term business plan and a long-term strategic plan) submitted to and approved by the Shareholding Minister and submitted in terms of section 52 of the Public Finance Management Act 1 of 1999 (as amended by Act 29 of 1999). The Board-
 - (a) approves the strategic and business plans of the Authority, including budgets, pricing mechanisms policy, financing arrangements;
 - (b) institutes the necessary control measures to ensure that the Authority is managed and operated in accordance with its statement of corporate intent and sound business principles;
 - (c) introduces port reform measures prescribed by an approved port restructuring plan;
 - (d) sets criteria and policy for the effective execution of the Authority's regulatory and control functions;
 - (e) evaluates the overall policy of the development, improvement and extension of the ports;
 - (f) approves the sale and long term lease of property excluding land in the ports;
 - (g) approves concessions and licenses for the provision of port and cargo handling services by qualified and licensed operators and service providers;
 - (h) maintains sound relations with the State, and other industry stakeholders;
 - (i) approves contracts for major works and purchases subject to section 54 of the PFMA;
 - (j) approves the appointment of other senior executive employees of the Authority; and
 - (k) gives effect to the State's national commercial ports policy.

17. Composition of National Port Authority Board.

- (1) The board of directors is to be appointed by the shareholding Minister.
- (2) The shareholding Minister may appoint a minimum of seven and a maximum of thirteen members to the board of directors.
- (3) The board of directors consists of-
 - (a) a chairperson appointed by the shareholding Minister;
 - (b) persons who in the shareholding Minister's view, have wide experience of, and can demonstrate acumen in-
 - (i) management of ports;
 - (ii) international trade;
 - (iii) corporate management;
 - (iv) commerce, finance, legal and economic matters; or
 - (v) special knowledge that would be of value to the company in the exercise and performance of its functions
- (4) Members of the board may not represent particular interests of a certain group, but must promote the harmonious development and improvement of the ports, to the benefit of all the users.

18. Nomination of National Port Authority Board of Directors.

- (1) In exercising the powers in terms of section (17), the shareholding Minister may appoint members of the board by calling for nominations through the media;
- (2) Before the appointment of any person as a director of the board the shareholding Minister must -
 - (a) by proclamation in the Gazette and the media, give notice of his or her intention to appoint that person and invite public comment or objections within the period specified in the notice;
 - (b) take into account any comment or objections received by him or her as a result of such notice.

19. Persons disqualified from membership of the board

(1) A person may not be appointed or remain a member of the board if -

- (a) he/ she is not a citizen of South Africa;
- (b) he/ she has a direct or indirect financial interest in the affairs of the ports;
- (c) his or her spouse, partner or associate, holds an office in or is employed by any company, organization or other body, with a financial interest of the nature contemplated in paragraph (b);
- (d) declared insolvent;
- (e) mentally ill;
- (f) convicted, after the commencement of this Act, whether in the Republic or elsewhere, of any offence for which such person has been sentenced to imprisonment without the option of a fine;
- (g) at any time prior to the date of commencement of this Act was convicted, or at any time after such commencement is convicted -
 - (i) whether in the Republic or elsewhere, of any other offence involving dishonesty, or-
 - (ii) has been convicted of an offence under this Act;
- (h) he/ she becomes a member of the South African Parliament, any provincial legislature or a council of a local authority, or
- (i) he/ she is disqualified to serve as a director in terms of the provisions of the Companies Act 61 of 1973.

20. Terms of office of members of the board

- (1) The chairperson may hold office for a period of five years from the date of appointment.
- (2) each member of the board may hold office for a period determined by the Shareholding Minister, but not exceeding three years.
- (3) Members may be reappointed to ensure continuity, but not exceeding two three years
- (4) The Shareholding Minister may remove a member or chairperson of the board if such member -
 - (a) fails to perform his or her duties diligently;
 - (b) If any of the circumstances as prescribed in section 19 occur,
 - (c) absents him or herself without the permission of the chairperson from three consecutive meetings of the board;
 - (d) is in the employ of the State and the Minister substitutes him or her;
 - (e) for misconduct.
- (5) A member or chairperson of the board may resign by giving one month's written notice to the Shareholding Minister.
- (6) the Shareholding Minister may fill vacancies on the board as soon as it is reasonably possible or practical.
- (7) A director is appointed on terms and conditions and is entitled to a rate of allowance as the Shareholding Minister may, with the concurrence of the Minister of Finance, stipulate in each letter of appointment:

21. Disclosure of interest by members of board.

- (1) a member of the board who in any way, directly or indirectly, acquires an interest in a transaction or project of the Authority must disclose the nature of his or her interest at the next ensuing meeting of the directors;
- (2) the disclosure contemplated in subsection (1) must be recorded in the minutes of the meeting; and
- (3) the member must not take part in any deliberation of the board, relating to that transaction or project.

22. Meetings of board.

- (1) The first meeting of the board will be held at a time and place determined by the shareholding Minister and thereafter will be held at a time and place that the board determines;
- (2) The board may meet for the dispatch of business at times as the chairperson may determine from time to time, but not less than once every three months or at such other time, as may be requested by not less than seven members of the board by notice to the chairperson;
- (3) The board must elect a deputy-chairperson at its first meeting and the deputy-chairperson appointed may, subject to such directions as may be given by the chairperson, exercise all or any of the powers exercisable by the chairperson;
- (4) A quorum for any meeting of the board shall be a simple majority of the directors appointed and present at such meeting;
- (5) All decisions of the majority of the directors of the board present at a meeting shall be binding on them and the Ports Authority, provided there is a quorum;
- (6) In the case of an equality of votes, the chairperson has a casting vote and is obliged to exercise such vote to break a deadlock.

23. Delegation and assignment of functions by the board

- (1)
 - (a) Subject to subsection (2), the board by special resolution may delegate any of the powers, functions or duties conferred or imposed on it under this Act and the memorandum of association and articles of association, to any member of the board or the chief executive officer, or any employee of the Authority
 - (b) Notwithstanding a delegation in terms of paragraph (a), the board will not be divested of any power nor be relieved of any function or duty it may have delegated

- (2) The delegation contemplated in subsection (1)—
 - (a) may be made on, and subject to, any conditions determined by the board;
 - (b) may be given together with the power to sub delegate, on and subject to, any conditions determined in terms of paragraph (a)
 - (c) must be communicated to the delegatee in writing. The written communication must contain full particulars of the matters being delegated and of the conditions determined under paragraph (a), if any, where the power of sub-delegation is also conferred, must state that fact as well as any conditions determined under paragraph (b), if any.
- (3) The board, by special resolution, may at any time amend or revoke a delegation made under subsection (1)

Part 2

24. Appointment of Chief Executive Officer.

- (1) the board must appoint a chief executive officer within three months of its establishment.
- (2) The board must invite applications for the post of chief executive officer by publishing an advertisement in the media countrywide.
- (3) A person appointed in the post of chief executive officer must—
 - (a) have suitable qualifications
 - (b) have extensive knowledge of port affairs.
- (4) The appointment of the chief executive officer is subject to the conclusion of a performance contract between him or her and the board.
- (5) A chief executive officer must be appointed for a period specified in the letter of appointment,
- (6) A chief executive officer is eligible for re-appointment after the expiration of the period of appointment.
- (7) The Shareholding Minister may, as an interim measure, appoint the person who has fulfilled the function of the Chief Executive Officer of the Port Authority Division of Transnet Limited, to serve as the Chief Executive Officer (CEO) of the authority for the period from the date the Authority is established in the form of an authority, until a CEO is appointed by the board with the approval of the Shareholding Minister.

25. Powers, functions and duties of Chief Executive Officer.

- (1) The chief executive officer is responsible for—
 - (a) the execution of the policy and directives of the board;
 - (b) the implementation of the Authority's regulatory and control functions;
 - (c) the organization, control and management of the day-to-day business of the Authority;
 - (d) the organization, control and management of corporate resources for the strategic, efficient and effective attainment of corporate goals;
- (2) The Chief executive officer will be the accounting officer and the chief administrative officer of the Authority and will be responsible to perform in terms of section 51 of the PFMA
- (3) The chief executive officer may delegate in writing his or her functions or any power delegated to him or her to a senior employee of the Authority, provided that the board is from time to time advised of such delegation.
- (4) The Chief Executive Officer may resign on one month's written notice to the board. Nevertheless, if the board is not sitting at the time of such resignation, the Chief Executive Officer's notice of resignation may be handed to the chairperson of the board. A notice of resignation so handed in, will be regarded and treated as having been received by the board on such date.

26. Vacation of and removal from office of chief executive officer

- (1) The chief executive officer vacates such office—
 - (a) in the case of resignation, when the resignation takes effect;
 - (b) when, in terms of the Companies Act, the person holding that office becomes disqualified to serve as a director of a company;
 - (c) when any of the circumstances contemplated in section 18 takes place; or
 - (d) upon having been removed from office in terms of subsection (2).
- (2) The board may remove the chief executive officer from office—
 - (a) for misconduct
 - (b) for failing to perform the duties connected with that office or to perform them diligently.

27. Acting chief executive officer

- (1) The board may in writing appoint any employee of the Authority who is not disqualified in terms of the Companies Act from being a director of a company, to act as chief executive officer—
 - (a) during any period that the chief executive officer is absent from the Republic
 - (b) when, because of illness or incapacity, the holder of that office is temporarily unable to perform the duties connected with that office
- (2) A person appointed to act as chief executive officer in terms of subsection (1) will, for the duration of the period of appointment, have the status, be entitled to all the privileges, be subject to all the obligations and be competent to exercise and perform all the powers, functions and duties, conferred and imposed on the chief executive officer in terms of this Act, and any act or thing performed or done or omitted by that person during that period of appointment, will be regarded and treated for the purposes of this Act as having been performed, done or omitted by the chief executive officer.

**CHAPTER 4
OPERATION OF NATIONAL PORTS AUTHORITY**

28. Annual budget and corporate plan

- (1) The chief executive officer, with the approval of the board, must submit to the accounting authority for a department and to the National Treasury, at least one month, or another period agreed with the National Treasury, before the start of its financial year—
 - (a) a projection of revenue, expenditure and borrowings for that financial year in the National Treasury prescribed format; and
 - (b) a corporate plan in the National Treasury prescribed format covering the affairs of that public entity or business enterprise for the following three financial years, and, if it has subsidiaries, also the affairs of the subsidiaries
- (2) In addition, the Authority must comply with Chapter 6, part 2 & 3: Sections 49, 50, 51, 54, 55, 56, 57, 58, and 59 of the Public Finance Management Act 1 of 1999 (as amended by Act 29 of 1999).

29. Appointment and transfer of staff of the National Ports Authority.

- (1) The chief executive officer may appoint any persons as he or she deems fit for the proper discharge of functions of the Authority.
- (2) All appropriate persons who immediately prior to the establishment of the National Ports Authority, as the chief executive officer may determine, were in the employ of the Port Authority Division of Transnet Limited, shall be transferred to the service of the authority, without any interruption in their service, on terms no less favourable than those enjoyed by them immediately prior to their transfer

30. Annual report.

- (1) The chief executive officer must submit financial statements within two months after the end of each financial year to the auditors of the Authority for auditing and to the National Treasury.
- (2) The chief executive officer must within five months after the end of each financial year submit an annual report to the Shareholding Minister on the business, operations, licenses and activities of the Authority during such financial year.
- (3) For the purpose contemplated in subsection (1), the annual report must include the following—
 - (a) the audited financial statements of the Authority for the financial year covered by the annual report
 - (b) the auditor's report for the Authority;
 - (c) a synopsis by the board which, in broad terms, outlines the Authority's business, operations and activities during that financial year and provides the necessary background information, explanations and reasons for anything dealt with in the financial statements
- (4) The Shareholding Minister must table the report in the National Assembly of Parliament within thirty days after receipt thereof.

31. No State guarantees.

The obligations of the Authority are not guaranteed by the State, except by written notice.

32. Transfer of ports, land and other real rights to National Ports Authority

- (1) On a date after the incorporation date, determined by the shareholding Minister by notice in the Gazette, the Authority shall become the successor to Transnet Limited, as the National Ports Authority of South Africa. The Authority shall acquire the business of Transnet's National Ports Authority Division as a going concern. Accordingly, on such date determined by the Shareholding Minister—
 - (a) all land and immovable property related to the business of Transnet's National Ports Authority Division and which is owned by Transnet Limited, will be transferred to the Authority, which shall acquire such land and immovable property;

- (b) the rights, liabilities, obligations and movable property relating to Transnet's National Ports Authority Division, as determined by the Shareholding Minister in the notice in terms of this subsection, will be transferred to the Authority, which will acquire such rights, liabilities, obligations and movable property.
 - (c) The transfer shall be done in accordance with section 54 of the PFMA.
- (2) On the transfer date and arising out of the transfer in terms of subsection (1), and without in any way derogating from the generality of that subsection—
- (a) title to and ownership of all land and immovable property situated within the port limits, including the bed of the waters within port limits measured to the high water mark will be transferred to and vest in the Authority.
 - (b) title to and ownership of all lighthouses and other navigational aids situated anywhere in the Republic will be transferred to and vested in the Authority
 - (c) the Authority will be substituted as the litigating party for Transnet Limited in all pending port related litigation, including arbitrations, as if it had been the litigant from the beginning;
 - (d) The Authority will be substituted as the contracting party in matters of Transnet Limited, such as leases, on the date referred to in subsection (1) in all relevant contracts as if the Authority had been the contracting party from the beginning.
- (3) Subsection (1) and (2) are not to be interpreted as conferring on the Authority a right of ownership in immovable property, which, before the date referred to in subsection (1), was vested in a person other than Transnet Limited.
- (4) Despite section 5 of the State Land Disposal Act, 1961 (Act No.48 of 1961) and section 18 of the Deeds Registries Act, 1937 (Act No. 47 of 1937), a registrar must, on submission of a certificate by the minister that State land has been transferred under this section, make the necessary entries and endorsements free of charge as the registrar considers necessary in any appropriate register in order to register the transfer of such land in the name of the authority.
- (5) A registrar must, on submission of a certificate by the Shareholding Minister that a servitude, other real right or lease has been transferred under subsection (1) or that a servitude exists over State land has been transferred under that subsection, make such entries and endorsements as the registrar considers necessary in or on any appropriate register in order to—
- (a) register the transfer of such servitude, other real right or lease in the name of the Authority;
 - (b) confirm the existence of the servitude over the State land so transferred in favour of any other person

- (6) Despite anything to the contrary in any law contained, a servitude or other real right in respect of State land transferred to the Authority under subsection (1) may not be acquired by prescription.
- (7) For purposes of this section "registrar" means a registrar as defined in section 102 of the Deeds Registries Act, 1937.
- (8) For the purpose of the application of the Income Tax Act 58 of 1962, to the transfer of employees contemplated in subsection, it shall be deemed that—
 - (a) the Authority and Transnet Limited are the same employer; and
 - (b) no change of employer takes place on the transfer date.

33. Transfer of certain State Assets to Authority

- (1) Where, immediately before the commencement of this section—
 - (a) a function of the Authority was being performed by a state Department
 - (b) an asset was held or used by a state Department in connection with the performance of that function; the shareholding Minister may cause the asset and function to be transferred to the Authority.
- (2) Subsection (1) is not construed as preventing the State from transferring any asset to the Authority otherwise than under that subsection, provided the asset is transferred in order to further the objectives of the Authority.

34. Effect of transfer from State to Authority: -

- (1) Where, immediately before a transfer under section 32 or 33-
 - (a) right of the State arising out of a debt, liability or obligation of any other person in favour of the State existed in respect of the assets so transferred;
 - (b) debt, liability or obligation of the State existed in respect of the assets so transferred,
- (2) The right, debt, liability or obligation, as the case may be, is transferred from the State to the Authority on such transfer.

CHAPTER 5
PROVISION OF PORT SERVICES AND PORT FACILITIES IN PORTS

35. Contracts and partnerships in terminal operations and other services

- (1) The Authority must, in addition to the powers conferred, and the duties imposed upon it by any law, exercise regulatory and controlling functions in respect of the operation of port facilities and services, in respect of the provision and conduct of cargo handling services and other related activities, including loading, unloading, shifting, storage, receipt and delivery, transportation and distribution of cargo.
- (2) The Authority may enter into Public, Private Partnership (PPPs) agreements and concession contracts with viable and qualified and licensed operators for the provision of port and cargo handling services through public and transparent tender processes and negotiations under such terms and conditions determined by the Ports Authority including the determination of their performance standards, quality of services provided and its enforcement.
- (3) An agreement concluded in terms of this section must provide for the Authority to monitor and annually review performance with regard to the operation of the terminal or facility and the provision of the relevant services, in terms of a performance standard specified in the agreement, including any performance standard applicable to such terminal or facility
- (4) An agreement contemplated in subsection (2) must provide for, amongst other things—
 - (a) the circumstances under which the agreement may be cancelled on grounds of non performance or inadequate performance;
 - (b) the procedures to apply in order to establish non-performance or inadequate performance by the operator
 - (c) the compensation payable, if any, to the Authority in the event of non-performance or inadequate performance being established
- (5) The services authorized under the agreement in terms of subsection (2) may include stevedoring

36. Licenses authorising provision of port services and facilities

- (1) Save where provided for in this Act, and, in particular, subject to subsection (7), no person other than the Authority may –
 - (a) provide a port service; or
 - (b) operate a port facility,otherwise than in terms of a license issued by the Authority under this section.
- (2) Any person may, subject to the provisions of this Act, make application for a license in the prescribed manner.
- (3) No application for a license shall be lodged or entertained, unless such application is lodged pursuant to and in accordance with an invitation issued by the Authority in the Gazette.
- (4) The Authority shall, in an invitation contemplated in subsection (3), specify –
 - (a) the kind of service in respect of which applications are invited;

- (b) the form in which applications shall be submitted, including any fee payable upon submission of an application, the manner in which it is contemplated that the service shall be provided, and the place where and times when any document in that regard may be obtained from the Authority; and
 - (c) the period within and the manner in which such applications shall be lodged.
- (5) The Authority may require an applicant, at the applicant's expense, to furnish the Authority, within the period specified by it, with such further information as may be reasonably necessary in order to consider the application.
- (6) Within a reasonable period after receiving an application in accordance with subsection (2), the Authority shall -
- (a) issue a license subject to specified terms and conditions; or
 - (b) refuse to issue a license and give written reasons for such refusal.
- (7) Notwithstanding the provisions of this section, a concessionaire may provide any port service contemplated in its concession agreement without holding a license to provide such service.

37. Conditions of licenses

- (1) A license issued under section 36 must set out -
- (a) the duration of the license;
 - (b) the types of services or facilities to be provided by the licensed operator;
 - (c) the annual license fee payable by the licensed operator;
 - (d) the duties and obligations of the licensed operator in respect of the services or facilities provided by it; and
 - (e) such other terms and conditions as the Authority may consider reasonably necessary.
- (2) Without limiting the generality of subsection (1), the license terms and conditions may-
- (a) control and restrict, directly or indirectly, the creation, holding or disposal of shares in the licensed operator or its shareholders or interests in the undertaking of the licensed operator;
 - (b) restrict the carrying on by the licensed operator of any trade or business which is not related to the activity authorised in its license;
 - (c) provide for the modification of the license;
 - (d) provide for the determination of performance standards; and
 - (e) provide for the control and, if necessary, the fixing of monopolistic prices to be charged by the licensed operator in respect of the handling and storage of cargo.

38. Restriction on transfer of license

- (1) A license may not be transferred to any third party without the prior written consent of the Authority.
- (2) Any transfer of a license in contravention of subsection (1) is of no force or effect.

39. Modification of conditions of license

- (1) The Authority may modify any condition in a license granted in terms of section 36.
- (2) Before making any modifications to any conditions of a license, the Authority must give written notice to the licensed operator –
 - (a) indicating the intention to modify the relevant condition(s);
 - (b) setting out the reasons why the Authority intends modifying the relevant condition(s);
 - (c) affording the licensed operator a reasonable opportunity to make representations as to why the relevant condition(s) should not be modified and any compensation payable;
 - (d) stating the amount of compensation tendered by the Authority, if any, for any damage caused by the modification of the relevant condition(s); and
 - (e) specifying the time (not being less than 28 days from the date of service of notice on such licensed operator) within which written representations with respect to the proposed modifications may be made.
- (3) Following receipt of any written representations or the expiry of the period referred to in subsection (2)(e), the Authority must consider these representations (if any) and may –
 - (a) make no modifications to the conditions of the license;
 - (b) make the proposed modifications to the conditions of the license; or
 - (c) amend the proposed modifications or compensation payable, if any, and make such amended modifications.
- (4) If a modification is made in terms of subsection (3), the Authority shall issue a direction in writing to the licensed operator requiring the licensed operator to give effect to the proposed modifications within a reasonable period of time specified by the Authority.
- (5) A licensee aggrieved by a direction under subsection (4) may, within 60 days after the receipt of the direction, appeal to the Independent Ports Regulator in terms procedure prescribed in terms of section 62 of this act Minister in writing, whose decision will be final and binding upon the appellant and the Authority.
- (6) The Authority may not enforce the direction contemplated in subsection (4), until such date as the appeal has been decided in terms of subsection (5).

40. Suspension or cancellation of license

- (1) Subject to this section, the Authority may suspend or cancel a license, if –
 - (a) the licensed operator is committing or has committed any contravention or breach of any condition of its license, any provision of this Act or any regulation made hereunder, or any direction issued by the Minister or the Authority applicable to that licensed operator;
 - (b) the licensed operator has gone into compulsory or voluntary liquidation other than for the purpose of amalgamation or reconstruction or is in provisional or final judicial management;
 - (c) the licensed operator has made any assignment to, or composition with, its creditors; or
 - (d) the safety of vessels and persons within ports or the national security of the Republic so requires.
- (2) The Authority may direct a licensed operator to take specified measures to remedy any contravention or breach contemplated in subsection (1)(a).
- (3) Prior to acting under subsections (1) or (2), the Authority must give written notice to the licensed operator –
 - (a) indicating the intention to cancel or suspend the license (for such period as the Authority reasonably considers necessary) or the intention to issue a direction;
 - (b) setting out the reasons why it is considering canceling or suspending the license or issuing the direction; and
 - (c) affording the licensed operator a reasonable opportunity to make representations as to why the license should not be cancelled or suspended or the direction should not be issued.
- (4) Where a license is cancelled or suspended under subsection (1), the Authority may, if it considers that such cancellation or suspension would materially affect the movement of cargo or passengers at a port—
 - (a) take temporary possession of the equipment and facilities of the licensed operator relating to the licensed activity;
 - (b) provide the licensed port service or operate the licensed port facility; and
 - (c) engage any employee of the licensed operator to carry out functions as directed by the Authority.

41. Engagement of persons for purposes of carrying out duties of licensed operator

- (1) Without derogating from any other provision of this Act, if a licensed operator is failing to carry out the obligations specified in its license, the Authority may give notice in writing to the licensed operator requiring it to perform its obligations within the period stipulated in the notice.
- (2) If, upon the expiry of the period stipulated in such notice, the licensed operator has failed to perform the obligations stipulated in terms of subsection (1), the Authority may obtain the services of any other person to perform such services. The license operator must on demand immediately re-imburse all costs and expenses incurred by the Authority in obtaining the services of a third party to perform the functions of the licensee.

- (3) A person whose services are obtained by the Authority under subsection (2) may—
- (a) enter any of the premises of the licensee and bring on to such premises any equipment or machinery as may be necessary or proper for the purposes of carrying out the functions contemplated in this section;
 - (b) take temporary possession of, and operate any equipment or machinery belonging to or utilised by the licensed operator; and
 - (c) employ any employee of the licensed operator for this purpose.
- (4) Where any equipment or machinery of the licensed operator is temporarily taken over and operated under subsection (3), adequate compensation shall be paid to the licensed operator by the person taking over and operating such equipment or machinery. Such compensation shall be agreed between the licensed operator and the third party, and, failing such agreement, fixed by the Authority.
- (5) The person engaged by the Authority under subsection (2) shall continue to perform the obligations for which he or she was engaged despite any dispute as to adequate compensation referred to in subsection (4).
- (6) The Authority is not liable for any damage or injury occasioned by any act, omission or default of the person engaged by the Authority under subsection (2), nor for any claim of any nature and howsoever made by the licensed operator.

42. Directives affecting licensed operators and other persons

- (1) The Authority may give directives with respect to standards of performance and procedures to be observed by licensed operators and other affected persons—
- (a) to ensure the reliability of the supply of port services and facilities;
 - (b) in the interest of public safety or the environment.
- (2) Before issuing directives contemplated in subsection (1), the Authority must give written notice to the affected licensed operator or other affected person –
- (a) indicating the intention to make the directive(s);
 - (b) setting out the reasons why it is considering making the directive(s); and
 - (c) affording such affected persons a reasonable opportunity to make representations as to why the directive should not be made.

43. Duties of licensed operators

- (1) A licensed operator must –
 - (a) provide the port services and operate the port facilities specified in its license;
 - (b) comply with the provisions of this Act and any other law;
 - (c) meet the performance standards specified in its license; and
 - (d) provide reliable, efficient and economical port services and facilities to port users in accordance with the conditions of the license granted to it.
- (2) Every licensed operator must –
 - (a) within three months after the end of each financial year, submit to the Authority a report of its licensed operations during that financial year, including—
 - (i) the quality and level of its service in the financial year under review;
 - (ii) its compliance with the terms and conditions of its license, this Act and the regulations;
 - (iii) steps taken to eliminate anti-competitive and discriminatory practices; and
 - (iv) its audited annual financial statements;
 - (b) from time to time, submit to the Authority—
 - (i) such statistical information relating to its licensed operations as may be reasonably required by the Authority;
 - (ii) its cargo forecast over the period and in the form determined by the Authority; and
 - (iii) future development plans relating to any service or facility which it is obliged to provide under the conditions of its license.
- (3) The Authority may require a licensed operator, at such operator's cost, to submit any additional information as it may reasonably consider necessary to explain or amplify any report or information submitted by the licensed operator under subsection (2).
- (4) Any information required by the Authority in terms of subsection (3) must be lodged by the licensed operator within the period and in the manner determined by the Authority.
- (5) A licensee operator must, within twenty four hours of its occurrence, inform the Authority of the following:
 - (a) any change in the control of the licensed operator;
 - (b) any industrial dispute between the licensed operator and its employees;
 - (c) any industrial accident or disaster involving any servant, employee or agent of the licensed operator;

- (d) any occurrence of fire within its premises within the port;
- (e) any theft or pilferage within its premises or any theft or pilferage involving any cargo in its possession or control; and
- (f) any proceeding or claim instituted or made against the licensed operator which could affect its ability to perform any obligation, or to comply with any term and condition, under its license.

44. Routine inspections

Any person duly authorised by the Authority in writing may, during office hours, without a warrant, enter any premises occupied by a licensed operator to inspect any activity, process, building or facility therein, and may require the licensed operator to produce any book, record, statement or other document relating to matters dealt with in this Act for inspection, or for the purpose of obtaining copies thereof or extracts therefrom.

45. Special powers in emergency

- (1) The Shareholding Minister may on the occurrence of any industrial unrest, strike, lock-out or any other event which gives rise to an emergency which creates a real and imminent threat to the national interest of the Republic or public safety, authorise the Authority to—
 - (a) suspend the license of a licensed operator, take temporary possession of any undertaking of such licensed operator and operate it in such a manner as it deems fit; or
 - (b) withdraw either partially or totally the use of any port service or facility from any person or class of persons or from the public at large.
- (2) Where the Authority takes possession of any port undertaking under subsection (1)(a) adequate compensation shall be paid, as agreed between the Authority and the affected licensed operator, and failing agreement, as determined by the Minister, whose decision shall be final and binding upon the parties.

46. Existing operators

- (1) Notwithstanding the provisions of this Act, a person who provides a port service or operates a port facility immediately prior to the date on which this Chapter comes into force, shall be deemed to hold a license for the provision of such port service or the operation of such port facility, provided that such person applies for a license under section 36 within six months of the date on which this Chapter comes into effect.
- (2) A person referred to in subsection (1) shall be granted a license in terms of section 36 to provide the port service or operate the port facility contemplated in subsection (1), provided the Authority is reasonably satisfied that such person is capable of complying with the terms and conditions of such license.
- (3) Nothing in this section shall confer a deemed license on a person licensed to provide stevedoring on the date this Chapter comes into force, beyond the period for which such person is licensed to provide stevedoring on such date.

47. Off-shore cargo handling facilities

- (1) No person shall erect or operate an offshore cargo handling facility otherwise than in terms of a license issued by the Authority under this section.
- (2) The provisions of section 36 shall apply, mutatis mutandis, to the application and granting of a license in terms of this section.
- (3) If so directed by the Authority in writing, the holder of a license in terms of this section shall dismantle and remove the offshore cargo handling facility on termination or expiration of a license granted under this section.
- (4) If the holder of the license fails to comply with the direction under subsection (3), the Authority may dismantle and remove such facility and, in such event, the license holder will be liable for all costs incurred by the Authority in effecting such dismantling and removal.
- (5) The provisions of sections 37 to 46 shall apply, mutatis mutandis, to the holder of an offshore cargo handling facility license.

CHAPTER 6**DEVELOPMENT, ENVIRONMENT AND CLOSURE OF PORTS****48. Construction, development and maintenance of ports**

- (1) The Authority must—
 - (a) facilitate the building and exploitation of the infrastructure of the ports.
 - (b) regulate and control development within the ports, in accordance with approved port development framework plans
 - (c) ensure that the infrastructure of the ports is managed and maintained in a manner, which ensures efficient, safe and orderly port operations.
 - (d) ensure that the terminal infrastructure and cargo handling equipment is operated, managed and maintained in a manner that ensures efficient, safe and orderly port operation.
- (2) The Authority has the power to establish public, private partnerships and enter into concession agreements in accordance with the provisions of section 35 for the construction, development and maintenance of port infrastructure

49. Protection of environment.

- (1) In discharging its functions, the Authority must -
 - (a) have regard to protection of the environment;
 - (b) endeavour to achieve a reasonable balance between the protection of the environment and any other considerations which it is required to have regard.
- (2) The Authority has the power to take any action, it considers necessary for the performance of any functions relating to the protection of the environment, which may be conferred or imposed upon it under this Act or any other law.

50. Closure of Port

- (1) The Authority may only close a non-viable port after a Cabinet directive and subject to subsection 2.
- (2) The Authority may not close a port without giving at least six months prior notice—
 - (a) to Independent Ports Regulator
 - (b) to the South African Maritime Safety Authority and the relevant port consultative committee; and
 - (c) by publishing a notice in a newspaper circulating countrywide advising of its intentions.
- (3) A Port Consultative Committee, through the Independent Ports Regulator may request the Minister to conduct an enquiry with regard to the envisaged action by the Ports Authority and to issue a Cabinet directive prohibiting such action or amending the proposed course of action.
- (4) The Cabinet may, on the basis of the findings of an enquiry undertaken in terms of subsection (3), direct the Ports Authority to comply with a public service obligation—
 - (a) to refrain from closing a non-viable port;
 - (b) to delay the closure of the port for a specific period;
 - (c) to amend its proposed course of action in a specified manner.

CHAPTER 7 COMMERCIAL ASPECTS

51. Commercial functions of National Port Authority

- (1) The Authority must ensure that efficient and affordable port services and port facilities are provided to all port users.
- (2) The Authority must give effect to subsection (1) by-
 - (b) encouraging and facilitating private sector investment and participation in the provision of port terminals, cargo handling equipment, services and port facilities;
 - (c) ensuring that licensed operators, concessionaires are able efficiently to provide the port services and port facilities;
 - (d) promoting efficiency, reliability and economy on the part of licensed operators and concessionaires in accordance with, as far as practicable, recognized international standards and the requirements of port users
- (3) The Authority must undertake activities that will encourage and facilitate the development of trade and commerce for the economic benefit and interests of the national economy.

52. The National Ports Authority Tariff Book.

- (1) The Authority is entitled to produce and publish an annual Tariff book, which must contain tariffs for services and facilities offered by the port authority and determined in terms of section 53
- (2) The tariffs referred to in subsection (1) may vary between ports.
- (3) Notwithstanding the provisions of this section and section 53, the Authority may enter into agreement with a licensed operator or port user in respect of any matter referred to in subsection 1 and the agreed tariffs need not be published.
- (4) The Authority may, prior to any substantial alteration of a published tariff, consult with the port consultative committees as constituted for the ports.

53. Port charges payable to National Ports Authority.

- (1) The Authority may determine and levy the following fees and charges in relation to ports—
 - (a) for the provision by the Authority of port infrastructure, port terminals and port facilities, including without limitation, land rentals, port dues, cargo dues and berth dues;
 - (b) for the provision by the Authority of port services, including without limitation, vessel traffic service charges, pilotage dues, light dues, towage dues and berthing charges; and
 - (c) for granting concessions and licenses, including to operate offshore cargo handling facilities.
- (2) The Authority may, in its sole discretion and on good cause shown, remit or waive the whole or any part of any charges and fees paid or payable under this Act.
- (3) The Authority may require any person to furnish such security, as it deems fit, for the payment of any charges or fees payable under this Act.
- (4) The fees and charges referred to in subsection (1)(a) and (b) become due to the Authority and payable without demand when the services and facilities have been rendered performed or provided.
- (5) The fees and charges referred to in subsection (1)(a) and (b) become due and payable as if the services and facilities have been rendered, performed or provided, if any request for the services or facility is withdrawn or cancelled, without the notice of withdrawal or cancellation of the request having been given timeously to the Authority.
- (6) The fees and charges levied by Transnet's National Ports Authority Division, immediately before the commencement of this Act continue to be valid as if determined by the Authority under this section until rescinded, varied or withdrawn by the Authority in terms of this Act.
- (7) The fees and charges referred to in subsection (1)(a) and (b) may also be determined and levied by the Authority in relation to offshore cargo handling facilities.

CHAPTER 8 SAFETY ASPECTS

54. Safety of navigation and shipping in ports

(1) The Authority must, for the purpose of ensuring safety of navigation and shipping in ports:

- (a) control marine and other traffic in each port;
- (b) control the entry, stay, movement and operations of vessels in ports, and the departures of vessels from ports;
- (c) control the loading, unloading and storage of cargo and the embarkation and disembarkation of passengers in ports;
- (d) provide pilotage services, license pilots, and regulate the safe provision of pilotage services by licensed pilots;
- (e) provide towage services, license towage service providers and regulate the safe provision of towage services by licensed towage service providers;
- (f) provide, operate and maintain adequate and efficient lighthouses, beacons, buoys, radio navigational aids and other navigational aids to within the port limits and at such other places as the Authority may determine;
- (g) undertake dredging and maintain channels at the advertised depths;
- (h) remove any obstruction or object from the waters of the ports which may pose a danger to shipping or navigation.

(2) The Authority may -

- (a) order that a vessel, which has been arrested or attached by order of court or another relevant authority be moved to another place within the port and, if necessary, move such vessel to that place;
- (b) raise, remove or destroy any sunken, stranded or abandoned vessel or wreck within the port limits, and recover the costs incurred in connection with such raising, removal or destruction from the owner of the vessel or any other person which had the beneficial use of the vessel at the time it sank, became stranded or abandoned;
- (c) remove any wreck or obstruction which may endanger the safety of any vessel entering or leaving the port, and recover the costs

of such removal from the owner of the wreck or obstruction, or from any person responsible for the presence of such wreck or obstruction;

- (d) give notice to the owner or other person legally responsible for the upkeep of any vessel within port limits, calling upon such owner or person to remove or dispose of such vessel, or any article being, or forming part of such vessel, which is, in the reasonable opinion of the Authority, not seaworthy, or is likely to become an obstruction, wreck or derelict or a threat to the environment or public safety. Should such an owner or person fail to comply with such notice within the time specified, the Authority may do whatever is necessary for the removal or disposal of such vessel or article, and for the recovery of all costs incurred from the owner or person; and
 - (e) on non-payment of any costs referred to in this section, after written demand for such costs, the Authority may sell the relevant vessel or wreck and out of the proceeds of the sale defray such unpaid costs, rendering the surplus, if any, to the person entitled to it, and recovering any unpaid balance from the owner or other person referred to in the relevant paragraph.
- (3) The Harbour Master is, in respect of the port for which he or she is appointed, the final authority in respect of all matters relating to pilotage, navigation, navigational aids, dredging and all other matters relating to the movement of vessels within port limits. In this respect, the Harbour Master may give such directions, either orally or otherwise, to any person for—
- (a) promoting or securing conditions conducive to the ease, convenience or safety of navigation in the port;
 - (b) regulating the movement or mooring of a vessel in the port;
 - (c) controlling the manner in which cargo, fuel, water or ship's stores are taken on, discharged or handled;
 - (d) the welfare of persons working or living on a vessel in the port;
 - (e) regulating the removal or disposal of any residues and mixtures containing oil or noxious liquid substances, sewage, and garbage, from vessels in a port and requiring any such matter to be deposited in reception facilities in the port; or
 - (f) carrying into effect the provisions of this Act.
- (4) The Harbour Master shall cause reasonable steps to be taken for the purpose of bringing any direction issued by it under subsection (3) to the notice of any person likely to be affected by it.

55. Safety on land within ports

- (1) The Authority must ensure the safety of persons and property on landside and in port facilities in terms of the provisions of industrial and workplace safety legislation.
- (2) The Authority must separate cargo from passenger operations to secure safety of life and protection against injury.

56. Pilotage

- (1) Subject to subsection (2), pilotage is compulsory in every port, with the result that every vessel entering, a pilot shall navigate leaving or moving in a port.
- (2) Pilotage is not compulsory in respect of any vessel or class of vessels, which have been exempted from pilotage by the Authority in writing.
- (3) The pilot's function is to navigate a vessel in the port, to direct its movements and to determine and control the movements of the tugs assisting the vessel under pilotage.
- (4) The pilot must determine the number of tugs required for pilotage with the concurrence of the master of the vessel.
- (5) In the event of a disagreement between the pilot and the master of the vessel regarding the number of the tugs to be used in terms of subsection (4), the final decision is taken by the Harbour Master.
- (6) The master of the vessel must at all times remain in command of the vessel and neither the master nor any person under his command may, while the vessel is under pilotage, in any way interfere with the navigation or movement of the vessel or prevent the pilot from carrying out his or her duties, except in an emergency, where the master may intervene to preserve the safety of his vessel, cargo or crew and take whatever action he or she considers necessary to avert the danger.
- (7) Where the master of the vessel intervenes, he or she must immediately inform the pilot of the vessel and, after having restored the situation, he or she may permit the pilot to proceed with the execution of his or her duties.
- (8) The master of the vessel must ensure that the officers and crew of the vessel are at their posts, that a proper lookout is kept and that the pilot is given every assistance in the execution of his duty.

57. Liability of pilot

The Authority and the pilot shall be exempt from liability for loss or damage caused by a negligent act or omission on the part of the pilot.

58. Licensing of pilots

- (1) No person may perform the duties of a pilot in a port without having been duly licensed by the Authority under this Act.
- (2) The South African Maritime Safety Authority may recommend to the Minister the minimum qualifications required for any person to be licensed as a pilot, including the content and nature of examinations, if any, to be undertaken.
- (3) The South African Maritime Safety Authority must consult with the Authority regarding the content of the minimum qualifications referred to in subsection (2), before any recommendation is made.

59. Lighthouses and other navigational aids

- (1) The Authority must operate and maintain the lighthouses, and other navigational aids under its control to assist the navigation of vessels within port limits and along the coast of South Africa in terms of standards as prescribed by the South African Maritime Safety Authority.
- (2) The Authority may not cease operating any lighthouse or navigational aid under its control, irrespective of whether such lighthouse or aid is replaced by a new lighthouse or aid on the same or adjacent location, or reduce the service provided by any lighthouse or aid in any manner, without having notified the South African Maritime Safety Authority of the nature of the intended action and having consulted the Port Consultative Committee of the port which is closest to where the lighthouse or aid is located.
- (3) Subject to subsection (2), nothing in this section may be construed as limiting the power of the Authority to maintain existing lighthouses and other navigational aids, to erect new lighthouses on locations and in the manner which the Authority may think fit, or to improve or extend the service provided by existing lighthouses and other navigational aids.
- (4) The Port Consultative Committee of the port closest to where a lighthouse or navigational aid is located may make recommendations to the Authority with regard to the improvement or extension of the service provided by such lighthouse or aid.
- (5) In exercising its powers in terms of this Act, the Authority may remove any light which may confuse a vessel, and enter any land or premises for this purpose, if the owner of the property on which the light is used or the person

having charge of such light, fails to extinguish or effectively screen it, within seven days of notice to do so having been served on him or her, and recover the expenses of such removal from such owner or person.

CHAPTER 9 PORTS POLICY MINISTERIAL DIRECTIONS AND PORTS REGULATIONS

60. Ports policy.

- (1) The Minister must regularly review the ports policy to ensure that the objectives of this Act are achieved.
- (2) The Minister must ensure that the ports policy is implemented by exercising the powers and executing the functions vested in him or her in terms of this Act.
- (3) To ensure openness and transparency in the ports policy reviewing process, the Minister must consult with stakeholders in the ports industry, the Authority, other relevant departments (including Department of Public Enterprises and Trade and Industry), organised bodies representing port users, local authorities of port cities, and organized labour.

61. Ministerial direction.

- (1) The Minister may, in writing, direct the Authority to perform a specified act or not to perform a specified act, if such direction is necessary—
 - (a) for safeguarding the national security of the Republic;
 - (b) for promoting the national, strategic or economic interests of the Republic; or
 - (c) to discharge an international obligation of the Republic.
- (2) The Minister must consult with the Authority and the Shareholding Minister prior to giving a written direction under subsection (1).
- (3) The Authority must take all necessary steps to give effect to the direction in terms of subsection (1).
- (4) The Minister shall, out of monies appropriated by Parliament for that purpose, compensate the Authority for any loss suffered by the Authority as a result of the obligation to perform or not perform the specified act in terms of the direction referred to in subsection (1). In addition, should the performance of a directed act not be in the commercial interests of the Authority, the financing of such activity shall be the responsibility of the State.

62. Port Regulations.

- (1) The Minister must by notice in the Gazette, make port regulations in connection with all matters that he or she considers necessary or expedient to prescribe in order to achieve the objects of this Act.
- (2) Without derogating from the general powers referred to in subsection (1), the Minister may make regulations in respect of—
 - (a) powers of the Authority to control or refuse access to a port, the grounds and the manner in which this control or refusal must be exercised;
 - (b) port users appeals and grievance procedures
 - (c) fitness standards for the safe use of the infrastructure and superstructure of the ports in the provision of any port facility or port service;
 - (d) rules of procedure of Port Consultative Committees, powers, functions duties and manner of execution.
 - (e) The maintenance by the Authority of security within ports, including the Authority's powers of search, seizure and arrest; and
 - (f) the provision of vessel traffic services by the Authority, including the establishment of vessel traffic regulator to promote safe and efficient navigation and environmental protection
- (3) The Authority may, with the approval of the Minister make regulations, by notice in the Gazette, for the control and management of the ports and approaches and for the maintenance of good order and in particular, make regulations for any of the following matters—
 - (a) regulating traffic, preventing and removing obstruction or impediment to navigation within the port limits;
 - (b) regulating the use of lights, signals to be used in ports and steps to be taken in avoiding collision by vessels navigating in the ports;
 - (c) supervising, regulating and controlling all activities carried on the waters of the ports
 - (d) providing for the licensing of activities carried out in the ports.
 - (e) regulating, declaring and defining the wharves from which cargo will be landed from and shipped in vessels;

- (f) cleaning the land and waters of the ports, preventing oil, filth, rubbish or any other matter from being thrown on to the sea;
 - (g) information supplied by the masters, owners, agents and other persons in respect of vessels arriving and departing and the time and manner in which this information is to be supplied;
 - (h) information to be supplied by the masters, owners, agents and other persons in respect of cargo loaded or discharged in the ports, and the time and manner in which such information shall be supplied;
 - (i) prohibiting the embarkation and disembarkation of persons in places other than those determined by the Ports Authority for this purpose;
 - (j) prohibiting the loading, handling or discharging or dangerous cargoes at wharves where such loading, handling or discharging appears especially dangerous to the public.
- (4) The port regulations in force in terms of section 21 of the Legal Succession to the South African Transport Services Act 9 of 1989 continue to be in force as long as they are not in conflict with the provisions of this act and are deemed to have been promulgated in terms of subsection (1) of this Act.

CHAPTER 10 GENERAL

63. Port Consultative Committees

- (1) For the purpose of advising the Authority, the Minister must appoint for each port, a Port Consultative Committee, consisting of persons representing:
 - (a) the Authority;
 - (b) organizations, bodies or persons representative of the local port users;
 - (c) the local and provincial governments of the area in which area the port is situated;
 - (d) organised labour, and
 - (e) South African Maritime Safety Authority
- (2) The function of the Port Consultative Committee is to provide a forum for the exchange of views between the Authority and other interested parties.
- (3) The Authority must consult the Port Consultative Committees on any matter on the following—

- (a) any major scheme relating to the expansion or development of a particular port;
 - (b) any substantial or structural alteration in the Authority tariffs;
 - (c) any other matter on which the Authority may be required by the Shareholding Minister to consult the Committee.
- (4) The chief executive officer must establish an audit committee for the Authority subject to Treasury Regulation 27.

64. Ports access

Subject to the provision of this Act, and regulations, a port is freely accessible to any person who conducts lawful business in a port.

65. Limitation on legal proceedings against the Authority

- (1)
 - (a) Except as provided in subsection (2), legal proceedings may not be brought against the Authority, any member of the board, an employee of the Authority or any other person for any damage or loss allegedly suffered by a person (in this section referred to as the claimant) as a result of any act with regard to a port which was allegedly performed or omitted by any persons mentioned in paragraph (b)—
 - (i) unless instituted within 15 calendar months after the date upon which the claimant became aware of the alleged act or omission, or after the date on which the claimant may reasonably be expected to have become aware of the alleged act or omission, whichever is the earlier date; and
 - (ii) before the expiry of at least three calendar months after written notification of the claimant's intention to institute the legal proceedings, containing sufficient particulars of the alleged act or omission, has been served on the defendant or respondent, unless the defendant or respondent has denied liability in writing.
 - (b) For the purposes of paragraph (a), the persons concerned are the following—
 - (i) members of the board;
 - (ii) the chief executive officer;
 - (iii) any employees of the Authority acting in the performance of their duties;
 - (iv) any person acting on behalf of the Authority.
- (2) The High Court that has jurisdiction to determine the legal proceedings contemplated by the claimant in any particular case, may on application by that claimant order that any requirement of subsection (1)(a) be dispensed with or

relaxed or that non-compliance therewith be condoned, if the interests of justice so require.

66. Offences

(1) Any person who:

- (a) Willfully or negligently endangers the safety of navigation or property in a port;
- (b) fails to comply with a directive of the Authority in terms of section 42;
- (c) fails to comply with a direction of the Harbour Master in terms of section 54(3);
- (d) Without lawful authority, interferes with a pilot while a vessel is under pilotage; or
- (e) contravenes section 36(1), 47(1) or 56(1),

is guilty of an offence.

(2) Any person convicted of an offence in terms of subsection (1) is liable on conviction to a fine or to imprisonment not exceeding five years, or both.

67. Co-operation with state authorities

The Authority must co-operate with immigration, customs, law enforcement any other authority required to perform any function within the ports, and must afford such an authority every facility, subject to compensation agreed between the Authority and the authority concerned and failing agreement, as determined by the Minister.

68. Amendment and repeal of laws

- (1) The laws referred to in Schedule 2 to this Act are hereby amended or repealed with effect from the transfer date, to the extent specified in that Schedule.
- (2) Any regulation made under a law repealed by this Act, remains in force and is considered to have been made under this Act—
 - (a) to the extent that it is not inconsistent with this Act; and
 - (b) until it is repealed under this Act.

69. Short title and commencement

- (1) This Act is called the National Ports Authority Act, 2002, and shall be of full force and effect on a date to be determined by the President by proclamation in the Gazette.
- (2) Different dates may be determined in terms of subsection (1) for the commencement of different sections of this Act.

DRAFT SCHEDULE 1**PORT LIMITS****Port of Richards Bay****Sea area:**

- (a) The area bounded by :

A straight line between co-ordinate points 1 and 2 in the south, 1 and 36 in the east, 35 and 36 in the north and the high water mark along the eastern shoreline as indicated on plan RBH 80-A-84.

- (b) All sea areas within the Port of Richards Bay up to the high water mark.

Land area:

From the high water mark on the eastern shore of the Indian Ocean on co-ordinate line 1 to 2 through co ordinate points 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 with boundary line between co-ordinate point 30 and 31 being 3m off the eastern edge of Newark Road with boundary continuing along points 31, 32 and 33 to point 34 up to the end of the breakwater, with the high water mark being the boundary line between points 32 and 33 as indicated on plan RBH 80-A-84. (See copy of the plan attached hereto).

Port of Durban**Sea area:**

The sea water area encompassed by a line drawn from a point where the western boundary of the Municipal Sand Pumping Facility at the Point, namely Rem of Erf 10052, Durban, intersects the high water mark of the Indian Ocean, then Northwards along the coast following the high water mark to a point on the coast at Umhlanga Rocks 31degrees 5 minutes 18 seconds East longitude & 29 degrees 43 minutes 40 seconds South latitude, then due East to a point 31 degrees 9 minutes 6 seconds East longitude & 29 degrees 43 minutes 40 seconds South latitude, then Southwards and Westwards to a point 31 degrees 7 minutes 28 seconds East longitude & 29 degrees 48 minutes 40 seconds South latitude, then due South to a point 31 degrees 7 minutes 28 seconds East

longitude & 29 degrees 54 minutes 6 seconds South latitude, then South Westwards to a point 31 degrees 0 minutes 36 seconds East longitude & 30 degrees 1 minute 36 seconds South latitude, then due West to a point on the coast South of False Bluff on the high water mark of the Indian Ocean 30 degrees 55 minutes East longitude & 30 degrees 1 minute 36 seconds South latitude, then Northwards along the coast following the high water mark to the mouth of the Isipingo river, excluding the tidal portions of the Isipingo River, then Northwards along the high water mark to the outlet of the Mlazi River Canal, excluding the tidal portions of the Mlazi River Canal, then Northwards along the high water mark to the Southernmost corner of Erf 685 Bluff, then along the high water mark to the Easternmost corner of Erf 685 Bluff, then to the low water mark at the Southernmost corner of Erf 686 Bluff, then along the low water mark to where it meets the root of the South Breakwater, then along the low water mark to the Northernmost corner of the South Breakwater, then along a line directly to the Northernmost corner of the North Breakwater, then along the high water mark to the root of the North breakwater, then along the high water mark running through Rem of Erf 10052 to the point where the western boundary of Rem of Erf 10052 intersects the high water mark of the Indian Ocean.

Land area:

The land area depicted by the co-ordinates of the port perimeter as shown in the attached list.

Bayhead area

Transnet land in the Bayhead area bounded in the north by the western boundary of the Bayhead Road reserve and Bayhead Canal, in the west by the eastern-boundary of South Coast Road and Southern Freeway, in the south by the northern-boundary of Edwin Swales VC Drive and in the east by the eastern-boundary of the railway main line reserve between Wentworth Station and King's Rest Halt.

Port of East London.**Sea area:**

- a) The area of sea bounded by a line drawn from the coast at Nahoon Point in position $32^{\circ} 59' 50''$ S $27^{\circ} 57' 07\frac{1}{2}''$ E in a 114° direction for 1 852 metres to a position $33^{\circ} 00' 13,9''$ S $27^{\circ} 58' 12,8''$ E, thence in a $216\frac{1}{2}^{\circ}$ direction to a position $33^{\circ} 03' 14,46''$ S $27^{\circ} 55' 37,18''$ E and thence in a 295° direction to the coast in position $33^{\circ} 02' 36''$ S $27^{\circ} 53' 57''$ E (all bearings are true);

- b) the whole of the water area within the Buffalo River and its tributaries from the ebb-and-flow to the mouth of that river including all the water area at or about the entrance to that river;
- c) the foreshore, between the highest and the lowest water marks from Hood Point to Nahoon Point;
- d) the banks of the Buffalo River and its tributaries between the highest and the lowest water marks, from ebb-and-flow to the mouth of the river.

Land area:

East bank

From the end of the Orient Pier Breakwater at the mouth of the Buffalo River along the East side of the breakwater to the security wall situated at the North Eastern side of the Container Terminal; thence along the wall and fence separating the port and Signal Hill area up to a point at the intersection of Ganteaume Crescent and Prior Crescent; thence from the same intersection in a South Westerly direction to a point in line with the Western side of the properties in Prior Crescent; thence Northwards along an imaginary line following the Western side of the properties in Prior Crescent until such line reaches Hely Hutchinson Road; thence a line in a North Easterly direction until it meets the Fleet Street Bridge; thence along the South side of the bridge to a point just West of the bridge wing wall; thence in a South Westerly direction on the Eastern side of a Municipal area incorporating the Fire Department; thence to a point in line with the Eastern side of Station Street; thence in a South Westerly direction on the Eastern side of the properties in Cambridge Street to a point on the Eastern side of Cambridge Street; thence in a straight line to a point in line with South Street; thence following the fence on the Western side of the rail tracks at a distance of approximately 10 meters from the track to a point where this line meets the Western side of Buffalo Street; thence in a North Westerly direction to a point on the South Eastern corner of the property owned by the Department of Public Works; thence continuing in a westerly direction on the Southern side of Church Street and along the Southern boundary of the Old BKB building to a point at Pontoon Road; thence in a Westerly direction following a route on the Southern side of the properties in Pontoon Road to a point on the Southern side at the Pontoon Road bridge at the intersection between Pontoon Road and Settlers Way; thence following a line in a Northerly direction adjacent to the rail tracks to a point at the stock rail joint of Port Rex facing points; thence in a Westerly direction to a point approximately 3 meters on the Western side of the rail tracks; thence in a Southerly direction to a point on the Western side of the Buffalo-Bridge on the North side of an access road approximately 4 meters from the road/rail crossing situated under the Buffalo Bridge; thence first North West along the Southern edge of an embankment, then South West of this embankment to a point on the Eastern side of the bridge over First Creek; thence Westwards along an imaginary line on the Northern side of the bridge over First

Creek to a point on the North side of the Naval boat shed; thence Southwards to the waters edge.

West bank

From the end of the South Breakwater at the entrance to the Port along the Southern side of the breakwater wall and shore-line in a South Westerly direction to a point on the shoreline approximately 10 meters West of the rail line stop block; thence in a North Westerly direction to the boundary fence parallel to Strand Street; thence along the boundary fence in a North Easterly direction to the East side of the intersection of Strand Street and Dale Street; thence first along the North Eastern and then Northern sides of Dale Street to a point on the South Western side of Bank Street directly opposite the Port entrance gate; thence North Westerly along an imaginary line to a point on the North Eastern side of Dr Zahn Road; thence North West an imaginary line following the South Eastern side of Dr Zahn Road to a point of the South side of the Buffalo River Bridge directly opposite the intersection of the Horseshoe Road, Dr Zahn Road and Buffalo Bridge on-ramp; thence first in a Westerly direction following the South side of the Horseshoe Road then in a Northerly direction to a point demarcated by a fence on the Western side of Horseshoe Road being the access road to the Rowing Boat Club House; thence Westward along the fence and imaginary line on the Northern side of an embankment; thence Northwards to the waters edge.

Oil sites

From a North Eastern point (a) between the rail tracks on the Southern side of Military Road; thence Westward along an imaginary line on the North West side of the tracks to the Western side of Jonker Crescent, approximately 10 meters from the intersection of Jonker Crescent and Military Road; thence first in a Southerly direction along the Western side of Jonker Crescent; thence North East along the Southern side of Jonker Crescent; thence in a Northerly direction on the East side of Jonker Crescent finally meeting at point (a).

Port of Ngqura

Sea area:

The area bounded by a line commencing at the extreme point on the east bank of the Swartkops River thence due east (true) for a distance of 1609 metres to a point in the Indian Ocean; thence from that point to a second point in the Indian Ocean 1609 metres due east (true) from Cape Recife; thence from that point to a third point in the Indian Ocean 1609 metres south east (true) from the extreme point on the east bank of the Sunday's River; thence from that point 1609 metres due north west to the extreme point on the east bank of the Sunday's River; thence along the high water mark between the extreme point of the east bank of the Swartkops River, excluding the Island of Jahleel, St. Croix and Brenton, and the 500 metres marine reserve surrounding each island.

Land area:

The land area bounded to the north west by the N2 National Road; to the north east by the boundary between Hougham Park and Sonop Farms; to the south west by the line joining a point on the N2 National Road and the high watermark, which will become the boundary between St. George's Strand and the Ngqura IDZ; to the south east by the high water mark between these boundaries.

Port of Port Elizabeth

Sea area:

The area is bounded on the southward by a line drawn from Cape Recife, east (true) to a point in the Indian Ocean, distant 1 609 metres, on the northward by a line drawn from the extreme point of the east bank of the Zwartkops River, east (true) distant 1 609 metres; on the eastward by a line drawn between these two points, and shall embrace the foreshore between high and low water marks from Cape Recife lighthouse to the aforesaid line at the east bank of the Zwartkops River, including that portion of the said river which lies on the seaward side of the bridge carrying the railway line to Alicedale.

Land area:

The port area include all land seawards of the following line:

Beginning at Cape Recife, including Erf 2410 Summerstrand, in a general Northern direction along the low water mark, to Beacon B of Erf 578 Humewood, thence in a general Westerly then Northerly direction along the land ward boundaries of Erven 578, 1050, 1051 all Humewood, 5635 Port Elizabeth Central, 3500, 3499 North End up to Beacon A of Erf 3499 North End; thence in a general Northerly direction along an imaginary line to Beacon A; thence along the land ward boundary up to Beacon C of Erf 705 North End; thence, in a general Northern direction along an imaginary line to Beacon D; thence and along Eastern boundary to Beacon C of Erf 3440 North End; thence in a general Northern direction along the Western boundary of Erf 157 Swartkops; thence ending on the West bank of the Swartkops river, including Erven 365, 366, 367 and 368 Swartkops which falls outside the abovementioned area.

Port of Mossel Bay.

Sea area:

Within a line drawn from Cape St. Blaize lighthouse to the mouth of the Little Brak River, thence along the high water mark so as to include the foreshore between these points, together with Seal Island (Robben Island), the estuary of the Little Brak River as far as the tide flows.

Land area:

From the mouth of the Little Brak River in a general Eastern and Southern direction along the low water mark to Beacon J at the Yacht and Boat Club; thence along the North side of the rail tracks in an Easterly direction to the middle of the West side of the Church Street Bridge; thence in a Southerly direction following the Western side of the bridge to the bridge abutment; thence in an Easterly direction to the East side bridge abutment; thence in a Northerly direction to a point in the middle of the Church Street Bridge being the boundary of Erf 12459; thence in a general Easterly direction following the boundary of Erf 12459 to a point directly in line with the Eastern side of the Civil Depot; thence in a Northerly direction following the Eastern side of the building to the North Eastern corner of the building; thence in a North Easterly direction along the waters edge to a point on the North Western corner of the NSRI complex; thence in a North Eastern direction along the waters edge to a point on the Northern corner of the NSRI complex; thence in a North Western direction to a point 5 meters from the edge of the low level quay; thence along an imaginary line 5 meters from the North Western side of the low level quay to a point in line with the South Western edge of Quay No.1; thence in a South Eastern direction following a concrete wall to a point where this wall meets with a further concrete wall situated in a Southerly direction on the West side of a factory complex; thence in a Southerly direction following the concrete wall to a point on the South Western corner of the factory complex; thence in an Easterly direction along the Southern side of the complex to a point on the Western edge of Kloof Street; thence in a Northerly direction to Beacon B of Erf 12457 on the land edge; thence in a general Western and North Westerly direction along the waters edge and the North Eastern side of the break wall to the end of the break wall at Cape St. Blaze Lighthouse.

Port of Cape Town.**Sea Area:**

The area is bounded Westwards by a straight line between Green Point and Robben Island lighthouses, and Northwards by a straight line from Robben Island lighthouse, East (true) to the Eastern shore of Table Bay, thence back in a southerly direction following the shore line to Point Z where it intersects the straight line between Green Point and Robben Island lighthouses.

Land Area:

The area is bounded from a point where the Northern limit of the sea area intersects with the high water mark to Point A East (true) on the Eastern shore of Table Bay, thence southwards along the high water mark, so as to include the Remainder of ERF 17 Milnerton at Blaauwberg, Remainder of ERF 16831 Cape Town at Paarden Eiland, western part of ERF 15469 Blaauwberg (divided by a straight line between Points B & C), ERF 114361 at Paarden Eiland, ERF 114362 at Paarden Eiland, ERF 114363 at Paarden Eiland, thence southwards along the landward boundary of Remainder of ERF 16831 at Paarden Eiland to Point D, thence eastwards by a straight line (across ERF

17898 Cape Town) to Point E on the corner of ERF 108338 Cape Town, thence by a straight line in a southwestern direction to Point F, so as to include the southern part of ERF 17989 Cape Town, ERF 17875 Cape Town at Paarden Eiland, thence in a straight line in a southeasterly direction to Point G, so as to include Remainder of ERF 149437 Cape Town at Paarden Eiland, ERF 149436 Cape Town at Paarden Eiland, southern part of Part of ERF 16832 Cape Town and southern portion of Remainder of ERF 114383 Cape Town at Paarden Eiland, thence in a straight line in a southwesterly direction to Point H along the southeastern boundary of Remainder of ERF 114383 Cape Town at Paarden Eiland, thence in a east south easterly direction along the northern boundary of Portion of Remainder of ERF 15201 Cape Town at Salt River, thence southwards along the eastern boundary of Portion of Remainder of ERF 15201 Cape Town at Salt River to Point J, thence in a westerly direction along the boundary of Portion of Remainder ERF 15201 Cape Town at Salt River to Point K, so as to include part of Portion of Remainder of ERF 15201 Cape Town at Salt River, situated north of the National Road, then dividing Part of ERF 16832 Cape Town by a straight line between Points K & L, so as to include Part of ERF 16832 Cape Town, situated north of the National Road, thence in a westerly direction along the southern boundary of Portion of Remainder of ERF 15201 Cape Town at Salt River to Point M, thence a straight line between Points M & N, dividing Portion of Remainder of ERF 15201 Cape Town at Salt River, thence following the southern boundary of Portion of Remainder of ERF 15201 Cape Town at Salt River, from Point N to Point P, so as to include Portion of Remainder of ERF 15201 Cape Town at Salt River, situated north of the National Road, thence following the eastern boundary of Portion of Remainder of ERF 10256 Cape Town at Woodstock in a southerly direction to Point Q, thence following the southern boundary of Portion of Remainder of ERF 10256 Cape Town at Woodstock in a westerly direction to Point R, thence a straight line to Point S, dividing ERF 10255 Cape Town, thence following the southern boundary of Portion of Remainder of ERF 10256 Cape Town at Woodstock in a westerly direction to Point T, so as to include Portion of Remainder of ERF 10256 Cape Town at Woodstock and northern part of divided ERF 10255 Cape Town, thence in a north westerly direction following the south eastern boundary of ERF 14821 Cape Town to Point U so as to include ERF 14821 Cape Town, thence a straight-line in a north-westerly direction to Point V on the south-eastern corner of Portion of Remainder of ERF 10256 Cape Town at Woodstock, thence following the south western boundary of Portion of Remainder of ERF 10256 Cape Town at Woodstock to point W, thence a straight-line in a northerly direction to Point X on the south-eastern boundary of ERF 149294 Cape Town, so as to include Portion of Remainder of ERF 10256 Cape Town at Woodstock and all erven lying seaward of line between points T, U, V, W & X, thence in a westerly direction along the boundary of ERF 149294 Cape Town to Point Y, where the cadastral boundary of ERF 149294 Cape Town intersects with the highwatermark, so as to include ERF 149294 Cape Town, ERF 150238 Cape Town, ERF 150239 Cape Town, ERF 150240 Cape Town, ERF 158576 Cape Town, ERF 154986 Cape Town, and all other erven lying inside ERF 149294 Cape Town, thence from Point Y following the Highwatermark straightened between Points Y, HWM-20, HWM-21, HWM-22, HWM-23, HWM-24, HWM-25, HWM-26, HWM-27, HWM-28, HWM-29,

HWM-30, HWM-31, HWM-32, HWM-33, thence along the seawall to HWM-33a where it intersects a straight-line between Green Point and Robben Island lighthouses, thence following the Westward limit line of the sea area to Point Z, thence back in an easterly direction following the shore line to where it intersects the Northward limit of the sea area, together with the wharves, docks, basins, jetties, piers and harbour works, and all harbour and dock lands vested in Transnet Limited immediately prior to the transfer date.

*Values of above mentioned Points based on the WGS 84 Co-ordinate System (WG 19).
List of Points. WG19 Co-ordinates (estimated)*

Point No.	Y	X
A	+48 864,3m	+3 743 281,9m
B	+47 738,4m	+3 751 899,4m
C	+47 757,4m	+3 751 930,2m
D	+49 645,3m	+3 754 453,8m
E	+49 616,6m	+3 754 504,5m
F	+49 685,2m	+3 754 563,6m
G	+49 384,0m	+3 754 783,6m
H	+49 456,3m	+3 754 824,4m
J	+49 395,4m	+3 754 962,5m
K	+49 475,5m	+3 754 978,0m
L	+49 509,4m	+3 754 982,9m
M	+49 712,8m	+3 754 997,3m
N	+49 755,9m	+3 755 000,6m
P	+50 293,5m	+3 755 034,7m
Q	+50 304,2m	+3 755 142,8m
R	+50 858,7m	+3 755 256,8m
S	+50 875,3m	+3 755 261,6m
T	+52 445,8m	+3 755 483,2m
U	+52 611,9m	+3 755 359,0m
V	+52 929,4m	+3 755 086,5m
W	+53 093,0m	+3 754 982,6m
X	+53 323,4m	+3 754 274,4m
Y	+54 157,7m	+3 752 864,7m
Z	+55 534,9m	+3 752 759,2m
HWM-19	+54 139,9m	+3 752 867,7m
HWM-20	+54 222,7m	+3 752 854,0m
HWM-21	+54 328,3m	+3 752 777,0m
HWM-22	+54 350,2m	+3 752 742,7m
HWM-23	+54 353,1m	+3 752 708,9m
HWM-24	+54 347,7m	+3 752 695,5m
HWM-25	+54 322,2m	+3 752 668,7m

HWM-26	+54 338,3m	+3 752 633,8m
HWM-27	+54 499,4m	+3 752 614,0m
HWM-28	+54 601,4m	+3 752 634,8m
HWM-29	+54 686,6m	+3 752 641,8m
HWM-30	+54 766,3m	+3 752 638,8m
HWM-31	+54 901,1m	+3 752 687,4m
HWM-32	+55 016,4m	+3 752 690,2m
HWM-33	+55 093,3m	+3 752 718,1m
HWM-33a	+55 529,4m	+3 752 781,1m

Port of Saldanha Bay

The area described as within plan SBH 195-A1-A6016 the figure A (Is the point where latitude 33 degrees 01 minutes 38 seconds S intersects the high water mark of the Atlantic Ocean) high water mark of the Atlantic Ocean and Saldanha Bay B high water mark, landwards along the western boundaries of Erf 8208 and Erf 8210, along western boundary of Erf 8212 and Erf 8211 to the figure C, onwards along the western boundaries of Erf 8211, Erf 8212 and Erf 8213 up to Saldanha Bay figure D and high water mark of Saldanha Bay E landward boundaries of Farm 196 F, along the western boundary of Portion 9 of the farm Pienaars Poort No. 197 and along Ptn of Portion 4 of the farm Pienaars Poort no. 197 to figure G to figure H along northern boundary of Portion of the Remainder of Portion 3 of the farm Pienaars Poort no. 197 and along northern boundary of Portion 12 of the Farm Pienaars Poort No. 197 to figure J along northwestern boundary of portion of Remainder of Portion 3 of Farm Pienaars Poort No. 197 along the northern boundary of Ptn 1 of Farm 1139 to figure K along the northwestern boundary of Ptn 17 of Farm Yzervarkensrug No. 127 along the boundary of Ptn 5 of Farm Yzervarkensrug No. 129 then along the eastern boundary of Ptn 17 of Farm Yzervarkensrug No. 127 to figure L, along the northern boundaries of Ptn 8 and Ptn 7 of Farm Pienaars Poort No. 197 along northern boundary of Remainder of and Portion 7 of Farm Jackals Kloof No. 195 to figure M and along the eastern boundary of Portion 7 and Remainder of Farm Jackals Kloof No. 195 to figure N and along the north eastern boundary of Farm 196 to figure O along high water mark to figure P (coordinate LO System 19 degrees y value 89456, 13 x coordinate 3659807,10) to figure Q (coordinate LO System 19 degrees y value 93659, 63 x coordinate 3660913,26) high water mark of Saldanha Bay and the Atlantic Ocean R (Is the point where latitude 33 degrees 08 minutes 56 seconds S intersects the high water mark of the Atlantic Ocean) S (Is the point where latitude 33 degrees 11 minutes 0 seconds S longitude 17 degrees 57 minutes 0 seconds E) T (Is the point where latitude 33 degrees 03 minutes 0 seconds S longitude 17 degrees 50 minutes 0 seconds E) A (Is the point where latitude 33 degrees 01 minutes 38 seconds S intersects the high water mark of the Atlantic Ocean) , exclusive of the Government jetty, the repair jetty and the slipway of the Department of Industries, Commerce and Tourism and all other fixed structures connected with the fishing industry and the Mykonos break water and jetty structures.

Port Nolloth

The area which is boarded northward by a line drawn 245° from North Point to a point 4 827 metres from the shore; westward by a line drawn 155° from the above point to the point where it meets a line drawn 245° from Guap Point; southward by the latter line; together with the foreshore therein and all jetties, harbour work and harbour lands vested in Transnet Limited immediately prior to the transfer date.

Co-ordinates of Port Perimeter					
Point	Y-Value	X-Value		Bearing	Dist
Constants	0.000	3300000.000			
BA	-4333.061	4772.179	BA-BB	High Water Mark	94.910
BB	-4388.151	4849.463	BB-BC	High Water Mark	336.535
BC	-4612.991	5099.868	BC-BD	High Water Mark	697.062
BD	-5227.810	5428.340	BD-BE	58°15'50.0"	34.733
BE	-5198.270	5446.610	BE-BF	9°41'00.0"	32.818
BF	-5192.750	5478.960	BF-BG	34°51'29.1"	50.492
BG	-5163.891	5520.393	BG-BH	34°52'05.2"	327.260
BH	-4976.800	5788.900	BH-BJ	103°31'19.8"	105.422
BJ	-4874.300	5764.250	BJ-BK	100°00'40.1"	42.050
BK	-4832.890	5756.940	BK-BL	80°07'10.8"	10.140
BL	-4822.900	5758.680	BL-BM	102°23'33.2"	136.388
BM	-4689.690	5729.410	BM-BN	110°32'57.9"	91.022
BN	-4604.460	5697.460	BN-BO	111°30'28.4"	212.422
BO	-4406.830	5619.580	BO-BQ	111°41'17.5"	47.354
BQ	-4362.828	5602.080	BQ-BR	127°40'52.0"	158.795
BR	-4237.154	5505.014	BR-BS	155°35'22.1"	134.443
BS	-4181.593	5382.589	BS-BT	140°40'06.6"	69.998
BT	-4137.228	5328.447	BT-BU	129°46'57.7"	34.533
BU	-4110.690	5306.350	BU-BV	50°06'36.9"	39.216
BV	-4080.600	5331.500	BV-BW	131°49'30.1"	41.748
BW	-4049.490	5303.660	BW-BX	147°07'00.7"	2.560
BX	-4048.100	5301.510	BX-BY	115°02'11.1"	24.811

BY	-4025.620	5291.010	BY-CC	116°31'17.0"	70.432
CC	-3962.600	5259.560	CC-CD	116°31'01.0"	26.632
CD	-3938.770	5247.670	CD-CE	131°23'19.0"	25.059
CE	-3919.970	5231.102	CE-CF	149°12'28.8"	43.245
CF	-3897.832	5193.954	CF-CG	149°12'28.8"	79.986
CG	-3856.870	5125.250	CG-CH	155°43'20.4"	355.969
CH	-3710.510	4800.762	CH-DE	155°43'53.7"	198.219
DE	-3629.040	4620.060	DE-DF	155°42'37.8"	213.377
DF	-3541.268	4425.572	DF-DG	139°50'33.9"	49.447
DG	-3509.380	4387.780	DG-DH	79°02'21.6"	123.187
DH	-3388.440	4411.202	DH-DJ	79°02'21.6"	80.142
DJ	-3309.760	4426.440	DJ-DK	98°04'40.9"	33.716
DK	-3276.378	4421.702	DK-DL	79°02'56.2"	9.829
DL	-3266.728	4423.569	DL-DM	350°18'27.7"	66.660
DM	-3277.951	4489.277	DM-DN	350°18'32.5"	9.542
DN	-3279.557	4498.683	DN-DO	80°18'35.0"	64.990
DO	-3215.495	4509.623	DO-DP	16°49'23.8"	57.985
DP	-3198.713	4565.126	DP-DQ	135°52'53.1"	37.549
DQ	-3172.574	4538.170	DQ-DR	154°49'01.1"	30.293
DR	-3159.684	4510.756	DR-DS	105°11'37.3"	31.179
DS	-3129.594	4502.585	DS-DT	103°49'11.7"	23.643
DT	-3106.635	4496.937	DT-DU	101°58'36.5"	8.095
DU	-3098.717	4495.257	DU-DV	101°01'47.5"	8.215
DV	-3090.654	4493.686	DV-DW	99°15'04.3"	22.416
DW	-3068.529	4490.082	DW-DX	96°38'51.7"	22.416
DX	-3046.264	4487.487	DX-DY	94°02'39.3"	22.416
DY	-3023.903	4485.906	DY-DZ	91°26'26.9"	22.416
DZ	-3001.494	4485.342	DZ-EA	87°31'44.9"	45.557
EA	-2955.979	4487.307	EA-EB	357°43'34.3"	2.985
EB	-2956.097	4490.289	EB-EC	356°35'55.6"	4.418
EC	-2956.359	4494.700	EC-ED	87°05'22.1"	245.797
ED	-2710.880	4507.180	ED-EE	87°07'57.8"	201.771
EE	-2509.362	4517.274	EE-EF	87°06'32.3"	7.568
EF	-2501.803	4517.655	EF-EG	87°06'32.3"	22.947
EG	-2478.886	4518.813	EG-EH	87°06'32.3"	256.330
EH	-2222.882	4531.741	EH-EJ	87°06'32.3"	13.552
EJ	-2209.347	4532.425	EJ-EK	33°10'27.4"	10.611
EK	-2203.541	4541.306	EK-EL	10°34'56.0"	15.485
EL	-2200.697	4556.528	EL-EM	24°12'11.1"	6.119
EM	-2198.188	4562.109	EM-EN	53°30'50.2"	6.551

EN	-2192.922	4566.004	EN-EO	77°01'49.9"	4.685
EO	-2188.356	4567.056	EO-EP	84°17'12.8"	13.625
EP	-2174.798	4568.412	EP-EQ	81°45'11.4"	20.314
EQ	-2154.694	4571.326	EQ-ER	73°44'34.7"	35.331
ER	-2120.776	4581.216	ER-ES	66°22'23.2"	32.284
ES	-2091.199	4594.155	ES-ET	59°21'11.9"	27.960
ET	-2067.144	4608.407	ET-EU	53°30'03.5"	34.845
EU	-2039.133	4629.134	EU-EV	76°02'06.3"	3.562
EV	-2035.677	4629.993	EV-EW	107°36'22.6"	2.932
EW	-2032.882	4629.106	EW-EX	117°40'42.6"	4.068
EX	-2029.279	4627.216	EX-EY	139°06'17.5"	9.153
EY	-2023.287	4620.298	EY-EZ	124°32'17.2"	5.768
EZ	-2018.535	4617.027	EZ-FA	101°44'16.3"	6.083
FA	-2012.579	4615.790	FA-FB	80°33'18.6"	4.904
FB	-2007.742	4616.594	FB-FC	97°17'07.1"	2.163
FC	-2005.596	4616.320	FC-FG	48°18'16.3"	97.886
FG	-1932.506	4681.431	FG-FH	48°18'16.7"	213.226
FH	-1773.292	4823.262	FH-FJ	53°16'02.5"	103.061
FJ	-1690.695	4884.901	FJ-FK	58°13'45.5"	36.683
FK	-1659.508	4904.216	FK-FL	353°52'58.1"	2.177
FL	-1659.740	4906.380	FL-FM	58°17'17.2"	37.040
FM	-1628.230	4925.850	FM-FN	58°16'58.6"	135.300
FN	-1513.136	4996.981	FN-FO	226°35'40.5"	38.450
FO	-1541.070	4970.560	FO-FP	58°20'21.3"	124.769
FP	-1434.870	5036.050	FP-FQ	65°38'48.0"	50.756
FQ	-1388.630	5056.980	FQ-FR	73°00'31.7"	40.791
FR	-1349.620	5068.900	FR-FS	81°35'45.9"	46.459
FS	-1303.660	5075.690	FS-FT	90°49'01.3"	23.142
FT	-1280.520	5075.360	FT-FU	105°13'41.9"	69.366
FU	-1213.590	5057.140	FU-FV	132°06'27.7"	47.366
FV	-1178.450	5025.380	FV-FW	45°45'04.2"	5.933
FW	-1174.200	5029.520	FW-FX	136°56'53.1"	23.921
FX	-1157.870	5012.040	FX-FY	40°20'47.9"	9.762
FY	-1151.550	5019.480	FY-FZ	129°40'41.6"	15.553
FZ	-1139.580	5009.550	FZ-GA	129°41'39.0"	59.873
GA	-1093.510	4971.310	GA-GB	121°49'13.6"	5.614
GB	-1088.740	4968.350	GB-GC	129°33'22.4"	5.590

GC	-1084.430	4964.790	GC-GD	126°58'25.6"	5.570
GD	-1079.980	4961.440	GD-GE	122°14'59.9"	11.150
GE	-1070.550	4955.490	GE-GF	117°35'18.9"	11.272
GF	-1060.560	4950.270	GF-GG	114°59'11.5"	7.533
GG	-1053.732	4947.088	GG-GH	114°59'14.3"	4.161
GH	-1049.960	4945.330	GH-GJ	103°10'46.8"	33.420
GJ	-1017.420	4937.710	GJ-GK	89°19'50.5"	32.522
GK	-984.900	4938.090	GK-GL	80°31'19.0"	11.963
GL	-973.100	4940.060	GL-GM	75°15'48.7"	16.472
GM	-957.170	4944.250	GM-GN	67°20'28.0"	11.292
GN	-946.750	4948.600	GN-GO	49°04'40.2"	88.896
GO	-879.580	5006.830	GO-GP	313°07'53.8"	39.258
GP	-908.230	5033.670	GP-GQ	43°57'27.5"	61.026
GQ	-865.870	5077.600	GQ-GR	43°14'04.6"	68.629
GR	-818.860	5127.600	GR-GS	35°30'08.8"	37.797
GS	-796.910	5158.370	GS-GT	35°29'27.1"	82.522
GT	-749.000	5225.560	GT-GU	124°45'45.4"	4.297
GU	-745.470	5223.110	GU-GV	37°28'40.6"	25.819
GV	-729.760	5243.600	GV-GW	126°12'34.0"	2.082
GW	-728.080	5242.370	GW-GX	37°45'54.5"	52.610
GX	-695.860	5283.960	GX-GY	46°13'01.7"	119.174
GY	-609.820	5366.420	GY-GZ	40°31'49.9"	24.590
GZ	-593.840	5385.110	GZ-HA	43°03'07.8"	668.079
HA	-137.767	5873.297	HA-HB	41°31'31.8"	32.877
HB	-115.971	5897.911	HB-HC	39°57'29.6"	215.625
HC	22.510	6063.190	HC-HD	37°09'35.0"	51.007
HD	53.320	6103.840	HD-HE	32°29'53.0"	166.918
HE	143.000	6244.620	HE-HF	34°54'25.2"	36.435
HF	163.850	6274.500	HF-HG	32°36'42.8"	113.054
HG	224.780	6369.730	HG-HJ	40°34'37.8"	373.652
HJ	467.830	6653.530	HJ-HK	46°05'31.3"	553.942
HK	866.920	7037.690	HK-HL	37°08'24.1"	39.452
HL	890.740	7069.140	HL-HM	32°47'45.1"	40.875
HM	912.880	7103.500	HM-HN	313°01'27.0"	61.732
HN	867.750	7145.620	HN-HO	34°37'28.0"	37.927
HO	889.300	7176.830	HO-HP	20°14'39.4"	52.482
HP	907.460	7226.070	HP-HQ	353°09'59.0"	54.628

HQ	900.960	7280.310	HQ-HR	353°08'46.8"	2.095
HR	900.710	7282.390	HR-HS	331°29'17.7"	50.027
HS	876.830	7326.350	HS-HT	315°03'49.2"	38.184
HT	849.860	7353.380	HT-HU	40°31'13.9"	1.539
HU	850.860	7354.550	HU-HV	307°42'30.6"	20.224
HV	834.860	7366.920	HV-HW	40°05'00.4"	1.320
HW	835.710	7367.930	HW-HX	308°55'16.6"	46.542
HX	799.500	7397.170	HX-HY	222°17'09.5"	3.136
HY	797.390	7394.850	HT-HZ	302°33'09.4"	23.751
HZ	777.370	7407.630	HZ-JA	207°33'10.1"	1.816
JA	776.530	7406.020	JA-JB	295°30'11.7"	26.547
JB	752.570	7417.450	JB-JK	279°46'24.4"	78.114
JK	675.590	7430.710	JK-JL	284°11'41.9"	26.262
JL	650.130	7437.150	JL-JM	300°06'38.7"	63.129
JM	595.520	7468.820	JM-JN	311°43'18.4"	332.193
JN	347.576	7689.899	JN-JO	35°49'30.0"	3.913
JO	349.866	7693.072	JO-PA	312°12'55.9"	130.285
PA	253.374	7780.613	PA-PB	42°21'35.3"	25.556
PB	270.593	7799.497	PB-PC	127°08'53.1"	24.996
PC	290.517	7784.403	PC-PD	117°20'43.0"	47.993
PD	333.147	7762.357	PD-PE	105°28'28.1"	24.000
PE	356.277	7755.954	PE-PF	92°37'05.9"	24.000
PF	380.252	7754.858	PF-PG	79°45'43.8"	24.000
PG	403.870	7759.123	PG-PH	66°54'21.6"	24.000
PH	425.947	7768.537	PH-PJ	54°02'59.5"	24.000
PJ	445.375	7782.627	PJ-PK	41°11'37.3"	24.000
PK	461.182	7800.687	PK-PM	28°20'15.2"	24.000
PM	472.574	7821.811	PM-PN	331°55'06.7"	50.000
PN	449.038	7865.925	PN-PO	301°22'18.6"	54.872
PO	402.187	7894.490	PO-PP	303°48'38.0"	24.000
PP	382.246	7907.845	PP-PQ	307°32'36.5"	24.000
PQ	363.217	7922.470	PQ-PR	313°34'01.7"	24.000
PR	345.827	7939.011	PR-PS	319°35'26.9"	24.000
PS	330.269	7957.285	PS-PT	325°36'52.0"	24.000
PT	316.715	7977.091	PT-PU	328°16'18.3"	24.000
PU	304.094	7997.505	PU-PV	331°26'09.5"	70.559
PV	270.357	8059.475	PV-PW	331°26'09.5"	495.490

PW	33.443	8494.656	PW-PX	332°52'41.5"	24.000
PX	22.502	8516.016	PX-PY	334°59'50.9"	24.000
PY	12.358	8537.767	PY-PZ	339°05'03.1"	24.000
PZ	3.790	8560.186	PZ-QA	343°10'15.3"	24.000
QA	-3.158	8583.158	QA-QB	347°15'27.5"	24.000
QB	-8.452	8606.567	QB-QC	351°20'39.7"	24.000
QC	-12.064	8630.294	QC-QD	355°25'52.0"	24.000
QD	-13.975	8654.217	QD-QE	359°31'04.2"	24.000
QE	-14.177	8678.217	QE-QF	1°31'57.5"	24.000
QF	-13.535	8702.208	QF-QG	3°03'23.9"	109.179
QG	-7.714	8811.231	QG-QH	359°56'41.1"	22.000
QH	-7.735	8833.231	QH-QJ	353°28'11.2"	22.000
QJ	-10.237	8855.089	QJ-QK	346°59'41.2"	22.000
QK	-15.188	8876.524	QK-QL	340°31'11.3"	22.000
QL	-22.524	8897.265	QL-QM	337°24'31.7"	25.126
QM	-32.177	8920.463	QM-QN	335°55'18.1"	26.295
QN	-42.904	8944.470	QN-QP	335°44'12.9"	107.630
QP	-87.133	9042.593	QP-QQ	334°56'28.5"	24.975
QQ	-97.711	9065.217	QQ-QR	333°23'12.3"	24.974
QR	-108.898	9087.545	QR-QS	331°45'09.6"	24.974
QS	-120.718	9109.545	QS-QT	330°26'58.9"	24.974
QT	-133.035	9131.270	QT-QU	329°31'41.8"	253.837
QU	-261.758	9350.047	QU-QV	331°41'19.7"	35.950
QV	-278.808	9381.696	QV-QW	333°46'16.9"	35.950
QW	-294.696	9413.945	QW-QX	335°55'54.8"	244.737
QX	-394.505	9637.404	QX-QY	339°59'59.1"	14.936
QY	-399.614	9651.440	QY-QZ	342°48'40.8"	14.936
QZ	-404.028	9665.709	QZ-RA	346°52'45.1"	133.927
RA	-434.430	9796.139	RA-RB	334°13'36.5"	68.589
RB	-464.253	9857.905	RB-RC	319°02'35.9"	38.264
RC	-489.335	9886.802	RC-RD	318°51'26.9"	9.864
RD	-495.824	9894.230	RD-RE	313°41'02.9"	23.653
RE	-512.929	9910.567	RE-RF	301°56'37.9"	30.000
RF	-538.386	9926.440	RF-RG	288°48'35.9"	30.000
RG	-566.784	9936.113	RG-RH	275°40'33.9"	30.582
RH	-597.216	9939.137	RH-RJ	200°48'12.5"	36.361
RJ	-610.130	9905.147	RJ-RK	200°48'12.5"	261.466

RK	-702.993	9660.728	RK-RL	204°14'05.5"	19.063
RL	-710.818	9643.345	RL-RM	210°45'55.4"	25.000
RM	-723.606	9621.864	RM-RN	217°17'45.4"	25.000
RN	-738.754	9601.976	RN-RO	223°49'35.4"	19.063
RO	-751.955	9588.223	RO-RP	227°15'28.3"	140.597
RP	-855.212	9492.800	RP-KD	220°58'42.1"	77.373
KD	-905.951	9434.386	KD-KE	231°46'53.5"	2.112
KE	-907.610	9433.080	KE-KF	231°47'03.2"	209.982
KF	-1072.590	9303.180	KF-KG	310°07'09.2"	16.372
KG	-1085.110	9313.730	KG-KH	38°43'13.8"	208.231
KH	-954.857	9476.193	KH-KJ	315°01'31.0"	26.711
KJ	-973.736	9495.089	KJ-KK	279°49'58.6"	17.189
KK	-990.673	9498.025	KK-KL	257°26'37.5"	10.624
KL	-1001.043	9495.715	KL-KM	246°03'09.6"	33.941
KM	-1032.062	9481.939	KM-KN	245°17'54.4"	267.733
KN	-1275.296	9370.055	KN-KO	240°28'26.3"	18.901
KO	-1291.743	9360.740	KO-KP	236°10'40.3"	18.000
KP	-1306.697	9350.721	KP-KQ	232°09'55.2"	182.616
KQ	-1450.924	9238.708	KQ-KR	230°01'40.3"	51.650
KR	-1490.506	9205.527	KR-KS	220°12'49.3"	27.310
KS	-1508.138	9184.672	KS-KT	213°54'08.0"	17.743
KT	-1518.035	9169.946	KT-KU	212°36'31.4"	18.977
KU	-1528.261	9153.960	KU-KV	300°14'00.2"	14.895
KV	-1541.130	9161.460	KV-KW	200°47'51.1"	45.447
KW	-1557.267	9118.974	KW-KX	299°28'20.2"	2.662
KX	-1559.585	9120.284	KX-KY	196°26'45.7"	18.651
KY	-1564.865	9102.396	KY-KZ	193°30'18.1"	190.394
KZ	-1609.328	8917.266	KZ-LA	281°11'19.7"	0.798
LA	-1610.110	8917.421	LA-LB	193°39'12.4"	202.324
LB	-1657.869	8720.814	LB-LC	199°13'10.0"	11.709
LC	-1661.723	8709.758	LC-LD	202°15'28.6"	8.153
LD	-1664.811	8702.212	LD-LE	290°19'32.8"	5.405
LE	-1669.880	8704.090	LE-LF	214°14'47.0"	68.556
LF	-1708.460	8647.420	LF-LG	230°56'14.0"	64.395
LG	-1758.460	8606.840	LG-LH	244°47'32.5"	51.538
LH	-1805.090	8584.890	LH-LJ	253°13'55.8"	176.849
LJ	-1974.420	8533.870	LJ-LK	267°00'23.4"	157.785

LK	-2131.990	8525.630	LK-LL	263°31'21.7"	47.070
LL	-2178.760	8520.320	LL-LM	253°16'14.6"	56.627
LM	-2232.990	8504.020	LM-LN	240°47'11.7"	65.524
LN	-2290.180	8472.040	LN-LO	235°45'17.0"	198.068
LO	-2453.910	8360.580	LO-LP	235°45'27.0"	186.690
LP	-2608.240	8255.530	LP-LQ	231°29'13.7"	65.153
LQ	-2659.220	8214.960	LQ-LR	150°14'27.4"	10.033
LR	-2654.240	8206.250	LR-LS	212°04'10.6"	13.240
LS	-2661.270	8195.030	LS-LT	235°17'37.7"	22.990
LT	-2680.170	8181.940	LT-LU	173°19'25.5"	16.945
LU	-2678.200	8165.110	LU-LV	233°04'04.6"	31.338
LV	-2703.250	8146.280	LV-LW	265°20'47.9"	6.040
LW	-2709.270	8145.790	LW-LX	256°55'11.0"	79.118
LX	-2786.335	8127.884	LX-LY	239°26'36.2"	62.343
LY	-2840.020	8096.190	LY-LZ	239°26'36.2"	27.754
LZ	-2863.920	8082.080	LZ-MA	149°47'57.3"	2.962
MA	-2862.430	8079.520	MA-MB	235°56'46.7"	222.012
MB	-3046.370	7955.200	MB-MC	223°06'21.8"	35.605
MC	-3070.701	7929.205	MC-MD	214°25'47.0"	111.177
MD	-3133.560	7837.504	MD-ME	222°45'47.7"	40.486
ME	-3161.048	7807.781	ME-MF	239°43'56.6"	40.935
MF	-3196.285	7787.198	MF-MG	254°28'01.1"	53.367
MG	-3247.704	7772.906	MG-MH	344°34'11.4"	10.735
MH	-3250.560	7783.254	MH-MJ	253°20'07.6"	23.050
MJ	-3272.641	7776.644	MJ-MK	278°02'58.4"	28.661
MK	-3301.020	7780.658	MK-ML	291°55'52.3"	106.490
ML	-3399.803	7820.431	ML-MM	20°20'45.7"	22.200
MM	-3392.084	7841.247	MM-MN	111°59'03.6"	61.448
MN	-3335.104	7818.244	MN-MO	20°33'12.8"	11.947
MO	-3330.910	7829.430	MO-MP	292°00'32.9"	21.000
MP	-3350.380	7837.300	MP-MQ	335°09'59.5"	22.644
MQ	-3359.890	7857.850	MQ-MR	291°59'41.0"	17.062
MR	-3375.710	7864.240	MR-MS	200°44'06.8"	1.497
MS	-3376.240	7862.840	MS-MT	292°02'04.2"	7.175
MT	-3382.891	7865.532	MT-MU	20°33'21.7"	328.234
MU	-3267.640	8172.867	MU-MV	11°48'47.8"	131.314
MV	-3240.757	8301.400	MV-MW	313°04'59.6"	366.618

MW	-3508.521	8551.822	MW-MX	235°18'24.2"	176.233
MX	-3653.422	8451.513	MX-MY	253°39'23.1"	145.034
MY	-3792.595	8410.701	MY-MZ	215°58'09.9"	323.240
MZ	-3982.451	8149.093	MZ-NA	115°11'00.5"	304.713
NA	-3706.701	8019.432	NA-NB	181°52'24.6"	101.612
NB	-3710.023	7917.874	NB-NC	253°56'31.2"	102.256
NC	-3808.289	7889.589	NC-ND	235°06'15.5"	15.145
ND	-3820.711	7880.925	ND-NE	235°06'15.5"	200.207
NE	-3984.919	7766.390	NE-NF	211°56'09.8"	160.473
NF	-4069.805	7630.206	NF-NG	229°55'52.8"	373.831
NG	-4355.888	7389.569	NG-NH	214°35'05.8"	199.215
NH	-4468.968	7225.558	NH-NJ	221°30'46.1"	218.624
NJ	-4613.869	7061.851	NJ-NK	217°06'40.3"	58.404
NK	-4649.108	7015.276	NK-NL	224°04'21.0"	310.559
NL	-4865.123	6792.152	NL-NM	229°12'12.8"	7.395
NM	-4870.721	6787.320	NM-NO	240°40'43.6"	140.603
NO	-4993.311	6718.466	NO-NP	223°43'46.1"	173.992
NP	-5113.584	6592.737	NP-NQ	221°19'20.9"	153.899
NQ	-5215.203	6477.158	NQ-NR	210°23'40.9"	160.003
NR	-5296.157	6339.146	NR-NS	200°04'51.2"	307.066
NS	-5401.587	6050.747	NS-NT	213°38'25.3"	215.126
NT	-5520.762	5871.648	NT-NU	231°27'42.7"	128.124
NU	-5620.980	5791.822	NU-NV	216°26'33.8"	205.244
NV	-5742.899	5626.713	NV-NW	243°09'38.7"	34.295
NW	-5773.500	5611.229	NW-NX	270°45'59.5"	52.400
NX	-5825.895	5611.930	NX-NY	314°25'14.6"	55.393
NY	-5865.458	5650.701	NY-NZ	330°46'41.2"	61.746
NZ	-5895.602	5704.589	NZ-OA	343°56'44.6"	134.573
OA	-5932.818	5833.914	OA-OB	9°06'24.9"	183.330
OB	-5903.801	6014.933	OB-OC	34°48'24.9"	451.472
OC	-5646.095	6385.628	OC-OD	36°49'29.7"	263.417
OD	-5488.210	6596.486	OD-OE	30°55'39.7"	507.110
OE	-5227.578	7031.493	OE-OF	37°44'20.1"	119.367
OF	-5154.518	7125.889	OF-OG	37°44'52.9"	822.946
OG	-4650.719	7776.601	OG-OH	38°23'36.3"	444.149
OH	-4374.877	8124.709	OH-OJ	33°00'14.1"	664.996
OJ	-4012.656	8682.397	OJ-OK	24°35'58.0"	213.805

OK	-3923.655	8876.797	OK-OL	16°41'48.4"	73.730
OL	-3902.472	8947.418	OL-OM	272°29'58.0"	175.695
OM	-4078.000	8955.080			

Co-ordinates of Sites to exclude					
WILSON'S WHARF					
Point	Y-Value	X-Value		Bearing	Dist
Constants	0.000	3300000.000			
XA	-1686.450	4895.110	XA-XB	58°15'51.6"	63.498
XB	-1632.446	4928.510	XB-XC	58°15'51.5"	126.559
XC	-1524.810	4995.080	XC-XD	167°19'20.3"	1.230
XD	-1524.540	4993.880	XD-XE	59°00'26.0"	25.976
XE	-1502.273	5007.256	XE-XF	58°59'29.7"	38.132
XF	-1469.590	5026.900	XF-XG	167°36'01.2"	1.444
XG	-1469.280	5025.490	XG-XH	57°19'39.0"	39.512
XH	-1436.020	5046.820	XH-XJ	59°14'26.8"	23.542
XJ	-1415.790	5058.860	XJ-XK	347°18'08.5"	4.049
XK	-1416.680	5062.810	XK-XL	257°18'07.8"	36.031
XL	-1451.830	5054.890	XL-XM	257°17'25.1"	23.362
XM	-1474.620	5049.750	XM-XN	349°52'31.2"	11.946
XN	-1476.720	5061.510	XN-XO	347°14'17.1"	55.183
XO	-1488.910	5115.330	XO-XP	351°37'15.4"	22.783
XP	-1492.230	5137.870	XP-XQ	240°08'10.9"	35.908
XQ	-1523.370	5119.990	XQ-XR	230°58'47.3"	106.733
XR	-1606.293	5052.792	XR-XS	230°58'47.3"	125.671
XS	-1703.930	4973.670	XS-XA	167°27'20.7"	80.481
SALISBURY ISLAND					
SA	-3388.373	6629.635	SA-SB	50°35'09.3"	10.184
SB	-3380.505	6636.102	SB-SC	323°58'35.2"	7.021
SC	-3384.634	6641.780	SC-SD	51°13'12.9"	21.295
SD	-3368.033	6655.118	SD-SE	46°33'48.9"	14.400
SE	-3357.577	6665.018	SE-SF	39°24'41.7"	17.874
SF	-3346.229	6678.828	SF-SG	33°39'44.2"	11.309
SG	-3339.960	6688.240	SG-SH	33°39'44.2"	16.328

SH	-3330.910	6701.830	SH-SJ	328°56'34.7"	30.549
SJ	-3346.670	6728.000	SJ-SK	58°56'57.4"	122.025
SK	-3242.130	6790.940	SK-SL	61°55'53.0"	8.692
SL	-3234.460	6795.030	SL-SM	63°31'29.3"	19.964
SM	-3216.590	6803.930	SM-SN	68°22'07.3"	22.516
SN	-3195.660	6812.230	SN-SO	75°37'17.9"	23.558
SO	-3172.840	6818.080	SO-SP	81°59'46.7"	103.205
SP	-3070.640	6832.450	SP-SQ	77°23'04.9"	35.210
SQ	-3036.280	6840.140	SQ-SR	66°23'54.6"	35.292
SR	-3003.940	6854.270	SR-SS	61°11'03.9"	38.309
SS	-2970.375	6872.734	SS-ST	57°59'14.7"	29.401
ST	-2945.445	6888.320	ST-SU	49°40'11.7"	21.539
SU	-2929.025	6902.260	SU-SV	300°50'35.2"	118.103
SV	-3030.425	6962.810	SV-SW	270°56'48.3"	124.067
SW	-3154.475	6964.860	SW-SX	302°35'33.3"	76.746
SX	-3219.135	7006.200	SX-SY	318°18'21.9"	2.759
SY	-3220.970	7008.260	SY-SZ	282°28'55.5"	5.321
SZ	-3226.165	7009.410	SZ-TA	336°16'02.4"	8.100
TA	-3229.425	7016.825	TA-TB	328°24'37.3"	38.858
TB	-3249.780	7049.925	TB-TC	301°11'18.7"	12.677
TC	-3260.625	7056.490	TC-TD	8°02'22.0"	5.363
TD	-3259.875	7061.800	TD-TE	279°05'33.4"	48.028
TE	-3307.300	7069.390	TE-TF	279°01'32.5"	46.596
TF	-3355.779	7074.450	TF-TG	315°43'07.2"	14.093
TG	-3363.160	7086.790	TG-TH	13°19'55.1"	1.639
TH	-3362.782	7088.385	TH-YJ	284°29'05.4"	20.572
YJ	-3382.700	7093.530	YJ-TK	245°17'30.4"	7.177
TK	-3389.220	7090.530	TK-TL	265°39'12.4"	10.951
TL	-3400.140	7089.700	TL-TM	233°34'29.6"	63.122
TM	-3450.930	7052.220	TM-TN	238°47'03.5"	5.461
TN	-3455.600	7049.390	TN-TO	253°40'11.7"	163.673
TO	-3612.670	7003.370	TO-TP1	243°24'20.3"	482.685
TP1	-4044.196	6787.566	TP1-TP2	155°34'00.5"	0.294
TP2	-4044.286	6787.286	TP2-TQ	197°48'58.7"	21.194
TQ	-4035.520	6767.990	TQ-TR	243°23'34.5"	6.096
TR	-4040.970	6765.260	TR-TS	333°58'01.3"	21.190
TS	-4050.270	6784.300	TS-TT	244°52'37.6"	12.103
TT	-4061.228	6779.162	TT-TU	200°46'24.8"	0.310
TU	-4061.338	6778.872	TU-TV	153°28'35.3"	182.455
TV	-3979.860	6615.620	TV-TW	63°31'33.8"	36.564
TW	-3947.130	6631.920	TW-TX	333°51'57.7"	13.077
TX	-3952.890	6643.660	TX-TY	63°27'44.4"	411.517
TY	-3584.730	6827.520	TY-TZ	153°29'36.9"	13.108
TZ	-3578.880	6815.790	TZ-UA	153°26'27.3"	85.928

UA	-3540.460	6738.930	UA-UB	153°27'55.8"	58.715
UB	-3514.230	6686.400	UB-UC	205°55'23.8"	4.392
UC	-3516.150	6682.450	UC-UD	148°52'30.7"	7.932
UD	-3512.050	6675.660	UD-UE	97°16'30.0"	3.317
UE	-3508.760	6675.240	UE-UF	144°56'26.1"	6.963
UF	-3504.760	6669.540	UF-UG	126°47'22.3"	7.130
UG	-3499.050	6665.270	UG-UH	101°45'32.2"	2.503
UH	-3496.600	6664.760	UH-UJ	80°08'19.2"	65.863
UJ	-3431.710	6676.040	UJ-UK	90°46'21.8"	5.190
UK	-3426.520	6675.970	UK-UL	115°42'35.8"	4.195
UL	-3422.740	6674.150	UL-UM	142°44'03.2"	48.339
UM	-3393.470	6635.680			