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GOVERNMENT NOTICE GOEWERMENTSKENNISGEWING

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM DEPARTEMENT VAN OMGEWINGSAKE EN TOERISME

No. 1427

8 December 2004

SEA FISHERY ACT, 1988 (ACT NO. 12 OF 1988)

LEVIES ON FISH AND FISH PRODUCTS

I, **Marthinus van Schalkwyk**, Minister of Environmental Affairs and Tourism, acting with the concurrence of the Minister of Finance, hereby under Section 29 of the Sea Fishery Act, impose the levies on fish and fish products as set out in the Schedule.

MARTINUS VAN SCHALKWYK
Minister of Environmental Affairs and Tourism

SCHEDULE

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

 "albacore" means the species *Athunnus allalunga*,
 "bigeye tuna" means the species *Thunnus obesus*;
 "shark" means any fish of the class *Chondrichthyes*
 "southern bluefin tuna " means the species *Thunnus maccoyii*;
 "swordfish" means the species *Xiphias gladius*;
 "the Act " means the Sea Fishery Act, 1988 (Act no. 12 of 1988);
 "yellowfin tuna " means the species *Thunnus albacares*;
2. A holder of a right to undertake commercial fishing of tuna or swordfish by means of a longline must pay the following levies per ton of fish landed if a South African flagged vessel is used to land the fish:

SPECIES	LEVY (R/TON) ON WHOLEMASS LANDINGS
Southern bluefin tuna	900
Bigeye tuna	300
Yellowfin tuna	300
Swordfish	300
All other species (including albacore and shark)	113

3. A holder of a right to undertake commercial fishing of tuna or swordfish by means of a longline must pay the following levies per ton fish landed if a foreign flagged vessel is used to land the fish:

SPECIES	LEVY (R/TON) ON WHOLEMASS LANDINGS
Southern bluefin tuna	1800
Bigeye tuna	600
Yellowfin tuna	600
Swordfish	600
All other species (including albacore and shark)	226

4. The levies payable in respect of fish caught during any one month must be paid before the end of the following month
5. All payments of levies must be accompanied by a form, certified by the holder of the right to undertake commercial fishing, that indicates the whole mass of fish caught during the month concerned. This form is obtainable from: Marine and Coastal Management, 6th Floor, Foretrust Building, Martin Hammerschlag Road, Foreshore, Cape Town, 8001 / Private Bag X2, Roggebaai, 8012.
6. Interest at the rate determined by the Treasury from time to time, shall be imposed on any outstanding amount, and such interest shall be calculated from the first day of the month following the month in which the fish is landed
7. Levies and interest payable in terms of this Schedule, must be paid to: the Marine Living

Resources Fund at Marine and Coastal Management, 6th Floor, Foretrust Building, Martin Hammerschlag Road, Foreshore, Cape Town, 8001 / Private Bag X2, Roggebaai, 8012.

8. Any person who contravenes or fails to comply with any provision of this notice shall be guilty of an offence and liable on conviction to a fine not exceeding R50 000 or to imprisonment for a period not exceeding six years, or to both such fine and such imprisonment.
9. This notice comes into effect immediately upon promulgation.