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## GOVERNMENT NOTICE

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### DEPARTMENT OF ENVIRONMENTAL AFFAIRS

No. 839

14 August 2009

#### MARINE LIVING RESOURCES ACT, 1998 (Act No. 18 of 1998)

#### INVITATION TO APPLY FOR PERMITS TO UNDERTAKE BOAT-BASED WHALE AND DOLPHIN WATCHING AND WHITE SHARK CAGE DIVING IN TERMS OF SECTION 13 OF THE MARINE LIVING RESOURCES ACT, 1998 (ACT NO. 18 OF 1998)

The Chief Director: Integrated Coastal Management, Branch Marine and Coastal Management of the Department of Environmental Affairs hereby invites applications for permits to conduct a:

White Shark Cage Diving Operation; and/or  
Boat-Based Whale and Dolphin Watching operation

The permits will be allocated in terms of the Marine Living Resources Act, 1998 (Act No. 18 of 1998) (MLRA) read together with the following policies and regulations:

- Regulations for the Management of White Shark Cage Diving (GNR. 724 of 4 July 2008, GG 31211) as amended by GNR. 803 of 31 July 2009, GG 32457
- Regulations for the Management of Boat-Based Whale Watching and the Protection of Turtles (GNR. 725 of 4 July 2008, GG 31212) as amended by GNR. 802 of 31 July 2009, GG 32457
- Policy on White Shark Cage Diving (GN 723 of 4 July 2008, GG 31210) as amended by GNR. 804 of 31 July 2009, GG 32458
- Policy on Boat-based Whale and Dolphin Watching (GN 722 of 4 July 2008, GG 31209) as amended by GNR. 805 of 31 July 2009, GG 32458

#### REGISTRATION AND DISTRIBUTION

Registration and distribution of application forms will take place at the following times and places:

| PLACE     | VENUE  | TIME                       | DATE                |
|-----------|--|----------------------------|---------------------|
| Cape Town | Customer Service Centre of the offices of the Department of Environmental Affairs, Branch Marine and Coastal Management, Martin Hammerschlag Way Foretrust Building, Foreshore Cape Town | 08h30 – 16h00<br>both days | 27 & 28 August 2009 |

|                |  |                            |                        |
|----------------|--|----------------------------|------------------------|
| Port Elizabeth | 21 Stanley Street<br>Central<br>Port Elizabeth                             | 08h30 – 16h00<br>both days | 27 & 28 August<br>2009 |
| Durban         | KwaZulu-Natal Sharks Board Offices<br>1a Herrwood Drive<br>Umhlanga Rocks  | 08h30 – 16h00<br>both days | 27 & 28 August<br>2009 |
| St Lucia       | iSimangaliso Wetland Park Authority<br>Office<br>Dredger Harbour, St Lucia | 08h30 – 16h00              | 27 August 2009         |

Existing exemption holders wishing to apply for a permit in their current area must register and collect the application form titled 'EXISTING EXEMPTION HOLDER'. If an existing exemption holder wishes to apply for a permit in an area in which it is not currently operating, it must register and collect an application form titled 'NEW ENTRANT'.

All applicants who are not existing exemption holders must apply on an application form headed 'NEW ENTRANT'.

All queries relating to the permit application process should be e-mailed to either [bbww@deat.gov.za](mailto:bbww@deat.gov.za) or [wscd@deat.gov.za](mailto:wscd@deat.gov.za). Responses to the queries will be published every Friday on the Department's website ([www.deat.gov.za](http://www.deat.gov.za) or [www.environment.gov.za](http://www.environment.gov.za)) and e-mailed to all registered applicants during the period 28 August 2009 until 2 October 2009. Queries received after close of business on Thursday, 1 October 2009, will not be dealt with.

#### **SUBMISSION OF APPLICATION FORMS**

Applications for permits must be submitted at the following times and places:

| PLACE          | VENUE  | TIME                       | DATE                  |
|----------------|--|----------------------------|-----------------------|
| Cape Town      | Customer Service Centre of the offices of the Department of Environmental Affairs, Branch Marine and Coastal Management, Martin Hammerschlag Way Foretrust Building, Foreshore Cape Town | 08h30 – 16h00<br>both days | 5 & 6 October<br>2009 |
| Port Elizabeth | 21 Stanley Street<br>Central<br>Port Elizabeth   | 08h30 – 16h00<br>both days | 5 & 6 October<br>2009 |
| Durban         | KwaZulu-Natal Sharks Board Offices<br>1a Herrwood Drive<br>Umhlanga Rocks  | 08h30 – 16h00<br>both days | 5 & 6 October<br>2009 |
| St Lucia       | iSimangaliso Wetland Park Authority<br>Office  | 08h30 – 16h00              | 6 October 2009        |

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|--|---------------------------|--|--|
|  | Dredger Harbour, St Lucia |  |  |
|--|---------------------------|--|--|

### **Applications for a Boat-Based Whale Watching Permit at St Lucia or Sodwana Bay**

Applicants applying for a boat-based whale and dolphin watching permit for St Lucia or Sodwana Bay also must register for and submit a separate application for a concession to operate within the iSimangaliso Wetland Park. Application forms for the concession will be distributed together with the MLRA permit application forms at St Lucia at the times and place mentioned above. Applications for the concession to operate will be evaluated and assessed by the iSimangaliso Wetland Park Authority.

No white shark cage diving permits will be issued in the iSimangaliso Wetland Park.

Any application for an MLRA permit regardless of the area applied for will be distributed and accepted at all four centres including St Lucia. Applications for a concession to operate within the iSimangaliso Wetland Park will only be distributed and received at St Lucia.

**PLEASE NOTE:** Registration, distribution of applications and submission of completed applications will only take place for **ONE** day at St Lucia as detailed above.

### **Application Fees**

Applicants will be required to pay the application fee of R8249.00 for BBWW or WSCD as determined by the Minister in consultation with the Minister of Finance in terms of section 25 of the Marine Living Resources Act, 1998 (Act No. 18 of 1998) and published in Government Gazette Notice 397 of 30 April 2009, GG 32157. Application fees may be paid at the Customer Service Centre, Ground floor, Martin Hammerschlag Way, Foretrust Building, Foreshore, Cape Town or by electronic transfer into the following bank account:

Bank - First National Bank

Branch Code - 204109

Account Name - MLRF FNB Deposit Account

Account Number - 62123256382

Deposit Reference – Prefix and Application Number

No payments will be accepted at any of the venues except for Cape Town.

Applicants must quote their application number as the reference number when making payment. Application fees must be paid during the period 28 August 2009 until 16h00 on 6 October 2009. Proof of payment must be attached to the application form when it is submitted. Application forms which do not have proof of payment attached will not be accepted.

Applicants must submit a separate application form for each area applied for but will only be required to pay one application fee regardless of the number of applications submitted in a particular sector. Applicants applying for both BBWW and WSCD permits will be required to pay the application fee for each sector. Where more than one application is

submitted in the same sector any of the application numbers may be quoted as a reference for payment.

**APPLICATION FEES ARE NON-REFUNDABLE**

**NO APPLICATIONS WILL BE DISTRIBUTED OR RECEIPTED OTHER THAN AT THE DATES AND TIMES STATED ABOVE.**

**IN THE CASE OF INCONSISTENCY BETWEEN THE ENGLISH, AFRIKAANS, ISIXHOSA AND ISIZULU TEXTS OF ANY POLICY, FORM OR OTHER DOCUMENT, THE ENGLISH TEXT PREVAILS.**

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