

**MINISTRY OF FISHERIES AND MARINE RESOURCES**

No. 233

1995

**SEA FISHERIES ACT, 1992:  
DETERMINATION OF QUOTA FEES**

Under section 20 of the Sea Fisheries Act, 1992 (Act 29 of 1992), and with the concurrence of the Minister of Finance, I hereby determine that the fees set out in the Schedule shall be payable in respect of quotas allocated under section 16 of the Act.

Government Notice 110 of 15 June 1995 is hereby withdrawn.

H. POHAMB  
MINISTER OF FISHERIES AND  
MARINE RESOURCES

Windhoek, 21 November 1995

**SCHEDULE**

1. In this notice any word or expression to which a meaning has been assigned in the Sea Fisheries Act, 1992 (Act 29 of 1992), shall have that meaning and, unless the context otherwise indicates -

"hake" means any fish of the species *Merluccius capensis* or *Merluccius para-dous*;

"horse-mackerel" means any fish of the genus *Trachurus*;

"pilchard" means any fish of the species *Sardinops ocellata*;

"Namibia vessel" means a fishing vessel -

- (a) which is registered or licensed under the Merchant Shipping Act, 1951 (Act 57 of 1951);
- (b) which is permanently based in Namibia;
- (c) which flies the Namibian flag;
- (d) of which at least 51% of the beneficial ownership is held by Namibian citizens; and
- (e) of which at least 80% of the crew on board at all times while the vessel is operating under the quota, are Namibian citizens;

"Namibian-based vessel" means a fishing vessel -

- (a) which is registered or licensed under the Merchant Shipping Act, 1951 (Act 57 of 1951);
- (b) which is permanently based in Namibia;
- (c) which flies the Namibian flag;
- (d) of which less than 51% of the beneficial ownership is held by Namibian citizens; and
- (e) the crew of which include Namibian citizens, but being less than 80% of the number of the crew;

"foreign vessel" means any fishing vessel which is not a Namibian vessel or a Namibian-based vessel.

2. Every person to whom a quota in respect of any of the species of fish mentioned below has been allocated under section 16 of the Sea Fisheries Act, 1992, shall pay in respect of every metric ton of the species of fish so allocated the appropriate fee specified below in respect of the species:

<b>Species of fish</b>	<b>Fee per metric ton</b>
(a) Hake - Provided that -	NS800:
(i) a rebate as specified below shall be allowed where hake is caught under the quota by means of a vessel other than a foreign vessel:	
— by means of a Namibian vessel	NS400;
— by means of Namibian-based vessel	NS200;
(ii) a rebate of NS200 per metric ton of wet fish shall be allowed if landed in Namibia, irrespective of the category of vessel by means of which the hake was caught.	
(b) Horse-mackerel, excluding horse-mackerel caught by purse- seine method:	NS62.55:
Provided that -	
(i) a rebate, as specified below, shall be allowed where horse-mackerel is caught under the quota by means of a vessel other than a foreign vessel:	
— by means of a Namibian vessel	NS31,25;
— by means of a Namibian-based vessel	NS15,65;
(ii) a rebate of NS15.65 per metric ton of horse- mackerel shall be allowed if landed in Namibia, irrespective of the category of vessel by means of which the fish was caught.	
(c) Pilchard, allocated for catching -	
(i) by means of a Namibian vessel	NS100;
(ii) by means of a Namibian-based vessel	NS150:
Provided that in respect of a quota allocated for the catching of pilchard for the purpose of processing a fish-meal, the fee is	NS25,00:
(d) Crab [other than spider (stone) crab] or red crab	NS556.

3. The quota fee payable in terms of paragraph 2 in respect of the year for which the quota has been allocated shall be paid to the Permanent Secretary, Fisheries and Marine Resources, Private Bag 13355, Windhoek, in four equal instalments calculated in accordance with the formula set out in paragraph 4, which instalments shall be paid not later than -
- (a) first instalment, 15 March;
  - (b) second instalment, 15 May;
  - (c) third instalment, 15 July; and
  - (d) fourth instalment, 31 December.
4. For the purposes of calculating the amount of the instalments referred to in paragraph 3, the following formula shall be applied:

$$\frac{Q \times F}{4} \quad \text{where}$$

Q = the total quota allocation in metric tons;

F = the quota fee applicable in terms of paragraph 2.

5. Each payment made in terms of paragraph 3 shall be accompanied by appropriate documentary proof of the category of vessel used. Should proof be insufficient, the full fee specified in paragraph 2 in respect of the species of fish, without any rebate, shall be applicable and payable.
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