



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

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WINDHOEK - 15 December 1995

No. 1218

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Government Notice

MINISTRY OF FISHERIES & MARINE RESOURCES

No. 234

1995

ANNOUNCEMENT OF PERIOD DURING WHICH APPLICATIONS FOR RIGHTS OF EXPLOITATION UNDER THE SEA FISHERIES ACT, 1992 MAY BE MADE IN RESPECT OF LÜDERITZ AND WALVIS BAY AREAS

Under Section 14(2) of the Sea Fisheries Act, 1992 (Act 29 of 1992) I hereby announce that application for rights of exploitation for **mulletts** (*Liza richardsonii*) (**harders**) in the areas of Lüderitz and Walvis Bay may be made during the period 1 January 1996 to 31 January 1996, subject to the conditions and criteria set out in the Schedule below.

H. POHAMBA
MINISTER OF FISHERIES &
MARINE RESOURCES

Windhoek, 5 December 1995

SCHEDULE

1. An applicant must be a Namibian citizen, and must -
 - (a) in the case of an application for the Lüderitz area, have been a *bona fide* resident in Lüderitz; and
 - (b) in the case of an application for the Walvis Bay area, have been a *bona fide* resident in Walvis Bay,for a period of not less than 5 years before the date of his or her application.
2. A right of exploitation under this notice shall be granted only for a period of 5 years.
3. The catching rights conferred by a right of exploitation referred to in this notice shall not be exercised -
 - (a) at any place other than -
 - (i) in the case of the Lüderitz area, within the sea area opposite the magisterial district of Lüderitz; and
 - (ii) in the case of the Walvis Bay area, within the sea area between the breakwater tower and the cable station; and
 - (b) by any person other than the person to whom it has been granted, personally and exclusively.
4. When exercising the catching rights under a right of exploitation granted under this notice, the holder of such right shall not use any net other than a beach trek-seine net provided -
 - (a) the mesh size of such beach trek-seine net is not less than 44 mm when stretched and the length of such net does not exceed 75 fathoms; and
 - (b) such beach trek-seine net has been authorized by the Minister under regulation 12 of the *Sea Fisheries Regulations, promulgated under Government Notice No. 1 of 1993 on 4 January 1993.*
5. A right of exploitation granted pursuant to this notice shall not -
 - (a) confer on the holder thereof a right to enter any public or private property without the consent of the owner thereof or such other person as may be the lawful occupier thereof or who has the charge and management of the property;
 - (b) relieve the holder thereof from complying with any regulations or by-laws of the local authority council concerned and as may be applicable;

- (c) exempt the holder thereof from any of the provisions of the Act or the Sea Fisheries Regulations requiring any permit or other authorization for the catching of fish or to deal with fish so caught.
 6. All by-catches of fish other than mullets must be released immediately and uninjured.
 7. Every holder of a right of exploitation granted pursuant to this notice shall -
 - (a) comply punctually with any condition relating to the furnishing of catch statistics which may have been imposed upon the granting of such right to him or her; and
 - (b) be liable to pay in respect of catches made the appropriate levy imposed under section 25 of the Sea Fisheries Act, 1992
 8. Holders of rights of exploitation shall deliver their catches, for the purpose of determining the mass thereof, at the places and times as may have been determined by the Permanent Secretary.
 9. No application for a right of exploitation of mullets which has been made to and received by the Ministry of Fisheries and Marine Resources before 1 January 1996 shall be taken into consideration for the granting of such rights pursuant to this notice, and any person who has made application for such a right before that date shall be required to make application afresh in accordance with, and subsequent to the publication of, this notice.
 10. Any person who, upon the publication of this notice, is the holder of a right of exploitation, permit or any other authorization which has been granted to him or her under any law and which authorised him or her to catch mullets, whether for commercial purposes or for own use, shall be required to apply afresh for a right of exploitation in accordance with, and subsequent to the publication of, this notice.
 11. Application forms are obtainable from the Permanent Secretary, Ministry of Fisheries and Marine Resources, Private Bag 13355, Windhoek or at the offices of the Ministry, cor. Goethe and Uhland Streets, (third floor, room 309), Windhoek.
 12. An application must be accompanied by proof of the applicant's Namibian citizenship and of the period of his or her residence in Lüderitz or Walvis Bay, as the case may be, and any written representations and information which the applicant may wish to make or furnish in support of his or her application.
 13. Completed application forms and accompanying documents must be delivered or forwarded to the Permanent Secretary: Fisheries and Marine Resources at the address mentioned in paragraph 11 to reach the Permanent Secretary not later than 17:00 on Wednesday 31 January 1996.
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MINISTRY OF FISHERIES & MARINE RESOURCES

No. 235

1995

**DETERMINATION OF TOTAL ALLOWABLE CATCH
IN RESPECT OF HAKE, HORSE-MACKEREL AND CRAB:
SEA FISHERIES ACT, 1992**

In terms of section 15 of the Sea Fisheries Act, 1992 (Act 29 of 1992), and after consultation with the Sea Fishery Advisory Council, I hereby determine that the Total Allowable Catch for the year 1996, in respect of the species of fish specified in the first column of the Table below, for the purpose of allocating quotas during the period 1 January 1996 - 31 December 1996, shall be as specified in the second column of the Table in respect of the species concerned:

SPECIES OF FISH	TOTAL ALLOWABLE CATCH
Hake	150 000 mt
Horse-mackerel	400 000 mt
Crab	2 000 mt

H. POHAMBA
MINISTER OF FISHERIES &
MARINE RESOURCES

Windhoek, 5 December 1995
