

Sea Fishery Amendment Act, 1992,

Act 57 of 1992

Assented to: 26 April, 1992

Date of Commencement: 23 October, 1992

Afrikaans text signed by the State President

Act to amend the Sea Fishery Act, 1988, so as to alter certain definitions; to redefine the power of the Minister of Environment Affairs to determine a certain general policy regarding the South African living marine resources; to make different provision in relation to the delegation of certain powers by the said Minister; to extend the powers of the Quota Board; to regulate anew the granting of certain rights of exploitation; to extend the said Minister's power in relation to the development of fishing harbours; to make different provision in relation to certain levies on fish and fish products and certain other marine resources; to extend the grounds upon which applications for certain licences may be refused and certain licences may be suspended or cancelled; to regulate anew the making of certain regulations by the said Minister; to make provision that the Director-General: Environment Affairs be furnished with certain particulars in relation to fish or fish products that have been exported; to make different provision in relation to the issue of certain permits and the determination of the fees payable for such permits; to render certain acts punishable; and to effect certain textual adjustments; and to provide for matters connected therewith.

1. Amends section 1 of the Sea Fishery Act, No. 12 of 1988, as follows:-paragraph

(a) substitutes the definition of 'fishing boat'; paragraph (b) substitutes the definition of "licence"; paragraph (c) substitutes the definition of "master"; paragraph (d) substitutes the definition of "Minister"; paragraph (e) substitutes the definition of "permit"; paragraph (f) substitutes the definition of "quota"; paragraph (g) substitutes the definition of "right of exploitation"; and paragraph (h) substitutes the definition of "sea".

2. Amends the heading to Part I of the Sea Fishery Act, No. 12 of 1988, by deleting the word "OPTIMAL".

3. Substitutes section 2 of the Sea Fishery Act, No. 12 of 1988.

4. Amends section 4 (1) of the Sea Fishery Act, No. 12 of 1988, by substituting paragraph (a).

5. Amends section 18 of the Sea Fishery Act, No. 12 of 1988, by substituting subsection (1).

6. Amends section 21 of the Sea Fishery Act, No. 12 of 1988, by substituting subsection (1).

7. Amends section 24 of the Sea Fishery Act, No. 12 of 1988, as follows:-paragraph

(a) substitutes subsections (3) and (4); and paragraph (b) adds subsection (5).

8. Amends section 25 of the Sea Fishery Act, No. 12 of 1988, by substituting subsections (2) and (3).

9. Amends section 26 of the Sea Fishery Act, No. 12 of 1988, by substituting subsection (2).

10. Amends section 29(2) of the Sea Fishery Act, No.12 of 1988, as follows: -paragraph

(a) substitutes paragraph (a); paragraph (b) deletes the word "and" at the end of paragraph (d); and paragraph (c) adds paragraph (f).

11. Amends section 30 of the Sea Fishery Act, No. 12 of 1988, as follows:-paragraph

(a) substitutes subsection (4) (a); paragraph (b) substitutes subsection (4) (b) (i); paragraph (c) substitutes the words following upon subsection (4) (b) (iii); and paragraph (d) substitutes subsection (7).

12. Repeals sections 31, 32, 33 and 35 of the Sea Fishery Act, No. 12 of 1988.
13. Amends section 36 of the Sea Fishery Act, No. 12 of 1988. by deleting subsections (1), (2), (3), (4), (5) and (6).
14. Amends section 37 of the Sea Fishery Act, No. 12 of 1988, as follows:-paragraph (a) substitutes subsection (2); and paragraph (b) deletes subsection (4).
15. Amends section 39(1) of the Sea Fishery Act, No.12 of 1988, as follows: -paragraph
(a) substitutes paragraph (a); and paragraph (b) substitutes paragraph (c).
16. Amends section 41 of the Sea Fishery Act, No. 12 of 1988, by deleting subsection (1).
17. Amends section 45 (1) of the Sea Fishery Act, No. 12 of 1988, as follows:- paragraph (a) substitutes the words preceding paragraph (a); paragraph (b) inserts paragraph (aA); paragraph (c) substitutes paragraph (i); paragraph (d) inserts paragraph (kA); paragraph (e) substitutes paragraph (1); and paragraph (f) inserts paragraphs (IA), (IB), (1C), (1D), (1E) and (1F).
18. Amends section 47 (1) of the Sea Fishery Act, No. 12 of 1988, as follows:- paragraph (a) substitutes paragraph (g); and paragraph (b) substitutes paragraph (i).
19. Amends section 48 (4) of the Sea Fishery Act, No. 12 of 1988, by substituting paragraphs (a) and (b).
20. Amends section 52 of the Sea Fishery Act, No. 12 of 1988, by substituting subsection (1).
21. Substitutes the long title of the Sea Fishery Act, No. 12 of 1988.

Short title and commencement

22. This Act shall be called the Sea Fishery Amendment Act, 1992, and shall come into operation on a date determined by the State President by notice in the *Gazette*.