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GOVERNMENT NOTICES

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM**No. 1109****17 October 2008****MARINE LIVING RESOURCES ACT, 1998 (ACT NO. 18 OF 1998)****NOTICE DECLARING THE STILBAAI MARINE PROTECTED AREA UNDER SECTION 43 OF THE MARINE LIVING RESOURCES ACT, 1998 (ACT NO. 18 OF 1998)**

Marthinus Christoffel Johannes van Schalkwyk, the Minister of Environmental Affairs and Tourism, in terms of section 43(1) of the Marine Living Resources Act, 1998 (Act No. 18 of 1998), hereby declares the area to be a marine protected area as set out in the Schedule hereto.

SCHEDULE**Boundaries of the Marine Protected Area**

The Stilbaai Marine Protected Area is the area between Noordkapperspunt and Rietvleivywers, and includes the estuary of the Goukou River to a point 15 km upstream. The seaward boundaries are defined by two straight lines joining the following three points:

- (A) 34° 23'.963 S; 021° 24'.788 E (Noordkapperspunt);
- (B) 34° 23'.963 S; 021° 31'.018' E (A position 4.2 km offshore of Rietvleivywers);
- (C) 34° 21'.662 S; 021° 31'.018 E (Rietvleivywers).

The landward boundary is defined by the high water mark as it runs from Noordkapperspunt (34° 23'.963 S; 021° 24'.788 E), along Skulpiesbaai, around Morris Point, through the harbour, along the western shore of the estuary to 34° 17'.792 S; 021 18'.592 E, approximately 15 km upstream, and then back along the eastern shore of the estuary to the mouth and from there to Rietvleivywers (34° 21'.662 S; 021° 31'.018 E).

No. 1110

17 October 2008

MARINE LIVING RESOURCES ACT, 1998 (ACT NO. 18 OF 1998)**DRAFT NOTICE OF FEES PAYABLE IN RESPECT OF APPLICATIONS FOR, AND THE ISSUING OR GRANTING OF RIGHTS, PERMITS AND LICENCES IN TERMS OF SECTION 25 OF THE MARINE LIVING RESOURCES ACT, 1998 (ACT NO. 18 OF 1998) FOR RECREATIONAL SCUBA DIVING IN THE MAPUTALAND AND ST LUCIA MARINE PROTECTED AREAS; AND IN THE STILBAAI AND PROPOSED BORDER REGION MARINE PROTECTED AREA UPON DECLARATION.**

I, Marthinus Christoffel Johannes van Schalkwyk, Minister of Environmental Affairs and Tourism, acting with the concurrence of the Minister of Finance, under section 25 of the Marine Living Resources Act, 1998, hereby publish for public comment, permit fees for recreational scuba diving for the Maputaland and St Lucia Marine Protected Areas (MPAs), declared and published under Government Notices No. 21948 of 29 December 2000, and the Stilbaai MPA and proposed Border Region MPAs as proposed in Government Notice 28129 of 14 October 2005 upon declaration, as set out in the Schedule hereto.

Any person who wishes to submit representations or comments in connection with the proposed permit fees are invited to do so by 16h00 **TUESDAY 18 November 2008**. All representations and comments must be submitted in writing to the Deputy Director-General of the Department of Environmental Affairs and Tourism, Branch Marine and Coastal Management:

By post to: The Deputy Director-General:

Environmental Affairs and Tourism: Marine and Coastal Management

Attention: Ms. Nobusika Mpongoma, Private Bag X2, Roggebaai, 8012

By e-mail to scubapermits@deat.gov.za

MARTHINUS VAN SCHALKWYK,

MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM

SCHEDULE

Definitions

1. In this Notice any word or expression to which a meaning has been assigned in the Act bears that meaning, and unless the context otherwise indicates

“MPA” means a Marine Protected Area as contemplated in section 43 of the Act, and for the purpose of this notice refers specifically to the Maputaland, St Lucia and Stilbaai Marine Protected Areas;

“Proposed MPA” means a proposed Marine Protected Area which has already been proposed for public comment by way of Government Notice, and for the purpose of this notice refers specifically to the Border Region MPA.

“the Act” means the Marine Living Resources Act, 1998 (Act No. 18 of 1998);

Permits

2. Recreational scuba diving is considered to be an activity in terms of section 43(2) (e) of the Act, which may adversely impact on the ecosystem of an MPA and is therefore classed as a prohibited activity unless authorised in terms of section 43(3) of the Act.
3. Permits for recreational scuba diving are part of the permitting system established to ensure the proper management of MPAs. These permits are part of the recreational fishing permits and obtainable from post offices. Monthly permits may also be available from authorised diving operators in future. All customers of business operators are required to be in possession of recreational scuba diving permits.

Fees**4.**

Application Fee	R5.00
Annual Permit Fee	R70.00
Monthly Permit Fee	R40.00
