



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

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WINDHOEK - 26 June 2017

No. 6342

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Government Notices

MINISTRY OF FISHERIES AND MARINE RESOURCES

No. 158 2017

IMPOSITION OF LEVIES ON MARINE RESOURCES: MARINE RESOURCES ACT, 2000

Under section 44(3) of the Marine Resources Act, 2000 (Act No. 27 of 2000) in consultation with the Advisory Council and with the approval of the Minister of Finance, I -

- (a) impose, for the benefit of the Marine Resources Fund, a levy on the marine resources as set out in the Schedule; and
- (b) repeal Government Notice No. 80 of 1 June 2002.

B. ESAU

MINISTER OF FISHERIES AND MARINE RESOURCES

Windhoek, 5 June 2017

SCHEDULE

LEVIES ON MARINE RESOURCES

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

“mass” of a marine resource means mass as determined with a mass meter approved by the Minister responsible for trade.

“the Regulations” means the regulations promulgated under Government Notice No. 241 of 7 December 2001;

“recreational purposes” means for the purpose of sport or leisure; and

“subsistence fishing” means fishing for household food or small scale trade, subject to conditions set out in paragraph 8 of the Regulations.

2. A person to whom a quota is allocated under section 39(3) of the Act must, in respect of any of the species of marine resources allocated, pay in respect of every kilogram of the species so landed, a 2% levy for the benefit of the Marine Resources Fund of the landed value as prescribed in paragraph 5.
3. A person to whom a quota is allocated under section 39(3) of the Act must, in respect of any by-catch of any species of marine resources, pay in respect of every kilogram of the species so landed, a 15% levy for the benefit of the Marine Resources Fund of the landed value as prescribed in paragraph 5.
4. A person who lands any marine resources or portions of marine resources mentioned in paragraph 5 for recreational purposes, except for subsistence fishing, must pay N\$ 1500 levy per month in respect of every fishing permit issued for the benefit of the Marine Resource Fund.
5. The following landed values of the marine resources must apply:

	Species	Scientific Name	Landed Value N\$/ Kg
1	Hake	<i>Merluccius capensis</i> and <i>Merluccius paradoxus</i>	25.00
2	Horse Mackerel	<i>Trachurus capensis</i>	9.50
3	Crab	<i>Chaceon maritae</i>	52.40
4	Rock Lobster	<i>Jasus lalandii</i>	193.60
5	Pilchard	<i>Sardinops sagax</i>	4.40
6	Monk	<i>Lophius vomerinus</i>	51.20
7	Albacore	<i>Thunnus alalunga</i>	22.00
8	Swordfish	<i>Xiphias gladius</i>	49.00
9	Snoek Frozen	<i>Thysites atun</i>	21.80
10	Orange Roughy	<i>Hoplostethus atlanticus</i>	70.00
11	Big Eye Tuna	<i>Thunnus obesus</i>	22.00
12	All Sharks	Genus <i>Hechanchiformes</i>	22.00
13	Yellowfin Tuna	<i>Thunnus albacares</i>	22.00
14	Oil Fish	<i>Ruvettus pretiosus</i>	24.00
15	Sole	Genus <i>Soleilidae</i>	23.00

16	Kingklip	<i>Genypterus capensis</i>	42.38
17	Angel Fish	<i>Brama brama</i>	6.00
18	Panga Reds	Genus <i>Sparidae</i>	5.00
19	Dentex	<i>Dentex macropthalmus</i>	5.00
20	Alfonsino	<i>Beryx splendens</i>	7.00
21	Gurnard	<i>Chelidonichthys capensis</i>	3.00
22	John Dory	<i>Zeus faber</i> and <i>Zeus capensis</i>	3.00
23	Ribbon Fish	Genus <i>Trachipteridae</i>	7.00
24	Squid	Genus <i>Cephalopods</i>	10.00
25	Joacopever	<i>Helicolenus dactylopterus</i>	7.00
26	Steenbras	<i>Lithognathus (aureti, lithognathus and mormyrus)</i>	30.00
27	Kob	<i>Argyrosomus hololepidotus</i>	30.00
28	Blacktail	<i>Diplodus sargus capensis</i>	30.00
29	Galjoen	<i>Caracinus capensis</i>	45.00
30	Barber	<i>Galeichthys feliceps</i>	3.00
31	Anchovy	<i>Engraulis capensis</i>	1.50
32	Sardine	<i>Sardinops sagax</i>	1.50
33	Red Eye	<i>Etrumeus whiteheadii</i>	1.50
34	Lantern	Genus <i>Myxtophidae</i>	1.50
35	Gobies	<i>Sufflogobius bibarbatus</i>	1.50
36	Mulletts	Genus <i>Mugilidae</i>	2.00
37	Spring Harders	<i>Liza richardsonii</i>	2.00
38	Moon Fish	<i>Selene dorsalis</i>	5.00
39	Blue Marlin	<i>Makaria nigricans</i>	24.00
40	Sail Fish	<i>Istiophorus platypterus</i>	24.00
41	Dorado Fish	<i>Coryphaena equiselis</i> and <i>Coryphaena hippurus</i>	24.00
42	Mackerel	<i>Scomber japonicus</i>	1.50
43	Cape Fur Seals	<i>Arctocephalus pusillus</i>	4.00
44	Shark Fins		73.17
45	Guano		5.00

6. The levy payable in terms of paragraphs 2, 3 and 4 must be paid to the Permanent Secretary, Ministry of Fisheries and Marine Resources, Private Bag 13355, Windhoek, within 7 days from the last day of the month during which the marine resources is landed.
7. Interest rates at the rate of 12% per annum must be paid on all payments received later than 38 days from the date the marine resource is landed.
8. Payments made in terms of paragraph 6 must be accompanied by a statement certified by a fisheries inspector, a fisheries observer, or any other official of the Ministry as the Permanent Secretary assigns in writing, showing the mass and form landed of each marine resources for which payment is made.
9. These levies are effective from the date of publication of this notice.

MINISTRY OF FISHERIES AND MARINE RESOURCES

No. 159

2017

**DETERMINATION OF QUOTA FEES AND RATE OF INTEREST PAYABLE
ON LATE PAYMENTS: MARINE RESOURCES ACT, 2000**

Under section 44(1) of the Marine Resources Act, 2000 (Act No. 27 of 2000) in consultation with the Advisory Council and with the approval of the Minister of Finance, I -

- (a) determine the fees payable in respect of the harvesting of marine resources as set out in the Schedule; and
- (b) repeal Government Notice No. 253 of 14 October 2016.

B. ESAU**MINISTER OF FISHERIES AND MARINE RESOURCES**

Windhoek, 5 June 2017

SCHEDULE**QUOTA FEES PAYABLE IN RESPECT OF HARVESTING OF MARINE RESOURCES AND
THE RATE OF INTEREST PAYABLE ON LATE PAYMENTS**

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

“Namibian vessel, except a midwater trawl industry vessel,” means a fishing vessel -

- (a) which is registered or licensed under the Merchant Shipping Act, 1951 (Act No. 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 90% of the crew on board, at all times while the vessel is operating under the quota, are Namibian citizens;

“Namibian-based vessel, except a midwater trawl industry vessel,” means a fishing vessel -

- (a) which is registered or licensed under the Merchant Shipping Act, 1951 (Act No. 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 the crew includes Namibian citizens but being less than 90% of the crew; or
- (f) other than a Namibian vessel with at least 90% Namibian crew;

“Namibian vessel, in relation to a midwater trawl industry vessel,” means a fishing vessel -

- (a) which is registered or licensed under the Merchant Shipping Act, 1951 (Act No. 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 55% of the crew on board, at all times while the vessel is operating under the quota, are Namibian citizens;

“Namibian-based vessel, in relation to a midwater trawl industry vessel,” means a fishing vessel -

- (a) which is registered or licensed under the Merchant Shipping Act, 1951 (Act No. 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;
- (e) of which the crew includes Namibian citizens but being less than 55% of the crew; or
- (f) other than a Namibian vessel with at least 55% Namibian crew;

“the Act” means the Marine Resources Act, 2000 (Act No. 27 of 2000);

“whole state”, in relation to a marine resource, means the natural condition of a marine resource and includes a condition after one or more of the following parts, the head, tail, scales or intestines have been removed from a marine resource; and

“mass” of a marine resource means mass as determined with a mass meter approved by the Minister responsible for trade.

2. A person to whom a quota is allocated under section 39(3) of the Act must, in respect of any of the marine resources mentioned below, pay in respect of every kilo of the marine resource so allocated, the appropriate fee specified to such marine resource as set out below:

Species	Fees (% of landed value)
(a) Hake,	
Wetfish -	
(i) Allocated to Namibian vessels	3.1
(ii) Allocated to Namibian-based vessels	6.2
(iii) Allocated to foreign flag vessels	10
Frozen -	
(i) Allocated to Namibian vessels	5
(ii) Allocated to Namibian-based vessels	10
(iii) Allocated to foreign flag vessels	15

(b)	Horse mackerel, excluding horse mackerel caught by purse seine method,	
	Processed at sea -	
	(i) Allocated to Namibian vessels	5
	(ii) Allocated to Namibian-based vessels	10
	(iii) Allocated to foreign flag vessels	15
	Processed on land -	
	(i) Allocated to Namibian vessels	3.1
	(ii) Allocated to Namibian-based vessels	6.2
	(iii) Allocated to foreign flag vessels	10
	For processing fish meal in Namibia	2
(c)	Pilchard -	
	(i) Allocated to Namibian vessels	3.1
	(ii) Allocated to Namibian-based vessels	6.2
	For processing fishmeal in Namibia	2
(d)	Crab -	
	(i) Allocated to Namibian vessels	3.1
	(ii) Allocated to Namibian-based vessels	6.2
	(iii) Allocated to foreign flag vessels	10
(e)	Rock lobster -	
	(i) Allocated to Namibian vessels	3.1
	(ii) Allocated to Namibian-based vessels	6.2
	(iii) Allocated to foreign flag vessels	10
(f)	Tuna -	
	(i) Allocated to Namibian vessels	3.1
	(ii) Allocated to Namibian-based vessels	6.2
	(iii) Allocated to foreign flag vessels	10
(g)	Monk,	
	Wetfish -	
	(i) Allocated to Namibian vessels	3.1
	(ii) Allocated to Namibian-based vessels	6.2
	(iii) Allocated to foreign flag vessels	10
	Frozen -	
	(i) Allocated to Namibian vessels	5
	(ii) Allocated to Namibian-based vessels	10
	(iii) Allocated to foreign flag vessels	15

(h) Orange Roughy -

(i)	Allocated to Namibian vessels	3.1
(ii)	Allocated to Namibian-based vessels	6.2
(iii)	Allocated to foreign flag vessels	10

(i) Seals -

(i)	Bulls	6.2
(ii)	Pups	3.1

3. For the purposes of paragraph 2, the mass of any marine resources must be determined in the whole state.

4. The following landed values of the marine resources must apply:

	Species	Scientific Name	Landed Value N\$/ Kg
1	Hake	<i>Merluccius capensis</i> and <i>Merluccius paradoxus</i>	25.00
2	Horse Mackerel	<i>Trachurus capensis</i>	9.50
3	Crab	<i>Chaceon maritae</i>	52.40
4	Rock Lobster	<i>Jasus lalandii</i>	193.60
5	Pilchard	<i>Sardinops sagax</i>	4.40
6	Monk	<i>Lophius vomerinus</i>	51.20
7	Albacore	<i>Thunnus alalunga</i>	22.00
8	Swordfish	<i>Xiphias gladius</i>	49.00
9	Snoek Frozen	<i>Thyrsites atun</i>	21.80
10	Orange Roughy	<i>Hoplostethus atlanticus</i>	70.00
11	Big Eye Tuna	<i>Thunnus obesus</i>	22.00
12	All Sharks	Genus <i>Hechanchiformes</i>	22.00
13	Yellowfin Tuna	<i>Thunnus albacares</i>	22.00
14	Oil Fish	<i>Ruvettus pretiosus</i>	24.00
15	Sole	Genus <i>Soleilidae</i>	23.00
16	Kingklip	<i>Genypterus capensis</i>	42.38
17	Angel Fish	<i>Brama brama</i>	6.00
18	Panga Reds	Genus <i>Sparidae</i>	5.00
19	Dentex	<i>Dentex macropthalmus</i>	5.00
20	Alfonsino	<i>Beryx splendens</i>	7.00
21	Gurnard	<i>Chelidonichthys capensis</i>	3.00
22	John Dory	<i>Zeus faber</i> and <i>Zeus capensis</i>	3.00
23	Ribbon Fish	Genus <i>Trachipteridae</i>	7.00
24	Squid	Genus <i>Cephalopods</i>	10.00
25	Joacopever	<i>Helicolenus dactylopterus</i>	7.00
26	Steenbras	<i>Lithognathus (aureti, lithognathus and mormyrus)</i>	30.00
27	Kob	<i>Argyrosomus hololepidotus</i>	30.00
28	Blacktail	<i>Diplodus sargus capensis</i>	30.00
29	Galjoen	<i>Caracinus capensis</i>	45.00
30	Barber	<i>Galeichthys feliceps</i>	3.00
31	Anchovy	<i>Engraulis capensis</i>	1.50

32	Sardine	<i>Sardinops sagax</i>	1.50
33	Red Eye	<i>Etrumeus whiteheadii</i>	1.50
34	Lantern	Genus <i>Myctophidae</i>	1.50
35	Gobies	<i>Sufflogobius bibarbatus</i>	1.50
36	Mulletts	Genus <i>Mugilidae</i>	2.00
37	Spring Harders	<i>Liza richardsonii</i>	2.00
38	Moon Fish	<i>Selene dorsalis</i>	5.00
39	Blue Marlin	<i>Makaria nigricans</i>	24.00
40	Sail Fish	<i>Istiophorus platypterus</i>	24.00
41	Dorado Fish	<i>Coryphaena equiselis</i> and <i>Coryphaena hippurus</i>	24.00
42	Mackerel	<i>Scomber japonicus</i>	1.50
43	Cape Fur Seals	<i>Arctocephalus pusillus</i>	4.00
44	Shark Fins		73.17
45	Guano		5.00

5. The quota fee payable in terms of paragraph 2, in respect of the year for which the quota has been allocated, must be paid to the Permanent Secretary: Fisheries and Marine Resources, Private Bag 13355, Windhoek, in four equal installments, calculated in accordance with the formula set out in this paragraph 6, which installments must be paid in respect of -

- (a) the first installment, not later than the 15th day in the last month of the first quarter;
- (b) the second installment, not later than the 15th day in the last month of the second quarter;
- (c) the third installment, not later than the 15th day in the last month of the third quarter; and
- (d) the fourth installment, not later than the last day of the fourth quarter of the year for which the quota has been allocated.

6. For the purposes of calculating the amount of the installments referred to in paragraph 5, the following formula must be applied:

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

- Q = the total quota allocation in kilos;
 F = the quota fee applicable in terms of paragraph 2.

7. Payments made in terms of paragraph 2 must be accompanied by appropriate documentary proof of -

- (a) the category of vessel used; and
- (b) the quantity of marine resource harvested,

countersigned by a fisheries control officer or any other officer as may be assigned by the Permanent Secretary.

8. If a person to whom a quota is allocated under section 39(3) of the Act -

- (a) utilises a foreign vessel in addition to any other vessel for the purpose of catching the allocated quota, he or she must pay the fee applicable to a foreign vessel in respect of any uncaught portion of the allocated quota;
 - (b) does not fall in the category contemplated in paragraph (a) and utilises a Namibian-based vessel in addition to a Namibian vessel, he or she must pay the fee applicable to a Namibian-based vessel in respect of any uncaught portion of the allocated quota; or
 - (c) utilises only Namibian vessels for the purpose of catching the allocated quota, he or she must pay the fee applicable to a Namibian vessel in respect of any uncaught portion of the allocated quota.
- 9.** The interest payable for late payment of fees payable in terms of this notice is 12% per annum of the accrued late payment.
- 10.** These fees are effective from the date of publication of this notice.
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