



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

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No. 51

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Government Notice

OFFICE OF THE PRIME MINISTER

No. 22 1990

PROMULGATION OF ACT OF THE NATIONAL ASSEMBLY

The following Act which has been passed by the National Assembly and signed by the President in terms of the Namibian Constitution is hereby published in terms of Article 56 of that Constitution.

No. 10 of 1990: Sea Fisheries Amendment Act, 1990.

EXPLANATORY NOTE:

————— Words underlined with solid line indicate insertions proposed.

[] Words in bold type in square brackets indicate omissions proposed.

ACT

To amend the Sea Fisheries Act, 1973, to provide for the imposition of a quota levy on quotas allowed for the catching of fish; for a rebate in the case where less than the allowed quota has been caught; and to provide for incidental matters.

(Signed by the President on 16 July 1990)

BE IT ENACTED by the National Assembly of the Republic of Namibia, as follows:-

Amendment of section 19 of Act 58 of 1973.

1. Section 19 of the Sea Fisheries Act, 1973 (hereinafter referred to as the principal Act), is hereby amended by the substitution for subsection (4) of the following subsection:

“(4) Any moneys in the Fund which are not required for immediate use shall be invested [**with the Public Debt Commissioners**] in such manner as the Minister of Finance may approve, and may be withdrawn when required for use.”.

Insertion of section 20A in Act 58 of 1973.

2. The following section is hereby inserted in the principal Act after section 20:

“Imposition of quota levy. **20A.** (1) Apart from any levy imposed under section 20, the Minister may by notice in the *Gazette* impose, for the benefit of the State Revenue Fund, a levy (in this section referred to as a quota levy), at such rate according to mass as the Minister may determine, on any quantity of fish or fish belonging to a particular species which is specified in

any regulations made under section 11(a) in respect of a holder of a fishing boat licence and which quantity such licence holder is by virtue of such regulations authorized to catch in the course of any year or any particular period.

(2) The Minister may in such notice differentiate between different species of fish or different holders or classes of holders of fishing boat licences in regard to the rate of any quota levy.

(3) Any quota levy imposed under subsection (1) -

(a) shall, subject to the provisions of subsection (4), be payable by every holder of a fishing boat licence in respect of whom any quantity of fish or fish belonging to a particular species has been specified by any regulations made under section 11(a), and shall be payable by each such licence holder on the quantity so specified, whether or not such licence holder has caught the quantity so specified or less than that quantity; and

(b) shall be paid in such manner and at such place and time as may be specified in the notice.

(4) Any licence holder who satisfies the Minister, in such manner as the Minister may deem sufficient, that the quantity of fish or fish belonging to a particular species, actually caught by him or her is less than the quantity so specified in respect of him or her, shall be entitled to such rebate on such quota levy as may be specified by the Minister in the notice referred to in subsection (1)."