

(29 May 2001 – to date)

MARINE LIVING RESOURCES ACT 18 OF 1998

(Gazette No. 18930, Notice No. 747. Commencement date: 1 September 1998 [Proc. No. 80, Gazette No. 19148])

DECLARATION OF AREA AS MARINE PROTECTED AREA

Published under Government Notice 473 in Government Gazette 22335, dated 29 May 2001.

Commencement date: 29 May 2001

I, Mohammed Valli Moosa, Minister of Environmental Affairs and Tourism, hereby under Section 43 of the Marine Living Resources Act, 1998 (Act No. 18 of 1998) ("the Act"), declare the area as indicated in the Schedule to be a marine protected area and hereby assign to the marine protected area the name indicated in the Schedule.

MV MOOSA

MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM

SCHEDULE

1.

- (1) In this notice any word or expression to which a meaning has been assigned in the Act shall bear the meaning as assigned to it unless the context indicates otherwise.
- (2) For the purposes of this notice all geographic co-ordinates are based on the World Geodetic System (WGS) 84 (G730) datum.

2. DESCRIPTION OF BOUNDARIES OF MARINE PROTECTED AREA

- (1) The **Walker Bay Whale Sanctuary Marine Protected Area** in the Western Cape Province is the area enclosed by the following points:

The Westcliffe beacon 34°25'.782S; 19°13'.768E (34.4297S; 19.2295E) then east and south east along the coastline to a point onshore at Soplesklip 34°27'.199S; 19°20'.119E (34.4533S; 19.3353E) then south east along the coastline to a point north of the Gans Bay North breakwater 34°34'.681S; 19°20'.628E (34.578S; 19.3438E) to a point offshore of Sopiesklip 34°29'.655; 19°16'.80E (34.4942S; 19.28E) to the Westcliffe beacon 34°25'.782S; 19°13'.768E (34.4297S; 19.2295E).

Prepared by:

In partnership with:

(2) The **Walker Bay Whale Sanctuary Marine Protected Area** comprises the following zones (See Annexure A):

(a) A **Whale Sanctuary Area** enclosed by the following points: The Westcliffe beacon 34°25'.7825; 19°13'.768E (34.4297S; 19.2295E) then east and south east along the coastline to a point onshore at Sopiesklip 34°27'.1995; 19°20'.119E (34.4533S; 19.3353E) to a point offshore of Sopiesklip 34°29'.655; 19°16'.80E (34.4942S; 19.28E) to the Westcliffe beacon 34°25'.782S; 19°13'.768E (34.4297S; 19.2295E).

(b) A **Restricted Area** enclosed by the following points:

A point onshore at Sopiesklip 34°27'.199S; 19°20'.119E (34.4533S; 19.3353E) then south east along the coastline to a point north of the Gans Bay North breakwater 34°34'.681S; 19°20'.628E (34.578S; 19.3438E) to a point offshore of Sopiesklip 34°29'.65S; 19°16'.80E (34.4942S; 19.28E) to a point onshore at Sopiesklip 34°27'.199S; 19°20'.119E (34.4533S; 19.3353E).

3. **STIPULATIONS: MARINE PROTECTED AREA**

(1) The provisions of section 43(2)(a) of the Act and regulation 58 of the Regulations promulgated under the Act shall apply *mutatis mutandis* within the **Whale Sanctuary Area**.

(2) No person shall, except on the authority of a permit, operate any boat, vessel or craft of any kind within the **Whale Sanctuary Area**.

(3) The provisions of section 43(2)(a) of the Act shall not apply to vessels authorised to undertake boat based whale watching in the areas as published in Government Notice No. 417 of 18 February 2000 (Government Gazette No. 20877), or to authorised commercial linefishing, recreational linefishing and harvesting of seaweed or any other marine resource within the **Restricted Area**.

4. The provisions and stipulations of this notice shall only apply for the period 1 July to 30 November in any year, both dates included.

Annexure A

