



GOVERNMENT GAZETTE

OF THE REPUBLIC OF SOUTH AFRICA

REPUBLIEK VAN SUID-AFRIKA

STAATSKOERANT

Registered at the Post Office as a Newspaper

As 'n Nuusblad by die Poskantoor Geregistreer

Selling price • Verkoopprys
(GST excluded/AVB uitgesluit)

Local **50c** Plaaslik

Other countries 70c Buitelands
Post free • Posvry

VOL. 267

CAPE TOWN, 25 SEPTEMBER 1987

No. 10936

KAAPSTAD, 25 SEPTEMBER 1987

STATE PRESIDENT'S OFFICE

KANTOOR VAN DIE STAATSPRESIDENT

No. 2132.

25 September 1987

No. 2132.

25 September 1987

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 63 of 1987: Prevention and Combating of Pollution of the Sea by Oil Amendment Act, 1987.

No. 63 van 1987: Wysigingswet op die Voorkoming en Bestryding van Besoedeling van die See deur Olie, 1987.

Act No. 63, 1987 PREVENTION AND COMBATING OF POLLUTION OF THE SEA BY
OIL AMENDMENT ACT, 1987

GENERAL EXPLANATORY NOTE:

Words underlined with solid line indicate insertions in existing enactments.

ACT

To amend the Prevention and Combating of Pollution of the Sea by Oil Act, 1981, so as to make provision for the jurisdiction of courts and for the imposition of penalties; and to provide for matters connected therewith.

*(English text signed by the State President.)
(Assented to 11 September 1987.)*

BE IT ENACTED by the State President and the Parliament of the Republic of South Africa, as follows:—

Amendment of
section 20 of
Act 6 of 1981.

1. Section 20 of the Prevention and Combating of Pollution of the Sea by Oil Act, 1981, is hereby amended by the addition of the following subsection: 5

“(4) Any offence under this Act shall, for purposes in relation to jurisdiction of a court to try the offence, be deemed to have been committed at any place where the accused happens to be.”

Amendment of
section 30 of
Act 6 of 1981.

2. Section 30 of the Prevention and Combating of Pollution of the Sea by Oil Act, 1981, is hereby amended by the addition of the following subsections: 10

“(3) If any person—

- (a) admits to the Director-General that he has contravened any provision of this Act, or that he has failed to comply with any such provision with which it was his duty to comply; 15
- (b) agrees to abide by the decision of the Director-General; and
- (c) deposits with the Director-General such sum as that officer may require of him, but not exceeding the maximum fine which may be imposed upon a conviction for the contravention or failure in question, 20

the Director-General may, after such enquiry as he deems necessary, determine the matter summarily and may, without legal proceedings, order by way of penalty the whole or any part of the said deposit to be forfeited. 25

(4) There shall be a right of appeal to the Minister, whose decision shall be final, from a determination or order of the Director-General under subsection (3) whereby a penalty exceeding R500 is imposed, provided such right is exercised within a period of three months from the date of such determination or order. 30

(5) The imposition of a penalty under subsection (3) shall be deemed not to be a conviction of an offence, but no prosecution in respect of the offence in question may thereafter be instituted.” 35

Short title.

3. This Act shall be called the Prevention and Combating of Pollution of the Sea by Oil Amendment Act, 1987.