

Territorial Sea and Exclusive Economic Zone of Namibia Amendment Act, 1991

Explanatory note:

Words underlined with solid line indicate insertions in existing enactments.

Words in bold type in square brackets indicate omissions from existing enactments.

ACT

To amend the Territorial Sea and Exclusive Economic Zone of Namibia Act, 1990, in order to establish a contiguous zone for Namibia in which Namibia shall have the right to prevent the contravention of certain laws; to further provide for matters relating to the continental shelf of Namibia; and to provide for matters incidental thereto.

(Signed by the President on 12 December 1991)

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

Insertion of section
3A in Act 3 of 1990
Act),

1. The following section is hereby inserted in the Territorial Sea and Exclusive Economic Zone of Namibia Act, 1990 (hereinafter referred to as the principal

after section 3:

"Contiguous zone
nautical
of Namibia

3A (1) The sea outside the territorial sea of Namibia but within a distance of 24 miles from the low water line or any other baseline from which the territorial sea was measured shall constitute the contiguous zone of Namibia.

(2) In determining the extent of the contiguous zone of Namibia the provisions of section 2(2) shall mutatis mutandis apply.

(3) Within the contiguous zone of Namibia, Namibia shall have the right to exercise any powers which it may consider necessary to prevent the contravention of any fiscal law or any law relating to customs, immigration or health".

Amendment of section
4 of Act 3 of 1990

2. Section 4 of the principal Act is hereby amended by the substitution for paragraph (b) of subsection (3) of the following paragraph:

"(b) Namibia shall have the right to exercise any powers which it may consider necessary to prevent the contravention of [any fiscal law or] any law relating to [customs, immigration, health or] the natural resources of the sea."

Amendment of section
6 of Act 3 of 1990

3. Section 6 of the principal Act is hereby amended by the substitution for subsection (2) of the following subsection:

"(2) The continental shelf referred to in subsection (1) shall [be regarded as part of Namibia and shall] for the purposes of:

(a) the exploitation of the natural resources of the sea; and

(b) any provision of any law relating to mining, precious stones, metals or minerals, including natural oil, which applies in that part of Namibia which adjoins the continental shelf,

be deemed to be State land."

Substitution of long
title to Act 3 of 1990

4. The following long title is hereby substituted for
the long title to the principal Act:

"To determine and define the territorial sea, internal waters, contiguous zone,
exclusive economic zone and continental shelf of Namibia; and to provide for
matters incidental thereto."

Short title

5. This Act shall be called the Territorial Sea and Exclusive Economic Zone of Namibia
Amendment Act, 1991.