



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

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No. 332

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Government Notice

OFFICE OF THE PRIME MINISTER

No. 156

1991

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

Act No. 30, 1991

**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.

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 Act), after section 3:

"Contiguous zone of Namibia.

3A. (1) The sea outside the territorial sea of Namibia but within a distance of 24 nautical miles from the low water line or any other base line 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."

Act No. 30, 1991

**TERRITORIAL SEA AND EXCLUSIVE
ECONOMIC ZONE OF NAMIBIA
AMENDMENT ACT, 1991**

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.
