

SEA AND SEASHORE

Sea Shore Ordinance 37 of 1958.

Summary: This Ordinance provides for the determination of the position of the high-water mark.

Amendments: The application of the Ordinance with respect to Walvis Bay is affected by Proclamation 144 of 1982 (GG 8344).

Territorial Sea and Exclusive Economic Zone of Namibia Act 3 of 1990.

Summary: This Act determines and defines the territorial sea, internal waters, exclusive economic zone and continental shelf of Namibia. It was brought into operation on 10 July 1990 by Proc. 6/1990 (GG 44).

Amendments: Act 30/1991 amends sections 4 and 6, inserts section 3A and substitutes the long title in order to establish a contiguous zone in which Namibia shall have the right to prevent the contravention of certain laws and to further provide for matters relating to the continental shelf. Act 29/1992 amends the Schedule.

Cases:

Pineiro & Others v Minister of Justice & Others 1991 NR 283 (HC)
S v Carracelas & Others (1) 1992 NR 322 (HC)
S v Carracelas & Others (2) 1992 NR 329 (HC)
S v Carracelas & Others (3) 1992 NR 336 (HC)
S v Martinez 1993 NR 1 (HC)
S v Pineiro & Others 1993 NR 24 (HC).

INTERNATIONAL LAW

United Nations Convention on the Law of the Sea, 1982

signature: 10 December 1982; ratification: 18 April 1983 (represented by the United Nations Council for Namibia as stipulated in Article 305, paragraph 1 (b), of the Convention)

Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982, 1994

signature: 29 July 1994; accession by means of the simplified procedure set out in articles 4 (3)(c) and 5: 16 Nov 1994

Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, 1995 (came into force internationally on 11 December 2003)

signature: 19 April 1996

ratification: 8 April 1998 (Proc. 10/1998, GG 1862)

Cases: *S v Curras* 1991 NR 208 (HC); *Pineiro & Others v Minister of Justice & Others* 1991 NR 283 (HC); *S v Carracelas & Others (2)* 1992 NR 329 (HC); *S v Martinez* 1993 NR 1

(HC); *S v Pineiro & Others* (1) 1993 NR 24 (HC).

See also *Prevention and Combating of Pollution of the Sea by Oil Act 6 of 1981*
(ENVIRONMENT).

See also **MARINE AND FRESHWATER RESOURCES.**