

General note: look to the Maritime Zones Act and Integrated Coastal Management Act and make sure that all definitions are in line with these - ICMA supersedes MZA. I have a problem with the use of words such as "ocean" which is undefined, while "sea" is defined and should be used. Similarly, for "reserves" and other terms.

"hydrographic data" means all data obtained from the measurement and description of the physical features of the navigable portion of the earth's surface ~~sea~~ and adjoining coastal area zone, with special reference to their use for the purpose of offshore navigation; *(note: navigation occurs in the air, on land and at sea, not only at sea)*

"hydrographic surveying" means surveying for the purpose of determining geospatial data relating to bodies of water or oceans the sea, internal waters, inland water bodies and terrain in the vicinity and beneath these;

"hydrographic surveyor" means any person who studied and practises the science of hydrography, and who is registered in terms of the Professional and Technical Surveyors Act, 1984 (Act No. 40 of 1984) Geomatics Profession Act 19 of 2013 as a Geomatics Professional in the category of practice associated with registration of hydrographic surveyors;

"low-tide elevation" means a naturally formed area of land which is surrounded by water and which is above water at low tide, but submerged at high tide and situated within a distance of not more than 12 nautical miles from the low-water line of the mainland or of an island

"low-water" means the mean height of low-water for a tidal cycle of 18,6 years

"low-water line" means the intersection of the low-water tidal plane with the land and includes the low-water line on a low-tide elevation *(as defined in the Maritime Zones Act)*

nautical publication and nautical chart" means a special purpose map or book (digital or analogue), or a specially compiled database from which such a map or book is derived which is authorised by the Hydrographic Office, designed to meet the requirements of marine navigation or other relevant government institutions;

"Sea" means all marine waters, including— (a) the high seas; (b) all marine waters under the jurisdiction of any state; and (c) the bed, subsoil and substrata beneath those waters, but does not include estuaries *(as defined in the National Environmental Management: Integrated Coastal Management Act as amended)*

"user" means any person who buys information from or products of the Hydrographic Office or who pays for the services of the Hydrographic Office. *Comment: why only those who pay?*

Section 4(c): add

to determine the position of the low-water line

(being the normal baseline referred to in the Maritime Zones Act - see section 13 - amendment of Schedule 3 - this is the duty of the Hydrographer since it is represented on charts - it defines the limits of the Republic and so it is very important that the responsibility is conveyed and not assumed). Note - the Ministerial oversight is different for the MZA and this Act - the low-water line should not be determined by the Minister of Defence.

Section 4(c): add

to determine the terminals of straight baselines as defined in the Maritime Zones Act

Section 7(1):

beach is not the sea shore - it is land above the high-water mark that is for public purposes such as parking, ablutions etc. So....

Change in (a), (b) and (c):

...any sea shore, land, beach, enclosed place or coastal reserve on land or ocean, sea or estuary.

Section 7(2)

Change "reserve" throughout to "coastal reserve"

Section 8(1)poses..... (note the "s")

It would be good if the separation of powers and responsibilities between the Minister of Defence (Maritime Zones Act), the Minister of Environmental Affairs (Integrated Coastal Management Act), the Minister of Transport (Hydrographic Bill) and the Minister of Rural Development and Land Reform (National Geospatial Information as well as the Surveyor-General and Deeds Registrar – offshore diagrams and data acquisition and management) could be clearly defined.

Especially with reference to:

- *Surveying of the low-water line (normal baselines)*
- *Determining basepoints of straight baselines*
- *Determining of the boundaries between adjacent States*

(straight baselines and normal baselines define the inner boundaries of the maritime zones and hence the RSA sovereignty and jurisdictions)

(The departments need to co-operate to determine the median lines between adjacent States)

- *Surveying of the low-water mark*

(as the seaward extent of the sea shore being land held in custody by the State)

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