

P Vrancken *South Africa and the Law of the Sea* (2011) Chapter Two Update¹

Page 53, line 6

After the full stop, insert footnote number 1.

Page 53, footnote 1

After the last line of the text, insert the following footnote:

See S. Talmon “Article 121” in A. Proelss (ed.) *United Nations Convention on the Law of the Sea – A Commentary* (2017) 858–868.

Page 53, line 9

Replace footnote number 1 with footnote number 1A.

Page 53, footnote 1A

Add the following sentence:

See C. Symmons “Article 13” in Proelss (n. 1) 131–142.

Page 53, footnote 2

Add the following sentence:

See A. Proelss “Article 60” in Proelss (n. 1) 464–469 and 479–480.

Page 53, footnote 3

Add the following sentence:

See Talmon (n. 1) 868–879.

Page 53, footnote 7

Add “; Talmon (n. 1) 879–880” at the end of the second sentence.

Page 53, footnote 10

Add the following sentence:

See further Y. Tanaka *The International Law of the Sea* (2015) 111–119.

Page 54, footnote 19

Replace “7(c)” with “7(1)(c)”.

Page 55, line 6

After the closing bracket, insert footnote number 24A.

Page 55, footnote 24A

After footnote 24, insert the following footnote:

1037 UNTS 151, (1972) 11 ILM 1358. Adopted: 16.11.1972; EIF: 17.12.1975.

Page 55, footnote 27

Replace “that (a)” with “that: (a)”.

Page 56, footnote 28

Replace “that (a)” with “that: (a)”.

Page 57, lines 1–2

¹ The research assistance of Ms Rachael Chasakara is gratefully acknowledged.

Replace “Minister of Water and Environmental Affairs” with “Minister responsible for environmental matters”.

Page 57, footnote 30

The first sentence is to read as follows:

GN 569 of 2014 [GG 37830 of 18 July 2014].

Page 57, footnote 31

Replace “must “(a)” with “must: “(a)”.

Page 58, line 2

Replace “with (i)” with “with: (i)”.

Page 58, lines 4–6

Replace “the NHRA,³⁴ the Cultural Institutions Act, 1998 (CIA),³⁵ the Development Facilitation Act, 1995,³⁶ and the National Parks Act, 1976 (NPaA);³⁷ (iii)” with “the NHRA³⁴ and the Cultural Institutions Act, 1998 (CIA);³⁵ (iii)”.

Page 58, footnote 36

Delete the footnote and see footnote 38.

Page 58, footnote 37

Delete the footnote and see footnote 38.

Page 58, footnote 38

Add the following sentence:

The provision mentions also the Development Facilitation Act, 1995 (Act 67 of 1995), which was repealed by s. 59 of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), and the National Parks Act, 1976 (Act 57 of 1976), which was repealed by s. 90 NEMPAA.

Page 58, footnote 39

- (a) Replace “at least (a)” with “at least: (a)”.
- (b) Replace “by (i)” with “by: (i)”.
- (c) Replace “the (i)” with “the: (i)”.
- (d) Replace “(vi) ’alienation” with “(vi) alienation”.

Page 59, line 2

Replace “Minister of Arts, Culture, Science and Technology” with “Minister responsible for arts and culture”.

Page 59, line 6

Replace “Minister.”⁴² with “Minister”⁴².

Page 59, footnote 43

- (a) Replace “including (a)” with “including: (a)”.
- (b) Replace “to (i)” with “to: (i)”.

Page 59, footnote 52

Replace “reg. 43 NEMPAR” with “reg. 43(l) NEMPAR”.

Page 60, last two lines

Replace “Minister of Water and Environmental Affairs” with “Minister responsible for environmental matters”.

Page 60, footnote 55

Replace “47(2) and 47(4)” with “47(2), 47(3A) and 47(4)”.

Page 60, footnote 56

Add the following sentence:

See also the map in GG 32873 of 22 January 2010 at 38.

Page 60, footnote 57

Delete the first sentence.

Page 60, footnote 58

Replace “7(c)” with “7(1)(c)”.

Page 61, line 1

Replace “anyone (i)” with “anyone: (i)”.

Page 61, line 12

Replace “includes (i)” with “includes: (i)”.

Page 61, lines 19–21

Replace “include (i)” with “include: (i)”.

Page 62, footnote 67

Replace “team (i)” with “team: (i)”.

Page 62, footnote 68

Replace “4(2)” with “4(2)(d)”.

Page 64, line 12

Replace “that (i)” with “that: (i)”.

Page 65, line 3

Replace “Black Rocks and Bird Island” with “Algoa Bay Black Rocks and Algoa Bay Bird Island”.

Page 65, last two lines

Replace with the following:

(g) a zoning of the area indicating what activities may take place in different sections of the area, and the conservation objectives of those sections, provided that in a marine protected area, the zoning must not conflict with a zoning in terms of section 48A(2)(a).

Page 65, footnote 90

Replace the first seven sentences with “GN 281 of 2005 [GG 27408 of 1 April 2005] read with GN 236 of 2013 [GG 36295 of 27 March 2013].”.

Page 65, footnote 91

Replace “31(1)(aA)” with “38(1)(aA)”.

Page 65, footnote 96

Replace “*Ibid*” with “Section 41(2) NEMPAA as amended by s. 11 of the National Environmental Management: Protected Areas Amendment Act, 2014 (Act 21 of 2014)”.

Page 66, line 9

Replace “2,200” with “1,700”.

Page 66, footnote 98

The third sentence is to read as follows:

In terms of s 52(2) NEMPAA, those rules: “(a) must be consistent with [the NEMPAA] and the management plan for the area; (aA) must be consistent with any zoning or permitting done in terms of section 48A(2), and if there is a conflict, such zoning and permitting prevails; (b) bind all persons in the area, including visitors; (c) may, as a condition for entry, provide for the imposition of fines for breaches of the rules; and (d) must be published in the *Gazette*”.

Page 66, footnote 99

The third sentence is to read as follows:

See further <www.sanap.ac.za/stations/gough-base/> (accessed on 7 January 2019).

Page 69, lines 15–17

Delete the three sentences, including footnote numbers 125 and 126.

Page 69, footnotes 125–126

Delete the footnotes.

Page 70, last two lines

Delete the sentence, including footnote number 139.

Page 70, footnote 135

The footnote is to read as follows:

See further par. 2.1.3 above.

Page 70, footnote 136

Replace “996 UNTS 243” with “996 UNTS 245, (1972) 11 ILM 969. Adopted: 2 February 1971; EIF: 21 December 1975”.

Page 70, footnote 138

The footnote is to read as follows:

See <http://archive.ramsar.org/pdf/sitelist_order.pdf> (accessed on 7 January 2019).

Page 70, footnote 139

Delete the footnote.

Page 71, line 17

Insert footnote number 144A after “1959”.

Page 71, footnote 144A

After footnote 144, insert the following footnote:

On 1 December 1959.

Page 71, footnote 146

Insert the following at the beginning of the footnote:

On 23 June 1961.

Page 71, footnote 148

Add the following:

See also I.J. Ansorge *et al* “Exploring South Africa’s southern frontier: A twenty year vision for polar research” (2017) 113 *South African Journal of Science* 1–7.

Page 72, footnote 149

The footnote is to read as follows:

See <<https://www.scar.org/about-us/history/>> (accessed on 7 January 2019).

Page 72, footnote 150

The footnote is to read as follows:

See <<http://www.sanap.ac.za/>> (accessed on 7 January 2019).

Page 71, footnote 151

Add the following:

See also B. Hince “Book review of B.J. Huntley *Exploring a Sub-Antarctic Wilderness: A Personal Narrative of the First Biological and Geological Expedition to Marion and Prince Edwards Islands 1965/1966* (2016)” (2017) 72 *Transactions of the Royal Society of South Africa* 95–96.

Page 72, footnote 152

Add the following:

“South Africa’s Antarctica programme, its SANAE IV base, its new polar vessel Agulhas II, and the level of scientific research conducted, [is] at a level comparable to that of developed countries” [S. de Wet “Highlights from the Office of the Chief State Law Adviser (international law)” (2013) 38 SAYIL 181].

Page 73, lines 6–7

Replace “Minister of Water and Environmental Affairs” with “Minister responsible for environmental matters”.

Page 73, footnote 161

Insert the following between the two sentences:

Adopted: 1 June 1972; EIF: 11 March 1978.

Page 74, footnote 167

Insert the following between the two sentences:

Adopted: 20 May 1980; EIF: 7 April 1982.

Page 74, footnote 168

(a) Replace “(1991) 30 ILM 1455” with “2941 UNTS 3, (1991) 30 ILM 1455”.

(b) *Insert the following between the two sentences:*

Adopted: 4 October 1991; EIF: 14 January 1998.

Page 74, footnote 174

Add the following:

South Africa was involved for the first time in an inspection as part of a joint German-South African inspection team which inspected four Antarctic bases during the Antarctic summer in January 2013 [see further de Wet (n. 152) 180–181].

Page 74, footnote 176

Replace “I(1)” with “III(1)”.

Page 78, footnote 219

Replace “of (a)” with “of: (a)”.

Page 75, footnote 189

Insert the following between the two sentences:

Adopted: 2 December 1946; EIF: 10 November 1948.

Page 80, lines 14–15

Replace “Minister of Water and Environmental Affairs” with “Minister responsible for environmental matters”.

Page 80, line 19

Replace “Minister of Water and Environmental Affairs” with “Minister responsible for environmental matters”.

Page 81, line 3

Replace “Department of Water and Environmental Affairs” with “Department responsible for environmental matters”.

Page 81, footnote 242

Replace “Director-General: Water and Environmental Affairs” with “Director-General responsible for environmental matters”.