

**Territorial Waters Act No. 87 of 1963, as amended by the Territorial Waters Amendment Act, No. 98 of 1977**

Act

To determine and define the territorial waters and the fishing zone of the Republic of South Africa and the territory of South-West Africa and to provide for the exploitation of certain natural resources of the continental shelf of the Republic and of the said territory and for other incidental matters.

...

**Definition of terms**

1. In this Act, unless the context otherwise indicates:

"fish" means the living resources of the sea;

"low-water mark" means the lowest line to which the water of the sea recedes during periods of ordinary spring tides;

"nautical mile" means the international nautical mile of 1,852 metres;

(Definition of "nautical mile" inserted by s.1 (a) of Act No. 98 of 1977)

"Republic" ...

(Definition of Republic deleted by s.1 (b) of Act No. 98 of 1977)

"sea" means the water and the bed of the sea.

**Territorial waters of the Republic**

2. The sea within a distance of twelve nautical miles from the low-water mark shall be the territorial waters of the Republic.

(S.2 substituted by s.2 of Act No. 98 of 1977)

...

**Application of laws relating to the territorial waters, etc.**

5. Any law relating to the territorial waters of the Republic or to the sea within a distance of three miles or three nautical miles from the low-water mark, shall apply:

(a) In respect of the territorial waters of the Republic as defined in section two; or

...

**Determination of territorial waters and  
fishing zone in special cases**

6. (1) In the determination of the extent of the territorial waters of the Republic referred to in section two, the rules contained in the Convention on the Territorial Sea and the Contiguous Zone signed at Geneva on the twenty-ninth day of April 1958, shall apply.

**Exploitation of natural resources of, and application of laws  
relating/to mining, precious stones, etc., to continental shelf**

7. The continental shelf as defined in the Convention on the Continental Shelf signed at Geneva on the twenty-ninth day of April, 1958, or as it may from time to time be defined by international convention accepted by the Republic, shall be deemed to be part of the Republic for the purposes of the exploitation of natural resources as defined in such convention, and of any law relating to mining, precious stones, metals or minerals, including natural oil, which applies in that part of the Republic which adjoins such continental shelf, and for the purposes of any such law the said continental shelf shall be deemed to be unalienated State land.

**Application to South-West Africa**

8. This Act shall apply also in respect of the territory of South-West Africa.

...

**Short title**

9. This Act shall be called the Territorial Waters Act, 1963.