
GOVERNMENT NOTICE

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM

No. R. 210

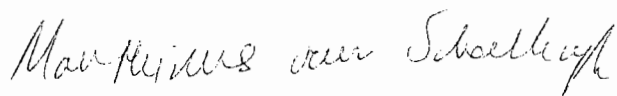
27 February 2009

NATIONAL ENVIRONMENTAL MANAGEMENT: BIODIVERSITY ACT, 2004

(Act NO. 10 OF 2004):

THREATENED OR PROTECTED SPECIES SECOND AMENDMENT REGULATIONS, 2009

I, Marthinus Christoffel Johannes Van Schalkwyk, Minister of Environmental Affairs and Tourism, under section 97 of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004), made the regulations in the Schedule.



MARTHINUS VAN SCHALKWYK
MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM

SCHEDULE

Definitions

1. In these regulations—

“the Regulations” means the Threatened or Protected Species Regulations, 2007, published in Gazette No. 29657, Notice No. R. 152 of

23 February 2007, as amended by Notice No. R. 69 of 28 January 2008, published in Gazette No. 30703, as amended by Notice No. R. 209 of 27 February 2009, published in Gazette No. 31962.

Regulation 3 of the Regulations

2. The following regulation is hereby substituted for regulation 3 of the Regulations:

“3. (1) All permit applications must be decided upon by an issuing authority.

(2) The Minister is the issuing authority for permits relating to the carrying out of restricted activities involving any listed threatened or protected species—

- (a) in a protected area or an area managed by or under control of an organ of state, where the restricted activities will be carried out by an official of an organ of state;
- (b) that are marine species, including listed threatened or protected marine species in marine protected areas;
- (c) by an organ of state for the control of damage causing animals originating from protected areas or private land in compliance with regulation 14.

(3) The MEC is designated as an issuing authority for permits relating to the carrying out of restricted activities involving specimens of listed threatened or protected species in the province, excluding permits relating to—

- (a) restricted activities carried out by officials of organs of state in protected areas or areas under control of organs of state;
- (b) listed threatened or protected marine species;