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WORLD HERITAGE CONVENTION ACT, 1999

ESTABLISHMENT OF THE GREATER ST. LUCIA WETLANDS PARK AND AUTHORITY

I, Mohammed Valli Moosa, Minister of Environmental Affairs and Tourism, hereby under-

- a. The definition of "World Heritage Site" in section 1 of the World Heritage Convention Act, 1999 (Act No 49 of 1999) (hereinafter referred to as "the Act"), proclaim the Greater St. Lucia Wetlands Park as depicted on the proclamation diagram in Annexure 1.
- b. Section 9 of the Act, establish an Authority for the Greater St. Lucia Wetlands Park.
- c. Section 11 of the Act, determine the name of the Authority to be the "Greater St. Lucia Wetlands Park Authority".
- d. Section 10 of the Act, determine that the Authority shall exercise its powers and perform its duties through a Board and Executive Staff Component as set out in the Act and the Regulations.
- e. Section 13 of the Act, give the following powers to the Authority in connection with the GSLWP, and if appropriate, surrounding areas, to-
 - i. liaise with relevant nature conservation, cultural and similar authorities on a local, provincial, national and international level;
 - ii. conserve, manage, promote, facilitate and monitor natural and cultural heritage;
 - iii. manage natural and cultural heritage in accordance with the Act, Regulations and all applicable national and provincial legislation, policies and management plans;
 - iv. negotiate land claims over-
 - aa. State land with claimants, in consultation with the Department of Land Affairs in terms of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1944), and settle any such claims, with the approval of the Minister for Agriculture and Land Affairs or his or her delegate; or
 - bb. private land forming part of or affecting the GSLWP with the owner, and settle any such claims;
 - v. acquire land or rights in land by contract, donation or otherwise;
 - vi. charge fees, rent or consideration for-
 - aa. any function it fulfils; or
 - bb. any right it grants;
 - vii. use for gain or reward any movable and immovable asset under its control, subject to all applicable law, where such asset is not required by the Authority for the fulfilment of its functions, but such movable and immovable property that is required for the fulfilment of the functions of the Authority may not be alienated, leased or encumbered without the prior written approval of the Minister;
 - viii. undertake, or cause to be undertaken, research or investigations relevant to the GSLWP;
 - ix. co-ordinate with-
 - aa. the relevant tribunals under the Development Facilitation Act, 1995 (act No. 67 of 1995), if applicable; or
 - bb. similar bodies or relevant planning authorities, on a national, provincial and local level,in order to expedite sustainable development in the GSLWP and to ensure that development takes place in accordance with all applicable law and procedures;
 - x. initiate, assist, comment on and facilitate any application under the Development Facilitation Act, 1995,

or other applicable development, planning or management law relating to or affecting the GSLWP;
xi. perform any function, on contractually agreed terms that are fair in relation to the obligations imposed on an Authority, at the request of-

- aa. a national government department;
- bb. an institution or statutory body;
- cc. another country or any international organisation;
- dd. a province;
- ee. a regional council;
- ff. a local government; or
- gg. any other entity or person approved by the Minister;

xiii. employ persons or entities on a permanent or temporary basis;
xiv. make rules regarding all matters reasonably necessary-

- aa. to fulfil the duties of the Authority;
- bb. for the proper day-to-day management and functioning of the GSLWP;
- cc. establish committees and subcommittees and otherwise arrange its internal affairs in a manner it deems necessary;

xiv. enter into contracts in an open and transparent manner regarding nature conservation or cultural development with a competent national, provincial or local government or private nature conservation entity with the necessary administrative capacity and resources; and

xv. do all things incidental or reasonably necessary for the proper fulfilment of the foregoing.

- f. Section 19(2) of the Act, unless otherwise provided in the Act or the Regulations, give all powers of the Authority to the Executive Staff Component, but any action which will result or has a reasonable likelihood to result in an obligation for the Authority in excess of R500,000 (annually adjusted for inflation, using 2000 as basis year) shall also be referred to the Board for approval; Provided that in the case of an emergency or if other compelling reasons exist this requirement can be postponed and ratification can be sought afterwards from the Board at the first available opportunity.
- g. Section 32 of the Act, declare that Chapter VI of the Act shall apply to the Authority.

ANNEXURE 1

[proclamation diagram to be inserted]