

DEPARTMENT OF ENVIRONMENTAL AFFAIRS**No. R. 75****12 February 2010****NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (Act NO. 107 OF
1998):
ADMISSION OF GUILT FINES REGULATIONS**

I, Buyelwa Patience Sonjica, Minister of Water and Environmental Affairs, hereby, in terms of section 47(1) of the Act, publish for public comment, the draft Admission of Guilt Fines Regulations, in the Schedule.

Any person who wishes to submit representations or comments in connection with the draft regulations are invited to do so within 30 days of the date of this notice. All representations and comments must be submitted in writing to the Director-General of the Department of Environmental Affairs:

By post to: The Director-General: Environmental Affairs
 Attention: Dr G I Cowan
 Private Bag X447
 Pretoria, 0001

By fax to: (012) 322 7114, and by e-mail to Gcowan@deat.gov.za

**BUYELWA SONJICA
MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS
DATE:**

SCHEDULE

Definitions

1. In these regulations—

“the Act” means the National Environment Management Act, 1998 (Act No. 107 of 1998);

“**Protected Areas Act**” means the National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003);

“**Protected Areas Regulations**” means Regulations for the Proper Administration of Special Nature Reserves, National Parks and World Heritage Sites issued in terms of section 86 of the National Environmental Management: Protected Areas Act in Government Notice No. R. 1060 of 28 October 2005;

Offences in terms of Protected Areas Regulations in respect of which admission of guilt fines may be paid

2. The offences in terms of the Protected Areas Regulations referred to in the first column of the Table in Annexure 1 hereto are offences in respect of which the admission of guilt fines referred to in the last column of the Table may be paid.

Offences in respect of which admission of guilt fines may not be paid

3. An offence in terms of the Protected Areas Regulations which is not listed in Annexure 1 hereto is an offence in respect of which an alleged offender does not have the option of paying an admission of guilt fine to avoid prosecution.

Short title and commencement

4. These regulations are called the Admission of Guilt Fines Regulations, 2008, and take effect on the date of publication of the regulations in the Government Gazette.

ANNEXURE 1
OFFENCES IN TERMS OF PROTECTED AREAS REGULATIONS IN
RESPECT OF WHICH ADMISSION OF GUILT FINES MAY BE PAID

| SECTION | DESCRIPTION | AMOUNT |
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| 47 (2)(a) | Land or take off in an aircraft from a place other than a designated landing field or place. | R 2500,00 |
| 47 (2)(b) | Land or take off in an aircraft without permission and on conditions determined by management authority. | R 2500,00 |
| 47 (3) | Fly at an altitude less than 2500 feet over the highest point of the Park. | R 2500,00 |
| Regulation No. | Description of offence | Amount of fine |
| 4(1)(a) | Introduction of any species or part thereof into a special nature reserve, national park or world heritage site. | R 1500,00 |
| 4(1)(c) | Intentionally disturbing any species or specimen in a special nature reserve, national park or world heritage site. | R 1000,00 |
| 4(1)(d) | Feeding any species in a special nature reserve, national park or world heritage site. | R 500,00 |
| 4 (1)(f) | Illegal removal of any wood, sand, gravel, stone, sea shell, guano or other material. | R 1000,00 |
| 4(1)(i) | Significant alteration or changing the sense of place, or any environmental, cultural or spiritual values in a special nature reserve, national park or world heritage site. | R 1500,00 |
| 8(3) | Entering or remaining in a special nature reserve, national park or world heritage site or part thereof that has been closed by the management authority of the reserve, park or site in terms of regulation 8(2). | R 1000,00 |
| 9(1) | Entering or remaining in a special nature reserve, national park or world heritage site or part thereof without paying an entrance fee as determined by the management authority of the reserve, park or site. | R 1000,00 |
| 9(2) | Entering or remaining within the boundaries of accommodation or recreational facilities without paying the fees determined for such accommodation or facilities. | R 1000,00 |
| 10(1) | Entering or leaving any place other than through | R 1500,00 |

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| | an official point of entry or exit without the written permission of the management authority of the reserve, park or site. | |
| 11 (1) | Failing to display receipt for the entrance fee in respect of, or the permit authorizing him/her entry into the special nature reserve, national park or world heritage site. | R 500,00 |
| 11 (2) | Failing to display a permit for camping in a special nature reserve, national park or world heritage site. | R 500,00 |
| 13(1)(a) | Staying overnight in a special nature reserve, national park or world heritage site without the permission of the management authority of the reserve, park or site. | R 1500,00 |
| 13(1)(b) | Staying overnight in a special nature reserve, national park or world heritage site without payment of the applicable fees. | R 1500,00 |
| 13(1)(c) | Staying overnight in a special nature reserve, national park or world heritage site without first reporting to the designated reception office or to an authorized official assigned to perform escort duty. | R 1500,00 |
| 13(1)(d) | Staying overnight in a special nature reserve, national park or world heritage site if no accommodation has been reserved or if none is available. | R 1500,00 |
| 13(1)(e) | Staying overnight on a houseboat or any other vessel in a special nature reserve, national park or world heritage site without the permission of the management authority of the reserve, park or site. | R 1500,00 |
| 13(1)(f) | Staying overnight in a special nature reserve, national park or world heritage site at any place other than a place designated by the management authority of the reserve, park or site. | R 1500,00 |
| 13(2) | Camping in a special nature reserve, national park or world heritage site at a site other than a site set aside for that purpose by the management authority of the reserve, park or site. | R 1500,00 |
| 14 | Entering, leaving or traveling in a special nature reserve, national park or world heritage site at any time other than the times determined by the management authority of the reserve, park or site. | 15 minutes warning, thereafter R 500,00 with R 250,00 |

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| | | increase after every 30 minutes |
| 15 | Entering a special nature reserve, national park or world heritage site or traveling in a special nature reserve, national park or world heritage site in a vehicle that does not conform to the dimensions and other requirements determined by the management authority of the reserve, park or site. | R 1000,00 |
| 16(1)(a) | Driving, parking or stopping a vehicle in a special nature reserve, national park or world heritage site in such a way that it constitutes a nuisance, disturbance or danger to any other person, specimen or species. | R 2000,00 |
| 16(1)(b) | Driving in a special nature reserve, national park or world heritage site in such a way that it causes an obstruction or blocks the pathway of a management operation or emergency vehicle. | R 1500,00 |
| 16(1)(c) | Parking a vehicle in a place other than a place designated for that purpose in a special nature reserve, national park or world heritage site. | R 500,00 |
| 16(1)(d) | Driving or parking in a special nature reserve, national park or world heritage site in an area other than a designated road or place. | R 1000,00 |
| 16(1)(e) | Damaging, or acting in a way that could damage, any roads or other structures, plants or animals in a special nature reserve, national park or world heritage site. | R 1000,00 |
| 16(2) | Entering or being in a special nature reserve, national park or world heritage site in a vessel that does not comply with requirements of management authority's internal rules, subject to the provisions of the Merchant Shipping Act, 1951. | R 2500,00 |
| 17 | Using a vessel in a water area of a special nature reserve, national park or world heritage site without the permission of the management authority of the reserve, park or site. | R 1500,00 |
| 18(1) | Using a vehicle or vessel which is propelled by a propeller above the water in a water area. | R 2500,00 |
| 18(2) | Painting a vessel in a water area without written approval of the management authority. | R 1000,00 |
| 18(3) | Disposing liquid or solid waste, including motor oil, in a water area, or in an area other than a area designated by the management authority | R 2500,00 |

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| | of the reserve, park or site for that purpose. | |
| 18(4) | Intentionally obstructing, disturbing, interrupting or annoying another person engaged in the proper use of a special nature reserve, national park or world heritage site. | R 1000,00 |
| 18(5) | Throwing, rolling or discharging a stone, substance or missile in a special nature reserve, national park or world heritage site. | R 1000,00 |
| 18(6) | Defacing, painting, writing on, cutting names or letters in, or otherwise making marks or affixing bills on trees, rocks, gates, fences, buildings, signs or other property, or in any other manner spoiling features, buildings or facilities in a special nature reserve, national park or world heritage site. | R 2500,00 |
| 18(7) | Without authorization by the management authority of a special nature reserve, national park or world heritage site, moving, defacing or otherwise interferes with a Protected Areas Notice, notice board or other sign board affixed to or placed in a special nature reserve, national park or world heritage site. | R 2000,00 |
| 20(1)(a) | Filming and simultaneously transmitting photographic images in a special nature reserve, national park or world heritage site by the use of a webcam or other image recording or transmitting device without a license, permit or agreement with the management authority of the reserve, park or site. | R 2500,00 |
| 20(1)(b) | Conducting a tour in a special nature reserve, national park or world heritage site without a license, permit or agreement with the management authority of the reserve, park or site. | R 2000,00 |
| 20(1)(c) | Conducting any kind of competition in a special nature reserve, national park or world heritage site without a license, permit or agreement with the management authority of the reserve, park or site. | R 1500,00 |
| 20(1)(d) | Selling or hiring of goods or the offering of goods for sale or hire in a special nature reserve, national park or world heritage site without a license, permit or agreement with the management authority of the reserve, park or site. | R 1000,00 |
| 20(1)(e) | Providing or offering goods for sale or hire in a | R 1000,00 |

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| | special nature reserve, national park or world heritage site without a license, permit or agreement with the management authority of the reserve, park or site. | |
| 20(1)(g) | Conducting research in a special nature reserve, national park or world heritage site without a license, permit or agreement with the management authority of the reserve, park or site | R 1500,00 |
| 20(1)(h) | Conducting an activity of any kind for the purpose of fund raising, personal gain or making a profit in a special nature reserve, national park or world heritage site without a license, permit or agreement with the management authority of the reserve, park or site. | R1500,00 |
| 20(1)(i) | Undertaking any organized or special event in a special nature reserve, national park or world heritage site, including sporting or cultural events without a license, permit or agreement with the management authority of the reserve, park or site. | R 1500,00 |
| 20(1)(j) | Visual imaging of animals in a special nature reserve, national park or world heritage site for the purpose of virtual hunting or other similar activities without a license, permit or agreement with the management authority of the reserve, park or site. | R 1500,00 |
| 22(a) | Using, or causing to be used, any loud speaker or similar device or other noisy equipment in a special nature reserve, national park or world heritage site without the permission of the management authority of the reserve, park or site. | R 2000,00 |
| 22(b) | Constructing or erecting any booth, marquee or other structure in a special nature reserve, national park or world heritage site without the permission of the management authority of the reserve, park or site. | R 1000,00 |
| 22(c) | Organising or causing to be organised, attending or participating in any public meeting, demonstration or gathering in a special nature reserve, national park or world heritage site without the permission of the management authority of the reserve, park or site. | R 2500,00 |
| 23(1)(d) | Failing to comply with a notice restricting the | R 1000,00 |

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| | use and access of any person or anything referred to in the notice to any land or water area in a special nature reserve, national park or world heritage site. | |
| 25(1) | Performing any activity in a special nature reserve, national park or world heritage site in a water area or part thereof which has been restricted by the management authority of the reserve, park or site. | R 2500,00 |
| 25(2) | Launching, or using a vessel on a dam, reservoir, lake, river, or other body of water in a special nature reserve, national park or world heritage site without the permission of the management authority of the reserve, park or site. | R 1500,00 |
| 26(a) | Bathing, swimming or diving in any area in a special nature reserve, national park or world heritage site except where bathing and swimming is permitted. | R 1000,00 |
| 28 | Except in an emergency, handling, touching or using in any manner a life- saving rope, buoy or other life- saving apparatus in or at a water area. | R 500,00 |
| 29(1) | Water skiing in a water area other than in a place and at times permitted by the management authority of the reserve, park or site. | R 1500,00 |
| 30(a) | Engage in sport of climbing rock faces in a national park or world heritage site without the written permission of the management authority of the reserve, park or site. | R 2500,00 |
| 30(b) | Parachuting or abseiling in a national park or world heritage site without the written permission of the management authority of the reserve, park or site. | R 2500,00 |
| 30(c) | Using a hang glider or any other kind of glider in a national park or world heritage site without the written permission of the management authority of the reserve, park or site. | R 2500,00 |
| 30(d) | Launching or flying a hot air balloon in a national park or world heritage site without the written permission of the management authority of the park or site. | R 2500,00 |
| 30(e) | Flying model planes or gliders in a national park or world heritage site without the written permission of the management authority of the | R 2500,00 |

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| | reserve, park or site. | |
| 30(f) | Engaging in the sport of any kind of boarding in a national park or world heritage site without the written permission of the management authority of the reserve, park or site. | R 2500,00 |
| 30(h) | Driving a vehicle off-road or off designated roads or tracks in a national park or world heritage site without the written permission of the management authority of the reserve, park or site. | R 2500,00 |
| 34(1) | Conducting scientific research in a special nature reserve, national park or world heritage site without the written permission of the management authority of the reserve, park or site. | R 1500,00 |
| 36 | Interfering with, operating, damaging, climbing on or boarding any vehicle, vessel, dredging apparatus or any other implement which is the property of or in use by a management authority of the reserve, park or site, or its agent, without the permission of the management authority. | R 2000,00 |
| 37(1) | Interfering with, misusing, damaging, using in conflict with any management authority directions, any building, signage, convenience shelter, changing room, pier landing stage, raft, buoy or other facility or structure in a special nature reserve, national park or world heritage site. | R 1000,00 |
| 37(2) | Failing to comply with directions of any notice affixed to a building, structure or facility referred to in regulation 37(1). | R 500,00 |
| 37(3) | Blocking or restricting access to any road or other point of entry to a special nature reserve, national park or world heritage site. | R 2500,00 |
| 39(1)(a)(ii) | Removing wood, mulch or other dead vegetation from a special nature reserve, national park or world heritage site without the written permission of the management authority. | R 2500,00 |
| 39(1)(a)(v) | Removing coral or shells from a special nature reserve, national park or world heritage site without the written permission of the management authority. | R 2500,00 |
| 39(1)(b) | Digging or intentionally disturb any soil or similar material in a special nature reserve, | R 500,00 |

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| | national park or world heritage site without the written permission of the management authority of the reserve, park or site. | |
| 39 (1)(c)(i) | Intentionally disturb any wood, mulch, peat or other dead vegetation or animal in a special nature reserve, national park or world heritage site without the written permission of the management authority of the reserve, park or site. | R 500,00 |
| 39(1)(c)(ii) | Intentionally disturbing termite mounds in a special nature reserve, national park or world heritage site without the written permission of the management authority of the reserve, park or site. | R 1500,00 |
| 39(1)(c)(iii) | Intentionally disturbing fossil, shell midden, archaeological remains or paleontological specimens or meteorites in a special nature reserve, national park or world heritage site without the written permission of the management authority of the reserve, park or site. | R 1500-00 |
| 39(1)(c) (iv) | Intentionally disturb any of the marine components contemplated in paragraph 39(1)(a). | R 1000,00 |
| 39(2) | Construction of an impoundment or weir on any river or river bed or abstract any water from any impoundment or weir on any river or in any river bed within a special nature reserve, national park or world heritage site. Abstracting any water by means of pump, pipes, gravitation or any other means located outside the boundary of a special nature reserve, national park or world heritage site, from any river or river bed forming a boundary with a special nature reserve, national park or world heritage site without the written permission of the management authority and without conducting an environmental impact assessment. | R 2500,00 R 2500,00 |
| 40(a) | Depositing or leaving in a special nature reserve, national park or world heritage site, any litter, seeds, fruit or vegetable matter or other waste material except in receptacle provided for that purpose. | R 2000,00 |

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| 40(b) | Depositing, discharging or leaving any noxious, smelly, offensive or polluting substance, matter or thing in a special nature reserve, national park or world heritage site. | R 2000,00 |
| 40(c) | Depositing or leaving any offal, dead species or specimen or dung in a special nature reserve, national park or world heritage site. | R 2000, 00 |
| 40(d) | Depositing in a special nature reserve, national park or world heritage site, except in any receptacle provided for litter, any domestic garbage. | R 2000,00 |
| 40(e) | Intentionally breaking any article of glass, china, pottery, plastic or other brittle material in a special nature reserve, national park or world heritage site. | R 2000,00 |
| 40(f) | Depositing, discharging or leaving any mineral, mineral waste or other industrial waste or by-product thereof in a special nature reserve, national park or world heritage site. | R 2000,00 |
| 43(a) | Offering any show or entertainment, conducting any business or trade or collecting any money from the public in a special nature reserve, national park or world heritage site. | R 2000,00 |
| 43(e) | Without permission of the management authority of a special nature reserve, national park or world heritage site, lighting or causing any fire to be started or making use of an open fire in the reserve, park or site, other than in a fireplace or container made available for that purpose by the management authority. | R 2500,00 |
| 43(f) | Placing, throwing, dumping or letting out any refuse, rubbish, used containers, effluent toilet waste or objectionable matter in a special nature reserve, national park or world heritage site. | R2000,00 |
| 43(h) | Carrying on any agricultural or gardening activities in a special nature reserve, national park or world heritage site without prior written approval of management authority of the reserve, park or site. | R 1000,00 |
| 43(i) | Allowing any species or specimen to graze in or enter into a special nature reserve, national park or world heritage site without the written approval of the management authority of the reserve, park or site. | R 1500,00 |
| 43(j) | Placing, displaying or distributing any | R 1500,00 |

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| | advertisement, promotional material or notice anywhere in a special nature reserve, national park or world heritage site without the written permission of the management authority of the reserve, park or site. | |
| 43(k) | Affixing to any tree or object any name, letter, figure, symbol, mark picture, sign or notice or otherwise damage any tree or other object in a special nature reserve, national park or world heritage site. | R 2500,00 |
| 43(m) | Playing any radio, compact disc player, music system, musical instrument or in any way causing any noise in any manner likely to disturb any species or specimen or other person in a special nature reserve, national park or world heritage site. | R 2000,00 |
| 43(n) | Behaving in an offensive, improper, indecent or disorderly manner in a special nature reserve, national park or world heritage site. | R 1500,00 |
| 45(2)(b)(ii) | Possessing or exercising control over a specimen of an alien or listed invasive species in a special nature reserve, national park or world heritage site without the written authorisation of the management authority of the reserve, park or site. | R 1500,00 |
| 45(2)(b)(iii) | Growing, breeding or in any other way propagating any specimen of an alien or listed invasive species or causing it to multiply in a special nature reserve, national park or world heritage site, without the written permission of the management authority of the reserve, park or site. | R 1500,00 |
| 45(2)(b)(iv) | Conveying, moving or otherwise translocating any specimen of an alien or listed invasive species in a special nature reserve, national park or world heritage site without the written authorisation of the management authority of the reserve, park or site. | R 1500,00 |
| 49(1) | Bringing a dog, cat or other pet into a special nature reserve, national park or world heritage site except on conditions determined by the management authority of the reserve, park or site. | R 1000.00 |
| 62(b) | Violating, refusing or failing to obey or comply with, any prohibition, request or instruction imposed by these regulations or by the | R 2500,00 |

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| | management authority or authorised official in a special nature reserve, national park or world heritage site. | |
| 63 | Failing to leave a special nature reserve, national park or world heritage site when requested to do so by an authorised official. | R 500,00 |
| 63(2) | Failing to hand over permit or proof of entry for endorsement indicating withdrawal of permission to enter a special nature reserve, national park or world heritage site, when requested to leave. | R 1500,00 |