
GOVERNMENT NOTICES

DEPARTMENT OF ENVIRONMENTAL AFFAIRS

No. 141

28 February 2014

NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998

(ACT NO. 107 OF 1998)

FEES FOR CONSIDERATION AND PROCESSING OF APPLICATIONS FOR ENVIRONMENTAL AUTHORISATIONS AND AMENDMENTS THERETO

I, Bomo Edith Edna Molewa, Minister of Water and Environmental Affairs, hereby prescribe the fees, for the consideration and processing of applications for environmental authorisations and amendments thereto, under section 24(5)(c)(i), 24(5)(j) and 44(1)(a) and (b) of the National Environmental Management Act, 1998 (Act No. 107 of 1998) in the Schedule hereto.



BOMO EDITH EDNA MOLEWA, MP
MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS

SCHEDULE

1. Definitions

- (1) In these regulations any word or expression to which a meaning has been assigned in the Act and the Environmental Impact Assessment Regulations, has the meaning so assigned, unless the context indicates otherwise, and—

“application” means an application for an environmental authorisation applied for in terms of section 24 or section 24L of the Act or an application for an amendment of such environmental authorisation;

“Environmental Impact Assessment Regulations” means the regulations made in terms of section 24(5)(b) of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and includes the amendments thereto;

“listed activity” means an activity identified in terms of section 24(2) of the Act;

“proof of payment” includes a receipt, a stamped deposit slip, electronic fund transfer copy or a payment advice;

“specified activity” means an activity identified in terms of section 24(2) of the Act;

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

- (2) When a period of days must be reckoned in terms of these regulations, it will be reckoned as indicated in the Environmental Impact Assessment Regulations.

2. Application of regulations

These regulations apply to an application but will exclude an application—

- (a) for a community based project funded by a government grant; or
- (b) made by an organ of state.

3. Applicable Fee

The fees applicable for an application are as indicated in the Annexure hereto.

4. Payment

- (1) The applicant must pay the applicable fee indicated in the Annexure on or before the date of the submission of the application form to the competent authority.
- (2) The applicant must attach proof of payment to the application form submitted to the competent authority.
- (3) Where an applicant is not required to pay a fee as contemplated in regulation 2, the applicant must inform the competent authority in writing and attach proof thereof or a motivation to the application form.
- (4) In the instance where an application—
 - (a) is rejected but the correct prescribed fee was paid;
 - (b) is withdrawn; or
 - (c) has lapsed,the fee will not be refunded.
- (5) A re-submission of an application referred to in subregulations (4)(b) or (c) will be considered as the submission of a new application and will require the payment of the relevant fee indicated in the Annexure.
- (6) Where an application for which a basic assessment is required, is lodged, and it later transpires that the application requires S&EIR, the applicant must pay the fee and submit proof of payment within 30 days from the date that the applicant has been informed by the competent authority thereof, otherwise it will be deemed that the applicant has withdrawn the application.
- (7) Payment of the fees referred to in subregulations (1), (5) and (6) may be made only by electronic transfer or a deposit into the bank account of the relevant competent authority as indicated on the application form.
- (8) The fees specified in the Annexure will be charged per application and not per listed or specified activity triggered.

5. Commencement date

These regulations will come into operation 1 April 2014.

ANNEXURE

Application	Fee
Application for an environmental authorisation for which a basic assessment is required in terms of the Environmental Impact Assessment Regulations	R2 000
Application for an environmental authorisation, for which a S&EIR is required in terms of the Environmental Impact Assessment Regulations	R10 000
Application dealt with in terms of section 24L of the Act.	<p>(a) 100% of the most expensive application, namely, R10 000 (Ten Thousand Rand) if S&EIR is triggered and R2 000 (Two Thousand Rand) if the basic assessment is triggered;</p> <p>(b) 50% of the other application, namely, R5 000-00 (Five Thousand Rand) if the S&EIR is triggered or R1 000 (One Thousand Rand) if the basic assessment is triggered.</p>
Amendment of an environmental authorisation on application by the holder of an environmental authorisation.	R2 000