

REPUBLIC OF SOUTH AFRICA

**SELECT COMMITTEE AMENDMENTS
TO
NATIONAL ENVIRONMENTAL
MANAGEMENT: PROTECTED
AREAS BILL**

[B 39B—2003]

*(As agreed to by the Select Committee on Land and Environmental Affairs
(National Council of Provinces))*

[B 39C—2003]

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AMENDMENTS AGREED TO
NATIONAL ENVIRONMENTAL MANAGEMENT:
PROTECTED AREAS BILL
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CLAUSE 1

1. On page 5, after line 37, to insert:

“environmental goods and services” includes—

 - (a) benefits obtained from ecosystems such as food, fuel and fibre and genetic resources;
 - (b) benefits from the regulation of ecosystem processes such as climate regulation, disease and flood control and detoxification; and
 - (c) cultural non-material benefits obtained from ecosystems such as benefits of a spiritual, recreational, aesthetic, inspirational, educational, community and symbolic nature;
2. On page 6, in line 7, after “institution” to insert “or person”

CLAUSE 23

1. On page 11, in line 3, after “biodiversity” to insert:

or for the provision of environmental goods and services

CLAUSE 26

1. On page 11, from line 36, to omit paragraph (a) and to substitute:

(a) to protect and maintain the natural character of the environment, biodiversity, associated natural and cultural resources and the provision of environmental goods and services;

CLAUSE 28

1. On page 12, in line 10, to omit “archeological value; or” and to substitute “archeological or geological value;”.
2. On page 12, in line 11, to omit “value;” and to substitute “and landscape value; or”.
3. On page 12, after line 11, to insert:

(v) provision of environmental goods and services;

CLAUSE 31

1. On page 12, from line 42, to omit “20(1), 21(1), 22(1)” and to substitute “*****”.

CLAUSE 34

1. On page 13, from line 46, to omit subparagraph (ii) and to substitute:
 - (ii) after consultation with the provincial executive, if that land is administered by that provincial executive;

CLAUSE 35

1. On page 14, in line 10, to omit “, 20(3)” and to substitute “*****”.

CLAUSE 37

1. On page 14, in line 28, to omit “or nature reserve” and to substitute “, nature reserve or protected environment”.

CLAUSE 38

1. On page 14, from line 35, to omit subsection (1) and to substitute:
 - (1) The Minister, in writing —
 - (a) must assign the management of a special nature reserve or a nature reserve to a suitable person, organisation or organ of state; and
 - (b) may assign the management of a protected environment to a suitable person, organisation or organ of state, provided that the owner and lawful occupier have requested or consented to such assignment, and the Minister has given the owner and lawful occupier notice in writing in terms of section 33.
2. On page 14, from line 38, to omit subsection (2) and to substitute:
 - (2) The MEC, in writing —
 - (a) must assign the management of a nature reserve to a suitable person, organisation or organ of state; and
 - (b) may assign the management of a protected environment to a suitable person, organisation or organ of state, provided that the owner and lawful occupier have requested or consented to such assignment, and the MEC has given the owner and lawful occupier notice in writing in terms of section 33.
3. On page 14, in line 40, to omit “organ of state or other institution” and to substitute “person, organisation or organ of state”.

CLAUSE 39

1. On page 15, in line 4, to omit “prospective”.
2. On page 15, in line 5, after “authority” to insert “concerned”.

CLAUSE 41

1. On page 15, in line 26, to omit paragraph (a) and to substitute:
 - (a) the terms and conditions of any applicable biodiversity management plan;

CLAUSE 47

1. On page 17, in line 52, to omit “1500” and to substitute “2500”.
2. On page 17, in line 54, to omit “1500” and to substitute “2500”.

CLAUSE 49

1. On page 18, in line 36, to omit “**special nature reserve and nature reserve**” and to substitute “**protected areas**”.
2. On page 18, in line 37, to omit “special nature reserves and nature reserves,” and to substitute “protected areas”.
3. On page 18, from line 40, to omit “nature reserves” and to substitute “protected areas”.
4. On page 18, from line 42, to omit “nature reserve” and to substitute “protected areas”.