

REPUBLIC OF SOUTH AFRICA

**SELECT COMMITTEE AMENDMENTS
TO
NATIONAL ENVIRONMENT
LAWS AMENDMENT BILL**

[B 66B—2008]

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

[B 66C—2008]

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AMENDMENTS AGREED TO
NATIONAL ENVIRONMENT LAWS AMENDMENT BILL
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CLAUSE 1

1. On page 3, in line 12, to omit “five” and to substitute, “10”.
2. On page 3, in line 13, to omit “five” and to substitute “10”.

CLAUSE 2

1. On page 3, in line 23, after “years”, to insert “and in the case of second or subsequent conviction, to a fine not exceeding R10 million or imprisonment for a period not exceeding 10 years”.
2. On page 3, in line 23, after “or”, to insert “in both instances”.
3. On page 3, in line 23, after the second “and”, to insert “in addition”.
4. On page 3, in line 27, to omit “R100 000” and to substitute “500 000”.
5. On page 3, in line 28, to omit “[six] 12” and to substitute “six”.
6. On page 3, in line 33, to omit “R10 000” and to substitute “R1 000 per day”.

CLAUSE 3

1. On page 3, from line 38, to omit paragraph (a).

CLAUSE 12

1. On page 5, in line 25, after “department”, to insert “responsible for environmental affairs”.

CLAUSE 13

1. On page 5, in line 53, after “million”, to insert “or”.

CLAUSE 18

1. On page 6, in line 27, to omit “(2)” and to substitute “(1)”.

CLAUSE 19

1. On page 6, in line 41, after “search” to insert “, including but not limited to,”
2. On page 6, in line 42 after “box,”, to insert “or”.
3. On page 6, in line 42, to omit “and the like”.
4. On page 6, in line 46, after “any”, to insert “, including but not limited to,”.
5. On page 6, in line 48, after “box,”, to insert ‘or’
6. On page 6, in line 48, to omit “and the like”.

CLAUSE 20

1. Clause rejected.

NEW CLAUSE

1. That the following be a new clause:

Amendment of section 31N of Act 107 of 1998, as inserted by section 4 of Act 46 of 2003

20. Section 31N of the National Environmental Management Act, 1998, is hereby amended by the deletion in subsection (2) of paragraph (c).

CLAUSE 26

1. Clause rejected.

CLAUSE 35

1. On page 10, in line 44, after “(v)”, to insert “,(vi) and (vii)”.
2. On page 10, after line 44, to insert the following paragraph:

“(c) the insertion of the word “and” at the end of paragraph (c).

CLAUSE 36

1. On page 11, in line 4, after “(4)” to insert “(a)”.
2. On page 11, after line 5, to insert the following:

“(b)Before granting an exemption in terms of paragraph (a), the Minister must follow a consultative process in accordance with sections 99 and 100.”.

CLAUSE 42

1. On page 12, in line 5, to omit “[**must**] may” and to substitute “must”.
2. On page 12, in line 5, after “or”, to insert “may”.

CLAUSE 47

1. On page 13, in line 22, to omit “[**five**] ten” and to substitute “five”
2. On page 13, in line 23, to omit “R10” and to substitute “five”.
3. On page 13, in line 23, after “million”, to insert “, and in the case of a second or subsequent conviction, to a fine not exceeding R10 million or imprisonment for a period not exceeding 10 years or in both instances to both a fine and such imprisonment”.

CLAUSE 51

1. On page 14, in line 13, to omit “R10” and to substitute “five”.
2. On page 14, in line 14, to omit “ten” and to substitute “[**ten**] five”.
3. On page 14, in line 14, after “years,” to insert “and in the case of a second or subsequent conviction, to a fine not exceeding R10 million or imprisonment for a period not exceeding 10 years”.
4. On page 14, in line 14, after “or”, to insert “in both instances”.