
GENERAL NOTICE

NOTICE 648 OF 2008

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM

NATIONAL ENVIRONMENTAL MANAGEMENT LAWS AMENDMENT BILL

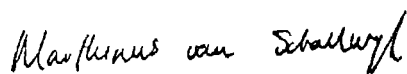
I, Marthinus van Schalkwyk, Minister of Environmental Affairs and Tourism, hereby publish the draft National Environmental Management Laws Amendment Bill, 2008, which provides for the amendment of the National Environmental Management Act, 1998 and the Specific Environmental Management Acts, for general public comment. Details are set out in the explanatory memorandum and the attached Bill.

Written comments and inputs are invited from interested parties and the general public, which must be submitted to:

Acting Director-General
Department of Environmental Affairs and Tourism
Private Bag X477
Pretoria
0001

Attention: Adv V Beukes
E-mail: VBeukes@deat.gov.za

The closing date for comments is 30 days from the date of this publication. Comments received after the closing date may not be considered.



MARTHINUS VAN SCHALKWYK
MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM

GENERAL EXPLANATORY NOTE:

- [] Words in bold typed in square brackets indicate omissions from existing enactments.
- Words underlined with a solid line indicate insertions in existing enactments.
-

B I L L**NATIONAL ENVIRONMENTAL MANAGEMENT LAWS AMENDMENT BILL**

To provide for in the National Environment Management Act, 1998 and in specific environmental management Acts for the jurisdiction of the magistrate's court in the instances where the maximum fines have been increased and are higher than that of the usual jurisdiction of these courts; to insert certain definitions; to provide for the establishment of fora or advisory committees; to provide for a directive to a person who has admitted to committing an offence; for the retrospective application for the provisions dealing with pollution and degradation of the environment; to allow for the Minister or the MEC to issue a directive in the event that a person admitted to an offence; to make provision or increased powers of the courts; to remove the requirement that Environmental Management Inspectors must carry the notices of designation and the right to conduct routine inspections and to search vehicles; to remove the need in the Environment Conservation Act, 1989 to publish directives in the *Gazette*; to provide in the National Environment Management Act: Protected Area Act, 2003 for a comprehensive list in the Schedule to the Act of all national parks; to provide for the assignment of national parks, special national parks and heritage sites to the South African National Parks; to make provision for flight corridors and permission of the management authority to fly over a special national park, national park or heritage site; to provide for specific areas to be available for training and testing of aircraft; to provide for increased measures of control over

escaped animals; to provide for the winding-up and dissolution of the South African National Parks; to provide for in the National Environment Management Act: Air Quality Act, 2004 for a processing fee to review a licence and to include directors or senior managers in a juristic person for the criteria for a fit and proper person; to provide for in the National Environment Management Act: Biodiversity Act, 2000 for general surveillance monitoring; further considerations for a biodiversity management plan; that an environment impact assessment must be obtained when genetically modified organisms are involved; to introduce a notification requirements in the discovery phase of a bioprospecting project; to take into consideration knowledge of specific individuals when issuing specific bioprospecting permits; to allow the Director-General or a trustee to manage the Bioprospecting Fund; to allow for the renewal or amendment of a permit; to amend the regulations to allow for hunting; to effect certain textual alterations; and to provide for matters connected therewith.

BE IT ENACTED by the Parliament of the Republic of South Africa as follows:—

Amendment of section 1 of Act 107 of 1998, as amended by section 1 of Act 56 of 2002, section 1 of Act 46 of 2003, section 1 of Act 8 of 2004, section 60 of Act 39 of 2004 and section 1 of Bill B35 of 2007

1. Section 1 of the National Environmental Management Act, 1998 is hereby amended by—

- (a) the deletion of the definition 'Committee' after the definition 'commercially confidential information';
- (b) the deletion of the definition "Forum" after the definition of "financial year"; and
- (c) the substitution for the definition of 'specific environmental management Acts' of the following definition

“ ‘specific environmental management Act’ means—

- (a) any Act in which the title contains the phrase “National Environment Management”;
- (b) the Environment Conservation Act, 1989 (Act No. 73 of 1989); or
- (c) the Antarctic Treaties Act, 1996 (Act No. 60 of 1996),

and includes any regulations or other subordinate legislation made in terms of any of those Acts;”.

Repeal of Part 1 and Part 2 of Chapter 2 of Act 107 of 1998

2. Part 1 and Part 2 of Chapter 2 of the National Environmental Management Act, 1998, is hereby repealed.

Insertion of Section 3A in Act 107 of 1998

3. The following section is hereby inserted in the National Environmental Management Act, 1998, after section 3:

“3A. Establishment of fora or advisory committees

The Minister may, at his or her discretion, by Notice in the Gazette—

- (a) establish fora or advisory committees;
- (b) determine their composition and functions; and
- (c) determine in consultation with the Minister of Finance, the basis and extent of their remuneration and payment of expenses.”.

Amendment of section 11 of Act 107 of 1998

4. Section 11 of the National Environmental Management Act, 1998 is hereby amended by the substitution for subsection (5) of the following subsection:

“(5) The Minister may by Notice in the *Gazette*—

(a) extend the date for the submission of any environmental implementation plans and environmental management plans for periods not exceeding 12 months;

(b) on application by any organ of state, or on his or her own initiative with the agreement of the relevant Minister where it concerns a national department **[and after consultation with the Committee]** amend Schedules 1 and 2.”.

Amendment of section 13 of Act 107 of 1998

5. Section 13 of the National Environmental Management Act, 1998 is hereby amended by the substitution for subsection (2) of the following subsection:

“(2) The Minister may**[, after consultation with the Committee,]** make regulations for the purpose of giving effect to subsections (1)(b) and (c).”

Amendment of section 15 of Act 107 of 1998

6. Section 15 of the National Environmental Management Act, 1998 is hereby amended by—

(a) the substitution for subsection (1) of the following subsection:

“(1) Every environmental implementation plan and every environmental management plan must be submitted **[to the Committee by a date to be set by the Minister]** for approval to the Minister or MEC, as the case may be.”

- (b) the deletion of subsections (2) to (4) respectively.
- (c) the substitution for subsection (1) of the following subsection:

“(6) The exercise of functions by organs of state may not be delayed or postponed on account of—

- (a) the failure of any organ of state to submit an environmental implementation plan;
- (b) the scrutiny of any environmental implementation plan **[by the Committee]**;
- (c) the amendment of any environmental implementation plan following scrutiny of the plan **[by the Committee]**;
- (d) any difference or disagreement regarding any environmental implementation plan and the resolution of that difference or disagreement; or
- (e) the failure of any organ of state to adopt and publish its environmental implementation or management plan.”

Amendment of section 16 of Act 107 of 1998

7. Section 16 of the National Environmental Management Act, 1998 is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) (a) Every organ of state must exercise every function it may have, or that has been assigned or delegated to it, by or under any law, and that may significantly affect the protection of the environment, substantially in accordance with the environmental implementation plan or the environmental management plan

prepared, submitted and adopted by that organ of state in accordance with this Chapter: Provided that any substantial deviation from an environmental management plan or environmental implementation plan must be reported forthwith to the Director-General **[and the Committee]**.

(b) Every organ of state must report annually within four months of the end of its financial year on the implementation of its adopted environmental management plan or environmental implementation plan to the Director-General **[and the Committee]**.

(c) The Minister may[, **after consultation with the Committee,**] recommend to any organ of state which has not submitted and adopted an environmental implementation plan or environmental management plan, that it comply with a specified provision of an adopted environmental implementation plan or submitted environmental management plan.”.

Amendment of section 22 of Act 107 of 1998

8. The National Environmental Management Act, 1998 is hereby amended by the deletion of subsection (2)(a).

Amendment of section 24G of Act 107 of 1998, as inserted by section 3 of Act 8 of 2004 and amended by Act 2008

9. Section 24G of the National Environmental Management Act, 1998 is hereby amended by—

(a) the substitution for subsection (1) of the following subsection:

“(1) On application by a person who has committed an offence in terms of section 24F(2)(a) or has admitted to committing such an offence, or at the initiative of the Minister or MEC, as the case may be, may direct the applicant to—

(a) compile a report containing one or more of the following, namely—

- (i) an assessment of the nature, extent, duration and significance of the consequences for or impacts on the environment of the activity, including the cumulative effects;
- (ii) a description of mitigation measures undertaken or to be undertaken in respect of the consequences for or impacts on the environment of the activity;
- (iii) a description of the public participation process followed during the course of compiling the report, including all comments received from interested and affected parties and an indication of how issues raised have been addressed;
- (iv) an environmental management plan; and

(b) provide such other information or undertake such further studies as the Minister or MEC, as the case may be, may deem necessary.”.

(b) the insertion of the following subsection after subsection (1):

“(1A) A person who has committed an offence in terms of section 24F(2) or has admitted to committing such an offence, may only apply for retification if the Minister or MEC, concerned, as the case may be, directs the person to submit such an application.”.

(c) the substitution for subsection (2) of the following subsection:

“(2) The Minister or MEC concerned must consider any reports or information submitted in terms of subsection (1) or an application in terms of subsection (1A) and thereafter may—

(a) direct the person to cease the activity, either wholly or in part, and to rehabilitate the environment within such time and subject to such conditions as the Minister or MEC may deem necessary; or

(b) issue an environment authorisation to such person subject to such conditions as the Minister or MEC may deem necessary.”.

Amendment of section 28 of Act 107 of 1998

10. Section 28 of the National Environmental Management Act, 1998 is hereby amended by—

(a) the substitution for subsection (7) of the following subsection:

“(7) Should a person fail to comply, or inadequately comply, with a directive under subsection (4), the Director-General or provincial head of department may take reasonable measures to remedy the situation or apply to a competent court for appropriate relief.”.

(b) the substitution for the introductory portion of subsection (8) of the following:

“(8) Subject to subsection (9), the Director-General or provincial head of department may recover all costs incurred, including anticipatory costs, as a result of it acting under subsection (7), which costs may be claimed and recovered before acting under section (7), from any or all of the following persons—“

(c) the addition of the following subsections after subsection (13):

"(14) No person may—

- (a) unlawfully and intentionally or negligently commit any act or omission which caused, causes or is likely to cause pollution or degradation of the environment;
- (b) unlawfully and intentionally or negligently commit any act or omission which detrimentally affects or is likely to affect the environment; or
- (c) fail to comply with a directive issued under this section.

(15) Any person who contravenes the provisions of subsection (14) is guilty of an offence and liable on conviction to a fine not exceeding R10 million or imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.

(16) Section 28, except for subsections (14) and (15), applies retrospectively to any activity or process that was performed or undertaken, or any other situation that existed prior to the coming into effect of this Act, which causes, has caused or is likely to cause significant pollution or degradation of the environment."

Amendment of section 30 of Act 107 of 1998

11. Section 30 of the National Environmental Management Act, 1998 is hereby amended by the addition of the following subsection after subsection (10):

"(11) A person who fails to comply with the provisions contemplated in subsections (3), (4), (5) and (6) is guilty of an offence and liable on conviction to a fine not exceeding one hundred thousand rand or imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment."

Amendment of section 31 of Act 107 of 1998

12. Section 31 of the National Environmental Management Act, 1998 is hereby amended by the deletion of subsections (1) – (3).

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

13. Section 31F of the National Environmental Management Act, 1998 is hereby amended by the substitution for subsection (2) of the following subsection:

“(2) When exercising any powers or performing any duties in terms of this Act or a specific environmental management Act, an environmental management inspector must, on demand by a member of the public, produce the identity card referred to in subsection (1) **[and the notice issued to the inspector in terms of section 31D(3)]**.”.

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

14. Section 31H of the National Environmental Management Act, 1998 is hereby amended by the substitution for paragraph (g) in subsection (2) for the following paragraph:

“(g) take photographs or make audio-visual recordings of anything or any person that is relevant for the purposes of an investigation or for a routine inspection.”.

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

15. Section 31K of the National Environmental Management Act, 1998 is hereby amended by—

(a) the substitution for subsection (2) of the following subsection:

“(1) An environmental management inspector, within his or her mandate in terms of section 31D, and subject to subsection (2), may, at any reasonable time conduct routine inspections and [,] without a warrant, enter and inspect any building, land or premises or search any vehicle for the purposes of ascertaining compliance with—

(a) the legislation for which that inspector has been designated in terms of section 31D; or

(b) a term or condition of a permit, authorisation or other instrument issued in terms of such legislation.”.

(b) the substitution for subsection (5) of the following subsection:

“(5) While carrying out a routine inspection, an environmental management inspector may seize anything in or on any business or residential premises, **[or]** land or vehicle that may be used as evidence in the prosecution of any person for an offence in terms of this Act or a specific environmental management Act.”.

(c) by the substitution for subsection (7) of the following subsection:

“(7) An environmental management inspector may exercise on such business or residential premises, **[or]** land or vehicle any of the powers mentioned in section 31H.”.

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

16. Section 31N of the National Environmental Management Act, 1998 is hereby amended by the substitution for subsection (2) of the following subsection:

“(2) If a person fails to comply with a compliance notice, the environmental management inspector must report the non-compliance to the **[Minister or MEC]** Director-General or Head of Department responsible for environmental affairs in the province, as the case may be, **[and the Minister or MEC]** who may—

(a) revoke or vary the relevant permit, authorisation or other instrument which is the subject of the compliance notice; and

(b) take any necessary steps and recover the costs of doing so from the person who failed to comply; **[and]**

[(c) report the matter to a Director of Public Prosecutions.]”.

Amendment of section 31Q of Act 107 of 1998 as inserted by Act 46 of 2003

17. Section 31Q of the National Environmental Management Act, 1998 is hereby amended by the insertion of the following subsection after subsection (1)—

“(1A) Subsection (1) does not apply to information that pertains to—

(a) environmental quality or the state of the environment;

(b) any risks posed to the environment, public safety, and the health and wellbeing of people; or

(c) compliance with or contraventions of any environmental legislation
by any person."

Amendment of section 34 of Act 107 of 1998

18. Section 34 of the National Environmental Management Act, 1998 is hereby amended by the substitution for subsection (3) of the following subsection:

"(3) Whenever a person is convicted of an offence under any provision listed in Schedule 3 the court convicting such person may summarily enquire into and assess the monetary value of any advantage gained or likely to be gained by such person in consequence of that offence, and, in addition to any other punishment imposed in respect of that offence, the court may order the award of damages or compensation or a fine equal to the amount so assessed or order that the remedial measures to be implemented be undertaken by the convicted person."

Insertion of section 34H in Act 107 of 1998

19. The following section is hereby inserted in the National Environmental Management Act, 1998 after section 34G:

"34H Jurisdiction

Notwithstanding anything to the contrary in any other Act, a magistrate's court shall have jurisdiction to impose any penalty prescribed by this Act."

Amendment of section 29 of Act 73 of 1989

20. Section 29 of the Environment Conservation Act, 1989 is hereby amended by the substitution for subsections (4), (5) and (6) respectively, of the following subsections:

"(4) Any person who contravenes a provision of section 20(1), 20~~[(6)]~~ (9), 22(1) or 23 (1) or 23 (2) or a direction issued under section 20(5) or fails to comply with a condition of a permit, permission, authorization or direction issued or granted under the said provisions shall be guilty of an offence and liable on conviction to a fine not exceeding ~~[R100 000]~~ R5 million or to imprisonment for a period not exceeding 10 years or to both such fine and such imprisonment, and to a fine not exceeding three times the commercial value of any thing in respect of which the offence was committed.

(5) Any person convicted of an offence in terms of this Act for which no penalty is expressly provided, shall be liable to a fine not exceeding ~~[2000]~~ R100 000 or to imprisonment for a not exceeding ~~[six]~~ 12 months or to both such fine and such imprisonment.

(6) Any person convicted of an offence in terms of this Act, and who after such conviction persists in the act or omission which constituted such offence, shall be guilty of a continuing offence and liable on conviction to a fine not exceeding ~~[R250]~~ R10 000 or to imprisonment for a period not exceeding ~~[20 days]~~ six months or to both such fine and such imprisonment in respect of every day on which he or she so persists with such act or omission."

Amendment of section 32 of Act 73 of 1989 as amended by Proclamation R43 of 8 August 1996

21. Section 32 of the Environment Conservation Act, 1989 is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) If the Minister, the Minister of Water Affairs and Forestry, a competent authority or any local authority, as the case may be, intends to—

(a) issue a regulation **[or a direction]** in terms of the provisions of this Act;

(b) make a declaration or identification in terms of section 16 (1), 18 (1), 21 (1) or 23 (1); or

(c) determine a policy in terms of section 2,

a draft notice shall first be published in the *Gazette* or the *Official Gazette* in question, as the case may be."

Amendment of section 20 of Act 57 of 2003, as inserted by section 6 of Act 31 of 2004

22. Section 20 of the National Environmental Management: Protected Areas Act, 2003 is hereby amended by the addition of the following subsection after subsection (5):

"(6)(a) Each area defined in Schedule 2 of this Act shall be a national park under the name assigned to it in that schedule."

(b) The Minister may from time to time, by notice in the *Gazette*, amend Schedule 2 to the Act."

Amendment of section 28 of Act 57 of 2003, as inserted by Act 31 of 2004

23. The following subsection is hereby substituted for subsection (5) of the National Environmental Management: Protected Areas Act, 2003:

“(5) The declaration of an area as a protected environment for purposes of subsection (2)(f) lapses at the expiry of the period stated in the notice contemplated in subsection (1), provided that the Minister or the MEC, as the case may be, may, by agreement reached with the owners of the land concerned, by notice in the Gazette, extend that period.”.

Amendment of section 38 of Act 57 of 2003, as inserted by section 14 of Act 31 of 2004

24. Section 38 of the National Environmental Management: Protected Areas Act, 2003 is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) The Minister, in writing—

- “(a) **[must]** may assign the management of a special nature reserve or a nature reserve to a suitable person, organisation or organ of state;
- (aA) must assign the management of a national park to South African National Parks **[or another suitable person, organisation or organ of state]**; and
- (b) may assign the management of a protected environment to a suitable person, organization 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.”.

Amendment of section 47 of Act 57 of 2003, as amended by section 17 of Act 31 of 2004

25. Section 47 of the National Environmental Management: Protected Areas Act, 2003 is hereby amended by—

- (a) the substitution for subsections (2) and (3) of the following subsections:

“(2) No person or organ of state, may land or take off in an aircraft in a special nature reserve, national park or world heritage site, except—

- (a) on or from a landing field designated by the management authority of that nature reserve, national park or world heritage site; and

- (b) **[with the]** on authority of the prior written permission of[,] the management authority, which authority may stipulate the terms and [on] conditions [determined by, the management authority] upon which this must take place.

(3) No person or organ of state may fly over or cause an aircraft to fly over a special nature reserve, national park or world heritage site at a level of less than 2500 feet above its highest point, except as may be necessary for the purpose of subsections (2) or (3A).”.

- (b) by the insertion of the following subsection after subsection (3):

“(3A) (1) The management authority may provide for flight corridors over a special nature reserve, national park or world heritage site, as well as through the protected airspace identified under subsection(1) where this is necessary for a public purpose or in the public interest.”.

(2) No person or an organ of state may fly or cause any person to fly an aircraft over a special national reserve, national park or world heritage site and through the protected airspace identified under subsection (1)—

- (a) without the prior written permission of the management authority first been obtained;

(b) without the prescribed fee having first been paid, if applicable; and

(c) unless and until the management authority has approved a the flight management plan for a flight and stipulated the terms ad conditions upon which a flight is to take place.

(3) The Minister in agreement with the Minister of Defence may allow for specific areas within the identified protected airspace to be used for training and testing of aircraft."

(c) the insertion of the following subsection after subsection (4):

"(4A) Any person or organ of state, who is affected by a decision of a management authority in terms of subsection (2), (3) or (3A), may appeal to the Minister against the decision of a management authority."

(d) the substitution for subsections (4) of the following subsections:

"(4) Subsections (2), [and] (3) and (3A) do not apply—

(a) in an emergency; or

(b) to a person acting on the instructions of the management authority."

Amendment of section 48 of Act 57 of 2003, as amended by section 18 of Act 31 of 2004

26. Section 48 of the National Environmental Management: Protected Areas Act, 2003 is hereby amended by the substitution for subsection (3) of the following subsection:

“(3) The Minister, after consultation with the Cabinet member responsible for mineral and energy affairs, may, in relation to the activities contemplated in subsection (2), as well as in relation to mining activities conducted in areas contemplated in that subsection which were declared as such **[after]** before the commencement of this section, prescribe conditions under which those activities may continue in order to reduce or eliminate *the* impact of those activities on the environment or for the environmental protection of the area concerned.”.

Insertion of section 49A in Act 57 of 2003

27. The following section is inserted in the National Environmental Management: Protected Areas Act, 2003 after section 49:

“Ownership of and control over animal species occurring in and escaping from protected areas

“49A(1) All animals occurring in protected areas are, for as long as they occur in protected areas, and provided that private ownership of such animals species cannot be proved to have been lawfully acquired by a third party, deemed to be public assets held in trust by the State for the benefit of present and future generations as part of the public estate.

(2) If an animal in public ownership as contemplated in subsection (1) escapes, the managing authority of a protected area must take all steps reasonably necessary to capture such animal or otherwise deal with it in its discretion in order that the public interest is best served and any danger posed by such animal is averted or minimised.

(3) Subject to section 49A(4) no person may in any way hinder or interfere with the management authority in its efforts to give effect to the provisions of section 49A(2).

(4) The management authority must implement the provisions of section 49A(2) and (3) in a manner consistent with national legislation and which takes into account the threat posed by such escaped animal to the spread of animal diseases or any other veterinary harm.

(5)(a) Any person who becomes aware of an animal escaping from a protected area is obliged to immediately report this to the management authority of the area concerned.

(b) A failure to comply with subsection (5)(a) constitutes an offence.

(6) This section does not prevent a person from killing an animal in self – defence where human life is threatened provided that any steps taken in this regard is immediately reported to the management authority concerned.

(7) All animals which emanate or escape from a protected area, notwithstanding their escape, the common law or any other legislation providing otherwise, remain at all times thereafter the property of the State as trustee until such animal is lawfully acquired by another party.

(8) Neither a management authority nor any of its members, officers or employees shall be liable for any damage or loss caused by any animal in or escaping from a protected area unless the damage or loss caused is attributable to any negligent or intentional act or omission of the management authority or any of its members, officers or employees."

Amendment of section 54 in Act 57 of 2003, as amended by section 21 of Act 31 of 2004

28. Section 54 of the National Environmental Management: Protected Areas Act, 2003 is hereby amended by the addition of the following subsection after subsection (2):

“(3) Upon its winding-up or dissolution of South African National Parks must transfer its remaining assets or the proceeds of those assets, after satisfaction of its liabilities, to the State or to some other institution, board or body with objects similar to those of South African National Parks and which is itself exempt from income tax in terms of section 10(1)(cA) of the Income Tax Act No. 58 of 1962.”.

Amendment of section 55 of Act 57 of 2003, as amended by section 21 of Act 31 of 2004

29. Section 55 of the National Environmental Management: Protected Areas Act is hereby amended by—

(a) the substitution for paragraph (a) in subsection (1) of the following paragraph:

“(a) manage all existing [the] national parks and such further national parks, special nature reserves, national nature reserves and [other protected areas] national protected environments as may be assigned to it by the Minister in terms of Chapter 4 and section 92 of this Act, in accordance with this Act and any specific environmental management Act referred to in the National Environmental Management Act, 1998;”.

(b) the insertion of the following paragraphs after paragraph (a):

“(aA) manage world heritage sites assigned to it by the Minister, in accordance with all national cultural heritage legislation as may be applicable to and required for proper management and protection of such world heritage sites, provided that South African National Parks’ authority to enforce such legislation are provided for in a written instrument of delegation issued by the Minister to this effect under and in terms of such legislation;

(aB) manage any other protected areas, which are not protected areas referred to in subsection 55(1)(a), and as may be assigned to it by the Minister, in accordance with the provisions of all national environmental legislation as may be applicable to and required for the proper management and protection of such other protected areas, provided that South African National Parks’ authority to enforce such legislation are provided for in a written instrument of delegation issued by the Minister to this effect under and in terms of such legislation;

(aC) participate in such further international, regional and national environmental, conservation and cultural heritage initiatives identified by the Minister from time to time and then only on such terms and conditions as the Minister shall in writing provide.”.

- (c) the substitution for the introductory portion of subsection (2) of the following:

“(2) South African National Parks may in managing national parks, world heritage sites or other protected areas assigned to it by the Minister—”

- (d) the insertion in subsection (2) after subparagraph (f) of the following subparagraph:

“(fA) impose traffic rules in such national parks, world heritage sites or other protected areas;”

Amendment of section 75 of Act 57 of 2003, as inserted by section 21 of Act 31 of 2004

30. Section 75 of the National Environmental Management: Protected Areas Act, 2003 is hereby amended by the substitution in section 75 for paragraph (g) of the following paragraph:

“(g) fines received or recovered in respect of offences committed under this Act [within national parks]; and”.

Amendment of section 82 of Act 57 of 2003

31. Section 82 of the National Environmental Management: Protected Areas Act, 2003 is hereby amended by the substitution for subsection (3) of the following subsection:

“(3) If the Minister or MEC fails to reach an agreement with the owner of the property in whose favour the servitude is registered or with the person holding the right, the Minister or MEC may expropriate the servitude or the privately held right in or to State land, in accordance with the Expropriation Act, 1975 (Act No. 63 of 1975), subject to section 25.”.

Amendment of section 88 of Act 57 of 2003

32. Section 88 of the National Environmental Management: Protected Areas Act, 2003 is hereby amended by the substitution for subsection (2) of the following subsection:

“(2) Regulations made under section 86 or 87 may provide that any person who contravenes or fails to comply with a provision thereof is guilty of an offence and liable in the case of a first [on] conviction to a fine not exceeding R5 million or to imprisonment for a period not exceeding five years 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."

Amendment of section 89 of Act 57 of 2003

33. Section 89 of the National Environmental Management: Protected Areas Act, 2003 is hereby amended by—

(a) the substitution for paragraph (a) in subsection (1) of the following paragraph:

(a) contravenes or fails to comply with a provision of section 45(1), 46(1), 47(2), **[or]** (3) **or** (3A), 48(1), 49A(5)(b) [or] 50(5) or 55(2)(fA)."

(b) the substitution for subsection (2) of the following subsection:

"(2) A person convicted of an offence in terms of subsection (1) is liable, in the case of a first [on] conviction to a fine not exceeding R5 million or imprisonment for a period not exceeding five years and in the case of a second or subsequent conviction to a fine not exceeding R10 million or imprisonment for a period not exceeding ten years or in both instances to both a fine and such imprisonment."

(c) the addition of the following subsections after subsection (2):

"(3) Contravention of any provision of a regulation made under sections 86 or 87 is an offence.

"(4) Notwithstanding anything to the contrary in any other Act, a magistrate's court shall have jurisdiction to impose any penalty prescribed by this Act."

Amendment of section 46 of Act 45 of 1965, as inserted by section 20 of Act 17 of 1973

34. Section 46 of Atmospheric Pollution Prevention Act, 1965 is hereby amended by the substitution for section 46 of the following section:

"46 Penalties

Any person convicted of an offence under this Act shall be liable, in the case of case first conviction, to a fine not exceeding **[five hundred]** two million rand or imprisonment for a period not exceeding **[six months]** five years, and in the case of a second or subsequent conviction to a fine not exceeding **[two thousand]** five million rand or imprisonment for a period not exceeding **[one year]** ten years."

Amendment of section 45 of Act 39 of 2004

35. Section 45 of the National Environmental Management: Air Quality Act, 2004 is hereby amended by the substitution for subsections (1) and (2) of the following subsections:

"(1) A licensing authority must review a provincial atmospheric emission licence or an atmospheric emission licence at intervals specified in the licence, or when circumstances demand that a review is necessary on payment of the prescribed processing fee.

(2) The licensing authority must inform the licence holder and the relevant provincial air quality officer, in writing, of any provincial review, **[and]** the reason for such review and the cost of the prescribed processing fee."

Amendment of section 49 of Act 39 of 2004

36. Section 49 of the National Environmental Management: Air Quality Act, 2004 is hereby amended by the substitution for subparagraph (c) of the following subparagraph:

“(c) that person has been a director or senior manager who is or was a director or manager of a company, a juristic person or firm to whom paragraph (a) or (b) applies; and”

Amendment of section 52 of Act 39 of 2004

37. Section 52 of the National Environmental Management: Air Quality Act, 2004 is hereby amended by—

(a) the substitution for subsections (1) and (2) respectively, of the following subsections:

“(1) A person convicted of an offence referred to in section 51 is liable to a fine not exceeding R10 million, or to imprisonment for a period not exceeding ten years, or to both a fine and such imprisonment.

(2) A fine contemplated in subsection (1) [—

(a) may not exceed an amount prescribed in terms of legislation regulating maximum fines for criminal offences; and (b)] must be determined with due consideration of—

- (i) the severity of the offence in terms of its impact, or potential impact, on health, well-being, safety and the environment;
- (ii) the monetary or other benefits which accrued to the convicted person through the commission of the offence; and

(iii) the extent of the convicted person's contribution to the overall pollution load of the area under normal working conditions.”.

(b) the addition of the following subsection after subsection (2):

“(3) Notwithstanding anything to the contrary in any other Act, a magistrate’s court shall have jurisdiction to impose any penalty prescribed by this Act.”.

Amendment of section 11 of Act 10 of 2004

38. Section 11 of the National Environmental Management: Biodiversity Act, 2004 is hereby amended by the substitution for paragraph (b) in subsection (1) for the following paragraph:

“(b) must conduct general surveillance monitoring and report regularly to the Minister on the impacts of [any] all categories of genetically modified organism [that has been] released into the environment; [, including the impact on non-target organisms and ecological processes, indigenous biological resources and biological diversity of species used for agriculture]”.

Amendment of section 45 of Act 10 of 2004

39. Section 45 of the National Environmental Management: Biodiversity Act, 2004 is hereby amended by—

(a) the deletion of the word “and” at the end of paragraph (b);

- (b) the deletion of paragraph (v) in subsection (c);
- (c) the addition of the following paragraph after paragraph (c):

"(d) take into consideration—

(i) any plans issued in terms of chapter 3 of the National
Environmental Management Act;

(ii) any municipal integrated development plan; and

(iii) any other plans prepared in terms of national or provincial
legislation that is affected."

Amendment of section 57 of Act 10 of 2004

40. Section 57 of the National Environmental Management: Biodiversity Act, 2004 is hereby amended by the addition of the following subsection after subsection (3):

"(4) The Minister may, by notice in the Gazette, exempt a person from any of the provisions relating to section 57(1)."

Amendment of section 58 of Act 10 of 2004

41. Section 58 of the National Environmental Management: Biodiversity Act, 2004 is hereby amended by the substitution for section 58 of the following section:

"The Minister may by notice in the Gazette amend or repeal any notice published in terms of section 55(1), [or] 56(2) or 57(4)."

Amendment of section 78 of Act 10 of 2004

42. Section 78 of the National Environmental Management: Biodiversity Act, 2004 is hereby amended by the substitution for section (1) of the following section:

“(1) If the Minister has reason to believe that the release of a genetically modified organism into the environment under a permit applied for in terms of the Genetically Modified Organisms Act, 1997 (Act 15 of 1997), may pose a threat to any indigenous species or the environment, no permit for such release may be issued in terms of that Act unless an environmental impact assessment has been conducted in accordance with Chapter 5 of the National Environmental Management Act as if such release were a listed activity contemplated in that Chapter.”.

Amendment of section 81 of Act 10 of 2004

43. Section 81 of the National Environmental Management: Biodiversity Act, 2004 is hereby amended by the substitution for paragraph (a) of subsection (1) of the following paragraph:

(a) engage in the commercialisation phase of biosprospecting involving any indigenous biological resources;”

Insertion of section 81A of Act 10 of 2004

44. The following section is hereby inserted in the National Environmental Management: Biodiversity Act, 2004 after section 81:

“Notification requirements

81A. (1) No person may, without first notifying the Minister, engage in the discovery phase of bioprospecting involving any indigenous biological resources.

(2) A notice referred to in subsection (1) must be in the form and contain such other particulars that maybe prescribed.

(3) A person involved in the discovery phase of bioprospecting must sign a commitment, as prescribed under subsection (2), to comply with the requirements at the commercialisation phase of biosprospecting."

Amendment of section 82 of Act 10 of 2004

45. Section 82 of the National Environmental Management: Biodiversity Act, 2004 is hereby amended by the substitution for the introductory portion of paragraph (b) of subsection (1) of the following:

"an indigenous community or a specific individual—"

Amendment of section 85 of Act 10 of 2004

46. Section 85 of the National Environmental Management: Biodiversity Act, 2004 is hereby amended by—

(a) the substitution for subsection (3) of the following subsection:

"(3) The Director-General—

(a) [must] may manage the Fund in the prescribed manner or appoint a trustee in terms of the Trust Property Control Act, 198 (Act No. 57 of 1988), to administer the fund on the Director-General's behalf in the prescribed manner and under such terms as the Director-General may consider necessary; and

(b) is accountable for the money in the Fund in terms of the Public Finance Management Act.”.

ALTERNATIVE

“Management of funds

85. (1) Stakeholders who have entered into benefit-sharing and material transfer agreements that generate moneys due to stakeholders, must—

(a) set up individual Trusts to establish, control and manage such funds;
and

(b) ensure compliance with all applicable legislation.”.

Amendment of section 86 of Act 10 of 2004

47. Section 86 of the National Environmental Management: Biodiversity Act, 2004 is hereby amended by the substitution for subsection (1) of the following subsection:

“ (1) The Minister may by notice in the *Gazette* —

(a) declare that this Chapter does not apply to indigenous resources specified in the notice or to an activity relating to such indigenous biological resources; **[and]** or

(b) declare that this Chapter does not apply to certain categories of research involving indigenous biological resources or commercial exploitation of indigenous biological resources; and

[(b)] (c) amend or withdraw a notice referred to in paragraphs (a) and (b).”.

Amendment of section 92 of Act 10 of 2004

48. Section 92 of the National Environmental Management: Biodiversity Act, 2004 is hereby amended by the substitution for the introductory portion of subsection (1) of the following:

“(1) If the carrying out of an activity mentioned in section [90] 87 is also regulated in terms of other law, the authority empowered under that other law to authorize that activity and the issuing authority empowered under this Act to issue permits in respect of that activity may— “

Insertion of section 93A in Act 10 of 2004

49. The following section is hereby inserted in the National Environmental Management: Biodiversity Act, 2004 after section 93:

“ Renewal and amendment of permits

93A. (1) A permit holder may, before the expiry date of a permit, apply to an issuing authority for the renewal or amendment of the permit.

(2) An application for the renewal or amendment of a permit must be in the form, contain such information and be accompanied by such processing fees as may be prescribed.

(3) In considering an application to renew or amend a permit, the issuing authority must have regard to the same matters which it was required to consider when deciding on the initial application for that permit.

(4) A issuing authority may for good reason amend or substitute any condition attached to a permit.”

Amendment of section 97 of Act 10 of 2004

50. Section 97 of the National Environmental Management: Biodiversity Act, 2004 is hereby amended by—

(a) the substitution for subparagraph (iv) in subsection (1)(b) of the following subparagraph:

“(iv) the facilitation of the implementation and enforcement of an international agreement regulating international trade in specimens **[of listed threatened or protected species]** of species to which the agreement applies and which is binding on the Republic.”.

(b) the deletion of the word “or” at the end of subparagraph (vii) of subsection (1)(b);

(c) the addition of the word “or” at the end of subparagraph (viii);

(d) the addition of the following subparagraph after subparagraph (1)(b)(viii):

“(ix) the hunting industry.” and

(e) the substitution for subparagraph (ii) in subsection (1)(e) of the following subparagraph:

“(ii) the form and content of, and requirements and criteria for notification requirements referred to in section 81A and benefit-sharing agreements and material transfer agreements.”.

(e) the substitution for subparagraph (i) in subsection (1)(f) of the following subparagraph:

“(i) the conditions subject to which issuing authorities may issue, renew or amend permits in terms of this Act;”

Amendment of section 98 of Act 10 of 2004

51. Section 98 of the National Environmental Management: Biodiversity Act, 2004 is hereby amended by the substitution for subsection (2) of the following subsection:

“(2) Regulations made in terms of section 97 may provide that any person who contravenes or fails to comply with a provision thereof is guilty of an offence and liable on conviction to—

- (a) imprisonment for a period not exceeding **[five]** ten years;
- (b) **[an appropriate fine]** a fine not exceeding R10 million; or
- (c) both a fine and such imprisonment.”.

Amendment of section 102 of Act 10 of 2004

52. Section 102 of the National Environmental Management: Biodiversity Act, 2004 is hereby amended by—

- (a) the substitution for subsections (1) and (2) of the following subsections, respectively:

“(1) A person convicted of an offence in terms of section 101 is liable to a fine not exceeding R10 million, or an imprisonment for a period not exceeding **[five]** ten years, or to both fine and such imprisonment.

(2) **[A fine in terms of subsection (1) may not exceed-**

(a) an amount prescribed in terms of the Adjustment of Fines Act, 1991 (Act 101 of 1991); or

(b) if a] If a person is convicted of an offence involving a specimen of a listed threatened or protected species, a fine may be [an amount] determined in terms of [paragraph (a)] subsection (1) or which is equal to three times the commercial value of the specimen in respect of which the offence was committed, whichever is the greater.

(b) the addition of the following section after subsection (2):

“(3) Notwithstanding anything to the contrary in any other Act, a magistrate’s court shall have jurisdiction to impose any penalty prescribed by this Act.”.

Amendment of Schedule 3 to Act 57 of 2003 as substituted by section 8 of Act 8 of 2004

Short title and Commencement

53. This Act shall be called the National Management Laws Amendment Act, 2008 and comes into effect on the date fixed by the President by Proclamation in the *Gazette*.

54. Schedule 3 to the National Environmental Management Act, 1998 is hereby amended by the substitution for *Part (a) and (b)* of the following Part:

“Schedule 3

(Section 34)

Part (a): National Legislation

No and year of law	Short title	Relevant provisions
Act 36 of 1947	Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947	Section 18 (1) (i) in so far as it relates to contraventions of sections 7 and 7bis

Act 71 of 1962	Animals Protection Act, 1962	Sections 2 (1) and 2A
Act 45 of 1965	Atmospheric Pollution Prevention Act, 1965	Sections 7(2)(a) –(d), 9(1)(a) –(c), 14A, 15(1)(a) and (b), 15(2), 17(4), 19(5), 20(11), 23(3), 24(2), 28(3), 29(4), 31(6) 32(2) 34 (4), 37(4), 40(4) and 41(2)
Act 63 of 1970	Mountain Catchment Areas Act, 1970	Section 14 in so far as it relates to contraventions of section 3
Act 15 of 1973	Hazardous Substances Act, 1973	Section 19 (1) (a) and (b) in so far as it relates to contraventions of sections 3 and 3A
Act 63 of 1977	Health Act, 1977	Section 27
Act 73 of 1980	Dumping at Sea Control Act, 1980	Section 2 (1) (a) and (b)
Act 6 of 1981	Marine Pollution (Control and Civil Liability) Act, 1981	Section 2 (1)
Act 43 of 1983	Conservation of <u>Agricultural</u> Resources Act, 1983	Sections 6 and 7
Act 2 of 1986	Marine Pollution (Prevention of Pollution from Ships) Act, 1986	Section 3A
Act 73 of 1989	Environment Conservation Act, 1989	Sections 19(1) and 19A read with 29(3), 20(1) and (9) read with section 29(4), 29 (2)(a)[and (4)], 31A and 41A read with 29(3)
Act 18 of 1998	Marine Living Resources Act, 1998	Section 58 (1) in so far as it relates to contraventions of sections 43 (2), 45 and 47, and section 58 (2) in so far as it relates to contraventions of international conservation and management measures
Act 36 of 1998	National Water Act, 1998	Section 151(1) (i) and (j).
Act 84 of 1998	National Forests Act	4(8), 7(1), 10(1), 11 (2)(b), 15(1)(a) and (b), 17(3) and (4), 20(3), 21(2), 21(5), 24(8), 63(1)(a), (d), (e) and (f), 63(2)(a) and (b), 63(3) – (5), 64(1) and (2)
Act 101 of 1998	National Veld and Forest Fire Act	10(2), 12(1), 12(2)(b), 12(14)(a), (4), 17(1), 18(1)(a), 18(2), 18(3)(b), 18(4), 18(4)(b), (25(2)(a) –(e), 25(5), (6) and (7)
Act 107 of 1998	National Environment Management Act, 1998	Sections 24F(1), and (2), 24G(3), 28(14), 30(11), 31N(1), 31Q and 34A (a), (b) and (c)
Act 25 of 1999	National Heritage Resources Act	27(18) and (22), (23)(b), 28(3), 29(10), 32(13), (15), (16), (17), (19) and (20) 33(1) and (2), 34(1), 35(3), (4), (6) and (7)(a) 36(3), 44(2) and (3), 50(5) and (12) and 51(8)
Act 57 of 2003	National Environmental Management : Protected Areas Act	Sections 45(1), 46(1), 47(2), 47(3), 48(1), 50(5) read with 89(1), 89(1) (b), (c) and (d) and 50A

Act 10 of 2004	National Environmental Management Biodiversity Act	Sections 57(1) read with 101 (1)(a), 65(1) read with 101(1)(a), 67(2) read with 101 (1)(a), 71(1) read with 101 (1)(a), 81(1)
Act 39 of 2004	National Environmental Management :Air Quality Act	Sections 51(10)(a) – (h), 51 (2) and (3)

Part (b): Provincial Legislation

No and year of law	Short title	Relevant provisions
<u>Ordinance 17 of 1939</u>	<u>Local Government</u>	
<u>Ordinance 8 of 1976</u>	<u>Dumping of Rubbish</u>	
<u>Ordinance 3 of 1973</u>	<u>Boputhatswana Nature Conservation</u>	
Ordinance 8 of 1969	Orange Free State Conservation	Section 40 (1) (a) in so far as it relates to contraventions of sections 2 (3), 14 (2), 15 (a), 16 (a) and 33
Ordinance 9 of 1969	Orange Free State Townships	Section 40 (1) (a) (ii)
<u>Ordinance 26 of 1957</u>	<u>Cape Problem Animal Control</u>	
Ordinance 15 of 1974	Natal Nature Conservation	Section 55 in so far as it relates to section 37 (1), to section 49 in respect of specially protected game and to section 51 in respect of specially protected game, section 109 in so far as it relates to section 101, to section 102 and to section 104, section 154 in so far as it relates to section 152; section 185 in so far as it relates to section 183, and section 208 in so far as it relates to section 194 and to section 200
Ordinance 19 of 1974	[Cape] Nature and Environmental Conservation <u>Ordinance</u>	Section 86 (1) in so far as it relates to contraventions of sections [26,] 4[4] 1(1) (b) (ii) and (c)-(e), 52 (a), 57 (a), 58 (b) and 62 (1)
<u>Ordinance 21 of 1981</u>	<u>Prevention of Environmental Pollution</u>	
Ordinance 12 of 1983	[Transvaal] Gauteng Nature Conservation	Sections 16A, 17 – 45, [42] , 47, 48, 51, 52, 54, 66, 71 – 78, 79, 80, 81, 83, 84, 85, 87, 88-93, 95, 96 [and] 98, 99, 100 and 107
Ordinance 15 of 1985	Cape Land Use Planning	Section 46 (1) in so far as it relates to sections 23 (1) and 39 (2)
Ordinance 15 of 1986	Transvaal Town Planning and Townships	Sections 42, 93 and 115

<u>Ordinance 10 of 1987</u>	<u>Ciskei Nature Conservation</u>	
<u>Act 5 of 1976</u>	<u>QwaQwa Nature Conservation</u>	
<u>Act 4 of 1987</u>	<u>KwaZulu –Natal Animal Protection</u>	
<u>Act 24 of 1987</u>	<u>Boputhatswana Protected Areas</u>	
<u>Act 16 of 1981</u>	<u>Boputhatswana Prevention and control of littering</u>	
<u>Act 20 of 1989</u>	<u>Ciskei Animal Protection</u>	
<u>Act 29 of 1992</u>	<u>KwaZulu Nature Conservation</u>	Section 67 in so far as it relates to sections 59 (1), 59 (2), 60 (1) and 62 (1); section 86 in so far as it relates to sections 76, 77 and 82; and section 110 in so far as it relates to section 109
<u>Act 9 of 1997</u>	<u>KwaZulu-Natal Nature Conservation Management</u>	
<u>Act 10 of 1997</u>	<u>KwaZulu-Natal Heritage</u>	
<u>Act 5 of 1998</u>	<u>KwaZulu Natal Planning and Development</u>	Section 48
<u>Act 7 of 1998</u>	<u>Northern Cape Planning and development</u>	
<u>Act 10 of 1998</u>	<u>Mpumalanga Nature Conservation</u>	
<u>Act ? of 1999</u>	<u>Western Cape Planning and Development</u>	
<u>Act 7 of 2003</u>	<u>Limpopo Environmental Management</u>	
<u>Act 9 of 2003</u>	<u>Eastern Cape Heritage Resources</u>	

55. The following Schedules are hereby substituted for the Schedule to the National Environmental Management: Protected Areas Act, 2003

**"SCHEDULE 1
REPEAL OF LAWS
(Section 90)**

No and year of Act	Short title of Act	Extent of repeal
Act 39 of 1975	Lake Areas Development Act, 1975	The repeal of the whole
Act 57 of 1976	National Parks Act, 1976	The repeal of the whole
Act 60 of 1979	National Parks Amendment Act, 1979	The repeal of the whole
Act 9 of 1980	Lake Areas Development Amendment Act, 1980	The repeal of the whole
Act 13 of 1982	National Parks Amendment Act, 1982	The repeal of the whole

Act 23 of 1983	National Parks Amendment Act, 1983	The repeal of the whole
Act 43 of 1986	National Parks Amendment Act, 1986	The repeal of the whole
Act 111 of 1986	National Parks Second Amendment Act, 1986	The repeal of the whole
Act 60 of 1987	National Parks Amendment Act, 1987	The repeal of the whole
Act 73 of 1989	Environment Conservation Act, 1989	The repeal of sections 16, 17 and 18
Act 23 of 1990	National Parks Amendment Act, 1990	The repeal of the whole
Act 52 of 1992	National Parks Amendment Act, 1992	The repeal of the whole
Act 91 of 1992	National Parks Second Amendment Act, 1992	The repeal of the whole
Act 38 of 1995	National Parks Amendment Act, 1995	The repeal of the whole
Act 70 of 1997	National Parks Amendment Act, 1997	The repeal of the whole
Act 106 of 1998	National Parks Amendment Act, 1998	The repeal of the whole
Act 54 of 2001	National Parks Amendment Act, 2001	The repeal of the whole

Schedule 2

National Park Areas

(Section 20(6))

KRUGER NATIONAL PARK:

Definition of Area

From the confluence of the Limpopo River with the Luvuvhu River (Pafuri River) generally southwards along the boundary of the Province of the Transvaal and Mozambique (Survey Records 1762/75) to the point where the last-named boundary is intersected by the right bank of the Komati River; thence westwards along the right bank of the said Komati River to its confluence with the Crocodile River and continuing generally westwards along the right bank of the Crocodile River to the south-eastern corner of Lot 347 in the Kaap Block Section E; thence generally north-eastwards along the boundaries of the following lots in the Kaap Block Section E so as to exclude them from this area: Lots 347, 372, 370, 366 and 367, to the south-eastern corner of the last-named lot; thence generally northwards along the right bank of the Nsikazi River to the south-eastern corner of the farm Daannel 33 JU; thence north-westwards along the boundaries of the last-named farm, so as to exclude it from this area, to the north-western beacon thereof; thence north-westwards and north-eastwards along the boundaries of the farm Numbi 32 JU, so as to include it in this area to the north-eastern beacon thereof; thence north-westwards along the north-eastern boundary of Lot 201 in the Kaap Block Section F to the southern-most beacon of the farm Rooiduiker 19 JU; thence north-westwards and northwards along the boundaries of the said last-named farm, so as to include it

in this area, to the northern-most beacon thereof, and continuing north-eastwards along the south-eastern boundaries of Lots 147 and 146 in the Kaap Block Section F to the north-eastern corner of the latter lot; thence generally eastwards along the left bank of the Sabie River to the south-eastern corner of the farm Kingstown 380 KU; thence eastwards and generally northwards along the boundaries of the following farms so as to exclude them from this area: The said farm Kingstown 380 KU, Toulon 383 KU, Charleston 378 KU, Flockfield 361 KU, Malamala 359 KU, Eyrefield 343 KU, Gowrie 342 KU, Buffelshoek 340 KU, Sarabank 323 KU, Jeukpeulhoek 222 KU, Middel In 202 KU, Albatross 201 KU, Kempiana 90 KU and Vlakgezicht 75 KU to the north-eastern beacon of the last-named farm; thence north-eastwards along the north-western boundary of Portion 1 (Diagram S.G. A 1815/61) of the farm Addger 69 KU to the northern-most beacon thereof; thence generally northwards along the boundaries of the following farms so as to exclude them from this area: Ceylon 53 KU, Sumatra 47 KU, Brazilie 48 KU, Op Goedehoop 25 KU, Buffelsbed 26 KU, Roodekrantz 27 KU, Rietvley 28 KU, Diepkloof 406 KU, Portion 6 (Diagram S.G. A 8744/69) of the farm Klaseriemond 15 KU, Zeekoegat 12 KU, Portion 2 (Diagram S.G. A 6362/65) of the farm Vereeniging 11 KU, the farms Merensky 32 LU, Laaste 24 LU, Silongue 23 LU, Genoeg 15 LU and Letaba Ranch 17 LU to the north-eastern corner of the last-named farm; thence eastwards along the left bank of the Great Letaba River to its confluence with the Klein Letaba River; thence generally north-westwards along the right bank of the Klein Letaba River to the northern-most beacon of the farm Draai 2 LU; thence north-westwards in a straight line to the south-eastern beacon of the farm Alten 222 LT; thence north-westwards and north-eastwards along the boundaries of the following farms so as to exclude them from this area: The said farm Alten 222 LT, Plange 221 LT, Lombaard 220 LT, Ntlaveni 2 MU and Mhingas Location Extension 259 MT to the north-eastern beacon of the last-named farm; thence westwards along the northern boundaries of the farms Mhingas Location Extension 259 MT and Mhingas Location 258 MT to the north-western corner of the last-named farm; thence generally north-eastwards along the middle of the Luvuvhu River (Pafuri River) to the point where the prolongation southwards of boundary BA on Diagram S.G. A 58/73 of a boundary line for purposes of proclamation over State land intersects the middle of the Luvuvhu River (Pafuri River); thence northwards along the said prolongation to the point where the said prolongation intersects the Mutale River; thence generally south-eastwards along the middle of the Mutale River to its confluence with the Luvuvhu River (Pafuri River); thence generally eastwards along the middle of the last-named river to its confluence with the Limpopo River, the point of beginning.

Proclamation 210/84 declared the following property to be part of this park and amended the definition accordingly:

Portion 2 (a portion of Portion 1) of the farm Toulon 383 KU, Province of the Transvaal, 8,9993 hectares in extent, as represented by and described in Diagram SG A4827/82.

GN 703/89 excluded the following portions of land, situate in the Province of Transvaal, from this park and amended the definition accordingly:

– “Remainder of the farm Sigambule 216, Registration Division JU, in extent 547,0131 ha;
Portion 1 of the farm Sigambule 216, Registration Division JU, in extent 468,6482 ha;
farm Matsulu 543, Registration Division JU, in extent 1155,6013 ha;
farm Makawusi 215, Registration Division JU, in extent 1067,1731 ha.”

GN 482 / GG 15540 / 19940311 declared the following portions of land to be part of this park:

1. Remaining Extent of the farm Kempiana 90, in extent 3960,5422 hectares;
2. the farm Lillydale 89, in extent 3919,6874 hectares;
3. the Remaining Extent of the farm Morgenzon 199, in extent 2114,3169 hectares;
4. the farm Springvalley 200, in extent 3838,1499 hectares; and
5. Remaining Extent of Portion 1 of the farm Valkgezicht 75, in extent 863,8188 hectares,
all situate in the Registration Division KU, Transvaal.

GN 458/99 excluded the following land from this park:

– The land described by the figure “aABCQq middle of the Limpopo River n middle of the Luvuvbu River p middle of the Mutale River a” in extent about 19 176 hectares, situated in the Pafuri area, Soutpansberg District, Northern Province.

GN 458/99 declared the following land to be part of this park:

– The land described by the figure “aBCDEFGHJKLm middle of the Limpopo River n middle of the Luvuvhu River p middle of the Mutale River a” and referred to as “the farm Makuleke No. 6-MU” in Diagram SG No. 10710/1998 in extent 22 733,6360 hectares, situated in the Pafuri area Soutpansberg District, Northern Province.

[Definition of Kruger National Park substituted by s. 2 of Act 60/79 and amended by Proc. 210/84, GN 703/89 and GN 458/99]

KALAHARI GEMSBOK NATIONAL PARK

Definition of Area

From the point where the extension of the western boundary of the farm Unions End in the division of Gordonia (map 2676/1921) intersects the middle of the

Nossob River; from there in a southerly direction along the middle of the said river to the point where the extension of the southern boundary of the farm Twee Rivieren (map B.498/1897) crosses the middle of the Nossob River; from there in a westerly direction along the said extension and the boundaries of the following farms so that they are included in this area: the said farm Twee Rivieren, Houmoed (map 6865/1917), Monro (map 6864/1917), Auchterlonie (map 454/1918), Batu Lama (map 455/1918), Kamqua (map 456/1918), Klein Skrij Pan (map 457/1918), Groot Skrij Pan (map 458/1918), Cal Decote (map 459/1918), Kafirs Pan (map 460/1918) and Sitszas (map 223/1919) to where the south-western boundary of the last-mentioned farm meets the border line between the Republic of South Africa and Namibia; from there in a northerly direction along the said border to the place of beginning.

GN 5/87 declared the following properties to be part of this park and amended the definition accordingly:

- (i) Portion 2 of the farm Mier 566, situate in the Administrative District of Gordonia, Province of the Cape of Good Hope, in extent 362,3704 hectares, as represented on and described in Diagram SG 8603/83;
- (ii) Portion 3 of the farm Mier 566, situate in the Administrative District of Gordonia, Province of the Cape of Good Hope, in extent 10 893,5794 hectares, as represented on and described in Diagram SG 8604/83; and
- (iii) Portion 4 of the farm Mier 566, situate in the Administrative District of Gordonia, Province of the Cape of Good Hope, in extent 1 754,8153 hectares, as represented on and described in Diagram SG 8605/83.

GN 5/87 excluded the following properties from the definition of this park:

- (i) Portion 1 of the farm Monro 69, situate in the Administrative District of Gordonia, Province of the Cape of Good Hope, in extent 0,6914 hectares, as represented on and described in Diagram SG 8606/83;
- (ii) Portion 1 of the farm Caldecote 76, situate in the Administrative District of Gordonia, Province of the Cape of Good Hope, in extent 50,1302 hectares, as represented on and described in Diagram SG 8607/83;
- (iii) Portion 1 of the farm Kaffirs Pan 77, situate in the Administrative District of Gordonia, Province of the Cape of Good Hope, in extent 4,8271 hectares, as represented on and described in Diagram SG 8608/83;
- (iv) Farm 586, situate in the Administrative District of Gordonia, Province of the Cape of Good Hope, in extent 5,6156 hectares, as represented on and described in Diagram SG 422/84; and
- (v) Portion 1 of the farm Twee Rivieren 97, situate in the Administrative District of Gordonia, Province of the Cape of Good Hope, in extent 5 019,2199 hectares, as represented on and described in Diagram SG 8609/83.

GN 1442/2002 excluded the following land from the park and amended the definition accordingly:

Portion 1 (Miergronde) of the Farm 643, situated in the Division of Gordonia, Province Northern Cape, in extent 30 134,7803 hectares, held under Title Deed No. T2456/2002.

Portion 2 (Sangronde) of Farm 643, situated in the Division of Gordonia, Province Northern Cape, in extent 27 769,2969 hectares, held under Title Deed No. T2457/2002.

GN 1442/2002 declared the following land to be part of this park:

Portion 1 (Miergronde) of the Farm 643, situated in the Division of Gordonia, Province Northern Cape, in extent 30 134,7803 hectares, held under Title Deed No. T2456/2002.

Portion 2 (Sangronde) of Farm 643, situated in the Division of Gordonia, Province Northern Cape, in extent 27 769,2969 hectares, held under Title Deed No. T2457/2002.

[Definition of "Kalahari Gemsbok National Park" amended by GN 5/87, s. 1 of Act 49/96, GN 1442/2002]

BONTEBOK NATIONAL PARK

Definition of Area

Beginning at the beacon lettered A on the diagram of Erf 1699 Swellendam, thence in an easterly direction along the boundaries of the said Erf 1699 and Erf 23, so as to include them in this area, to the northernmost beacon of Erf 2477; thence south-westwards along the western boundaries of the said Erf 2477 and Erf 2476, so as to exclude them from this area, to the southernmost beacon of the last-mentioned erf; thence south-westwards along the boundaries of the said Erf 23 and Erf 153, so as to include them in this area, to the westernmost point of the last-mentioned erf; thence south-westwards along the prolongation of the north-western boundary of the said Erf 153 to the middle of the Breede River; thence north-westwards along the middle of the said Breede River to the southernmost point of Portion 3 of Farm 259 Swellendam; thence north-westwards along the boundaries of the said Portion 3, and Portion 8 of Farm 254 Swellendam, so as to include them in this area, to the westernmost point of the last-mentioned portion; thence north-westwards in a straight line to the beacon lettered H on the diagram of the said Erf 1699; thence along the north-western boundary of the said Erf 1699, so as to include it in this area, to the beacon first named.

GN 41/2004 declared the following land to be part of this park and amended the definition accordingly:

Erf 5338, Swellendam, Province of the Western Cape, measuring 535,5909 hectare, held by Deed of Transfer No. T5463/2001

Erf 5339, Swellendam, Province of the Western Cape, measuring 95,9582 hectare, held by Deed of Transfer No. T5463/2001

[Definition of "Bontebok National Park" amended by GN 41/2004]

ADDO ELEPHANT NATIONAL PARK

Definition of Area

Beginning at the northernmost beacon of Portion 6 of the farm Coerney 83, Division of Alexandria; thence south-eastwards and generally southwards along the boundaries of the following properties so as to include them in this area: The said Portion 6 of the farm Coerney 83, the farm Strathmore 149 and the farm Kenmure 154, to the easternmost beacon of the last-mentioned farm; thence south-westwards along the boundaries of the said farm Kenmure 154, Portion 2 of the farm Kenmure 154 and the farm Nesta 109, Division of Uitenhage, to the easternmost beacon of Portion 199 of the Farm 113; thence north-westwards along the north-eastern boundary of the said Portion 199 of Farm 113, so as to exclude it from this area, to its northernmost beacon; thence clockwise along the boundaries of Portions 251 and 295 of Farm 113, so as to include them in this area, to the northernmost beacon of the last-mentioned Portion 295 of Farm 113; thence north-westwards along the eastern boundary of Portion 183 of Farm 113 so as to exclude it from this area; thence westwards along the southern boundary of Portion 268 of Farm 113 and northwards along the western boundary of the said Portion 268 of Farm 113 so as to include it in this area; thence north-westwards along the north-eastern boundary of the Remainder of Portion 204 of Farm 113 so as to exclude it from this area; thence generally northwards along the eastern boundary of Portion 267 of Farm 113 and westwards along the northern boundary of the said Portion 267 of Farm 113 so as to exclude it from this area; thence north-westwards along the eastern boundaries of the following properties so as to exclude them from this area: Portions 202 and 246 of Farm 113, Portion 1 of Farm 108 and Portion 208 of the said Farm 113 to the northernmost beacon of the last-mentioned Portion 208 of Farm 113; thence north-eastwards along the south-eastern boundary of Portion 1 of the farm Brackendale 112 (Railway Line), so as to exclude it from this area, to the south-western beacon of Portion 3 of the farm Brackendale 112; thence generally northwards along the western boundary of the following properties so as to include them in this area: The said Portion 3 of the farm Brackendale 112, Portion 2 of the farm Brackendale 112, the farm Indlovu North 151, Division of Alexandria, Portions 4 and 5 of Farm 82 and Portion 6 of the farm Coerney 83, to the beacon first named.

Portion 2 of the farm Marion Baree 120, situate in the Division of Uitenhage, Province of the Cape of Good Hope, in extent 860,5763 hectares, as represented on and described in Diagram SG No. 5653/81 (Cape Town), dated 19 October 1981.

Remainder of Portion 2 (Gorah) of Farm 91, situate in the Division of Alexandria, Province of the Cape of Good Hope, in extent 44,3755 hectares, as represented on and described in Diagram No. 250, 1919.

Farm 158 (Alva), situate in the Division of Alexandria, Province of the Cape of Good Hope, in extent 850,2222 hectares, as represented on and described in Diagram SG No. 1058/1891.

GN 37/94 declared the following land to be part of this park and amended the definition accordingly:

1. Portion 1 of the farm Duncairn 109, in extent 555,5381 hectares, as represented on and described in Diagram No. A117/1925;
 2. Portion 5 (a portion of Portion 3) of Farm 91, in extent 87,3674 hectares, as represented on and described in Diagram SG No. 1544/1895;
 3. Remainder of Portion 6 of Farm 91, in extent 226,4818 hectares, as represented on and described in Diagram SG No. 7728/1903;
 4. Remainder of the farm Mimosa 89, in extent 506,9986 hectares, as represented on and described in Diagram No. A737/1924; and
 5. Remainder of the farm Thornleigh 85, in extent 169,4341 hectares, as represented on and described in Diagram No. B563/1886;
- all situated in the Division of Alexandria, Province of the Cape of Good Hope.

GN 37/94, under section 2D(1), declared the following land to be part of this park:

The farm Unamore 88, situated in the Division of Alexandria, Province of the Cape of Good Hope, in extent 495,5095 hectares.

GN 1227/94 declared the following land to be part of this park and amended the definition accordingly:

1. Portion 1 of the farm Good Hope 38, situate in the Division of Uitenhage, Province of the Cape of Good Hope, in extent 565,8193 hectares, as represented on and described in Diagram No. 1149/1912.
2. Portion 4 (a portion of Portion 2) of the farm Doorn Nek 73, situate in the Division of Alexandria, Province of the Cape of Good Hope, in extent 685,2215 hectares, as represented on and described in Diagram No. 5976/47.

GN 1227/94, under section 2D(1), declared the following land to be part of this park:

Portion 6 of the farm Woodlands 45, situated in the Division of Uitenhage, Province of the Cape of Good Hope, in extent 1204,5562 hectares.

GN 1228/94 declared the following land to be part of this park and amended the definition accordingly:

1. Portion 14 (Gorah Kloof) (a portion of Portion 8) of Farm 91, in extent 342,6128 hectares, as represented on and described in Diagram A161/1923;
 2. Remaining extent of Portion 12 (Uitkyk) (a portion of Portion 8) of Farm 91, in extent 208,3400 hectares, as represented on and described in Diagram 2629/1921;
 3. Portion 13 (Ellerton) (a portion of Portion 8) of Farm 91, in extent 195,6219 hectares, as represented on and described in Diagram A160/1923;
 4. Portion 22 (a portion of Portion 8) of Farm 91, in extent 271,9194 hectares, as represented on and described in Diagram 2165/1939; and
 5. Portion 21 (a portion of Portion 8) of Farm 91, in extent 271,9211 hectares, as represented on and described in Diagram 2164/1939;
- all situate in the Division of Alexandria, Province of the Cape of Good Hope.

GN 1582/95 declared the following land to be part of this park and amended the definition accordingly:

1. Portion 4 of the farm Break Neck 24, situate in the Division of Uitenhage, Province of the Cape of Good Hope, in extent 2 183,9243 hectares, as represented on and described in Diagram SG 5357/72;
2. Kabougas Poort 26, situate in the Division of Uitenhage, Province of the Cape of Good Hope, in extent 457,1883 hectares, as represented on and described in Diagram B825/1927;
3. Portion 7 (a portion of Portion 1) of the farm Woodlands 45, situate in the division of Uitenhage, Province of the Cape of Good Hope, in extent 977,8743 hectares, as represented on and described in Diagram SG 12356/65;
4. Rockleigh 27, situate in the Division of Uitenhage, Province of the Cape of Good Hope, in extent 1 865,4994 hectares, as represented on and described in Diagram 535/1886;
5. Coldstream 28, situate in the Division of Uitenhage, Province of the Cape of Good Hope, in extent 1 814,9369 hectares, as represented on and described in Diagram 536/1886;
6. Glencoe 29, situate in the Division of Uitenhage, Province of the Cape of Good Hope, in extent 2 168,1451 hectares, as represented on and described in Diagram 537/1886;
7. Ravensworth 30, situate in the Division of Uitenhage, Province of the Cape of Good Hope, in extent 1 518,0751 hectares, as represented on and described in Diagram 538/1886;
8. Glenorgal 31, situate in Division of Uitenhage, Province of the Cape of Good Hope, in extent 1 933,2502 hectares, as represented on and described in Diagram 539/1886;
9. Lulworth 32, situate in the Division of Uitenhage, Province of the Cape of Good Hope, in extent 863,6192 hectares, as represented on and described in Diagram 540/1886;

10. Durlstone 33, situate in the Division of Uitenhage, Province of the Cape of Good Hope, in extent 935,2274 hectares, as represented on and described in Diagram 541/1886;
11. Clifton 34, situate in the Division of Uitenhage, Province of the Cape of Good Hope, in extent 1 542,9343 hectares, as represented on and described in Diagram 542/1886;
12. An unsurveyed, unregistered portion of State land situate in the Division of Uitenhage, province of the Cape of Good Hope, bounded within the former Sundays River State Forest, which at present forms an integral part of the Suurberg State Forest (Farm 35), in extent approximately 822,2708 hectares;
13. Farm 74 (formerly Lot 16), situate in the division of Alexandria, Province of the Cape of Good Hope, in extent 1 939,6938 hectares, as represented on and described in Diagram 3402, dated 9 April 1876;
14. Ferniebrae 71, situate in the Division of Alexandria, Province of the Cape of Good Hope, in extent 656,9178 hectares, as represented on and described in Diagram SG 6693/1974;
15. Farm 72, situate in the Division of Alexandria, Province of the Cape of Good Hope, in extent 277,5974 hectares, as represented on and described in Diagram SG 6694/1974; and
16. Heatherbrae 69, situate in the Division of Alexandria, Province of the Cape of Good Hope, in extent 820,2674 hectares, as represented on and described in Diagram 562/1886.

GN 1138/96 declared the following land to be part of this park and amended the definition accordingly:

1. Farm Buffelskuil 84, in extent 1079,2603 hectares, situated in the Division of Alexandria, as represented on and described in Diagram SG No. 394/1829.
2. Portion 1 of the farm Coerney 83, in extent 306,5289 hectares, situated in the Division of Alexandria, as represented on and described in Diagram SG No. 1349/1906.
3. Remainder of the farm Coerney, in extent 417,7921 hectares, situated in the Division of Alexandria, as represented on and described in Diagram SG No. 73/1905.
4. Farm Buffelskop, a portion of the farm Buffelskuil, in extent 217,5591 hectares, situated in the Division of Alexandria, as represented on and described in Diagram SG No. 377/1909.
5. Portion 7 of the farm Coerney, in extent 296,3601 hectares, situated in the Division of Alexandria, as represented on and described in Diagram SG No. 2883/49.
6. Portion 2 (Klipdraai) of the farm Buffelskuil 84, in extent 309,6364 hectares, situated in the Division of Alexandria, as represented on and described in Diagram SG No. 702/1910.

GN 1139/96 declared the following land to be part of this park and amended the definition accordingly:

1. Remainder of Portion 1 (Klein Vlake) of the farm The Wells 87, in extent 278,6167 hectares, situated in the Division of Alexandria, Eastern Cape Province, as represented on and described in Diagram SG No. 3152/1920.
2. Portion 18, Buckland (a portion of Portion 2) of Farm 91, in extent 235,3907 hectares, situated in the Division of Alexandria, Eastern Cape Province, as represented on and described in Diagram SG No. 162/1924.
3. Portion 17, Buckland (a portion of Portion 12) of Farm 91, in extent 134,2728 hectares, situated in the Division of Alexandria, Eastern Cape Province, as represented on and described in Diagram SG No. 205/1924.
4. Portion 11, Ravenshaw (a portion of Portion 8) of Farm 91, in extent 256,9625 hectares, situated in the Division of Alexandria, Eastern Cape Province, as represented on and described in Diagram SG No. 2630/1921.
5. Portion 3 (a portion of Portion 1) of the farm The Wells 87, in extent 299,7880 hectares, situated in the Division of Alexandria, Eastern Cape Province, as represented on and described in Diagram SG No. 7612/54.
6. Portion 4, Zietsmanshoop (a portion of Portion 1) of the farm Coerney 83, in extent 114,5641 hectares, situated in the Division of Alexandria, Eastern Cape Province, as represented on and described in Diagram SG No. 3995/1928.

GN 1140/96 declared the following land to be part of this park and amended the definition accordingly:

1. Portion 3 (Eensgevonde) of Farm 37, in extent 426,7763 hectares, situated in the Division of Uitenhage, Eastern Cape Province, as represented on and described in Diagram SG No. 1285/1944.
2. Portion 2 (En Hoek) of Farm 38, in extent 185,2679 hectares, situated in the Division of Uitenhage, Eastern Cape Province, as represented on and described in Diagram SG No. 1156/1912.
3. Remainder of Portion 2 (Wit Paard Nek) of the farm Slag Boom 39, in extent 15,2199 hectares, situated in the Division of Uitenhage, Eastern Cape Province, as represented on and described in Diagram SG No. 1156/1912.
4. Farm 36, in extent 992,2667 hectares, situated in the Division of Uitenhage, Eastern Cape Province, as represented on and described in Diagram SG No. B1549/1876.
5. Remainder of Portion 1 (Ballengary) of the farm Klein Plaats 2, in extent 381,1567 hectares, situated in the Division of Alexandria, Eastern Cape Province, as represented on and described in Diagram SG No. A2014/1926.

GN 1106/2001 declared the following land to be part of this park and amended the definition accordingly:

No.	Property	Deed number	Area (ha)
1.	The farm Boxwood No 256, Alexandria, Eastern Cape	Surveyed, unregistered State Land	881,1930

2.	Farm No. 270, Alexandria, Eastern Cape	Surveyed, unregistered State Land	1 160,00
3.	Farm No. 272, Alexandria, Eastern Cape	Surveyed, unregistered State land	612,00
4.	Farm No. 292, Alexandria, Eastern Cape	Surveyed, unregistered State land	602,00
5.	Unsurveyed Farm No. 308, Alexandria, Eastern Cape	Surveyed, unregistered State land	+/-3 436,00
6.*	Unsurveyed Farm No. 318, Alexandria, Eastern Cape	Unsurveyed, unregistered State land	+/-6 589,00
7.	Remainder of the farm Midfor No. 327, Alexandria, Eastern Cape	T7619/1967 RSA	2 593,2142
8.	The Farm Mainfor No. 328, Alexandria, Eastern Cape	T7619/1967 RSA	4 995,9528
9.	Remainder of the farm Kwaihoek No. 349, Alexandria, Eastern Cape	T43/1948 RSA	382,9812
		TOTAL	+/- 2 1252,3400

* Note: Areas derived from 1:50 000 Topographical Maps.

GN 940/2003 declared the following land to be part of this park and amended the definition accordingly:

The remainder of farm Deep Drift 18, District of Uitenhage, Eastern Cape Province in extent 2345,5704 ha. (Title Deed T30661/1984).

GN 1499/2003 declared the following land to be part of this park and amended the definition accordingly:

Portion 6 of the farm Woodlands 45, Uitenhage Registration Division, Eastern Cape Province, in extent 1204,5562 hectare, held under Title Deed No. T45364/1993

Portion 357 of the farm Strathsomers Estate 42, Uitenhage Registration Division, Easter Cape Province, in extent 670,0227 hectare, held under Title Deed No. T26422/1996

Remainder of the farm Woodlands 45, Uitenhage Registration Division, Easter Cape Province, in extent 898,4117 hectare, held under Title Deed No. T26063/1996

Portion 5 of the farm Nieuwe Post 68, Alexandria Registration Division, Eastern Cape Province, in extent 231,4781 hectare, held under Title Deed No. T61263/1997

Portion 3 of the farm Nieuwe Post 68, Alexandria Registration Division, Eastern Cape Province, in extent 25,4775 hectare, held under Title Deed No. T61263/1997

Portion 4 of the farm Nieuwe Post 68, Alexandria Registration Division, Eastern Cape Province, in extent 642,3970 hectare, held under Title Deed No. T61263/1997

Remainder of the farm Marion Barea 120, Uitenhage Registration Division, Eastern Cape Province, in extent 133,1420 hectare, held under Title Deed No. T58631/1997

Portion 1 of the farm Addo Heights 209, Uitenhage Registration Division, Eastern Cape Province, in extent 436,8352 hectare, held under Title Deed No. T58631/1997

Portion 6 of the farm Addo Heights 209, Uitenhage Registration Division, Eastern Cape Province, in extent 214,1330 hectare, held under Title Deed No. T58631/1997

Remainder of the farm Lismore 208, Uitenhage Registration Division, Eastern Cape Province, in extent 893,8143 hectare, held under Title Deed No. T58631/1997

Portion 2 of the farm Lot De B Penhurst 123, Uitenhage Registration Division, Eastern Cape Province, in extent 285,5133 hectare, held under Title Deed No. T58631/1997

Portion 3 of the farm Vygeboom 326, Somerset East Registration Division, Eastern Cape Province, in extent T71,1714 hectare, held under Title Deed No. T889/1997

Portion 1 of the farm Weltevrede 67, Alexandria Registration Division, Eastern Cape Province, in extent 327,0733 hectare, held under Title Deed No. T79387/1997

Portion 6 of the farm Weltevrede 67, Alexandria Registration Division, Eastern Cape Province, in extent 139,4019 hectare, held under Title Deed No. T101297/1997

Portion 4 of the farm Woodlands 45, Uitenhage Registration Division, Eastern Cape Province, in extent 648,0806 hectare, held under Title Deed No. T35507/1998

Portion 4 of the farm Addo Heights 209, Uitenhage Registration Division, Eastern Cape Province, in extent 496,1968 hectare, held under Title Deed No. T77716/1998

Remainder of the farm Addo Heights 209, Uitenhage Registration Division, Eastern Cape Province, in extent 249,8601 hectare, held under Title Deed No. T77716/1998

Portion 2 of the farm Addo Heights 209, Uitenhage Registration Division, Eastern Cape Province, in extent 287,3420 hectare, held under Title Deed No. T77716/1998

Portion 5 of the farm Addo Heights 209, Uitenhage Registration Division, Eastern Cape Province, in extent 128,4786 hectare, held under Title Deed No. T75543/1998

Portion 2 of the farm Rietpoort 19, Uitenhage Registration Division, Eastern Cape Province, in extent 405,7944 hectare, held under Title Deed No. T82517/1999

Remainder of the farm Rietpoort 19, Uitenhage Registration Division, Eastern Cape Province, in extent 1650,3244 hectare, held under Title Deed No. T82517/1999

Remainder of the farm Die Dorings 21, Uitenhage Registration Division, Eastern Cape Province, in extent 459,9964 hectare, held under Title Deed No. T82517/1999

Remainder of Farm 630, Uitenhage Registration Division, Eastern Cape Province, in extent 213,7463 hectare, held under Title Deed No. T8987/1999

Remainder of the farm Fascadale 213, Uitenhage Registration Division, Eastern Cape Province, in extent 1401,6661 hectare, held under Title Deed No. T89188/1999

Portion 2 of the farm Die Dorings 21, Uitenhage Registration Division, Eastern Cape Province, in extent 226,4341 hectare, held under Title Deed No. T98322/1999

Remainder of the Farm 75, Alexandria Registration Division, Eastern Cape Province, in extent 401,9019 hectare, held under Title Deed No. T101587/1999

Remainder of Farm 76, Alexandria Registration Division, Eastern Cape Province, in extent 204,8824 hectare, held under Title Deed No. T102587/1999

Portion 2 of the farm Doom Nek 73, Alexandria Registration Division, Eastern Cape Province, in extent 132,1361 hectare, held under Title Deed No. T102587/1999

The farm Koms 70, Alexandria Registration Division, Eastern Cape Province, in extent 949,1587 hectare, held under Title Deed No. T102587/1999

Remainder of the farm Dirks Kraal 286, Somerset East Registration Division, Eastern Cape Province, in extent 967,7702 hectare, held under Title Deed No. T4386/2000

Portion 4 of the farm Cypherlontein 160, Alexandria Registration Division, Eastern Cape Province, in extent 522,4894 hectare, held under Title Deed No. T25107/2000

Portion 9 of the farm Cypherfontein 160, Alexandria Registration Division, Eastern Cape Province, in extent 522,4796 hectare, held under Title Deed No. T25107/2000

Portion 2 of the farm Modderfontein 338, Somerset East Registration Division, Eastern Cape Province, in extent 267,5403 hectare, held under Title Deed No. T53486/2000

Portion 5 of the farm Dirks Kraal 286, Somerset East Registration Division, Eastern Cape Province, in extent 342,6128 hectare, held under Title Deed No. T53486/2000

Portion 3 of the farm Dirks Kraal 286, Somerset East Registration Division, Eastern Cape Province, in extent 784,2393 hectare, held under Title Deed No. T53486/2000

Remainder of the farm Zoute Fontein 210, Uitenhage Registration Division, Eastern Cape Province, in extent 411, 6,8585 hectare, held under Title Deed No. T62546/2000

Portion 1 of the farm Zoute Fontein 210, Uitenhage Registration Division, Eastern Cape Province, in extent 513,9182 hectare, held under Title Deed No. T62547/2000

Portion 1 of the farm Riet Poort 19, Uitenhage Registration Division, Eastern Cape Province, in extent 89,4327 hectare, held under Title Deed No. T75186/2000

Portion 2 of the farm Lismore 208, Uitenhage Registration Division, Eastern Cape Province, in extent 473,0541 hectare, held under Title Deed No. T90912/2000

Portion 3 of the farm Vaalnek, Jansenville Registration Division, Eastern Cape Province, in extent 329,4483 hectare, held under Title Deed No. T94191/2000

Portion 2 of the farm Vaalnek 233, Jansenville Registration Division, Eastern Cape Province, in extent 494,1019 hectare, held under Title Deed No. T94191/2000

Portion 5 of the farm Coemey 83, Alexandria Registration Division, Eastern Cape Province, in extent 396,0146 hectare, held under Title Deed No. T107910/2000

Remainder of the farm Lynwood 86, Alexandria Registration Division, Eastern Cape Province, in extent 515,9264 hectare, held under Title Deed No. T107910/2000

Portion 2 of the farm Thornleigh 85, Alexandria Registration Division, Eastern Cape Province, in extent 599,5274 hectare, held under Title Deed No. T2272/2001

Remainder of the farm Henderson 410, Somerset East Registration Division, Eastern Cape Province, in extent 2885,2478 hectare, held under Title Deed No. T30574/2001

Portion 3 of the farm Rietrivier 230, Jansenville Registration Division, Eastern Cape Province, in extent 140,6155 hectare, held under Title Deed No. T30574/2001

Portion 6 of the farm Dwaas 232, Jansenville Registration Division, Eastern Cape Province, in extent 507,0669 hectare, held under Title Deed No. T30574/2001

Portion 10 of the farm Dwaas 232, Jansenville Registration Division, Eastern Cape Province, in extent 189,8420 hectare, held under Title Deed No. T30574/2001

Portion 2 of the farm Zoute Fotein 210, Uitenhage Registration Division, Eastern Cape Province, in extent 85,6542 hectare, held under Title Deed No. T77578/2001

Portion 4 of the farm Weltevrede 67, Alexandria Registration Division, Eastern Cape Province, in extent 308,2208 hectare, held under Title Deed No. T79836/2001

Portion 7 of the farm Weltevrede 67, Alexandria Registration Division, Eastern Cape Province, in extent 122,1355 hectare, held under Title Deed No. T79836/2001

Remainder of the farm Nieuwe Post 68, Alexandria Registration Division, Eastern Cape Province, in extent 217,2168 hectare, held under Title Deed No. T89684/2001

Portion 2 of Farm 65, Alexandria Registration Division, Eastern Cape Province, in extent 257,0296 hectare, held under Title Deed No. T93047/2001

Portion 9 of the farm Weltevrede 67, Alexandria Registration Division, Eastern Cape Province, in extent 447,5129 hectare, held under Title Deed No. T98508/2001

Portion 10 of the farm Vista 367, Alexandria Registration Division, Eastern Cape Province, in extent 780,3857 hectare, held under Title Deed No. T10629/2002

Portion 1 of the farm Henderson 410, Somerset East Registration Division, Eastern Cape Province, in extent 817,2515 hectare, held under Title Deed No. T23048/2002

Remainder of Farm 296, Jansenville Registration Division, Eastern Cape Province, in extent 3231,5208 hectare, held under Title Deed No. T23048/2002

Remainder of the farm Oudekraal 327, Somerset East Registration Division, Eastern Cape Province, in extent 552,2629 hectare, held under Title Deed No. T23179/2002

Portion 1 of the farm Die Dorings 21, Uitenhage Registration Division, Eastern Cape Province, in extent 329,0408 hectare, held under Title Deed No. T27706/2002

Portion 7 of the farm Dirkskraal 286, Somerset East Registration Division, Eastern Cape Province, in extent 861,5604 hectare, held under Title Deed T49208/2002

Portion 6 of the farm Ingleside 215, Uitenhage Registration Division, Eastern Cape Province, in extent 402,2331 hectare, held under Title Deed No. T49731/2002

Remainder of the farm Zuurkloof 17, Uitenhage Registration Division, Eastern Cape Province, in extent 180,5959 hectare, held under Title Deed No. T62467/2002

Portion 2 of Farm 52, Uitenhage Registration Division, Eastern Cape Province, in extent 396,8827 hectare, held under Title Deed No. T62467/2002

Portion 3 of the farm Henderson 410, Somerset East Registration Division, Eastern Cape Province, in extent 3023,2080 hectare, held under Title Deed No. T63799/2002

Portion 2 of the farm Rietrivier 230, Jansenville Registration Division, Eastern Cape Province, in extent 342,4105 hectare, held under Title Deed No. T63799/2002

Portion 7 of the farm Rietrivier 230, Jansenville Registration Division, Eastern Cape Province, in extent 22,0356 hectare, held under Title Deed No. T63799/2002

Portion 349 of the farm Strathsomers Estate 42, Uitenhage Registration Division, Eastern Cape Province, in extent 691,6924 hectare, held under Title Deed No. T86530/2002

Portion 1 of Farm 296, Jansenville Registration Division, Eastern Cape Province, in extent 1720,3823 hectare, held under Title Deed No. T30082/2002.

GN 281/2005 declared the following land to be part of this park and amended the definition accordingly:

1. St. Croix Island Reserve: Situated in the administrative district of Dias, approximately 17 km seawards in Algoa Bay and the boundaries thereof is as indicated on a map which is available in the office of the Chief Director: Transfrontier Conservation Areas and Protected Areas in the Department of Environmental Affairs and Tourism. Special attention is drawn to the fact that the South African National Park's jurisdiction extends 300 metres seawards around the islands Jahleel, Brenton and St Croix, comprising of the island reserve.
2. Algoa Bay Bird Island Provincial Nature Reserve: The whole Bird Island situated in the sea in Algoa Bay, 33°50,5'S, 26°17,2'E, as far as the high-water mark.
3. Stag Island Provincial Nature Reserve: The whole Stag Island situated in the sea in Algoa Bay, 33°50'S, 26°17'E, as far as the high-water mark.
4. Algoa Bay Seal Island Provincial Nature Reserve: The whole Seal Island situated in the sea in Algoa Bay, 33°50'S, 26°16,6'E, as far as the high-water mark.

5. Algoa Bay Black Rocks Nature Reserve: The whole island known as Black Rocks situated in the sea in Algoa Bay, 33°50'S, 25°S, 26°15,8'E, as far as the high water mark.

[Definition of "Addo Elephant National Park" amended by Proc. 35/85 and GN 395/91, substituted by GN 1766/93 and amended by GN 37/94, GN 1227/94, GN 1228/94, GN 1582/95, GN 1138/96, GN 1139/96, GN 1140/96, GN 1106/2001, GN 940/2003, GN 1499/2003, GN 28/2005 and GN 281/2005]

MOUNTAIN ZEBRA NATIONAL PARK

Definition of Area

Beginning at the north-western beacon of Portion 1 of the farm Doornhoek 284, administrative district of Cradock; thence clockwise along the boundaries of the following properties, so as to include them in this area: Said Portion 1 of the farm Doornhoek 284, Portions 2 and 1 of the farm Babylons Toren 288 and Farm 375, to the westernmost beacon of Portion 1 of the Farm 376; thence south-eastwards along the south-western boundary of said Portion 1 of Farm 376, so as to exclude it from this area, to the southernmost beacon thereof; thence southwards, south-eastwards, westwards and south-westwards along the boundaries of the following farms, so as to include them in this area: Farms 376, 468 and 466, to the southernmost beacon of the last-mentioned farm; thence south-westwards along the boundaries of the following properties, so as to exclude them from this area: The farm Brand Hoek 471, Farm 464, Portion 1 (Annex Vaal Draai) of Farm 463 and Farm 463, to the southwestern beacon of the farm Zebra Hoek 467; thence north-westwards along the boundaries of the said farm Zebra Hoek 467, so as to include it in this area, to the easternmost beacon of the farm Kranskop 458; thence northwestwards along the boundaries of said farm Kranskop 458, so as to exclude it from this area, to the northwestern beacon thereof; thence north-eastwards along the south-eastern boundary of Farm 454, so as to exclude it from this area, to the southernmost beacon of said Portion 1 of the farm Doornhoek 284; thence north-westwards along the boundaries of said Portion 1 of the farm Doornhoek 284, so as to include it in this area, to the beacon first named.

AUGRABIES FALLS NATIONAL PARK

Definition of Area

Beginning at the south-western beacon of Portion 1 of the farm Waterval 497, administrative district of Gordonia, thence south-eastwards and southwards along the boundaries of the said Portion 1 and Portion 1 of the farm Omdraai 492 so as to exclude them from this area, to the south-western beacon of the last-mentioned portion, thence farther southwards along the prolongation of the western boundary of the said Portion 1 of the farm Omdraai 492 to a point where it intersects the left

bank of the Orange River, thence north-westwards along the said left bank of the Orange River to a point where it intersects the south-eastern boundary of the farm Rooipad 15, administrative district of Kenhardt, thence south-westwards and north-westwards along the boundaries of the said farm Rooipad 15 to a point where it intersects the south-eastern boundary of Portion 7 (Omrui) of the farm Rooipad 15, thence generally north-eastwards and north-westwards along the boundaries of the said Portion 7 (Omrui) so as to exclude it from this area to the northernmost beacon thereof, thence north-eastwards in a straight line along the north-western boundary of Portion 1 of the farm Rooipad 15 to point a on the diagram thereof, thence generally east-wards along the left bank of the Orange River to point b on the diagram of the said Portion 1 of the farm Rooipad 15, thence north-eastwards along the prolongation of the boundary CB on the diagram of the said Portion 1 of the farm Rooipad 15 to a point where it intersects the middle of the Orange River, thence generally eastwards along the middle of the Orange River to a point where it intersects the prolongation of the western boundary of the said farm Waterval 497, administrative district of Gordonia, thence northwards along the said prolongation and the said western boundary of the farm Waterval 497 to the beacon first named.

Proc. 44/82 declared the following State land to be part of this park and amended the definition accordingly:

an area, situate in the Administrative District of Gordonia, Province of the Cape of Good Hope, in extent 4270 hectares, as represented by and described in Diagram SG 208/76 (Cape Town).

GN 2856 / GG 11084 / 19871231 declared the following portions of land, situate in the Administrative Division of Kenhardt, Province of the Cape of Good Hope to be part of this park:

Portion 31 of the farm Blouputs 10, in extent 18,2688 ha;
Portion 10 (portion of Portion 9) of the farm Rooipad 15, in extent 173,3459 ha;
Portion 30 of the farm Blouputs 10, in extent 0,1191 ha;
Portion 11 (portion of Portion 9) of the farm Rooipad 15, in extent 4,0826 ha; and
Portion 12 (portion of Portion 9) of the farm Rooipad 15, in extent 18,2496 ha.”

GN 2856 / GG 11084 / 19871231 excluded the following portions of land, situate in the Administrative Division of Kenhardt, Province of the Cape of Good Hope, from this park:

Portion 14 (portion of Portion 1) of the farm Rooipad 15, in extent 25,5022 ha;
Portion 15 (portion of Portion 1) of the farm Rooipad 15, in extent 40,5703 ha;
Portion 13 (portion of Portion 1) of the farm Rooipad 15, in extent 1,8979 ha; and
Portion 16 of the farm Rooipad 15, in extent 35,4444 ha.

GN 1520 / GG 12597 / 19900706, as corrected by GN 1211 / GG 13273 / 19910530, declared the following properties, situate in the Administrative District of Gordonia, Province of the Cape of Good Hope, to be part of this park:

- (a) Bokvasmaak Native Reserve 498, in extent 73 700ha; and
- (b) Lot 495, in extent 791 ha.

GN 2202 / GG 15262 / 1993 excluded the following land, situate in the Division of Gordonia, Province of the Cape of Good Hope, from this park:

- (a) Bokvasmaak Native Reserve 498, in extent 73 700 ha; and
- (b) Lot 495, in extent 791 ha.

GN 2202 / GG 15262 / 1993 declared the following land, situate in the Division of Gordonia, Province of the Cape of Good Hope, to be part of this park:

an unsurveyed portion of Farm 498, in extent approximately 70 928 hectares.

GN 1350 / GG 15892 / 19940805 declared the following land to be part of this park:

Portion 1 of the farm Waterval 497, situate in the Division of Gordonia, Northern Cape Province (pre- viously the Province of the Cape of Good Hope), in extent 5 803,3145 hectares.

GN R599 / GG 17093 / 19960412 excluded the following portion of land, situate in the Division of Gordonia, Province of the Cape of Good Hope, from this park:

the land described as Bokvasmaak 498, in extent 70 928 hectares.

GN 657/2004 excluded the following portion of land from this park and amended the definition accordingly:

Portion 1 of the Farm Riemvasmaak No. 498 (Melkbosrand), in extent 4137 ha, from the Augrabies Waterfall National Park, situated in the Administrative District of Gordonia, Northern Cape Province.

GN 907/2004 declared the following land to be part of this park and amended the definition accordingly:

Portion 2 of the Farm Deberas NO.8, Kenhardt Registration Division, Northern Cape Province, in extent 2121,3428 hectare, held under Title Deed T2456/2004
[Definition of "Augrabies Falls National Park" amended by Proc. 44/82, GN 657/2004, GN 907/2004 and GN 28/2005]

GOLDEN GATE HIGHLANDS NATIONAL PARK

Definition of Area

From the south-western beacon of the farm Wilgenhof 698, common to the farms Noord Brabant 282, Groenland 267 and the said Wilgenhof 698; thence generally north-eastwards, eastwards and southwards along the boundaries of the following farms so as to include them: The said Wilgenhof 698, Melsetter 327, Wodehouse 328, Zulu Hoek 1349 and Gladstone 297, to the southernmost beacon of the last-named farm; thence generally north-westwards along the boundaries of the following farms so as to include them: Gladstone 297 and Wilgenhof 698, in the administrative district of Bethlehem, to the point of beginning.

GN 1249/88 declared the following land to be part of this park and amended the definition accordingly:

The farm Spelonken 738, in extent 245,4084 ha, situate in the District of Bethlehem, Province of the Orange Free State.

GN 214/93 declared the following land to be part of this park and amended the definition accordingly:

The following properties situate in the District of Bethlehem, Province of the Orange Free State:

- (i) Remainder of the farm Wonderhoek 1698, in extent 453,7592 hectares, as represented on and described in Diagram SG No. F332/25.
- (ii) The farm Diepkloof 1720, in extent 535,5766 hectares, as represented on and described in Diagram SG No. F334/25.
- (iii) The farm Zaphira 1251, in extent 181,6705 hectares, as represented on and described in Subdivisional Survey No. 313/D dated 18 June 1907.
- (iv) The farm Zaphira 876, in extent 62,4412 hectares, as represented on and described in Subdivisional Survey No. 311/D dated 18 June 1907.
- (v) Remainder of the farm Kalieskraal 78, in extent 295,1194 hectares, as represented on and described in Diagram SG No. 159/33.
- (vi) Subdivision 1 of the farm Kalieskraal 78, in extent 500,7992 hectares, as represented on and described in Diagram SG No. 160/33.
- (vii) Snowhills "A" 153 of the farm Rhebokkop 518, in extent 145,6846 hectares as represented on and described in Diagram SG No. F22/29.
- (viii) Remainder of the farm Rhebokkop 518, in extent 782,2021 hectares, as represented on and described in Subdivisional Survey No. 172/B dated 19 September 1904.
- (ix) Remainder of the farm Snowhills 711, in extent 1022,4094 hectares, as represented on and described in Subdivisional Survey No. 170/B dated 19 September 1904.

The following properties situate in the District of Harrismith, Province of the Orange Free State:

- (i) Remainder of the farm Malima 621, in extent 153,5051 hectares, as represented on and described in Subdivisional Survey No. 1312 dated 25 June 1904.
- (ii) The farm Altcar 1875, in extent 290,5241 hectares, as represented on and described in Diagram SG No. 1303/1987.
- (iii) The farm General Will 623, in extent 709,1186 hectares, as represented on and described in Subdivisional Survey No. 1516 dated 25 June 1904.
- (iv) The farm Rondawelkop 1864, in extent 95,1178 hectares, as represented on and described in Diagram SG No. 194/1987.

[Definition of "Golden Gate Highlands National Park" amended by GN 1249/88 and GN 214/93]

TSITSIKAMA NATIONAL PARK

[Name of "Tsitsikama National Park", formerly "Tsitsikama Forest and Coastal National Park" substituted by GN 1077/96]

Definition of Area

- A. The farms Tsitsikama Forest Park 464 and Tsitsikama Forest Park 465, administrative district of Humansdorp.
- B. Beginning at a point on the low-water mark of the sea and to the south of the beacon lettered E on the diagram of Portion 1 of the farm Blaauw Krantz 250, administrative district of Knysna, thence northwards in a straight line through the said beacon lettered E to the high-water mark of the sea and the boundaries of said Portion 1 of the farm Blaauw Krantz 250, so as to include it in this area, to the beacon lettered D on the said diagram of Portion 1 of the farm Blaauw Krantz 250, thence generally eastwards in a series of straight lines through the beacons lettered E, F, 1, 2, crossing the Blaauw Krantz River, through the beacons in the administrative district of Humansdorp lettered 3, 5, 6, 7, 8, 9, 10, 12, 13, 13A, 14, 15, 16, 16A, 17, 18, 18A, 19, 20, 21, 22, 22A and 23 (the co-ordinates for these beacons are filed as Survey Record E.1538/1967 in the Office of the Surveyor-General, Cape Town) to the westernmost beacon of the farm Storms River Camping Site 430, thence eastwards, north-eastwards and south-eastwards along the boundaries of said farm Storms River Camping Site 430, so as to include it in this area to the easternmost point thereof, thence south-eastwards in a straight line to the beacon lettered L (said E.1538/1967), thence generally eastwards in a series of straight lines through the beacons lettered 25, 27 and 28 (said E.1538/1967) to the south-western beacon of Farm 438, thence generally eastwards along the southern boundaries of the following properties so as to exclude them from this area, viz. said Farm 438, Farm 441, Farm 442 and Farm 443 to the south-western beacon thereof, thence eastwards in a straight line to the beacon lettered 39A (said E.1538/1967), thence eastwards in a straight line to the

westernmost beacon of Portion 2 of the Farm 449, thence generally eastwards along the southern boundaries of the following properties, so as to exclude them from this area, viz. said Portion 2 of the Farm 449, Farm 449 and Portion 1 of the Farm 449 to the easternmost point thereof, thence southwards in a straight line to the beacon lettered 43 (said E.1538/1967), thence generally eastwards in a series of straight lines through beacons lettered 44, 45, 45A, 45B, 45C, 45D, 46, 46A, 46B, 47, 47A, 47B, 48A, 49 and 50 (said E.1538/1967), thence generally eastwards along the southern boundaries of the following properties, so as to exclude them from this area, viz. Portions 6 and 1 of Farm 569, Farm 569, Portions 5 and 2 of the Farm 569 and said Farm 569 to the easternmost beacon thereof, thence generally eastwards in a series of straight lines through the beacons lettered 55, 56, 56A, 56B, 57, 58 and 59 (said E.1538/1967), thence generally eastwards along the southern boundaries of the following farms, so as to exclude them from this area, viz. Farm 575, Portions 5, 4 and 3 of the Farm 576, Portion 1 of the Farm 577, Farm 578, Farm 579, Farm 580, and Portion 1 of the Farm 580 to the south-western beacon of Farm 581, thence southwards to the point where the prolongation of the western boundary of the said Farm 581 intersects the right bank of the Groot River, thence southwards along the said right bank of the Groot River to the low-water mark of the sea, thence generally westwards along the low-water mark of the sea to the point of beginning.

C. The following portion of the sea:

Beginning at a point on the low-water mark and to the south of beacon marked E on Diagram 2822/1964 of Portion 1 of the farm Blaauw Krantz 250, Administrative District of Knysna, thence generally eastwards along the low-water mark to the right bank of the Groot River, Administrative District of Humansdorp, thence southwards in a straight line to a point three sea miles from the low-water mark, thence generally westwards along a line three sea miles from and parallel to the low-water mark to a point three sea miles south of the right bank of the Bloukrans River; thence northwards in a straight line along the right bank of the Bloukrans River to a point 0,5 sea miles from the low-water mark; thence generally westwards along a line 0,5 sea miles from and parallel to the low-water mark to a point 0,5 sea miles south of the point of beginning; thence northwards in a straight line to the point of beginning.

Proc. 294/78 declared the following State land to be part of this park and amended the definition accordingly:

The Farm 777, situate in the Administrative District of Humansdorp, Province of the Cape of Good Hope, in extent 234,673 6 hectares, as represented by and described in Diagram SG 2674/1978.

Proc. 8/84 excluded the following portion of land from this park:

Portion 1 of Farm 777, Administrative District of Humansdorp, Province of the Cape of Good Hope, in extent 28,5744 hectares, as represented by and described in Diagram SG 1496/82.

GN 2814/87 declared the following land to be part of this park and amended the definition accordingly:

Portion of the farm Saltriver (previously known as the De Vasselot Nature Reserve) in extent 2 533 ha.

GN 577 / GG 11791 / 19890331 excluded the following land situate in the Administrative Division of Humansdorp, Province of the Cape of Good Hope from the park:

the land known as Tsitsikama Forest Park A, in extent 335,0408 ha and Tsitsikama Forest Park B, in extent 6,7681 ha.

GN 368 / GG 16293 / 19950310 declared the following land to be part of this park:

Erven 382, 444 and the Remainder of Erf 434, Nature's Valley, situate in the Administrative District of Knysna, Western Cape Province (previously the Province of the Cape of Good Hope).

GN 30 / GG 16927 / 19960119 declared the following land to be part of this park:

1. Portion 1 of Farm 299 in extent 185,8228 hectares, in the Knysna District, as described in Diagram 5240/40.
2. Portion 3 of the farm Matjes River 295 in extent 55,1618 hectares, in the Division of Knysna, as described in Diagram 3830/48.

GN 538/96 declared the following land to be part of this park and amended the definition accordingly:

Beginning at the point where the boundary marked LM on the diagram of the farm Saltrifor 241, Administrative District of Knysna, intersects the high-water mark of the Indian Ocean; thence generally north-eastwards along the last-mentioned high-water mark, the high-water mark of the Salt River, the said high-water mark of the Indian Ocean and the high-water mark of the Groot River to the point marked E on the diagram of Portion 1 of the farm Blaauw Krantz 250; thence southwards in a straight line to a point 0,5 sea miles from the high-water mark of the said Indian Ocean; thence generally westwards along a line 0,5 sea miles from and parallel to the last-mentioned high-water mark, to the point where it intersects the south-westward extension of the boundary mark LM on the diagram of the said farm Saltrifor 241; thence north-eastwards along the last-mentioned extension to the

point where it intersects the high-water mark of the said Indian Ocean, the point of the beginning.

GN R100 / GG 17728 / 19970117 declared the following land to be part of the park:

The following farms situated in the Division of Knysna, Western Cape Province:

1. Slaaps Bosch 15: 3 497,9483 ha.
2. Langbosch Rivier 16: 2 598,9893 ha.
3. Keur Rivier 18: 1 595,4907 ha.
4. Zoetkraal 19: 2 268,2109 ha.
5. Boven Palmiet Rivier 20: 3 390,5249 ha.
6. Onder Palmiet Rivier 22: 2 592,8366 ha.
7. Dwars Rivier 23: 3 026,4702 ha.
8. Adjoining Klipheuwel 296: 1 097,4631 ha.

The following farm situated in the Division of Uniondale, Western Cape Province:

1. Adjoining Onbedacht 271: 4 322,1319 ha.

[Definition of "Tsitsikama Forest and Coastal National Park" amended by Proc. 294/78, Proc.125/83, Proc. 8/84, GN 2814/87, GN 577/89, GN 538/96 and GN 1077/96]

KAROO NATIONAL PARK

Definition of area

- (a) Erf 3545, Beaufort West, measuring 6 696,813 8 hectares, as represented by and described in Diagram SG 1488/1979;
- (b)
- (c) Erf 1707, a portion of Erf 1361, Beaufort West, measuring 6,736 8 hectares, as represented by and described in Diagram SG 4092/1956;

all situate in the Municipality and Administrative District of Beaufort West, Province of the Cape of Good Hope; and

- (d) the farm Groothoek 194, measuring 162,235 7 hectares, as represented by and described in Diagram SG 279/1901;
- (e) the farm Stolshoek 184, measuring 6 391,755 9 hectares, as represented by and described in Diagram SG 2107/1903;
- (f) the remainder of Portion 2 (Stolshoek) of the farm Stolshoek 182, measuring 10,187 2 hectares, as represented by and described in Diagram SG 1253/1900;

- (g) Portion 1 (Gouvernementshoek) of the farm Wolvehokskloof 195, measuring 690,907 3 hectares, as represented by and described in Diagram SG 2126/1903;
- (h)
- (i)
- (j) the remainder of the farm Puttersvlei 190, measuring 3 368,854 9 hectares, as represented by and described in Diagram SG 1530/1884;

all situate in the Administrative District of Beaufort West, Province of the Cape of Good Hope.

Proc. 132/83 declared the following land to be part of the park and amended the definition accordingly:

- (i)
- (ii)
- (iii) Portion 5 (Paarden Kraal) (a portion of Portion 2) of the farm Stols Hoek 182, in extent 2 310,2809 hectares;
- (iv) the farm Klein Plaat 183, in extent 843,0559 hectares;
- (v) Portion 8 (a portion of Portion 2) of the farm Stols Hoek 182, in extent 6,9435 hectares;
- (vi) Portion 9 (De Kamp) (a portion of Portion 7) of the farm Stols Hoek 182, in extent 545,6109 hectares;
- (vii) Remainder of the farm Doornhoek 197, in extent 4 413,5851 hectares; and
- (viii) certain portion of Portion 2 of the farm Stols River 171, indicated by figure Dr, D, Pi, imaginary line Pi parallel to line PE until it crosses line Pdr, Dr, shown on Diagram 61/1879 registered in the Office of the Surveyor-General, Cape Town;

all situate in the Administrative District of Beaufort West, Province of the Cape of Good Hope.

GN 1047/88 declared the following land to be part of the park and amended the definition accordingly:

- (i) Portion 1 (Sandrivier) of the farm Doornhoek 197, in extent 2 633,8722 ha;
- (ii) Portion 2 of the farm Doornhoek 197, in extent 3 147,2233 ha;

both situate in the Administrative District of Beaufort West, Province of the Cape of Good Hope.

GN 2201/93 excluded the following land, situate in the Administrative District of Beaufort West, Province of the Cape of Good Hope, from this park and amended the definition accordingly:

Erf 5290 (a portion of Erf 3545), Beaufort West, in extent 765,5797 hectares;

an unsurveyed portion (Grootplaat) of Erf 3545, Beaufort West, in extent approximately 3 115 hectares;

GN 2244/94 declared the following land to be part of the park and amended the definition accordingly:

Erf 5289, Beaufort West, situate in the Administrative District of Beaufort West, Western Cape Province (previously the Province of the Cape of Good Hope), in extent 765,5802 hectares.

GN 35/97 declared the following land to be part of the park and amended the definition accordingly:

Farm 393, in extent 5033,9783 hectares, in the Division of Beaufort West, as described in Diagram SG No. 1789/75.

GN 1496/2003 declared the following land to be part of the park and amended the definition accordingly:

Remainder of the farm Morceaux 207, Beaufort West Registration Division, Western Cape Province, in extent 3068,1913 hectare, held under Title Deed No. T77007/1993

Portion 3 of the farm Klipplaats Fontein 210, Beaufort West Registration Division, Western Cape Province, in extent 9,8506 hectare, held under Title Deed No. T9790/1994

Portion 3 of the farm of Afsaal 301, Beaufort West Registration Division, Western Cape Province, in extent 325,8232 hectare, held under Title Deed No. T9790/1994

Portion 8 of the farm Hendriks Kraal 298, Beaufort West Registration Division, Western Cape Province, in extent 1028,7389 hectare, held under Title Deed No. T9790/1994

Remainder of the farm Hendriks Kraal 298, Beaufort West Registration Division, Western Cape Province, in extent 2036,0047 hectare, held under Title Deed No. T9790/1994

Remainder of the farm Afsaal 301, Beaufort West Registration Division, Western Cape Province, in extent 389,0086 hectare, held under Title Deed No. T7970/1994

Portion 4 of the farm Hendriks Kraal 298, Beaufort West Registration Division, Western Cape Province, in extent 1725,4842 hectare, held under Title Deed No. T9790/1994

Portion 2 of the farm Klipplaats Fontein 210, Beaufort West Registration Division, Western Cape Province, in extent 630,1734 hectare, held under Title Deed No. T30286/1994

Remainder of Farm 211, Beaufort West Registration Division, Western Cape Province, in extent 1212,1270 hectare, held under Title Deed No. R30286/1994

Portion 1 of Farm 211, Beaufort West Registration Division, Western Cape Province, in extent 132,3913 hectare, held under Title Deed No. T30286/1994

Portion 1 of the farm Adjoining Klipplaats Fontein 212, Beaufort West Registration Division, Western Cape Province, in extent 240,9567 hectare, held under Title Deed No. T31286/1994

Portion 1 of the farm Alwynsgat 187, Beaufort West Registration Division, Western Cape Province, in extent 2,8109 hectare, held under Title Deed No. T92428/1997

The farm Paalhuis 392, Beaufort West Registration Division, Western Cape Province, in extent 4980,7315 hectare, held under Title Deed No. T33632/1999

Portion 1 of the farm De Hook 204, Beaufort West Registration Division, Western Cape Province, in extent 869,9788 hectare, held under Title Deed No. T84798/2000

Portion 3 of the farm Drooge Hoek 92, Beaufort West Registration Division, Western Cape Province, in extent 55,6028 hectare, held under Title Deed No. T84798/2000

Remainder of the farm De Hoek 204, Beaufort West Registration Division, Western Cape Province, in extent 993,8120 hectare, held under Title Deed No. T84798/2000

Remainder of the farm Drooge Hoek 92, Beaufort West Registration Division, Western Cape Province, in extent 208,9406 hectare, held under Title Deed No. T84798/2000

Remainder of the farm Rietfontein 205, Beaufort West Registration Division, Western Cape Province, in extent 4114,0303 hectare, held under Title Deed No. T84798/2000

Remainder of the farm Slagt Kloof 203, Beaufort West Registration Division, Western Cape Province, in extent 434,8913 hectare, held under Title Deed No. T84798/2000

Portion 1 of the farm Morceaux 207. Beaufort West Registration Division, Western Cape Province, in extent 2669,3378 hectare, held under Deed of Transfer T78548/1997

GN 905/2004 declared the following land to be part of the park and amended the definition accordingly:

1. Portion 1 of the Farm No. 427, Beaufort West Registration Division, Province of the Western Cape, in extent 2640,1482 hectare, held under Title Deed No. T7529/2000
2. Portion 12 (a portion of Portion 10) of the Farm Brandewyns Ghat No.214, Beaufort West Registration Division, Province of the Western Cape, in extent 1103,2217 hectare, held under Title Deed No. T24174/2000
3. Portion 5 (a portion of Portion 1) of the Farm Blaauwkrans No.216, Beaufort West Registration Division, Province of the Western Cape, in extent 1647,1115 hectare, held under Title Deed No. T24174/2000
4. Portion 3 (a portion of Portion 2) of the Farm Danster Fontein No.219, Beaufort West Registration Division, Province of the Western Cape, in extent 66,0108 hectare, held under Title Deed No. T24174/2000
5. The Remainder of Portion 1 of the Farm KlipplaatsFontein No.210, Beaufort West Registration Division, Province of the Western Cape, in extent 2227,7541 hectare, held under Title Deed No. T36913/2000
6. The Remainder of the adjoining Klipplaats Fontein No.212, Beaufort West Registration Division, Province of the Western Cape, in extent 987,6171 hectare, held under Title Deed No. T36913/2000
7. Portion 6 (Vliege Fontein) (a portion of Portion 3) of the Farm Brandewyns Ghat No.214, Beaufort West Registration Division, Province of the Western Cape, in extent 838,6604 hectare, held under Title Deed No. T37905/2000
8. Portion 2 of the Farm De Kruis No.458, Fraserburg Registration Division, Province of the Western Cape, in extent 223,0894 hectare, held under Title Deed No. T37905/2000
9. Portion 3 of the Farm De Kruis No.458, Fraserburg Registration Division, Province of the Western Cape, in extent 337,6192 hectare, held under Title Deed No. T37905/2000

10. The Remainder of the Farm Berg-En-Dal No.391, Beaufort West Registration Division, Province of the Western Cape, in extent 2162,5604 hectare, held under Title Deed No. T37905/2000
11. Portion 3 (a portion of Portion 1) of the Farm Grootfontein No.180, Beaufort West Registration Division, Province of the Western Cape, in extent 576,6013 hectare, held under Title Deed No. T52481/1999
12. Portion 1 of the Farm Afsaal No. 301, Beaufort West Registration Division, Province of the Western Cape, in extent 1189,7343 hectare, held under Title Deed No. T3907/1999
13. Portion 3 of the Farm Brand Kraal No. 209, Beaufort West Registration Division, Province of the Western Cape, in extent 467,8092 hectare, held under Title Deed No. T3907/1999
14. Portion 3 (Lasco Ridge) of the Farm La-De-Da No.178, Beaufort West Registration Division, Province of the Western Cape, in extent 2938,0263 hectare, held under Title Deed No. T88793/2001

[Definition of "Karoo National Park" added by Proc. 201/79 and amended by Proc. 132/83, GN 1047/88, GN 2201/93, GN 2244/94, GN 35/97, GN 1496/2003 and GN 905/2004]

WEST COAST NATIONAL PARK

[Name of "West Coast National Park", formerly "Langebaan National Park", substituted by GN 1490/88]

Definition of area

- A. Beginning at the north-western beacon of the farm Stofbergsfontein 365; thence south-eastwards and south-westwards along the boundaries of the farm Stofbergsfontein 365 and Portion 6 of the farm Schrywershoek 362, so as to exclude them from this area, to the point where the south-westward prolongation of the northwestern boundary of last-mentioned Portion 6 of the farm Schrywershoek 362 intersects the high-water mark of the Atlantic Ocean; thence generally south-eastwards along the said high-water mark to the southernmost point of the farm Schrywershoek 362; thence south-westward along the prolongation of the south-eastern boundary of the said farm Schrywershoek 362 to the point where it intersects the low-water mark of the Atlantic Ocean; thence generally north-westwards along the said low-water mark to the point where the south-westward prolongation of the northern boundary of the farm Stofbergsfontein 365 intersects the said low-water mark; thence north-eastwards in a straight line to the beginning.
- B. Beginning at the point where the northern boundary of Breë Street, Langebaan, 37,78 metres wide, intersects the high-water mark of the Atlantic Ocean; thence generally south-eastwards along the said high-water mark to

the north-western point of State Land 853; thence north-eastwards and generally south-eastwards along the boundary of the said State Land 853 so as to include it in this area, to the southernmost point thereof; thence generally south-eastwards along the low-water mark of the Langebaan Lagoon to the north-western beacon of the farm Geelbek Annex 361; thence south-eastwards along the north-eastern boundary of lastmentioned farm Geelbek Annex 361 so as to include it in this area, to the point where the south-eastern prolongation of the said north-eastern boundary of the said farm Geelbek Annex 361 intersects the said high-water mark; thence clockwise along the said high-water mark to the northernmost point of Portion 6 of the farm Schrywershoek 362; thence south-westwards to the easternmost beacon of the farm Stofbergsfontein 365; thence generally north-westwards along the boundaries of the following properties so as to exclude them from this area, viz the said farm Stofbergsfontein 365, Farm 363, Farm 364, Portion 1 of the said farm Stofbergsfontein 365, the said farm Stofbergsfontein 365, thence from the northern beacon of the said farm Stofbergsfontein direct to the high water-mark of the Langebaan Lagoon thence generally north-westwards along the said high-water mark to the point where it intersects the eastward prolongation of the northern boundary of the farm Oude Post 367 and thence westwards along the said line to the north-eastern beacon of the said farm Oude Post 367 to exclude the portion known as Oude Post Strand 373 as well as Farm 374 and Portion 2 (Leasehold Landing Jetty B) of Oude Post Strand; thence generally north-westwards along the boundary of the farm Nieuwland 289 to the northernmost point of the said farm Nieuwland so as to exclude it from this area; thence north-eastwards in a straight line through the point of intersection of latitude 33 05'10" and longitude 18 00'45"; thence north-westwards in a straight line to the point of intersection of latitude 33 '55" and longitude 18 00'42"; thence south-eastwards in a straight line to the first-mentioned point.

- C. The farms Jutten Island 312 and Malagas Island 310, Administrative District of Malmesbury, in their entirety up to and including the low-water mark of the Atlantic Ocean.
- D. The farm Marcus Island 311, Administrative District Malmesbury, in its entirety up to and including the low-water mark of the Atlantic Ocean and the retaining wall indicated on Topographical Sheet 3317 BB and 3318 AA Saldanha.

GN 1385/87 declared the following land to be part of the park and amended the definition accordingly:

The undermentioned land, being part of the Sandveld State Forest, namely -

- (i) Portion 2 of the farm Geelbek 360, in extent 842,0952 hectares;
- (ii) Portion 1 of the farm Papenkuilsfontein 448, in extent 330,6305 hectares;

- (iii) Portion 3 (a portion of Portion 2) of the farm Wilde Varkens Valley 452, in extent 538,9246 hectares;
- (iv) Portion 4 of the farm Wilde Varkens Valley 452, in extent 86,4669 hectares;
- (v) Portion 1 of the farm De Hoek 450, in extent 1 209,0863 hectares; and
- (vi)
- (vii) the coastal strip adjacent to Portion 1 of the farm De Hoek 450, in extent 23,8459 hectares;

all situate in the Administrative District of Malmesbury, Province of the Cape of Good Hope.

GN 1753/87 declared the following land to be part of the park:

- (i) Remainder of the farm Nieuwland 289, in extent 358,3159 ha;
- (ii) Remainder of the farm Oude Post 367, in extent 1 238,1435 ha;
- (iii) Remainder of the farm Kreefte Baay 368, in extent 219,3003 ha; and
- (iv) Portion 2 of the farm Kreefte Baay 368, in extent 36,1352 ha;

all situate in the Administrative District of Malmesbury, Province of the Cape of Good Hope.

GN 1490/88 declared the following property to be part of the park and amended the definition accordingly:

The Remainder of erf 304 Langebaan, in extent 1,6294 ha, Administrative District of Malmesbury.

GN 1374/89 declared the following properties to be part of the park and amended the definition accordingly:

- (i) Portion 1 of the farm Geelbek 360, in extent 179,1405 ha;
 - (ii) Remainder of the farm Geelbek 360, in extent 2751,0677 ha;
 - (iii) Portion 1 of the farm Abrahams Kraal 449, in extent 923,3415 ha;
 - (iv) Remainder of the farm Abrahams Kraal 449, in extent 1093,9798 ha;
 - (v) Remainder of the farm Bottellary 353, in extent 1108,4407 ha;
 - (vi) Portion 1 of the farm Schrywershoek 362, in extent 1,6964 ha;
 - (vii) Portion 6 of the farm Schrywershoek 362, in extent 25,0023 ha;
 - (viii) Portion 7 of the farm Schrywershoek 362, in extent 24,8539 ha;
 - (ix) Portion 10 of the farm Schrywershoek 362, in extent 115,5849 ha;
 - (x) Remainder of the farm Schrywershoek 362, in extent 626,2984 ha;
- and
- (xi) the Sea-shore as defined in the Sea-shore Act, 1935 (Act 21 of 1935), situate opposite the farm Abrahams Kraal 449, the coastal strip adjacent to Portion 1 of the farm De Hoek 450, and Portion 20 (a portion of Portion 19) of the farm Yzerfontein 560,

all situate in the Administrative District of Malmesbury, Province of the Cape of Good Hope.

GN 2159/92 excluded the following property from the park and amended the definition accordingly:

Portion 20 (a portion of Portion 19) of the farm Yzerfontein 560, in extent 42,3513 hectares, situate in the Administrative District of Malmesbury, Province of the Cape of Good Hop.

GN 183/94 declared the following land to be part of the park and amended the definition accordingly:

Portion 1 of the farm Wilde Varkens Valley 452, situate in the Division of Malmesbury, Province of the Cape of Good Hope, in extent 695,5766 hectares, as represented on and described in Diagram 1298/55.

GN 1705/94 declared the following land to be part of the park and amended the definition accordingly:

The undermentioned land situate in the Division of Malmesbury, Western Cape Province:

1. The farm Oude Post Strand 373 in extent 21,3276 hectares, as represented on and described in Diagram SG No. 1789/1940;
2. The farm Lot O.P.G.R. 366 in extent 14,2258 hectares, as represented on and described in Diagram SG No. 6095/49 including that portion of the sea-shore between the high- and low-water mark situate opposite the said property, and;
3. The sea-shore and the adjoining coast reserve situate opposite the Remaining Extent and Portion 2 of the farm Kreefte Baay 368 with the following definition of the area:

Beginning at the point where the southwestward prolongation of the south-eastern boundary of Portion 2 of the farm Kreefte Baay 368 intersects the low-water mark of the Atlantic Ocean; thence generally north-westwards along the said low-water mark to the point where it intersects the south-westward prolongation of the south-eastern boundary of the farm Lyfershoek 288; thence north-eastwards along the said prolongation to the southern-most point of the farm Lyfershoek 288; thence generally south-eastwards along the boundaries of the Remaining Extent and Portion 2 of the farm Kreefte Baay 368, so as to exclude it from the area described herein, to the southern-most point of Portion 2 of the farm Kreefte Baay 368; thence south-westwards with the south-eastern boundary of the lastmentioned Portion and along the prolongation of the said boundary of the lastmentioned Portion and along the

prolongation of the said boundary to the point where the said prolongation intersects the low-water mark of the Atlantic Ocean, the point of beginning.

GN 1947/94 declared the following land to be part of the park and amended the definition accordingly:

Remaining Extent of Portion 2 of the farm Bottellary 353, situate in the Division of Malmesbury, Province of the Cape of Good Hope, in extent 394,2295 hectares, as represented on and described in S.G. Diagram No. 6646/54.

GN 537/96 declared the following land to be part of the park and amended the definition accordingly:

The undermentioned land situated in the Division of Malmesbury, Western Cape Province:

1. Extent of the farm Massenberg 298, in extent 1902,6817 ha, as represented on and described in Diagram SG 742/1837;
2. Extent of Farm 297, in extent 42,2528 ha, as represented on and described in Diagram SG 20/1750;
3. Extent of Farm 299, in extent 462,9827 ha, as represented on and described in Diagram SG 247/1872; and
4. Portion 3 of the farm Oostewal 292, in extent 100,2141 ha, as represented on and described in Diagram SG 783/1881.

GN 34 / GG 18600 / 19971230 declared the following land to be part of the park:

Portion 2 of the farm Stofbergfontein 365, in the District of Malmesbury, in extent 172,9127 hectares, as indicated on Diagram No. T7976/1997.

GN 42/2004 declared the following land to be part of the park and amended the definition accordingly:

Farm Van Niekerkshoop Nr. 300, Province of the Western Cape, in extent 689,7310 hectare, held by Deed of Transfer No. T35053/2000.

GN 904/2004 declared the following land to be part of the park and amended the definition accordingly:

1. The Remainder of Portion 1 (Mooimaak) of the Farm Bottelary No.353, Malmesbury Registration Division, Province of the Western Cape, in extent 1510,3637 hectare, held under Title Deed T34805/1992
2. Portion 8 (a portion of Portion 2) of the Farm Schrywershoek No.362, Malmesbury Registration Division, Province of the Western Cape, in extent 24,7097 hectare, held under Title Deed T 54664/1998

3. Portion 4 (a portion of Portion 1) of the Farm Buffelsfontein No.453, Malmesbury Registration Division, Province of the Western Cape, in extent 158,2924 hectare, held under Title Deed T13616/1994
4. Portion 5 (a portion of Portion 2) of the Farm Buffelsfontein No.453, Malmesbury Registration Division, Province of the Western Cape, in extent 199,0509 hectare, held under Title Deed T101028/1997
5. Portion 1 of the Farm Zwartbergs Valley No.447, Malmesbury Registration Division, Province of the Western Cape, in extent 102,3727 hectare, held under Title Deed T13641/1995
6. The Remainder of Portion 2 of the Farm Wilde Varkens Valley No.452, Malmesbury Registration Division, Province of the Western Cape, in extent 68,7756 hectare, held under Title Deed T51350/2000
7. The Remainder of the Farm Wilde Varkens Valley No.452, Malmesbury Registration Division, Province of the Western Cape, in extent 609,0951 hectare, held under Title Deed T51350/2000
8. The Farm Van Niekerk's Hoop No.300, Malmesbury Registration Division, Province of the Western Cape, in extent 689,7310 hectare, held under Title Deed T30543/2000
9. The Remainder of the Farm Papenkuilsfontein No. 448, Malmesbury Registration Division, Province of the Western Cape, in extent 1532,3267 hectare, held under Title Deed T67804/1998
10. The Farm Kalkklipfontein No. 995, Malmesbury Registration Division, Province of the Western Cape, in extent 1878,0869 hectare, held under Title Deed T79051/2002

[Definition of "West Coast National Park" added by Proc. 138/85 and amended by GN 1385/87, GN 1490/88, GN 1374/89, GN 2159/92, GN 183/94, GN 1705/94, GN 1947/94, GN 537/96, GN 42/2004, GN 904/2004 and GN 28/2005]

VAALBOS NATIONAL PARK

1. Remainder of the farm Hol Pan 90, Administrative District of Kimberley, in extent 2 085,8610 hectares;
2. Remainder of the farm Graspan Estate 92, Administrative District of Kimberley, in extent 2 489,2100 hectares;
3. The farm Drooge Veldt 292, Administrative District of Barkly West, in extent 6 450,8037 hectares;
4. Portion 1 of the farm Mozib 279, Administrative District of Barkly West, in extent 2 044,7217 hectares; and

5. Portion 1 of the farm Than 280, Administrative District of Barkly West, in extent 9 626,3051 hectares.

Beginning at the north-eastern corner of Portion 1 of the farm Than 280, Administrative District of Barkly West; then south-westwards along the eastern boundary of the farm for a distance of 1 250 metres; thence westwards in a straight line for a distance of 2 750 metres, thence northwards in a straight line to the point where it intersects the northern boundary of the farm in the middle of the Vaal River; thence generally eastwards along the northern boundary of the farm in the middle of the Vaal River to the north-eastern corner of the farm, the point of beginning.

[Definition of "Vaalbos National Park" added by GN 1933/86 and substituted by GN 225/88]

TANKWA-KAROO NATIONAL PARK

<i>Description</i>	<i>Extent (ha)</i>
Grasberg North 1084	3 806,3269
Varsch Fontein 1085	3 226,6345
Potklys Berg South 1095	4 126,7712
Springbokfontein 1096	3 078,5887
Folmoesfontein 1097	3 333,8866
Springbok Vlake 1098	3 453,8368
Luipers Kop 1099	3 998,8696.
Luipers Kop South 1100	2 038,7503

GN 1492/2003 declared the following land to be part of the park and amended the definition accordingly:

1. Blinkvley Vlake 1087, Calvinia Registration Division, Northern Cape Province, in extent 6270,0169 (Six Two Seven Zero Comma Zero One Six Nine) hectare, held under Title Deed No. T71340/1999
2. Biesjes Fontein 1086, Calvinia Registration Division, Northern Cape Province, in extent 3993,6490 (Three Nine Nine Three Comma Six Four Nine Zero) hectare, held under Title Deed No. T625/2000
3. Pramberg Rivier 1092, Calvinia Registration Division, Northern Cape Province, in extent 3729,2575 (Three Seven Two Nine Comma Two Five Seven Five) hectare, held under Title Deed No. T33134/2000
4. Potklys Berg East 1094, Calvinia Registration Division, Northern Cape Province, in extent 2841,6476 (Two Eight Four One Comma Six Four Seven Six) hectare, held under Title Deed No. T33134/2000

5. Uintjes Bosch 7, Ceres Registration Division, Western Cape Province, in extent 4329,7407 (Four Three Two Nine Comma Seven Four Zero Seven) hectare, held under Title Deed No. T102362/2000
6. Pauls Hoek 5, Ceres Registration Division, Western Cape Province, in extent 4155,5421 (Four One Five Five Comma Five Four Two One) hectare, held under Title Deed No. T40708/2001
7. Waai Kop 6, Ceres Registration Division, Western Cape Province, in extent 2861,2766 (Two Eight Six One Comma Two Seven Six Six) hectare, held under Title Deed No. T71559/2001
8. Manus Zyn Dam 1089, Calvinia Registration Division, Northern Cape Province, in extent 4556,1121 (Four Five Five Six Comma One One Two One) hectare, held under Title Deed No. T32482/2002
9. Portion 1 of the farm Stompiesfontein 1197, Calvinia Registration Division, Northern Cape Province, in extent 6010,0298 (Six Zero One Zero Comma Zero Two Nine Eight) hectare, held under Title Deed No. T93881/2002
10. Elandsberg 1088, Calvinia Registration Division, Northern Cape Province, in extent 5276,1058 (Five Two Seven Six Comma One Zero Five Eight) hectare, held under Title Deed No. T48987/2003

[Definition of "Tankwa-Karoo National Park" added by GN 1934/86 and amended by GN 1492/2003]

WILDERNESS NATIONAL PARK

The undermentioned State land, situate in the Administrative District of George, Province of the Cape of Good Hope:

A. The following portions of the farm Klein Krantz 192:		
	<i>Description of property</i>	<i>Extent (ha)</i>
1.	Portion 136 (portion of Portion 26)	4,0828
2.	Portion 135 (portion of Portion 25)	3,7375
3.	Portion 134 (portion of Portion 8)	4,4743
4.	Portion 131 (portion of Portion 24)	13,3897
5.	Portion 64	488,9102
6.	Portion 31	14,5422
B. The following portions of Farm 191:		
	<i>Description of property</i>	<i>Extent (ha)</i>
1.	Portion 33 (portion of Portion 6)	4,9551
2.	Portion 32 (portion of Portion 5)	5,6883
3.	Portion 31 (portion of Portion 4)	5,8727
4.	Portion 30 (portion of Portion 3)	5,7758
5.	Portion 29 (portion of Portion 2)	5,2487

	6.	Portion 28 (portion of Portion 1)	3,5021
C.	The following portions of the farm Boven Lange Valley 189:		
	<i>Description of property</i>		<i>Extent (ha)</i>
	1.	Portion 38	9,9108
	2.	Portion 37	27,2767
	3.	Portion 36 (portion of Portion 28)	1,6516
	4.	Portion 35 (portion of Portion 16)	10,4355
	5.	Portion 34 (portion of Portion 15)	15,3413
	6.	Portion 11 (portion of Portion 3)	5,3533
	7.	Portion 32 (portion of Portion 7)	3,9909
	8.	Portion 31 (portion of Portion 3)	5, 9552
	9.	Portion 26	0,8009
	10.	Portion 4	9,7473
D.	The following portions of the farm Drie Valleyen 186:		
	<i>Description of property</i>		<i>Extent (ha)</i>
	1.	Portion 22 (portion of Portion 13)	2,2232
	2.	Portion 21 (portion of Portion 10)	2,3299
	3.	Portion 20 (portion of Portion 4)	0,0146
E.	The following erven in the Township of Wilderness:		
	<i>Number</i>		<i>Extent (ha)</i>
	1.	1096	2,8825
	2.	1095	1,6487
	3.	1094	1,0881
	4.	963	49,9536

5.	428	0,0788
6.	424	0,1615
7.	Remainder of 422	0,2300
8.	1017	6,4916
9.	1269	0,5288
10.	1270	16,2943
11.	1271	20,62572
12.	1272	1,7916
13.	1273	0,1370
14.	Remainder of 1278	22,7196
15.	1281	5,8313
16.	1282	78,9010
17.	1283	56,4907
18.	1295	8,8208
19.	1749	2,2996

F. The water and the bed as well as the water and the land between the low-water mark and the high-water mark of Swartvlei and the Touw River lagoon.

- G. The Admiralty Zone from the point where the southwards prolongation of the eastern boundary of Portion 111 of the farm Ruygte Valley 205 intersects the high-water mark of the Indian Ocean, generally north-westwards to the point where the southwards prolongation of the western boundary of Erf 1095, Wilderness intersects the said Zone as well as the water and the land between the low-water mark and the high-water mark situate opposite this area.

GN 1732/95 declared the following land to be part of the park and amended the definition accordingly:

The undermentioned land situated in the Division of George, Western Cape Province:

1. Portion 10 of the farm Ronde Valley 187 in extent 208,1473 ha, as represented on and described in Diagram 4714/1935;
2. Portion 11 of the farm Ronde Valley 187 in extent 56,8756 ha, as represented on and described in Diagram 3990/1953;
3. Portion 23 of the farm Ronde Valley 187, in extent 147,0419 ha, as represented on and described in Diagram 14890/1957.

GN R99 / GG 17727 / 19970117 declared the following land to be part of the park:

Lot 108, Hoekwil, situated in the Division of George, Western Cape Province, in extent 72,1909 hectares.

[Definition of "Wilderness National Park" added by GN 2509/87 and amended by GN 1732/95]

MARAKELE NATIONAL PARK

1. The farm Kransberg 593, situate in the Registration Division KQ, Transvaal, in extent 15742,9812 hectares, as represented on and described in Diagram S.G. No. A8390/88.
2. The farm Zwarthoek 276, situate in the Registration Division KQ, Transvaal, in extent 2331,5443 hectares, as represented on and described in Diagram S.G. No. A877/1908.

GN 248/94, in terms of section 2D(1) of the Act, declared the following land to be part of the park:

The undermentioned land situate in the Registration Division KQ, Transvaal:

1. Portion 4 (portions of Portion 1 and the Remaining Extent) of the farm Elandshoek 263, in extent 2026,7031 hectares;
2. The farm Waterhoutboom 264, in extent 5711,7851 hectares;

3. Portion 2 of the farm Vygeboomfontein 239, in extent 842,2167 hectares;
4. Remaining Extent of Portion 3 of the farm Buffelspoort 280, in extent 2398,8034 hectares-
5. Portion 2 of the farm Aapiesrivierpoort 272, in extent 552,0407 hectares;
6. Remaining Extent of the farm Aapiesrivierpoort 272, in extent 551,0664 hectares;
7. Remainder of the farm Blespaardspruit 275, in extent 711,4923 hectares;
8. Portion 5 of the farm Blespaardspruit 275, in extent 50,8414 hectares;
9. Portion 1 of the farm Tweeloopfontein 235, in extent 505,7162 hectares;
10. A portion of the Remaining Extent of Portion 1 of the farm Duikerspan 136, in extent approximately 412 hectares;
11. A portion of Portion 5 (a portion of Portion 1) of the farm Duikerspan 136, in extent approximately 355 hectares;
12. Portion 1 of the farm Aapiesrivierpoort 272, in extent 276,0222 hectares;
13. Portion 4 of the farm Geelhoutbosch 269, in extent 678,5004 hectares;
14. Portion 6 (a portion of Portion 1) of the farm Geelhoutbosch 269, in extent 113,0834 hectares; and
15. Portion 7 (a portion of Portion 1) of the farm Geelhoutbosch 269, in extent 226,1688 hectares.

GN 857/94 declared the following land to be part of the park and amended the definition accordingly:

Portion 3 of the farm Groothoek 278, situated in the Registration Division KQ, Transvaal, in extent 624,0511 hectares, as represented on and described in Diagram SG No. A2989/30.

GN 857/94, under section 2D(1) of the Act, declared the following land to be part of the park:

The undermentioned land situate in the Registration Division KQ, Transvaal:

1. Portion 9 (a portion of Portion 4) of the farm Duikerspan 136, in extent 92,4852 hectares;
2. Portion 1 of the farm Marakeli 437, in extent 1026,5500 hectares;
3. Portion 5 (a portion of Portion 1) of the farm Geelhoutbosch 269, in extent 113,0834 hectares; and
4. Remaining Extent of the farm Zandfontein 31 5, in extent 666,1830 hectares.

GN 1037 / GG 16527 / 19950714 declared the following land to be part of the park:

Portion 4 (a portion of Portion 3) of the farm Vygeboomfontein 239, in extent 534,4720 hectares, situate in the Registration Division KQ.

GN 1372 / GG 17372 / 19960823 declared the following land to be part of the park:

- (a) Remaining portion of Portion 3 of the farm Vygeboomfontein 239KQ in extent 108,0579 hectares as indicated on Diagram No. 66756/1993.
- (b) Remaining portion of Portion 1 of the farm Geelhoutbosch 269 KQ in extent 113,0834 hectares as indicated on Diagram No. T7662/1992.
- (c) Portion 3 of the farm Aapiesrivierpoort KQ in extent 298,5883 hectares as indicated on Diagram T3595/1946.

GN 408 / GG 22335 / 20010529 declared the following land to be part of the park:

- The remainder of the farm Hoopdaal 96, KQ, in extent 67,9290 hectares, held under title deed No. T21440/2001.
- Portion 5 of the farm Hoopdaal 96, KQ, in extent 421,3876 hectares, held under title deed No. T21441/2001.
- Portion 6 of the farm Hoopdaal 96, KQ, in extent 42,8266 hectares, held under title deed No. T21441/2001.
- Portion 7 of the farm Hoopdaal 96, KQ, in extent 192,2528 hectares, held under title deed No. T214441/2001.
- Portion 11 of the farm Hoopdaal 96, KQ, in extent 222,6003 hectares, held under title deed No. T21440/2001.
- Portion 19 of the farm Diamant 228, KQ, in extent 1284,7980 hectares, held under title deed No. T96214/1999.
- Portion 2 of the farm Klipdrift 231, KQ, in extent 873,6626 hectares, held under title deed No. T4635/2001.
- Portion 3 of the farm Klipdrift 231, KQ, in extent 873,6626 hectares, held under title deed No. T96214/1999.
- Portion 4 of the farm Klipdrift 231, KQ, in extent 873,6626 hectares, held under title deed No. T96214/1999.
- Portion 5 of the farm Klipdrift 231, KQ, in extent 873,6626 hectares, held under title deed No. T96214/1999.
- The remainder of the farm Waterval 267, KQ, in extent 1708,0761 hectares, held under title deed No. T3295/2001.
- The farm Retsch 594, KQ, in extent 878,9510 hectares, held under title deed No. T4806/2001.

GN 672 / GG 22492 / 200100727 declared the following land to be part of the park:

The remainder of the farm Buffelspoort 265, KQ, measuring 1997, 5010 hectare, held under Title Deed No. T30444/200.

GN 1493/2003 declared the following land to be part of the park and amended the definition accordingly:

Portion 10 of the farm Groothoek 278 KQ, Limpopo Province, in extent 45,8005 hectare, held under Title Deed No. T68773/2000

Portion 3 of the farm Geelhoutbosch 269 KQ, Limpopo Province, in extent 678,5004 hectare, held under Title Deed No. T46677/2001

Portion 10 of the farm Kareehoek 274 KQ, Limpopo Province in extent 124,9725 hectare, held under Title Deed No. T108909/1997

Portion 4 of the farm Blespaardspruit 275 KQ, Limpopo Province, in extent 146,1206 hectare, held under Title Deed No. T33762/1997

Portion 11 of the farm Kareehoek 274 KQ, Limpopo Province, in extent 287,7296 hectare, held under Title Deed No. T87487/1997

Portion 9 of the farm Kareehoek 274 KQ, Limpopo Province, in extent 139,0113 hectare, held under Title Deed No. T54595/1997

Portion 3 of the farm Zandfontein 315 KQ, Limpopo Province, in extent 156,1240 hectare, held under Title Deed No. T78232/1998

The farm Kameeldraai 595 KQ, Limpopo Province, in extent 2087,5117 hectare, held under Title Deed No. T8989/2001

Portion 9 of the farm Geelhoutbosch 269 KQ, Limpopo Province, in extent 203,5494 hectare, held under Title Deed No. T46677/2001

Portion 2 of the farm Kareehoek 274 KQ, Limpopo Province, in extent 137,7624 hectare, held under Title Deed No. T71313/2001

Portion 8 of the farm Zandfontein 315 KQ, Limpopo Province, in extent 487,1674 hectare, held under Title Deed No. T85428/2001

Portion 6 of the farm Kareehoek 274 KQ, Limpopo Province, in extent 0,4409 hectare, held under Title Deed No. T122255/2001

Remainder of the farm Zandspruit 138 KQ, Limpopo Province, in extent 791,2958 hectare, held under Title Deed No. T47051/2001

Portion 4 of the farm Marakeli 437 KQ, Limpopo Province, in extent 49,3317 hectare, held under Title Deed No. T6630/2002

The farm Blespaardspruit 640 KQ, Limpopo Province, in extent 96,6567 hectare, held under Title Deed No. T54883/2002

Portion 2 of the farm Zandfontein 315 KQ, Limpopo Province, in extent 151,1948 hectare, held under Title Deed No. T152250/2002

Portion 4 of the farm Zandfontein 315 KQ, Limpopo Province, in extent 146,9640 hectare, held under Title Deed No. T152250/2002

Portion 7 of the farm Zandfontein 315 KQ, Limpopo Province, in extent 211,8998 hectare, held under Title Deed No. T152250/2002

The farm Jagtersrus 418, Limpopo Province, in extent 1000,0000 hectare, held under Title Deed No. T74496/1991

Portion 1 of the farm Waterval 267 KQ, Limpopo Province, in extent 1713,0640 hectare, held under Title Deed No. T74496/1991

[Definition of "Marakele National Park" inserted by GN 248/94 and amended by GN 857/94 and GN 1493/2003]

ZUURBERG NATIONAL PARK

[Definition of "Zuurberg National Park" added by GN 395/91 and deleted by GN 1582/95]

RICHTERSVELD NATIONAL PARK

GN 1969 / GG 13457 / 19910816 declared the following area to be a national park:

Beginning at the point where the eastern boundary of the 31 m wide electric powerline servitude, as indicated on approved SG Diagram 3615/1981, intersects the international border between the Republic of South Africa and Namibia; thence north-eastwards and clockwise upstream along the said international border, to a point where the said international border meets the eastward prolongation of the northern boundary of Portion 12 of Farm 600, Administrative District of Namaqualand; thence westwards along the latter prolongation and the northern boundaries of the said Portion 12 and Portion 11 of the said Farm 600; so as to exclude the said portions from the area, to Beacon A as indicated on approved SG Diagram 11352/85 of the latter Portion 11; thence north-westward along a straight line connecting the said Beacon A with Beacon L on the said 31 m wide electric powerline servitude as indicated on the said approved SG Diagram 3615/1981, to the point where it intersects the eastern boundary of the 31 m wide electric powerline servitude; thence generally northwards along the latter eastern boundary,

to the point where it intersects the said international border between the Republic of South Africa and Namibia, the point of beginning.

MAPUNGUBWE NATIONAL PARK

[Name of "Vhembe-Dongola National Park" substituted by GN 900/2004]

GN 490 / GG 18814 / 19980409 declared the following land to be part of the park:

Farm Den Staat 27 MS (remainder), Registration Division MS, Northern Province, in extent 1 842,1763 hectares, as indicated on Diagram SG No. A1237/60

GN 339 / GG 21042 / 20000407 declared the following land to be part of the park:

Farm Greefswald 37 MS, in extent 2 503,8386 hectares, situated in the District of Zoutpansberg, as described in Diagram SG No. A3456/1906.

GN 355 / GG 22231 / 20010426 declared the following land to be part of the park:

Portion 1 of the Farm Riedel 48, Registration Division M.S., Northern Province, in extent 2569,7720 hectares as described in Diagram SG No. A2781/43.

Portion 1 of the farm Balemo 18 MS, Limpopo Province, in extent 768,6940 (Seven Six Eight Comma Six Nine Four Zero) hectare, held under Deed of Transfer T146928/2002

Portion 3 of the farm Tuscanen 17 MS, Limpopo Province, in extent 1301,0380 (One Three Zero One Comma Zero Three Eight Zero) hectare, held under Deed of Transfer T154756/2000

Remainder of the farm Schroda 46 MS, Limpopo Province, in extent 929,0942 (Nine Two Nine Comma Zero Nine Four Two) hectare, held under Deed of Transfer T37654/1990

Portion 4 of the farm Schroda 46 MS, Limpopo Province, in extent 929,0942 (Nine Two Nine Comma Zero Nine Four Two) hectare, held under Deed of Transfer T37654/1990

Portion 7 of the farm Schroda 46 MS, Limpopo Province, in extent 1295,4212 (One Two Nine Five Comma Four Two One Two) hectare, held under Deed of Transfer T25629/1990

Portion 8 of the farm Schroda 46 MS, Limpopo Province, in extent 419,9119 (Four One Nine Comma Nine One One Nine) hectare, held under Deed of Transfer T47452/1990.

GN 902 / GG 26615 / 20040730 declared the following land to be part of the park:

Portion 2 of the Farm Hamilton 41, M.S Registration Division, Limpopo Province, in extent 65,1140 hectares, held under Title Deed T5669/2004-06-23

The Remaining extent of the Farm Hamilton 41, M.S Registration Division, Limpopo Province, in extent 359,4617 hectare, held under Title Deed T5669/2004-06-23

Portion 3 of the Farm Tuscanen No. 17, M.S Registration Division, Limpopo Province, in extent 1301,0380 hectare, held under Title Deed T154756/2000

TABLE MOUNTAIN NATIONAL PARK

[Name of "Table Mountain National Park", formerly "Cape Peninsula National Park", substituted by GN 554/2004]

GN 739 / GG 18916 / 19980529 declared the following land to be part of the park:

Municipality of Cape Town

CT 12713	CT 12715	CT 47808
CT 47809/1	CT 47809/10	CT 4709/11
CT 47809/2	CT 47809/25	CT 47809/26
CT 47809/3	CT 47809/34	CT 47809/37
CT 47809/5	CT 47809/7	CT 47809/8
CT 47809/9	CT 47817	CT 47835
CT 47842	CT 47878	CT 47899
CT47900	CT47903	CT47904
CT47906	CT47907	CT47931
CT47933	CT47936	CT47961
CT47968	CT47969	CT47974
CT47992	CT47995	CT47996
CT47997	CT48012	CT48014
CT48016	CT48017	CT48034
CT48037	CT48042	CT48046
CT48053	CT48056	CT48071
CT48157	CT49374	CT88801
CT88802	CT983	CT984
CT985	CT49374	CT8801/1
CT8802	CT983/1	CT984
CT985/2	CB12	CB2
CB23	CB3	CLI11
FRET	FRE12	FRE1231
FRE1242	FRE1243	FRE1244
FRE1245	FRE1247	FRE1249
FRE1250	FRE1251	FRE13
FRE1362	FRE14	FRE1412

FRE1420	FRE1426	FRE1429
FRE182	FRE2	FRE3
FRE4	FRE512	FRE728
TBK1033	TBK1137	TBK1140
TB-K1171	TBK1172	TBK1173
TBK1174	TBK1175	TBK857
TBK956	TBK957	TBK97
ORA1996	ORA1997	ORA2000/1
ORA2000/2	ORA2001	ORA2002
ORA2003	ORA2005	ORA2009
ORA2021	ORA2453	ORA658
VRE1139	VRE1165	VRE1166
VRE1179	VRE1180	VRE1213
VRE1815	VRE2084	VRE614
CF1068	CF850	CF851
CF851/1	CF855	CF856
CF857	CF862	CF870
CF897	CF898	CT89895
CF899	CF900	CF900/1
CF902/9	CF917	VRE585
CB1559		

Cape Metropolitan Council

		SCA770
SCA790	SCA791	CF1000/2
CF1001	CF1030	CF1031
CF1032	CF1033	CF1034
CF1035	CF1036	CF1044/1
CF1044/3	CF1048	CF1049/1
CF1050	CF1052/1	CF1054
CF1054/1	CF1056/1	CF1056/2
CF1056/3	CF1056/4	CF1056/5
CF1056/6	CF1057	CF1058
CF1058	CF1059	CF983/1

South Peninsula Municipality

CT 84812	CT 85247	CT 85540
CT 86244	CT 86245	CT 86246
CT 86247	CT 86248	CT 86249
CT 86250	CT 86251	CT 86252
CT 86253	CT 86254	CT 86255
CT 86256	CT 86257	CT 86258
CT 86266	CT 86273	CT 86333

CT 86334	CT 86335	CT 86336
CT 86337	CT 86338	CT 86339
CT 86340	CT 86341	CT 86342
CT 86343	CT 86344	CT 86345
CT 86359	CT 86360	CT 86361
CT 86362	CT 86373	CT 86376
CT 86377	CT 86378	CT 86394
CT 86395	CT 86398	CT 86420
CT 86913	CT 88291	CT 88354
CT 88369	CT 88370	CT 88371
CT 88372	CT 88411	CT 88412
CT 88413	CT 88414	CT 88415
CT 88416	CT 88417	CT 88420
CT 88421	CT 88422	CT 88423
CT 88424	CT 88425	CT 88426
CT 88427	CT 88461	CT 88488
CT 88489	CT 88492	CT 88526
CT 88530	CT 88533	CT 88755
CT 88756	CT 88764	CT 88772
CT 88801/1	CT 88802	CT 89896
CT90138	CT90178	CT90179
CT90180	CT90181	CT90182
CT90183	CT90184	CT90185
CT90186	CT90187	CT90188
CT90189	CT90191	CT90192
CT90193	CT90194	CT90195
CT90196	CT90198	CT90199
CT90200	CT90201	CT90202
CT90203	CT90216	CT90217
CT90219	CT90220	CT90221
CT90222	CT90223	CT90224
CT90225	CT90226	CT90227
CT90228/1	CT90228/2	CT90229
CT90242	CT90243	CT90303
CT93290	CT93659	CON1069
CON1119	CON4665	CON4669
HB1430	HB1457	HB1478
HB1516	HB1734	HB1737
HB1749	HB1756	HB1762
HB1771	HB1772	HB1773
HB1774	HB1776	HB1778
HB1779	HB1780	HB1481
HB1782	HB1784	HB1786
HB1847	HB2023	HB2029
HB2054	HB2069	HB2079

HB2286	HB2383	HB2530
HB2736	HB2939	HB2959
HB2977	HB3079	HB3209
HB3441	HB3442	HB3558
HB 3559	HB 3560	HB 3720
HB 4015	HB 4703	HB 4930
FH12050	FH12193	FH 7000
FH 8422	FH 8563	FH 8564
FH 8611	S'T (ROAD RESERVE)	S'T 1312
S'T 2010	S'T 2011	S'T 2402
S'T 2510	S'T 2577	S'T 4067
S'T 516	S'T 517/0/1	S'T 518
S'T 519	S'T 520	S'T 521
S'T 522	S'T 523	S'T 524
S'T 531	S'T 533	S'T 534
S'T 535	S'T 536	S'T 538
S'T 540	S'T 541	S'T 542
S'T 608	S'T 693	S'T 2060
OV 681	N 937	CF1023
CF 1051/1	CF 1130/2	CF 1130/4
CF1134	FH12053	CF1368
CF 914	CF 917	CF 921
CF 923/1	CF 923/2	CF 923/3
CF 923/4	CF 923/5	CF 923/6
CF 924	CF 926	CF 927
CF 927/3	CF 927/4	CF 948/1
CF 948/7	CF 948/7	CF 953/26
CF 955	CF 963/2	CF 971/2
CF 977/1	CF 979/2	CF 979/3
CF 983/6	CF 985/2	CF 994
CF 948/9	CF 1368	CF 940/4

Cape Farm 992, situated within the Southern Peninsula Municipality, in the division of the Cape, Province of the Western Cape, measuring 31,3491 hectares.

GN 543/99 declared the following land to be part of the park and amended Schedule 1 accordingly:

Erf 27410, Cape Town, in extent 14,6924 ha-registered Title Deed T1607/1891.

Erf 27411, Cape Town, in extent 15,6317 ha-registered Title Deed T1607/1891.

Erf 28001, Cape Town, in extent 32,3987 ha-registered Title Deed T27/1826.

Erf 28004, Cape Town (unmeasured)-registered Title Deed T1607/1891.

Erf 28002, Cape Town, in extent 153,0714 ha-registered Title Deed T16078/1891.

Erf 44213, Cape Town, in extent 7,4172 ha-registered Title Deed T1607/1891.

Erf 44214, Cape Town, in extent 74,2105 ha-registered Title Deed T10435/1956.

Erf 44246, Cape Town, in extent 2 366 m²-registered Title Deed CPF3-8/1833.

Erf 46162, Cape Town, in extent 67,1721 ha-registered Title Deed T1823/1894 (all parts of the property within the CCPNE boundary as described previously in PK171 in Government Gazette No. 9056 of 10 February 1994).

Erf 46165, Cape Town, in extent 25,9172 ha-registered Title Deed T17284/1954.

Erf 46166, in extent 4,2133 ha-registered Title Deed T1824/1894.

Ptn 1, Cape Farm 902, Hout Bay, unregistered, in extent 59,3921 ha.

Erf 1434, in extent 36,5584 ha-registered Title Deed 6740/1941.

Erf 1432, in extent 23,6046 ha-registered Title Deed T6740/1941.

State land west of Hout Bay, unmeasured and unregistered.

Cape Farm 964 (ptn), in extent 40,4587 ha-registered Title Deed T6117/1987.

Cape Farm 981 unregistered, in extent 17,1360 ha.

Cape Farm 980, in extent 98,8581 ha-registered Title Deed SGST 148/1953.

State Land in front of Misty Cliffs, unregistered and unmeasured.

Erf 750, Scarborough, unregistered, in extent 25,6960 ha.

State seawards of Cape Town 1021 and Cape Farm 1022, unregistered and unmeasured.

Cape Farm 1053 (Smitswinkel Bay), unregistered in extent 17,1360 ha.

GN 409/2001 declared the following land to be part of the park and amended Schedule 1 accordingly:

- Erf 12714, Cape Town, Province of the Western Cape, measuring 13,1012 (one three comma one zero one two) hectare, held by Deed of Transfer No. T1540/1911.

- Remainder of Erf 13072, Cape Town, Province of the Western Cape, measuring 33,2104 (three three comma two one zero four) hectare, held by Deed of Transfer No. T478/1894.
- Erf 14661, Cape Town, Province of the Western Cape, measuring 4 698 (four six nine eight) square metres, held by Deed of Transfer No. T1300/1931.
- Remainder of Erf 14662, Cape Town, Province of the Western Cape, measuring 30,9140 (three zero comma nine one four zero) hectare, held by Deed of Transfer No. T4476/1936.
- The farm Cecilia No. 884, Cape Registration Division, Province of the Western Cape, measuring 194,9371 (one nine four comma nine three seven one) hectare, held by Deed of Transfer No. T117/1950.
- The farm Tokai No. 908, Cape Registration Division, Province of the Western Cape, measuring 702,1237 (seven zero two comma one two three seven) hectare, held by Deed of Transfer No. G311/1954.

GN 410 / GG 22335 / 20010529 declared the following land to be part of the park:

- Portion 1 of Cape Farm 1047 in extent 1,700 ha-registered Title Deed T6759/1935.
- Erf 3366, Hout Bay in extent 249,9327 ha-held by T60024/97.
- Portion 1 of Erf 61, Simon's Town in extent 206,1068 ha-registered Title Deed T1560/1951.

GN 1126 / GG 22819 / 20011116 declared the following land to be part of the park:

The remainder of the Farm No. 999, in the South Peninsula Municipality, Division of the Cape, Province of the Western Cape, measuring 77,5465 (Seven Seven comma Five Four Six Five) hectares.

Portion 9 of the Farm No. 979, in the South Peninsula Municipality, Division of the Cape, Province of the Western Cape, measuring 139,2233 (ONE THREE NINE COMMA TWO TWO THREE THREE) hectares.

The remainder of the Farm No. 991, in the South Peninsula Municipality, Division of the Cape, Province of the Western Cape, measuring 16,8437 (One Six comma Eight Four Three Seven) hectares.

GN 1127/2001 declared the following land to be part of the park and amended Schedule 1 accordingly:

Erf 4460, Cape Town, Province of the Western Cape, measuring 3,9941 (Three comma Nine Nine Four One) hectares, held by Deed of Transfer No. T50880/1997.

Erf 2406, Cape Town, Province of the Western Cape, measuring 0,2342 (Zero comma Two Three Four Two) hectares, held by Deed of Transfer No. T6009/1976.

GN 722/2002 declared the following land to be part of the park and amended Schedule 1 accordingly:

- The farm Table Mountain Forest Reserve No. 859, Cape RD, Province of the Western Cape, measuring 518,3912 hectares, to be registered as depicted on Surveyor-General Diagram No. 1976/2001.
- Farm 860, Cape RD, Province of the Western Cape, measuring 33,5674 hectares, to be registered as depicted on Surveyor-General Diagram No. 1977/2001.
- The farm Hout Bay Forest Reserve No. 905, Cape RD, Province of the Western Cape, measuring 1 184,5167 hectares, to be registered as depicted on Surveyor-General Diagram No. 651/1996.
- Farm 901, Cape RD, Province of the Western Cape, measuring 505,4943 hectares, to be registered as depicted on Surveyor-General Diagram No. 1978/2001.
- Erf 165993, Cape Town, Cape RD, Province of the Western Cape, measuring 1,1098 hectares, to be registered as depicted on Surveyor-General Diagram No. 1979/2001.

GN 1497 / GG 25562 / 20031017 declared the following land to be part of the park:

Erf 1781, Hout Bay, Province of the Western Cape, measuring 12,8480 (One Two comma Eight Four Eight Zero) hectares, held by Deed of Transfer T8646/1957

Portion 2 of the farm Silvermyn 927, Cape Registration Division, measuring 24,5640 (Two Four comma Five Six Four Zero) hectares, held by Deed of Transfer T3008/1971.

GN 1498/2003 declared the following land to be part of the park and amended Schedule 1 accordingly:

Erf 1212, Hout Bay, Province of the Western Cape, measuring 202,3557 (Two Zero Two comma Three Five Five Seven) hectare, held by Deed of Grant No. 116/1948.

Erf 1213, Hout Bay, Province of the Western Cape, measuring 129,4363 (One Two Nine comma Four Three Six Three) hectare, held by Deed of Grant No. 116/1948.

GN 906 / GG 26615 / 20040730 declared the following land to be part of the park:

1. Erf 12043 Fish Hoek, Cape Registration Division, Province of the Western Cape, in extent 37,1890 hectare, held under Title Deed T109604/2003
2. Erf 1614 Simon's Town, Cape Registration Division, Province of the Western Cape, in extent 31,5377 hectare, held under Title Deed T84375/2003
3. Portion 33 (a portion of Portion 32) of the Farm Kommetjie Estates No. 948, Cape Registration Division, Province of the Western Cape, in extent 259,8105 hectare, held under Title Deed of T81851/2003
4. Erf 5113 Kommetjie, Cape Registration Division, Province of the Western Cape, in extent 179,3984 hectare, held under Certificate of Consolidate Title T110099/2002
5. The Farm No.990, Cape Registration Division, Province of the Western Cape, in extent 3,9957 hectare, held under Title Deed T85759/2002
6. Erf 90196 Cape Town, Cape Registration Division, Province of the Western Cape, in extent 2,5555 hectare, held under Title Deed T26590/1999
7. Portion 5 of the Farm Wildschutsbrandvlei No.983, Cape Registration Division, Province of the Western Cape, in extent 21,9922 hectare, held under Title Deed T6010/2001
8. Portion 2 of the Farm Wildschutsbrandvlei No.983, Cape Registration Division, Province of the Western Cape, in extent 22,1661, held under Title Deed T35335/2002
9. The Remainder of Erf 8562 Fish Hoek, Cape Registration Division, Province of the Western Cape, in extent 10,7056 hectare, held under Title Deed T52044/2000
10. The Remainder of Erf 8607 Fish Hoek, Cape Registration Division, Province of the Western Cape, in extent 3,8517 hectare, held under Title Deed T36804/2000

[Definition of "Cape Peninsula National Park amended by GN 543/99, GN 409/2001, GN 1127/2001, GN 722/2002, GN 1498/2003 and GN 554/2004]

AGULHAS NATIONAL PARK

GN 1135 / GG 20476 / 19990923 declared the following land to be part of the park:

1. The remaining extent of Portion 3 of the farm Paapekuil Fontein 281, Registration District of Bredasdorp, in extent 42,7573 ha (four two comma seven five seven three hectare).
2. Portion 4 of the farm Paapekuil Fontein 281, Registration District of Bredasdorp, in extent 14,2067 ha (one four comma two zero six seven hectare) excluding the Cape Agulhas Lighthouse and associated buildings.
3. The remaining extent of Portion 8 of the farm Paapekuil Fontein 281, Registration District of Bredasdorp, in extent 38,2464 ha (three eight comma two four six four hectares).
4. Portion 17 of the farm Paapekuil Fontein 281, Registration District of Bredasdorp, in extent 0,9935 ha (zero comma nine nine three five hectares).

GN 1495/2003 declared the following land to be part of the park and amended Schedule 1 accordingly:

1. Portion 4 of the farm Sout Bosch 286, Bredasdorp Registration Division, Western Cape Province, in extent 618,4311 hectare, held under Title Deed No. T68150/1999
2. The farm Brak Fontein A283, Bredasdorp Registration Division, Western Cape Province, in extent 392,2917 hectare, held under Title Deed No. T68150/1999
3. Portion 1 of the farm of Ziydendaals Valley 278, Bredasdorp Registration Division, Western Cape Province, in extent 107,0665 hectare, held under Title Deed No. T68150/1999
4. Portion 6 of the farm Rhenoster Kop 285, Bredasdorp Registration Division, Western Cape Province, in extent 210,3328 hectare, held under Title Deed No. T68150/1999
5. Portion 2 of Farm 287, Bredasdorp Registration Division, Western Cape Province, in extent 183,8008 hectare, held under Title Deed No. T13626/2000
6. Portion 3 of Farm 287, Bredasdorp Registration Division, Western Cape Province, in extent 51,7460 hectare, held under Title Deed No. T13626/2000
7. Remainder of the farm Berg Plaas 291, Bredasdorp Registration Division, Western Cape Province, in extent 830,7775 hectare, held under Title Deed No. T14239/2000

8. Portion 1 of Farm 342, Bredasdorp Registration Division, Western Cape Province, in extent 1071,9766 hectare, held under Title Deed No. T31166/2000
9. Portion 58 of the farm Paapekuil Fontein 281, Bredasdorp Registration Division, Western Cape Province, in extent 1033,6320 hectare, held under Title Deed No. T36980/2000
10. Portion 6 of the farm Sout Bosch 286, Bredasdorp Registration Division, Western Cape Province, in extent 246,3062 hectare, held under Title Deed No. T83402/2000
11. Portion 1 of the farm Berg Plaas 291, Bredasdorp Registration Division, Western Cape Province, in extent 939,9084 hectare, held under Title Deed No. T90698/2000
12. Portion 10 of the farm Paapekuil Fontein 281, Bredasdorp Registration Division, Western Cape Province, in extent 35,7796 hectare, held under Title Deed No. T55695/2001
13. Portion 57 of the farm Paapekuil Fontein 281, Bredasdorp Registration Division, Western Cape Province, in extent 44,5798 hectare, held under Title Deed No. T65966/2001
14. Erf 426, Suiderstrand, Bredasdorp Registration Division, Western Cape Province, in extent 26,7329 hectare, held under Title Deed No. T82662/2001
15. Portion 36 of the farm Paapekuil Fontein 281, Bredasdorp Registration Division, Western Cape Province, in extent 4,0548 hectare, held under Title Deed No. T87716/1998

GN 903/2004 declared the following land to be part of the park and amended Schedule 1 accordingly:

1. Farm Rattel Rivier No. 300, Bredasdorp Registration Division, Province of the Western Cape, in extent 2007,4612 hectare, held under Title Deed T71418/2003
2. The Remainder of the Farm Riet Fontein No.293, Bredasdorp Registration Division, Province of the Western Cape, in extent 260,2301 hectare, held under Title Deed T71418/2003
3. Portion 2 (a portion of Portion 1) of the Farm No. 312, Bredasdorp Registration Division, Province of the Western Cape, in extent 4,0509 hectare, held under Title Deed T71418/2003

4. Portion 7 (a portion of Portion 4) of the Farm Sout Bosch No.286, Bredasdorp Registration Division, Province of the Western Cape, in extent 607,4721 hectare, held under Title Deed T83403/2000
5. The Remainder of Portion 3 of the Farm Rhenosterkop No.285, Bredasdorp Registration Division, Province of the Western Cape, in extent 180,6028 hectare, held under Title Deed T83403/2000
6. Portion 5 (a portion of Portion 3) of the Farm Rhenosterkop No.285, Bredasdorp Registration Division, Province of the Western Cape, in extent 210,4035 hectare, held under Title Deed T83403/2000
7. Portion 5 (a portion of Portion 4) of the Farm Sout Bosch No.286, Bredasdorp Registration Division, Province of the Western Cape, in extent 366,6502 hectare, held under Title Deed T83403/2000

[Definition of "Agulhas National Park" amended by GN 1495/2003 and GN 903/2004]

NAMAQUA NATIONAL PARK

GN 578 / GG 22414 / 20010629 declared the following land to be part of the park:

1. Portion 15 (portion of portion 13) of the farm Keerom 341, division Namaqualand, Northern Cape province, in extent 1047, 1096 ha (one zero four seven comma one zero nine six hectare).

GN 53 / GG 23037 / 20020125 declared the following land to be part of the park:

1. In terms of section 2A (1) (a) of the Act -
 - Portion 1 of the farm Doornfontein, 464, Namaqualand, measuring 3513, 3458 hectare, held by Deed of Transfer No. T75491/2001;
 - Portion 1 of the farm Kookfontein, 466, Namaqualand, measuring 3535, 4786 hectare, held by Deed of Transfer No. T75491/2001;
 - Portion 2 of the farm Kookfontein, 466, Namaqualand, measuring 1305, 92S8 hectare, held by Deed of Transfer No. T75491/2001;
 - Portion 3 of the farm Kookfontein, 466, Namaqualand, measuring 2, 0029 hectare, hold by Deed of Transfer No. T75491/2001;
 - Portion 4 of the farm Kookfontein, 466, Namaqualand, measuring 997, 1303 hectare, held by Deed of Transfer No. T75491/2001;
 - Remainder of the farm Kookfontein, 466, Namaqualand, measuring 3253, 5968 hectare, held by Deed of Transfer No. T75491/2001;

- The farm Wildepaarde Hoek 340, Namaqualand, measuring 7910, 9296 hectare, held by Deed of Transfer No. T75491/2001.
2. Subject to an agreement entered into between the South African National Park (the Board), as well as the owner of the land defined in the Schedule, the following land in terms of section 2B (1) (b) of the Act:
- Portion 13 of the farm Wolvepoort 459, Namaqualand, measuring 930, 2412 hectare, held by Deed of Transfer No. T1020/1989.

GN 901 / GG 26615 / 20040730 declared the following land to be part of the park and amended the Schedule accordingly:

1. Portion 5 (a portion of Portion 1) of the Farm Canariesfontein No. 465, Namaqualand Registration Division, Province of the Northern Cape, in extent 963,5410 hectare, held under Title Deed of Transfer T104720/2002
2. Portion 6 (Plat Klip) of the Farm Keerom No. 341, Namaqualand Registration Division, Province of the Northern Cape, in extent 2064, 2421, held under Title Deed of Transfer T104720/2002
3. 0,093750 share in Portion 2 of the Farm Rodeklipheuwel No.470, Namaqualand Registration Division, Province of the Northern Cape, in extent 2187,2544 hectare, held under Title Deed of Transfer T115475/2003
4. Portion 6 (a portion of Portion 1) of the Farm Canariesfontein No. 465, Namaqualand Registration Division, Province of the Northern Cape, in extent 481,7712 hectare, held under Title Deed of Transfer T96065/2000
5. Portion 2 (Niekerkshoop) of the Farm Canariesfontein No.465, Namaqualand Registration Division, Province of the Northern Cape, in extent 2407, 9271 hectare, held under Title Deed of Transfer T96065/2000
6. The Remainder of Portion 1 (Ronde Klip) of the Farm Canariesfontein No. 465, Namaqualand Registration Division, Province of the Northern Cape, in extent 962,6148 hectare, held under Title Deed of Transfer T95852/2000
7. Portion 7 (Portion of 1 ± Zand Vlei) of the Farm Soubattersfontein No. 467, Namaqualand Registration Division, Province of the Northern Cape, in extent 262,0988 hectare, held under Title Deed of Transfer T83030/1999
8. The Farm Oubees No. 339, Namaqualand Registration Division, Province of the Northern Cape, in extent 13170,8926 hectare, held under Title Deed of Transfer T83030/1999

9. Portion 1 (Goedemoed) of the Farm Rodeklipheuwel No.470, Namaqualand Registration Division, Province of the Northern Cape, in extent 6563,6989 hectare, held under Title Deed of Transfer T83030/1999
10. The Remainder of the Farm Kameelboom Vley No.338, Namaqualand Registration Division, Province of the Northern Cape, in extent 1783,8949 hectare, held under Title Deed of Transfer T83030/1999
11. The Remainder of the Farm Taaibosch Vlake No. 337, Namaqualand Registration Division, Province of the Northern Cape, in extent 1645,5265 hectare, held under Title Deed of Transfer T83030/1999
12. Portion 2 (Euphorbia) of the Farm Kraaifontein No. 312, Namaqualand Registration Division, Province of the Northern Cape, in extent 1605,2559 hectare, held under Title Deed of Transfer T83030/1999
13. Portion 1 (Stapelia) of the Farm Kraaifontein No. 312, Namaqualand Registration Division, Province of the Northern Cape, in extent 147,7543 hectare, held under Title Deed of Transfer T83030/1999

[Definition of Namaqua National Park amended by GN 901/2004]

[Schedule 1 amended by Proc. 294/78, s. 2 of Act 60/79, Proc. 201/79, Proc. 44/82, Proc.125/83, Proc. 132/83, Proc. 8/84, Proc. 210/84, Proc. 35/85, Proc. 138/85, GN 1933/86, GN 1934/86, GN 5/87, GN 1385/87, GN 1753/87, GN 2509/87, GN 2814/87, GN 2856/87, GN 225/88, GN 1047/88, GN 1249/88, GN 1490/88, GN 577/89, GN 703/89, GN 1374/89, GN 395/91, GN 1211/91, GN 2159/92, GN 214/93, GN 1766/93, GN 2201/93, GN 2202/93, GN 37/94, GN 183/94, GN 248/94, GN 857/94, GN 1227/94, GN 1228/94, GN 1705/94, GN 1947/94, GN 2244/94, GN 1582/95, GN 1732/95, GN 537/96, GN 538/96, GN R599/96, GN 1077/96, GN 1138/96, GN 1139/96, GN 1140/96, s. 1 of Act 49/96, GN 35/97, GN 458/99, GN 543/99, GN 409/2001, GN 1106/2001, GN 1127/2001, by GN 722/2002, GN 1442/2002, GN 940/2003, GN 1492/2003, GN 1493/2003, GN 1495/2003, GN 1496/2003, GN 1498/2003, GN 1499/2003, GN 41/2004, GN 42/2004, GN 554/2004, GN 901/2004, GN 903/2004, GN 904/2004, GN 905/2004 and GN 907/2004]

**MEMORANDUM ON THE OBJECTS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT LAWS
AMENDMENT BILL, 2008**

1. INTRODUCTION

- 1.1 The Bill seeks to amend the **National Environment Management Act, 1998 (Act No. 107 of 1998)** to amend the definition of 'specific environment management Act' (Clause 1); to repeal the provisions relating to the National Environmental Advisory Forum and Committee for Environmental Co-ordination and replace it with a simpler procedure whereby the Minister may establish fora or advisory committees (Clauses 2 and 3); to provide for a person who has admitted to having committed an offence to be also subject to the directives of the Minister or the MEC (Clause 9 (a) and (b)). The Bill provides for the retrospective application of the provisions of NEMA for pollution or degradation of the environment (Clause 10(c)(15)) and proposes new enabling provisions for new criminal offences and the increase of penalties and providing for the jurisdiction of the magistrate's court (Clause 10(c)(15)). The Bill also provides for the removal of the requirement that Environmental Management Inspectors must carry the notices of designation, as well as providing for their increased powers (Clauses 13, 14 and 15). Sections 31 and 31Q are partially repealed since certain provisions are regulated by the Promotion of Access to Information Act, 2000 (Clause 16 and 17). The Bill also seeks to increase the number of Acts and Ordinances to which the powers of the court will apply upon conviction of an offence under these Acts and Ordinances, as well giving the court the power to order that the remediation be undertaken by the convicted person instead of the state (Clause 18).
- 1.2 The Bill increases the penalty for offences and seeks to remove the need for the publishing in the *Gazette* directives issued under the **Environment Conservation Act, 1989 (Act No. 73 of 1989)** (Clauses 20 and 21). Section 32 of ECA is also amended by the correction of the reference to the Minister of Water Affairs and Forestry (Clause 21).
- 1.3 The Bill provides for the addition of Schedule 2, replacing the Schedule in the National Parks Act, 1976, in the **National Environmental Management: Protected Area Act, 2003 (Act No. 57 of 2003)** detailing areas of National Parks (Clause 22); that management of special nature reserves may be assigned to a suitable person or organisation or organ of state but the management of a national park can only be assigned to the South African National Parks (Clause 24); that flying corridors over national parks and heritage sites and specific areas need the prior permission of the management authority (Clauses 25(a) and (b)) and provides for an appeal to the Minister against a decision of the

management authority (Clause 25(c)); extending Act's application to mining activities before the commencement of the Act in order to reduce the impact and mitigate the environmental impacts of the activity (Clause 26)); to provide for the ownership and control over animal species occurring in and escaping from protected areas (Clause 27); to provide for measures for dealing with the winding up and dissolution of: the South African National Parks (Clause 28); to allow the South African National Parks to manage all existing parks, nature reserves and protected environments that is assigned to them (Clause 29 (a)-(d)); to provided for traffic fines in parks (Clause 30); to extend the right to expropriate servitudes to privately held rights; to increase penalties (Clause 31); to provide for increased fines (Clause 32 and 33)

- 1.4 To provide in the **Atmospheric Pollution Prevention Act, 1956 (Act No. 45 of 1965)** for increased penalties (Clause 34).
- 1.5 To provide for in the **National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004)** for the review of licences only on payment of processing fees (Clause 35); to include juristic persons when considering whether a director or manager is a fit and proper person (Clause 36) and to provide for increase penalties (Clause 37).
- 1.6 To provide in the **National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004)** to allow for general surveillance (Clause 38); to align the factors to be taken into consideration with other Acts (Clause 39(c)); that the release of genetically modified organism into the environment requires a full environmental impact assessment (Clause 42); to allow for notification requirements before engaging in the discovery phase of bioprospecting of indigenous biological resources (Clause 44); to expand the definition of "indigenous to include "specific individuals" (Clause 45); for the Director-General to have the right to appoint a Trustee to administer the Biodiversity Trust fund (Clause 46); to provide for the renewal and amendment of permits (Clause 49) and to increase penalties (Clause 51).

2. BACKGROUND AND DISCUSSION

2.1 *Events, processes and issues*

The Department has appointed a drafter and the first draft of the Bill was received on 18 November 2007. The Directorate: Policy, Litigation and Law Reform has consulted internally with all affected

branches and have incorporated all comments received. The Directorate has also compiled a proposed programme for the life cycle of the Bill (Annexure xx) for the Director General's consideration.

2.2 *Main debates and strategic concerns*

2.2.1 *National Environment Management Act, 1998*

Clause 1: Amendment of section 1

The Act defines the various Acts that falls within the definition of 'specific environmental management Act'. The proposed amendment will now provide that all 'National Environmental Management Acts' will be automatically incorporated in the definition. Further it deletes reference to 'Committee' and 'Forum' in line with Clauses 2 and 3.

Clause 2: Amendment of section 3

The section dealing with National Environmental Advisory Forum and Committee for Environmental Co-ordination have been deleted to be in alignment with the new section 3A.

Clause 3: New section 3A

The Act now provides for an easier method for the Minister to establish fora and committees as the present set up is cumbersome.

Clauses 4, 5, 6, 7 and 8: Amendment of sections 11, 13, 15, 16, and 22

These sections have been amended to delete all references to the Committee for Environmental Co-ordination as a result of the new amendment.

Clause 9: Amendment of section 24G

The Act does not allow the Minister or MEC to issue a directive in the event of a person admitting to having committed an offence. Further, at present a person who commits an offence has the discretion to apply for rectification. The Minister or MEC would be obliged to consider the application thus

wasting time that is already stretched to process such an application. The Minister or MEC could not issue a directive on their own accord. This has now been rectified to the extent that a person under these circumstances can only apply for rectification if directed to do so by the Minister or MEC, concerned.

Clause 10: Amendment of section 28

This section required the Director-General or the provincial head of a department to take remedial measures itself to remedy a situation where damage was caused to the environment by pollution or degradation and the person failed to do so. This put a heavy financial burden on the State or province to carry out the necessary remedial works. This has now been rectified by providing that the Director-General or province can apply to the courts for appropriate relief. However, the costs must be claimed and recovered before being recovered as contemplated herein.

This section was held by a recent court judgment not to be retrospective and only applied in respect of any pollution or degradation to the environment from the date the Act came into operation. There was also no provision making the unlawful or intentional act or omission which caused, causes or likely to cause pollution or degradation of the environment an offence.

The proposed amendments seek to remedy the above.

Clause 11: Amendment of section 30

As the Act reads at present, there was only a moral duty to report emergency incidents. This has now been rectified by making it a criminal offence, carrying a fine of one hundred thousand rand or imprisonment of up to 10 years upon conviction.

Clause 12: Deletion of subsection of section 31

The above subsection now falls under the Promotion of Access to Information Act, 2000

Clause 13: Amendment of section 31F

An environment management inspector is forced to carry with him at all times both his or her identity card, as well as the letter of designation. This has practical implications if inspectors do not have their letter of designation with them. It is the opinion that an identity card was sufficient.

Clause 14: Amendment of section 31H

Environment management inspectors do not have the right to take photographs or audio-visual recordings during routine investigations. This causes practical problems which the amendment seeks to remedy.

Clause 15: Amendment of section 31K

At present environmental management inspectors cannot conduct routine inspections or search a motor vehicle at such inspection. As they have the same powers as a member of the South African Police Services. The amendment now gives them this power.

Clause 16: Amendment of section 31N

At present non-compliance reports are reported to the Minister or the MEC. As this is a purely administrative rather than an executive function, this can be carried out by the Director-General or Head of Department concerned. Further, it is felt that it is not necessary to report the matter to the Director of Public Prosecutions as this against public policy and the Public Service Commission Code of Conduct.

Clause 17: Deletion of section 31Q

In order to give some form of protection new provisions have been included to indicate the type of information that may be disclosed.

Clause 18: Amendment of section 34

The current section does not provide for the court to order the convicted person to undertake remedial action. This places a heavy financial burden on the Department if it undertakes the necessary measures, as the cost is invariably not budgeted for and the chances of recovery are sometimes at risk. The amendment rectifies this.

Further, the Schedule to the Act relating to applicable offences has been updated and now includes other Acts and Ordinances.

Clause 19: Insertion of Clause 34H

Fines were previously limited to the Adjustment of Fines Act, 1991 (Act No. 101 of 1991), which had a maximum of R300 000. As the amount of fines under this Act has been increased, this amendment is to allow the magistrates' court to have jurisdiction instead of the High Court.

2.2.2 *Environment Conservation Act, 1989***Clause 20: Amendment of section 29**

The amount of fines or imprisonment has been increased so as not to limit it to the Adjustment of Fines Act, 1991 which has not caught with inflation or the seriousness of the offence.

Clause 21: Amendment of section 32

At present all directives issued by the applicable Ministers must be published in the *Gazette*. This is an onerous burden on the State and if not carried will result in the directive being invalid and could affect current directives. The amendment seeks to do away with this requirement.

2.2.3 National Environment Management: Protected Areas Act, 2003**Clause 22: Amendment of section 20**

Reference to National Parks and their areas are contained in the repealed National Parks Act, 1976 (Act No. 57 of 1976) except for section (2) and Schedule 1. It is desirable now to repeal this section and have all provisions dealing with national parks in the Protected Areas Act. Further, any amendments or additions to the Parks are provided for by means of a notice in the *Gazette* thus preventing the Act itself from been amended each time the Schedule is amended.

Clause 23: Amendment of section 28

This section at present contains a time period for an area of land to be included in to a national park or nature reserve. The motivation for this is uncertain, but as this can be an effective mechanism for the land area under conservation to be increased, the time period can now be extended by agreement with all the parties concerned.

Clause 24: Amendment of section 38

As subsection (1) now reads the Minister must assign the management of a special nature reserve or a nature reserve to a suitable person, organisation or the state. As SANParks have the "copyright" on the name, it is not desirable to have multiple organisations running national parks. It is therefore recommended that the "must" be substituted with "may", thus giving the Minister a discretion and that national parks are only assigned to SANParks.

Clause 25: Amendment of section 47

As controlling flights over special nature reserves, national parks or heritage sites are of utmost importance to protect life and the environment, this section has been amended to provide that prior written permission and subject to conditions that the management authority provides must first be obtained before flying over the aforementioned areas. Provision is made that contravention of this section is an offence

Clause 26: Amendment of section 48

The amendment is to correct an error in this section where “after” is substituted with “before”.

Clause 27: Insertion of section 49A

The present Act has no empowering section providing for animals occurring in protected areas where private ownership cannot be proved. The proposed amendments now give ownership in trust to the State. It will also be the State's responsibility to manage escaped animals. This section further provides that a person who becomes aware of an escaped animal is obliged to report this, failing which it will be an offence. Further, the section allows a person to kill an animal in self- defence if human life is at stake, while exempting the management of SANParks from liability, except if negligent or acted intentionally.

Clause 28: Amendment of section 54

In the present Act, there is no enabling section providing for the tax exemption, winding up or dissolution of SANParks and the transfer of its assets. The proposed amendment now provides for this if the transferee has similar interests and is exempted from income tax in terms of the Income Tax Act, 1962 (Act No, 58 of 1962).

Clause 29: Amendment of section 55

The present Act has no empowering section providing for SANParks to manage all existing national parks and such further national parks, special nature reserves, nature reserves and national protected areas. Further provision has now been made for the Minister to assign the management of world heritage sites and protected areas not included under section 55(1) (a) of the Protected Area Act, subject to written documentation by the Minister. Further to increase their exposure provision is now made for SANParks to attend international and similar initiatives identified by the Minister.

As roads in the park are neither national nor provincial a provision is now made for SANParks to impose traffic rules in all areas administered by them.

Clause 30: Amendment of section 75

Previously SANParks could only retain as part of their funds monies received offence committed within national parks. This is now been expanded to include monies collected for all offences committed under the Protected Areas Act.

Clause 31: Amendment of section 82

Presently the Act only allows the Minister to expropriate a servitude but exclude a privately held right to State land. This is now rectified to include privately held rights to State land.

Clause 32: Amendment of section 88

The amount of fines or imprisonment for contravention of a regulation have been increased so as not to limit it to the Adjustment of Fines Act, 1991 which has not caught with inflation or the seriousness of the offence.

Clause 33: Amendment of section 89

This section has been amended to provide for the new offences and to increase the amount of fines or imprisonment so as not to limit it to the Adjustment of Fines Act, 1991 which has not caught with inflation or the seriousness of the offence.

Provision is now made that contravention of a regulation is an offence in order that the increased penalties will apply and that the magistrates court will have jurisdiction instead of the High Court.

2.2.4 Atmospheric Pollution Prevention Act, 1956**Clause 34: Amendment of section 46**

To be consistent with all the other Acts forming part of the amendment, the amount of a fine or imprisonment has been increased.

2.2.5 National Environment Management: Air Quality Act, 2004**Clause 35: Amendment of section 45**

At present there is no provision for the payment of a prescribed processing fee where a licence must undergo a periodic review. As this is the accepted norm, the amendment remedies this.

Clause 36: Amendment of section 49

The present wording of the section excludes reference to a "juristic person", which was excluded per error. It is important to have it included as its members may fall within the ambit of the section. This has now been remedied.

Clause 37: Amendment of section 52

The amount of a fine has been amended so as not to limit it to the Adjustment of Fines Act, 1991 which is below this limit. The section has also been amended to allow the magistrates' court to have jurisdiction instead of the High Court.

2. 2.6 National Environment Management: Biodiversity Act, 2004**Clause 38: Amendment of section 11**

Monitoring by SANBI should be such that it can identify unforeseen genetically modified organisms. This can only be done by amending the section to allow for general surveillance, and to report on all categories of genetically modified organism.

Clause 39: Amendment of section 45

As this section presently reads, the Act is forced to be compliant to subordinate Acts. The proposed amendment corrects this.

Clause 40: Amendment of section 57

The present section does not give the Minister power to give exemption for any restricted activity. A new provision has been added to correct this.

Clause 41: Amendment of section 58

The provision of this section is to allow for the amendment or repeal of certain notices. This has now been extended to allow for the new notice under section 57(4).

Clause 42: Amendment of section 78

It is essential that when genetically modified organisms are released into the environment that a full environmental impact assessment be carried out. The section has been amended to provide for this.

Clause 43: Amendment of section 81

A new section has been inserted (81A) requiring notification requirements. This has the effect that no person may engage in the commercialisation phase of biosprospecting without a permit.

Clause 44: Insertion of section 81A

At present the Act does not require notification requirements when a person engages in the discovery phase of biosprospecting indigenous biological resources. The present process results in unnecessary delays in the discovery phase and could create unjustified expectations. The amendment is to make provision for this by now providing for notification requirements.

Clause 45: Amendment of section 82

The present wording of this section did not take into account traditional knowledge of indigenous biological resources known only to specific individuals. This section has now been amended to provide for this.

Clause 46: Amendment of section 85

At present the Trust is administered by the Director-General. As this is an administrative burden, this could be managed by a trustee falling within the Trust Property Act, 1998. An option is now provided for the Director-General to have this discretion. The Director-General still retains accountability for the money in the Fund.

Clause 47: Amendment of section 86

This section has been amended to give the Minister powers to exempt certain categories of research involving indigenous biological resources and commercial exploitation.

Clause 48: Amendment of section 92

The present cross-reference is incorrect and has been amended accordingly.

Clause 49: Insertion of section 93A

The present Act does not provide for the renewal and amendment of permits. This has created administrative problems and the amendment seeks to address this shortcoming.

Clause 50: Amendment of section 97

This section is at present restrictive to the implementation and enforcement of an international agreement and now has made applicable to all species to which an agreement applies.

Further, provision has been made that regulations relating to the "hunting industry" can be made and for the requirements for notification in respect of the new section 81A.

Clause 51: Amendment of section 98

In line with other amendments to the Bill, the amount of a fine and imprisonment has been increased for contravention of a regulation.

Clause 52: Amendment of section 102

The amount of a fine (and imprisonment) has been amended so as not to limit it to the Adjustment of Fines Act, 1991 which is below this limit. The section has also been amended to allow the magistrates' court to have jurisdiction instead of the High Court.

Clause 53

This clause gives the Bill a name and states how it will come into effect.

Clause 54: Amendment to Schedule 3

The references to various sections have been corrected and other legislation made applicable to the relevant section.

Clause 55

This is new Schedules to the Act and was motivated by having reference to National Parks contained now only in this Act with a detailed description of the various parks.

3. FINANCIAL IMPLICATIONS FOR THE STATE

The Bill does not create further financial liabilities to the Department.

4. PERSONNEL IMPLICATIONS

The amendments contained in this Bill do not create any new structure and therefore does not require an increase to the Department's establishment.

5. LEGAL IMPLICATIONS

The Bill will need to be tagged as either a Section 75 (Bill not affecting Provinces) or Section 76 (Bill affecting Provinces) in terms of the Constitution, 1996. The Directorate has liaised with the Office of the State Law Advisor and has been advised that the Bill will be considered for tagging by the

Parliamentary Tagging Committee. If it is the recommendation of the Tagging Committee that the Bill be split before tabling in the National Assembly the Office of the State Law Advisor will do the split before certifying the Bill.

6. COMMUNICATION IMPLICATIONS

Appropriate communication measures will be implemented by the Government Communication and Information System.

7. PROVINCIAL IMPLICATIONS

None

8. CONSTITUTIONAL IMPLICATIONS

None

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001

Publications: Tel: (012) 334-4508, 334-4509, 334-4510

Advertisements: Tel: (012) 334-4673, 334-4674, 334-4504

Subscriptions: Tel: (012) 334-4735, 334-4736, 334-4737

Cape Town Branch: Tel: (021) 465-7531

Gedruk deur en verkrygbaar by die Staatsdrukker, Bosmanstraat, Privaatsak X85, Pretoria, 0001

Publikasies: Tel: (012) 334-4508, 334-4509, 334-4510

Advertensies: Tel: (012) 334-4673, 334-4674, 334-4504

Subskripsies: Tel: (012) 334-4735, 334-4736, 334-4737

Kaapstad-tak: Tel: (021) 465-7531