

## GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

## DEPARTMENT OF ENVIRONMENTAL AFFAIRS

NO. 243

25 FEBRUARY 2019

NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998  
(ACT NO. 107 OF 1998)APPOINTMENT OF A HIGH-LEVEL PANEL OF EXPERTS FOR THE REVIEW OF POLICIES, LEGISLATION AND PRACTICES  
ON MATTERS RELATED TO THE MANAGEMENT, BREEDING, HUNTING, TRADE AND HANDLING OF ELEPHANT, LION,  
LEOPARD AND RHINOCEROS

I, Nomvula Paula Mokonyane, Minister of Environmental Affairs, hereby under section 3A of the National Environmental Management Act, 1998 (Act No. 107 of 1998), read with section 50(2) of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004), give notice of my intention to appoint a high-level Panel of Experts that will function as an Advisory Committee, to review the existing policies, legislation and practices related to the management, breeding, hunting, trade and handling of elephant, lion, leopard and rhinoceros. The Panel of Experts will also review the implementation of the recommendations of the Committee of Inquiry into the feasibility, or not, of a legal rhinoceros horn trade, and any future decision affecting trade-related proposals to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). The background and reasons for the exercise of this power are set out in the Schedule hereto.

**Members of the Advisory Committee, when viewed collectively, must be persons who:**

- are suited to serve on the Panel of Experts by virtue of their qualifications, expertise and experience in the fields of conservation management, and biodiversity policies and legislation;
- are committed to and subscribe to the objectives and principles of conservation and sustainable use as enunciated in Section 24 of the Constitution of the Republic of South Africa, applicable policies, the National Environmental Management Act, 1998 (Act No. 107 of 1998), the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) and its subordinate legislation, as well as provincial legislation; and
- have knowledge of agricultural legislation, game management practices, and matters related to animal well-being.

Members of the public are invited to nominate individual persons, to be considered for appointment as members of the Advisory Committee. Associations and organisations are invited to nominate members, to be considered for appointment to represent such associations or organisations as members of the Advisory Committee. Interested individuals must provide their Curriculum Vitae, providing at least full names, ID number and gender, contact address, telephone and fax numbers, e-mail address and relevant experience. Associations and organisations must provide the Curriculum Vitae of the members whom they nominate, as well as a detailed profile of the association or organisation.

The Minister reserves the right to appoint persons as members of the Advisory Committee who may contribute to diversity and innovative recommendations on the basis of their recent learning, understanding of new-found technology and previously disadvantaged persons whose unique viewpoints may result in novel approaches being adopted.

Nominations of members to the Advisory Committee must be submitted within 30 days of publication of this notice in the *Gazette*, to the following addresses:

By post: The Director-General  
Department of Environmental Affairs  
Attention: Mr. Khorommbi Matibe  
Chief Director: Biodiversity Economy and Sustainable Use  
Private Bag X447  
PRETORIA  
0001

By hand: Ground Floor, Environment House, 473 Steve Biko Street, Arcadia, Pretoria, 0001.

By email: [kmahamba@environment.gov.za](mailto:kmahamba@environment.gov.za) or [kmatibe@environment.gov.za](mailto:kmatibe@environment.gov.za)

Any enquiries in connection with this *Gazette* notice can be directed to Mr. Khorommbi Matibe at 082 566 4257/012 399 8621 or Mr Khuthadzo Mahamba at 012 399 8845. Comments received after the closing date may be disregarded.

Members of the Advisory Committee will be remunerated in accordance with the Public Finance Management Act, 1999 (Act No. 1 of 1999) and its associated National Treasury Regulations, 2001 and guidelines.



NOMVULA PAULA MOKONYANE, MP  
MINISTER OF ENVIRONMENTAL AFFAIRS

**SCHEDULE****BACKGROUND OF NOTICE IN TERMS OF SECTION 3A OF NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) (NEMA) READ WITH SECTION 50(2) OF NATIONAL ENVIRONMENTAL MANAGEMENT: BIODIVERSITY ACT, 2004 (ACT NO. 10 OF 2004) (NEMBA)**

The Department of Environmental Affairs (DEA) plays its role in the progressive implementation of Section 24 of the Constitution of the Republic of South Africa, which states:

"Everyone has the right –

- (a) To an environment that is not harmful to their health or well-being; and
- (b) To have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures that:
  - (i) prevent pollution and ecological degradation;
  - (ii) promote conservation; and
  - (iii) secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development."

The DEA is responsible for the operationalisation of the objectives of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) on conservation, sustainable use and fair and equitable sharing of benefits arising from the use of genetic resources. This requires protection of the environment through measures that promote social and economic imperatives for the present and future generations.

Irresponsible and unsustainable practices, inconsistent with the letter and spirit of the legislation, could be detrimental to wildlife conservation and sustainable development. Furthermore, public sentiments relating to matters of handling, management, breeding, hunting and trade in lions, elephants, leopards and rhinoceros specimens have implications for the country's conservation reputation. This is evident in several areas of conservation including and not limited to these iconic species.

**AIM OF APPOINTING THE HIGH-LEVEL PANEL OF EXPERTS**

The Minister of Environmental Affairs intends to appoint a high-level Panel of Experts to review policy positions, regulatory measures and practices on aspects of conservation that are directly and indirectly related to hunting, trade, captive keeping, handling of iconic species of elephants, rhinoceros, lion and leopards. The assignment for the Panel of Experts will entail public hearings, submissions, scientific evidence and other forms of information that will enable evaluation and assessment of current practices, regulatory measures and policy positions. The Panel of Experts will identify gaps and seek to understand and make recommendations on the basis of the key focus areas.