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GENERAL NOTICE

NOTICE 1052 OF 2013

DEPARTMENT OF ENVIRONMENTAL AFFAIRS

NATIONAL ENVIRONMENTAL MANAGEMENT: PROTECTED AREAS ACT, 2003 (ACT NO. 57 OF 2003)

PROPER ADMINISTRATION OF SPECIAL NATURE RESERVES, NATIONAL PARKS AND WORLD HERITAGE SITES AMENDMENT REGULATIONS, 2013

I, Bomo Edith Edna Molewa, Minister of Water and Environmental Affairs, hereby give notice of my intention to amend the Regulations for the Proper Administration of Special Nature Reserves, National Parks and World Heritage Sites as promulgated in Government Notice No. R. 1061 in Government Gazette No. 28181 of 28 October 2005, under section 86(1) read with section 86(3) of the National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003) set out in the Schedule hereto.

Members of the public are invited to submit to the Minister, within 30 days after the publication of the draft regulations in the Gazette, written comments or inputs to the following addresses:

By post to: Director-General: Department of Environmental Affairs
Attention: Dr Geoff Cowan
Private Bag X447
PRETORIA
0001

By hand at: 2nd Floor (Reception), Fedsure Forum Building, 315 Corner Pretorius and Lillian Ngoyi streets, Pretoria.

By fax to: (012) 320 1243; or by e-mail to: gcowan@environment.gov.za

Any enquiries in connection with the draft regulations can be directed to Dr Geoff Cowan at (012) 310 3701.

Comments received after the closing date may not be considered.



BOMO EDITH EDNA MOLEWA

MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS

SCHEDULE**GENERAL EXPLANATORY NOTE:**

[] Words in bold typed in square brackets indicate omission from existing enactments.

— Words underlined with a solid line indicates insertions in existing enactments.

Definition

1. In these regulations "the Regulations" means the Proper Administration of Special Nature Reserves, National Parks and World Heritage Sites Regulations, 2005 published under Government Notice No. R. 1061 of 28 October 2005.

Amendment of regulation 2 of the Regulations

2. Regulation 2 of the Regulations is hereby amended by substitution for subregulation 1 of the following subregulation:

"(1) These Regulations are, unless specified otherwise, applicable to all special nature reserves, national parks and world heritage sites excluding the Vredefort World Heritage Site".

Amendment of regulation 45 of the Regulations

3. Regulation 45 of the Regulations is hereby amended by the substitution in subregulation (2)(a) for subparagraphs (i), (ii), (iii), (iv), (v), (vi), (vii) and (ix) of the following subparagraphs:

- "(i) hunting, catching, capturing or killing any living specimen of a **[listed threatened or]** protected species by any means, method or device whatsoever, including searching, pursuing, driving, lying in wait, luring, alluring, discharging a missile or injuring with intent to hunt, catch, capture or kill any such specimen;
- (ii) gathering, collecting or plucking any specimen of a **[listed threatened or]** protected species;
- (iii) picking parts of, or cutting, chopping off, uprooting, damaging or destroying, any specimen of a **[listed threatened or]** protected species;
- (iv) possessing or exercising physical control over any specimen of a **[listed threatened or]** protected species;

- (v) growing, breeding or in any other way propagating any specimen of a **[listed threatened or]** protected species, or causing it to multiply;
- (vi) conveying, moving or otherwise translocating any specimen of a **[listed threatened or]** protected species;
- (vii) selling or otherwise trading in, buying, receiving, giving, donating or accepting as a gift, or in any way acquiring or disposing of any specimen of a **[listed threatened or]** protected species; or
- (ix) any other prescribed activity which involves a specimen of a **[listed threatened or]** protected species;”.

Amendment of regulation 64 of the Regulations

4. Regulation 64 of the Regulations is hereby amended by the substitution for subregulation (1) of the following subregulation:

- “(1) Any person who contravenes or fails to comply with—
- (a) a provision of these Regulations;
 - (b) a condition mentioned in a licence, permit or agreement issued or entered into in terms of these Regulations; or
 - (c) a prohibition, instruction, rule or order imposed, given or issued under these Regulations;

is guilty of an offence and liable **[on conviction to imprisonment for a period not exceeding five years or to a fine or to both such fine and such imprisonment] in the case of a first conviction to a fine not exceeding R5 million or to imprisonment for a period not exceeding 5 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.**”.

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