

No. R. 672

10 May 2002

ENVIRONMENT CONSERVATION ACT, 1989**AMENDMENT OF REGULATIONS REGARDING ACTIVITIES
IDENTIFIED UNDER SECTION 21(1)**

The Minister of Environmental Affairs and Tourism has under sections 26 and 28 of the Environment Conservation Act, 1989 (Act No. 73 of 1989), made the regulations in the Schedule.

SCHEDULE**Definitions**

1. In this Schedule "the Regulations" means the Regulations promulgated by Government Notice No. R.1183 of 5 September 1997, as amended by Government Notice No. R. 1645 of 11 December 1998.

Amendment of Regulation 3A of the Regulations

2. Regulation 3A of the Regulations is hereby amended by the insertion of the phrase "or classes of applications dealing with similar types of activities" after the word "application".

Amendment of Regulation 4 of the Regulations

3. Regulation 4 of the Regulations is hereby amended-

(a) by the substitution for paragraph (b) of subregulation (3) of the following paragraph:

“(b) where the activity concerned will take place within an area that is demarcated as an area of national or international importance, but does not include the sea-shore, conservancies, protected natural environments, proclaimed private nature reserves, natural heritage sites, and the buffer zones and transitional areas of biosphere reserves and world heritage sites;” and

(b) by the substitution for paragraph (d) of subregulation (3) of the following paragraph:

“(d) where a national government department, the relevant provincial authority or a statutory body other than a municipality contemplated in section 12 of the Local Government: Municipal Structures Amendment Act, 2000 (Act No. 33 of 2000) is the applicant; or”.

Amendment of Regulation 9 of the Regulations

4. Regulation 9 of the Regulations is hereby amended by the addition of the following subregulation:

“(3) The relevant authority may, from time to time, on new information, review any condition determined by it as contemplated in subregulation (1)(a), and if it deems it necessary, delete or amend such condition, or at its discretion,

determine new conditions, in a manner that is lawful, reasonable and procedurally fair.”.

Amendment of Regulation 10 of the Regulations

5. Regulation 10 of the Regulations is hereby amended by the insertion after subregulation (1) of the following subregulation:

“(1A) The record of decision contemplated in subregulation (1) must indicate the period within which, and the method how, the applicant must make the record of decision available to any interested party who has complied with regulation 3(5) or who is included in the appendix contemplated in regulation 6(1)(e).”.
