



## **environmental affairs**

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

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Ref: 02/1/5/2

**MINISTER**

### **QUESTION NO. 265 FOR ORAL REPLY: NATIONAL COUNCIL OF PROVINCES**

A draft reply to **Mr A J Nyambi (Mpumalanga: ANC)** to the above-mentioned question is enclosed for your consideration.

**MS NOSIPHO NGCABA  
DIRECTOR-GENERAL**

**DATE:**

**DRAFT REPLY APPROVED/AMENDED**

**MR D A HANEKOM, MP  
MINISTER OF ENVIRONMENTAL AFFAIRS (ACTING)**

**DATE:**

**NATIONAL COUNCIL OF PROVINCES**

**(For oral reply)**

**QUESTION NO. 265 {CO596E}**

**INTERNAL QUESTION PAPER NO.40 of 2018**

**DATE OF PUBLICATION: 22 October 2018**

**Mr A J Nyambi (Mpumalanga: ANC) to ask the Minister of Environmental Affairs:**

Whether there are structural mechanisms to ensure policy coordination across the three spheres of government, given that the preservation of environment is a shared function between the spheres; if not, why not; if so, what are the relevant details? CO596E

**265. THE MINISTER OF ENVIRONMENTAL AFFAIRS REPLIES:**

Yes.

Chapter 3, section 41(1) of the Constitution stipulates the principles of co-operative government and intergovernmental relations applicable to all spheres of government. It states that it should take place within the framework of mutual trust and good faith. The National Environmental Management Act, (Act 107 of 1998), further entrenches the concept of participatory, cooperative and developmental governance in environmental management.

In terms of the Constitution, environmental management is a concurrent national and provincial mandate and therefore it is important that proper cooperation and coordination systems are put in place to realise the Constitutional Imperatives.

In line with the Intergovernmental Relations Framework Act an intergovernmental forum called MINMEC, consisting of the Minister of Environment and the (MECs) responsible for Environment as well as Mayors of metropolitan municipalities, relevant sector departments and (SALGA) meet on a quarterly basis to ensure that policy coordination takes place. Furthermore, the MINMEC has established a technical forum consisting of the Director-General and provincial Heads of Department, relevant sector departments, metropolitan municipal managers and SALGA called MINTECH, to provide formal technical support to the MINMEC. MINTECH as the technical structure informs and

advises the Minister and Members of the Executive Councils (MECs). MINTECH is informed by Working Groups consisting of national and provincial and local government officials.

The following Working Groups are established and meet on a quarterly basis:

Working Group 1 – Biodiversity and Conservation

Working Group 2 - Air Quality Management

Working Group 3 – Sector Coordination

Working Group 4 – Compliance and Enforcement

Working Group 5 – Environmental Impact Management and Water Affairs

Working Group 6 – Sector Jobs

Working Group 8 – Oceans and Coasts

Working Group 9 – Chemical and Waste Management

Working Group 10 – Climate Change

Working Group 11 - Advisory Committee on Environmental Policy and Law Reform.

Working Group 12 – Communications

These structures, MINMEC, MINTECH and Working Groups, provide coordination on matters affecting the environmental sector and coordinate policies and legislation to protect the environment for the benefit of the present and future generations. These fora convene on a quarterly basis.

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