



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

APPLICATION FORM FOR AMENDMENT OF AN ENVIRONMENTAL MANAGEMENT PROGRAMME IN TERMS OF REGULATION 37 OF THE EIA REGULATIONS, 2014, AS AMENDED

Application for amendment to the EMP in terms of the National Environmental Management Act, Act No. 107 of 1998, as amended and the Environmental Impact Assessment (EIA) Regulations, 2014, as amended (the Regulations)

PROJECT TITLE

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Indicate if the **DRAFT** report accompanies the application

Yes ☐

No ☐

PRE-APPLICATION CONSULTATION

Was a pre-application meeting held	Yes		No	
Date of the pre-application meeting				
Reference number of pre-application meeting held				
Was minutes compiled and submitted to the Department for approval	Yes		No	

A copy of the pre-application meeting minutes must be appended to this application as **APPENDIX 1**.

Kindly note the following:

1. This form must be used to apply for the Amendment of an Environmental Management Programme in terms of Regulation 37 where this Department is the Competent Authority.
2. This form is current as of August 2023. It is the responsibility of the Applicant/Environmental Assessment Practitioner (EAP) to ascertain whether subsequent versions of the form have been published or produced by the Competent Authority. The latest available Departmental templates are available at <https://www.dffe.gov.za/documents/forms/legal>
3. An application fee is applicable (refer to **Section** Error! Reference source not found.). Proof of payment must accompany this application. The application will not be processed without proof of payment unless one of the exclusions provided for in the Fee Regulations is applicable AND such information in the exclusion section of this application form has been confirmed by this Department.
4. A cover letter on your company letterhead indicating the nature of this application must be appended to this form i.e. application for amendment of the Environmental Management Programme.
5. An electronic copy of the signed application form must be submitted of both the Applicant and EAP.
6. This form must be marked **“for Attention: Chief Director: Integrated Environmental Authorisations”** and submitted to the Department at the format as prescribed in the process to upload documents form.
7. The required information must be typed within the spaces provided in the form. The sizes of the spaces provided are not necessarily indicative of the amount of information to be provided. Spaces are provided in tabular format and will extend automatically when each space is filled with typing. A legible font type and size must be used when completing the form. The font size should not be smaller than 10pt (e.g. Arial 10).
8. Where applicable black out the boxes that are not applicable in the form.
9. The use of the phrase “not applicable” in the form must be done with circumspection. Where it is used in respect of material information that is required by the Competent Authority for assessing the application, this may result in the rejection of the application as provided for in the Regulations.

10. Unless protected by law, all information contained in and attached to this application, will become public information on receipt by the Competent Authority. Upon request during any stage of the application process, the Applicant / EAP must provide any registered interested and affected party with the information contained in and attached to this application.
11. Should a specialist report or report on a specialised process be submitted at any stage for any part of this application, the terms of reference for such report and declaration of interest of the specialist must also be submitted.
12. Please note that this form must be copied to the relevant Provincial Environmental Department(s).
13. Certified copy/ies of the Environmental Authorisation and all subsequent Amendments thereto, if applicable must be attached to this application as **APPENDIX** . Should a certified copy/ies of the Environmental Authorisation and subsequent Amendments thereto not be available an original commissioned Affidavit/Affirmation under oath undertaken by the must be appended to this application form.
14. Certified copy/ies of the Environmental Management Programme and all subsequent Amendments thereto, if applicable must be attached to this application as **APPENDIX 4**.
15. Certified copy/ies of environmental audit reports, if applicable must be attached to this application as **APPENDIX 5**.
16. Should a certified copy/ies of the documents referred to under point 15, 16 and 17 above not be available, an original commissioned Affidavit/Affirmation under oath undertaken by the Applicant must be appended to this application form.
17. An application for the Amendment of an Environmental Management Programme lapses if the applicant fails to meet any of the timeframes prescribed in terms of the EIA Regulations, 2014, as amended.

Departmental Details

Online Submission only:

<https://sfiler.environment.gov.za:8443/>.

Click <https://www.dffe.gov.za/documents/forms/legal> for guidance document which must be complied with in order to upload/submit files to this Competent Authority.

Physical address:

Department of Forestry, Fisheries and the Environment
 Attention: Chief Director: Integrated Environmental Authorisations
 Environment House
 473 Steve Biko Road
 Arcadia

For Submission enquiries: Contact the Directorate: IEA Strategic Support, Coordination and Reporting at:
 Email: EIAApplications@dffe.gov.za

For EIA related implementation queries:
 Email: EIAAdmin@dffe.gov.za

For EIA Related Interpretation queries in terms of the Listed Activities:
 Email: IQ@dffe.gov.za

For SIP confirmation, please contact the SIP coordinator at the below contact details:

- Mr Alvino Wildschutt-Prins
 Programme Manager: Infrastructure Pipeline Development & Management
 SIP Programme Management Office
 Cell: 072 650 2249
 Email: alvino@presidency.gov.za
- Mr Avik Singh, Infrastructure Project pipeline (SIP Support)
AvikS@idc.co.za

1. COMPETENT AUTHORITY

Identified Competent Authority to consider the application:
Reason(s) in terms of S24C of NEMA:

2. GENERAL INFORMATION

Name of the Applicant:
RSA Identity/ Passport
Number:
Name of contact person for
applicant (if other):
RSA Identity/ Passport
Number:
Responsible position, e.g.
Director, CEO, etc.:
Company/ Trading name (if
any):
Company Registration
Number:
BBBEE status:
Physical address:
Postal address:
Postal code:
Telephone:
E-mail:

[illegible]

Name of the landowner:
Name of contact person for
landowner (if other):
Postal address:
Postal code:
Telephone:
E-mail:

	Cell:	
	Fax:	

Name of Person in control
of the land:
Name of contact person for
person in control of the
land:
Postal address:
Postal code:
Telephone:
E-mail:

	Cell:	
	Fax:	

In instances where there is more than one landowner, please attach a list of those landowners with their contact details as **APPENDIX 6**.

Unless the application is in respect of linear activities or Strategic Infrastructure Projects as contemplated in the Infrastructure Development Act (Act No. 23 of 2014) and where the landowner is not the applicant, written consent of landowner/s must be submitted and attached as Error! Reference source not found..

Provincial Environmental
Authority:

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Name of contact person:			
Postal address:			
Postal code:		Cell:	
Telephone:		Fax:	
E-mail:			

Local Municipality:			
Name of contact person in (Environmental Section)			
Postal address:			
Postal code:		Cell:	
Telephone:		Fax:	
E-mail:			

In instances where there is more than one Local/Provincial Authority involved, please attach a list of those Local/ Provincial Authorities with their contact details as **APPENDIX 7**.

3. ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) INFORMATION

Company of Environmental Assessment Practitioner:				
B-BBEE	Contribution level (indicate 1 to 8 or non-compliant)		Percentage Procurement recognition	
EAP name:				
EAPASA Registration Number				
EAP Qualifications:				
Professional affiliation/registration:				
Physical address:				
Postal address:				
Postal code:		Cell:		
Telephone:		Fax:		
E-mail:				

The appointed EAP must meet the requirements of Regulation 13 of GN R982 of 04 December 2014, as amended.

If appointed, the declaration of independence of the EAP and undertaking under oath or affirmation that all the information submitted or to be submitted for the purposes of the application is true and correct must be submitted as **APPENDIX 8**.

4. DETAILS OF IMPLEMENTATION OF PREVIOUS ENVIRONMENTAL AUTHORISATION/ENVIRONMENTAL MANAGEMENT PROGRAMME

Was the activity commenced with during the validity period of the environmental authorisation? If yes, please describe the implementation of the Environmental Authorisation and previous Environmental Management Programme to date:	YES	NO

5. AMENDMENTS APPLIED FOR AND RELATED INFORMATION

PLEASE NOTE THAT THE AMENDMENTS BEING APPLIED FOR CAN ONLY FALL WITHIN THE AMBITS OF REGULATION 37.

Describe the amendments that are being applied for:

Please provide the reasons and/or a motivation for the application for amendment:

6. ENVIRONMENTAL IMPACTS

Describe any negative environmental impacts that may occur if the application for amendment of the Environmental Management Programme is granted, amongst others information on any increases in air emissions, waste generation, discharges to water and impacts of the natural or cultural environment must be included.

Describe any negative environmental impacts that may occur if the application for amendment is not granted.

Describe any positive environmental impacts that may occur if the application for amendment is granted, amongst others information on any reduction in the ecological footprint, air emissions, waste generation and discharges to water must be included.

7. AUTHORISATION FROM OTHER GOVERNMENT DEPARTMENTS

Are any permission, licenses or other authorisations required from any other departments before the requested amendments can be effected?	YES	NO
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If yes, please complete the table below.

Name of department and contact person	Authorisation required	Authorisation applied for (Yes/ No)

8. RIGHTS OR INTERESTS OF OTHER PARTIES

In your opinion, will this proposed amendment adversely affect the rights and interests of other parties?	YES	NO
Please provide a detailed motivation of your opinion.		

NOTE: The Department is entitled to request further information if it believes it is necessary for the consideration of the application. If the application is for a substantive amendment or if the rights or interests of other parties are likely to be adversely affected, the Department will instruct the applicant to conduct a public participation process and to conduct any investigations and assessments that it deems necessary.

9. LIST OF APPENDICES

		SUBMITTED	
APPENDIX 1	Copy of the pre-application meeting minutes	YES	NO
APPENDIX 2 Error! Reference source not found.	Proof of Payment/Motivation for exclusion	YES	NO
APPENDIX 3	Certified copy/ies of the Environmental Authorisation and all subsequent Amendments thereto or original commissioned Affidavit/Affirmation under oath	YES	NO
APPENDIX 4	Certified copy/ies of the Environmental Management Programme and all subsequent Amendments thereto or original commissioned Affidavit/Affirmation under oath	YES	NO
APPENDIX 6	Certified copy/ies of the Environmental Audit Reports or original commissioned Affidavit/Affirmation under oath	YES	NO
APPENDIX 6	List of land owners (with contact details)	YES	NO
APPENDIX 6	List of Local/Provincial Authorities (with contact details)	YES	NO
APPENDIX 8	Declaration of independence of the EAP and undertaking under oath or affirmation, if appointed	YES	NO

10. DECLARATION

I, _____, declare that I will comply with all my legal obligations in terms of this application and provide accurate information to everyone concerned in respect to this application.

Signature of the Applicant:

Name of Company or Organisation:

Date:

APPENDIX 1

COPY OF THE PRE-APPLICATION MEETING MINUTES

APPENDIX 2

PROOF OF PAYMENT/ MOTIVATION FOR EXCLUSION

APPENDIX 3

**CERTIFIED COPY/IES OF THE ENVIRONMENTAL AUTHORISATION AND ALL SUBSEQUENT AMENDMENTS
THERE TO OR ORIGINAL COMMISSIONED AFFIDAVIT/AFFIRMATION UNDER OATH**

APPENDIX 4

**CERTIFIED COPY/IES OF THE ENVIRONMENTAL MANAGEMENT PROGRAMME AND ALL SUBSEQUENT
AMENDMENTS THERETO OR ORIGINAL COMMISSIONED AFFIDAVIT/AFFIRMATION UNDER OATH**

APPENDIX 5

**CERTIFIED COPY/IES OF ENVIRONMENTAL AUDIT REPORTS OR ORIGINAL COMMISSIONED
AFFIDAVIT/AFFIRMATION UNDER OATH**

APPENDIX 6

LIST OF LAND OWNERS AND THEIR WRITTEN CONSENT

APPENDIX 7

LIST OF LOCAL/PROVINCIAL AUTHORITIES

APPENDIX 8

DECLARATION OF THE EAP

I, _____, declare that –

- I act as the independent environmental assessment practitioner in this application;
- I have expertise in conducting environmental impact assessments, including knowledge of the Act, Regulations and any guidelines that have relevance to the proposed activity;
- I will comply with the Act, Regulations and all other applicable legislation;
- I will perform the work relating to the application in an objective manner, even if this results in views and findings that are not favourable to the applicant;
- I will take into account, to the extent possible, the matters listed in Regulation 14 of the Regulations when preparing the application and any report relating to the application;
- I undertake to disclose to the applicant and the Competent Authority all material information in my possession that reasonably has or may have the potential of influencing - any decision to be taken with respect to the application by the Competent Authority; and - the objectivity of any report, plan or document to be prepared by myself for submission to the Competent Authority, unless access to that information is protected by law, in which case it will be indicated that such information exists and will be provided to the Competent Authority;
- I will perform all obligations as expected from an environmental assessment practitioner in terms of the Regulations; and
- I am aware of what constitutes an offence in terms of Regulation 48 and that a person convicted of an offence in terms of Regulation 48(1) is liable to the penalties as contemplated in Section 49B of the Act.

Disclosure of Vested Interest (delete whichever is not applicable)

- I do not have and will not have any vested interest (either business, financial, personal or other) in the proposed activity proceeding other than remuneration for work performed in terms of the Regulations;
- I have a vested interest in the proposed activity proceeding, such vested interest being:

Signature of the environmental assessment practitioner

Name of company:

Date

UNDERTAKING UNDER OATH/ AFFIRMATION

I, _____, swear under oath/affirm that all the information submitted or to be submitted for the purposes of this application is true and correct.

Signature of the environmental assessment practitioner

Name of company

Date

Signature of the commissioner of oaths

Date