

MEDIA STATEMENT

MINISTER OF ENVIRONMENTAL AFFAIRS RE-PUBLISHES AMENDMENTS TO THE THREATENED OR PROTECTED SPECIES REGULATIONS AND SPECIES LIST FOR PUBLIC PARTICIPATION

31 MARCH 2015

The Minister of Environmental Affairs, Mrs B E E Molewa, on Tuesday, 31 March 2015, re-published amendments to the Threatened or Protected Species (TOPS) Regulations and species list in *Government Gazette* No. 38600 and Notice 256 of 2015 for public comment for a period of 30 days.

The Department of Environmental Affairs has undertaken a substantial review of the TOPS Regulations, as well as the list of threatened or protected species that was published in terms of section 56 of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004). These amendments were published in *Gazette*, No. 36375, on 16 April 2013 for public participation for a period of 60 days.

Due to the nature of the comments received during the public participation process, a number of the provisions in the draft revised regulations required further amendment, or new provisions needed to be included. Similar amendments were also required in the draft revised species list.

As a result of amendments arising from the previous stakeholder consultation process, the Minister of Environmental Affairs is affording all interested and affected parties a final opportunity to comment on further amendments to the revised TOPS Regulations and species list.

The amendments related to the revised draft species list include making the list more user-friendly.

Sub-categories for mammal species in particular have been created within the protected species category. The sub-categories include:

- species of high conservation value or national importance, such as the Southern White Rhino, African Elephant, leopard and black-footed cat;

- species listed to ensure that they are managed in an ecologically sustainable manner, including species that are likely to hybridise, such as blue and black wildebeest, blesbok and bontebok. Species such as blue wildebeest, blesbok and Burchell zebra have been added to the list thus regulating the translocation of species that are likely to cross-breed with other closely-related species; and
- species included in Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) which are not already listed in any other categories.

Numerous species have also been moved between categories, especially bird and plant species, as a result of the latest Red List assessment for birds and the re-assessment of the *Harworthia* genus. Species removed from the list completely include bushbuck, nyala, southern reedbuck and the grey rhebok.

Also excluded from the list are all species threatened by habitat destruction and which are not affected by other restricted activities, such as the Riverine rabbit and the rough-haired golden mole.

Key issues necessitating the re-publication of the revised TOPS Regulations for public participation involve the inclusion of new provisions and the substantial amendment of existing regulations. These proposed new provisions include issues:

- relating to risk assessments, where a compulsory risk assessment will be required for the release of a captive-bred or artificial propagated specimen of a listed threatened or protected species into a national protected area;
- relating to the carrying out of restricted activities involving live specimens of listed fish species including the proposed approach that most of the restricted activities are prohibited, except for low-risk research facilities or provincial conservation authorities; and
- relating to the prohibition to sell imported specimens of protected species that are listed on CITES Appendix 1 in certain circumstances . This will ensure greater regulation over the possession and sale of imported Appendix I specimens and their offspring, thus preventing violation of CITES provisions.

Members of the public are invited to submit written comments to the Minister within 30 days of publication of the notice in the *Gazette*. Comments or inputs can be submitted to the following addresses:

By post to: The Director General
Department of Environmental Affairs
Attention: Thomas Mbedzi
Private Bag X447
Pretoria
0001

By hand at: Environment House, 473 Steve Biko Street, Arcadia, Pretoria, 0083

By email: nmbedzi@environment.gov.za

Comments received after the closing date may not be considered.

To access the *Gazette* and Amended TOPS Species List click on the link:

https://www.environment.gov.za/sites/default/files/legislations/nemba10of2004_topsregulations.pdf

For media inquiries contact Albi Modise on 083 490 2871

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