



# THE NATIONAL ENVIRONMENTAL MANAGEMENT LAWS AMENDMENT BILL [B 14D–2017]



environment, forestry  
& fisheries

Department:  
Environment, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA



# ACRONYMS

DEFF	Department of Environment, Forestry and Fisheries
DMRE	Department of Mineral Resources and Energy
MEC	Member of Executive Council
NEMLA	National Environmental Laws Amendment Bill [B14D-2017]
NEMA	National Environmental Management Act, 1998 (Act No. 17 of 1998)
NEMAQA	National Environmental Management: Air Quality, 2004 (Act No. 39 of 2004)
NEMBA	National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004)
NEMICMA	National Environmental Management: Integrated coastal Management Act, 2008 (Act No. 24 of 2008)
NEMPAA	National Environmental Management: Protected Areas Act, (Act No. 57 of 2003)
NEMWA	National Environmental Management: Waste Act 2008, (Act No. 59 of 2008)
SEMAS	specific environmental management Acts

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## NATIONAL ENVIRONMENTAL LAWS AMENDMENT BILL [B14D-2017]

- The National Environmental Management Act, 1998 (Act No. 17 of 1998) (NEMA) is the overarching umbrella legislation for environment in the country. Under this umbrella Act there are the specific environmental management Acts (SEMAs), which deal with specific aspects of the environment, namely air, biodiversity, coasts, protected areas and waste in more detail.
- NEMA is implemented by 11 competent authorities, DEFF, 9 provinces and the Department of Mineral Resources and Energy.
- The National Environmental Laws Amendment Bill [B14-2017] (NEMLA) was introduced to Parliament in May 2017. The D version of the Bill was passed by the National Assembly in November 2018. The presentation summarises the D Version of the Bill.

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## Amendments to the National Environmental Management Act, 1998 (NEMA)

- Certain definitions are amended e.g. “**financial provision**” while other definitions are inserted to support substantive provisions e.g. “**latent environmental impacts**”, “**mitigate**”, “**rehabilitate**”, “**remediate**” and “**residual environmental impacts**” while other definitions are added as consequential amendments to support substantive provisions introduced in the Bill, e.g. “**municipal council**”, “**municipality**” and “**municipal manager**”.
- NEMA section 2 contains principles, which apply to all actions of organs of state that may significantly affect the environment. A principle is added namely that the environment sector must advance and **promote** the full **participation of black professionals**.
- Section 24 of NEMA deals with **environmental authorisations** and the instances where environmental authorisations are required. The section sets out who **the competent authority** is under certain circumstances and it makes provision for **environmental management instruments**, which either can replace the need for an environmental authorization or make it easier for an applicant to obtain one. The section makes provision for **prohibitions and restrictions** in respect of the issuing of environmental authorizations for certain areas and empowers the Minister to make regulations.

## **Amendments to the National Environmental Management Act, 1998** **(NEMA)**

- Clause 3 amends section 24 to -
  - Facilitate more flexibility in the use of environmental management instruments.
  - provide for conditions and requirements to be included in the instruments.
  - provide for a publicly available register be kept of all these adopted environmental management instruments.
  - make textual amendments to the prohibitions and restrictions provision to provide clarity;
  - clarify the competency of the Minister responsible for mineral resources; and
  - provide for the simultaneous submission of environmental authorisation applications and any other related licences or permits required under any of the SEMAs. as well as integrated processes and decisions where possible,.
  - Provide for a requirement that an integrated licence must be issued, where the competent authority is the same in all instances.
- Section 24 G deals with the rectification and consequences with the commencement of an illegal activity (without an environmental authorization).

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## **Amendments to the National Environmental Management Act, 1998** **(NEMA) (continued)**

- Section 24G (Clause 5) of the NEMA is amended to -
  - enable a person who has taken ownership or control of property (e.g. a bona fide purchaser) on which an unlawful structure or development has been built to have such structure, development or activity authorised;
  - allow a successor in title or person in control of such land to lodge a section 24G application for such structure or development;
  - make it mandatory for the Minister or MEC to direct an applicant to undertake certain actions; and
  - increase the administrative fine from R5 million to a maximum of R10 million.
- Section 24N (Clause 6), which deals with environmental management programmes, currently contains the content requirement for these instruments in the Act. The amendment allows that environmental management programme content to be prescribed through Regulations.
- Section 24O deals with the consideration of environmental authorisations and consultation requirements in this respect. Section 24O makes it mandatory for the Minister, The Minister of Mineral Resources and Energy and the MECs to consult affected State Departments. The amendment in clause 7 enables an environmental assessment practitioner to consult with State department during the environmental authorisation application process.

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## **Amendments to the National Environmental Management Act, 1998** **(NEMA) (continued)**

- Section 24P deals with the financial provisioning required to undertake progressive rehabilitation, decommissioning, closure and post closure activities to ensure mitigation, remediation and rehabilitation of adverse environmental impacts, and the amendment enables the Minister or the MEC to prescribe instances when financial provision is required for activities requiring environmental authorisation.
- The financial provision must be determined before the Minister issues an environmental authorisation and an applicant, a holder of an environmental authorisation, a holder, holder of an old order right must provide financial provision for progressive rehabilitation, decommissioning, closure and post closure activities. The clause stipulates that the rehabilitation, remediation and mitigation measures must be undertaken annually as prescribed. The clause also sets out the financial provisioning vehicles to be used.
- An independent party can be appointed if the Ministers or MEC are not satisfied with the determination or review of financial provision.
- Respective Ministers or MECs may use any part of the financial provision to fund rehabilitation actions, if the holder of an environmental authorisation, holder, holder of an old or right fails to do so.

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## **Amendments to the National Environmental Management Act, 1998** **(NEMA) (continued)**

The Bill inserts a new section 24PA providing for financial provision for mining.

- The clause requires a holder of an environmental authorisation relating to listed or specified activities for or directly related to mining activities, a holder or holder of an old order right -
  - to maintain and retain financial provision until a closure certificate is issued; to review their environmental liability and adjust their financial provision every three years;
  - to independently audit the financial provision and the basis on which it is determined every three years;
  - to submit to the Minister responsible for mineral resources the audit report every five years (or three years in the case a mining permit);
  - to publish the decision of the Minister responsible for mineral resources on the review of the financial provision publicly within five days of being notified of such review decision; and
  - to annually undertake measures to mitigate, rehabilitate and remediate.
- This clause also empowers the Minister responsible for mineral resources, in consultation with the Minister responsible for water affairs, to approve an annual drawdown of the financial provision to support final decommissioning and closure for a period not exceeding 10 years before the final decommissioning and closure.



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## **Amendments to the National Environmental Management Act, 1998** **(NEMA) (continued)**

- The clause further requires that financial provision for latent or residual environmental impacts must be transferred to the Minister responsible for mineral resources upon issuing of a closure certificate.
- The clause allows the Minister responsible for mineral resources to access the financial provision on issuing of a closure certificate if the financial provisioning vehicle used is an insurance.
- The Minister responsible for mineral resources or Minister responsible for water affairs is also empowered to use the financial provision to rehabilitate or manage the environmental impacts, if a holder of an environmental authorisation relating to mining activities fails to mitigate, remediate and rehabilitate environmental impacts.

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## **Amendments to the National Environmental Management Act, 1998** **(NEMA) (continued)**

- Section 28 deals with the duty of care and the remediation of environmental damage. Clause 12 empowers the Director-General of DEFF and DMRE and the HODs of the provinces to issue directives under certain circumstances. This power is now also given to municipal managers.
- In line with the Promotion of Administrative Justice Act the section is amended to allow for a notification and an opportunity to make representations prior to the issuing of a directive.
- Where remedial measures have to be undertaken by the authorities due to a failure to comply with a directive, the amendment now empowers them to claim both anticipatory, as well as costs already incurred.

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## **Amendments to the National Environmental Management Act, 1998** **(NEMA) (continued)**

- Sections 31A-31Q (Clauses 13-19) deal with the appointment of environmental management inspectors across all three spheres of government, and environmental mineral resources inspectors in the Department of Mineral Resources and Energy to do compliance and enforcement in respect of the NEMA and the SEMAS.
- Sections 31B, BA, BB and C are amended to clarify that the Ministers responsible for environmental affairs, water affairs and MECs may only designate environmental management inspectors from organs of state that execute a regulatory function. This is to ensure that only authorities that have a legal mandate to monitor compliance and enforce the provisions of NEMA and the SEMAs have designated inspectors within their ranks.
- The designation by the Minister responsible for mineral resources of persons as environmental mineral and petroleum inspectors is enabled as well as the designation of officials from the Petroleum Agency of South Africa to undertake compliance and enforcement activities in respect of petroleum resources.
- The Bill provides for national consistency in the powers and duties accorded to the designated environmental management inspectors, whether undertaking compliance and enforcement with national or provincial legislation.
- It empowers the Minister responsible for Environmental Affairs, after consultation with the Minister responsible for mineral resources, to support or undertake compliance monitoring and enforcement measures if it necessary to address significant harm to the environment caused by prospecting and mining activities.
- The same standard of approved training for environmental management inspectors and environmental mineral and petroleum inspectors is provided for as well as the power to prescribe through regulations a Code of Conduct.
- The powers of these inspectors are also clarified in the Bill. A member of the SA Police Service has the same powers as these inspectors, excluding the power to conduct routine inspections in terms of section 31K and the power to issue and enforce compliance notices in terms of sections 31L to 31O.

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## **Amendments to the National Environmental Management Act, 1998** **(NEMA) (continued)**

- Section 34E of the NEMA deals with the treatment of seized live specimens and is amended to provide that live specimens “may”, instead of “must”, be deposited with a suitable institution, rescue centre or facility; as the circumstances require or may be disposed of in terms of section 30(a) of the Criminal Procedure Act, 1977 (mechanisms regulating the disposal of a seized perishable item).
- The regulatory power of the Minister responsible for environmental affairs to specify offences and prescribe the amount for purposes of admission of guilt fines is amended to ensure that Minister’s regulatory power contextualizes section 57(5) of the Criminal Procedure Act, 1977 (Act No. 51 of 1977).
- The Bill clarifies that the Minister of mineral resources may delegate his or her powers under NEMA to an organ of state, may subdelegate these powers or withdraw such delegation and empowers the Minister responsible for water affairs and municipal manager of a municipality to delegate his or her powers under the NEMA to an official in the Department responsible for water affairs or municipality, respectively.

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## **Amendments to the National Environmental Management Act, 1998** **(NEMA) (continued)**

- Clause 34 amends clause 43, which deals with appeals against decisions taken under delegated authority in terms of NEMA and the SEMAs.
- The Bill allows appeals against a decision taken by a NEM: Air Quality Act licensing authority and where the licensing authority is a municipality, the appeal is to the municipal council
- The Bill clarifies that an appeal will not automatically suspend a section 28(4) directive or other administrative enforcement notice that is aimed at addressing significant harm to the environment, unless there is good cause shown to the satisfaction of the Minister and a person may also appeal a section 28(4) directive issued by a delegated official.
- The Bill clarifies offences and penalties, substitutes the criminal offence of failing to comply with a “request” with an “instruction” from an environmental management inspector or environmental mineral and petroleum inspector and introduces new offences and associated penalties.

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## **Amendments to the National Environmental Management: Protected Areas Act, 2003 (NEMPAA)**

- Section 48(1)(a) and (c) prohibit commercial prospecting, mining, exploration, production or related activities in national park, special nature reserve or nature reserve. However, section 48(1)(b) allows commercial mining in a protected environment provided the Minister issues a written permission. The clause further amends subsection (4) to provide for the criteria under which the written permission contemplated in section 48(1)(b) may be issued by the Minister. The Minister may require any further information that he or she may deem necessary before making a decision.
- Currently, section 57 of the NEMPAA only allows for the Chief Executive Officer of the South African National Parks to be on its Board. However, in line with the recommendations of the third Report on Governance in South Africa, 2009 (King III), the Chief Financial Officer should also be on the Board. The amendment to section 57 is intended to provide clarity that the Chief Financial Officer must be a member of the Board.
- Section 48A of the NEMPAA restricts certain activities in a marine protected area. However, section 89 of the NEMPAA, which provides for offences and penalties, does not make it an offence where a person undertakes a restricted activity in contravention of NEMPAA. The clause amends section 89 to insert section 89(1)(e) and (2A), and thus creating an offence for any person that undertakes a restricted activity in contravention of NEMPAA. The clause also rectifies incorrect references to offences within NEMPAA.

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## Amendments to the National Environmental Management: Biodiversity Act, 2004 (NEMBA)

- The Bill extends the scope of the objects of the NEMBA to clarify that the object is to provide that the use of indigenous biological resources is ecologically sustainable, **including taking into account the well-being of any faunal biological resource**. The Bill empowers the Minister to **prohibit, by notice in the Gazette, any activity that may negatively impact on the well-being of a faunal biological resource**. Such a prohibition will be subject to such conditions as the Minister may specify in the notice. A public consultation process must be undertaken before the Minister publish the final notice. The **power to make regulations is extended** to provide that the Minister may **make regulations in relation to the well-being of a faunal biological resource**.
- The Bill amends NEMBA section 3 which provides for the State's trusteeship of biological diversity. In terms of common law, all wild animals are regarded as *res nullius*, meaning it belongs to everybody, but belongs to nobody in particular. The implication of this common law principle is that, once a wild animal escapes from the land on which it occurred, the owner of such land loses ownership of the wild animal that has escaped. The Game Theft Act, 1991 (Act No. 105 of 1991), changed the common law status of wild animals, in that it makes provision for a person to retain ownership of a wild animal that escapes from land that he/she adequately fenced, and in respect of which a certificate of adequate enclosure has been issued by the Premier of the province in which the land is situated. The implication is that where wild animals escape from state-owned land, the state may lose the custodianship of those wild animals. The amendment provides that the Minister may specify species and circumstances under which the State remains the custodian in such cases.
- . The proposed amendment also gives effect to the judgement in *Eastern Cape and Tourism Agency v Medbury (Pty) t/a Crown River Safari and Another (1466/2012) [2016] ZAECGHC 26*, in which the High Court held that this issue must be legislated and not be relied on by developing the common law by way of jurisprudence.

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## **Amendments to the National Environmental Management: Biodiversity Act, 2004 (NEMBA) (continued)**

- Currently all invasive species are treated the same in NEMBA. This amendment allows the Minister to determine measures suitable for the different species. The Bill remedies an impractical provision which requires every land owner or controller to know whether or not they have invasive species on their land. Potentially most people may have some or other invasive plant in their gardens and not know it. However, the more dangerous invasive species (from a health or environmental perspective) should be addressed and the Minister is given the power to prescribe the circumstances in which written notification of invasive species on land must be given to the competent authority.
- The Bill empowers the Minister to prescribe measures to control or eradicate listed invasive species. Categorisation of species in the regulations is not taken into account.
- The Bill provides clarity that the Chief Financial Officer must be a member of the Board of the South African National Biodiversity Institute.
- The Bill provides clarity that the MEC for environmental affairs in each province must also follow the consultative process set out in sections 99 and 100 of the NEMBA when exercising a power under the Act



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## **Amendments to the National Environmental Management: Air Quality Act, 2004 (NEMAQA)**

- Section 13 of the NEMAQA deals with the establishment of the National Air Quality Advisory Committee. The Bill provides the Minister with a discretion to establish a National Air Quality Advisory Committee.
- Section 22A of NEMAQA is amended to provide for the consequences of unlawful conducting of listed activities. The clause will address two scenarios, namely, to provide for those activities that were operated without a registration certificate under the Atmospheric Pollution Prevention Act, 1965 (Act No. 45 of 1965), and those activities where there is no atmospheric emission license obtained under NEMAQA. The Bill provides for the process and procedures to be followed in addressing the non-compliance with the law and further empowers the Minister to direct an applicant to undertake certain action, including undertaking public participation as prescribed under the environmental impact assessment regulations. It sets the administrative fine to a maximum of R10 million.
- The Bill clarifies that a province must be regarded as a licensing authority where a listed activity falls within the boundaries of more than one metropolitan municipality or more than one district municipality and indicates the instances when the Minister is the licensing authority to issue atmospheric emission licenses for air quality activities.

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## **Amendments to the National Environmental Management: Air Quality Act, 2004 (NEMAQA) (continued)**

- The Bills intends to facilitate the issuing of an integrated environmental authorisation where the Minister is also a competent authority for the environmental impact assessment activities, and licensing authority for the waste management activities. The current provision appears to suggest that the Minister will always be the licensing authority, whereas the intention is to provide that the Minister is only the licensing authority if the Minister is also identified as such in terms of NEMA and NEM: Waste Act.
- The Bill enables a co-operative agreement to be reached between the municipality, MEC and the Minister as to who the licensing authority will be for an application.
- The Bill inserts a new section 47A to provide the licensing authority with the legal power to revoke or suspend an atmospheric emission license, subject to the legal requirements set out in the section and also sets out the procedure to be followed before a licensing authority may revoke or suspend the license.
- The Bill clarifies and ensures that appeal regulations developed under section 43 of NEMA are also applicable to appeals against air quality decisions.

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## **Amendments to the National Environmental Management: Integrated Coastal Management Act, 2008 (NEM: ICMA)**

- Section 60 of the NEM:ICMA has been amended to allow for the issuing of notices for the removal of structures that were erected prior to the commencement of the Act. This amendment clarifies the retrospective effect of section 60. Currently retrospectively is implied, and its application may leave some doubt. This is also in line with section 59 of the Act and section 28 of NEMA, which expressly enables retrospective application.
- Chapter 9 of the NEMICMA deals with appeals under this Act. It is the only Specific Environmental Management Act (SEMA) under the umbrella NEMA that has its own appeal provisions, despite the fact that the NEMA appeal provisions, specifically apply to all SEMAs. To streamline and avoid duplication, the Appeal chapter in the NEMICMA is being repealed.

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## **Amendments to the National Environmental Management: Waste Act, 2008 (NEMWA)**

- The Bill inserts certain definitions e.g. of “building and demolition waste’ ’business waste”, “domestic waste”, “general waste”, “hazardous waste” and “inert waste” that were contained in Schedule 3 to the NEM: Waste Act and removes these from Schedule 3 and inserted in section 1 of the Act.
- The Bill inserts certain new definitions of “residue deposit” and “residue stockpile” in alignment with NEMA and the Mineral and Petroleum Resources Development Act, 2002 (MPRDA).
- The Bill provides for textual amendments to the definition of “waste” so as to provide legal clarity on the interpretation and to prevent unintended consequences.
- The Bill provides clarity that residue stockpiles and residue deposits are no longer regulated under NEMWA, but under NEMA.

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## **Amendments to the National Environmental Management: Waste Act, 2008 (NEMWA) (continued)**

- The Bill amends NEMWA to establish the Waste Management Bureau as a fully-fledged entity. It is established as a juristic person with a Board, and in the absence of a functional board, the powers and duties of the Board revert to the Minister responsible for environmental affairs. It also sets out the Minister's supervisory powers.
- The Bill amends sections 34F, 34G, 34H, 34I, 34J, 34K and 34L of the NEMWA and sets out the general powers of the Waste Management Bureau, the governing Board of the Waste Management Bureau, composition and membership, qualifications for members of the governing Board, appointment procedure for members of the governing Board, term of office of members of the Board and conditions of appointment of members of the governing Board.
- The Bill inserts new sections 34M-34Z which set out the governance matters of the Board.
- The Bill provides clarity that an owner of the land that is likely to be contaminated has a legal obligation to notify the Minister of such contamination as soon as that owner becomes aware thereof and clarifies that a site assessment report must be submitted together with a remediation plan.
- The Bill indicates that the Minister must keep a national register of all contaminated land.

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## **Amendments to the National Environmental Management: Waste Act, 2008 (NEMWA) (continued)**

- Section 43 of the NEMWA identifies the licensing authorities for different waste management licences. The Minister responsible for mineral resources is identified as one of the licensing authorities to issue waste management licences in so far as the waste management activities is or is directly related to prospecting or exploration of a mineral or petroleum resource or extraction and primary processing of a mineral or petroleum resource.
- The Bill ensure that the Minister responsible for mineral resources as the identified licensing authority is responsible for the implementation of the waste management licensing system in so far as the waste management activities is or is directly related to prospecting or exploration of a mineral or petroleum resource; or extraction and primary processing of a mineral or petroleum resource.
- The Bill facilitates an agreement between the licensing authorities on the implementation of the licensing system.
- In exceptional circumstance where the MEC unreasonably fails to take a decision to issue a waste management license or not within the prescribed timeframes, the Bill provides that an applicant may request the Minister to take the decision. The Department was mindful of sections 125(2)(b) of the Constitution of the Republic of South Africa, 1996, which provides that the Premier, together with other members of the Executive Council has the power to implement all national legislation within the functional areas listed in Schedule 4 or 5 of the Constitution, except where the Constitution or an Act of Parliament provides otherwise.

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## **Amendments to the National Environmental Management: Waste Act, 2008 (NEMWA) (continued)**

Currently, the variation of a waste management licence is not subject to the payment of a prescribed processing fee. Practically, it has been established that the variation of a waste management licence involves a lot of work. Clause 71 provides for the payment of a prescribed processing fee for the variation of a waste management licence.

Clause 72 is a consequential amendment deleting the offence regarding residue stockpiles and residue deposits. These stockpiles and deposits are no longer regulated under NEMWA, but under NEMA. The clause also creates an offence if a person contravenes a provision of a norm or standard.

Clause 73 is also a consequential amendment deleting the Minister's power to develop regulations. Residue stockpiles and residue deposits are no longer regulated under NEMWA, but under NEMA.

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## **Amendments to the National Environmental Management: Waste Act, 2008 (NEMWA) (continued)**

- The provisions of section 74 do not provide the Minister responsible for mineral resources with legal power to issue exemptions in so far as such exemptions relate to provisions administered by the Minister responsible for mineral resources. The scope for exemption applications also appears to be too wide. Clauses 76, 77, 78 and 79 amend sections 74, 75, 76 and 77 to provide for the consequential textual amendment empowering the Minister responsible for mineral resources to issue an exemption in so far as such an exemption relates to a provision administered by the Minister responsible for mineral resources. The Bill also provides clarity that there will be no exemptions provided from the requirement to obtain a waste management licence.
- The Bill replaces the expression of the “Minister of Water Affairs and Forestry” with the Minister responsible for water affairs.
- Schedule 3 provides for sources of waste and is read with the definition of “waste” contained in section 1 of the Act. Clause 81 repeals Schedule 3 in order to provide clarity as to what constitutes a waste. The revised definition of “waste” provides clarity on what is regarded as waste.



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## **Amendments to the National Environmental Management Amendment Act, 2008 (NEMA)**

It appears that there is legal uncertainty whether an environmental management plan or environmental management programme approved and issued in terms of the Mineral and Petroleum Resources Development Act, prior to the implementation of the One Environmental System on 8 December 2014, is deemed an environmental authorisation under the National Environmental Management Act, 1998. The Bill amends clause 12 of the NEMA Amendment Act, 2008 to provide legal clarity that an environmental management plan or programme applied for and approved in terms of the Mineral and Petroleum Resources Development Act, 2002, on or before 8 December 2014, is deemed to have been approved and issued in terms of National Environmental Management Act, 1998.

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## **Amendments to the National Environmental Management Amendment Act, 2008 (NEMA) (continued)**

The Bill provides clarity that if an EA or WML was required for activities related to mining activities before 8/12/2014 and obtained prior to commencement of such mining activities, or if an MPRDA right or permit was required prior to 8/12/2014 and was obtained prior to commencement thereof, such EA, WML or mining right/permit is deemed as fulfilment of the requirements of NEMA and NEMWA. However, if an EA or WML was required, but not obtained or refused, this will not be regarded as having fulfilled the necessary requirements. The Bill further provides that the Minister responsible for mineral resources may direct an MPRDA right/permit holder to upgrade the environmental management plan or programme if operations are likely to result in unacceptable pollution, ecological degradation or environmental damage. The Bill also enables the Minister to issue an environmental authorisation once the deficiencies have been rectified.

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## **Amendments to the National Environmental Management Amendment Act, 2008 (NEMA) (continued)**

- The Bill provides for transitional provisions regarding residue stockpiles and residue deposit approvals issued in terms of the NEMWA.
- It provides for clarity that the residue stockpiles and residue deposit approvals or waste management licences issued in terms of the NEMWA, remain valid until they lapse or are replaced under the NEMA.
- It further provides clarity that the regulations pertaining to the management and control of residue stockpiles and residue deposits developed under the NEMWA remain valid and are regarded as being developed under the NEMA.

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## **Amendments to the National Environmental Management Amendment Act, 2008 (NEMA) (continued)**

- The Bill provides for transitional provisions for the Waste Management Bureau and clarifies that anything done by the Waste Management Bureau under the repealed Part 7A of the NEMWA remains valid until any subsequent new provisions override it.
- The Bill further indicates that the Waste Management Bureau in place at the time of commencement of this Amendment Act remains in place until members of the Board are appointed in terms of the new section 34G of NEMWA.
- The Bill further clarifies that the Minister may direct that employees or the CEO of the Waste Management Bureau at the time of the coming into effect of this Amendment Act, be absorbed into the new structure in their existing positions.

# THANK YOU!

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Thank You



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