

**Ref:02/1/5/2**

**MINISTER**

**QUESTION NO. 747 FOR WRITTEN REPLY: NATIONAL ASSEMBLY**

A draft reply to **Mr R K Purdon (DA)** to the above-mentioned question is enclosed for your consideration.

**MS NOSIPHO NGCABA**

**DIRECTOR-GENERAL**

**DATE:**

**DRAFT REPLY APPROVED/AMENDED**

**DR B E E MOLEWA, MP**

**MINISTER OF ENVIRONMENTAL AFFAIRS**

**DATE:**

**NATIONAL ASSEMBLY**

**(For written reply)**

**QUESTION NO. 747 {NW806E}**

**INTERNAL QUESTION PAPER NO. 11 of 2017**

**DATE OF PUBLICATION: 24 March 2017**

**Mr R K Purdon (DA) to ask the Minister of Environmental Affairs:**

Whether she will provide comprehensive details regarding all inter-departmental co-operation between the (a) Department of Environmental Affairs, (b) Department of Agriculture, Forestry and Fisheries, (c) Department of Tourism; and (d) Department of International Relations and Cooperation on (i) (aa) initiatives, (bb) legislative measures and/or (cc) any other relevant measures to address the welfare of captive wild animals in South Africa and (ii) the scheduled or proposed timelines in relation to these initiatives, legislation and measures to address welfare matters.

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

The biodiversity mandate of the Minister of Environmental Affairs, as far as it relates to the conservation, protection and sustainable use of wildlife species, whether in the wild or in captivity, is vested mainly in the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) (NEMBA), which currently does not include any enabling provision relating to welfare.

The Minister of Agriculture, Forestry and Fisheries (AFF) has a mandate to address welfare in respect of any animal, whether it is a wild animal or a domestic animal, in terms of the Animals Protection Act, 1962 (Act No. 71 of 1962) (APA) and the Performing Animals Protection Act, 1935 (Act No. 24 of 1935) (PAPA).

(a) and (b)

The Department of Agriculture, Forestry and Fisheires (DAFF) is in the process of reviewing the welfare legislation, and has further also developed measures for the breeding and keeping of lion in captivity. The Department of Environmental Affairs (DEA) has been participating in the afore-mentioned processes, and will continue to do so during the formal public participation processes.

(c) and (d)

Since the mandate to regulate welfare matters currently rests with the Minister of Agriculture, Forestry and Fisheires, that Minister would be in a better position to provide details on collaboration with other departments on initiatives, legislation and measures to address welfare matters. The Departments do interact with each other on matters of mutual interests.

1. (aa) The Minister of Agriculture, Forestry and Fisheires would be in a better position to provide details on welfare initiatives.

(bb) I have proposed the inclusion of a provision in NEMBA, relating to the well-being of faunal biological resources. This provision would facilitate the development of regulations that would address the well-being of a wild animal in respect of which a restricted activity (such as keeping, breeding, conveying, etc.) is carried out. This proposed provision has been included in the National Environmental Management Laws Amendment Bill (NEMLA Bill), which will be tabled in Parliament in April/May 2017.

(cc) The Minister of Agriculture, Forestry and Fisheires would be in a better position to provide details on any other relevant measures to address the welfare of captive wild animals in South Africa.

1. The NEMLA Bill was approved by Cabinet in March 2017 and will be tabled in Parliament in April 2017.

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