



**PORTFOLIO COMMITTEE ON
AGRICULTURE, LAND REFORMED,
RURAL DEVELOPMENT,
ENVIRONMENT & CONSERVATION**

Private Bag X5066
Kimberley 8300
Nobengula Extension
Galeshewe
Kimberley 8300

Fax: Admin (053) 839 8094
Tel: (053) 839 8206

Hon MP AND Qikani (Ms)
Chairperson: PC on Land and Environmental Affairs

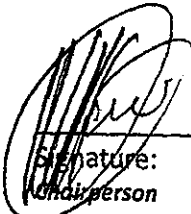
NEGOTIATING MANDATE

Name of the Bill: **National Environmental Management Laws Second Amendment Bill**

Number of the Bill: **B13 – 2013**

Date of deliberation: **Thursday, 05 September 2013**

Vote of the Legislature: **The legislature votes in favour of the Bill**


Signature:
Chairperson

2013-09-05
Date:



Northern Cape
Provincial Legislature

Private Bag X5066
Nobengula Extension
Galeshewe
Kimberley 8300

Fax: Admin (053) 839 8094
Tel: (053) 839 8206

Reference: 16.7.1.1

Enquiries: jmohiakoana

NEGOTIATING MANDATE FOR NATIONAL ENVIRONMENTAL MANAGEMENT LAWS 2nd AMENDMENT BILL [B13-2013]

(Section 76 Bill)

1. INTRODUCTION

The Chairperson of the Portfolio Committee on Agriculture, Land Reform, Rural Development, Environment & Nature Conservations, Hon NJ Galela, tables the Committee's negotiating mandate on the *National Environmental Management Laws 2nd Amendment Bill [B13-2013]* as adopted by the Portfolio Committee on **05 September 2013**.

2. PROCESS FOLLOWED

- 2.1 The Speaker of the Northern Cape Provincial Legislature, on receipt, referred the *National Environmental Management Laws 2nd Amendment Bill [B13-2013]* to the Portfolio Committee on Agriculture, Land Reform, Rural Development, Environment & Nature Conservations on **25 July 2013**.
- 2.2 On **08 August 2013**, the Portfolio Committee on Agriculture, Land Reform, Rural Development, Environment & Nature Conservations received a briefing on the Bill from the National Department of Environmental Affairs.
- 2.3 The Portfolio Committee resolved at the meeting of **08 August 2013** to hold public hearings on the referred Bill in four regions namely; Pixley Ka Seme, John Taolo Gaetsewe, ZF Mqawu and Namakwa Region, to solicit the views of communities and stakeholders with regard to the *National Environmental Management Laws 2nd Amendment Bill [B13-2013]*.

Four (4) public hearings were held on **23 August 2013** concurrently, as per Committee resolution and both written and oral submissions were called for. The stakeholders engaged with the Members of the Provincial Legislature in respect of the Bill.

On **05 September 2013**, the Portfolio Committee on Agriculture, Land Reform, Rural Development, Environment & Nature Conservations deliberated and considered the *National Environmental Management Laws 2nd Amendment Bill [B13-2013]*

3. STAKEHOLDERS' INPUTS ON THE BILL

- 3.1. The Government must appoint Environmental Management Inspectors to deal with offenders.
- 3.2. The Government must have environmental awareness campaigns and education programmes to deal with people who litter and cut off trees as they please.

3.3. The environmental management inspector to be allowed to enter any other mechanism of transport without search warrant is a concern.

3.4. The penalty for those mines that do not comply with the rehabilitation of the mining area should be negotiable based on the offence.

3.5. The compilation of the environmental assessment studies or reports should be expedited.

4. STAKEHOLDERS' POSITION ON THE BILL

In all four public hearings held in different regions of the province, majority of the stakeholders voted in favour of the bill.

5. COMMITTEE INPUTS ON THE BILL

5.1. The implementation of this legislation must be in conjunction with existing laws as well as municipal by laws.

5.2. Strengthen mechanism for compliance by increasing penalties in respect to environmental rehabilitation

5.3. Uncontrolled release of a hazardous substance must include movable and immovable transport (Sec 30)

6. PORTFOLIO COMMITTEE POSITION ON THE BILL

After due deliberation, the Portfolio Committee on Agriculture, Land Reform, Rural Development, Environment & Nature Conservations supports the Bill.

7. COMMITTEE ADOPTION OF THE BILL

The Committee adopted this negotiating mandate duly signed by the Chairperson of the Committee.

The Committee recommends to the House to mandate the Permanent Delegates to participate in deliberations at the negotiating stage and to support the Bill taking note of the comments and recommendations raised by the Committee.


HON NJ GALELA
Chairperson

Date: 2013-09-05