

Limpopo Legislature

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NEGOTIATING MANDATE

To : The Chairperson: Select Committee on Land and
Environmental Affairs

Name of Bill : National Environmental Management: Air Quality
Amendment Bill

Number of the Bill : [B 27B - 2013]

Date of Deliberation : 14 February 2014

Vote of the Legislature : The Committee, having gone through the Bill,
recommends to the NCOP Permanent Delegate to vote in favour of the Bill, taking into
consideration the proposed amendments as stated in the attached report.


HON. Dr. H.E. MATEME
COMMITTEE CHAIRPERSON

14 February 2014
DATE

**NEGOTIATING MANDATE OF THE PORTFOLIO COMMITTEE ON
ECONOMIC DEVELOPMENT, ENVIRONMENT AND TOURISM ON
THE NATIONAL ENVIRONMENTAL MANAGEMENT: AIR
QUALITY AMENDMENT BILL [B 27B-2013]**

1. INTRODUCTION

The National Environmental Management: Air Quality Amendment Bill [B 27B-2013] was referred to the Legislature of the Limpopo Province by the NCOP and the Legislature in turn referred it to the Portfolio Committee on Economic Development, Environment and Tourism for consideration.

2. PURPOSE OF THE BILL

To amend the National Environmental Management: Air Quality Act, 2004, so as to substitute certain sections; to provide for the establishment of the National Air Quality Advisory Committee; to provide for the consequences of unlawful commencement of a listed activity; to provide for monitoring, evaluation and reporting on the implementation of an approved pollution prevention plan; to empower the MEC or Minister to take a decision in the place of the licensing authority under certain circumstances; to provide for the Minister as licensing authorities in situations where the province, as a delegated licensing authority by the municipality, is the applicant for an atmospheric emission licence, where the applications are trans-boundary, where the air activity forms part of national priority project, where the activity is also related to the environmental impact and waste management activities authorised by the Minister, where the air activity relates to a prospecting, mining, exploration or production activity; to delete cross references to the Environmental Conservation Act, 1989; to clarify that applications must be brought to the attention of interested and affected parties soon after the submission to the licensing authority; to provide for a validity period of provisional atmospheric emission licence; to create an offence for non-compliance with controlled fuels standards; to provide for the development of regulations on climate change matters and the procedure and criteria for

administrative fines; to delete certain obsolete provisions; and to provide for matters connected therewith.”.

3. CONSIDERATION OF THE BILL

The Portfolio Committee on Economic Development, Environment and Tourism was briefed on the principle and provisions of the Bill by the NCOP Permanent Delegate during a Committee meeting held on 05 February 2014. Public Hearings were conducted on the Bill as introduced, which were held on 10, 11 and 12 February 2014 in all the District of the Province.

4. INPUTS BY THE COMMITTEE

Clause 5: The actual process for the issuing of the licence must be 6 months.

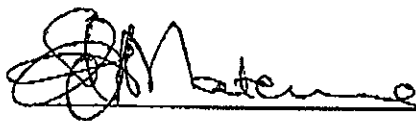
Clause 41: The period of the licence must be between 1 and 3 years.

Clause 22: The penalty must consider the size and the net profit of the organisation.

Dumping sites must be clearly defined in the Bill.

5. NEGOTIATING MANDATE

The Committee, having gone through the Bill, recommends to the NCOP Permanent Delegates to vote in favour of the Bill, taking into consideration the amendments as stated in the attached report.

A handwritten signature in black ink, appearing to read 'H.E. Mateme', is written over a horizontal line.

Hon. Dr. H.E. Mateme

**CHAIRPERSON: PORTFOLIO COMMITTEE ON
ECONOMIC DEVELOPMENT, ENVIRONMENT AND
TOURISM**