



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

Ref: 02/1/5/2

NATIONAL ASSEMBLY

(For written reply)

QUESTION NO. 3086 {NW4153E}

INTERNAL QUESTION PAPER NO. 33 of 2023

DATE OF PUBLICATION: 22 September 2023


Ms H S Winkler (DA) to ask the Minister of Forestry, Fisheries and the Environment:

By what date will the ordinances be effectively repealed as there are discrepancies between national and provincial legislation and the hunting and other ordinances in several provinces are outdated and no longer in line with national legislation and with scientific evidence in terms of biodiversity loss?

3086. THE MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT REPLIES:

The environment is a concurrent national and provincial legislative competency in terms of Schedule 4 of the Constitution of South Africa, 1996 (the Constitution). Provinces have inherent legislative competency and are responsible for reviewing outdated provincial ordinances to ensure that these ordinances are aligned with national legislation. Some provinces have developed dedicated biodiversity and conservation legislation that is aligned to national legislation, e.g., the Northern Cape Nature Conservation Act, 2009 (Act No. 9 of 2009) and the Western Cape Biodiversity Act, 2021 (Act No. 6 of 2021). Other provinces have initiated processes of developing provincial biodiversity and conservation legislation and are at different stages of legislative development. I cannot provide a specific timeframe or date by which all provinces will finalise their respective provincial biodiversity and conservation legislation and the repeal of the outdated ordinances. These processes are controlled by the respective

provincial departments and legislatures. I suggest that the Honourable Member therefore pursue this matter with her provincial counterparts



MS B D CREECY, MP
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

DATE: 3/10/2023