

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

**MINISTER**

**QUESTION NO. 3862 FOR WRITTEN REPLY: NATIONAL ASSEMBLY**

A draft reply to **Mr T Z Hadebe (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. 3862 {NW4369E}**

**INTERNAL QUESTION PAPER NO. 44 of 2017**

**DATE OF PUBLICATION: 17 November 2017**

**Mr T Z Hadebe (DA) to ask the Minister of Environmental Affairs:**

(a) How does her department plan to enforce the separate source initiative mentioned in the Operation Phakisa*:* Chemicals and Waste Economy and (b) what will happen to those who refuse/fail to comply?

**3862. THE MINISTER OF ENVIRONMENTAL AFFAIRS REPLIES:**

(a) The Department is putting Norms and Standards for waste separation at source in 2018/19. The administrative and criminal enforcement would be carried out by Environmental Management Inspectors as empowered by the National Environmental Management: Waste Act, Act No 59 of 2008. However, municipalities that have made separation of waste at source mandatory as part of their by-laws have enforcement powers that they can also exercise accordingly.

(b) The Department is bound by the Constitution to support those that fail to meet the Norms and

Standards however criminal enforcement can be considered as a last resort in keeping with
co-operative governance.

In terms of the co-operative governance approach, the Department will endevour to assist those to come into compliance. Enforcement will be considered as the last resort to ensure compliance with the Norms and Standards.

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