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GOVERNMENT NOTICE GOEWERMENTSKENNISGEWING

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM DEPARTEMENT VAN OMGEWINGSAKE EN TOERISME

No. R. 1645

11 December 1998

ENVIRONMENT CONSERVATION ACT, 1989 (ACT No. 73 OF 1989)

AMENDMENT OF REGULATIONS REGARDING ACTIVITIES IDENTIFIED UNDER SECTION 21 (1)

The Minister of Environmental Affairs and Tourism has under sections 26 and 28 of the Environment Conservation Act, 1989 (Act No. 73 of 1989), made the regulations in the Schedule.

SCHEDULE

Definition:

1. In these regulations "the Regulations" mean the regulations published by Government Notice No. R. 1183 of 5 September 1997.

Amendment of regulation 4 of the Regulations

2. Regulation 4 of the Regulations is hereby amended—

(a) by the substitution, in subregulation (3), for the words preceding paragraph (a) of the following words:

"(3) Subject to subregulation (3A), the provincial authority must refer the application to the Minister for consideration—"; and

(b) by the insertion after subregulation (3) of the following subregulation:

"(3A) Notwithstanding subregulation (3), the Minister and the provincial authority may jointly decide that an application referred to in paragraphs (a), (b), (d) or (e) of that subregulation may be considered by the provincial authority: Provided that where the interests of more than one province are affected—

(a) the joint decision that the application be considered with the provincial sphere must be taken by the Minister and every provincial authority concerned; and

(b) the application must be jointly considered by every provincial authority concerned."

No. R. 1645**11 Desember 1998****WET OP OMGEWINGSBEWARING, 1989 (WET NO. 73 VAN 1989)****WYSIGING VAN REGULASIES MET BETREKKING TOT HANDELINGE KRAGTENS ARTIKEL 21 (1) GEÏDENTIFISEER**

Die Minister van Omgewingsake en Toerisme het kragtens artikels 26 en 28 van die Wet op Omgewingsbewing, 1989 (Wet No. 73 van 1989), die regulasies in die Bylae uitgevaardig.

BYLAE**Woordomskrywing:**

1. In hierdie regulasies beteken "die Regulasies" die regulasies afgekondig by Goewermentskennisgewing No. R. 1183 van 5 September 1997.

Wysiging van regulasie 4 van die Regulasies

2. Regulasie 4 van die Regulasies word hierby gewysig—

(a) deur in subregulasie (3), die woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang:

"(3) Behoudens subregulasie (3A), moet die provinsiale owerheid die aansoek na die Minister verwys vir oorweging—"; en

(b) deur die volgende subregulasie na subregulasie (3) in te voeg:

"(3A) Ondanks subregulasie (3) kan die Minister en die provinsiale owerheid gesamentlik besluit dat 'n aansoek in paragrawe (a), (b), (d) of (e) van daardie subregulasie bedoel deur die provinsiale owerheid oorweeg moet word: Met dien verstande dat waar die belange van meer as een provinsie geraak word—

(a) moet die gesamentlike besluit dat die aansoek binne die provinsiale sfeer oorweeg moet word, geneem word deur die Minister en elke provinsiale owerheid wat betrokke is; en

(b) moet die aansoek gesamentlik oorweeg word deur elke provinsiale owerheid wat betrokke is."

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