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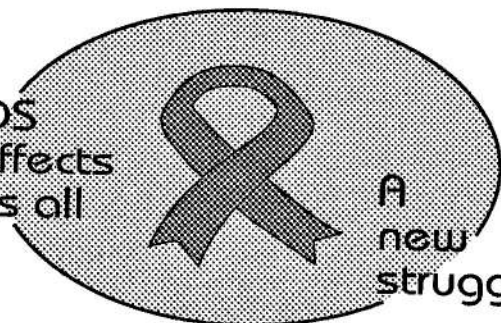
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JULIE 2000

No. 21391

We all have the power to prevent AIDS

AIDS
affects
us all



A
new
struggle

Prevention is the cure

**AIDS
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DEPARTMENT OF HEALTH

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GENERAL NOTICE

NOTICE 2611 OF 2000**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM****WORLD HERITAGE CONVENTION ACT, 1999****SUMMARY OF MEMORANDUM OF UNDERSTANDING IN CONNECTION WITH
THE GREATER ST LUCIA WETLANDS PARK AUTHORITY**

A summary of the memorandum of understanding (as contained in the Schedule) between (i) the Minister of Environmental Affairs and Tourism ("Minister"), (ii) the MEC for Agriculture and Environmental Affairs, and (iii) the MEC for Economic Development and Tourism in connection with interim institutional arrangements in connection with the Greater St Lucia Wetlands Park, is hereby published for public information.

SCHEDULE

The parties to this memorandum of understanding agree that-

1. A dedicated statutory authority ("Authority") for the Greater St Lucia Wetlands Park (GSLWP) is to be established by the Minister in terms of Section 9 of the World Heritage Convention Act, 1999 ("Act").
2. Conservation in KwaZulu has an undoubted record of accomplishment and it is important for South Africa's commitment to the World Heritage Convention and the management of the GSLWP that this expertise be formally recognised in the form of the KwaZulu-Natal Nature Conservation Board (NCB). The parties recognise the role of the NCB and undertakes that the Authority and the NCB sign a memorandum of understanding in which the NCB commits itself to pursue the vision of the GSLWP in terms of the Act and the Authority recognises the global bio-diversity values of the Park.
3. Pursuant to section 9 of the Act, the Authority will serve as a purpose-designed institution with the capacity to manage and optimally develop the GSLWP in fulfilment of South Africa's obligations under the World Heritage Convention.
4. Organisationally, the Authority will comprise a non-executive Advisory Board and an executive staff complement, with financial oversight vested in the Auditor-General.
5. The Board of the Authority is intended to be broadly representative and multidisciplinary and may include representative from the NCB and KZN Tourism Authority ("KZNTA"). In terms of the Act, the remainder of the Board will be drawn from representatives from national government, provincial government, adjacent communities, organised business, affected tribal authorities, local authorities, private landowners and non government organisations. The Board will, amongst other things, be responsible for formulating policy and providing general strategic direction to the Executive Staff Component ("ESC") of the Authority.
6. The ESC, headed by a CEO, will be responsible for the day-to-day operations of the Authority. In line with contemporary management practice, it will have a flat organisational structure designed to enable rapid decision-making that is responsive to environmental, community and markets needs. The key line functions will be grouped under three divisions: commerce, social economic environmental development (SEED) and conservation regulator (who should include a full time secondment from NCS). In establishing the ESC, the Board of the Authority will draw extensively on expertise from outside sources and may contract-out services to specialist organisations in fields which fall within its responsibility.
7. The NCS through its Board will be appointed as the conservation manager for the GSLWP. This will entrench the NCS in its expert role thereby enhancing efficiency through greater specialisation. The exact division of rights and responsibilities between the Authority and the NCS will be embodied in a legally binding contract ("Management Agreement") and in the Integrated Development Management Plan for the GSLWP ("IDMP") within the framework established in the Act and its Regulations.
8. Pending the legal establishment of the Authority, an interim Authority Structure (the

Committee) comprising of: (i) the person designated by the Minister to be Chief Executive Officer of the Authority who will also be the chairperson of the Committee (with the Project Manager of the SDI [Mr A. Zaloumis] standing in for the CEO of the Authority until his/her appointment), (ii) the Chief Executive Officer of the NCS [Dr. G. Hughes] and (iii) another staff member on behalf of the relevant MEC and the Service [Mr K. Mkhize]; (iv) the Chief Executive Officer of the KZNTA [Mr G. Coleman] and (v) another staff member on behalf of the relevant MEC [Ms M Ramawella], (vi) and the Director-General of the Department of Environmental Affairs and Tourism [Dr. C. Olver] or another representative appointed from time to time by the Minister, is established. The Committee should take responsibility for the preparation and establishment of the Authority, the IDMP, commercial development, and matters related thereto. The Committee will oversee the transitional period until the Authority is formally established and capable of taking up its responsibilities under the Regulations. This could include agency support agreements and staff secondments. Agreement on a deadlock breaking mechanism should also be prepared.

9. The Committee members will develop the Management Agreement within two months of the formal establishment of the Authority. This will clearly specify the roles and responsibilities of the NCS; provided that if the members of the Committee fail to reach consensus on the terms of the Management Agreement, the Minister after consultation with the relevant MECs will determine the terms thereof.

The parties to this MOU further recognise that-

10. The Interim Authority structure will be replaced by the Authority when it is established where upon the MOU will cease to have effect, except to the extent (if any) that the signatories decide otherwise, and always subject to the Act and its Regulations.

11. The signatories will ensure that the acts of the Committee are, to the extent that it may be necessary, ratified by the Authority in a way which makes them consistent with and subject to the Regulations.

12. It is important to recognise that the institutional arrangements and division of responsibility sketched above are underpinned by a balanced commitment to the protection of St Lucia's World Heritage Convention values and its optimal development as a tourism destination (as envisaged by the Act). The structure offers a win-win opportunity for the NCB, the NCS, the community at large and the Authority to ensure the optimal management of the GSLWP and the fulfilment of South Africa's obligations under the Act.

Signed on 22 June 2000 in Durban, by:

[Signed] (V. Moosa, Minister for Environmental Affairs & Tourism)

[Signed] (N. Singh, MEC for Agriculture & Environmental Affairs)

[Signed] (M. Mabuyakhulu, MEC for Economic Development & Tourism)

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