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GENERAL NOTICE

NOTICE 474 OF 2008

DEPARTMENT OF TRADE AND INDUSTRY

PUBLICATION OF ENVIRONMENTAL IMPLEMENTATION PLAN

THE DEPARTMENT OF TRADE AND INDUSTRY HEREBY PUBLISHES ITS ENVIRONMENTAL IMPLEMENTATION PLAN IN TERMS OF SECTION 15(2)(b) OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998), WHICH PLAN WILL BECOME EFFECTIVE FROM THE DATE OF THIS PUBLICATION.

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THE ENVIRONMENTAL IMPLEMENTATION PLAN FOR THE DEPARTMENT OF TRADE AND INDUSTRY

FOR THE PERIOD APRIL 2005 – MARCH 2009

*As required in terms of Section 11 of the National Environmental
Management Act, 1998 (Act No. 107 of 1998)*

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LIST OF ABBREVIATIONS

BRU	Business Regulation Unit
CCRD	Consumer and Corporate Regulation Division
CEC	Committee for Environmental Coordination
DEAT	National Department of Environmental Affairs and Tourism
ECA	Environment Conservation Act, 1989 (Act No. 73 of 1989)
EIA	Environmental Impact Assessment
EIDD	Enterprise and Industry Development Division
EIP	Environmental Implementation Plan
EMP	Environmental Management Plan
EMS	Environmental Management System
EMU	Executive Management Unit
ERPC	External Relations and Policy Coordination
EXBO	Executive Board
GEAR	Growth Employment and Redistribution Programme
IDZ	Industrial Development Zone
IEM	Integrated Environmental Management
ISO	International Organisation for Standardisation
ITED	International Trade and Economic Development
NCPC	National Cleaner Production Centre
NEMA	National Environmental Management Act, 1998 (Act No. 107 of 1998)
MTEF	Medium Term Expenditure Framework
UNIDO	United Nations Industrial Development Organisation
SIP	Strategic Industrial Projects
SMEDP	Small and Medium Enterprise Development Programme
TEO	The Enterprise Organisation
the dti	Department of Trade and Industry
TISA	Trade and Investment South Africa

DEFINITIONS AND KEY CONCEPTS

Within the context of this document, the following definitions and concepts apply:

Activities

This refers to the definition of “activities” used in the National Environmental Management Act (1998), section 1 (1) (i) and should be taken to reflect policies, programmes, plans and projects.

Accountability

This refers to the requirement for organs of the state to account for their conduct and decision-making in handling the responsibilities they are charged with. This is in line with Section 33 of the Constitution, which ensures that anyone whose rights have been affected by administrative action has the right to be given written reasons therefore. This culminates in the right to administrative action that is lawful, reasonable and procedurally fair.

Capacity

Capacity implies the dti's capacity in terms of people and budget to perform the priority functions to ensure effective implementation and functioning of the mechanisms, systems and procedures for coordination in line with the principles of cooperative governance as provided in the Constitution and the National Environmental Management Act. This means all resources required to and/or available to achieve the priority functions of cooperative environmental governance. They are the human and the budgetary resources, mechanisms, procedures, etc. to be applied to ensure effective cooperation. A projection of financial and personnel availability is to be made to facilitate the implementation of identified mechanisms, management systems and procedures for cooperative governance. Departments must realistically identify incapacities and inadequacies in resource availability.

Cooperation

Cooperation implies cooperative governance as provided in Chapter 3 of NEMA and Sections 41 and 146(3) of the Constitution. It ensures that the environment is managed in an effective, transparent, accountable and coherent manner by all involved within the dti and its family of institutions. It ensures that all involved exercise their powers and perform their functions in a manner that does not encroach on the geographical, functional or institutional integrity of the others but promotes mutual trust and good faith by informing one another and consulting one another on matters of common interest and adhering to agreed procedures to avoid duplication and non-performance.

Coordination

Coordination implies defining the requirements of effective cooperative governance to ensure clarity regarding environmental jurisdiction and elimination of duplication of functions in different spheres of government departments and all stakeholders in the provinces as provided by Section 41(1)(h)(iv) and Section 24(7)(g) of NEMA.

Environment

This refers to the definition of “environment” reflected in NEMA, and means the surroundings within which humans exist and that are made up of –

- the land, water and atmosphere of the earth;
- micro-organisms, plant and animal life;
- any part or combination of (a) and (b) and the interrelationships among and between them; and
- the physical, chemical, aesthetic and cultural properties and conditions of the foregoing that influence human health and well-being.

Institutional arrangements

This refers to a well-defined framework, which encompasses all spheres of government to ensure effective implementation of principles in the EIP. This pertains to both internal and external relationships. External relationships with other stakeholders such as civil society structures, commerce and industry and academia, should be established. The internal relationships within **the dti** and its family of institutions should be identified (Section 13(1)(c) of NEMA).

Integrated Environmental Management

This refers to the provision of an integrated approach to environmental assessment, management and decision making, with the aim of promoting sustainable development and the equitable use of resources. Integrated Environmental Management provides for a democratic, participatory, holistic, sustainable, equitable and accountable approach.

SECTION 1: INTRODUCTION

The Department of Trade and Industry (**the dti**) appointed Strategic Environmental Focus (SEF) to prepare the department's second edition Environmental Implementation Plan (EIP) in terms of sections 11(1) of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA). NEMA states that all Provincial and a number of Scheduled national government departments are required to develop environmental implementation plans (EIPs) and/or environmental management plans (EMPs) to ensure co-operative environmental governance. Essentially EIPs must show how factors affecting the environment are managed and what mechanisms exist for co-ordinating environmental functions exercised by organs of state.

It is a requirement of NEMA that departments that produce EIPs must renew these every fourth year, and annually submit reports on the implementation of the EIPs to the Committee for Environmental Coordination (CEC) in the Department of Environmental Affairs and Tourism (DEAT).

the dti is a government department whose core business is to facilitate economic growth in South Africa. Through this growth it aims to create employment and reduce levels of inequality. Its short-term focus is to support SMME development, advance black economic empowerment, promote investment, exports, and technology, and build skills and infrastructure platforms.

Following on the President's Microeconomic Reform Strategy that defines required structural changes for the economy to be achieved by 2014, **the dti** developed a broad implementation strategy, the Integrated Manufacturing Strategy (IMS). The IMS defines six areas of activities, namely (1) market access; (2) beneficiation and value addition, (3) regional production, (4) equity and economic participation; (5) knowledge intensity and services integration and (6) the development of integrated value matrices as needed interventions areas for **the dti**. The IMS informs **the dti's** core business strategy, which is based on manufacturing as a platform that can be used to stimulate a wider range of economic activities.

There are three central elements to **the dti's** core business strategy, notably the role played by **the dti** to champion competitiveness through its **leadership** role in the economic, investment, and employment cluster of government departments; a set of work programmes to be implemented by **the dti** to promote competitiveness in specific sectors and value chains; and the provision of widely accessible **broad-**

based products and services to enterprises aimed at the generic matters that impact upon the efficiency of all enterprises and value chains.

1.1 PURPOSE AND OBJECTIVES OF THIS PLAN

With the development of the First Edition EIP **the dti** entered into a process that aimed at improving environmental management throughout the department. This report was drafted in such a manner that it fulfils the requirements of Chapter 3 of the NEMA in terms of which certain national departments are required to develop and maintain Environmental Implementation Plans (EIPs).

This Second Edition EIP considers both the first and second edition guidelines on preparing EIPs and EMP provided by the DEAT, as well as other EIPs and EMPs. In this respect, please refer to Paragraph 1.2.4 below.

The Plan aims to reflect implementation strategies for addressing the environmental management principles defined in NEMA, which are crosscutting (i.e. include social, economic, and environmental considerations). Among many other requirements, the Environmental Implementation Plan will illustrate how the relevant **dti** divisions will ensure compliance with the national environmental management principles established in section 2 of the NEMA.

1.2 PREPARATION OF THE SECOND EDITION **dti** EIP

The preparation process was structured methodically in order to ensure that aspects that could have been omitted in the first EIP report were identified and included in this report. Thus, a comprehensive report has been compiled that looks at all issues related to environmental management within **the dti**.

The first stage of the project was the review of **the dti's** existing EIP dating from 2001, and **the dti's** EIP implementation reports for the 2001/2002 and 2002/2003 financial years.

A series of interviews were conducted to gather information on the environmental approach of the various divisions. This approach was necessary because **the dti** did not succeed to implement a formal environmental management system as was initially planned. In addition to the divisions for which commitments were made in the first EIP, the interviews included two additional divisions that were identified as having responsibilities in terms of the EIP. These interviews were undertaken in a structured manner and questions were based on a checklist that was drafted after having reviewed the above-mentioned documentation.

1.2.1 Key steps in the EIP preparation

Key steps in the EIP preparation process are summarized below:

- Analysis of **the dti** as a organisation to obtain a strategic view of its functions and its related structure;
- Identification of **the dti** priority functions;
- Identification of priority environmental issues applicable to the priority functions;
- Synthesis of information provided by the relevant functional units.

1.2.2 Stakeholders consulted in the Second Edition EIP process

The following stakeholders were consulted during the process of compiling the second edition EIP:

- Individuals holding key positions in each of **the dti**'s main divisions that are regarded to have potentially significant environmental impacts;
- Various sub-units of **the dti**;
- Selected organisations in **the dti** family of institutions.

1.2.3 Key past and ongoing activities in the consultation process for the Second Edition EIP

The dti recognises that its responsibility for responsible environmental management must extend beyond the four-year review cycle of EIPs as stipulated in NEMA. The EIP must be a dynamic plan that needs to be updated on a regular basis to acknowledge changing circumstances. Thus, the development of **the dti**'s Environmental Implementation Plan has been an ongoing activity over a number of years that has culminated in the drafting of this second edition EIP report. The ongoing activities that have taken place since the gazetting of the previous edition EIP in 2001 include the following actions that have been undertaken by the coordinator of **the dti**'s EIP, namely the Deputy Director: Environment in the Enterprise and Industry Development Division:

- Communication and awareness raising with key stakeholders in **the dti**'s divisions on the statutory requirements for EIP preparation. This took the form of:
 - Formal presentations to management representatives of the different **dti** divisions;
 - Informal discussions and interviews to raise awareness;
 - Letters to selected Chief Directors within **the dti**; and
 - Providing information on the NEMA requirements for EIPs and on various other tools of environmental management that can be applied in **the dti**'s activities.
- The final phase of the preparation of the second edition EIP involved the following actions:

the dti Environmental Implementation Plan

- Formal interviews with senior management of selected divisions and subdivisions within **the dti**. The environmental impact associated with the activities of these divisions and proposals for improving the environmental performance of the divisions were discussed during these interviews.
- Documentation of the results of these interviews;
- Drafting and circulation of the first draft Second Edition EIP to the various divisions;
- Submission of the draft Second Edition EIP to the EIP Subcommittee of the Committee for Environmental Coordination (CEC);
- Amendment of the EIP based on the CEC's comments.
- Publication of the EIP in the Government Gazette.

1.2.4 Information sources for the preparation of the Second Edition EIP

The following documents were consulted in the preparation of this EIP:

- **the dti's** departmental strategic planning documents, business plans, operational plans and annual reports;
- **the dti** annual Budget Statements 2005/2006;
- National and Provincial Environmental Implementation Plans and EMPs, including those for:
 - Mpumalanga (EIP);
 - Gauteng (EIP);
 - Limpopo Province (EIP);
 - Department of Land Affairs (EMP);
 - Department of Water Affairs and Forestry (EMP); and
 - DEAT (EMP).

SECTION 2: REVIEW OF the dti FUNCTIONS AND ACTIVITIES

2.1 INTRODUCTION

2.1.1 The dti's mission and strategic objectives

Many of the activities within the divisions have changed since the 1st Edition EIP was compiled, by being either combined with other activities, being removed totally from business plans or by being moved to different divisions. Therefore, the activities identified in the first edition EIP may differ substantially from those indicated in the current EIP and a simple comparison of the measures listed by division in the previous edition EIP with those in the current EIP might therefore not be accurate. The environmental management function for coordinating the dti's EIP has been transferred to the Corporate Governance Unit in GSSSD.

The dti's mission and strategic objectives are defined in its Medium Term Strategic Plan for 2004/2005 to 2006/2007. The dti's mission is to work towards a transformed and adaptive economy that is characterised by a higher level of economic growth that generates employment and reduced levels of inequality. The long-term, ten-year goal of the dti is to generate growth, employment and equity.

Over the period 2005-2009, the dti will seek to achieve this vision by:

- Increasing the contribution of small enterprises to the economy;
- Significantly progressing broad-based black economic empowerment;
- Increasing the level of direct investment in the economy and in specific priority sectors;
- Increasing market access opportunities for and exports of South African goods and services in total and in specific priority sectors;
- Contributing towards building skills, technology and infrastructure platforms in the economy from which enterprises can benefit;
- Repositioning the economy in higher value-added value matrices in manufacturing and services; and
- Contributing towards the provision of accessible, transparent and efficient access to redress for economic citizens.

The core products and services that the dti will employ in order to deliver on its mission and to deliver value to its clients and

stakeholders are:

- Policy;
- Legislation and regulation;
- Finance;
- Information and advice; and
- Partnerships.

A brief explanation of each of these five products and services follows

2.1.1.1 . Policy

The dti will publish coherent, evidence-based policies that will provide certainty and predictability in the market place, as well as providing clear vision and leadership to the economy. In addition, **the dti** will publish research aimed at advancing its shared understanding of the economy and shaping future policy formulation. Policy advocacy is a critical activity that **the dti** engages in to promote its policy positions and approach to the economy across the rest of government.

2.1.1.2 Legislation and regulation

Policy certainty is achieved when policy is given legislative force. Therefore, **the dti** will table legislation in Parliament to give effect to its policies. **The dti** will also publish regulations to provide guidance and details on various legislative matters. **The dti** will seek to provide an enabling regulatory framework that promotes ease of compliance and best practice corporate and consumer regulation.

2.1.1.3 Finance

The dti will finance programmes and projects directly or provide different forms of incentives and matching grants. Financing can also take the form of debt or equity financing through one of the development finance institutions belonging to **the dti** Group.

2.1.1.4 Information and advice

The dti will provide economic citizens, clients and stakeholders with relevant and timely information in a user-friendly and accessible manner. This includes information about the dti's policies and offerings, economic opportunities, as well as commentary and analysis about the real economy.

2.1.1.5 Partnerships

The dti will seek to leverage a wider impact than it can achieve alone through forging strategic partnerships with important stakeholders and role-players including other government structures, sectors, as well as specific enterprises.

2.2 STRUCTURAL OVERVIEW OF THE DEPARTMENT OF TRADE AND INDUSTRY

The Department of Trade and Industry is a government organization whose core business is to facilitate economic growth in South Africa. The dti's mandate is to *"advance the economic growth dimension of sustainable development by accelerating investment in employment-generating production and services, in order to eradicate poverty and meet the increasing needs of a growing and developing population"*. Through this growth it aims to create employment and reduce levels of inequality. Its short-term focus is to support SMME development, advance black economic empowerment, promote investment, exports and technology, and build skills and infrastructure platforms.

The mandate clearly acknowledges the contribution that the dti has set itself to move towards South Africa's commitment to sustainable development. It is the dti's intention to contribute particularly to the social and economic facets of sustainable development.

2.2.1 Divisions

The dti has 7 divisions, as indicated below. More information on the activities of these divisions is provided in Appendix A.

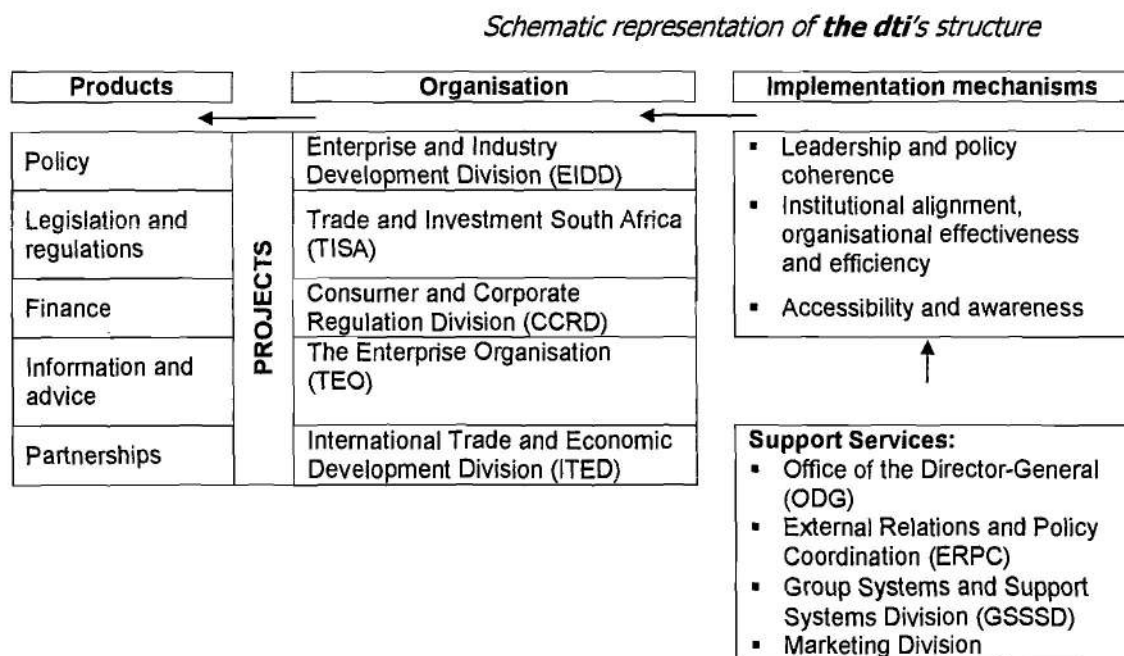
- CCRD (Consumer and Corporate Regulation Division);
- EIDD (Enterprise and Industrial Development Division);
- ITED (International Trade and Economic Development Division);
- TEO (The Enterprise Organisation);

- TISA (Trade and Investment South Africa);
- GSSSD (Group Systems and Support Services Division);
- The Marketing Division

Of these units, the first five divisions (CCRD, EIDD, ITED, TEO and TISA) are the most important structures that deliver on **the dti's** products of policy, legislation, finance, information / advice and partnerships through the implementation of various divisional business plans. The last two divisions (GSSSD and the Marketing division) provide support services to these first five divisions.

The divisions within **the dti** are sub-divided into 26 business units. Each business unit has a number of outputs, products and services that it is responsible to deliver. **The dti** employs approximately 710 people representative of the South African population.

Figure 1 below provides a schematic representation of **the dti's** structure. **Figure 1**



the dti Environmental Implementation Plan

2.2.2 Public entities

In addition to the activities within **the dti** itself, **the dti** has 18 institutions that assist **the dti** in delivering on its mandate. These entities are categorised in three groups as indicated below:

Development finance Institutions

Industrial Development Corporation of South Africa Limited (IDC)
Khula Enterprise Finance Ltd
National Empowerment Fund (NEF)
Export Credit Insurance Corporation
South African Micro-Finance Apex Fund

Regulatory Institutions

Competition Commission
Competition Tribunal
National Gambling Board of South Africa
National Lotteries Board
Micro Finance Regulatory Council (MFRC)
National Credit Regulator and National Consumer Tribunal
Companies and Intellectual Property Registration Office (CIPRO)
International Trade Administration Commission of South Africa (ITAC)
Estate Agency Affairs Board (EAAB)

Specialist / Non-financial Services Institutions

Small Enterprise Development Agency (SEDA)
South African Bureau of Standards (SABS)
South African National Accreditation System (SANAS)
South African Quality Institute (SAQI)

The NEMA neither requires EIPs be drafted for the above mentioned organisations nor created an obligation for **the dti** to monitor the environmental compliance of its agencies; The institutions are listed here in order to indicate how the remainder of **the dti's** budget is distributed and to suggest that the agencies by means of its enabling services may contribute to environmental compliance. Enabling

the dti Environmental Implementation Plan

services include testing and measurement surety, standards and best practice in Cleaner Production, and accreditation to facilitate international recognition of testing and compliance certification.

SECTION 3: LEGISLATIVE REQUIREMENTS FOR COMPILATION OF ENVIRONMENTAL IMPLEMENTATION PLANS**3.1 REQUIREMENTS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT**

One of the chief objectives of the National Environmental Management Act, 1998 (NEMA) is to give effect to the principles of co-operative governance. Some of the most important tools required by NEMA to give effect to co-operative governance are Environmental Management Plans (EMPs) and Environmental Implementation Plans (EIPs). These plans are required to be formulated and gazetted by a number of government departments that are deemed by NEMA to have potentially significant impacts on the environment. The intention of the EMPs and EIP is to ensure the co-ordination of government action in achieving compliance with the principles of environmental management in Section 2 of NEMA.

The dti is one of the departments that are listed in Schedule 1 of the Act and are regarded to exercise functions, which may affect the environment. These departments are required to develop and implement EIPs. The EIPs of these government departments are reviewed and recommended for approval by the Committee for Environmental Coordination, after which the departments must gazette the EIPs themselves.

The purpose of an EIP as prescribed in section 12 of NEMA is to:

- Co-ordinate and harmonise environmental policies, plans, programmes and decisions made by government bodies which are responsible for the promotion and protection of a sustainable environment;
- Identify areas of duplication and recommend ways in which to overcome them thereby giving effect to the principle of co-operative government as envisaged in the national Constitution;
- Promote consistency in the exercise of functions that may affect the environment;
- Secure the protection of the environment across the country;
- Prevent unreasonable actions by provinces in respect of the environment;
- Consolidate integrated environmental management processes already underway;
- Enhance the mechanisms of co-operative governance within each province and between the various spheres of government; and
- Enable the national Minister responsible for the environment to monitor the achievement, promotion and protection of a sustainable environment.

An EIP must, in terms of Section 13 of NEMA, have the following content:

- A description of policies, plans and programmes that may significantly affect the environment;
- A description of the manner in which the relevant national department or province will ensure that the policies, plans and programmes referred to in paragraph (a) will comply with the principles set out in section 2 as well as any national norms and standards as envisaged under section 146(2)(b)(i) of the Constitution and set out by the Minister, or by any other Minister, which have as their objective the achievement, promotion, and protection of the environment;
- A description of the manner in which the relevant national department or province will ensure that its functions are exercised so as to ensure compliance with relevant legislative provisions, including the principles set out in section 2, and any national norms and standards envisaged under section 146(2)(b)(i) of the Constitution and set out by the Minister, or by any other Minister, which have as their objective the achievement, promotion, and protection of the environment; and
- Recommendations for the promotion of the objectives and plans for the implementation of the procedures and regulations referred to in Chapter 5 of the Constitution.

3.2 DEAT SECOND EDITION GUIDELINES FOR ENVIRONMENTAL IMPLEMENTATION AND MANAGEMENT PLANS

Section 11(8) of the National Environmental Management Act, 1998 provides for the Minister of Environmental Affairs and Tourism to issue guidelines to assist national departments in the preparation of environmental implementation plans and environmental management plans. The department has drafted such guidelines in the form of the *"Second Edition Guidelines for Environmental Implementation and Management Plans"*.

These guidelines have been used to assist the dti in preparing a meaningful and relevant 2nd edition EIP. The specific purpose of the second edition guideline series is to:

- Develop and provide a refinement of a more focused guideline for a Second Phase of the EIPs and EMPs;
- Build on the efforts made in the first edition as well as fill in the gaps that were identified during the first round;
- Summarise and simplify the guidelines in a more specific environmental information document rather than that of a general document;
- Assist National and provincial departments in providing environmental information that can be useful to all relevant stakeholders (e.g. other national and provincial departments, local government municipalities, etc.); and
- Improve the quality of environmental information and reporting that is provided by the Schedule 1 and 2 departments to the CEC.

SECTION 4: A DESCRIPTION OF DTI POLICIES, PLANS AND PROGRAMMES THAT MAY SIGNIFICANTLY AFFECT THE ENVIRONMENT

The purpose of this chapter is to identify what policies plans and programmes may exist within **the dti** that have the potential to have a significant impact on the environment. It is critical that one bears in mind that this does not mean to say that the impacts that are considered are necessarily all negative impacts. **The dti** also has a number of programmes and plans that may have a significant positive impact on the environment, as indicated by the information below.

4.1 ENVIRONMENTAL POLICIES AND LEGISLATION UNDER **the dti**'s CONTROL

The dti has no environmental policies and legislation directly under its control. As indicated by the mission and functions of **the dti** above, **the dti**'s primary function is to deliver accelerated economic growth, increased employment and reduced levels of inequality. From this mission, it is clear that **the dti** does not have a mandate to develop formal environmental policies and legislation. **The dti** relies on other government departments to develop environmental policy and legislation, and where necessary, participates in the development of these policies and legislation. In this regard **the dti** respects the role of the Department of Environment Affairs and Tourism as the lead agent in the development of environmental policy in South Africa. **The dti** has participated in the development of numerous pieces of policies, legislation that have been spearheaded by the DEAT, e.g.:

- The development of the Integrated Waste Management Strategy;
- Environmental Impact Assessment legislation (the revision of NEMA Chapter 5 and the revision of the EIA regulations in terms of the Environment Conservation Act);
- Policy regarding the use of asbestos in South African industry.

The dti does recognise that its activities can potentially result in significant environmental impacts and uses the environmental management principles in section 2 of NEMA as guiding principles to mitigate or control these impacts.

4.2 ASSESSMENT OF POLICIES, PLANS AND PROGRAMMES THAT MAY SIGNIFICANTLY AFFECT THE ENVIRONMENT

In accordance with its mandate **the dti** has prioritised a number of economic sectors for focused intervention for accelerated development. These sectors are identified in the Integrated Manufacturing Strategy as:

- Clothing and Textiles;
- Agro-processing;
- Metals and Minerals;
- Tourism;
- Automotive and Transport;
- Crafts;
- Chemical and Biotechnology; and
- Knowledge Intensive Services.

The assessment below focused on dti policies, plans and programmes that are regarded to have potentially significant environmental impacts. The assessment of the significance of environmental impacts is well established in environmental impact assessment practice and has been undertaken for many years, even before 1997 when environmental impact assessment practice became a legislated requirement in South Africa. The significance of environmental impacts is regarded as a synthesis of a number of characteristics of an environmental impact and is regarded as an indication of the overall importance of an environmental impact.

The aspects that are taken into account to determine the significance of an impact are typically:

- Nature (how an activity interacts with the environment that it affects and whether it has a positive or negative effect);
- Extent (the physical size of the impacts or a measurement of its magnitude);
- Intensity (the degree to which the activity changes the environment);
- Duration (the length of time that the impact is likely to be experienced); and
- Probability: the likelihood of an impact occurring.

Despite these well-established criteria for determining the significance of impacts, the activities of a government department such as **the dti** (e.g. policy and legislation development) are fundamentally different to the tangible activities that are normally assessed in EIA practice. Furthermore, NEMA provides no indication of what is regarded as a “significant effect” in the context of EIPs.

The following criteria have been applied to provide an initial indication of what are regarded as “significant effects” in the context of **the dti’s** activities. No significance ranking (e.g. low, moderate or high significance) was assigned to the effects, and a simple significant / not significant distinction has been applied.

- The potential to conflict with environmental legal requirements (e.g. possible contravention of environmental legal requirements such as the principles in Section 2 of NEMA); and

- The potential sphere of influence, i.e. the effect on numbers of clients (e.g. effect on several thousand potential clients is regarded as potentially more significant than effects on a small number of clients, due to the cumulative effects associated with the former).

4.2.1 General (There are no targets set, no analysis of what the dti has done against what it should have done and the resultant gap analysis)

As indicated earlier, one of the main tools used by the dti to deliver its mission is the formulation of policies and legislation. The development of legislation and policy can have unintended environmental consequences if the content of these policies and pieces of legislation is not reviewed from an environmental point of view or if there is no environmental inputs into the formulation of such policies and legislation. The significance of this impact can vary widely, depending on the nature of the policy or legislation.

The dti recognises that it must ensure that an environmental review of policies or legislation that can be expected to have significant environmental impacts must take place. Only the most significant pieces of legislation or policy have been highlighted in this report, but in order to ensure that new policies and legislation or existing policies and legislation that are to be revised do consider environmental issues, it is important that a procedure is established whereby policies must undergo an environmental review. It is not considered necessary for all policies to undergo this review. An initial screening exercise is necessary to identify those policies that are likely to have significant impacts, and only these policies should be reviewed. It is proposed that this review function must be undertaken by the Risk Management section in the GSSSD, as indicated later in this document (Capacity challenges in the RMU- This should rather be done at line divisions and the RMU should issue/provide guidelines)

4.2.2 Enterprise and Industry Development Division (EIDD)

In accordance with the IMS, EIDD would engage in a set of work programmes to promote competitiveness in specific sectors and value chains. Based on value-chain analyses, EIDD has identified key areas for intervention, intended to improve the competitiveness of targeted sectors. Key criteria for identifying targeted sectors include that the sector must demonstrate a strong potential for growth, employment creation and value addition, the level of organisation and vision exhibited by a sector as well as the sector's willingness to work with the dti in removing obstacles to competitiveness in the relevant value chain. This approach would encompass issues that, while not completely within the ambit of the dti, do form part of the Microeconomic Reform Strategy, such as logistics, infrastructure and skills development. Cross-functional teams are established within EIDD to manage these programmes. Strong partnerships are established between EIDD teams and economic actors within the sectors. Representatives

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from the dti Group of Institutions and other government entities would be included as necessary. Driven by EIDD, these partnerships engage in data collection and analysis, strategy development and recommendations for implementation. Strategy development would include identification of opportunities and constraints and formulating plans for achieving performance targets through removing of constraints and maximizing of benefits.

In addition EIDD is responsible for the development and implementation of policies that improves the economic landscape Small business development can have potentially significant impact due to the cumulative nature of the many small businesses that the EIDD supports. Viewed independently, the impacts of each of the businesses that are supported may seem insignificant. However, when viewed cumulatively, the impact is regarded to be significant. The small business development programme, however, also has a positive impact on the economic and social facets of sustainable development through job creation, incentives and restructuring rural economies through cooperatives.

The identification of priority geographic areas for industrial development could potentially have significant environmental impacts if environmentally sensitive sites are identified for development. In order to ensure that this impact is avoided and minimised, a scan of the environmental sensitivity of the site needs to be undertaken in the early phases of the identification process. This can be done through existing environmental sensitivity databases (such as DEAT's ENPAT system) and through liaison with the relevant provincial environmental authorities.

The establishment of the National Committee on Chemical Management and Safety by the dti reflects a key step in promoting a more co-ordinated approach to the management of chemicals in a way that minimizes potential adverse effects on humans and the environment. The most significant positive impact that the EIDD contributes is through the activities of the National Cleaner Production Centre (NCPC). This Centre focuses on a number of key industry sectors (e.g. automotive, chemical and agro-processing) to facilitate improvements in the resource and energy efficiency of these enterprises, and to facilitate the transfer of technologies that mitigate pollution. The NCPC undertakes activities regarding:

- Environmental education and training;
- Waste water treatment;
- Air pollution control;
- Waste management; and
- Recycling.

The following EIDD activities are regarded as having potentially the most significant environmental impacts:

- Development of strategies for prioritising economic sectors;
- Small business (including cooperatives) development strategy formulation and implementation; and
- The programme to increase economic activity in priority geographic areas.

Three EIDD activities that may have significant positive environmental impacts are:

- Technical Infrastructure
- National Cleaner Production Centre (NCPC)
- Development of Skills for the Economy, which is to be distinguished from broad based

Table 1
Policies, plans and programmes of the EIDD

ENTERPRISE AND INDUSTRY DEVELOPMENT DIVISION (EIDD)						
Policy / programme / project	Potential environmental impacts	Applicable legislative requirement	Environmental objective	Responsibility	Time frame	Indicator
Identification of priority geographic areas for promotion of industrial activity (Geographic Spread)	<ul style="list-style-type: none"> ▪ Concentration of industries in a small area may exceed the capacity of the environment to assimilate waste and pollution ▪ Identified areas may be environmentally sensitive or vulnerable 	<ul style="list-style-type: none"> ▪ NEMA S 4(a)(v): <i>"the development, use and exploitation of renewable resources and the ecosystems of which they are part do not exceed the level beyond which their integrity is jeopardised"</i> ▪ NEMA S 4(r): <i>"Sensitive, vulnerable, highly dynamic or stressed ecosystems, such as coastal shores, estuaries, wetlands, and similar systems"</i> 	Obtain, observe and use existing database of sensitive areas (ENPAT) from DEAT;	COO: EIDD		Loading of ENPAT data onto the dti system
			Tailor the economic activity for industrial development using databases referred to above.		As and when possible areas are identified	Map of priority geographic areas
			Use ENPAT guidelines proactively to identify suitable priority geographic areas that have the least environmental risk.		Ongoing (as and when needed)	Number of identified priority geographic areas

ENTERPRISE AND INDUSTRY DEVELOPMENT DIVISION (EIDD)						
Policy / programme / project	Potential environmental impacts	Applicable legislative requirement	Environmental objective	Responsibility	Time frame	Indicator
		<i>require specific attention in management and planning procedures, especially where they are subject to significant human resource usage and development pressure</i>	Establish liaison channels with provincial environmental authorities as a proactive means of streamlining reviews of areas identified in terms of Geographic Spread.		June 2006	Documented correspondence with provincial environmental authorities.
			Request provincial environmental authorities to review identified geographical areas.		Ongoing (as and when needed)	Proof of provincial environmental authority review

4.2.3 The Enterprise Organisation (TEO)

TEO has identified the following programmes and projects of their activities that have a potential positive impact on society and the natural environment. The Small and Medium Enterprise Development Programme (SMEDP), Strategic Industrial Projects (SIP) and Industrial Development Zones (IDZ) activities have been identified as those with potentially the most significant environmental impacts. The activities that are supported in terms of the SMEDP, SIP, and IDZ programmes include industries that have the potential to cause air, water solid waste pollution. Examples of such industries include paper mills, aluminium industries, agro-processing and aqua culture. These impacts are not caused by the dti directly, but are indirect impacts caused by the dti's financial support for the activities.

However, these programmes are also regarded to contribute significantly to the social and economic facets of sustainability, through increasing business opportunities and employment, increasing access to markets and improving product quality and technology.

TEO has put measures in place to address the negative impacts that such activities may have on the environment by including relevant questions in the SIP application form, as well as requiring compliance certificate where necessary. For example the SIP

application form requires of an applicant to "Indicate how the production and processes will impact on the environment, and indicate the compliance in terms of relevant local and international requirements. The application form for the SMEDP asks, "Will the production process comply with the requirements of Local Authorities regarding the protection of the environment? Please provide proof thereof? (Certificates, etc.)". It has been proposed to extend this clause to not only refer to the local authorities but also to include provincial authorities. This is necessary because the provincial authorities (and in some cases the national authority) are the competent authorities for decision-making for industrial activities that undergo environmental impact assessment processes.

For IDZs and CIP careful consideration is given to the applications during the approval process. If the questions relating to environmental issues are not answered, the project is not approved.

IDZ developments may have highly significant environmental impacts if they are not properly planned, owing to the scale of these activities and the variety of large industries that they typically contain. The nature of the impacts depends on the location of the IDZ and the nature of the industries that are located in them. TEO ensures that all environmental legal requirements are met before approving an IDZ project. Applications received from industries that want to locate in an IDZ are not forwarded to the decision-makers, the Manufacturing Development Board, unless all applicable environmental legal requirements have been met.

Table 2

Policies, plans and programmes of TEO

THE ENTERPRISE ORGANISATION (TEO)						
Policy / programme / project	Potential environmental impacts	Applicable legislative requirement	Environmental objective	Responsibility	Time frame	Indicator
Small & Medium Enterprise Development Programme (SMEDP); Strategic Industrial Projects (SIP) and IDZ	Risk of the dti being party to a contract in support of impacting activities not covered by an environmental policy, system, agreement or environmental authorisation	NEMA Section 24(4) (a) "... the consideration of all relevant factors" NEMA Section 2(3) "Development must be ... sustainable"	<ul style="list-style-type: none"> Keep a list of contact persons in environmental and national environmental departments who can assist with environmental issues. 	COO: TEO	March 2007	A list of contact people in environmental departments.
Industrial Development Zones	Risk of development of Industrial Development Zones without necessary environmental procedures being in place to prevent or responsibly manage environmental impacts	NEMA S 24. (1)" ... the potential impact on- (a) the environment; (b) socio-economic conditions; and (c) the cultural heritage, of activities that require authorisation or permission by law and which may significantly affect the environment, must be considered, investigated and assessed prior to their implementation and reported to the organ of state charged by law with authorising, permitting, or otherwise allowing the implementation of an activity."	<ul style="list-style-type: none"> Alert organisations responsible for implementation of IDZs to EIA requirements; Require Environmental Management System development and implementation for IDZs (e.g. Coega and East London) Require industries locating within IDZs to implement certified and audited Environmental Management Systems 	Programme Manager	Ongoing (during planning phase of IDZ projects)	Environmental impact assessment reports.

4.2.4 ITED (International Trade and Economic Development Division)

ITED has recently allocated a post within the Multilateral Trade Relations business unit, for the incumbent to work on environmental issues as they relate to trade and trade negotiations. The primary focus will be to engage with the debates around trade and the environment particularly in the World Trade Organisation negotiations, but also in other multilateral fora. The policy focus will be in line with national objectives, capabilities and commitments to international agreements.

Table 3
Policies, plans and programmes of ITED

International trade and Economic Development (ITED)						
Policy / programme / project	Potential environmental impacts	Applicable legislative requirement	Environmental objective	Responsibility	Time frame	Indicator
International Trade and Economic Development (Global Multilateral and Bilateral relations)	Opportunities: trade agreements / relations 1) contributing to environmental compliance in SA; 2) In favour of the SA environmental industry	<ul style="list-style-type: none"> NEMA S. 2(3): "<i>Development must be socially, environmentally and economically sustainable.</i>" NEMA S. 2(4)(n): "<i>Global and international responsibilities relating to the environment must be discharged in the national interest.</i>" 	Include environmental assistance and equal but differentiated environmental norms for trade; Agenda 21 involvement	Multilateral Trade Relations Unit	Ongoing (as and when needed)	Reference to environmental norms in trade agreements where possible
	Risk of trade agreements / relations neglecting environment		Review agreements to ensure that they do address environmental issues	Multilateral Trade Relations	Ongoing (as and when needed)	PTF will ensure that all relevant government departments will highlight possible environmental issues in trade agreements
African economic development	Opportunity for foreign offices to promote SA environmental industry; Risk of foreign offices not environmentally skilled	NEMA S. 2(4)(n): " <i>Global and international responsibilities relating to the environment must be discharged in the national interest.</i> "	Create environmental policy for and conduct a training programme in foreign offices	CD Africa (with DFA)	Ongoing (as and when needed)	Proof that training programmes have been conducted for

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International trade and Economic Development (ITED)						
Policy / programme / project	Potential environmental impacts	Applicable legislative requirement	Environmental objective	Responsibility	Time frame	Indicator
						staff in foreign offices
International trade administration	Risk of regulatory functions not considering environmental principles	NEMA S. 2(4)(l): <i>"There must be intergovernmental co-ordination and harmonisation of policies, legislation and actions relating to the environment."</i>	Environmental policy and strategy	COO: ITED COO: ITAC	Ongoing (as and when needed)	Regulatory functions to adhere to environmental policies and strategies

4.2.5 Trade and Investment South Africa (TISA)

TISA is engaged in programmes aimed at increasing South African economic growth and employment in priority sectors, including the conventional manufacturing sectors, tourism and key services sectors. To meet its mandate, TISA attracts investment (from domestic and foreign investors), facilitate and promote export and also introduce programmes for the development of these priority sectors in support of Integrated Manufacturing Strategy and Microeconomic Reform Strategy of the South African Government. Development of priority sectors, involves identification and facilitation of the removal of blockages to the development of industry sectors. Removal of these blockages would typically include influencing the drafting of legislation, regulations and other strategic directives that are within the direct control of the government. TISA's commitment to environmental improvement is clear from its involvement with the National Cleaner Production Centre (NCPC), as detailed below.

The Export Development and Promotion Business Unit within TISA has a potential to have positive environmental influences as it provides technical and financial support to assist in matchmaking between buyers and sellers. However, the Investment Promotion and facilitation business unit may have the most important role to play with regards to TISA's ability to bring change to the manner in which environmental issues are considered, in that they are responsible for attracting foreign direct investment as well as developing and promoting investment by domestic investors, through targeted investors and enhancing government policies and processes that impact on South Africa's appeal to investors. As already mentioned above, programmes for the development and implementation of

the programmes of priority sectors are the primary role of the Customised Sector Programme Business Unit – sectors, investors have to comply with all legislature, regulations and directives especially those that are pertaining to environment.

Trade and Investment South Africa has endorsed environmental initiatives taken in the priority sectors, for example TISA and the NCPC have agreed to introduce the concept and benefits of Cleaner Production in the following four sectors:

- Textile
- Chemical
- Agro-processing
- Automotive

The sectors have been selected due to their potential to generate significant environmental impacts (of a large scale and serious nature). It is anticipated that more sectors will be added as and when feasible, and this would depend largely on the capacity within the NCPC.

Stakeholders in the chemical sector summit process have identified environmental performance and in particular the safe management of chemicals as a key factor in the competitiveness of the sector. Sector summit agreement has been concluded, it is awaiting signatures of the principals, this includes substantial agreements on a more co-ordinated national approach to chemicals management.

TISA directly supports initiatives such as adoption of the ISO 14000 series of standards by the South African Bureau of Standards (SABS) and clearly endorses environmental due diligence and continuous improvement initiatives. Related initiatives in the chemical industry include Responsible Container Management – SA (RCMASA) and Responsible Care, which includes an independent verification system. This would include the endorsement of the King II Report on Sound Corporate Management, and the subsequent initiative of the Johannesburg Stock Exchange (JSE) to make environmental reporting a compulsory requirement for listed companies.

Table 4
Policies, plans and programmes of TISA

Trade and Investment South Africa (TISA)						
Policy / programme / project	Potential environmental impacts	Applicable legislative requirement	Environmental objective	Responsibility	Time frame	Indicator
Investment South Africa	Risk of facilitating investment that is not environmentally compliant	NEMA S. 2(3): " <i>Development must be ... sustainable</i> "	Opportunity to transfer environmental skills and technologies	COO: TISA	Ongoing	Proof of environmental skills and technology transfer
Trade facilitation	Risk of facilitating employment that is not environmentally sensitive and skilled	NEMA S. 2(4)(a): " <i>Sustainable development requires the consideration of all relevant factors</i> "	Measures to grow environmental sensitivity and skills to be documented	COO: TISA	Ongoing	Proof of environmental skills transfer
Export Credit Reinsurance Scheme	Risk of SA enterprises involved in contracts that are not environmentally compliant	NEMA S. 2(4)(a): " <i>Sustainable development requires the consideration of all relevant factors</i> "	Environmental compliance should be an element of each contract	COO: TISA	Ongoing	Inclusion of environmental compliance requirements in contracts

4.2.6 Other divisions

The other divisions of the dti, being support divisions to the four divisions mentioned above, have few impacts of importance and are therefore regarded to have insignificant environmental impacts compared to those of the four divisions mentioned above. Nevertheless, these divisions have identified activities that may be included in the 2nd edition EIP. These divisions are the CCRD and the GSSSD.

4.2.7 CCRD (Consumer and Corporate Regulation Division)

The CCRD have identified that the Business Regulation Unit (BRU) and the Intellectual Property Unit may have the potential to impact significantly on the environment. The BRU works in close co-operation with the SAPS and Customs and Excise to confiscate counterfeit goods. In the event of a court the goods to be counterfeit, the whole batch of seized products has to be disposed of or destroyed. These goods are then disposed of as landfill or, at times, incinerated. If the correct incineration or disposal procedures are not followed, this can result in air pollution impacts and associated health impacts or improper disposal and associated visual and biophysical impacts. Although the BRU is not involved in the physical disposal of counterfeit goods, it has an obligation to provide its partners and clients, with which it co-operates closely, with appropriate direction to ensure compliance with legislation governing waste disposal. An interim decision has been taken that BRU would, as from 2005, in each individual case consult with an environmental specialist as appropriate. CCRD is also giving consideration to developing criteria as they do for consumer awards, for awards for those organisations/ persons that show the greatest commitment to environmental sustainability. This would however require that an environmental specialist be included on the award panel.

Impacts of the Intellectual Property Office are regarded as positive impacts on the economic facet of sustainability, since the protection of intellectual property improves the ability of South African intellectual property holders to protect their investments and trade internationally.

Table 5
Policies, plans and programmes of the CCRD

Consumer and Corporate Regulation Division (CCRD)						
Policy / programme / project	Potential environmental impacts	Applicable legislative requirement	Environmental objective	Responsibility	Time frame	Indicator
Disposal and destruction of counterfeit goods by SAPS, with assistance of the CCRD's Business Regulation Unit	<ul style="list-style-type: none"> ▪ Possibility of disposal or incineration in non-permitted disposal or incineration facility ▪ Air quality impacts; ▪ Impacts on soil quality; ▪ Impacts on water quality 	<ul style="list-style-type: none"> ▪ Integrated waste management strategy; ▪ Environment Conservation Act, 1989: S. 20 ▪ NEMA S 4(a)(iv): <i>"that waste is avoided, or where it cannot be altogether avoided, minimised and re-used or recycled where possible and otherwise disposed of in a responsible manner"</i> 	<ul style="list-style-type: none"> ▪ Identify permitted waste disposal facilities for disposal of counterfeit goods; ▪ Provide guidelines on responsible waste disposal and incineration to SAPS counterfeit goods division 	COO: CCRD	June 2006	List of permitted waste disposal sites. Guideline document submitted to SAPS
Consumer awards	Potential positive impact in that awareness can be raised about the environmental performance of business	NEMA S 4(h): <i>"Community well-being and empowerment must be promoted through environmental education, the raising of environmental awareness, the sharing of knowledge and experience and other appropriate means"</i>	<ul style="list-style-type: none"> ▪ Investigate possibility of including an environmental category in annual consumer awards 	COO: CCRD	March 2006 Check if dates are still relevant	Minutes from management meetings, investigating the possibility of these awards
			<ul style="list-style-type: none"> ▪ If found feasible, raise awareness about environmental awards amongst potential recipients 	COO: CCRD	March 2006 - March 2007	Awareness raising campaign
			<ul style="list-style-type: none"> ▪ Implement environmental awards system 	COO: CCRD	March 2007 At annual awards events	Implementation of environmental awards system

4.2.8 GSSSD (Group Systems and Support Services Division)

The GSSSD coordinates risk management within the dti through out all the divisions within the organisation, and have established Service Level Specifications for the contractors that work on and within the dti. The positive influences that their actions have are as follows:

- The water features within the building utilise recycled water, which has been through a cleansing process, reducing the need to use additional water and promoting the concepts of reuse and recycling.
- Most if not all offices in the dti make use of energy saving light bulbs.
- Plants that are used in the dti office's landscaping have been selected to ensure they do not use excessive water.

Energy management

GSSSD has been instrumental in setting up an Environmental Control and Energy Management System that is administered by the Experience Delivery Company (EDC). This project has however only been in operation since 2004. (Besides energy there is water conservation, non-usage of pesticides harmful to the environment. Also include migration from paper/toner usage, waste recycling-separation of glass/paper/wet waste.

Occupational Health and Safety Committee

The division has also set up an Occupational Health and Safety Committee that now has the potential to include the environmental component that would put the risk management committee in a much stronger position to formulate monitoring and reporting plans for environmental aspects within the organisation. Due to the lack of a formalised environmental reporting structure GSSSD's risk management division has identified that it needs to identify all environmental risks to be able to monitor and report on these for future EIP reporting.

Risk management

The risk management division has also noted that the division could have an even bigger positive impact on the environment as a result of them being a sub-committee of the Executive Committee. Risk Management currently submit risk assessment reports to the EXBO (the Executive Board), which currently does not include environmental issues. This therefore provides a mechanism that could bring environmental impacts of the dti's activities to the attention of top management, by so doing it will ensure that such issues are addressed and dealt with accordingly.

Table 6
Policies, plans and programmes of the GSSSD

Group Systems and Support Services (GSSSD)						
Policy / programme / project	Potential environmental impacts	Applicable legislative requirement	Environmental objective	Responsibility	Time frame	Indicator
Paper use	<ul style="list-style-type: none"> Implementation of paperless office system has positive impact on environment through reduced use of resources and decreased waste 	NEMA S. 2(4)(a)(vi): <i>"that the development, use and exploitation of renewable resources and the ecosystems of which they are part do not exceed the level beyond which their integrity is jeopardised"</i>	Continue with implementation of paperless office as planned	OCIO	Ongoing	Management meetings; Achievement of business plan targets for implementation; measured reduction in paper use
Energy use	Poor energy efficiency results in unnecessary depletion of renewable and non-renewable resources	NEMA S. 2(4)(a)(v): <i>"that the use and exploitation of non-renewable natural resources is responsible and equitable, and takes into account the consequences of the depletion of the resource"</i>	Continue with implementation of energy-efficient technologies in the dti's office building (e.g. installation of energy saving light bulbs)	COO: GSSSD	Ongoing	Monitoring of energy consumption; Setting of documented targets based on current baseline

SECTION 5: HOW DTI WILL ENSURE THAT THE POLICIES, PLANS AND PROGRAMMES WILL COMPLY WITH THE NEMA PRINCIPLES AND THE NATIONAL NORMS AND STANDARDS AS ENVISAGED UNDER SECTION 146(2)(b)(i) OF THE CONSTITUTION

The dti sees this EIP as the main tool for ensuring that its policies, plans and programmes will comply with the NEMA principles and the norms and standards envisaged under section 146(2)(b)(i) of the Constitution. The dti will use the EIP, as an implementation tool for ensuring this compliance by implementing the EIP in all the divisions and functions identified in Section 6 below.

There are two main methods identified within this EIP that will contribute most significantly to ensure compliance with the NEMA principles and the norms and standards envisaged under section 146(2)(b)(i) of the Constitution, firstly the environmental review of the policies and secondly, transferring the environmental function to the Risk Management Function in the GSSSD.

5.1 ENVIRONMENTAL REVIEW OF POLICIES

Most of the dti's line function divisions are in some or other way involved in policy formulation. The interviews conducted with individuals within these divisions did not reveal any formal mechanism that would establish an obligation for policy formulators to review dti policies in order to ascertain whether the policies would have any significant environmental consequences. Subsequently the potential environmental impacts of dti policies, whether such impacts are direct or indirect, are not clearly spelled out. One result of this situation is a measure of uncertainty around appropriate measures that should be in place in order to manage the potential environmental risks and responsibilities created by the implementation of dti policies.

The dti, including the staff of the divisions where these policies are developed, has identified the need for new policies and programmes to be reviewed from an environmental point of view during the development of these policies. Due to limitations on capacity, this cannot be the case for existing policies, but

In cases where the dti's policies clearly have a major influence on the mandates of the DEAT and the 9 provincial environmental authorities, the dti will continue, as it has done before, to consult with these authorities through the Committee for Environmental Coordination. This was, for instance, the case with the Spatial Development Initiatives (SDIs), where the dti and DEAT co-operated in the development of Environmental Management Frameworks.

5.2 PLACING THE ENVIRONMENTAL FUNCTION IN the dti IN THE RISK MANAGEMENT FUNCTION OF THE GSSSD (THIS MUST ALSO BE LINKED TO THE PLANNING CYCLE (MTEF))

As mentioned earlier, the environmental function in the dti is currently situated in the EIDD. The dti has identified that the environmental function can be more effective within the dti's organisational structure if it were to be situated in the Risk Management section that is housed in the GSSSD. The GSSSD, because it is a division that provides an overarching service to all the other divisions in the dti, is in a better position than the EIDD to influence the policies and programmes in the other functional divisions. The EIDD on the other hand, having a separate mandate that does not include the review of the activities of the other divisions, finds it difficult to influence the activities of these divisions.

Furthermore, the Risk Management Division reports directly to the Executive Committee, and therefore has an opportunity to make recommendations with regards to environmental management directly to senior management, which is at a more strategic level than the current level in the EIDD.

5.3 ENVIRONMENTAL OBJECTIVES OF THE EIP

Based on the above review of the potential significant environmental impacts associated with the dti's policies, programmes and projects, the dti proposes to implement the environmental objectives as outlined in the tables above. The columns in the table are arranged as follows from left to right:

- The applicable policy, programme or project;
- The potential environmental impact;
- The applicable legal requirement (in terms of NEMA or section 146(2)(b)(i) of the Constitution);
- The dti's goal or objective in managing the potential environmental impact;
- Who is responsible for implementing this goal or objective;
- The time frame for implementation;
- Indicator (a quantitative or qualitative measurement of the implementation of the objective)

The objectives have been grouped according to the dti's divisions.

SECTION 6: HOW the dti WILL ENSURE THAT ITS FUNCTIONS ARE EXERCISED SO AS TO ENSURE COMPLIANCE WITH RELEVANT LEGISLATIVE PROVISIONS

With any organisation, it is crucial the environmental management function must be housed in the correct organisational location to ensure that it is capable of effectively influencing the way that the rest of the organisation manages its environmental impacts.

The environmental management function has up to now been located within the EIDD, but in the review of the EIP, it was identified that environmental management and the implementation of the EIP can be carried out more effectively from another division, namely the GSSSD. The GSSSD has a Corporate Governance Directorate that regularly reviews all organisational risks across the entire dti e.g. legal risks, financial risks, health and safety risks, etc.).

The most important recommendation to be made out of the review of the dti's EIP is that the responsibility for the environmental management function in the dti must change from the EIDD to the Corporate Governance Unit in the GSSSD.

The Risk Management Committee functions as a sub-committee of the Executive Board (EXBO) of the dti and therefore has a position close to senior management, from where environmental management can be placed higher on the agenda. The Risk Management Unit undertakes formal quarterly reviews of all the organisation's risks, something, which the existing environmental management personnel are unable to do at present. These formal reviews will ensure that members of staff that are responsible for implementation of measures in terms of the EIP are held accountable for their performance and that corrective actions are taken if there is evidence of poor performance.

In parallel to this, it must be ensured that there are more effective methods of communicating the environmental management responsibilities of the dti's staff to them. To do this, it is proposed that environmental management must be made a part of the job descriptions of key individuals in the divisions who will be responsible for the implementation of the measures identified in this EIP report. This will ensure greater accountability for environmental performance and the integration of environmental performance in performance reviews. Furthermore it is recommended that environmental management be incorporated as an item during orientation to the dti.

SECTION 7: RECOMMENDATIONS FOR THE PROMOTION OF THE OBJECTIVES AND PLANS FOR THE IMPLEMENTATION OF THE PROCEDURES AND REGULATIONS REFERRED TO IN CHAPTER 5 OF NEMA

Chapter 5 of NEMA deals with Integrated Environmental Management. The general purpose of Integrated Environmental Management (IEM) is to ensure that the environmental consequences of development activities are properly considered during the planning of these activities and to enable sound decision-making regarding these activities. Although no regulations in terms of this Chapter have yet been promulgated, the Environmental Impact Assessment (EIA) regulations in terms of Sections 21, 22 and 26 of the Environmental Conservation Act, 1989 (Act No. 73 of 1989) still apply under Chapter 5 of NEMA.

The dti has already put in place measures to ensure that these procedures and regulations are implemented. The most significant activities to which these procedures are applicable are the industrial activities that can apply for funding in terms of the Small and Medium Enterprise Development Programme (SMEDP) and Strategic Industrial Projects (SIP), as well as the Industrial Development Zone developments, all of which resort under The Enterprise Organisation (TEO) of the dti.

Standard application forms that applicants for funding in terms of the SMEDP and SIP must use require confirmation that the applicants have satisfied all requirements of the environmental impact assessment legislation. No funding can be approved under these programmes unless this condition has been met, and suspensive conditions in the contracts with the applicants ensure that funding can be withdrawn, should the conditions not have been met. TEO is considering developing working relationships with the Provincial environmental authorities, and including them on site visits to applicants for funding in order to review their potential environmental impact and the measure they are taking to mitigate these impacts.

Although the dti's officials do not have the expertise to evaluate the environmental consequences of particular technology choices that applicants indicate they want to use, the dti has access to a number of environmental consultants who are called upon when necessary to provide an expert review of the environmental impacts of an application before a decision is made about its acceptance.

The dti would, however, like to further improve the promotion of the objectives and procedures of Chapter 5 of NEMA by enhancing co-operative governance with the authorities that are responsible for reviewing and authorising EIA applications. This will be done by establishing formal linkages with the environmental officials in the provincial environmental authorities who deal with industrial applications. Once this is done, the officials from the dti who are responsible for site inspections of the applicants' premises will invite the provincial officials to take part in the site inspections or provide their professional opinions of the applications based on a literature review.

CCRD the SAPS and the ports authorities need to develop strong working relationships or develop a Memorandum of Understanding on what should happen if and when various counterfeit goods have been discovered, this will ensure that the correct mitigation measures are

put in place in a consistent manner. It is further recommended that **the dti** develop a strategy for identifying areas suitable for priority geographic industrial activity (geographic spread) by making use of such tools as ENPAT. This would then provide **the dti** with further clarity on priority areas for budget allocation.

Due to the fact that TEO is a division of **the dti** that is in the forefront of environmental management it is suggested that they undergo training in environmental management as a pilot project and from this the need for further training through out **the dti** could be prioritised.

SECTION 8: INDICATORS TO MONITOR THE EIP

Please refer to Tables 1 to 6 above for indicators, as all indicators have been included in the tables associated with each division for ease of reference.

Appendix A

Purpose and functions of divisions in the dti

Source document(s): dti website; interview reports

EIDD (Enterprise and Industrial Development) Division:

EIDD's purpose is to provide leadership in the development of policies and strategies that create an enabling environment for competitiveness, equity and enterprise development.

The EIDD Division will contribute to the realisation of **the dti's** strategic objectives by:

- Creating an enabling environment for all enterprise forms, including co-operatives, to prosper;
- Providing a framework to enable participation of women and black people in the economic mainstream;
- Identifying new geographic areas for greater economic stimulation;
- Providing a framework for industry norms and standards including sustainable production methods;
- Influence policy developments in skills building, technology and infrastructure; and
- Providing policy direction in emerging sectors and also the repositioning of the economy in higher value segments to achieve competitiveness.

EIDD has three business units:

- Competitiveness and Industrial Development
- Enterprise Development
- Equity and Empowerment

ERPC (External Relations and Policy Coordination) Unit:

ERPC's purpose is to establish **the dti** as the authoritative voice on the real economy by providing a one stop platform for political economic intelligence, analysis, and through cooperative governance, effectively engage the rest of government and stakeholders to ensure policy coherence and strategic alignment.

The ERPC Division will contribute to the realisation of **the dti's** strategic objectives by:

B

- Increasing **the dti's** capabilities to effectively undertake strategic, cross-cutting policy research and analysis pertinent to trade, competition and industrial policies,
- Improving policy coherence and certainty within **the dti** by providing high quality analysis and advice to address strategic and cross-cutting policy matters
- Strengthening cooperative government by engaging relevant government structures on developmental issues; and
- Contributing to the building of social consensus on trade and industrial policies amongst stakeholders

ERPC has two business units:

- Policy Coordination (External Relations)
- Policy, research and statistical analysis

International Trade and Economic Development Division (ITED)

ITED's purpose is to develop trade and investment links with key economies, globally, and promote economic development, through negotiating preferential trade agreements, supporting a strong, equitable multi trading system and fostering economic integration with the continent within the NEPAD framework.

ITED will contribute to the realisation of **the dti's** strategic objectives by:

- Expanding market access for South Africa's exports and facilitation of investment through free trade agreements, bilateral trade and investment agreements, and the harmonisation of standards and customs
- Supporting economic development and capacity-building in Africa
- Safeguarding and promoting South Africa's interests in the rules-based multilateral trade system
- Ensuring compliance with international non-proliferation treaties
- Conducting world-class global trade and economic analysis
- Managing South Africa's tariff regime; and
- Building a competent and effective institution to execute ITED's mandate, in cooperation with government, private sector, and civil society stakeholders.

Consumer and Corporate Regulation Division (CCRD)

CCRD's purpose is to develop and implement coherent, predictable and transparent regulatory solutions that provide access to redress for investors, inventors and consumers and that provide policy coherence and certainty, and efficient regulatory services for business.

CCRD will contribute to the realisation of **the dti's** strategic objectives by:

- Increasing access to economic opportunities for black businesses
- Increasing access to productive capital for small enterprises and the historically disadvantaged
- Creating an environment that enhances investor and inventor confidence and certainty
- Building strong consumers that drive competitiveness and innovation
- Creating an environment that promotes competitive and socially responsible businesses

The Enterprise Organisation (TEO)

TEO's Core function is development and administration of Finance products. TEO also makes inputs to policy, legislation and advice, information and partnerships. This division promotes investment in infrastructure, human resource development, value-added manufacturing and services, as well as technology and innovation through the efficient provision of effective and accessible supply-side incentives to enterprises.

TEO will contribute to the realization of **the dti's** strategic objectives by:

- Developing incentives in support of identified policies and sector strategies
- Efficiently administering **the dti's** incentive programmes
- Facilitating access to and impact of products and services rendered by TEO through a focused business development effort

Trade and Investment South Africa (TISA)

TISA's purpose is to provide strategic vision and direction to key growth sectors in the economy, increase the level of direct investment flow, and develop South Africa's capacity to export into various markets.

TISA will contribute to the realisation of **the dti's** strategic objectives by:

- Providing an efficient and effective investment facilitation service for local and foreign investors;
- Identifying, packaging and promoting investment opportunities;
- Identifying, researching and promoting market access opportunities for South African exporters;
- Facilitating exports by matching potential exporters with foreign buyers;
- Developing South African exporters through the provision of financial and non-financial support; and
- Leading the development and implementation of customised sector programmes in **the dti's** priority sectors.

D

Marketing Division

Marketing's purpose is promote the take-up of **the dti's** products and services by economic citizens through effectively packaging, branding and distributing these products and services and in this way to position **the dti** in the minds of economic citizens as their partner in the economy.

Marketing will contribute to the realisation of **the dti's** strategic objectives by:

- Positioning **the dti** and **the dti** Group in the minds of economic citizens as a partner for economic development;
- Marketing's purpose is promote the take-up of **the dti's** products and services by economic citizens through effectively packaging, branding and distributing these products and services and in this way to position **the dti** in the minds of economic citizens as their partner in the economy.

GSSSD

GSSSD's purpose is to design, facilitate and implement dti-wide operational management systems so as to enable **the dti** group to deliver on the organizational objectives and achieve legislative and regulatory compliance.

GSSSD will contribute to the realisation of **the dti's** strategic objectives by:

- Designing and implementing an integrated HR strategy that enables the divisions to meet **the dti's** objectives
- Establishing a single point of entry for group operations management service centre that allows for effective ticket tracking and resolution
- Establishing and maintaining operational policies and procedures that infuse the culture of "new ways of working"
- Reducing turn-around time by 50% on critical business processes through increased process improvement, expertise and automation, across key areas in **the dti**
- Pro-actively marketing the service offerings and achievements of GSSSD
- Positioning **the dti** and **the dti** Group in the minds of economic citizens as a partner for economic development.
- Raising environmental awareness among employees.