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**GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS**

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**DEPARTMENT OF ENVIRONMENTAL AFFAIRS**

NO. 991

21 SEPTEMBER 2018

**NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998  
(ACT NO. 107 OF 1998)****AMENDMENTS TO FINANCIAL PROVISION REGULATIONS, 2015**

I, Derek Andre Hanekom, Minister of Environmental Affairs (Acting), hereby amend the Financial Provisioning Regulations, 2015 in terms of section 44(aE), (aF), (aG), (aH) read with sections 24(5)(b)(ix), 24(5)(d), 24N, 24P and 24R of the National Environmental Management Act, 1998 (Act No.107 of 1998) as set out in the Schedule hereto.



**DEREK ANDRE HANEKOM  
MINISTER OF ENVIRONMENTAL AFFAIRS (ACTING)**

## SCHEDULE

### Definition

1. In these Regulations, any word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned, and

**"the Regulations"** means the Financial Provisioning Regulations, 2015, published under Government Notice No. R. 1147 of 20 November 2015; and

**"Environmental Impact Assessment Regulations, 2014"** means the Environmental Impact Assessment Regulation published under Government Notice R1982 in Gazette 38282 of 4 December 2014, as amended.

### Insertion of regulation 17B in the Regulations

2. The following regulations is hereby inserted in the Regulations after regulation 17A:

#### **"17B. Extension of the transitional period**

Unless regulation 17A applies, a holder, or holder of a right or permit who applied for such right or permit prior to 20 November 2015, regardless when the right was obtained—

- (a) must by no later than 19 February 2020 comply with these Regulations; and
- (b) shall, until 19 February 2020, be regarded as having complied with the provisions of these Regulations if such holder has complied with the provisions and arrangements regarding financial provisioning, approved as part of the right issued in terms of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002).

### Amendment of regulation 17(6), (7), (9), (10) and regulation 18(2)

3. Any reference, in subregulation 17(6), (7), (9) or (10) and regulation 18(2), to subregulation 17(5) must be read as a reference to subregulation 17A or 17B, as the case may be.

### Repeal of Notice No. 1314 of Government Gazette 40371 of 26 October 2016

4. Notice No. 1314 of Government Gazette 40371 of 26 October 2016 is hereby repealed.





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