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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

NO. 2688

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NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998)**AMENDMENT OF THE ENABLING PROVISION UNDER WHICH THE REGULATIONS LAYING DOWN THE PROCEDURE TO BE FOLLOWED FOR THE ADOPTION OF SPATIAL TOOLS OR ENVIRONMENTAL MANAGEMENT INSTRUMENTS HAS BEEN MADE**

I, Barbara Dallas Creecy, Minister of Forestry, Fisheries and the Environment, hereby amend the enabling provision for the Regulations laying down the procedure to be followed for the adoption of spatial tools and environmental management instruments, as published under Government Notice No. 542, in Government Gazette No. 42380 of 5 April 2019, by the substitution for section 24(5)(bB) of section 24(5)(bA) of the National Environmental Management Act, 1998 (Act No. 107 of 1998).

The reason for the amendment is that section 24(5)(bB) of the National Environmental Management Act, 1998 (Act No. 107 of 1998) will be repealed by the National Environmental Management Laws Amendment Act, 2002 (Act No. 2 of 2022) when this Amendment Act comes into operation.

Section 24(5)(bA) provides that the Minister or an MEC with the concurrence of the Minister may make regulations consistent with section 24(4), laying down the procedure to be followed for the preparation, evaluation, adoption and review of prescribed environmental management instruments and is therefore an appropriate enabling provision. Section 24(5)(bB) is a duplication of section 24(5)(bA), and therefore section 24(5)(bB) will be repealed.

Anything that was done in terms of the Regulations laying down the procedure to be followed for the adoption of spatial tools and environmental management instruments, prior to the amendment of the enabling provision, remains valid and in effect.

This amendment of the enabling provision by the substitution for section 24(5)(bB) of section 24(5)(bA) of the National Environmental Management Act, 1998 (Act No. 107 of 1998), will come into operation on the same date than when the National Environmental Management Laws Amendment Act, 2002 (Act No. 2 of 2022) comes into operation.



BARBARA DALLAS CREECY
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

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