# **GENERAL NOTICE**

#### NOTICE 1029 OF 2009

#### DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM

#### NATIONAL ENVIRONMENTAL MANAGEMENT: PROECTED AREAS ACT, 2003 (ACT NO. 57 OF 2003)

#### PROPOSED REGULATIONS FOR THE PROPER ADMINISTRATION OF NATURE RESERVES

I, Buyelwa Patience Sonjica, Minister of Water and Environmental Affairs, hereby give notice of my intention to, under paragraph (1) of section 53, read with paragraph (3) of section 57 of the Act, make the regulations in the schedule.

An electronic copy of the proposed regulations may be requested from the following person:

Dr. G I Cowan Tel : (012) 310 3701 E-mail : <u>gcowan@deat.gov.za</u>

Members of the public are hereby invited to submit to the Minister, within 60 days of publication of the notice in the *Gazette*, written comments on the draft regulations to the following addresses:

By post to: The Director-General: Environmental Affairs Attention: Dr G.I.Cowan Private Bag X447 Pretoria, 0001

Or hand delivered at 315 Pretorius Street, Corner Pretorius and Van Der Walt Streets, Fedsure Forum Building, 2nd Floor, North Tower.

By fax to: (012) 320-1243, and by e-mail to gcowan@deat.gov.za

Any questions relating to the draft regulations can be directed to Dr G.I.Cowan at (012) 310-3701.

Comments received after the closing date may not be considered.

DNO TU

BUYELWA SONJICA MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS

## SCHEDULE

### TABLE OF CONTENTS

1. Definitions

### CHAPTER 1

### REGULATIONS FOR MATTERS PRESCRIBED IN TERMS OF THE ACT

- 2. Application of regulations
- 3. Information for the Register of protected areas

## CHAPTER 2

### **DECLARATION OF NATURE RESERVES**

4. Declaration of nature reserves

### **CHAPTER 3**

### POWERS AND RESPONSIBILITIES OF MANAGEMENT AUTHORITIES

- 5 Functions
- 6. Commercial and community activities
- 7. Protected area notice
- 8. Recreational areas
- 9. Internal rules
- 10. Management plans
- 11. Planning

#### **CHAPTER 4**

#### ESTABLISHMENT OF ADVISORY COMMITTEES FOR NATURE RESERVES

- 12. Establishment of advisory committee
- 13. Procedure
- 14. Closing date for nominations

- 15. Composition
- 16. Mandate
- 17. Term of office

## **CHAPTER 5**

## BIODIVERSITY MANAGEMENT AND CONSERVATION IN NATURE RESERVES

18. Monitoring and reporting

### CHAPTER 6

### THE USE OF BIOLOGICAL RESOURCES IN NATURE RESERVES

- 19. Use of biological resources
- 20. Community based natural resources utilization
- 21. Authorization for use of biological resources
- 22. Collection of data

#### CHAPTER 7

#### ACCESS TO NATURE RESERVES

- 23. Access to nature reserve by user of biological resources
- 24. Admission
- 25. Entrance and accommodation fees
- 26. Points of entry and exit
- 27. Proof of entry
- 28. Safe entering
- 29. Staying overnight
- 30. Times of entry and travel
- 31. Vehicles

## CHAPTER 8

## USE OF WATER AREA IN A NATURE RESERVE

32. Permits for vessels

- 33. Bathing, diving and swimming
- 34. Safety ropes
- 35. Life saving apparatus
- 36. Water skiing

## CHAPTER 9

## **RESTRICTED ACTIVITIES**

- 37. Activities which may have an adverse effect in the nature reserve
- 38. Specified activities
- 39. Research and monitoring
- 40. Interference with soil or substrate
- 41. Restrictions on the use of biological resources in nature reserves
- 42. Grazing
- 43. Bio-prospecting
- 44. Buildings and improvements
- 45. French drains and pit latrines
- 46. Holiday resort, caravan park, camping or picnic site
- 47. Restrictions on Land and in airspace
- 48. Restrictions relating to water areas
- 49. Removal and dumping in water areas
- 50. Restrictions relating to pets in nature reserves
- 51. Firearms and dangerous weapons
- 52. General restrictions

## CHAPTER 10

### **PROHIBITED ACTIVITIES**

- 53. Prohibitions relating to vehicles
- 54. Prohibitions in relation to use of water area
- 55. Misuse of facilities
- 56. Prohibitions relating to development
- 57. Interference with management authority equipment
- 58. Littering and pollution

- 59. Pollution of water
- 60. Sense of place
- 61. General prohibitions

## CHAPTER 11

## OFFENCES AND PENALTIES

- 62. Offences
- 63. Lawful instructions
- 64. Eviction

### DEFINITIONS

### 1. Definitions

In these Regulations any word or expression to which a meaning has been assigned in the Act, shall have the meaning so assigned and, unless the context otherwise indicates—

"accommodation" means facilities of any nature for the accommodation of day and overnight visitors;

"aircraft" means an aircraft as defined in section 1 of the Act;

"alien species" has the meaning as assigned to it in the National Environmental Management: Biodiversity Act, 2004 (Act No 10 of 2004);

"angle/angling" means-

- (a) to catch fish by using a line and fish-hook, whether or not a rod is used; and
- (b) Includes the use of a landing-net to land, or a keep-net to keep fish caught in accordance with the method as described;