



SUMMARY OF RECENT ENVIRONMENTALLY RELATED BILLS CURRENTLY BEFORE PARLIAMENT IN 2013

1. National Environmental Management: Integrated Coastal Management Amendment Bill, No. 8 of 2013

Purpose/Object of the Bill	The Long Title of the Bill
<p>"The purpose of the Bill is to—</p> <ul style="list-style-type: none"> • ensure that CPP does not impact on the ownership of assets and operations of other organs of state; • expand the provisions on reclamation; • simplify the administration of coastal access fee approvals; • extend the powers of MECs to issue coastal protection notices and coastal access notices; • simplify and amend powers relating to coastal leases; • abolish the National Coastal Committee; • expand the powers of delegation by MEC's; • expand categories of activities requiring dumping permits; • provide for exemptions; • revise offences and increase penalties; and • make corrections." 	<p>"To amend the National Environmental Management: Integrated Coastal Management Act, 2008, so as to amend certain definitions; to clarify coastal public property and the ownership of structures erected on and in coastal public property; to remove the power to exclude areas from coastal public property; to clarify and expand the provisions on reclamation; to clarify definitions and terminology; to simplify the administration of coastal access fee approvals; to simplify and amend powers relating to coastal authorisations; to replace coastal leases and concessions with coastal use permits; to extend the powers of MECs to issue coastal protection notices and coastal access notices; to limit the renewal of dumping permits; to abolish the National Coastal Committee; to clarify the powers of delegation by MECs; to revise offences and increase penalties; to improve coastal authorisation processes; to provide for exemptions; to provide for transitional matters; to effect certain textual alterations; and to provide for matters connected therewith."</p>

2. Mineral and Petroleum Resources Development Amendment Bill, No. 15 of 2013

Purpose/Object of the Bill	The Long Title of the Bill
<p>"The main objective of the Bill is to amend the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002), as amended by the Mineral and Petroleum Resources Development Amendment Act, 2008 (Act No. 49 of 2008), to provide for, inter alia, strengthening of existing provisions relating to the implementation of Social and Labour Plans (SLP's) to augment and substantially increase the socio-economic development impact through mining, enhance the provision relating to the beneficiation of minerals as outlined in the approved beneficiation strategy,</p>	<p>"To amend the Mineral and Petroleum Resources Development Act, 2002, as amended by the Mineral and Petroleum Resources Development Act, 2008 (Act No.9 of 2008); so as to remove ambiguities that exist within the Act; to provide for the regulation of associated minerals, partitioning of rights and enhance provisions relating to beneficiation of minerals; to promote national energy security; to streamline administrative processes; to align the Mineral and Petroleum Resources Development Act with the Geoscience Act, 1993 (Act No. 100 of 1993), as amended by the Geoscience Amendment Act, 2010 (Act No. 16 of 2010); to provide for enhanced sanctions; to improve the regulatory system; and to provide for matters connected therewith."</p>

streamlining and integrating administrative processes relating to the licensing of rights to provide regulatory certainty, as well as providing for the State's active participation in petroleum development."	
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3. Merchant Shipping (International Oil Pollution Compensation Fund) Bill, No. 19 of 2013

Purpose/Object of the Bill	The Long Title of the Bill
<p>"The Bill seeks to enact the International Maritime Organization Protocol of 1992 to amend the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage of 1971 (the Fund Convention) into law. The Bill forms part of a package of measures designed to give effect to the Republic's obligations under the Fund Convention and the International Maritime Organization Protocol of 1992 to amend the International Convention on Civil Liability for Oil Pollution Damage, 1969 (the Civil Liability Convention). Parliament has already approved the two protocols under section 231(2) of the Constitution of the Republic of South Africa, 1996."</p>	<p>"To enact the International Maritime Organization Protocol of 1992 to amend the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage of 18 December 1971 into law; and to provide for matters connected therewith."</p>

4. Merchant Shipping (Civil Liability Convention) Bill, No. 20 of 2013

Purpose/Object of the Bill	The Long Title of the Bill
<p>"The Bill seeks to enact the International Maritime Organization Protocol of 1992 to amend the International Convention on Civil Liability for Oil Pollution Damage of 29 November 1969 (the Civil Liability Convention) into law. The Bill forms part of a package of measures designed to give effect to the Republic's obligations under the Civil Liability Convention and the International Maritime Organization Protocol of 1992 to amend the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1971 (the Fund Convention). Parliament has already</p>	<p>"To enact the International Maritime Organization Protocol of 1992 to amend the International Convention on Civil Liability for Oil Pollution Damage of 29 November 1969 into law; and to provide for matters connected therewith."</p>

approved the two protocols under section 231(2) of the Constitution of the Republic of South Africa, 1996 (the Constitution)."

5. National Environmental Management Amendment Bill, No. 26 of 2013

Purpose/Object of the Bill	The Long Title of the Bill
<p>"The purpose of the Bill is to amend certain provisions under the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA), the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) (NEMWA), and the National Environmental Management Amendment Act, 2008 (Act No. 62 of 2008) (NEMAA)."</p>	<p>"To amend the—</p> <ul style="list-style-type: none"> • National Environmental Management Act, 1998, so as to amend certain definitions and to define certain words and expressions; to revise the timeframes for the submission of comment on an application for environmental authorisation to the Minister of Mineral Resources; to empower the Minister of Mineral Resources to designate mineral resources inspectors within the Department of Mineral Resources to enforce compliance with environmental matters in so far as it relates to prospecting, mining, exploration, production activities; and to delete certain obsolete provisions; • National Environmental Management: Waste Act, 2008, so as to empower the Minister of Environmental Affairs to develop regulations on the management of residue stock piles and deposits on a prospecting, mining, exploration and production area; to empower the Minister of Mineral Resources to issue waste management licences for residue stock piles and deposits on a prospecting, mining, exploration or production area; • National Environmental Management Amendment Act, 2008, so as to provide for transitional arrangements with respect to appeals against a decision of the Minister of Mineral Resources on environmental matters in so far as it relates to prospecting, mining, exploration, production on a prospecting, mining, exploration or production area; and to delete certain provisions in order to enable the commencement of the National Environmental Management Amendment Act, 2008, provisions relating to prospecting, mining, exploration, production on a prospecting, mining, exploration or production area; and to provide for matters connected therewith."

6. National Environmental Management: Air Quality Amendment Bill, No. 27 of 2013

Purpose/Object of the Bill	The Long Title of the Bill
<p>"The objects of the Bill is to amend the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004) (the Act), so as to substitute certain sections; to align the establishment of the National Air Quality Advisory Committee with the requirements of the National Environmental Management Act, 1998; to change the timeframes on the submission of the priority area air quality management plan to the Minister for approval; to provide for the consequences of unlawful commencement of listed activity; to</p>	<p>"To amend the National Environmental Management: Air Quality Act, 2004, so as to substitute certain sections; to align the establishment of the National Air Quality Advisory Committee with the requirements of the National Environmental Management Act, 1998; to change the timeframes on the submission of the priority area air quality management plan to the Minister for approval; to provide for the consequences of unlawful commencement of the listed activity; to provide for monitoring and evaluation of and reporting on the implementation of the pollution prevention plan; to provide for the Minister as licensing authorities in situations where the province, as a delegated licensing authority by the municipality, is the applicant for an atmospheric emission licence, where the applications are trans-boundary, where the air activity forms part of national priority project, where the activity is also related to the environmental impact and waste management activities authorised by the Minister; to delete cross-references to the Environmental Conservation Act, 1989; to clarify that</p>

provide for monitoring, evaluation and reporting on the implementation of the pollution prevention plan; to provide for the Minister as licensing authorities in situations where the province, as a delegated licensing authority by the municipality, is the applicant for an atmospheric emission licence, where the applications are trans-boundary, where the air activity forms part of national priority project, where the activity is also related to the environmental impact and waste management activities authorised by the Minister; to delete cross references to the Environmental Conservation Act, 1989; to clarify that applications must be brought to the attention of interested and affected parties soon after the submission to the licensing authority; to provide for a validity period of provisional atmospheric emission licence; to clarify a criteria on fit and proper person for the purposes of applications for atmospheric emission licences; to create an offence for non-compliance with controlled fuels standards; to provide for the development of regulations on the procedure and criteria for administrative fines; and to delete certain obsolete provisions."

applications must be brought to the attention of interested and affected parties soon after the submission to the licensing authority; to provide for a validity period of provisional atmospheric emission licence; to clarify a criteria on fit and proper person for the purposes of applications for atmospheric emission licences; to create an offence for non-compliance with controlled fuels standards; to provide for the development of regulations on the procedure and criteria for administrative fines; to delete certain obsolete provisions; and to provide for matters connected therewith."

7. National Environmental Management: Protected Areas Amendment Bill, No. 28 of 2013

Purpose/Object of the Bill	The Long Title of the Bill
<p>"The objects of the Bill are to -</p> <ul style="list-style-type: none"> • provide for the declaration of marine protected areas; • provide for management of marine protected areas; • make transitional arrangements; <p>and</p> <ul style="list-style-type: none"> • generally bring the management of all aspects of marine protected area management under the purview of the protected areas regime in the Act." 	<p>"To amend the National Environmental Management: Protected Areas Act, 2003, so as to amend or insert certain definitions; to authorise the declaration of marine protected areas; to provide for the management of marine protected areas; to provide for transitional measures; and to effect certain textual alterations; and to provide for matters connected therewith."</p>

8. Marine Living Resources Amendment Bill, No. 30 of 2013

Purpose/Object of the Bill	The Long Title of the Bill
<p>“The purpose of the Marine Living Resources Amendment Bill, 2013, is to provide a legal framework for the implementation of the Policy for the Small-Scale Fisheries Sector (the Policy) in South Africa, published as Government Notice 474 in Government Gazette No. 35455 on 20 June 2012, and to transform the inequalities of the past fisheries system in the measures it introduces.”</p>	<p>“To amend the Marine Living Resources Act, 1998, so as to insert, amend or delete certain definitions; to amplify the objectives and principles provided for in that Act; to make provision for measures relating to small-scale fishing and for the powers and duties of the Minister in this regard; to effect technical amendments; and to provide for matters connected therewith.”</p>

9. National Environmental Management: Waste Amendment Bill, No. 32 of 2013

Purpose/Object of the Bill	The Long Title of the Bill
<p>“The purpose of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) (the “NEMWA”), is to reform the law regulating waste management in order to protect health and the environment by providing reasonable measures for the prevention of pollution and ecological degradation and for securing ecologically sustainable development. In this regard, the NEMWA provides for institutional arrangements and planning matters; the establishment of a national waste information system; national norms and standards for the management of waste by all spheres of government; licensing and control of waste management activities, as well as waste management measures and the remediation of contaminated land.”</p>	<p>“To amend the National Environmental Management: Waste Act, 2008, so as to substitute certain definitions; to clarify the spheres of government required to compile an integrated waste management plan; to provide for the exclusion of the provincial department responsible for waste management in the compilation of an industry waste management plan; to require the MEC responsible for waste management to act in concurrence with the Minister when requesting certain persons to compile and submit industry waste management plans; to establish a Waste Management Agency; to provide for the objects, funding, functions and Chief Executive Officer of the Waste Management Agency; to provide for the Board of the Waste Management Agency, the functions, meetings, remuneration and removal of Board members; to prescribe certain matters in relation to the Waste Management Agency; to provide for transitional arrangements regarding authorisations issued in terms of the Environment Conservation Act; and to provide for matters connected therewith.”</p>