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DEPARTMENT OF ENVIRONMENT, FORESTRY AND FISHERIES

NO. 627

03 JUNE 2020

**NATIONAL ENVIRONMENTAL MANAGEMENT: BIODIVERSITY ACT, 2004
(ACT NO. 10 OF 2004)****AMENDMENT OF THE ALIEN AND INVASIVE SPECIES LIST AND LIST OF CRITICALLY
ENDANGERED, ENDANGERED, VULNERABLE AND PROTECTED SPECIES**

I, Barbara Dallas Creecy, Minister of Environment, Forestry and Fisheries, hereby, under section 72, read together with sections 70(1)(a) and 58 of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004), amend the Alien and Invasive Species Lists, 2016, published under Government Notice No. 864 in *Government Gazette* No. 40166 of 29 July 2016, and the lists of Critically Endangered, Endangered, Vulnerable and Protected Species, published under Government Notice No. R151 in *Government Gazette* No. 29657 of 23 February 2007, as amended, as indicated in the Schedule hereto.

This notice comes into operation on a date determined by the Minister by notice in the *Gazette*.



**BARBARA DALLAS CREECY
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT**

SCHEDULE

Definitions

1. In this Schedule unless the context requires otherwise—

“**Biodiversity Act**” means the National Environmental Management: Biodiversity Act, 2004 (Act No.10 of 2004)

“**Rhinoceros Norms and Standards**” means the norms and standards pertaining to the marking of rhinoceros and rhinoceros horn, and the hunting of rhinoceros for trophy hunting purposes, promulgated in terms of section 9 of the Biodiversity Act.

Amendment of the Alien and Invasive Species List, published Government Notice No. 864 Government Gazette No. 40166 of 29 July 2016, in terms of sections 70(1) of the Biodiversity Act

2. The Alien and Invasive Species list is hereby amended by the deletion of species No. 12, *Diceros bicornis michaeli* Zukowsky, 1965 (Black Rhinoceros (Kenya)) in List 3: National List of invasive Mammal Species of Notice 3: National List of Invasive Species in terms of section 70(1) of the Biodiversity Act.

Amendment of the lists of critically endangered, endangered, vulnerable and protected species, published under Government Notice No. R. 151 in Government Gazette No. 29657 of 23 February 2007, as amended by Government Notice No. R1187 Government Gazette No. 30568 of 14 December 2007, in terms of section 56(1) of the Biodiversity Act

3. The following species is hereby inserted in the Category: Protected Species, Mammalia, of the lists of critically endangered, endangered, vulnerable and protected species, after *Crocuta crocuta* (Spotted Hyaena):

Scientific Name *Diceros bicornis michaeli*; Common Name Eastern black rhinoceros

Transitional Arrangements

4. (1) A person who, immediately prior to the coming into operation of this notice, carries out a restricted activity involving a specimen of a Black Rhinoceros (*Diceros bicornis michaeli*) under a permit issued in terms of Chapter 5 of the Biodiversity Act, must, within three months after the coming into operation of this notice, apply for a permit in terms of Chapter 4 of the Biodiversity Act.

- (2) A person who submitted an application for a permit in terms of Chapter 5 to carry out a restricted activity involving a specimen of a Black Rhinoceros (*Diceros bicornis michaeli*), must consider such an

application withdrawn and such a person must, within three months of the coming into operation of this notice, apply for a permit in terms of Chapter 4 of the Biodiversity Act.

(3) A person who, immediately prior to the coming into operation of this notice, carries out a restricted activity involving a specimen of a Black Rhinoceros (*Diceros bicornis michaeli*) without a permit issued in terms of Chapter 5 of the Biodiversity Act, must apply for and obtain a permit contemplated in Chapter 4 of the Biodiversity Act, within 30 days after the coming into operation of this notice.

(4) A person who intends to carry out a restricted activity involving a specimen of a Black Rhinoceros (*Diceros bicornis michaeli*), for which a permit is not required in terms of Chapter 5 of the Biodiversity Act, must apply for a permit in terms of Chapter 4 of the Biodiversity Act, if such restricted activity will be carried out more than three months after the coming into operation of this notice.

(5) A person who is in possession of or exercising physical control over a specimen of a Black Rhinoceros (*Diceros bicornis michaeli*), or who intends to hunt a specimen of a Black Rhinoceros (*Diceros bicornis michaeli*) must, within three months of the coming into operation of this notice, in addition to complying with Chapter 4 of the Biodiversity Act, comply with the provisions of the Rhinoceros Norms and Standards.

Short title and Commencement date

5. This notice is called the Amendment Notice to the Alien and Invasive Species Lists and the Critically endangered, endangered, vulnerable and protected species list, and comes into operation on a date determined by the Minister by notice in the *Gazette*.

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