



**environment, forestry  
& fisheries**

Department:  
Environment, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

**Ref: O2/1/5/2**

**NATIONAL ASSEMBLY**

**(For written reply)**

**QUESTION NO. 1027 {NW1317E}**

**INTERNAL QUESTION PAPER NO. 18 of 2020**

**DATE OF PUBLICATION: 29 May 2020**

**Ms H S Winkler (DA) to ask the Minister of Forestry, Fisheries and the Environment:**

- (1) Whether the Threatened or Protected Species (TOPS) regulations apply to species that are domestically farmed; if not, what is the position in this regard; if so,
- (2) Can TOPS species be commercially farmed for slaughter, consumption and export; if not, what is the position in this regard; if so, what are the relevant details?
- (3) What conservation legislation applies to wildlife that are commercially farmed and have been re-classified as domestic species?
- (4) What conservation legislation applies to the 33 wildlife species that were re-classified as livestock under the amendment to the Animal Improvement Act, Act 62 of 1998, that was gazetted on the 17 May 2019?

**1027. THE MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT REPLIES:**

- (1) Yes, the Threatened or Protected Species Regulations regulate specimens of any species that is listed as threatened or protected in terms of section 56(1) of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) (NEMBA), irrespective of whether the specimens occur in the wild, or are managed wild specimens, or are kept in captive facilities.

(2) A person may not carry out any restricted activity involving a specimen of a listed threatened or protected species without a permit issued in terms of Chapter 7 of NEMBA. The restricted activities include, amongst others; possession, hunting, selling, breeding, transporting and exporting from the country. In addition, the TOPS Regulations compel the registration of facilities, including, but not limited to, captive breeding facilities. Some TOPS species can, therefore, be bred and utilised for meat consumption and skins, subject to the requirements of veterinary health legislation and applicable provincial conservation legislation.


(3) All wildlife, whether managed in the wild or in captivity, are managed in terms of:

- NEMBA;
- TOPS Regulations;
- Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) Regulations;
- Norms and Standards issued in terms of NEMBA; and/or
- Provincial conservation legislation.

It must be noted that wildlife listed under the Animal Improvement Act, 1998 (Act No. 62 of 1998) (AIA) have not been re-classified as domestic species, even if they are commercially farmed, and, therefore, are still subject to the requirements of NEMBA and provincial conservation legislation.

(4) Refer to the response to Question No. 3 above.

**Regards**



**MS B D CREECY, MP  
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT**

**DATE: 12/6/2020**