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## GOVERNMENT NOTICE

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### DEPARTMENT OF ENVIRONMENTAL AFFAIRS

No. R. 614

2 August 2012

#### **NATIONAL ENVIRONMENTAL MANAGEMENT: BIODIVERSITY ACT, 2004 (ACT NO. 10 OF 2004) AMENDMENT TO THE THREATENED OR PROTECTED SPECIES REGULATIONS, 2007**

I, Bomo Edith Edna Molewa, Minister of Water and Environmental Affairs, hereby in terms of section 97 of the National Environmental Management: Biodiversity Act, 2004 (Act No.10 of 2004), made the regulations in the Schedule hereto.



**BOMO EDITH EDNA MOLEWA  
MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS**

## SCHEDULE

### Definitions

1. In these regulations—  
“**the Regulations**” means the Threatened or Protected Species Regulations, 2007 published in Gazette No. 29657, Notice No. R. 152 of 23 February 2007, as amended by Notice No. R. 69 of 28 January 2008, published in Gazette No. 30703, as amended by Notice No. R. 209 of 27 February 2009, published in Gazette No. 31962, as amended by Notice No. R. 210 of 27 February 2009, published in Gazette No. 31963, as amended by Notice No. R. 576 of 11 July 2011, published in Gazette No. 34453.

### Amendment of Regulation 1 of the Regulations

2. Regulation 1 of the Regulations is hereby amended by the substitution for the definition of “**provincial department**” of the following definition:  
“**‘provincial department’** means the provincial department or provincial organ of state responsible for the conservation of biodiversity in a province;”.

### Amendment of Regulation 3 of the Regulations

3. Regulation 3 of the Regulations is hereby amended by—
  - (a) the substitution for subregulation (2) of the following subregulation:  
“(2) The Minister is the issuing authority for permits relating to the carrying out of restricted activities involving any listed threatened or protected species—
    - (a) in a national protected area;
    - (b) by an official of an organ of state;
    - (c) that are marine species, including listed threatened or protected marine species in marine protected areas;
    - (d) by an organ of state for the control of damage causing animals originating from protected areas or private land in compliance with regulation 14.”;

(b) the substitution for subregulation (3) of the following subregulation:

"(3) The MEC is designated as an issuing authority for permits relating to the carrying out of restricted activities involving specimens of any listed threatened or protected species, excluding permits relating to—

- (a) restricted activities carried out in a national protected area;
- (b) restricted activities carried out by an official of an organ of state;
- (c) listed threatened or protected marine species;
- (d) the control of damage causing animals by an organ of state originating from protected areas or private land in compliance with regulation 14."

**Repeal of regulations**

5. The following regulations of the Regulations are repealed:

- (a) regulation 25;
  - (b) subregulation (3) of regulation 71.
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