



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Ref:02/1/5/2

MINISTER

QUESTION NO. 173 FOR ORAL REPLY: NATIONAL COUNCIL OF PROVINCES

A draft reply to Ms C Labuschagne (Western Cape: DA) to the above-mentioned question is enclosed for your consideration.

**MS NOSIPHO NGCABA
DIRECTOR-GENERAL**

DATE:

DRAFT REPLY APPROVED/AMENDED

**MRS B E E MOLEWA, MP
MINISTER OF ENVIRONMENTAL AFFAIRS**

DATE:

NATIONAL COUNCIL OF PROVINCES

(For oral reply)

QUESTION NO. 173 {CO434E}

INTERNAL QUESTION PAPER NO. 27

DATE OF PUBLICATION: 18 October 2016

Ms C Labuschagne (Western Cape: DA) to ask the Minister of Environmental Affairs:

What role does her Department play in the process of granting applications for marine phosphate prospecting rights as they are processed by the Department of Mineral Resources?

173. THE MINISTER OF ENVIRONMENTAL AFFAIRS REPLIES:

All environment related aspects for mining applications are regulated through One Environmental System.

The Minister of Environmental Affairs sets the regulatory framework as far as it relates to prospecting, exploration, mining or primary processing and the ancillary activities. This is currently in the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA) and its subordinate legislation.

The Minister of Mineral Resources implements the provisions of NEMA and Mineral and Petroleum Resources Development Act (MPRDA) and the subordinate legislation, and this includes issuing or refusing environmental authorisations, issuing enforcement directives and all other environmental management provisions as they relate to prospecting, exploration, mining or primary processing and the ancillary activities.

The Minister of Environmental Affairs is the appeal authority for any such decision made by the Minister of Mineral Resources.

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