



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Ref: 02/1/5/2

MINISTER

QUESTION NO. 1361 FOR WRITTEN REPLY: NATIONAL ASSEMBLY

A draft reply to Mr M G P Lekota (Cope) 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 WATER AND ENVIRONMENTAL AFFAIRS**

DATE:

NATIONAL ASSEMBLY

(For written reply)

QUESTION NO. 1361 [NW1692E]

INTERNAL QUESTION PAPER NO. 19 of 2013

DATE OF PUBLICATION: 31 May 2013

Mr M G P Lekota (Cope) to ask the Minister of Water and Environmental Affairs:

Whether the Environment Conservation Act, Act 73 of 1989 (ECA), and regulations arising from the Act were enforced to ensure that mandatory environmental impact assessments (EIAs) for genetically modified organisms (GMOs) were being conducted over a continuous period; if not, why not; if so, (a) how many such EIAs were conducted in each year since 1989, (b) what were the outcomes of the mandatory EIAs and (c) where can any person access the results?

1361. THE MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS REPLIES:

The definition of a genetically modified organism (GMO) is an organism whose genome has been engineered in the laboratory in order to favour the expression of desired physiological traits or the production of desired biological products (source: *Encyclopedia Britannica*). The undertaking of/or genetic modification of any organism/s with the purpose of fundamentally changing the inherent characteristics of that organism constituted a listed activity in terms of the Environmental Impact Assessment (EIA) Regulations (GN R1182 and GN R1183 of 5 September 1997) as promulgated under the Environment Conservation Act, 1989 (Act No. 73 of 1989). This listed activity came into effect on 5 January 1998 and was defined as:

Activity Item 6:

The genetic modification of any organisms with the purpose of fundamentally changing the inherent characteristics of that organism.

Furthermore, section 78 of the National Environmental Management Biodiversity Act, 2004 (Act No. 10 of 2004) provides additional context in that it indicates that EIA's would be required if the GMO's in question would impact on indigenous biological diversity on the basis of referrals by the GMO Council. .

Accordingly, a Record of Decision (RoD) has to be obtained from the relevant authority prior to undertaking such an activity. The relevant authority (that is the competent national or provincial authority) is identified in terms of Regulation 4(2) and 4(3) of GN R1183 of 5 September 1997.

According to departmental records, no applications were received, as such no RoD's were issued by the Department of Environmental Affairs in terms of GN R1183 of 5 September 1997 or the subsequent EIA Regulations.

- (a) No EIA's were conducted in terms of the above legislation.
- (b) There were no outcomes as there were no applications in this regard that triggered the relevant legislative provisions.
- (c) No results are available.

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