

Government Gazette

REPUBLIC OF SOUTH AFRICA

Vol. 451 Cape Town 15 January 2003 No. 24251

THE PRESIDENCY

No. 97 15 January 2003

It is hereby notified that the President has assented to the following Act, which is hereby published for general information:-

No. 56 of 2002: National Environmental Management Amendment Act, 2002.



2 No. 24251	GOVERNMENT GAZETTE, 15 JANUARY 2003
Act No. 56, 2002	NATIONAL ENVIRONMENTAL MANAGEMENT AMENDMENT ACT, 2002
GENERAL EXH	PLANATORY NOTE:
[] Words in bold type in square brackets indicate omissions from existing enactments.
	Words underlined with a solid line indicate insertions in existing enactments.
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(English text signed by the President.) (Assented to 30 December 2002.)

ACT

To amend the National Environmental Management Act, 1998, so as to substitute a definition; and to provide for the prohibition, restriction or control of activities which are likely to have a detrimental effect on the environment; and to provide for matters connected therewith.

 \mathbf{B}^{E} IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

Amendment of section 1 of Act 107 of 1998

1. Section 1 of the National Environmental Management Act, 1998 (hereinafter referred to as the principal Act), is hereby amended by the substitution for the definition 5 of "activities" of the following definition:

" 'activities' [when used in Chapter 5 means] <u>includes</u> policies, programmes. plans and projects;".

Amendment of section 44 of Act 107 of 1998

2. Section 44 of the principal Act is hereby amended by the deletion in subsection (1) 10 after paragraph (a) of the word "and" and the insertion of the following paragraph:

"(*aA*) prohibiting, restricting or controlling activities which are likely to have a detrimental effect on the environment; and".

Amendment of long title of Act 107 of 1998

3. The long title of the principal Act is hereby amended by the insertion, before the 15 concluding phrase, of the following phrase:

"to provide for the prohibition, restriction or control of activities which are likely to have a detrimental effect on the environment;".

Short title and commencement

4. This Act is called the National Environmental Management Amendment Act, 2002. 20 and, subject to section 35(3)(1) of the Constitution, must be regarded as having taken effect on the date on which the principal Act took effect.