



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Ref: 02/1/5/2

MINISTER (ACTING)

QUESTION NO. 2652 FOR WRITTEN REPLY: NATIONAL ASSEMBLY

A draft reply to **Mr R K Purdon (DA)** to the above-mentioned question is enclosed for your consideration.

**MS NOSIPHO NGCABA
DIRECTOR-GENERAL**

DATE:

DRAFT REPLY APPROVED/AMENDED

**MR D A HANEKOM, MP
MINISTER OF ENVIRONMENTAL AFFAIRS (ACTING)**

DATE:

NATIONAL ASSEMBLY

(For written reply)

QUESTION NO. 2652 {NW2941E}

INTERNAL QUESTION PAPER NO. 29 of 2018

DATE OF PUBLICATION: 07 September 2018

Mr R K Purdon (DA) to ask the Minister of Environmental Affairs:

What are the details of (a) all litigation between her department and the National Council of Societies for the Prevention of Cruelty to Animals (i) in each of the past three financial years and (ii) since 1 April 2018, (b) the issues, charges and details of the case of each litigation and (c) the timeframes of each litigation?

2652. THE MINISTER OF ENVIRONMENTAL AFFAIRS REPLIES:

FINANCIAL YEAR	NO. OF MATTERS	DETAILS	RELIEF SOUGHT	TIME PERIODS
2015/2016	nil	n/a	n/a	n/a
2016/2017	nil	n/a	n/a	n/a
2017/2018	1	<p><u>NATIONAL COUNCIL OF SOCIETIES FOR THE PREVENTION OF CRUELTY TO ANIMALS VS THE MINISTER OF ENVIRONMENTAL AFFAIRS AND ANOTHER (LION BONES QUOTA)</u></p> <p>This is an application brought by the National Council of Societies for the Prevention of Cruelty to Animals (NSPCA). It is an application which seeks to review and set aside the decision made by the Minister of Environmental Affairs in respect to setting a quota (2017, 2018) on the number of lion bone skeletons, with or without the skulls that may be exported in a calendar year. The application is a PAJA review, alleging that the decision made on the quotas is administrative action.</p>	<p><u>The application is seeking an order in the following terms:</u></p> <p>PART A</p> <p>1 Prohibiting the first respondent and/or the second respondent from issuing permits for the exportation of lion bone pending the finalisation of Part B of the application,</p> <p>PART B</p> <p>1 Declaring unlawful and unconstitutional the determination of the quota for 2017, 2018 and any further extension of the lion bone exportation quota as indicated and presaged in the notice, issued on 28 June 2017.</p> <p>2 Reviewing and setting aside the quota under PAJA, alternatively under the Constitution.</p>	<p>Application received: 10.01.2018</p> <p>Notice to Oppose: 12.02.2018</p> <p>Record filed: 22.03.2018 (by agreement with applicants)</p> <p>The record of decision has been filed, along with a supplementary record. The NSPCA has not indicated formally whether they intend supplementing their papers. A “without prejudice” meeting was held between the Department of Environmental Affairs and its legal representatives, and the NSPCA and their legal representatives. The purpose and intention of the meeting was to explain to the NSPCA how the 2018 quota for the export of lion bones was established and to possibly reach a settlement out of court, however this could not be achieved.</p> <p>The NSPCA has since indicated its intention to supplement its papers and to join all the relevant permit holders and applicants for permits for the export of lion bones and to have the matter set down and to bring an urgent application in terms of Part A of the original application. We await such supplementation and set down from the NSPCA.</p>
From 01 April 2018	nil		n/a	n/a

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