



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

Ref: O2/1/5/2

NATIONAL ASSEMBLY

(For written reply)

QUESTION NO. 2266 {NW2681E}

INTERNAL QUESTION PAPER NO. 23 of 2022

DATE OF PUBLICATION: 10 June 2022

Mr D W Bryant (DA) to ask the Minister of Forestry, Fisheries and the Environment:

- (1) Following the meeting of the Portfolio Committee on Environment, Forestry and Fisheries held on 19 April 2022, by what date is it envisaged that the amended wellbeing clause in the National Environmental Management: Biodiversity Act, Act 10 of 2004, will come into effect;
- (2) whether she will furnish Mr D W Bryant with a copy of the Memorandum of Understanding (MOU) referred to between her department and the Department of Agriculture, Land Reform and Rural Development (DALRRD); if not, why not; if so, what are the relevant details;
- (3) what (a)(i) total number of meetings have been held with the DALRRD in terms of the MOU and (ii) were the dates of such meetings and (b) discussions have been held with the DALRRD regarding (i) the role of the National Council of Societies for the Prevention of Cruelty to Animals and (ii) standard operating procedures?

2266. THE MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT REPLIES:

- (1) The amendment to the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) (NEM:BA) to include empowering provisions relating to the well-being of wild animals cannot come into effect at this stage. These provisions form part of the National Environmental Management Laws Amendment Bill (NEMLA Bill), which has been passed by Parliament, but not yet signed and assented to by the President. The Department of Forestry,

Fisheries and the Environment (DFFE) is not in a position to provide an indication of when the NEMLA Bill will be signed and assented to. Once enacted, it still needs to be brought in effect. The DFFE will commence with that process as soon as the Act has been published in the *Government Gazette*.

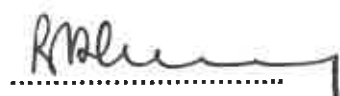
(2) A copy of the Memorandum of Understanding (MOU) is attached as Annexure A. The MOU highlights the key responsibilities of the DFFE and the Department of Agriculture, Land Reform and Rural Development (DALRRD), as well as priority areas of cooperation between the two departments. The objective of the MOU is to enhance cooperation between the two departments, including their respective entities, in the execution of their functions.

(3)(a)(i) & (ii) One meeting was held on 04 May 2022 between DFFE, SANParks and DALRRD to discuss land claims and a brief discussion took place on the progress regarding the development of the Implementation Plan which will give effect to the objective of the MOU. DFFE and DALRRD Officials are in consultation to develop an Implementation Plan.

(b)(i) DALRRD is in the process of developing a draft National Animal Welfare Bill, and DALRRD is yet to consult with DFFE in that respect. The role of the National Council of Societies for the Prevention of Cruelty to Animals (NSPCA) is currently outlined in terms of Animal Protection Act which is administered by DALRRD.

(b)(ii) The DFFE has developed a standard operating procedure in consultation with the NSPCA and provincial conservation authorities, which focuses exclusively on collaboration on compliance and enforcement aspects. DFFE has held no discussions with the DALRRD regarding the development of standard operating procedures to clarify the NSPCA's roles and responsibilities as DALRRD is engaged in the Animal Welfare Bill for which DFFE is awaiting to be consulted on by DALRRD.

Regards



**MS B D CREECY, MP
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT**

DATE: 24/6/2022