



**forestry, fisheries  
& the environment**

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

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Ref: O2/1/5/2

**NATIONAL ASSEMBLY**

**(For written reply)**

**QUESTION NO. 1330 {NW1530E}**

**INTERNAL QUESTION PAPER NO. 13 of 2023**

**DATE OF PUBLICATION: 21 April 2023**

**Mr N Singh (IFP) to ask the Minister of Forestry, Fisheries and the Environment:**

- (1) With regard to Government Gazette Notice 3238, what (a) were the reasons that an undisclosed settlement amount was ordered to be paid to both (i) Wildlife Ranching South Africa and (ii) Professional Hunter's Association of South Africa and (b) was the settlement amount in each case;
- (2) how will the legal challenge to the amended Threatened or Protected Species list affect the attempts to close down the captive lion breeding industry?

**1330. THE MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT REPLIES:**

1. (a) The revised Threatened or Protected Species (TOPS) Regulations and revised TOPS list were published in the *Government Gazette*, No. 47984 of 03 February 2023, for implementation, with the commencement date determined for 01 April 2023. Subsequent to this publication, Wildlife Ranching South Africa (WRSA) and the Professional Hunters Association of South Africa (PHASA) jointly brought an urgent application on 09 March 2023 to the High Court of South Africa, Gauteng Division, Pretoria, for an interdict to suspend the operation of the revised TOPS Regulations and revised TOPS list.

Due to the urgent timeframe of the interdict application, the department required additional time to consider the various issues raised in the court application. For this reason, the Minister of Forestry, Fisheries and the Environment agreed to withdraw the revised TOPS Regulations and its associated revised TOPS list. An out-of-court settlement was reached between the parties, which was then made an order of the court on 28 March 2023.

(b) The settlement did not involve any settlement amount to be paid to either WRSA or PHASA. In terms of the order dated 28 March 2023, the department was ordered to pay the legal cost of WRSA and PHASA to be determined by the Taxing Master of the High Court.

2. The substantial amendment of the TOPS Regulations of 2007 was concluded prior to processes such as the Colloquium on Captive Lion Breeding for Hunting in South Africa: Harming or Promoting the Conservation Image of the Country, which was hosted in 2018 by the Portfolio Committee on Environmental Affairs. It was also concluded prior to the appointment in 2019 of the High-Level Panel to review policies, legislation and practices relating to the management, hunting, breeding, trade and handling of elephants, rhinoceros, lions and leopards. As a result, the withdrawn revised TOPS Regulations do not contain provisions to end the captive lion industry. To enable the achievement of this outcome, the necessary supporting policies and legislative requirements need to be put in place, and processes are already underway.



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

DATE: 2/5/2023