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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF ENVIRONMENT, FORESTRY AND FISHERIES

NO. 371

22 April 2021

**NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998
(ACT NO. 107 OF 1998)****AMENDMENT TO FINANCIAL PROVISION REGULATIONS, 2015, AS AMENDED**

I, Barbara Dallas Creecy, Minister of Forestry, Fisheries and the Environment hereby consult on the intention to amend the transitional arrangements contained in the Financial Provisioning Regulations, 2015, as amended, in terms of section 44(1)(aE), (aF), (aG), (aH), read with sections 24(5)(b)(ix), 24(5)(d), 24N, 24P and 24R of the National Environmental Management Act, 1998 (Act No.107 of 1998) as set out in the Schedule hereto.

Members of the public are invited to submit written comments or inputs, within 30 days of the publication of this Notice in the *Government Gazette*, to the following address:

By post to: The Director-General
 Department of Environment, Forestry and Fisheries
 Attention: Dr Dee Fischer
 Private Bag X447
 PRETORIA
 0001

By hand at: Reception, Environment House, 473 Steve Biko Road, Arcadia, 0083
By e-mail: dfischer@environment.gov.za
Enquiries: Dr Dee Fischer 012 399 8843

Please note that due to the COVID-19 Pandemic, delivering comments by hand at the Department is discouraged, and anyone entering the Department's buildings will be subjected to COVID-19 procedures.

Comments or inputs received after the closing date may not be considered.



**BARBARA DALLAS CREECY
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT**

SCHEDULE

Definition

1. In these Regulations, any word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned, and

“the Regulations” means the Financial Provisioning Regulations, 2015, published under Government Notice No. R. 1147 in *Government Gazette* No. 39429 of 20 November 2015, as amended by Government Notice No. 1314, published in *Government Gazette* No. 40371 of 26 October 2016, Government Notice No. R. 452, published in *Government Gazette* No. 41584 of 20 April 2018, Government Notice No. 991, published in *Government Gazette* No. 41921 of 21 September 2018 and Government Notice No. 24, published in *Government Gazette* No. 42956 on 17 January 2020.

Substitution of regulation 17B in the Regulations

2. Regulation 17B of the Regulations is hereby substituted for the following regulation:

“17B Extension of the transitional period

Unless regulation 17A applies, a holder, or holder of a right or permit who applied for such right or permit prior to 20 November 2015, regardless when the right or permit was obtained-

- (a) must by no later than 19 June 2022 comply with these Regulations; and
- (b) shall, until 19 June 2022, be regarded as having complied with the provisions of these Regulations, if such holder has complied with the provisions and arrangements regarding financial provisioning, approved as part of the right or permit issued in terms of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002).”

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