

**Section 75 - Changes proposed in the following sections
(as presented at the public hearings in August 2003)**

Where: AnnB – Annexure B of unattached document; AWC – Animal welfare community, BS – Botanical Society; CM - Chamber of Mines; E12 – Environmental 12 Consortium; FOT – Friends of the Tahr; GSLWPA – Greater St Lucia Wetland Park Authority; GTZ – GTZ Transform; HC – Habitat Council; KOBIO – Kogelberg Biosphere Reserve; LRC – Legal Resources Center; LRCS – Lourens River Conservation Society; RC – Richtersveld Community; SANParks – South African National Parks; WLS – Wildlife and Environment Society of South Africa; WF – Wilderness Foundation; Xwe – Xwe African Wild Life Investigation and Research Centre;

Sec	Change	Department's Recommendation	By
1	Definitions		
	"national park" means – (b) an area which was a lake [development] area in terms of the Lake Areas Development Act	Editorial accepted, change proposed to delete as part of national park, and to include under protected environment.	SANParks
20	Declaration of national parks		
(3)	Delete "respect of [private] land"	Agreed, will open clause up for other land (eg communal)	GTZ
21	Withdrawal of declaration or exclusion of part of national park		
(1)(b)	Delete "other party", and sub-section (2)	Will make the agreement look one sided, therefore more difficult to negotiate – rejected	BS
(2)	"If the agreement referred to in section 20(3) has come to an	This is covered by common law and normally defined in	GTZ, LRC

	<p>end through the effluxion of time or the Minister or MEC, or <u>any</u> other [the] party to an agreement [, withdraws from an agreement referred to in section 20(3),] <u>has lawfully terminated the agreement</u>, the Minister must withdraw the declaration in terms of which the land in question was declared a national park or part of an existing national park [if the Minister, or the other party to an agreement, withdraws from an agreement referred to in section 20(3)]."</p>	the agreement.	
47	Use of aircraft in special nature reserve, national park or world heritage site	Changes were effected in the Act, - for information only	
	<p>Extend clause to include</p> <p>(1) all protected areas;</p> <p>(2) to a level of 3000 feet -</p> <p>(3) above the highest point in the protected area</p>	<p>(1) special nature reserves, national parks and world heritage sites have been negotiated with the Civil Aviation Authority. They are willing to negotiate individual nature reserves with the relevant MEC, not provide a blanket clause;</p> <p>(2) level negotiated with CAA at 1500 feet, NCOP and National Assembly passed Act at 2500 feet above the highest point of the park, site or reserve.</p> <p>(3) Agreed</p>	WF, E12
(1)	Change 1500 [feet] <u>metres</u>	See above	SANParks

55	Functions (of SANParks)		
	Add: (m) <u>prevent and combat crime and carry out law enforcement in respect of any offence threatened or committed in any national park as prescribed by the Minister</u> (n) perform ...	Supported	SANParks
57	Composition (of SANParks board)		
	Make provision for person/s from the animal welfare community, with appropriate experience in wildlife management issues	No interest groups have been identified intentionally in order to allow for an effective but small board.	AWC, FOT
	Object to limiting the number of members of the board to 12	Rejected, the Board is to be kept lean and mean	Xwe
58	Qualifications (of SANParks board members)		
(2)	Add: (a) <u>has a criminal record; or</u> (b) <u>is disqualified under the Companies Act</u>	Unnecessary, covered in section 65	FOT