

PARLIAMENT OF THE PROVINCE OF THE WESTERN CAPE

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

FRIDAY, 18 SEPTEMBER 2020

COMMITTEE REPORT

(Negotiating mandate stage) Report of the Standing Committee on Agriculture, Environmental Affairs and Development Planning on the National Forests Amendment Bill [B 11B–2016] (NCOP), dated 15 September 2020, as follows:

The Standing Committee on Agriculture, Environmental Affairs and Development Planning, having considered the subject of the National Forests Amendment Bill [B 11B–2016] (NCOP) referred to it in accordance with Standing Rule 217, confers on the Western Cape’s delegation in the NCOP the authority to support the Bill. The Committee further proposes the following amendments:

1. Clause 2

Forests are prone to fires and in some instances it may be necessary to implement short-term solutions that require necessary steps to be taken and that may, at the outset, be regarded as taking a step backward, but in the long term will be beneficial to the environment and all persons.

It is submitted that the word “long term” be inserted on page 3, line 20, between the word “the” and the word “benefit”.

2. Clause 6

Section 15(3) of the Principal Act that deals with the effect of the declaration of protected trees, is silent on the use of electronic and social media in the publishing of key information.

It is submitted that reference is made to electronic and social media by inserting the words “as well as on electronic and social media” on page 4, line 32, after the word “nationally”.

3. Clause 9

The proposed addition specifically prohibits any mining activities within State forests with the exception if an existing agreement exists or in terms of applicable legislation.

Due to the significant impact of mining activities, it is submitted that this only be permitted for existing agreements, and under no other circumstance, as the inclusion of “applicable legislation” on page 5, line 16, is too broad and unclear.

It is submitted that the words “or (b) applicable legislation” be deleted.

4. Clause 15

Although the enabling provisions of appeals in respect of the insertion of clause 15 are accepted, it is submitted that consideration must be given to incorporating the detail, as well as the time frames, of the appeals process in the regulations and not in the Amendment Bill.