



18 September 2014

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Council for Trade in Services

Original: English

## NOTIFICATION PURSUANT TO ARTICLE III:3 OF THE WTO AGREEMENT ON TRADE IN SERVICES

The following notification from the delegation of South Africa, dated 12 September 2014, is being circulated to the members of the Council for Trade in Services.

### 1 MEMBER NOTIFYING

South Africa

### 2 NOTIFICATION UNDER ARTICLE(S)

Article III, paragraph 3, of the General Agreement on Trade in Services

### 3 DATE OF ENTRY INTO FORCE

2013

#### 3.1 Duration

Indefinite

### 4 AGENCY RESPONSIBLE FOR IMPLEMENTATION AND ENFORCEMENT OF THE MEASURE

National Department of Environmental Affairs (South Africa)

### 5 DESCRIPTION OF THE MEASURE

The National Environmental Laws Second Amendment Act, 2013 (Act no 30 of 2013) provides for the amendment of: the National Environmental Management Act, 1998, so as to amend certain definitions; to adjust the timeframes for the preparation of environmental implementation plans and environmental management plans; to provide for the process and procedure for submitting environment outlook reports; to empower the Minister or MEC to develop norms or standards for listed activities and non-listed activities; to empower the Minister to restrict or prohibit development in specified geographical areas; to empower the Minister to take a decision in place of the MEC under certain circumstances; to provide legal clarity on the applicability of section 24G to the unlawful commencement of a waste management activity under the National Environmental Management: Waste Act, 2008; to increase the section 24G administrative fines and to exclude payment of section 24G administrative fines for certain persons; to provide for no exemptions from the requirements to obtain an environmental authorisation; to adjust the provisions relating to the duty of care and remediation of environmental damage; to provide for textual amendments to the provisions on the powers of environmental management inspectors; to insert a provision to regulate products having a detrimental effect on the environment; to add provisions regarding the delivery of documents; to provide that the Act binds the State without any exception; and to correct certain obsolete provisions.

National Environmental Management: Biodiversity Act, 2004, so as to amend certain definitions; to effect certain textual amendments to the provisions on protection of species; to revise the purpose and application of Chapter 6; to revise the provisions in respect of the Bioprospecting Fund; to repeal the appeal provisions; to add offences and penalties; and to empower the Minister to declare amnesty in certain circumstances.

National Environmental Management: Air Quality Act, 2004, so as to align the penalties with other specific environmental management Acts; National Environment Management Laws Amendment Act, 2008, so as to correct an incorrect citation.

National Environmental Management: Protected Areas Act, 2009, so as to correct an incorrect citation, and to provide for matters connected therewith.

## **6 MEMBERS SPECIFICALLY AFFECTED**

None

## **7 TEXTS AVAILABLE FROM**

<http://www.environment.gov.za>

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