

# SCA halts fracking exploration in the Eastern Cape

The Supreme Court of Appeal (SCA) has ruled in the favour of Agri Eastern Cape and other stakeholders, that no fracking shall be allowed for the time being. The SCA found that the current regulations regarding shale gas development and exploration should be set aside, because the Minister of Mineral Resources had no power to draft these regulations.



Image source: [Gallo/Getty](#)

Only the minister of environmental affairs is responsible for these regulations and associated procedures.

"This ruling will have an immediate impact on shale gas development across South Africa and is a huge victory for agriculture," says Janse Rabie, Agri SA policy head: natural resources. "The question over the competency of the minister of mineral resources to make regulations on shale gas, created uncertainty regarding the management of water availability and pollution. This uncertainty has been the motivation for Agri SA to oppose the government's appetite for shale gas development."

The minister of mineral resources appealed against an earlier decision in the Eastern Cape High Court where Agri Eastern Cape President, Doug Stern successfully litigated that the existing regulations be set aside.

"Reckless fracking directly threatens agriculture, food security and the environment," says Stern. "We believe this victory is a victory for every South African."

"The victory shows that no regulation or policy is set in stone," says Omri van Zyl, Agri SA executive director. "Our member, Agri Eastern Cape's pro-active action protected the interests of agriculture across South Africa."

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