

Parliament revives environmental management amendment bill

Sitting at its first session of the Sixth Parliamentary term, the National Council of Provinces (NCOP) revived 15 Bills which were not finalised when the 5th term ended and had accordingly lapsed. The National Environmental Management Laws Amendment Bill (NEMLAA4 Bill) is one of the bills.



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The proceedings on the NEMLAA4 Bill should re-commence as from just prior to lapse. Webber Wentzel expects the NCOP to approve the NEMLAA4 Bill without any major changes, after which the NEMLAA4 Bill should be ready to be presented for Presidential signature.

The NEMLAA4 Bill is vitally important to the evolving environmental framework and the strengthening of the One Environmental System. To highlight a few change areas, it seeks to:

- revise the regulation of residue stockpiles and deposits by removing same from the ambit of the Waste Act and placing it under NEMA, together with necessary transitional provisions;
- extensively amend the financial provision empowering provision (section 24P of NEMA) which is needed for the replacement Financial Provisioning Regulations to be published in final form;
- extend the availability of the section 24G rectification process, but also to require the mandatory cessation of unlawful operations in rectification scenarios; and
- extend and clarify certain delegations of authority to municipal managers and to DMRE officials.

Webber Wentzel will continue to track the NEMLAA4 Bill's progress through the Parliamentary process.