

DEPARTMENT OF ENVIRONMENTAL AFFAIRS

NO. 988

21 SEPTEMBER 2018

NATIONAL ENVIRONMENTAL MANAGEMENT: BIODIVERSITY ACT, 2004
(ACT NO. 10 OF 2004)PROPOSED AMENDMENT OF THE ALIEN AND INVASIVE SPECIES LIST AND LIST OF CRITICALLY
ENDANGERED, ENDANGERED, VULNERABLE AND PROTECTED SPECIES

I, Bomo Edna Edith Molewa, Minister of Environmental Affairs, hereby under section 72 of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) give notice of my intention to amend the Alien and Invasive Species Lists, published in terms of sections 66(1), 67(1), 70(1)(a), 71(3) and 71A of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004), under Government Notice No. 864, Government Gazette No. 40166 of 29 July 2016, by the deletion of *Diceros bicornis michaeli* (Black rhinoceros (Kenya)), Species No.12, List 3: National List of Invasive Mammal Species of Notice 3: National Lists of invasive species, and under section 58 of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) amend the lists of Critically endangered, Endangered, Vulnerable and Protected Species published under Government Notice No. R.151, Government Gazette No. 29657 of 23 February 2007 by the insertion of Eastern black rhinoceros (*Diceros bicornis michaeli*) in Category: Protected Species, in the Schedule hereto.

Members of the public are invited to submit, within 30 days after the publication of the notice in the *Gazette*, written comments or inputs to the following addresses:

By post: The Director-General
Department of Environmental Affairs
Attention: Ms Magdel Boshoff
Deputy Director: Threatened or Protected Species Policy Development
Private Bag X447
PRETORIA
0001

By hand: Ground Floor (Reception), Environmental House, 473 Steve Biko Street, Arcadia, Pretoria, 0001.


By email: rhinohornregulations@environment.gov.za

Any enquiries in connection with the notice can be directed to Ms Magdel Boshoff at 012 399 9604.

The provisions of this notice must be read alongside the provisions of the following draft notices, which are also published in the *Government Gazette* for public participation:

- a) draft regulations relating to domestic trade in rhinoceros horn; and
- b) prohibition of the carrying out of certain restricted activities involving rhinoceros horn.

Comments received after the closing date may be disregarded.



BOMO EDNA EDITH MOLEWA
MINISTER OF ENVIRONMENTAL AFFAIRS

SCHEDULE

Definitions

1. In this Schedule unless the context requires otherwise—

“**Biodiversity Act**” means the National Environmental Management: Biodiversity Act, 2004 (Act No.10 of 2004)

“**Rhinoceros Norms and Standards**” means the norms and standards pertaining to the marking of rhinoceros and rhinoceros horn, and the hunting of rhinoceros for trophy hunting purposes, promulgated in terms of section 9 of the Biodiversity Act.

Amendment of the Alien and Invasive Species List, published under Government Notice No. 599 in Government Gazette No. 37886 of 01 August 2014, as amended by Government Notice No. 864 Government Gazette No. 40166 of 29 July 2016, in terms of sections 70(1), 71(3) and 71A of the Biodiversity Act

2. The Alien and Invasive Species list is hereby amended by the deletion of species No. 12, *Diceros bicornis michaeli* Zukowsky, 1965 (Black Rhinoceros (Kenya)) in List 3: National List of invasive Mammal Species of Notice 3: National List of Invasive Species in terms of section 70(1) of the Biodiversity Act.

Amendment of the lists of critically endangered, endangered, vulnerable and protected species, published under Government Notice No. R. 151 in Government Gazette 29657 of 23 February 2007, as amended by Government Notice R1187 Government Gazette 30568 of 14 December 2007, in terms of section 56(1) of the National Environmental Management Biodiversity Act,2004 (Act No. 10 of 2004)

3. The following species is hereby inserted in the Category: Protected Species, Mammalia, of the lists of critically endangered, endangered, vulnerable and protected species, after *Crocuta crocuta* (Spotted Hyaena):

Scientific Name *Diceros bicornis michaeli*; Common Name Eastern black rhinoceros

Transitional Arrangements

4. (1) A person who, immediately prior to the coming into operation of this notice, carries out a restricted activity involving a specimen of a Black Rhinoceros (*Diceros bicornis michaeli*) under a permit issued in terms of Chapter 5 of the Biodiversity Act, must, within three months after the coming into operation of this notice, apply for a permit in terms of Chapter 4 of the Biodiversity Act.

(2) A person who submitted an application for a permit in terms of Chapter 5 to carry out a restricted activity involving a specimen of a Black Rhinoceros (*Diceros bicornis michaeli*), must consider such an application withdrawn and such a person must, within three months of the coming into operation of this notice, apply for a permit in terms of Chapter 4 of the Biodiversity Act.

(3) A person who, immediately prior to the coming into operation of this notice, carries out a restricted activity involving a specimen of a Black Rhinoceros (*Diceros bicornis michaeli*) without a permit issued in terms of Chapter 5 of the Biodiversity Act, must apply for and obtain a permit contemplated in Chapter 4 of the Biodiversity Act, within 30 days after the coming into operation of this notice.

(4) A person who intends to carry out a restricted activity involving a specimen of a Black Rhinoceros (*Diceros bicornis michaeli*), for which a permit is not required in terms of Chapter 5 of the Biodiversity Act, must apply for a permit in terms of Chapter 4 of the Biodiversity Act, if such restricted activity will be carried out more than three months after the coming into operation of this notice.

(5) A person who is in possession of or exercising physical control over a specimen of a Black Rhinoceros (*Diceros bicornis michaeli*), or who intends to hunt a specimen of a Black Rhinoceros (*Diceros bicornis michaeli*) must, within three months of the coming into operation of this notice, in addition to complying with Chapter 4 of the Biodiversity Act, comply with the provisions of the Rhinoceros Norms and Standards.

Short title and Commencement date

5. This notice is called the notice amending the alien and invasive species list and the lists of critically endangered, endangered, vulnerable and protected species, and comes into operation on a date determined by the Minister by notice in the *Gazette*.

