

(11 March 2016 – to date)

NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT 39 of 2004

(Gazette No. 27318, Notice No. 163. Commencement date: 11 September 2005 – save for sections 21, 22, 36 to 49, 51(1)(e), 51(1)(f), 51(3), 60 and 61 [Government Notice R898, Gazette No. 28016]

REGULATIONS PRESCRIBING THE ATMOSPHERIC EMISSION LICENCE PROCESSING FEE, 2016

*Government Notice 250 in Government Gazette 39805 dated 11 March 2016. Commencement date:
11 March 2016.*

I, Bomo Edith Edna Molewa, Minister of Environmental Affairs, hereby make regulations prescribing the atmospheric emission licence processing fee in terms of sections 53(o), 37(2)(a), 44(3)(a), 45(1) and 47(3)(a) of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004), as set out in the Schedule hereto.

(Signed)

BOMO EDITH EDNA MOLEWA
MINISTER OF ENVIRONMENTAL AFFAIRS

SCHEDULE

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1. Definitions

In these Regulations any word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned, and unless the context otherwise indicates—

"applicant" means any person who has submitted an application;

"application" means an application for an atmospheric emission licence submitted in terms of Chapter 5 of the Act;

"application for new atmospheric[sic] emission licence" means an application in terms of section 37 of the Act;

"application for atmospheric[sic] emission licence renewal" means an application in terms of section 47 of the Act;

"application for atmospheric[sic] emission licence review" means an application in terms of section 45 of the Act;

"application for atmospheric[sic] emission licence transfer" means an application in terms of section 44 of the Act; and

"prescribed processing fee" means a fee payable to the licensing authority for an application contemplated in Chapter 5 of the Act;

"proof of payment" includes a receipt, a stamped deposit slip, electronic fund transfer copy or a payment advice;

"the Act" means the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004).

2. Purpose of regulations

- (1) The purpose of these regulations is to prescribe the atmospheric emission licence processing fees as contemplated in Chapter 5 of the Act.

3. Prescribed processing fees

- (1) The processing fee for an atmospheric emission licence application is as indicated in the Annexure A to these regulations.

4. Payment

- (1) The applicant must pay the prescribed processing fees, as indicated in the Annexure A, before or on the date of the submission of the application or as directed by the licensing authority.
- (2) The applicant must attach proof of payment to the application form submitted to the licensing authority.
- (3) In the instance where an application is refused in terms of section 40(1)(b) or the application is withdrawn, the fee will not be refunded.

5. Short title

These regulations are called the Regulations prescribing the atmospheric emission licence processing fee, 2016.

ANNEXURE A

Application for new atmospheric[sic] emission licence	Application for the atmospheric[sic] emission licence review	Application for atmospheric[sic] emission licence renewal	Application for atmospheric[sic] emission licence transfer
R10 000 per listed activity	R10 000 per listed activity under review	R5 000 per listed activity	R2 000