

NOTICE 550 OF 2015**DEPARTMENT OF ENVIRONMENTAL AFFAIRS****NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT, 2004
(ACT NO. 39 OF 2004)****DRAFT REGULATIONS PRESCRIBING THE ATMOSPHERIC EMISSION LICENCE PROCESSING
FEE**

I, Bomo Edith Edna Molewa, Minister of Environmental Affairs, hereby give notice of my intention to make regulations, under sections 53(o), 37(2)(a), 44(3)(a), 45(1) and 47(3)(a) read with section 57(1) of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004), set out in the Schedule hereto.

Members of the public are invited to submit to the Minister, within 30 (thirty) days after the publication of the notice in the *Gazette*, written representations or objections on the draft regulations prescribing the atmospheric emission licence processing fee to the following addresses:

By post to: The Director-General
 Department of Environmental Affairs
 Attention: Adv Avhantodi Munyai
 Private Bag X447
 PRETORIA
 0001

By hand at: 473 Steve Biko Street, Environment House, Arcadia, Pretoria.

By e-mail: amunyai@environment.gov.za.

Any inquiries in connection with the notice can be directed to Ms Elizabeth Masekoameng at 012 399 9202 or Adv Avhantodi Munyai at 012 399 9211.

Comments received after the closing date may not be considered.



BOMO EDITH EDNA MOLEWA
MINISTER OF ENVIRONMENTAL AFFAIRS

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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;

“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; and

“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 fee to be used by the licensing authorities as contemplated in Chapter 5 of the Act.

3. Prescribed processing fees

- (1) The processing fees for an atmospheric emission license application are as indicated in the Annexure to these regulations.

4. Payment

- (1) The applicant must pay the prescribed processing fees, as indicated in the Annexure, before or on the date of the submission of the application to 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-
 - (a) is refused , but the correct prescribed fee was paid; or
 - (b) is withdrawn,the fee will not be refunded

5. Review of the prescribed processing fee

- (1) These regulations must be reviewed by the Minister at intervals of not more than 5 years from the date of commencement of these regulations.
- (2) The Minister may, when necessary, amend these regulations
- (3) The Minister must follow a consultative process in accordance with sections 56 and 57 of the Act before any amendment to these regulations can occur.

6. Short title and commencement

These regulations are called the Regulations prescribing the atmospheric emission licence processing fee, 2015

ANNEXURE

The processing fees are prescribed as follows:

Number of S21 listed activities (sub cat)	New application	Review	Renewal	Transfer
1 listed activity	R20 000,00	R10 000,00	R20 000,00	R2 000,00
2 listed activities	R50 000,00	R25 000,00	R50 000,00	R2 000,00
3 listed activities	R150 000,00	R75 000,00	R150 000,00	R2 000,00
4 and more listed activities	R400 000,00	R200 000,00	R400 000,00	R2 000,00