

(14 May 2012 - to date)

## NATIONAL ENVIRONMENTAL MANAGEMENT: BIODIVERSITY ACT 10 OF 2004

*(Gazette No. 26436, Notice No. 700. Commencement date: 1 September 2004 – unless otherwise indicated.*

### PROHIBITION OF TRADE IN CERTAIN *ENCEPHALARTOS* (CYCAD) SPECIES

*Published under Government Notice R371 in Government Gazette 35344. Commencement date: 14 May 2012.*

#### DEPARTMENT OF ENVIRONMENTAL AFFAIRS

I, Bomo Edith Edna Molewa, Minister of Water and Environmental Affairs, hereby, in terms of section 57(2) of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) prohibit the restricted activities, involving the listed threatened or protected species, in the Schedule hereto.

**(Signed)**

**BOMO EDITH EDNA MOLEWA**

**MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS**

#### SCHEDULE

##### 1. DEFINITIONS

“**conservation purposes**” means the purpose of carrying out the restricted activities is primarily aimed at ensuring the survival of the species in the wild in accordance with an approved conservation strategy, research program or a Biodiversity Management Plan, and may include the collection of specimens to establish re-introduction programs;

“**enforcement purposes**” means the purpose of carrying out the restricted activities is aimed at the process of enforcing the legal requirements of the Act and may include the confiscation, possession and movement of specimens by enforcement officials.

##### 2. PROHIBITIONS

(1) The following restricted activities involving wild specimens of listed threatened or protected *Encephalartos* species, unless if required for conservation or enforcement purposes:

- (a) Collect, pluck, uproot, destroy;
- (b) Export from the Republic of South Africa, sell, trade, buy;
- (c) Receive, give, donate, accept, acquire, dispose;

- (d) Import into the Republic of South Africa, convey, move, translocate; or
  - (e) Possess, exercise physical control (except where permits have been issued, prior to the publication of this notice, for plants that form part of legally obtained parental stock).
- (2) The following restricted activities involving artificially propagated specimens of listed threatened or protected *Encephalartos* species:
- (i) The export from the Republic of South Africa of specimens with a stem diameter of more than 15cm, except for the following dwarf species which cannot be exported if the stem diameter is more than 7cm: *E. caffer*, *E. humilis*, *E. cupidus*, *E. cerinus* and *E. ngoyanus*.

### **3. COMMENCEMENT DATE**

This notice come into operation on the date of publication in the Gazette.