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Imibuzo :  
Navrae :  
Reference : H 7.1.R  
Tshupelo :  
Isalathiso :  
Verwysing :

Date : 30 August 2017  
Leshupelo :  
Umhla :  
Datum :

## Project Plan

<i>Project name:</i>	Review of the Northern Cape Nature Conservation Act
<i>Project period:</i>	1 September 2017 to 31 March 2020
<i>Project duration:</i>	31 months

## Overview

### *Project Background and Description*

The Northern Cape Nature Conservation Act (Act 9 of 2009) came into effect on 1 January 2012. Since then, a variety of national and international legislation has been revised and new legislation developed. The changes in legislation as well as the changed situation of biodiversity use in the province have been identified as the main drivers for the need to revise the Northern Cape Nature Conservation Act.

### *Project Scope*

The project will include the review of the Northern Cape Nature Conservation Act (Act 9 of 2009) and all its underlying legislation to ensure alignment with the relevant international and national legislation as well as the current legislative needs in the province, particularly relating to the biodiversity economy. The review process will cover the identification of relevant revisions, public participation and approval and adoption processes as prescribed in the Northern Cape Procedure for Legislative Approval of Provincial Legislation.

The project will be implemented by the Department of Environment and Nature Conservation in close cooperation with the State Law Advisor in the Office of the Premier.

## *High-Level Requirements*

The review process of the Northern Cape Nature Conservation Act must include the following:

- a. Comprehensive consideration of all relevant national and international legislation.
- b. A broad spectrum of stakeholders should be provided opportunities to provide inputs into the review of the Act, e.g.: academic; business; not for profit organisations; community organisations; traditional healers; local, provincial and national government and state entities.
- c. All processes prescribed in the Northern Cape procedure for legislative approval of provincial legislation should be followed.
- d. The Act should be easily comprehensible, while leaving no room for ambiguity regarding application of clauses in the Act.

## *Deliverables*

The following main deliverables are planned:

- a. NCNC Bill draft 1
- b. Consultation with government stakeholders
- c. Executive Council approval of draft Bill for public participation
- d. 5 Public participation sessions (1 in each District)
- e. Cabinet adoption of NCNC Bill draft 2 for tabling to Legislature
- f. Submission of NCNC Bill to Legislature for acceptance and sign off
- g. Publication of Act in Provincial Gazette

## *Affected Parties*

The affected parties will be impacted by the revision of the legislation in terms of the type of activities that can be undertaken in the province and under which conditions this can be done. The affected parties include:

- a. Businesses in sectors ranging from tourism, game farming, agriculture, mining, construction, electricity, renewable energy, research and development, cosmetics, medical etc.;
- b. Researchers from university, other academic institutions and private and state organisations;
- c. Local, provincial and national government, state entities and traditional authorities
- d. Not for profit organisations and community organisations;
- e. Individuals working or using biodiversity for any type of activity.

## *Implementation Plan*

Refer to annexure for detailed implementation plan.

- d. Not for profit organisations and community organisations;
- e. Individuals working or using biodiversity for any type of activity.

## *Implementation Plan*

Refer to annexure for detailed implementation plan.

## *Project timeline*

Project to start on 1 September 2017 and to be finalised by 31 March 2020.

## *Project team*

The project team will consist of the persons listed below who all are located in Kimberley. Additional officials from both the Department of Environment and Nature Conservation (DENC) and the Office of the Premier (OTP) may be requested to participate when the need arises.

ORGANISATION	PERSON	ROLE / EXPERTISE
DENC	Pr 2 Director: Environmental Policy, Planning and Coordination (Nanine van Olmen)	Project manager
	Pr 5.2 Deputy Director: Permit section (David Paulse)	Project coordination support
	Assistant Director (Tshiamo Moilwa)	Legislative and administrative support
	Pr 5 (Acting) Director: Biodiversity Management	Coordination of biodiversity management contributions
	Pr 3 (Acting) Director: Compliance and enforcement (Tshepiso Tshimakwane)	Coordination of Compliance and enforcement contributions
	Pr 4 Director: Environmental Quality Management (Bryan Fisher)	Coordination of environmental management contributions
	Pr 5.1 Deputy Director: Hunting and Wildlife (Wessel Jacobs)	Coordination of environmental management contributions
	Pr 5.2 Deputy Director: Protected Areas (Dewald Badenhorst)	Coordination of environmental management contributions
	Scientific Manager (Elsabe Swart)	Coordination of research and development support contributions
	Mammologist (Marnus Smit)	Team member
	Aquatic Scientist (Peter Ramollo)	Team member
	Ecologist (Christine Kraft)	Team member
	Botanist (Natalie Uys)	Team member
	Admin Officer: Hunting and Wildlife (Charl de Beer)	Team member - Law
	Environmental Officer: Enforcement (Errol Swartbooi)	Team member
	Biodiversity Officer: Enforcement (Llewellyn	Team member

ORGANISATION	PERSON	ROLE / EXPERTISE
	Festus) Biodiversity Officer: Enforcement (Desmond Mgboli)	Team member
OTP	State Law Advisors	Legal services support

## Communication


Communication type	Description	Frequency	Format	Participants	Deliverable	Owner
Monthly status report	Summary of project status	Monthly	Email	Project team	Status report	Project manager
Project gate reviews	Present closeout of project phases and kickoff next phase	As needed	In person	Project team, Head of Department	Phase completion report	Project manager

## Project budget

Phase	Phase description	Item	Budget 2017/18	Budget 2018/19	Budget 2019/20	Total
A	Development of draft 1 NCNC Amendment Bill	Groceries (Coffee Tea, cookies)	R 6,000.00	-	-	R 416,000.00
		Advert	R 50,000.00	-	-	
C	Public participation	Advert for public participation		R 50,000.00		
		Accommodation, food and S&T (5 people for 10 nights)	-	R 80,000.00	-	
		Travel		R 20,000.00		
E	Consideration of Amendment Bill by Legislature	Publish Act in Government gazette		-	R 210,000.00	
<b>Total</b>			<b>R 56,000.00</b>	<b>R 150,000.00</b>	<b>R 210,000.00</b>	

## Recommendation

We recommend the project: Review of the Northern Cape Nature Conservation Act as described above.

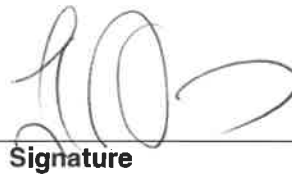
Name	Title	Signature	Date
Nanine van Olmen Phillips	Director Environmental Policy, Planning and Coordination		31/8/2017
Dewald Badenhorst	Acting Director: Biodiversity Management		31/8/2017

## Approval

I approve / do not approve the project plan for the review of the Northern Cape Nature Conservation Act as described above.

LC Abrahams

Acting Head of Department



4/9/2017

**Initials and Surname**

**Position**

**Signature**

**Date**





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Department:  
Environment & Nature Conservation  
NORTHERN CAPE PROVINCE  
REPUBLIC OF SOUTH AFRICA

## Project: Review of the Northern Cape Nature Conservation Act

### Implementation Plan

Phase	Phase description	Task no	Task description	Activities	Deliverables	Responsible	Human Resources	Planned start date	Planned completion date
A	Development of draft 1 NCNCA Amendment Bill	1	Identify changes required	Consult with internal stakeholders;	List of all related legislation List of all changes to be effected.	Director: EPPC//State Law Advisors	DENC NCNCA review team	1-Sep-17	31-Mar-18
		2	Public consultation on current NCNCA	Place advert in 4 newspapers and send out to key stakeholders; Obtain inputs.	List of comments and responses	Director: EPPC	DENC NCNCA review team	1-Sep-17	15-Dec-17
		3	Develop draft 1 NCNCA Amendment Bill	Formulate legislation 4 meetings (SLA&DENC)	NCNCA Amendment Bill draft 1	State Law Advisor// Director: EPPC	DENC NCNCA review team	1-Apr-18	30-June-18
B	Government consultation	4	Consultation with economic cluster	Present draft legislation to selected DEA stakeholders for input Present draft legislation to technical and economic cluster for inputs and agree on way forward	Revised draft Amendment Bill Agreement with economic cluster on content and way forward.	Director: EPPC	Head of Department TESEIC Economic Cluster State Law Advisor	1-July-18	30-Sep-18

Phase	Phase description	Task no	Task description	Activities	Deliverables	Responsible	Human Resources	Planned start date	Planned completion date
		6	Juridical confirmation of constitutionality of proposed Amendment Bill	Check proposed legislation against government policy, Constitution and any other relevant law.	Chief State Law Advisor certificate	Chief State Law Advisor	-	1-Oct 18	30-Jan-19
		7	Approval of Amendment Bill by Executive Council	Draft explanatory memorandum for Executive Council; Present Amendment Bill to Executive Council	EXCO memorandum; Approval of (amended) Amendment Bill for public participation by Executive Council - EXCO resolution	HOD and MEC	Director: EPPC (Chief) State Law Advisor	14-Jan-19	15-Feb-19
C	Public participation	8	Public Participation on Amendment Bill	Send Amendment Bill as approved by EXCO to the Secretary of the Legislature; Checking of Amendment Bill and procedure by legal advisors Legislature Publish Amendment Bill in Provincial Gazette; Public consultation in all 5 districts	5 public consultation sessions List of comments and responses	State Law Advisor with Legislature MEC and HOD	DENC NCNCA review team	18-Feb-19	29-Mar-19
		9	Review of Amendment Bill	Effect changes based on public consultation process Consultation with Mintech Working Group 11	Draft Bill	State Law Advisor// Director: EPPC	DENC NCNCA review team	18-Mar-19	31-Apr-19



Phase	Phase description	Task no	Task description	Activities	Deliverables	Responsible	Human Resources	Planned start date	Planned completion date
D	Adoption by EXCO	11	Certification of Amendment Bill by State Law Advisor	Check proposed legislation against government policy, Constitution and any other relevant law.	Chief State Law Advisor certificate	Chief State Law Advisor	-	1-May-19	31-May-19
		12	Adoption by EXCO for tabling at Legislature	Present revised legislation to Executive Council	EXCO memorandum; Approval of (amended) Amendment Bill for tabling at Legislature by Executive Council - EXCO resolution	HOD and MEC	Director: EPPC (Chief) State Law Advisor	3-Jun-19	31-Jul-19
		13	Submission of Amendment Bill to Legislature	Send Amendment Bill as adopted by EXCO to Secretary of the Legislature Consideration of Amendment Bill by Portfolio Committee; Consideration of Amendment Bill by House	Amendment Bill as accepted by the House	Secretary of the Legislature	State Law Advisor	1-Aug-19	
E	Consideration of Bill by Legislature	14	Assent and signature of Amendment Bill by Premier	Verification of Amendment Bill on all procedural requirements	NC Nature Conservation Amendment Act	Office of the Premier	State Law Advisor		
		15	Publication of Amendment Act in Provincial Gazette	Prepare documentation for publication in provincial gazette	NCNC Amendment Act published in Provincial Gazette	Director: EPPC			31-Mar-20




## Project Plan

Project name: Review of the Northern Cape Nature Conservation Act

Project period: 1 September 2017 to 31 March 2020

Project duration: 31 months

Version: 1 September 2017

 = Milestone

Phase	Phase description	Task no	Task description	Activities	Deliverables	Responsible	Human Resources	Planned start date	Planned completion date
A	Development of draft 1 NCNC Bill	1	Identify changes required	Consult with internal stakeholders;	List of all related legislation <i>List of all changes to be affected.</i>	Director: EPPC / State Law Advisors	DENC NCNCA review team	1-Sep-17	31-Mar-18
		2	Public consultation on current NCNCA	Place advert in 4 newspapers and send out to key stakeholders; Obtain inputs;	List of comments and responses	Director: EPPC	DENC NCNCA review team	1-Sep-17	15-Dec-17
		3	Develop draft 1 NCNC Amendment Bill	Formulate legislation 4 meetings (SUA&DENC)	<i>NCNC Amendment Bill draft 1</i>	State Law Advisor / Director: EPPC	DENC NCNCA review team	1-Apr-18	30-Jun-18
		4	Consultation with economic cluster	Technical and economic cluster for inputs and agree on way forward Present draft legislation to selected DEA stakeholders for input	Revised Amendment Bill draft (draft 2) Agreement on content and wayforward.	Director: EPPC	Head of Department TESEIC Economic Cluster State Law Advisor	1-Jul-18	30-Sep-18
B	Government consultation	5	Juridical confirmation of constitutionality of proposed Amendment Bill	Check proposed legislation against government policy, Constitution and any other relevant law.	Chief State Law Advisor <i>certificate</i>	Chief State Law Advisor		1-Oct-18	30-Jan-19
		6	Approval of Amendment Bill by Executive Council	Draft explanatory memorandum for Executive Council; Present Amendment Bill to Executive Council	Cabinet memorandum; <i>Approval of (amended) Bill for public participation by Executive Council - EXCO resolution</i>	HOD and MEC	Director: EPPC (Chief) State Law Advisor	14-Jan-19	15-Feb-19
C	Public participation	7	Public Participation on Bill	Send Amendment Bill as approved by EXCO to the Secretary of the Legislature; Checking of Amendment Bill and procedure by legal advisors Legislature Publish Amendment Bill in Provincial Gazette; Public consultation in all 5 districts	5 public consultation sessions List of comments and responses	State Law Advisor with Legislature MEC and HOD	DENC NCNCA review team	18-Feb-19	29-Mar-19
		8	Review of Amendment Bill	Effect changes based on public consultation process Present draft Amendment Bill to WG 11 for inputs from national and provincial counterparts	<i>Draft 2 Amendment Bill</i>	State Law Advisor / Director: EPPC	DENC NCNCA review team	18-Mar-19	30-Apr-19

D	Adoption by Cabinet	9	Certification of Amendment Bill by State Law Advisor	Check proposed legislation against government policy, Constitution and any other relevant law.	Chief State Law Advisor certificate	Chief State Law Advisor	1-May-19	31-May-19
		10	Adoption by Cabinet for tabling at Legislature	Present revised legislation to Executive Council	Cabinet memorandum; Approval of (amended) Bill for tabling at Legislature by Executive Council - Cabinet resolution	HOD and MEC	3-Jun-19	31-Jul-19
E	Consideration of Bill by Legislature	11	Submission of Amendment Bill to Legislature	Send Amendment Bill as adopted by EXCO to Secretary of the Legislature Consideration of Amendment Bill by Portfolio Committee; Consideration of Amendment Bill by House	Bill as accepted by the House	Secretary of the Legislature	1-Aug-19	
		12	Assent and signature of Amendment Bill by Premier	Verification of Amendment Bill on all procedural requirements	NC Nature Conservation Amendment Act	Office of the Premier		
		13	Publication of Act in Provincial Gazette	Prepare documentation for publication in provincial gazette	NCNC Amendment Act published in Provincial Gazette	Director: EPPC		31-Mar-20

**Project Plan - GANTT chart**

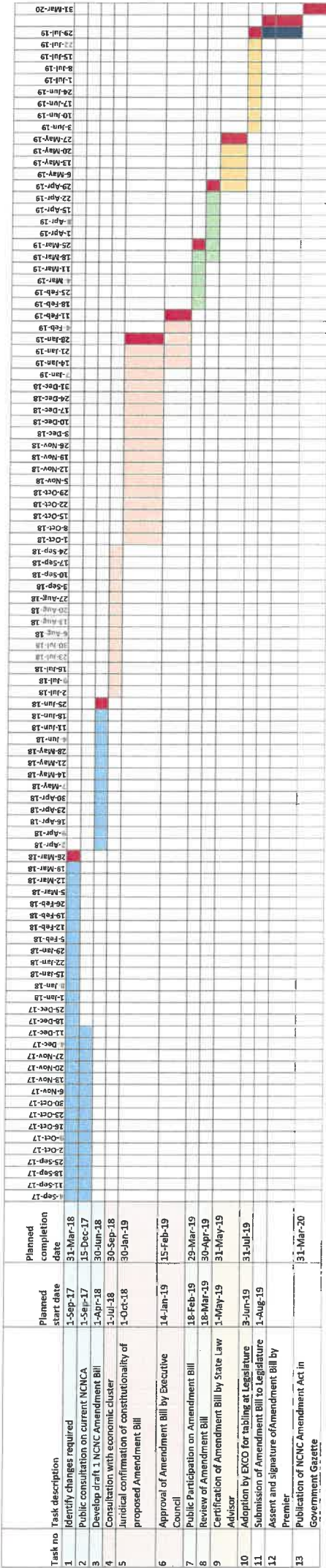
Project name: Review of the Northern Cape Nature Conservation Act

Project period: 1 September 2017 to 31 March 2020

Project duration: 34 months

Version: 1 September 2017

■ = Milestone





## Project Plan - Budget

Project name: Review of the Northern Cape Nature Conservation Act

Project period: 1 September 2017 to 31 March 2020

Project duration: 31 months

Version: 1 September 2017

Phase	Phase description	Item	Budget 2017/18	Budget 2018/19	Budget 2019/20	Total
A	Development of draft 1 NCNC Bill	Groceries (Coffee Tea, cookies)	R 6,000.00	-	-	
		Advert	R 50,000.00	-	-	
C	Public participation	Advert for public participation	-	R 50,000.00	-	
		Accommodation, food (5 people for 10 nights)	-	R 80,000.00	-	
		Travel	-	R 20,000.00	-	
E	Consideration of Bill by Legislature	Government gazette	-	-	R 210,000.00	
<b>Total</b>			<b>R 56,000.00</b>	<b>R 150,000.00</b>	<b>R 210,000.00</b>	<b>R 416,000.00</b>

