

# Competent Authority

**Alien and Invasive Species Regulations  
National Environmental Management: Biodiversity Act (2004)**



**Stiaan Kotze – Biosecurity – Dept of Environmental Affairs**



**environmental affairs**

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

Presentation to

**NEMBA, REGULATIONS 2104 and  
Compliance**

**10 June, 2014**



**EXPANDED PUBLIC WORKS PROGRAMME**

# Who is the Competent Authority?

- \* **NATIONAL COMPETENT AUTHORITY** is based in the Biosecurity Directorate, Environmental Programmes, DEA.
- \* **COMPLIANCE** is guided by the specialist expertise and experience in National, Provincial and Local Authorities.
- \* **ENFORCEMENT** is done by Legal Authorisations Compliance and Enforcement (LACE).



1a

Bluebell creeper  
(*Billardiera heterophylla*)

# What does the Competent Authority do?

Notification of non-compliance

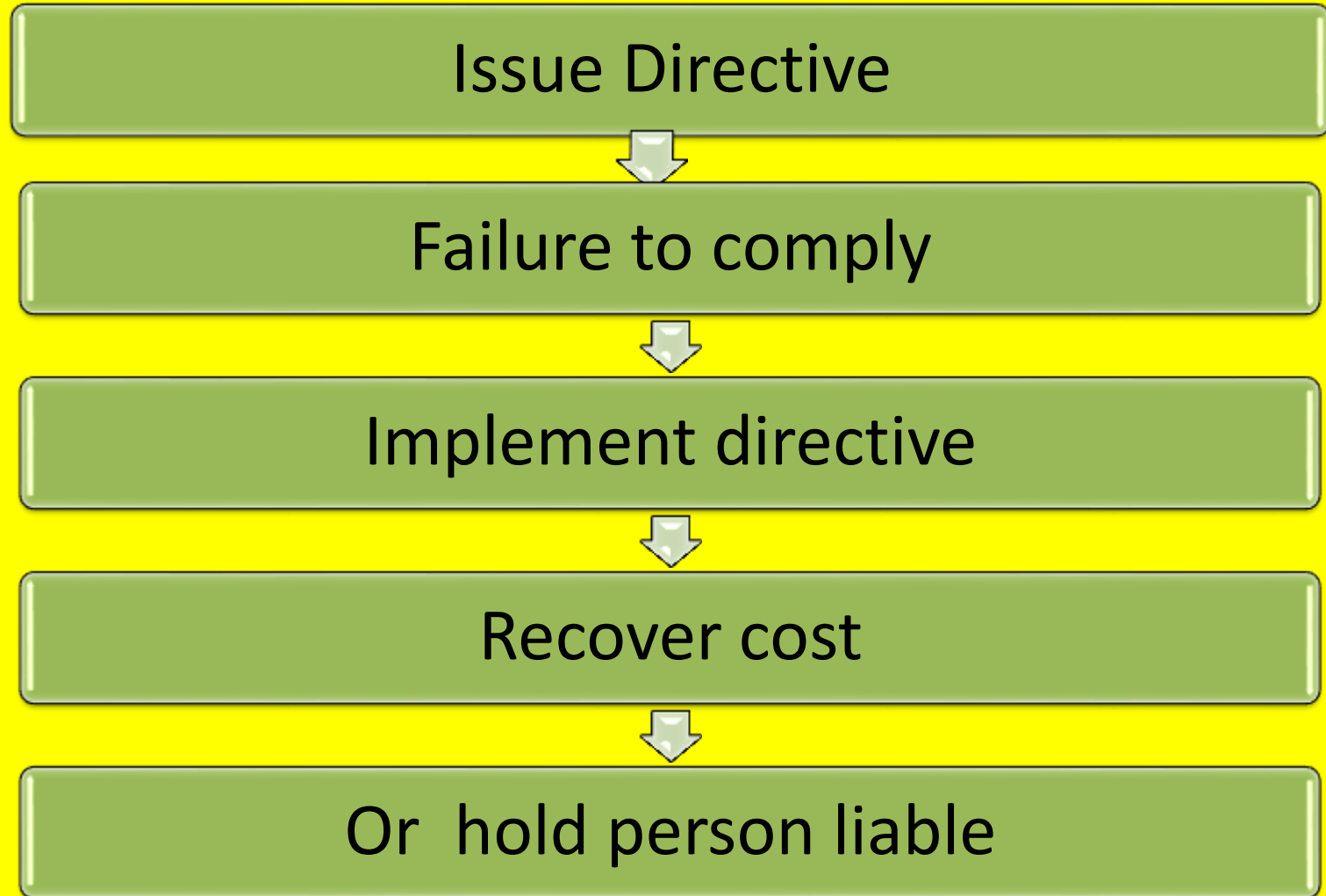
Routine Inspection

Inspection

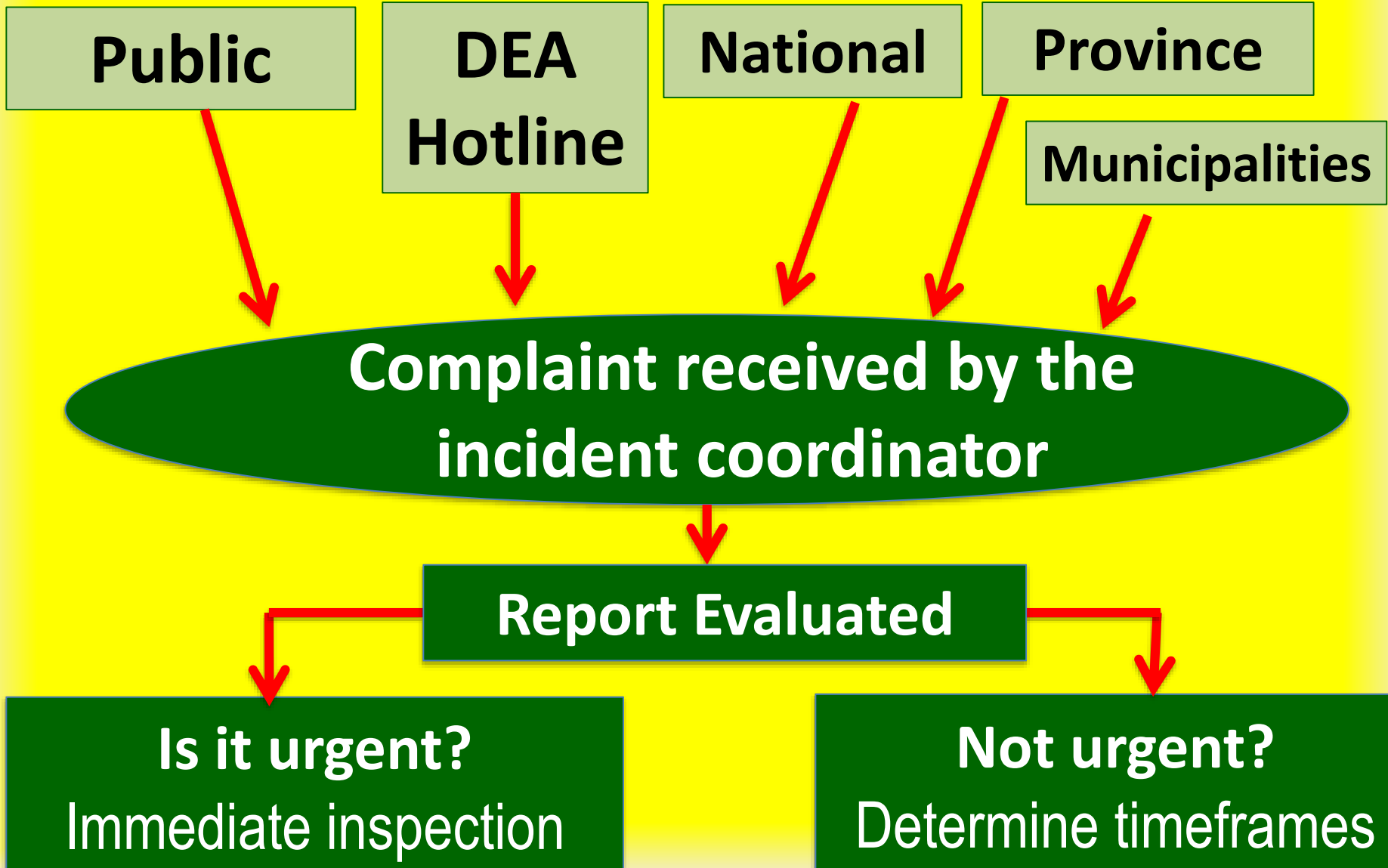
Non-compliance

**Legal Authorisations Compliance and Enforcement (LACE).**

# What does LACE do?



# How does compliance work?



# Invasive Species Categories

## Category 1a Listed Invasive Species

- Take immediate steps to combat, or eradicate where possible.

## Category 1b Listed Invasive Species

- Control the listed invasive species.

## Category 2 Listed Invasive Species

- Utilization allowed under Permit conditions.
- Control outside of the Permit conditions.

## Category 3 Listed Invasive Species

- Subject to certain prohibitions (e.g. sell, distribution).
- Category 3 plant specimens in riparian areas are treated as Category 1b.

# Declaration of Invasive Species Form

- \* **LIABILITY** : Selling a property populated with invasive species means passing on a liability to the new owner.
- \* **FILL IN A FORM:** *A Declaration of Invasive Species Form* must be filled out by any seller of property.
- \* **FORM TO BUYER:** Form must be handed as a notification to the buyer – before any sale of property can be concluded in South Africa.
- \* **COPY TO DEA:** A copy of this form must be lodged with the Compliance Officer , Biosecurity Unit, DEA.

[AIScompliance@environment.gov.za](mailto:AIScompliance@environment.gov.za)



# What about Organs of State and Protected areas???

## MONITORING, CONTROL & ERADICATION PLANS

---

GUIDELINES FOR SPECIES LISTED AS INVASIVE IN TERMS OF SECTION 70 OF NATIONAL ENVIRONMENTAL MANAGEMENT: BIODIVERSITY ACT, 2004 (ACT NO. 10 OF 2004) (NEMBA) AND AS REQUIRED BY SECTION 76 OF THIS ACT

30 September 2015

---

Biosecurity  
Department of Environment Affairs  
Private Bag X4390, CAPE TOWN, 8000





# What about Organs of State and Protected areas???

## **What are the NEMBA Section 76 requirements?**

Invasive Species Monitoring, Control and Eradication Plans

(1) The Minister must-

(a) within one year of the date on which these regulations come into effect, develop guidelines

for the development of Invasive Species Monitoring, Control and Eradication Plans for

listed invasive species as contemplated in section 76 of the Act;

# What about Organs of State and Protected areas???

## What are the NEMBA Section 76 requirements?

(b) publish the guidelines contemplated (a) on the Department's website; and

(c) review, at least every five years, the guidelines contemplated in paragraph (a).



# What about Organs of State and Protected areas???

## **What are the NEMBA Section 76 requirements?**

2) Management authorities of protected areas and organs of state in all spheres of government

must-

(3)

(a) prepare their Invasive Species Monitoring, Control and Eradication Plans contemplated in

section 76 of the Act based on priorities identified through the guidelines referred to in sub regulation

# What about Organs of State and Protected areas???

## What are the NEMBA Section 76 requirements?

(1); and

(b) submit those plans to the Minister and to the Institute within one year of the publication of the guidelines.

The Invasive Species Monitoring, Control and Eradication Plans must be reviewed every 5 years.



# Stakeholder Attitudes vs Compliance

Voluntary  
Compliance

Inadvertent  
Non -  
Compliance

Opportunistic  
Non -  
Compliance

Corruption  
& Fraud



Levels of stakeholder attitudes to invasives

**Low**



**High**

Levels of compliance

Help and  
support

Council &  
Provide  
Feedback

Correct  
Behaviour

Full force  
of the law



# Report Invasive Species

## National Environmental Crimes and Incident Hotline

**0800 205 005**

**Service provider – Vuvuzela**

**Report the  
problem**

**Get a  
reference  
number**

**You can phone back for  
feedback after 6-8 weeks**

# National Competent Authority

## Stiaan Kotze

Competent Authority

Environmental Management Inspector

Biosecurity Services Directorate

Department of Environmental Affairs

14 Loop Street, Cape Town

Tel: 021 441 2816, Fax: 021 441 2751

Cell: 082 447 4077

Email: [SKotze@environment.gov.za](mailto:SKotze@environment.gov.za)

[AIScompliance@environment.gov.za](mailto:AIScompliance@environment.gov.za)





Thank You