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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF ENVIRONMENT, FORESTRY AND FISHERIES

NO. 596

26 MAY 2020

AMENDMENT OF THE DIRECTIONS REGARDING MEASURES TO ADDRESS, PREVENT AND COMBAT THE SPREAD OF COVID 19 RELATING TO THE BIODIVERSITY SECTOR

I, Barbara Dallas Creecy, Minister of Forestry, Fisheries and the Environment, hereby amend the Directions regarding Measures to Address, Prevent and Combat the Spread of COVID 19 related to the Biodiversity Sector published in Government Notice No. 537 in Government Gazette No. 43323 of 14 May 2020 in terms of regulation 4(10) of the Regulations issued by the Minister of Co-operative Governance and Traditional Affairs in terms of section 27(2) of the Disaster Management Act, 2002 (Act No. 57 of 2002) and published on 29 April 2020 in Government Notice No. R. 480 of Government Gazette No. 43258, as set out in the Schedule hereto.



BARBARA DALLAS CREECY
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

SCHEDULE

General Explanatory Note:

[] Words in bold type in square brackets indicate omissions from existing enactments.
 ___ Words underlined with a solid line indicate insertions in existing enactments.

1. Definitions

In this Schedule, "Directions" means the Directions regarding Measures to Address, Prevent and Combat the Spread of COVID 19 related to the Biodiversity Sector published in Government Notice No. 537 of Government Gazette No. 43323 of 14 May 2020.

2. Substitution of Annexure 2

Annexure 2 of the Directions is hereby substituted for the following Annexure:

"Annexure 2

List of activities with associated restrictions which may be carried out during Alert Level 4

General provisions:

1. The carrying out of any activity indicated in the table below, in addition to the specific restrictions indicated in the table, is also subject to the following:
 - (a) adherence to the health, safety and legal requirements as prescribed in the Regulations, which includes maintaining social distancing and the wearing of face masks at all times when in a public place;
 - (b) a permit required in terms of regulations 16(2)(b) or 28(4) of the Regulations;
 - (c) the relevant permit issued in terms of the National Environmental Management: Biodiversity Act, or any applicable provincial conservation legislation; and
 - (d) veterinary health and other related legal requirements.

1A. The provisions of the table below apply to only those specimens of species that are regulated in terms of the National Environmental Management: Biodiversity Act, or in terms of applicable provincial legislation.

2. For purposes of clarity—

- (a) a permit required in terms of applicable conservation legislation is, hereinafter referred to as a conservation permit; whereas a permit required in terms of the Regulations is hereinafter referred to as a disaster management permit; and
 - (b) curfew time frame refers to the period during which a person is confined to his or her place of residence as prescribed in the Regulations.
3. A disaster management permit may be issued—
- (a) by the—
 - (i) employer of the person who will be carrying out the activity;
 - (ii) same issuing authority who will be issuing the conservation permit where an employer is not applicable;
 - (iii) owner of the property where the activity will take place where an employer is not applicable and a conservation permit is not required or has already been issued: Provided that the disaster management permit carries the signature of the person who has issued such permit and, where relevant, the stamp of the institution; or
 - (iv) Director-General of the Department of Environment, Forestry and Fisheries or a person designated by him or her, or by the Head of the relevant provincial conservation authority or a person designated by him or her in instances where a person is self-employed, a conservation permit is not required or has already been issued and the activity will not take place on a particular property;
 - (b) on the template—
 - (i) contained in Annexure 1 (Form 2) of the Regulations; or
 - (ii) contained in Annexure 3 to these Directions.
4. Hunting, except for sport or recreation, is a permitted activity, whereas all other activities in the table below are essential activities.
5. Any restricted activity not dealt with in the table below, and which requires a person to leave his or her home, is not permissible.
6. The activities indicated in Column 2 of the table below may continue under existing permits, registrations or certificates, or under extended permits, registrations or certificates, or under new permits, registrations or certificates issued during Alert Level 4, subject to the restrictions indicated in Column 3.

Column 1: Sub-sector	Column 2: Activity	Column 3: Restrictions
Essential services are services as defined in Annexure D Item B of the Regulations and include the following services in the biodiversity sector.	<ul style="list-style-type: none"> • The following activities involving live or dead specimens are permissible for the official performance of the necessary essential services indicated in Column 1: <ul style="list-style-type: none"> ○ having in possession/ exercising physical control; 	<ul style="list-style-type: none"> • Persons who perform the essential services indicated in Column 1 may: <ul style="list-style-type: none"> ○ carry out the activities during the curfew time frames; or ○ make use of over-night accommodation;

Column 1: Sub-sector	Column 2: Activity	Column 3: Restrictions
<ul style="list-style-type: none"> • Activities necessary to perform anti-poaching services, including by: <ul style="list-style-type: none"> ○ Environmental Monitors; and ○ Rangers • Compliance and Enforcement Services, including endorsement of permits, by: <ul style="list-style-type: none"> ○ Environmental Management Inspectors (EMIs); ○ inspectors of the National Council of Societies for the Prevention of Cruelty to Animals (NSPCA); and ○ officials who are not EMIs but who have been appointed as peace officers; • Permitting and inspection personnel; • Wildlife Management, including but not limited to: <ul style="list-style-type: none"> ○ population management; ○ population surveys (census) in aid of informed wildlife population management; ○ contraception programs; ○ management of damage-causing animals; ○ animal care services; ○ veterinary services; and ○ activities necessary for diagnostic purposes or disease control; and ○ fixing of fences; • Scientific services for: <ul style="list-style-type: none"> ○ approved research and monitoring programs; and ○ identification of specimens. 	<ul style="list-style-type: none"> ○ killing/ euthanasia; ○ gathering, collecting or plucking; ○ growing, breeding or in any other way propagating; ○ catching or capturing; ○ selling or otherwise trading in, donating, giving, buying, receiving, accepting as a gift; ○ conveying, moving or otherwise translocating; and ○ importing into the Republic, including but not limited to specimens originating from crime scenes for identification purposes. <ul style="list-style-type: none"> • Exporting of live or dead specimens is not permissible 	<p>provided that they are duly authorised in terms of a disaster management permit.</p>

Column 1: Sub-sector	Column 2: Activity	Column 3: Restrictions
Game farms/ protected areas	Having in possession/ exercising physical control	<ul style="list-style-type: none"> • No new applications for registration of game farms will be assessed; and • No applications will be assessed for the inclusion of new species to existing permits or registrations.
	Growing, breeding or in any other way propagating	<ul style="list-style-type: none"> • No applications for establishment of new breeding operations will be assessed; and • No applications will be assessed for the introduction of new species.
	Hunting	<ul style="list-style-type: none"> • Hunting for sport or recreational purposes is not permissible; and • A culling operation is permissible, subject to the following restrictions: <ul style="list-style-type: none"> ○ may be conducted during the curfew time frames; ○ a maximum of 12 persons per culling operation (relating to shooting, recovery and slaughtering personnel); ○ a maximum of three persons per vehicle; and ○ persons participating in the culling operation may be provided with accommodation.
	Catching or capturing	Permissible, provided that the catching or capturing is for essential purposes, and includes catching or capturing of live animals kept in bomas.
	Conveying, moving or otherwise translocating	<ul style="list-style-type: none"> • Conveying, moving or otherwise translocating of live animals is permissible, provided that: <ul style="list-style-type: none"> ○ such conveying, moving or otherwise translocating is done for essential purposes, including slaughtering services; and ○ live animals are not conveyed, moved or otherwise translocated to ports of entry;

Column 1: Sub-sector	Column 2: Activity	Column 3: Restrictions
		<ul style="list-style-type: none"> • If live animals are conveyed, moved or otherwise translocated for essential purposes, such live animals may be conveyed, moved or otherwise translocated across provincial borders and during the curfew time frames; • Dead specimens, excluding carcasses or venison/ game meat originating from culling operations, may not be conveyed, moved or otherwise translocated across district, metro or provincial borders; • Carcasses or venison/ game meat originating from hunts or culling operations may be conveyed, moved or otherwise translocated across district, metro or provincial borders], provided that they are conveyed, moved or otherwise translocated as cargo]; and • Hunting trophies may be conveyed, moved or otherwise translocated, including across provincial borders, provided that such hunting trophies: <ul style="list-style-type: none"> ○ originate from hunts conducted by international hunters prior to the declaration of the national state of disaster; and ○ are conveyed, moved or otherwise translocated [as cargo] to ports of entry for export purposes.
	<p>Selling or otherwise trading in, donating, giving, buying, receiving, accepting as a gift</p>	<ul style="list-style-type: none"> • Selling or otherwise trading in, donating, giving, buying, receiving, accepting as a gift of live animals is permissible, including by auction, provided that: <ul style="list-style-type: none"> ○ a motivation is provided as to why such live animals cannot be sold by on-line auction; and ○ in the case of a live auction, a maximum of 50 persons attend such live auction subject to Health Directions; • Selling or otherwise trading in, donating, giving, buying, receiving, accepting as a gift of venison/ game meat is permissible, provided that the sourcing and processing

Column 1: Sub-sector	Column 2: Activity	Column 3: Restrictions
		<p>of such venison/ game meat complies with the requirements of the Meat Safety Act, 2000 (Act No. 40 of 2000):</p> <ul style="list-style-type: none"> • Selling or otherwise trading in, donating, giving, buying, receiving, accepting as a gift of carcasses or unprocessed meat is permissible, provided that it is for essential purposes; and • Selling or otherwise trading in, donating, giving, buying, receiving, accepting as a gift of dead specimens, other than carcasses, unprocessed meat or venison/ game meat, is not permissible.
	<p>Importing into the Republic</p>	<p>No live animals or dead specimens may be imported.</p>
	<p>Exporting from the Republic</p>	<ul style="list-style-type: none"> • No live animals or dead specimens, excluding hunting trophies and venison/ game meat, may be exported; • Export of hunting trophies is permissible, provided that: <ul style="list-style-type: none"> ○ an import permit, or authorisation for import where an import permit is not required, by the importing country is issued first; and ○ such hunting trophies originate from hunts conducted by international hunters prior to the declaration of the national state of disaster; and • Export of venison/ game meat is permissible, provided that: <ul style="list-style-type: none"> ○ such venison/ game meat has been sourced and processed in accordance with the necessary regulatory requirements of the Meat Safety Act, 2000; and ○ an import permit, or authorisation for import where an import permit is not required, by the importing country is issued first.

Column 1: Sub-sector	Column 2: Activity	Column 3: Restrictions
Captive breeding facilities	Having in possession/ exercising physical control	<ul style="list-style-type: none"> • No applications for registration of new captive breeding facilities will be assessed; and • No applications will be assessed for the inclusion of new species to existing captive breeding facilities.
	Growing, breeding or in any other way propagating	<ul style="list-style-type: none"> • No new applications for registration of captive breeding facilities will be assessed; and • No applications will be assessed for the inclusion of new species to existing captive breeding facilities.
	Catching or capturing	Permissible, provided that catching or capturing is for essential purposes.
	Conveying, moving or otherwise translocating	<ul style="list-style-type: none"> • Conveying, moving or otherwise translocating of live animals is permissible, including across provincial borders, provided that: <ul style="list-style-type: none"> ○ such conveying, moving or otherwise translocating is done for essential purposes; and ○ live animals are not conveyed, moved or otherwise translocated to ports of entry; • If live animals are conveyed, moved or otherwise translocated for essential purposes, such live animals: <ul style="list-style-type: none"> ○ may be conveyed, moved or otherwise translocated across provincial borders and inside the curfew time frames; and ○ must be conveyed, moved or otherwise translocated as cargo; and • Dead specimens, excluding carcasses, skins or venison/ game meat produced by captive breeding facilities, may not be conveyed, moved or otherwise translocated across provincial borders; [and]

Column 1: Sub-sector	Column 2: Activity	Column 3: Restrictions
		<ul style="list-style-type: none"> • Skins originating from captive breeding facilities may be conveyed, moved or otherwise translocated across district, metro or provincial borders; and • Carcasses or venison/ game meat originating from captive breeding facilities may be conveyed, moved or otherwise translocated across district, metro or provincial borders, including to ports of entry, provided that they are conveyed, moved or otherwise translocated as cargo].
	Selling or otherwise trading in, donating, giving, buying, receiving, accepting as a gift	<ul style="list-style-type: none"> • Selling or otherwise trading in, donating, giving, buying, receiving, accepting as a gift of live animals is permissible, including by auction, provided that: <ul style="list-style-type: none"> ○ it is for essential purposes; ○ a motivation is provided as to why such live animals cannot be sold by on-line auction; and ○ in the case of a live auction, a maximum of 50 persons attend such live auction, subject to Health Directions; • Selling or otherwise trading in, donating, giving, buying, receiving, accepting as a gift of venison/ game meat is permissible, provided that the sourcing and processing of such venison/ game meat complies with the requirements of the Meat Safety Act, 2000; and • Selling or otherwise trading in, donating, giving, buying, receiving, accepting as a gift of dead specimens other than venison/ game meat is permissible if it is for essential purposes.
	Importing into the Republic	No live animals or dead specimens may be imported.
	Exporting from the Republic	No live animals or dead specimens, excluding venison/ game meat, may be exported; and

Column 1: Sub-sector	Column 2: Activity	Column 3: Restrictions
Nurseries	<p>[Access to the public]</p> <p>Having in possession/ exercising physical control</p> <p>Growing, breeding or in any other way propagating</p> <p>Conveying, moving or otherwise translocating</p>	<ul style="list-style-type: none"> • Export of venison/ game meat is permissible, provided that <ul style="list-style-type: none"> ○ such venison/ game meat has been sourced and processed in accordance with the necessary regulatory requirements of the Meat Safety Act, 2000; and ○ an import permit, or authorisation for import where an import permit is not required, by the importing country is issued first.
		<p>[Nurseries are not allowed to be open to the public.]</p> <ul style="list-style-type: none"> • No applications for registration of new nurseries will be assessed; and • No applications will be assessed for the inclusion of new species to existing nurseries.
		<ul style="list-style-type: none"> • No applications for registration of new nurseries will be assessed; and • No applications will be assessed for the inclusion of new species to existing nurseries.
		<ul style="list-style-type: none"> • Conveying, moving or otherwise translocating plant specimens is permissible, provided that such conveying, moving or otherwise translocating: <ul style="list-style-type: none"> ○ is for essential purposes; and ○ plant specimens are not conveyed, moved or otherwise translocated across provincial borders; and and • Conveying, moving or otherwise translocating of plant specimens [for delivery or collection purposes, of plant specimens that have been sold,] is [not] permissible [during Alert Level 4]. (However, the

Column 1: Sub-sector	Column 2: Activity	Column 3: Restrictions
		<p><u>Department of Trade, Industry and Competition regulates the wholesale and retail sale of plant specimens.)</u></p>
	Selling or otherwise trading in, donating, giving, buying, receiving, accepting as a gift	<ul style="list-style-type: none"> • Selling or otherwise trading in, donating, giving, buying, receiving, accepting as a gift of plant specimens is permissible [on-line].
	Importing into the Republic	No plant specimens may be imported.
	Exporting from the Republic	Plant specimens may be exported, including plant specimens for bioprospecting purposes.
Wildlife traders (curio traders, taxidermists and game capturers)	Access to the public	Curio shops are not allowed to be open to the public.
	Having in possession/ exercising physical control	<ul style="list-style-type: none"> • No new applications for registration as wildlife traders will be assessed; and • No applications will be assessed for the inclusion of specimens of new species to existing permits.
	Catching or capturing of live animals	Permissible, provided that the catching or capturing is for essential purposes, and includes catching or capturing of live animals kept in bomas.
	Conveying, moving or otherwise translocating	<ul style="list-style-type: none"> • Conveying, moving or otherwise translocating of live animals is permissible, including across provincial borders, provided that: <ul style="list-style-type: none"> ○ such conveying, moving or otherwise translocating is done for essential purposes; and ○ live animals are not conveyed, moved or otherwise translocated to ports of entry;

Column 1: Sub-sector	Column 2: Activity	Column 3: Restrictions
		<ul style="list-style-type: none"> • If live animals are conveyed, moved or otherwise translocated for essential purposes, such live animals: <ul style="list-style-type: none"> ○ may be conveyed, moved or otherwise translocated across provincial borders and outside the curfew time frames; and ○ must be conveyed, moved or otherwise translocated as cargo;L • Dead specimens, other than hunting trophies and venison/ game meat, may not be conveyed, moved or otherwise translocated; • Hunting trophies may be conveyed, moved or otherwise translocated across provincial borders, provided that such hunting trophies: <ul style="list-style-type: none"> ○ originate from hunts conducted by international hunters prior to the declaration of the national state of disaster; and ○ are conveyed, moved or otherwise translocated [as cargo]to ports of entry for export purposes; and • Conveying, moving or otherwise translocating of curio products [for delivery or collection purposes, of curio products that have been sold,] is [not] permissible [during Alert Level 4]. (However, the Department of Trade, Industry and Competition regulates the wholesale and retail sale of curio products.)
	<p>Selling or otherwise trading in, donating, giving, buying, receiving, accepting as a gift</p>	<ul style="list-style-type: none"> • Selling or otherwise trading in, donating, giving, buying, receiving, accepting as a gift of venison/ game meat is permissible, provided that the sourcing and processing of such venison/ game meat complies with the requirements of the Meat Safety Act, 2000 (Act No. 40 of 2000); and

Column 1: Sub-sector	Column 2: Activity	Column 3: Restrictions
	Importing into the Republic	<ul style="list-style-type: none"> Selling or otherwise trading in, donating, giving, buying, receiving, accepting as a gift of curio products is permissible on-line. <p>No live or dead specimens may be imported</p>
	Exporting from the Republic	<ul style="list-style-type: none"> No live animals may be exported; Export of hunting trophies is permissible, provided that an import permit, or authorisation for import where an import permit is not required, by the importing country is issued first; Export of venison/ game meat is permissible, provided that: <ul style="list-style-type: none"> such venison/ game meat has been sourced and processed in accordance with the necessary regulatory requirements of the Meat Safety Act, 2000; and an import permit, or authorisation for import where an import permit is not required, by the importing country is issued first.
<p>Captive facilities (commercial exhibition facilities/ zoological gardens, aquaria, rehabilitation facilities, sanctuaries)</p>	<p>Access to the public</p> <ul style="list-style-type: none"> Having in possession/ exercising physical control; Catching or capturing of live animals; Conveying, moving or otherwise translocating; Selling or otherwise trading in, donating, giving, buying, receiving, accepting as a gift 	<ul style="list-style-type: none"> Facilities are not allowed to be open to the public No new applications for registration of commercial exhibition facilities, rehabilitation facilities or sanctuaries will be assessed; No applications will be assessed for the inclusion of specimens of new species to existing permits; The restricted activities indicated in Column 2 are permissible, provided that they are essential and for the provision of animal care;

Column 1: Sub-sector	Column 2: Activity	Column 3: Restrictions
		<ul style="list-style-type: none"> • Exchange of live specimens between facilities is permissible, provided that it does not involve international exchange; • Conveying, moving or otherwise translocating of live animals is permissible, including across provincial borders, provided that: <ul style="list-style-type: none"> ○ such conveying, moving or otherwise translocating is done for essential purposes; and ○ live animals are not conveyed, moved or otherwise translocated to ports of entry; and • If live animals are conveyed, moved or otherwise translocated for essential purposes, such live animals: <ul style="list-style-type: none"> ○ may be conveyed, moved or otherwise translocated across provincial borders and outside the curfew time frames; and ○ must be conveyed, moved or otherwise translocated as cargo).
<p>Bioprospecting</p>	<p>Having in possession/ exercising physical control</p>	<p>Permissible</p>
	<p>Growing, breeding or in any other way propagating</p>	<p>Permissible under existing permits or under extended permits.</p>
	<p>Gathering, collecting or plucking</p>	<p>Harvesting of wild specimens or collecting of raw materials is permissible, provided that such harvesting or collection:</p> <ul style="list-style-type: none"> • does not involve cross-provincial movement; and • is not done during the curfew timeframes.
	<p>Conveying, moving or otherwise translocating</p>	<p>Conveying moving or otherwise translocating raw materials or finished products is permissible, provided that such conveying:</p> <ul style="list-style-type: none"> • is for essential purposes;

Column 1: Sub-sector	Column 2: Activity	Column 3: Restrictions
		<ul style="list-style-type: none"> • does not involve conveyance across provincial borders; and • is not done during the curfew timeframes.
	Selling or otherwise trading in, donating, giving, buying, receiving, accepting as a gift of milled, powdered, dried, sliced or extract of indigenous genetic and biological resources for further commercial exploitation	<ul style="list-style-type: none"> • No new applications for permits will be assessed; and • No application will be assessed for the inclusion of new species to existing permits.
	Import into the Republic	Not permissible
	Export from the Republic	Permissible, excluding for research other than bioprospecting, provided that an import permit, or authorisation for import where an import permit is not required, by the importing country is issued first.
	Manufacturing of product for sale such as pharmaceuticals, complementary medicines, nutraceuticals, industry enzymes, food flavours, fragrances, cosmetics, emulsifiers, oleoresins, colours, extracts and essential oils	Permissible, except for the manufacturing of liquor final products.
Professional hunting		<ul style="list-style-type: none"> • Professional hunting courses may not be conducted. • On-line marketing by hunting outfitters of the hunting of indigenous or non-indigenous wild animals is permissible; and • Sport or recreational hunting is prohibited.

