

# Do the NEMBA regulations affect you?

Invasive species are controlled by the National Environmental Management Biodiversity Act (NEMBA) (Act 10 of 2004) – Alien and Invasive Species (AIS) regulations, which were gazetted on 1 August 2014 and became law on 1 October 2014. What is in the regulations? Are you affected?

## SPECIES: 559 invaders in 4 categories

Invasive species are controlled by the National Environmental Management: Biodiversity Act, 2004 (Act no. 10 of 2004) - Alien and Invasive Species (AIS) Regulations which became law on 1 October 2014. The AIS Regulations list 4 different categories of invasive species that must be managed, controlled or eradicated from areas where they may cause harm to the environment, or that are prohibited to be brought into South Africa.

\* **National List of Invasive Species** which need to be controlled inside South Africa: Plants (383), mammals (41), birds (24), reptiles (35), amphibians (7), fresh-water fish (15), terrestrial invertebrates (23), fresh-water invertebrates (8), marine invertebrates (16) and microbial species (7). **Total: 559 species**

Invasive species are divided into four categories:

- \* **Category 1a:** Invasive species which must be combatted and eradicated. Any form of trade or planting is strictly prohibited.
- \* **Category 1b:** Invasive species which must be controlled and wherever possible, removed and destroyed. Any form of trade or planting is strictly prohibited.
- \* **Category 2:** Invasive species, or species deemed to be potentially invasive, in which a permit is required to carry out a restricted activity. Category 2 species include commercially important species such as pine, wattle and gum trees.
- \* **Category 3:** Invasive species which may remain in prescribed areas or provinces. Further planting, propagation or trade, is however prohibited.

## PROPERTY: Declaration of Invasive Species

A property that contains invasive species is a liability to the buyer.

The NEMBA regulations state that the seller of any immovable property must, prior to the relevant sale agreement, notify the purchaser of the property in writing of the presence of listed invasive species on that property.

A copy of the Declaration of Invasive Species forms need to be lodged with The Compliancy Officer, Biosecurity Services, Department of Environmental Affairs (see details below).

- \* **Download** a Declaration of Invasive Species form from [www.environment.gov.za](http://www.environment.gov.za) or [www.invasives.org.za](http://www.invasives.org.za)
- \* **Consult** accredited invasive species practitioners, landscapers and garden centres. For contact lists, go to: [www.invasives.org.za](http://www.invasives.org.za) or [www.sagic.co.za](http://www.sagic.co.za) or [www.sali.co.za](http://www.sali.co.za) or [www.sana.co.za](http://www.sana.co.za) or [www.wessa.org.za](http://www.wessa.org.za)
- \* **Deliver** your Declaration of Invasive Species forms, prior to property transfer, using the following channels:
  - **By Hand Delivery** to: The Compliancy Officer, Biosecurity Services, Environmental Programmes, Department of Environmental Affairs, 1st Floor, 14 Loop Street, Cape Town, 8000.
  - **By Post:** The Compliancy Officer, Biosecurity Services, Environmental Programmes, Department of Environmental Affairs, Private Bag X4390, Cape Town, 8000.
  - **By Fax:** 086 604 4080.
  - **By Email:** [AIScompliance@environment.gov.za](mailto:AIScompliance@environment.gov.za)

## PERMITS: Needed for 118 Category 2 invasive species

Permits are required to carry out certain restricted activities with 118 Category 2 listed plants and animals.

- \* **Download** permit applications from:
  - [www.environment.gov.za](http://www.environment.gov.za) – Search AIS Permit Application Form
  - [www.invasives.org.za](http://www.invasives.org.za) – Search Permit Application Form
- \* **Cost of Permits** to be paid in connection with the lodging and consideration of applications for permits: (Cost applies per species)
  - \* Import into the Republic - R200. \* All restricted activities - R100.
  - \* Renewal of permit - R50. \* Appeals - R50.
- \* **Deliver** permit applications using the following channels:
  - **By Hand Delivery:** The Issuing Authority, Biosecurity Services, Environmental Programmes, Department of Environmental Affairs, 1st Floor, 14 Loop Street, Cape Town, 8000.
  - **By Post:** The Issuing Authority, Biosecurity Services, Environmental Programmes, Department of Environmental Affairs, Private Bag X4390, Cape Town, 8000.
  - **By Fax:** 086 604 4080
  - **By Email:** [AISpermits@environment.gov.za](mailto:AISpermits@environment.gov.za)



Yellow flag iris (*Iris pseudacorus*)



Castor-oil plant (*Ricinus communis*)