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GOVERNMENT NOTICE

DEPARTMENT OF ENVIRONMENTAL AFFAIRS

No. 313 **16 April 2010**

WORLD HERITAGE CONVENTION ACT, 1999 (ACT NO. 49 OF 1999)

REGULATIONS FOR THE PROPER ADMINISTRATION OF THE VREDEFORT DOME WORLD HERITAGE SITE

I, Buyelwa Patience Sonjica, Minister of Water and Environmental Affairs, hereby publish for public comment, the draft regulations relating to the Vredefort Dome under Section 44(1) of the World Heritage Convention Act, 1999 (Act No. 49 of 1999), as set out in the Schedule.

Interested and affected parties are invited to submit to the Minister, within 30 days of the publication of the notice in the *Gazette*, written representations on or objections to the draft regulations to the following addresses:

By post to: The Director-General
Department of Environmental Affairs
Private Bag X447
PRETORIA
0001

Attention: Mr Ntsizi November

By fax to: (012) 320 1243, and e-mail to nnovember@deat.gov.za.

Or hand deliver at 315 Pretorius Street, Corner Pretorius and Van Der Walt Streets, Fedsure Forum Building, 2nd Floor, North Tower. Comments received after the closing date may not be considered.

BUYELWA SONJICA
MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS

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1 Definitions

In these Regulations any word or expression to which a meaning has been assigned in the Act, shall have the meaning so assigned and, unless the context otherwise indicates-

'accommodation' means facilities of any nature for the accommodation of day and overnight tourists at **Vredefort Dome** World Heritage Site;

'Act" means the **World Heritage Convention Act, 1999 (Act No. 49 of 1999)**;

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'alien species' means-

(a) a species that is not an indigenous species; or

(b) an indigenous species translocated or intended to be translocated to a place outside its natural distribution range in nature, but not an indigenous species that has extended its natural distribution range by natural means of migration or dispersal without human intervention;

'authorised official' means an employee of a management authority, or any other person, acting as such on the written authorisation of a management authority and includes an environmental management inspector as well as members of the South African Police Services;

'authorised person' means any person authorised by the management authority in consultation with a landowner to enter his or her private land, but excluding a 'tourist' as defined;

'community-based natural resource management' means any utilisation of natural resources by a community for sustainable harvesting, traditional use or commercial purposes;

'critically endangered species' means any indigenous species listed as a critically endangered species in terms of section 56 of the National Environmental Management: Biodiversity Act, 2004 (Act No.10 of 2004);

'dangerous weapon' means any object, other than a firearm, which could cause serious bodily injury in respect of people or animals;

'development' means any physical intervention, excavation or action, other than that caused by natural forces, which is likely to result in a material change in the nature, appearance or physical nature of the world heritage site or influence its stability and future well-being, including-

(a) the construction, alteration, demolition, removal or change of use of a site or a structure on the site;

(b) the carrying out of any works on, over or under the site;

(c) the construction or putting up for display of signs or boardings;

(d) any change to the natural or existing condition or topography of land; and

(e) any removal, clearing or destruction of trees or vegetation or the removal of topsoil;

but excluding the maintenance or restoration of any existing structure, site, sign, board, or the exercise of existing activities;

'employee' means a person in the employ of a management authority;

'environmental management inspector' means a person designated as such in terms of section 31B of the National Environmental Management Act, 1998 (Act No.107 of 1998);

'existing activities' means any legal activities conducted by landowners in the world heritage site;

'firearm' means a firearm as defined in section 1 of the Firearms Control Act, 2000 (Act No. 60 of 2000);

'invasive species' means invasive species as defined in section 1 of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004);

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'landowner' means any owner or lawful possessor of land within the world heritage site;

'listed threatened or protected species' means any species listed in terms of section 56(1) of the National Environmental Management: Biodiversity Act, 2004 (Act No.10 of 2004);

'litter' means any object or matter which is discarded by a person in any place except in an approved receptable provided for that purpose or at a waste handling facility or waste disposal facility;

'open access area' means a world heritage site where access is not restricted or controlled at all points of entry ;

'operator' means any person, excluding a landowner, who provides or conducts commercial activities relating to the tourism industry in the world heritage site, including but not limited to tours, adventure activities and public events;

'overnight' means to be present in a world heritage site between sunset and sunrise;

'NEMPAA' means the National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003)

'point of entry' means a place of entry via a public road at the borders of the world heritage site to state, public or private land in the world heritage site;

'private land' means immovable property which is not state land;

'protected species' means any indigenous species naturally found in a protected area which is a protected species listed under section 56 of the National Environmental Management: Biodiversity Act, 2004 (Act No.10 of 2004);

'recreation area' means any area set aside in terms of the management plan for general recreational use by the public;

'special use permit' means a permit granted as contemplated in regulation 33;

'species' means a kind of animal, plant or other organism that does not normally interbreed with individuals of another kind, and includes any sub-species, cultivar, variety, geographic race, strain, hybrid or geographically separate population;

'specific environmental management Act' means a specific environmental management Act as defined in section 1 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);

'specimen' means a specimen as defined in section 1 of the National Environmental Management: Biodiversity Act, 2004 (Act No.10 of 2004);

'State land' means land as defined in section 1 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);

'tourist' means a person who is travelling and staying outside of his or her usual environment for a period of time;

'vehicle' means any conveyance designed or adapted principally to travel on wheels or tracks;

"vessel' means any conveyance floating on, in or over water and designed for navigation on or in water,

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howsoever propelled and includes any canoe, lighter, floating platform, decked boat, carrier vessel, vessel equipped with an inboard or outboard motor or any other craft, whether surface craft or submarine;

'vulnerable species' means any indigenous species listed as a vulnerable species under section 56 of the National Environmental Management: Biodiversity Act, 2004 (Act No.10 of 2004)

'water area' means the water and the bed of any tidal lagoon, natural lake, tidal river, river or stream, dam, impoundment or wetland or any part thereof, situated within a world heritage site, and includes the water and the land between the lowest line and the highest line to which the water-level of such tidal lagoon, natural lake, tidal river, dam, impoundment or wetland, river or stream or any part thereof may recede or rise at any time;

'water ski' means to ski on or in the water with or without the assistance of any kind of skiing apparatus while the water skier is towed by a vessel by means of a towing-rope, and includes kite-surfing and para-sailing;

'World heritage site notice' means a written notification issued by a management authority.

CHAPTER 1

APPLICATION AND PURPOSE OF THE REGULATIONS

2 Application of the regulations

(1) These Regulations are, unless specified otherwise, applicable to the Vredefort Dome World Heritage Site only and replace, insofar as the Vredefort Dome World Heritage Site is concerned, GN R1061 in GG 28181 of 28 October 2005 as determined by the Minister in a notice.

(2) Any development or application for development that commenced prior to the promulgation of these regulations and which is in compliance with existing legislation shall be subject to such existing legislation.

(3) An authorised official is not subject to these Regulations in relation to the performance of their functions or the exercise of their powers and in the course of the performance of their duties or their employment.

(4) Existing rights relating to the present lawful use of private land by landowners in the World Heritage Site will not be deprived by the proclamation of the area as a World Heritage Site.

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3 Purpose of the regulations

The purpose of the regulations is to:

(1) Enhance an environment for development of an integrated management system with a hierarchy of accountability for the Vredefort Dome World Heritage Site;

(2) Provide the means to conserve and enhance the World Heritage values of the Vredefort Dome;

(3) Promote opportunities for visitor enjoyment, appreciation and education; and

(4) Develop socio-economic opportunities that include an education and interpretation programme for the local communities.

CHAPTER2

PART 1

ENVIRONMENTAL MANAGEMENT AND CONSERVATION

4 Prohibitions

(1) No person shall -

(a) pollute, deface cultural heritage resources, harm or cause death to any individual or population of any protected species;

(b) significantly alter or change the sense of place or any environmental, cultural or spiritual values; or

(c) remove a cultural artefact.

(2) No person shall, without the prior written consent, license, permit or receipt from the management authority in the Vredefort Dome World Heritage Site -

(a) introduce any species or specimen, or part thereof to the world heritage site;

(b) intentionally disturb any species or specimen;

(c) feed any species or specimen;

(d) use any recording of the sound of a species or specimen or the imagery or scent of a species or specimen to attract animals;

(e) remove any wood, sand, gravel, stone, sea shell, guano or other material;

(f) cut, damage, remove or destroy or be in possession of any plant or any part thereof, including dry wood or firewood.

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PART 2
USE OF BIOLOGICAL RESOURCES

5 Use of biological resources

(1) A management authority may, subject to the provisions of an approved management plan, by means of the granting of a non-transferable license or permit or the entering into a written agreement, on the conditions that would not result in the site being adversely affected, and after consultation with the landowner, if on private land, grant to any person the right to the sustainable use of identified biological resources in the world heritage site.

(2) A license, permit or agreement contemplated in subregulation (1), must-

(a) define the land or water area within which the use of the biological resources is granted;

(b) indicate the period for which the right contemplated in subregulation (1) is granted; and

(c) determine the limits to the use of the biological resources.

(3) A management authority must demarcate the land or water area contemplated in subregulation (1) in a manner that is considered fair.

(4) A right granted in terms of subregulation (1) may not conflict with the purpose for which the world heritage site was established.

(5) A management authority may cancel a right granted in terms of subregulation (1) in respect of the area or part thereof, if such area or part thereof is required for conservation purposes or for purposes approved by the management authority: Provided that the management authority must reach a satisfactory consensus with the holder of the permit and that it pays a *pro rata* portion of the fee in respect of the unexpired period for which the right was granted, to the holder of the right.

(6) The holder of a right contemplated in subregulation (1), shall not allow, permit or cause any environmental damage, not otherwise normally associated with the sustainable use of biological resources, except with the prior written permission of the management authority.

6 Access to the Vredefort Dome World Heritage Site by user of biological resources

The holder of a right granted in terms of regulation 5(1) may, subject to any condition contained in a license, permit or agreement, use any road, or path in the area demarcated for the use of such biological resources, for the reasonable exercise of a right to use biological resources: Provided that-

(a) the management authority, may close any access road or limit the use thereof for management purposes;

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(b) if a holder of a right fails to remove or repair any obstruction on an access road caused as a result of the exercise of a right, a management authority may undertake such removal or repair and recover the cost in this regard from the holder of the right;

(c) the management authority may impose restrictions on the type of vehicle, machinery or equipment which is permitted on an access road in order to prevent any environmental or other damage;

(d) the holder of a right must keep every access road used, reasonable wear excluded, in a good driving condition, and in the case where such holder fails to do so, the management authority may undertake the necessary repairs and recover the cost in this respect from the holder of the right; and

(e) a holder of a right shall not create or construct any new access road for the removal of biological resources or for any other reason, without the written permission of a management authority.

PART 3
ACCESS TO THE VREDEFORT DOME WORLD HERITAGE SITE

7 Admissions

(1) The Management Authority may take reasonable measures to manage, monitor access control and ensuring safety and security in the Vredefort Dome World Heritage Site .

(2) Any tourist who enters the Vredefort Dome World Heritage Site shall be allowed admission only to a specific area and at designated times as determined by the management authority.

(3) The management authority may temporarily close access to the world heritage site or any part of it if, upon consideration of all relevant facts, in the management authority's opinion it is in the interest of the world heritage site or public safety to do so.

(4) No person shall, without the permission of the management authority or acceptable proof that she/he resides in the world heritage site remain in such part of the world heritage site to which access has been closed in terms of subregulation (3).

(5) The Management Authority may from time to time make internal rules relating to the above.

8 Entrance fees

Where a fee is determined by a management authority for the hire of recreational facilities in the Vredefort Dome World Heritage Site, no person shall enter or remain within the boundaries of the designated areas unless that person has paid the prescribed fee for the hire of the recreational facilities or has been

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permitted by the management authority to enter or remain within the boundaries of the recreational facilities.

9 Points of entry and exit

(1) No tourist shall, subject to the provisions of section 46 of NEMPAA and regulation 10, enter or leave the Vredefort Dome World Heritage Site at any place other than through an official point of entry or exit, without the written permission of the management authority. (2) Where a public road or railway line passes through the world heritage site-

(a) no person shall be required to obtain permission to pass through the world heritage site on such a road or railway line to a destination outside the world heritage site; and

(b) no person shall be permitted-

(i) to leave such a public road; or

(ii) to enter into the world heritage site from such public road or railway line other than in compliance with subregulation (1).

10 Proof of entry

(1) Where the payment of a fee or the issue of a permit is required for entry to the world heritage site, a tourist who enters the world heritage site in a vehicle must ensure that the receipt for the entrance fee in respect of, or the permit authorising his or her entry into the world heritage site is displayed at all times in the vehicle in accordance with subregulation (3) until he or she or the vehicle leaves the world heritage site.

(2) Where the issue of a permit is required for camping in the world heritage site, a tourist who camps in the world heritage site in or near a vehicle that he or she has traveled in to get to the camp site, must ensure that the permit authorising him or her to camp in the world heritage site is displayed at all times in the vehicle in accordance with subregulation (3) while he or she is camping in or near the vehicle.

(3) For purposes of these regulations, a receipt for an entrance fee or a permit must be displayed in a prominent position in or on the vehicle, so that the receipt or permit can be easily seen and read by a person standing outside the vehicle.

(4) Any person who does not use a vehicle to enter the world heritage site must display or be in possession of proof of entry in a manner determined by the management authority.

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11 Safe entering

No person shall enter or take a vehicle or vessel in the world heritage site onto a place, road, river or water area in an unsafe, reckless or negligent manner.

12 Staying overnight

(1) No tourist shall stay overnight in the Vredefort Dome World Heritage Site:

(a) without a permit as determined by the management authority;

(b) where no accommodation has been reserved or is available for that person;

(c) on a houseboat or any vessel without the permission of the management authority;

(2) No tourist shall, without the permission of a management authority, camp overnight in the world heritage site except in an area set aside by the management authority for that purpose.

13 Times of entry and travel

(1) No tourist shall, without the permission of the management authority, enter, leave or travel in the Vredefort Dome World Heritage Site at any time other than the times determined by the management authority from time to time.

(2) Employees and relatives of landowners are exempted from the provision of subregulation (1) provided they are in possession of an identification instrument as determined by the management authority.

14 Vehicles

No person shall enter or travel in the Vredefort World Heritage Site except in a vehicle that conforms to the dimensions and other requirements determined by a management authority from time to time.

15 Prohibitions

(1) No person driving a vehicle in the world heritage site shall-

(a) drive, park, or stop in such a manner that constitutes a nuisance, disturbance, inconvenience or danger to any other person;

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(b) drive, park or stop in any manner that causes an obstruction, blocks the pathway of a management operation or emergency vehicle;

(c) park a vehicle on state or public land in the world heritage site in a place other than in a place designated for that purpose by a management authority;

(d) drive or park anywhere on state or public land in the world heritage site except on a designated road or place;

(e) damage or act in a manner that could cause damage of any nature whatsoever, including but not limited to, damage to a road, plants or animals;

(f) drive or operate any vehicle in a reckless or negligent manner or in a deliberate or intentional disregard for the safety of any person, species, specimen or property of whatever nature.

(2) No person in a vessel shall, subject to the provisions of the Merchant Shipping Act, 1951 (Act No.57 of 1951), enter or be in the world heritage site or a water area, except if that vessel conforms to the dimensions and meets the requirements provided for in internal rules made by the management authority from time to time.

16 Permits for vessels

Any person intending to use a vessel in a water area in the Vredefort Dome World Heritage Site must apply for a permit for such a vessel in a manner determined by the management authority.

17 Operating rules

(1) No vessel, which is propelled by means of a propeller above the water, shall be used in a water area.

(2) No person may paint any vessel in a water area unless the prior written approval by the management authority has been obtained.

(3) No person may dispose of any solid or liquid waste, including motor oil, into a water area other than in places specifically designated by the management authority therefore.

(4) No person shall, in the world heritage site, intentionally obstruct, disturb, interrupt or annoy any other person engaged in the proper use of the world heritage site.

(5) No person shall, in the world heritage site, unlawfully throw, roll or discharge any stone, substance or missile to endanger any person or species or specimen in the world heritage site.

(6) No person shall, without the prior written permission of the management authority in the world heritage site, deface, paint, write on, cut names or letters in or otherwise make marks or affix bills on trees or

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rocks, or in any other manner deface features, buildings or facilities .

(7) No person, except a person duly authorised thereto by a management authority, shall move, deface or otherwise interfere with the World Heritage Site Emblem, notice board, notice or other signboard put on to, affixed to or placed in the world heritage site by the management authority or by a life-guard in terms of these regulations.

PART 4

COMMERCIAL ACTIVITIES IN THE WORLD HERITAGE SITE

18. Development

(1) An application for a change in land use or for any activity which under any law requires an environmental impact assessment to be undertaken , shall be lodged with the management authority for their comments before lodgement of such application with the relevant approving authority.

(2) The person making application as envisaged in subregulation (1) above shall furnish a copy of the application to interested and affected parties registered with the management authority for the purpose of commenting on the application before lodgment of the application with the relevant approving authority.

(3) The management authority shall keep and maintain a register of all interested and affected parties as envisaged in subregulation (2) above.

(4) The management authority shall be entitled to assess the application referred to in subregulation (1) and comment thereon in writing, within a period of 30 (thirty days) of receipt of the application , failing which the management authority shall be deemed to have no comment.

19 Commercial and community activities.

(1) A person may not undertake any of the following activities in the Vredefort Dome World Heritage Site except pursuant to a license, permit or agreement and subject to the payment of the appropriate fees:

(a) The filming and simultaneous transmitting of photographic images by the use of a webcam or other image recording or transmitting device;

(b) the conducting of tours;

(c) the conducting of any kind of competition;

(d) the selling or hiring of goods or the offering of goods for sale or hire;

(e) the provision of, or the offering to provide, any service for a fee or reward;

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(f) the conducting of research;

(g) an activity of any kind for the purpose of fund raising, personal gain or making a profit;

(h) any organised or special event, including sporting or cultural events;

(i) visual imaging of animals for purposes of any virtual hunting or other such activity; or

(j) conducting of speed trials.

(2) No person shall erect, establish, materially transform, extend or enlarge any holiday resort, caravan park or camping or picnic site situated in the Vredefort Dome World Heritage Site at which members of the public can stay, camp or picnic upon payment of a fee, other than in accordance with the management plan for the Vredefort Dome World Heritage Site and the written approval of the management authority.

20 Demarcated Public Area

A management authority may, by means of making an internal rule, set aside a part of state land, and with the prior written consent of the landowner, a part of private land , as an area in which a particular activity may be undertaken by tourists to the Vredefort Dome World Heritage Site and shall display the internal rule in which such area is described at the offices of the management authority in the world heritage site; provided that the activity does not compromise the purpose for which the Vredefort Dome World Heritage Site was established.

21 Other activities

No person shall, without the written permission of the management authority-

(a) use or cause to be used, any loud speaker or similar device or other noisy equipment;

(b) construct or erect any booth, marquee or other structure; or

(c) organise or cause to be organised or attend or participate in any public meeting, demonstration or gathering,in the Vredefort Dome World Heritage Site.

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PART 5

USE OF WATER AREAS, LAND AND AIRSPACE IN THE WORLD HERITAGE SITE

22 World Heritage Site Notice

(1) The management authority may, after consultation with the department of water affairs and the landowners in the world heritage site from time to time and by means of a World Heritage Site Notice displayed at the entrance to or at other relevant places in the World Heritage Site-

(a) set aside any land, airspace or water area;

(b) designate any land or water area as a recreational area;

(c) designate any land or water area for any other purpose;

(d) prohibit or restrict the use and access of any person, vehicle, vessel, pet or species or specimen to any land or water area or any other place or part thereof; or

(e) designate the times and conditions during which and subject to which any sports or other activities may be practiced or performed on such land or water area, in the world heritage site or part thereof.

(2) The management authority may, after consultation with the landowners, by World Heritage Site Notice, designate any area within the world heritage site as an area within which one or more activities otherwise prohibited in terms of these regulations may be undertaken, and display a prominent World Heritage Site Notice to this effect in and around the designated area.

(3) A World Heritage Site Notice may impose conditions in relation to the participation in or undertaking of any activity in the world heritage site and a management authority may vary or revoke a World Heritage Site Notice at any time by subsequent World Heritage Site Notice.

(4) The Management Authority may prescribe norms, standards and guidelines applicable to signage in the World Heritage Site.

23 Recreational areas

(1) The management authority must within a recreational area display any World Heritage Site Notice required under these Regulations.

(2) In relation to such recreational areas, a management authority must-

(a) ensure that those areas are open to the public between sunrise and sunset, unless specified otherwise in terms of a World Heritage Site Notice; and

(b) prominently display a World Heritage Site Notice at every entrance to such recreational area indicating-

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(i) the opening and closing times of that recreational area; and

(ii) any internal rules made by the management authority in relation to that recreational area.

24 Prohibitions in water areas

(1) The management authority may within the world heritage site restrict or permit any use of or activity in a water area or any part thereof.

(2) No person shall, without the permission of the management authority, launch, or use, a vessel on a dam, reservoir, lake, river or other body of water in the world heritage site unless the water has been set aside by the management authority for the use of vessels.

25 Bathing and swimming

No tourist shall dive or swim in any river in the world heritage site-

(a) except where bathing and swimming is permitted; or

(b) where bathing and swimming is prohibited by a life-guard by means of appropriate signs at both ends of the area, for so long as the state of the water is considered unsafe.

26 Life saving apparatus

Except in an emergency, no person, with the exception of an authorised official or a life-guard, shall handle, touch or use in any manner a life-saving rope, buoy or other life-saving apparatus installed or maintained in or at a water area, or do anything which will impede the proper working of such life-saving apparatus.

27 Water skiing

(1) Subject to subregulation (2), no person shall water ski in a water area other than in a place and at times permitted by a management authority.

(2) No person shall water ski in a water area between sunset and sunrise.

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28 Prohibitions on land and in airspace

(1) No person may without prior written permission of the management authority, in the world heritage site-

(a) engage in the sport of climbing rock faces;

(b) engage in the sport of parachuting or abseiling;

(c) launch or fly an aircraft;

(d) engage in the sport of any kind of boarding;

(e) operate any motorised vehicle for recreational purposes; or

(f) drive a vehicle off-road or off designated roads or tracks, except in an area set aside by the management authority for that purpose.

(2) In considering an application for permission required in sub -regulation (1) or section 47(2) of NEMPAA, the Management Authority shall have regard to:

(a) giving preference to existing operations;

(b) the impact of existing operations;

(c) any agreements between existing operators and landowners ;

(d) the impact of new operations;

(e) any agreements between new operators and landowners; and

(f) Stakeholder consultation.

(3) For purposes of this regulation, an existing operator shall:

(a) within 30 days of the commencement of these regulations apply for permission under sub - regulation (1);

(b) be deemed to have permission required in sub - regulation (1) from the commencement of the regulations until the management authority takes a decision on the application for permission, however this should not be in conflict with the Civil Aviation Act, 2009 (Act No. 13 of 2009).

PART 6

COMMUNITY-BASED NATURAL RESOURCE UTILISATION

29 Access

Notwithstanding any other provision of these regulations, and in accordance with the integrated management plan, the management authority may by means of the granting of a license, permit or the

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entering into of a written agreement, on the conditions it deems necessary and against payment of the fees determined, if any, grant a local community access to part or parts of the world heritage site for cultural, spiritual, heritage or religious purposes.

30 Register of local communities

(1) The management authority of the world heritage site must, within 12 months from the date on which these regulations are promulgated establish by open invitation and thereafter maintain a register of persons, in the world heritage site with rights therein.

(2) The management authority must review and, if necessary, update the register contemplated in subregulation (1) at least every two years.

PART 7
GENERAL

31 Research and monitoring

(1) No person shall, without the written permission of the management authority, carry out scientific research in the world heritage site.

(2) Any person undertaking such research or monitoring projects in the world heritage site must-

(a) submit a research project proposal to the management authority contemplated in subregulation (1) in a format determined by the management authority;

(b) submit all data and information gathered to the management authority in a format determined by and at stages of the project specified by the management authority;

(c) submit copies of all reports and publications as a result of the research project to the management authority within four weeks of their publication; and

(d) pay an administration fee to the management authority if required to do so by the management authority.

32 Special use permits

(1) The management authority may determine activities in the world heritage site generally or in specific terms for which special use permits are required.

(2) The management authority may impose in special use permits contemplated in subregulation (1) such

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conditions as the management authority deems appropriate from time to time, including but not limited to, the imposition of fees for the activities contemplated in subregulation (1).

(3) The management authority must include a list of activities for which a special use permit is required, the conditions that pertain to such permit for each activity and the fees, if any, to be paid for such a permit in the internal rules applicable to the world heritage site.

33 Interference with management authority equipment

No person shall, in the world heritage site, interfere with, put into operation, damage, climb on or board any vehicle, vessel, dredging apparatus or any other implement which is the property of or is used by the management authority or its agents, without the prior permission of the management authority, or its agents.

34 Misuse of facilities

No person shall—

(1) interfere with, misuse, damage or use in conflict with any management authority directions any building, signage, convenience shelter, changing room, pier, landing stage, raft, buoy or other facility or structure provided or erected by the management authority.

(2) fail to comply with the directions of any notice affixed by the management authority to a building, structure or facility contemplated in subregulation (1).

(3) block or restrict any access to any road or other point of entry to the world heritage site or within the world heritage site.

CHAPTER 3

PART 1

PROHIBITION OR RESTRICTION OF ACTIVITIES HAVING AN ADVERSE EFFECT IN THE WORLD HERITAGE SITE

35 Exemptions

A person is not in contravention of any provision of the regulations in this chapter if that person needs to undertake the prohibited activity-

(a) to perform his or her obligations as an employee, agent or contractor of the management authority

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under his or her contract with, or mandate from, the management authority or to achieve the purposes of these regulations;

(b) to carry out public duties as an employee, agent or contractor or an organ of State within the world heritage site; or

(c) to fulfill his or her duties as an authorised official.

36 Interference with soil or substrate

(1) No person may except with the prior written permission of the management authority-

(a) remove from such land any-

(i) soil, rock, mineral or similar material;

(ii) wood, mulch or other dead vegetation;

(iii) fossil, archaeological remains or cultural artefacts;

(iv) ritual or spiritual remains;

(v) shells; or

(vi) a shipwreck, flotsam or jetsam;

(b) dig or intentionally disturb any soil or similar material; or

(c) intentionally disturb any-

(i) wood, mulch, peat or other dead vegetation or animal;

(ii) termite mounds;

(iii) fossil, shell midden, archaeological remains or paleontological specimens or meteorites;

(iv) of the marine components contemplated in paragraph *(a)*; or

(v) object or material that is or was used for any ritual, spiritual or other practice.

(2) No person shall in the world heritage site construct an impoundment or weir on any river or river bed or abstract any water from any impoundment or weir on any river or in any river bed within the world heritage site, nor abstract any water by means of a pump, pipes, gravitation or any other means, located outside the boundary of the world heritage site, from any river or river bed forming a boundary with the world heritage site without the written permission of the management authority and without conducting an environmental impact assessment.

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37 Prohibition of Litter

No person shall, in the world heritage site-

(a) cause litter;

(b) disturb anything in, or remove anything from any receptable which has been placed for the purposes of collecting litter in such a manner as to cause the contents of the receptable to spill or fall onto the ground around it; or *(c)* discard or discharge any toxic chemical or substance, pharmaceutical substance, including biocides, or any other pollutant or harmful substance.

38 Pollution of water

No person shall, at any time or in any manner, including by the use of detergents, pollute any water in a river, spring, pan, well, borehole, groundwater, dam, reservoir or lake in the world heritage site.

39 Removal and dumping in water area

No person shall, save for general maintenance and restoration purposes, without the prior written consent of the management authority and subject to the conditions imposed by the management authority, in any manner-

(a) *remove*, dredge or pump any sand, soil or stones from a water area;

(b) deposit, dump or throw sand, soil, stones or other material of any kind in a water area; or

(c) construct any retaining wall or weir in a water area.

40 General prohibitions

(1) No person shall, in the Vredefort Dome world heritage site-

(a) unlawfully occupy, move into, inhabit or use any existing land, building or structure;

(b) damage any property of the management authority;

(c) intentionally or negligently cause a fire or discard any burning object in any place where it may set fire to any other object or otherwise act in a manner likely to cause a fire or light or cause any open fire to be started, or make use of an open fire, unless such fire is properly contained in a fireplace or container made available by the management authority or landowner for that purpose;

(d) place, throw, dump or let out any refuse, rubbish, used containers, effluent, toilet waste or any

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objectionable matter;

(e) intentionally or negligently cause any damage to any object of geological, archaeological, historical, ethnological, educational or other scientific interest;

(f) at any time play any radio, compact disc player, music system, musical instrument or in any way whatsoever cause any noise in a manner that is likely to disturb any species or specimen or other person; and

(g) behave in an offensive, improper, indecent or disorderly manner.

(2) No tourist shall, in the world heritage site, without the permission of the management authority or the landowner and subject to the conditions which the management authority or landowner may lay down from time to time—

(a) offer any show or entertainment, conduct any business or trade or collect any money from the public;

(b) damage, remove or destroy any fences or gates or climb over or through such fences or gates;

(c) allow any species or specimen to graze in the world heritage site or enter upon it without the prior written permission of the landowner or the management authority, as the case may require, and subject to the conditions which the management authority or landowner may lay down from time to time; or

(d) place, display or distribute any advertisement, promotional material or notice anywhere in the world heritage site without the prior written permission of the landowner or the management authority, as the case may require.

41 French Drains and Pit Latrines

(1) No pit latrines will be permitted in the World Heritage Site and all existing pit latrine systems must be phased out within a period of three years from the date of proclamation.

(2) No direct soak-away sewerage system will be permitted in the World Heritage Site.

(3) Conservancy tank systems will be allowed on condition that a permit is obtained from the department of water affairs. Such tank systems will be allowed for households only, not for commercial purposes.

42 Pets

(1) No person shall, except on conditions determined by a management authority or landowner, as the case require, from time to time, allow any dog, cat or other pet belonging to or under the care of that person to enter and remain in or enter or remain in a world heritage site.

(2) Any dog, cat or other pet contemplated in subregulation (1) which is found outside the permitted area

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referred to in subregulation (1) and which is not in the care of any person, may be caught and removed to a pound and the management authority may recover the costs of such actions from the person in charge of that animal.

(3) Any dog or other pet suspected of unauthorized and or illegal hunting or in pursuit of any animal may be impounded and the management authority may recover the costs of such actions from the person in charge of that animal.

CHAPTER 4
ADVISORY COMMITTEES

43 Establishment of advisory committee

A management authority may establish one or more advisory committees in respect of the world heritage site.

44 Procedure

In establishing an advisory committee contemplated in regulation 43, the management authority must, *inter alia*,-

(a) invite community organisations, non-governmental organisations, residents of and neighbouring communities to the world heritage site to nominate persons who could be taken into consideration when members of the advisory committee are appointed;

(b) set the minimum requirements and other criteria which it must take into consideration when deciding which persons to appoint as members of the advisory committee; and

(c) determine a method which will enable the invitation contemplated in paragraph *(a)* above to reach the greatest number of residents of and, neighbouring communities to the world heritage site.

45 Closing date for nominations

An invitation contemplated in subregulation 44*(a)* must specify the method of submission and a date by which the nominations contemplated in subregulation 44*(a)* must reach the management authority.

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46 Composition of advisory committee

The management authority must, after considering any nominations submitted in terms of subregulation 44*(a)*, appoint members to the advisory committee: provided that at least one representative of the management authority, and two landowners' representatives comprising of one representative from the North West Province and one representative from the Free State Province ,provided further that any appointment of a member made in respect of any particular advisory committee must be based on a real interest demonstrated by the member in respect of the world heritage site.

47 Mandate

The management authority must define the specific mandate of any advisory committee in writing in specific terms. The specific terms must include the terms of reference, the method of communicating advice, the acceptance and rejection of advice offered, the appointment and removal of committee members and the support to be provided together with any remuneration payable and its terms.

48 Term of office

The management authority shall appoint a member of an advisory committee for a period not exceeding three years.

CHAPTER 5
NORMS AND STANDARDS

49 Internal rules

(1) The management authority must, when making internal rules in terms of section 52(1) of the NEMPAA, consider at least the following—

(a) The impact of the internal rules on the provisions of any integrated management plan approved by the Minister in terms of section 25(1) of the Act; and

(b) the environmental, social and financial effect of the internal rule on the environment.

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50 Integrated Management Plan

(1) The management authority must have due regard for and seek to integrate and harmonise its management plan with the requirements of the Act, and, where applicable-

(a) plans in terms of other national legislation;

(b) provincial government planning and development plans;

(c) regional planning and development plans;

(d) local government planning and development plans; and

(e) existing planning and development plans of any other relevant management authority.

(2) In preparing an integrated management plan and in addition to the requirements of sections 23 and 24 of the Act, the management authority must have due regard for-

(a) terms and conditions for conducting activities;

(b) prohibited activities;

(c) an assessment of the activities and an evaluation of material threats arising therefrom;

(d) an assessment of equitable access in respect of such activities;

(e) the ability of such activity to attract visitors to the world heritage site; and

(f) the sense of place, which the management authority must define in a separate section in the management plan prepared for such World Heritage Site.

(3) In the preparation of the integrated management plan, the management authority must follow the format and adhere to the guidelines issued for the preparation and presentation of integrated management plans by the Minister.

51 Planning

All existing planning measures in terms of any legislation in connection with the world heritage site remain in force until the integrated management plan for the world heritage site becomes effective in accordance with the Act: Provided that where land is to be incorporated into the world heritage site the planning measures in respect of the world heritage site into which the land is to be incorporated applies as if the land were considered to have been incorporated in preparing the integrated management plan.

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52 Revenue requirements

The management authority must, when determining its revenue requirements on which license, permit or agreed fees are based take into account at least the need to-

(a) recover the costs of contracted professional services;

(b) recover overhead, operational and maintenance costs;

(c) recover the cost of capital not financed through any grant, subsidy or donation;

(d) provide for the replacement, refurbishment and extension of any facilities; and

(e) ensure that there are adequate systems for monitoring such costs.

53 Reports

The management authority must submit to the Minister, all the required documents as determined in terms of sections 25, 36, 37 and 42 of the Act within the prescribed period.

CHAPTER 6
FINES AND PENALTIES

54 Offences

(1) Any person who-

(a) contravenes or fails to comply with any provisions of these regulations;

(b) fails to comply with any World Heritage Notice, an internal rule, or other document issued or displayed in terms of these regulations; or

(c) obstructs or hinders any authorised official in the execution of his or her duties under these regulations,

shall be guilty of an offence.

(2) Any person in the world heritage site who fails to comply with any internal rule issued by the management authority and in so doing-

(a) hinders, troubles, intimidates, or obstructs the management authority or an authorised official in the execution of its or his or her duties or the performance of its or his or her functions under these regulations; or

(b) violates, refuses or fails to obey or comply with any prohibition, request or instruction imposed by these regulations or by the management authority or authorised official-

shall be guilty of an offence.

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55 Penalties

(1) Any person who contravenes or fails to comply with-

(a) a provision of these regulations;

(b) a condition mentioned in a license, permit or agreement issued or entered into in terms of these regulations; or

(c) a prohibition, instruction, rule or order imposed, given or issued under these regulations;

is guilty of an offence and liable on conviction to imprisonment for a period not exceeding five years or to a fine or to both such fine and such imprisonment.

56 Short title and commencement

These regulations shall be called the Regulations for the proper administration of the Vredefort Dome World Heritage Site, 2010 and take effect on a date determined by the Minister by notice in the Government Gazette.

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