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**PROCLAMATION***by the**President of the Republic of South Africa***No. 39, 2010****ASSIGNMENT OF POWERS AND FUNCTIONS IN TERMS OF SECTION 98 OF  
THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1996**

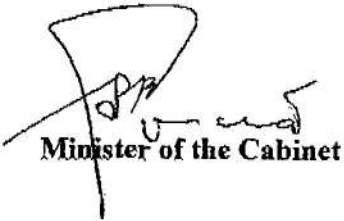
In terms of section 98 of the Constitution of the Republic of South Africa, 1996, I hereby assign certain powers and functions that are exercised or performed by the Minister of Water and Environmental Affairs in terms of the legislation mentioned in column 1 of the Schedule to the Minister of Justice and Constitutional Development to the extent indicated in column 2 of the Schedule

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this 22nd day of July, Two Thousand and Ten.



**President**

By order of the *President-in-Cabinet*



**Minister of the Cabinet**

*J. Radtke*  
**Minister of the Cabinet**

**SCHEDULE****ASSIGNMENT OF POWERS AND FUNCTIONS IN TERMS OF  
SECTION 98 OF THE CONSTITUTION**

<b>Column 1: Legislation</b>	<b>Column 2: Extent to which assigned</b>
National Environmental Management Act, 1998, section 43 (1)	In so far as the powers and functions pertain to appeals relating to a decisions to issue or to refuse to issue environmental authorisations in respect of activities that are undertaken or are to be undertaken by the national departments responsible for water or environmental affairs or any other organ of state performing a regulatory function and reporting to the Minister of Water and Environmental Affairs, and include the powers and functions that are exercised or performed in terms of subsections (1), (4), (5), (6) and (7) of section 43 of the said Act in so far as they relate to the appeals referred to above.

**PROKLAMASIE**  
*van die*  
**President van die Republiek van Suid-Afrika**

**No. 39, 2010**

**OPDRA VAN BEVOEGDHEDE EN FUNKSIES KRAGTENS ARTIKEL 98 VAN DIE  
GRONDWET VAN DIE REPUBLIEK VAN SUID-AFRIKA, 1996**

Kragtens artikel 98 van die Grondwet van die Republiek van Suid-Afrika, 1996, dra ek hierby sekere bevoegdhede en funksies wat ingevolge die wetgewing vermeld in kolom 1 van die Bylae deur die Minister van Water en Omgewingsake uitgeoefen of verrig word, op aan die Minister van Justisie en Staatkundige Ontwikkeling in die mate wat in kolom 2 van die Bylae aangedui word.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die 22ste dag van Julie Tweeduisend en Tien.



**President**

Op las van die President-in-Kabinet:



**Minister van die Kabinet**



**Minister van die Kabinet**

**BYLAE****OPDRA VAN BEVOEGDHEDE EN FUNKSIES KRAGTENS****ARTIKEL 98 VAN DIE GRONDWET**

<b>Kolom 1: Wetgewing</b>	<b>Kolom 2: Mate waarin opgedra</b>
Wet op Nasionale Omgewingsbestuur, 1998, artikel 43(1)	In soverre die bevoegdheede en funksies betrekking het op appèlle wat verband hou met besluite om omgewingsmagtigings toe te staan of te weier, ten opsigte van aktiwiteite wat onderneem word of onderneem moet word deur die nasionale departemente verantwoordelik vir water of omgewingsake of van enige ander staatsorgaan wat 'n regulerende funksie verrig en verslag doen aan die Minister van Waterwese en Omgewingsake, en sluit in die bevoegdheede en funksies in wat ingevolge subartikels (1), (4), (5), (6) en (7) van artikel 43 van die genoemde Wet uitgeoefen of verrig moet word, in soverre dit verband hou met die appèlle hierbo genoem.