

SCHEDULE

ARRANGEMENT OF REGULATIONS

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To provide for a general prohibition on the recreational use of vehicles in the coastal zone, to provide procedures for approving the use of vehicles in the coastal zone under specific circumstances, to provide measures for the enforcement of these regulations and to prescribe penalties in respect of contraventions.

Definitions

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1. In these regulations any word or expression given a meaning in the Act has that meaning, unless such word or expression is defined in this regulation for the purposes of these regulations, and, unless the context indicates otherwise -

"Act" means the National Environmental Management Act, 1998 (Act No. 107 of 1998);

"authorised officer" means any person -

- (a) appointed as a fishery control officer or honorary marine conservation officer in terms of the Marine Living Resources Act, 1998 (Act No. 18 of 1998); or
- (b) empowered to enforce the provisions of any law relating to the protection of the environment within the coastal zone provided that he or she is, or is deemed under any legislation to be, a peace officer as defined in the Criminal Procedure Act, 1977 (Act No. 51 of 1977), including any person appointed by the manager of a coastal protected area to enforce the provisions of legislation pertaining to the establishment or management of such area;

"beach" means unconsolidated sediment forming the unvegetated edge of the shoreline of the sea or an estuary that extends from the low-water mark landwards to higher features of the coast such as dunes, cliffs or vegetated soil;

"boat launching site" means a site where members of the public or members of organised clubs use vehicles to launch boats or other vessels into the sea or into an estuary, and "licensed boat launching site" means a site that has a valid licence in terms of regulation 7;

"coastal land-form" means a topographical feature resulting from geomorphological processes affecting the coastline;

"coastal protected area" means an area situated wholly or partially within the coastal zone that has been legally designated as a protected area for the purposes of conserving any aspect of the environment;

"coastal wetland" means an area adjacent to the sea, an estuary or coastal freshwater lake that is regularly or periodically submerged by water, and includes salt marshes, mangrove areas, inter-tidal sands and mud flats, marshes, and minor coastal streams regardless of whether they are of a saline, freshwater or brackish nature;

"coastal zone" means the area adjacent to the sea characterised by coastal land-forms, and includes beaches, dunes, estuaries, coastal lakes, coastal wetlands, land submerged by the waters of the sea, or of any estuary, coastal lake or coastal wetland, boat launching sites, proclaimed harbours and recreational use areas;

"Deputy Director-General" means the Deputy Director-General of the Department of Environmental Affairs and Tourism: Branch Marine and Coastal Management;

"dune" means a mound or ridge of loose wind-blown material, usually sand, whether covered by vegetation or not;

"estuary" means a partially or fully enclosed body of water through which a river or fresh water source is open to the sea permanently or periodically, and in which the water level rises and falls as a result of the action of the tides whenever it is open to the sea, and / or within which sea water can be diluted to an extent which is measurable with fresh water drained from land;

"high-water mark" means the highest line reached by the waters of the sea or of an estuary during either spring tides or ordinary storms occurring during the most stormy period of the year, excluding exceptional or abnormal floods;

"local authority" means a municipality which is established in terms of legislation intended to give effect to section 151 of the Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996);

"low-water mark" means the lowest line to which the waters of the sea or of an estuary recede during periods of ordinary spring tides;

"manager of a coastal protected area" means the organization responsible for managing the coastal protected area;

"MEC" means the member of the executive committee responsible for environmental affairs in the provincial sphere of government;

"permissible use" means a use of a vehicle within the coastal zone referred to in regulation 4 and for which a permit under these regulations is not required;

"physically disabled person" means a person with a disability that significantly limits their functional mobility as defined in the World Health Organization's International Classification on Functioning and Disability in Health;

"proclaimed harbour" means any harbour or port that has been proclaimed or established in terms of legislation;

"private property" does not include a property with unlawfully constructed buildings or improvements;

"provincial authority" means the head of the provincial department responsible for environmental affairs;

"public road" means any road which the public has the legal right to use;

"scientific research" means research carried out by a recognized institute established for the purpose of scientific research, or research carried out by a recognized institution of higher learning, provided that in order to be carried out effectively such research requires the use of a vehicle;

"tourism business" means a commercial business using vehicles in the coastal zone for the purpose of promoting and handling of tours and which employs tourist guides;

'tourist guide' means a tourist guide as defined in the Tourism Act, 72 of 1993;

"use" in relation to a vehicle includes driving, operating or being conveyed by, that vehicle; and

"vehicle" means any motorised conveyance which is designed to transport one or more persons on land and includes a trailer.

General duty of care

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2. Every person who causes, has caused or may cause pollution or degradation of the environment by the use of a vehicle in the coastal zone must take reasonable measures to prevent such pollution or degradation from continuing, recurring or occurring or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment at that person's own cost.

General prohibition

3. No person may use any vehicle in the coastal zone unless that use -
 - (a) is a permissible use under regulation 4; or
 - (b) is authorised in terms of a permit granted under regulation 6; or
 - (c) is authorised in terms of an exemption granted by the Minister under regulation 20; or
 - (d) is lawful in terms of regulation 22.

Permissible uses

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4. The following uses of vehicles within the coastal zone are permissible without a permit granted under regulation 6 -
 - (a) the use by any person of any vehicle -
 - (i) on a public road;
 - (ii) on private land by the owner or with the permission of the owner or lawful occupier of that land;
 - (iii) on a road within a coastal protected area with the permission of the manager of that coastal protected area;
 - (iv) for mining or associated purposes within a mining area as defined in section 1 of the Minerals Act, 1991 (Act No. 50 of 1991);
 - (v) within any part of a proclaimed harbour that has already been physically modified to the extent that it is no longer in a natural or semi-natural state;

- (vi) in an emergency situation in order to safeguard human life or health, property or any aspect of the environment;
- (b) the use of any vehicle within a boat launching site in accordance with the licence issued in terms of regulation 7 for that boat launching site, **provided that a vehicle may be used on a private slipway in respect of which a lease has been granted in terms of the Seashore Act, 1935 (Act No. 21 of 1935);**
- (c) the use by a physically disabled person of an electrically propelled vehicle that is specifically designed and manufactured for use by a physically disabled person;
- (d) the use by an employee of any organ of state of any vehicle for the purposes of performing the public duties of that organ of state; **and**
- (e) the use of a vehicle in the coastal zone by members of the National Sea Rescue Institute or Lifesaving South Africa in the public interest.**

Recreational use areas

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5. (1) The Deputy Director-General may by notice in the Gazette designate areas of the coastal zone as recreational use areas within which vehicles may be used for recreational purposes in terms of a permit granted under regulation 6.
- (2) A local authority or a manager of a coastal protected area may apply to the Deputy Director-General to designate an area under its jurisdiction as a recreational use area if such local authority or manager has fulfilled the requirements of section 24 (4) of the Act in respect of the investigation, assessment and communication of the potential impacts of the activities associated with recreational vehicle use in the proposed recreational use area.
- (3) The Deputy Director-General must not designate a recreational use area unless he or she has consulted with each provincial authority, local authority, manager of a coastal protected area and other organ of state that has jurisdiction over any part of the proposed recreational use area.
- (4) The Deputy Director-General must not designate a recreational use area unless he or she is satisfied on the basis of assessments undertaken in accordance with section 24 (4) of the Act that doing so-
 - (a) will not result in significant harm to the environment; and
 - (b) will not seriously affect any rights of the general public to enjoy the coastal zone.
- (5) The Deputy Director-General may designate a recreational use area subject to terms or conditions that must be complied with by the authority empowered to issue permits in terms of regulation 6 for the use of vehicles within that area.
- (6) The Deputy Director-General may by notice in the Gazette revoke the designation of an area as a recreational use area, or change the terms and conditions imposed when it was designated, if the Deputy Director-General is satisfied after consultation with each provincial authority, local authority, manager of a coastal protected area and other organ of state that has jurisdiction over any part of that recreational use area and on the basis of information that was not considered when the

recreational use area was designated, that it is necessary or desirable to do so in order or to protect the quality of the environment within the coastal zone.

Permits to use vehicles in coastal zone

6. (1) A permit to use a vehicle in the coastal zone may be issued by the Deputy Director-General for the purpose of-
 - (a) carrying on a non-recreational activity in terms of a right, permit or exemption granted under the Marine Living Resources Act, 18 of 1998;
 - (b) scientific research;
 - (c) carrying on a tourism business;
 - (d) accessing private property provided there is no reasonable alternative access to the property;
 - (e) producing an advertisement, feature film, still photograph or a television programme;
 - (f) access by a physically disabled person;
 - (g) carrying on an organised recreational sport fishing competition.
- (2) All applications for permits shall be directed to the Deputy Director-General on a stipulated form.
- (3) When issuing a permit, the Deputy Director-General may impose such conditions as he or she considers conducive to the achievement of the objectives of the Regulations.
- (4) (a) A permit may be issued in terms of sub-regulation 6(1)(a) if the applicant-
 - (i) pays the application fee stipulated by the Deputy Director-General;
 - (ii) demonstrates that the use of a vehicle is required in the coastal zone to effectively carry on the non-recreational activity authorised in terms of the Marine Living Resources Act, 18 of 1998;
 - (iii) demonstrates that the intended vehicle use will not cause significant harm to the coastal zone; and
 - (iv) demonstrates that members of the public will be able to continue to safely use and enjoy that part of the coastal zone.
- (b) Such a permit may be issued for any period, provided that the permit shall expire upon the expiration or reversion of the right, permit or exemption granted under the Marine Living Resources Act.
- (c) The Deputy Director-General may authorise this permit to be transferred if sound reasons exist.

- (5) (a) A permit may be issued in terms of sub-regulation 6(1)(b) if the applicant-
- (i) demonstrates that the use of the vehicle is required to effectively carry out the scientific research;
 - (ii) provides a detailed research proposal approved by a recognised institute established for the purpose of scientific research;
 - (iii) demonstrates that the intended vehicle use will not cause significant harm to the coastal zone; and
 - (iv) demonstrates that members of the public will be able to continue to safely use and enjoy that part of the coastal zone.
- (b) Such a permit may be issued for a maximum period of twelve months, provided that it may be renewed on application to the Deputy Director-General. This permit is not transferable.
- (6) (a) A permit may be issued in terms of sub-regulation 6(1)(c) if the applicant-
- (i) pays the application fee stipulated by the Deputy Director-General;
 - (ii) provides proof of registration of its tour guides and copies of all applicable marketing material in respect of the intended tour or tours in the coastal zone;
 - (iii) has complied with the requirements of section 24(4) of the Act;
 - (iv) demonstrates that the intended vehicle use will not cause significant harm to the coastal zone; and
 - (v) demonstrates that members of the public will be able to continue to safely use and enjoy that part of the coastal zone.
- (b) Such a permit shall be issued for a maximum period of sixty months and shall not be transferable, but may be renewed on application to the Deputy Director-General against payment of the stipulated fee.
- (7) (a) A permit may be issued in terms of sub-regulation 6(1)(d) if the applicant-
- (i) provides proof that the property is lawful;
 - (ii) demonstrates that no reasonable alternative access route to the property exists;
 - (iii) demonstrates that the intended vehicle use will not cause significant harm to the coastal zone; and
 - (iv) demonstrates that members of the public will be able to continue to safely use and enjoy that part of the coastal zone.

- (b) Such a permit may be issued for a maximum period of sixty months, provided that it may be renewed on application to the Deputy Director-General.
- (8)
 - (a) A permit may be issued in terms of sub-regulation 6(1)(e) if the applicant-
 - (i) pays the application fee stipulated by the Deputy Director-General;
 - (ii) provides an independent environmental report on the possible effects of the proposed vehicle use on the coastal zone;
 - (iii) provides a detailed description of the proposed advertisement, production or filming activity and the purpose of the proposed vehicle use;
 - (iv) demonstrates that the intended vehicle use will not cause significant harm to the coastal zone; and
 - (v) demonstrate that the members of the public will be able to continue to safely use and enjoy that part of the coastal zone.
 - (b) Such a permit shall be issued for the duration of the production up to a maximum of thirty days and cannot be transferred.
- (9)
 - (a) A permit may be issued in terms of sub-regulation 6(1)(f) if the applicant-
 - (i) pays the application fee stipulated by the Deputy Director-General;
 - (ii) provides written confirmation from the National Council for Persons with Physical Disabilities in South Africa that he or she is a physically disabled person;
 - (iii) demonstrates that the intended vehicle use will not cause significant harm to the coastal zone; and
 - (iv) demonstrates that members of the public will be able to continue to safely use and enjoy that part of the coastal zone.
 - (b) Such a permit may be issued for a maximum period of three years, provided that it may be renewed on application to the Deputy Director-General.
- (10)
 - (a) A permit may be issued in terms of sub-regulation 6(1)(g) if the applicant-
 - (i) pays the application fee stipulated by the Deputy Director-General;
 - (ii) demonstrates that the event is an organised recreational sport fishing competition held under the auspices of a recognised national or provincial sport fishing organisation;
 - (iii) demonstrates that the intended vehicle use will not cause significant harm to the coastal zone; and

- (iv) demonstrates that members of the public will be able to continue to safely use and enjoy that part of the coastal zone.
 - (b) Such a permit may be issued for a maximum period of one year, provided that the permit shall only be issued for specified organised recreational sport fishing competitions.
- (11) When considering an application for a permit submitted in terms of this regulation to use a vehicle in the coastal zone under the jurisdiction of a manager of a coastal protected area, the Deputy Director-General shall only issue a decision on the application after consulting with the manager of the coastal protected area.
- (12) Notwithstanding anything to the contrary in this regulation, the Deputy Director-General may require an applicant to fulfil the requirements of section 24(4) of the Act in respect of the investigation, assessment and communication of the potential impact of the activity concerned.

Licence for boat launching sites

7. (1) No person shall be entitled to use a vehicle in the coastal zone for the purpose of launching or landing vessels from a boat launching site that is not licensed in terms of this regulation, unless such use is a permissible use.
- (2) An application for a licence shall be made to:
- (a) the manager of a coastal protected area, if the boat launching site is situated in a coastal protected area that has been designated an area of national or international significance or if the boat launching site is under the jurisdiction of the South African National Parks authority, provided that where the applicant for a licence is a manager of a coastal protected area, the application shall be made to the Deputy Director-General; or
 - (b) the provincial authority, if the boat launching site is situated in any other area of jurisdiction.
- (3) When issuing a licence, the manager of the coastal protected area, the Deputy Director-General or a provincial authority may impose any condition considered to be conducive to the achievement of the objectives of the Regulations.
- (4) A licence shall only be issued by the manager of the coastal protected area, the Deputy Director-General or the provincial authority, as the case may be, if the applicant-
- (i) pays an application fee of R5 000.00 (five thousand rand) for each boat launching site sought to be licenced;
 - (ii) complies with the requirements of section 24(4) of the Act relating to the investigation, assessment and communication of the potential impact of the activities associated with boat launching at the site;
 - (iii) demonstrates that vehicle use in the boat launching site area will not cause significant harm to the coastal zone; and

- (iv) submits an environmental management plan.
- (5) A licence shall be issued for a maximum period of sixty months and shall be capable of being renewed on application and against payment of a fee of R1 000.00 (one thousand rand).

Assessment of impact of using vehicles in the coastal zone

8. (1) An applicant for a permit under regulation 6(6) or for a licence under regulation 7 must fulfil the requirements of section 24(4) of the Act in respect of the investigation, assessment and communication of the potential impact of the activity concerned.
- (2) Unless an applicant is suitably qualified and competent to perform the assessments required by section 24(4) of the Act, the applicant must -
- (a) appoint an independent consultant to undertake the investigations and other procedures necessary to comply with section 24(4) of the Act;
 - (b) ensure that the consultant has the required expertise and ability to fulfil the requirements of section 24(4) of the Act; and
 - (c) pay all costs incurred in connection with the employment of the consultant or any other person acting on the applicant's behalf to comply with these regulations.

Responsibilities of authorities issuing permits and licences

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9. The relevant authority referred to in regulation 6 or 7(2) must-
- (a) ensure that its officers and any agents or consultants engaged by it to evaluate applications submitted in terms of these regulations have the expertise required to evaluate compliance with the requirements of section 24(4) of the Act;
 - (b) ensure that the evaluation and decisions required in terms of these regulations are made efficiently and within a reasonable time, subject to the applicant being informed in writing of any undue delays which may occur; and
 - (c) provide the applicant with any information in its possession that could assist the applicant in complying with these regulations.

Consideration of application

10. (1) The relevant authority referred to in regulation 6 or 7(2) may refuse to consider an incomplete application for a permit or licence.
- (2) The said authority may, after considering an application submitted in terms of these regulations-
- (a) request the applicant to carry out further investigations and/or submit additional information;

- (b) request the applicant to consult with specific organisations, authorities, persons or interested parties in general and submit the results of the required consultations;
 - (c) refuse the application; or
 - (d) issue a permit or licence.
- (3) **The relevant authority referred to in regulation 6 or 7(2)** must refuse the application if it reasonably believes -
- (a) that granting the application would be inconsistent with the national environmental management principles in Chapter 1 of the Act;
 - (b) on the basis of information submitted with the application to satisfy the requirements of regulation 8 and section 24(4) of the Act, that the application should be refused; or
 - (c) that granting the application is likely to result in a threat to the safety of the general public or a substantial interference with their right to use and enjoy any part of the coastal zone.
- (4) If the said authorities decide to issue a permit or licence, it must be issued subject to appropriate terms and conditions to ensure that the use of vehicles in terms of that permit or licence is consistent with the national environmental management principles in Chapter 1 of the Act including, where appropriate, requirements that specified measures be taken to avoid, mitigate, control or manage environmental impacts or to rehabilitate the environment.

Record of decision

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11. (1) **The relevant authority referred to in regulation 6 or 7(2)** must issue a written record of the decision made in terms of these regulations to the applicant, and on request to any other interested party.
- (2) The record of the decision must include-
- (a) the geographic location of the area referred to in the application;
 - (b) a precise description of the boundaries of the area affected by the decision;
 - (c) the name, address and telephone number of the applicant;
 - (d) the name, address and telephone number of any consultant involved in the application;
 - (e) the decision of the said authority;
 - (f) the reasons for the decision;
 - (g) the conditions, if any, included in the permit or licence;
 - (h) the date of expiry or the duration of the permit or licence;
 - (i) the signature of **the** person who represents the relevant authority; and

- (j) the date of the decision.

Appeals

- 12. (1) An appeal against a decision by the Deputy Director-General or manager of a coastal protected area taken in terms of regulation 5, regulation 6 or regulation 7(2)(a), as the case may be, shall be made to the Minister.
- (2) An appeal against a decision of the provincial authority taken in terms of regulation 7(2)(b) shall be to the MEC of that province.
- (3) The decision of the appeal authority shall be final.
- (4) An appeal must be lodged in writing and shall state the grounds on which it is based and may be accompanied by documents that are certified as true copies of the original.
- (5) An appeal must be lodged within 30 days after the date of the record of decision issued in terms of regulation 11.

Suspension, amendment and cancellation of permits and licences

- 13. (1) The relevant authority that issued the permit or licence may only suspend, cancel or amend it if -
 - (a) the relevant authority is satisfied that the permit holder or licence holder is in breach of a condition imposed by the relevant authority;
 - (b) after the holder of the permit or licence was given an opportunity to comply with the condition, and failed to do so; and
 - (c) the holder of the permit or licence was given an opportunity to make written representations to the relevant authority.
- (2) If the Minister has reason to believe that a permit or licence issued by the relevant authority under these regulations is inconsistent with the national environmental management principles in Chapter 1 of the Act or with any other provision of the Act or these regulations, the Minister may intervene and suspend, cancel or amend the permit or licence.

Law enforcement

- 14. (1) Any authorised officer may-
 - (a) arrest any person whom he or she has reasonable grounds to believe has committed or is committing an offence in terms of these regulations;
 - (b) seize any vehicle if he or she on reasonable grounds believes that the vehicle –
 - (i) has been or is being used in the commission of an offence in terms of these regulations;

- (ii) may afford evidence of the commission or suspected commission of an offence in terms of these regulations; or
 - (iii) is intended to be used in the commission of an offence in terms of these regulations;
 - (c) at any time within 30 days of the alleged commission of the offence, issue a summons in terms of the Criminal Procedure Act, 1977 (Act No. 51 of 1977) to any person whom he or she has reasonable grounds to believe has committed or is committing an offence in terms of these regulations.
- (2) Any person issued with a summons in terms of sub-regulation 14(1)(c) may in terms of the Criminal Procedure Act, 1977 (Act No. 51 of 1977), pay an admission of guilt fine of R1000.

Co-operation with authorised officers

15. (1) Whenever an authorised officer exercises any power or performs any duty in terms of these regulations, he or she shall at the request of any person affected thereby, produce an identity card identifying the officer as an authorised officer in terms of these regulations.
- (2) The driver of any vehicle in the coastal zone must comply immediately with any lawful instruction given or request made by an authorised officer.
- (3) Any person who has been granted a permit to use a vehicle in the coastal zone under these regulations, or any person whose application for an exemption under regulation 20 has been granted, must immediately produce such permit or proof of such exemption if requested to do so by an authorised officer.
- (4) No person shall—
- (a) assault, obstruct, resist, delay, threaten, intimidate, abuse or otherwise interfere with an authorised officer in the performance of his or her duties, or any other person lawfully assisting and acting under the orders of an authorised officer;
 - (b) incite or encourage any other person to assault, resist or obstruct any authorised officer while exercising or performing his or her powers or duties, or any other person lawfully assisting and acting under the orders of the authorised officer;
 - (c) fail to comply with the lawful requirements of any authorised officer; or
 - (d) give any false or misleading particulars to an authorised officer.

Procedure with regard to seized vehicles

16. (1) Any vehicle seized under these regulations must -
- (a) be immediately delivered to a police official for safe-keeping if the authorised officer is not a police official as defined in section 1 of the Criminal Procedure Act, 1977 (Act No. 51 of 1977);
 - (b) be dealt with in accordance with the provisions of the Criminal Procedure Act, 1977 (Act No. 51 of 1977) except as otherwise provided in these regulations.
- (2) If any vehicle has been seized in terms of regulation 14 and a person who has been properly charged with an offence in relation thereto fails to appear to answer the charge within 90 days of the seizure, the Director-General may apply to the court for it to be forfeited to the State and the court shall make any order it considers appropriate.
- (3) If the lawful owner of a seized vehicle fails to take delivery of the vehicle within 90 days of being notified by registered post at his or her last-known address that he or she may take possession of the vehicle, the vehicle shall be forfeited to the State and disposed of as the Director-General in his or her discretion considers appropriate.
- (5) If the owner of a vehicle or the person having the possession, care or control of it at the time of its seizure is served with a summons or convicted of an offence in terms of these regulations and a fine is imposed, the vehicle may be detained until all fines, orders for costs and penalties imposed in terms of these regulations have been paid.
- (6) If any payment contemplated in sub-regulation (4) is not made within such time as the court may determine, the court may order the vehicle to be forfeited to the State.

Offences and penalties

17. Any person who contravenes any provision of these regulations shall be guilty of an offence and liable on conviction to a minimum fine of R2000 but not exceeding R10000, or to imprisonment for a minimum period of six months but not exceeding two years, or to both such fine and such imprisonment.

Presumptions

18. If in the course of any proceedings in connection with an offence under these regulations it is proved that—
- (a) a person was sitting behind the wheel or at the controls of a vehicle, whether or not the vehicle was stationary, **it shall be prima facie proof that the person was using that vehicle in that place.**
 - (b) a person used a vehicle in the coastal zone other than on a public road, **it shall be prima facie proof that** the vehicle was used in a manner that was not permissible under regulation 4; was not authorised in terms of a permit granted under regulation 6 or an exemption under regulation 20, and was not lawful in terms of regulation 22.

Forfeiture

19. (1) A court convicting any person of an offence under these regulations may declare any vehicle used in committing the offence, or the rights of the convicted person to such vehicle, to be forfeited to the State.
- (2) Any vehicle ordered to be forfeited in terms of these regulations shall be disposed of as the Director-General in his or her discretion considers appropriate.

Exemptions

20. Any person, including an organ of state, may apply in writing to the Minister for exemption from complying with any of the requirements in regulation 6, 7 or 8 for the granting of a permit, licence or the carrying on of an environmental assessment in terms of section 24(4) of the Act, respectively, and the Minister shall only issue an exemption if satisfied that granting such exemption will not result in significant harm to the coastal zone, will not seriously affect any rights of the general public to enjoy the coastal zone, and is in the public interest, alternatively in the interests of protecting the environment.

Conflict and Repeal

21. (1) The regulations will prevail if there is any conflict between any of the provisions in them and any other regulations, by-laws or other subordinate legislation relating to the use of vehicles in the coastal zone made under any Act, prior to these regulations coming into force.
- (2) The General Policy published in terms of the Environment Conservation Act, 1989 (Act No. 73 of 1989): Control of Vehicles in the Coastal Zone, promulgated as Government Notice No. 858 in the Government Gazette of 29 April 1994 is hereby repealed.

Transitional provisions

22. Any part of the coastal zone designated a recreational use area under regulation 5 of the Regulations, any permit issued under regulation 6 of the Regulations, any licence issued under regulation 7 of the Regulations and any exemption granted under regulation 20 of the Regulations shall remain valid until revocation of the designation, expiry of the record of decision or the expiry of the exemption, as the case may be.

Commencement

23. These regulations commence 30 days after the date on which they are promulgated.