

# Legal & policy framework

## Golden Gate Highlands National Park

### *An introduction*

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# **SANParks vision**

National parks will be the pride and joy of all South Africans and of the world.



South African  
NATIONAL PARKS



## **SANParks mission**

To develop and manage a system of national parks that represents the biodiversity, landscapes and associated heritage assets of South Africa for the sustainable use and benefit of all.





## **Legal framework**

### **❖ THE CONSTITUTION ACT 108 OF 1996**

In terms of the Constitution national parks fall under the legislative competence of the national government.



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## **Legal framework**

### **❖ NATIONAL PARKS ACT 57 OF 1976**

- South African National Parks is established in terms of the National Parks Act 57 of 1976
- The National Parks Act and the regulations in terms of the Act are governing national parks at this stage.



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# Legal framework

The Act describes the objective of a national park as follows:

“The objective of the constitution of a park is the establishment, preservation and study therein of wild animal, marine and other life and objects of geological, archaeological, historical, ethnological, oceanographic, zoological and other scientific interest and objects relating to the said life or the first-mentioned objects or to events in or the history of the park in a manner that the area which constitutes the park shall, as far as may be and for the benefit and enjoyment of visitors, be retained in its natural state.”

**Every action of SANParks must promote the objective of a national park.**



# Legal framework

## Land Acquisition

The process of acquiring land for a national park is prescribed in the Act.

The Minister of Public Works and SANParks itself can acquire land, after following a consultation process. The land is then declared as a national park. Private land can also be declared as a national park when an agreement is reached with the owner.





# Legal framework

## Funding

SANParks receives a limited amount of funding from DEAT and has to be self-sufficient. The funds of SANParks can only be used for purposes of a national park as described in the Act. Its financial report has to be tabled in Parliament.





## **Legal framework**

### **NATIONAL ENVIRONMENTAL MANAGEMENT: PROTECTED AREAS AMENDMENT ACT 31 OF 2004**

- ❖ The National Parks Act 57 of 1976 will be repealed by the National Environment Management: Protected Areas Amendment Act 31 of 2004
- ❖ The Act is not yet in operation as the regulations are being finalised. It is expected that the Act will come into operation in the second half of 2005



# Biodiversity values

- ❖ We adopt a complex systems view of the world while striving to ensure the natural functioning and long term persistence of the ecosystems under our care.
- Biodiversity informs and constrains all aspects of SANParks operations
- We ensure continuous learning by practising an adaptive approach to biodiversity research, monitoring and management
- We are responsive to the impact of other (V\_STEEP) systems on the biodiversity system
- We are concerned, and responsible, for the implications of our biodiversity management decisions/actions, within and without a park (SANParks), for other (V\_STEEP) systems at local, regional and global levels



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# Biodiversity values

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- ❖ We aim at persistent achievement of biodiversity representivity and complementarity to promote resilience and ensure ecosystem integrity.
- We treat all biodiversity elements (all species, ecosystems, processes, structural components, etc.) with equity
- We manage in a bio-regional context to promote connectivity across all landscape elements
- We ensure representivity while accounting for uniqueness
- The acquisition and restoration of land are guided by these values and principles



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# Biodiversity values

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- ❖ We can intervene in ecosystems responsibly and sustainably, but we focus management on complementing natural processes under a "minimum interference" philosophy.
- Where anthropogenic influences warrant, interference, even severe interference, is acceptable for achieving our biodiversity custodianship mandate
- A laissez-faire approach may be used but it will be a conscious and informed choice
- Biodiversity forms the basis of the ecosystem services that sustain the benefits that humans derive from conservation
- Beneficiation of biodiversity assets/ecosystem services for human use and enjoyment is fully cognisant of the associated conversion natural capital and the potential for insidious impoverishment of genetic diversity and ecosystem integrity
- We effectively measure our performance in biodiversity management



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# Biodiversity values

- ❖ We accept with humility the mandate of custodianship of biodiversity for future generations while recognising that both natural and social systems change over time.
- We strive for continuous, and co-operative, improvement of public perception of our rationale for conservation practice and beneficiation of biodiversity/ecosystem services
- Biodiversity understanding and management must reflect the social imperatives (e.g. transformation, equity, efficiency, empowerment, growth) of an emerging African democracy

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## **Golden Gate Highlands National Park**

*Thank you*



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