

S.I. 49 of 2023

NATURE RESERVES AND CONSERVANCY ACT

(Act 3 of 2022)

Nature Reserves and Conservancy (Further Criteria for Classification of Protected Areas) Regulations, 2023

Arrangement of Regulations

Regulations

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S.I. 49 of 2023**NATURE RESERVES AND CONSERVANCY ACT***(Act 3 of 2022)***Nature Reserves and Conservancy (Further Criteria for Classification of Protected Areas) Regulations, 2023**

In exercise of the powers conferred by Section 5 (2) of the Nature Reserves and Conservancy Act, 2022, the Minister responsible for the environment makes the following regulations —

Citation

1. These Regulations may be cited as the Nature Reserves and Conservancy (Further Criteria for Classification of Protected Areas) Regulations, 2023.

Interpretation

2. In these Regulations, unless the context otherwise requires —

“Act” means the Nature Reserves and Conservancy Act, 2022 (Act 3 of 2022);

“active management” means any management measure to address threats, including poaching and invasive species, that modifies the overall functioning of the ecosystem and alter natural succession;

“cultural values” means values that do not interfere with the conservation outcome, including those that contribute to conservation outcomes and those that are themselves under threat;

“ecosystem approach” means the integrated management of land, water and living resources to promote conservation and sustainable use of biodiversity in an equitable way;

“geodiversity” means the diversity of minerals, rocks whether solid or drift, fossils, landforms, sediments and soils, together with the natural processes that constitute the topography, landscape and the underlying structure of the earth;

“habitat” means the locality or environment in which a species lives or occupies;

“managed” means some active steps to conserve the natural values for which the protected areas were established, and can include leaving an area untouched if this is the best conservation strategy;

“restoration” means all of the key ecological processes, functions and all of the original biodiversity are re-established; and

“sustainability” means adequate access, use and management of the natural resources, to ensure that the present and future generations are able to meet their basic needs on an uninterrupted basis.

Application

3. These Regulations shall apply to the categories of protected areas set out in section 5(1) of the Act.

Further criteria for classification of protected areas

4. Further criteria for the classification of protected areas shall be as set out in the Schedule.

SCHEDULE

Categories of Protected Areas	Further Criteria for Classification of Protected Areas
<p>Strict Nature Reserve</p> <p>Section 5 (3) (a) of the Act</p>	<p>The area shall</p> <ul style="list-style-type: none"> (a) consist of significant densities of native species; (b) consist of significantly intact ecosystems requiring minimal management interventions; (c) be free of frequent direct intervention by humans that would compromise the conservation objectives of the area; (d) only promote active management activities that sustains or enhances natural processes; (e) be important for its genetic resources; (f) be recognized as an area of national biological importance; (g) contain unique or representative geological or geomorphological structures or processes; and (h) be of sufficient size to enable key natural processes to take place.

<p>Ecological Reserve</p> <p>Section 5 (3) (b) of the Act</p>	<p>The area</p> <ul style="list-style-type: none"> (a) shall contain habitats or species, which are endangered or declining; (b) shall consist of significant densities of native species and ecosystems of national biological importance; (c) shall contain unique or representative geological or geomorphological structures or processes; (d) shall be under active management interventions to ensure the survival of specific habitats and species; (e) shall have existing limited human interactions; and (f) may allow for targeted introduction, re-introduction, translocation or re-location of species in line with its conservation objectives.
<p>National Park</p> <p>Section 5 (3) (c) of the Act</p>	<p>The area shall</p> <ul style="list-style-type: none"> (a) contain representative examples of key ecosystems, biological and environmental features or scenery; (b) contains unique or representative geological or geomorphological structures or processes; (c) be a site that harbors a concentrated population of a rare plant or animal species, particularly one officially recognised as threatened or endangered; (d) offer opportunities for recreation and tourism activities in line with the conservation objectives of the area; (e) contain cultural, historical, spiritual values of national importance; (f) allow for the implementation of restoration activities to restore the composition, structure and function of the biodiversity of the area and; (g) contain natural resources that can be sustainably used.

<p>Protected Landscape or Protected Seascape</p> <p>Section 5 (3) (d) of the Act</p>	<p>The area shall —</p> <ul style="list-style-type: none"> (a) have a landscape or seascape that possess exceptional value or quality in illustrating or interpreting our heritage; (b) be a site that harbors populations of rare plant or animal species; (c) be a critical refuge that is necessary for the continued survival of threatened species; (d) be used for recreational and tourism purposes; and (e) act as a buffer around existing protected areas or act as biodiversity corridors linking habitats to other protected areas.
<p>Sustainable Use Area</p> <p>Section 5 (3) (e) of the Act</p>	<p>The area shall —</p> <ul style="list-style-type: none"> (a) be expected to hold significant socio-economic and cultural value; (b) contain natural resources that can be used sustainably without leading to the long-term decline of the resource and integrity of the biological diversity; and (c) promote scientific research and monitoring to inform the sustainable use of natural resources in the area.
<p>Transboundary Protected Area</p> <p>Section 5 (3) (f) of the Act</p>	<p>The area shall —</p> <ul style="list-style-type: none"> (a) support joint conservation objectives together with other countries sharing a particular boundary; (b) be jointly managed with appropriate management frameworks in place to facilitate collaboration and cooperation between interested parties; and (c) encompass ecosystems or habitats that are interconnected and dependent on each other.

MADE this 20th day of June, 2023.

**FLAVIEN JOUBERT
MINISTER OF AGRICULTURE,
CLIMATE CHANGE AND ENVIRONMENT**
