

APPENDIX E

LIST/SCHEDULE OF PROPOSED FINES¹ [AS AMENDED AT AUGUST 2018]

EMP TRANSGRESSION OR RESULTANT ENVIRONMENTAL DAMAGE ²	PROPOSED FINE ³
ADMINISTRATIVE MANAGEMENT	
Failure to comply with prescriptions regarding monitoring of EMP compliance.	R 50,000
Failure to comply with prescriptions regarding environmental awareness training.	R 5,000
Failure to comply with prescriptions regarding Method Statements.	R 5,000
Failure to report environmental damage or EMP transgressions to the Engineer or ECO.	R 5,000
Failure to carry out instructions of the Engineer regarding the environment or the EMP.	R 5,000
Failure to comply with prescriptions regarding posting of emergency numbers.	R 5,000
Failure to comply with prescriptions regarding a complaints register.	R 5,000
Failure to comply with prescriptions regarding information boards.	R 5,000
SITE MANAGEMENT	
Failure to comply with...	
Prescriptions regarding site demarcation and enforcement of 'no-go' areas.	R 5,000
Prescriptions regarding site clearing.	R 5,000
Prescriptions for the storage of imported materials within a designated contractor's yard.	R 1,000
Prescribed administration, storage or handling of hazardous substances.	R 1,000
Prescriptions regarding equipment maintenance and storage.	R 1,000
Fuel storage, refuelling, or clean-up prescriptions.	R 1,000
Prescriptions regarding procedures for emergencies (spillages and fires).	R 5,000
Prescriptions regarding construction camp.	R 5,000
Prescriptions for the use of ablution facilities.	R 1,000
Prescriptions regarding water provision.	R 1,000
Prescriptions for the use of designated eating areas, heating source for cooking or presence of fire extinguishers.	R 1,000
Prescriptions regarding fire control.	R 5,000
Prescriptions for solid waste management.	R 5,000
Prescriptions for work in a watercourse.	R 5,000
Prescriptions to prevent water pollution and sedimentation.	R 5,000
Prescriptions for the protection of natural features, flora, fauna and heritage resources.	R 5,000
Prescriptions regarding noise levels of construction activities.	R 5,000
Prescriptions regarding working hours.	R 5,000
Prescriptions regarding aesthetics.	R 1,000
Prescriptions regarding dust control.	R 1,000

1 Fines and/or directives imposed in terms of other environmental laws are not precluded and will also apply, as appropriate

2 Note that, in addition, a person convicted of an offence in terms of the National Environmental Management Act is liable to a fine of up to R 10 million or to imprisonment for a period from 1 year and not exceeding 10 years, or to both such fine or such imprisonment

3 For each subsequent similar offence committed by the same entity, the fine shall be doubled in value to a maximum value of R50,000.

Replacement values for removal or damage of indigenous trees outside identified working areas*:

Diameter of trunk (1m above ground level)	Replacement value per tree
0 – 15 mm	R200
16 – 30 mm	R400
31 – 50 mm	R1 000
51 – 75 mm	R2 000
76 – 100 mm	R5 000
101 – 150 mm	R10 000
150 – 300 mm	R20 000
Larger than 300 mm	R30 000 to R200 000

* These transgressions could, in addition, also attract one or more of the above fines