It is hereby notified that the President has assented to the following Act, which is hereby published for general information:—

Act No. 22 of 2024: Climate Change Act, 2024

No. 5050 23 July 2024

Zwi khou divhadziwa heneha uri mupresidende o tendelana na uyu mulayo une wa khou andadziwa hu u itela ndivhadzo kha tshitshavha:—

Nom 22 ya 2024: Mulayo wa Tshanduko ya Kilima, 2024
GENERAL EXPLANATORY NOTE:

Words underlined with a solid line indicate insertions in existing enactments.

(English text signed by the President)
(Assented to 18 July 2024)

ACT

To enable the development of an effective climate change response and a long-term, just transition to a low-carbon and climate-resilient economy and society for South Africa in the context of sustainable development; and to provide for matters connected therewith.

PREAMBLE

WHEREAS everyone has the constitutional right to an environment that is not harmful to their health and well-being, and to have the environment protected for the benefit of present and future generations through reasonable legislative and other measures that secure ecologically sustainable development and the use of natural resources while promoting justifiable economic and social development;

AND WHEREAS anthropogenic climate change represents an urgent threat to human societies and the planet and requires an effective, progressive and incremental response;

AND WHEREAS the Republic—

(a) has a role to play in the global effort to reduce the greenhouse gas emissions identified by the international community as the primary drivers of anthropogenic climate change, and for which the implementation of appropriate mitigation responses is urgently required;

(b) is especially vulnerable to those impacts of climate change which require urgent and appropriate adaptation responses; and

(c) has made international commitments and obligations, including to communicate and implement an effective nationally determined climate change response, encompassing mitigation and adaptation actions, that represents the Republic’s fair contribution to the global climate change response;

AND WHEREAS climate variability in the Republic, including the increased frequency and intensity of extreme weather events, will affect, amongst other things, human health, access to food and water, biodiversity, habitats and ecosystems, the coast and coastal infrastructure and human settlements;

AND WHEREAS anticipated impacts arising as a result of climate change have the potential to undermine achieving the Republic’s developmental goals;
THALUTSHEDZONYANGAREDZI:

Maipfi o talelwaho nga mutalo u sa khauwi a sumbedza zwine zwa khou dzheniswa kha u phasiswa hu re hone.

(English text signed by the President)
(Assented to 18 July 2024)

MULAYO

U itela u konisa mveledziso ine ya shuma zwavhudi ya liga la u shumana na zwa tshanduko ya kilima nahone lwa tshifhinga tshilapfu, u shandukela kha zwa khabori ya fhasi na kilima i re na ikononi yo khwaihela no tshitshayha tsha Afrika Tshipembe kha nyimele ya mveledziso yo khwaihaho; na u ita mbetshe lo malugana na zwine zwa kwamana na zwenzewo.

MARANGAPHANDÂ

SA IZWI munwe na munwe kha ndayotewa a na pfanelo ya zwa mupo une wa sa vhaise mutakalo, na u vha na mupo wo tsireledzeaho une wa vhuedza mirafho ya zwi no mirafho ya tshifhinga tshiâha nga kha maga a pfadzaho a mulayosiâwa na munwe maga ane a tsireledza mveledziso yo khwaihaho ya ikhojodzhi na u shumiswa ha zwishumiswa zwa mupo hone hu tshi khou ũtũuwedza ikononi i pfadzaho nahone na mvelaphandâ ya matshishisano;

NAHONE SA IZWI tshanduko ya kilima zwo itwa nga vhathu ndi tsutshzedzo ya tshiâha kha vhathe na pulanete nahone hu ũtėa ũlîga ũlîne ũjâna shuma zwavhudi nahone ũjâna ũjâne ũjâna ya phanâna na u engedzwâ;

NAHONE SA IZWI Riphabulîkî—

(a) i na mushumo une ya tea u shuma kha ndingedzo dza Jifhasi dza u fhungudza vhubvisagese ya tshikalani yo topolwaho nga tshitshayha tsha mashango a dzitshakatshaka tshitsisi tshihulusa tsha tshanduko ya kilima zwo itswa nga vhathu, nahone u shumiswa ha maga a u fhungudza zwi khou ũtėa lwa tshiâha;

(b) a yo ngo tsireledza nga idzo ũtũuwedzo dza tshanduko ya kilima dzine dza ũtėa maga a tshiâha nahone o tehâo; na

(c) yo ita zwa u dzhenhisa kha mbôfho na vhudiimiseli kha zwa mashango a dzitshakatshaka, hu tshi katelewa u davhidza na u thoma u shumisa Jîga ja zwa tshanduko ya kilima jîne ja shuma zwavhudi Jo lavheleswaho kana u itiwa nga lushuka, hu tshi katelewa nyitio dza u fhungudza na u shandukisa, jîne ja imele u dzhenela hu pfadzaho ha Riphabulîkî kha Jîga Jîfhasi kha zwa tshanduko ya kilima;

NAHONE SA IZWI tshanduko ya kilima kha Riphabulîkî, hu tshi katelewa nyanzelo na vhuhulu ha khalulo ya zwine mutsho wa itisa zwone, zwi do kwama, vhunzi ha zwiithu, mutakalo wa vhathu, tswelelelo kha zwiliwa na maði, zwoâhe zwi tshilâho, vhudadzawishihlo na dzikhosisitéâme, phendelashango na themanmveledziso ya phendelashango na madzulo u vhathu;

NAHONE SA IZWI ũtũuwedzo dzo lavheleswaho dzi tshi khou vhâone zwi itiswa nga tshanduko ya kilima dizi na khonadzeo ya u khakhisa u swikelewa ha zwipikwa zwa mveledziso kha Riphabulîkî;
AND WHEREAS implementing an effective climate change response is a national sustainable development priority as set out in the National Climate Change Response White Paper, while the Republic’s Nationally Determined Contribution under the Paris Agreement, as may be varied from time to time, anticipates—

(a) the realisation of significant socio-economic and environmental benefits in a manner that is driven and customised in the light of national circumstances, developmental, transformational, empowering and participatory, dynamic and evidence-based, balanced, cost-effective, integrated and aligned; and

(b) support for a just transition to a climate-resilient, equitable and internationally competitive low-carbon economy and society, that takes into account the risks and opportunities that are expected to arise as a consequence of implementing the national climate change response;

AND WHEREAS responding to climate change raises unique challenges to effective governance as its impact transcends and challenges traditionally sectoral governance approaches, which require a nationally driven, coordinated and cooperative legal and administrative response that acknowledges the significant role of the provincial and municipal spheres taking into account the Intergovernmental Relations Framework Act, 2005 (Act No. 13 of 2005);

AND WHEREAS climate change policy needs to be implemented in the context of sustainable development objectives and the achievement of national development goals, it is desirable to develop a legal and institutional framework for the implementation of the Republic’s national climate change response, in order to address these matters,

BE IT THEREFORE ENACTED by the Parliament of the Republic of South Africa, as follows:—

ARRANGEMENT OF SECTIONS

Sections

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INTERPRETATION, OBJECTS AND APPLICATION

1. Definitions
2. Objects of Act
3. Principles
4. Application of Act
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CHAPTER 2

POLICY ALIGNMENT AND INSTITUTIONAL ARRANGEMENTS

7. Alignment of policies
8. Provincial Forums on Climate Change
9. Municipal Forums on Climate Change
10. Presidential Climate Commission
11. Functions of Presidential Climate Commission
12. Process of appointment
13. Appointment of Executive Director
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NAHONE SA IZWI u thoma u shumisa l'iga jine ja shuma zwavhuçi kha zwa tshanduko ya kilima hu tshiši hu ndemesi tsha lushaka tshe khwaţhelaho tsha mvededziso ya lushaka sa zwe zwa sumbedzwa kha Ngâvhadzamulayotibe ya Lîga Ja Lushaka kha zwa Tshanduko ya Kilima, hu na uri Vhudzheneli vhu Lavehesiwa ho Lushaka ha Rihapulûjiki nga ñhâsi ha Thendelano ya Paris, zwi tshi nga shandukiswa misi yotchhe, ndavehelpelo ndi ya u—

(a) kumafhadza ikonomi ya zwa vhuţhogwa na mbuelo dza mupo nga ñdila ine ya langwa na u dzudzanywa ho sedzwa nyimele dza lushaka, mvededziso, khwiqêfhadzwa, maandafhadzo na vhudzheneli, u shandukashanduka nahone zwo sendekahâ ho khv uţanzi, ndinganelo, zwi sa ñjuri, zwo t'anganelanaho nahone zwo livhanaho; na

(b) tikedza tshanduko i pfadzaho kha zwa kilima ya khwaţhelaho, zwi pfadzaho na ikonomi na tshihtshavha hu re na vhuvvisakhaboni hu re ñhâsi kha mashanghe dzishakhatsa, hu tshi khou dzhielwa nzhele ho khovhakhombo na zwiikhâla zwine zwa lavelelewa u vha hone zwo vhangwa nga u thoma u shumisa l'iga l'î a zwa tshanduko ya kilima ja l'ushaka;

NAHONE SA IZWI zwa l'iga kha zwa tshanduko ya kilima zwi tshi ita uri hu vhe na khædu znzicenzi kha kuvhusele kune kwa shuma zwavhuçi sa izwi thut'huwedzo dza hone dzì tshi pqâja na u ita khædu kha ngona dza sialala dza sekithâra kha kuvhusele, zwine zwa thodâ u tshimbidzwa nga lushaka, khonanyo na tshumisano ya zwa mulayo na l'îga Ja vhuâlangi vhune ha ts'anganezâ mushumo wa ndeme wa vundu na misipala hu tshi khou dzhielwa nzhele Mulayo wa Mutheo wa Vhushaka ha th'anganelano ya Mivhuso wa, 2005 (Mulayo wa nomboro ya. 13 wa 2005);

NAHONE SA IZWI mbekeńamaitele ya tshanduko ya kilima i zwi te u shumiswa kha nyimele ya zwiipikwa zwa mvededziso yo khwaţhou na u swiekelela ha zwiipikwa zwa mvededziso ya lushaka, zwi a thodâ uri hu bvededziswe mutheo wa mulayo na mutheo wa zwiimiswa u itela u shumiswa ha l'îga Ja zwa tshanduko ya kilima Ja l'ushaka kha Rihapulûjiki, u itela u tandulula mathungo aya,

UPHASISWE nga Phalamennde ya Rihapulûjiki ya Afrika Tshipembe nga ndila i tevhela ho—

NZUDZANYO DZA KHETHEKANYO

Khethekanyo

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1. T'halutshedzo
2. Zwiipikwa zwa Mulayo
3. Ñdajo
4. Kushumisele kwa Mulayo
5. U shumiswa ha Mulayo wa Ndango ya Mupo wa Lushaka
6. Khuţano na muvwe mulayosinâwa

NDIMA YA 2

NDIVHANYISO YA MBEKENYAMAITELE NA NZUDZANYO DZA TSHIIMISWA

7. Ndîvînhanyiso ya dzîmbekeňamaitele
8. Foramu dza Mavundu dza Tshanduko ya Kilima
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10. Khomishini ya Kilima ya Phresidendne
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12. Kuietele kwa u thola
13. U tholwa ha Mulangi na Khorotshitumbe
14. Ndalo ya mashelele
15. U vhiga kha muvhuso
16. Thuso ya ndalo na vhun'waleti

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20. Nyimele dza vhudowedzi
21. Pujane na Ndila ya VhudoWedzi ha lushaka
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24. Ndila ya Vhubvasigesye ta shikhali la Lushaka
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26. Mishumo na gese dza tshikhali la dzir e kha mutevhe
27. Migaganyagwama ya khaboni
28. U fhungudza na u fhelisa vhubvisageseitwa ya tshikhali na u ṭhivhadza
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MAFHUNGONYANGAREDZI NA NZUDZANYO DZA TSHANDUKO

30. Ndungulo
31. Vhukwamani
32. U dhenela ha tshitshawha
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34. U swikelela mafhungo
35. Vhuthinyi na ndatiso
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37. Zwi sa katelwi, mbetshelo dza tshanduko na khwiqiso ya milayo
38. Dzina jipufhi na u thoma u shumisa Mulayo

SHEDULU YA 1

Mishumo yo teaho kha mvedziso ya Zwipikwa zwa Vhubvisagesye ka Sekithara

SHEDULU YA 2

Mihasho ya Lushaka na Zwiimiswa zwa Muvhuso zwi re na vhudifhindulelha mishumo yeneyo ine ya ũtho ea u bveledzisa Pujane na Ndila ya VhudoWedzi kha Sekithara

SHEDULU YA 3

Khwiqiso ya milayo
CHAPTER 1

INTERPRETATION, OBJECTS AND APPLICATION

Definitions

1. In this Act, unless the context indicates otherwise—
   “adaptation” means any adjustment in natural or human systems in response to actual or expected climatic stimuli or their effects which moderates harm or exploits beneficial opportunities;
   “adaptive capacity” means the ability of systems, institutions, humans and other organisms to adjust to potential damage, to take advantage of opportunities, or to respond to consequences;
   “carbon budget” means an assigned amount of greenhouse gas emissions allocated to a person in terms of section 27 for direct emissions arising from the operations of that person over a defined time period;
   “Carbon dioxide equivalent or CO₂e” means the number of metric tons of carbon dioxide emissions with the same global warming potential as one metric ton of another greenhouse gas;
   “carbon sink” means any process, activity or mechanism which removes a greenhouse gas, an aerosol or a precursor of a greenhouse gas from the atmosphere;
   “climate change” means a change of climate that is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and that is in addition to natural climate variability observed over comparable time periods;
   “commissioner” means a commissioner of the Presidential Climate Commission appointed in terms of section 10(4);
   “Department” means the national department responsible for environmental affairs;
   “direct greenhouse gas emissions” means greenhouse gas emissions from sources that are owned or controlled by a person;
   “Disaster Management Act” means the Disaster Management Act, 2002 (Act No. 57 of 2002);
   “district municipality” means a district municipality established in terms of the Local Government: Municipal Structures Act;
   “ecosystem” means a dynamic system of plant, animal and micro-organism communities and their non-living environment, interacting as a functional unit;
   “environment” has the meaning assigned to it in section 1 of the National Environmental Management Act;
   “Gazette”, when used in relation to—
   (a) a Minister, means the Government Gazette;
   (b) an MEC, means the Provincial Gazette of the province concerned; and
   (c) a municipality, means the Provincial Gazette of the province in which the municipality is situated;
   “greenhouse gas” means gaseous constituents of the atmosphere, both natural and anthropogenic, that absorb and re-emit infrared radiation;
   “greenhouse gas mitigation plan” means the mitigation plan contemplated in section 27(4) which contains mitigation measures prepared specifically for the mitigation of greenhouse gas emissions;
   “indirect greenhouse gas emissions” means emissions that are a consequence of the activities of a person, but occur at sources owned or controlled by another person;
NDIMA YA 1

KUTALUTSHEDELE, ZWIPIKWA NA KUSHUMISELEH

Thalutshedzo

1. Kha uno Mulayo, nga nda ha musi nyimele i tshi sumbedza nga inwe ndjila—

“vhudowedzi” zwi amb a ndivhanyiso inwe na iwe kha sisitème dza mupo kana
vhatu hu jiga jà ndivhanyiso na tshi’tut uwedzi tsha kilima tsho lavhelelwaho kana
tsha vhukuma kana masiandoitwa ane a fhungudza khuvhale kana a shumisa
zwiikhala zwa mibile;

“u kona u dôwela” zwi amb a vhukoni ha dzisitème, zwimiswa, vhatu na
zwinwe zwi tshila ko a kona ò dowedzi kana u ò ianisa na khonadezoe dza
trhinyaelo, kha zwiviwyia zwa zwikhala, kana kha jine jà dzheli u itela u
shumana na masiandoitwa;

“mugaganyagwama wa zwa khabori?” zwi amb a mashelezi o avhelwaho hu tshi
khou itelwa zwa vhuvhivasige ya tshikhaliani ane a avhelwa muthu hu tshi khou
thvedzwa khehekyanyo ya 27 kha zwa u bva ha gese zwo livhaho zwi tshi khou
itsiswa nga mishumo ya uyo muthu nga murahu ha tshiifinga tsho juluswaho;

“tshine tsha lingana na Gesepsufi kana CO2e” zwi amb a nobombo ya tshileme
thi; zwa thani dza u b va ha gesepfu zwi tshi fana na khonadezoe ya mufhiso w a kha
pulanete sa tshiileme tshithi tsha tshiunwe i tshi ine ya bvisela thungo gese ya tshikhaliani,
zwifadzeli kana tshirangeli ngi kha zwi gese ya tshikhaliani u bva tshilali;

“tshanduko ya kilima” zwi amb a tshanduko ya kilima zwinwe nga ndjila yo
livhaho kana i songo livhaho zwi dzhiwiwa zwi tshi vhanga nga zwiitso zwa zva
zwine zwi shandukasa mbumbo ya pulanete tshikhaliani u tshrwekana Glamunweki
zwi tshi fana na khonadezoe na zwiunyeszwe na u itelwa na zwiitso zwa muda tsho
zwine zwi tshanduko sephugwe zwi tshi inwe zwi tshi tshikhalani na uritse wobvi
zwine zwi shandukashanduka ka kilima lwa mupo sa zwi wa wanala nga
murahu ha mhabembele na zwiifinga; 

“khomishinari” zwi amb a khomishinari wa Khomishini ya Kilima ya Phresidennde o tholwaho u ya nga khehekyanyo ya 10(4);

“Muhasho” zwi amb a muhasho wa lusheka u re na vhudifhinduleli ha mafungho
a zwa mupo;

“vhuvhagese ya tshikhaliani zwo livhaho” zwi amb a u bva ha gese ya tshikhaliani
i tshi ko a zwi tshilalo ya zwi wu itelwa zwi dzhiwiwa zwi tshi khou
zwine zwi munwelele ya khuboni;

“ekhosisitème” zwi amb a sisitème ya tshandukotshanduko ya tshimela, tshipuka
na tshithavha tsha zwi tshila zwi sa vhonalci nga maqo a ñama na mupo a zwi wa
zwi sa tshihi, thumisano i tshi ou shuma sa yuniti;

“mupo” ipiti ìli ji na Thalutshedzo ye ya vhofhekanywa nalo kha khehekyanyo ya
1 ya Mulayo wa Ndango ya Mupo;

“Gazete”, musi ipiti ìli ji tshi khou shumiswa zwi tshi kwama—

(a) Minisità, zwi amb a Gazete ya Muvhuso;

(b) Muraqo wa Khorotshithumbe (MEC), zwi amb a Gazete ya Vundu ìji
kwameaho; na
(c) masipala, zwi amb a Gazete ya Vundu ya vundu jine masipala wa wana
hose;

“gese ya tshikhaliani” zwi amb a zwinyi zho vhumbaho gese i re tshikhaliani,
vuvhili hazwo ndi zwi mupo na zwine zwi itwa nga muthu, zwine zwi tswonzwa
kana u nweledza na u bvisela ndja gabelo ja tshedza na mufhiso;

“pulane ya u fhungudza gese ya tshikhaliani” zwi amb a pulane ya u fhungudza
sa zwi zwi elekanywa kha khehekyanyo ya 27(4) ine yo faredza maga u a
fhungudza o dzudzanywaho ho tou sedzwa fhedzi u fhungudza mabvele a gese ya
zwi tshikhaliani;

“ndjila i songo livhaho ya mabvele a gese ya tshikhaliani” zwi amb a mabvele ane
ndi masiandoitwa a nyito dza mupo, fhedzi zwi itea kha zwiiko zwiine muweke
zwine zwi muwe muthu nahone zwi zwi hone zwi ìli langwa nga muwe muthu;
“Intergovernmental Relations Framework Act” means the Intergovernmental Relations Framework Act, 2005 (Act No. 13 of 2005);
“just transition” means a shift towards a low-carbon, climate-resilient economy and society and ecologically sustainable economies and societies which contribute toward the creation of decent work for all, social inclusion and the eradication of poverty;
“Local Government: Municipal Structures Act” means the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998);
“mayor”, in respect of the different types of municipalities, means—
(a) a mayor elected in terms of section 48 of the Local Government: Municipal Structures Act; or
(b) an executive mayor elected in terms of section 55 of the Local Government: Municipal Structures Act;
“MEC” means the member of the Executive Council to whom a Premier has assigned responsibility for the environment;
“metropolitan municipality” means a metropolitan municipality established in terms of the Local Government: Municipal Structures Act;
“Minister” means the Cabinet Minister responsible for environmental affairs;
“mitigation” means a human intervention to reduce the sources or enhance the carbon sinks of greenhouse gases;
“Municipal Forum on Climate Change” means a Municipal Forum on Climate Change contemplated in section 9;
“National Climate Change Response White Paper” means the White Paper on the National Climate Change Response published under Government Notice No. 757 in Gazette No. 34695 of 19 October 2011;
“national department” means a department listed in Schedule 1 to the Public Service Act, 1994 (Proclamation No. 103 of 1994);
“Nationally Determined Contribution” means the Nationally Determined Contribution, as amended from time to time, prepared in terms of Article 4(2) of the Paris Agreement and submitted by the Republic to the Secretariat of the United Nations Framework Convention on Climate Change in terms of Article 4(12) of the Paris Agreement;
“National Environmental Management Act” means the National Environmental Management Act, 1998 (Act No. 107 of 1998);
“national greenhouse gas emissions profile” means the latest trends in national greenhouse gas emission totals with and without sinks;
“national greenhouse gas emissions trajectory” means the national greenhouse gas emissions trajectory contemplated in section 24;
“National Greenhouse Gas Inventory” means the National Greenhouse Gas Inventory contemplated in section 29;
“organ of state” means an organ of state as defined in section 239 of the Constitution of the Republic of South Africa, 1996;
“Paris Agreement” means the Paris Agreement adopted by the Twenty-First Conference of the Parties to the United Nations Framework Convention on Climate Change in Paris, France, on 12 December 2015, and ratified by the Republic on 1 November 2016;
“policies and measures” means the manner in which an organ of state exercises a power or performs a function in response to climate change through implementing planning instruments, policies and programmes to mitigate emissions relating to the requirements stipulated by the United Nations Framework Convention on Climate Change, the Paris Agreement or any other global climate change agreement under the United Nations Framework Convention on Climate Change;
“prescribe” means prescribe by regulation;
“Presidential Climate Commission” means the Presidential Climate Commission referred to in section 10;
STAATSKOERANT, 23 JULY 2024
No. 50966
Nom 22 ya 2024

“Mulayo wa Mutheo wa Vhushaka ha ḏhanganelano ya Muvhuso” zwi amba Mulayo wa Mutheo wa Vhushaka ha ḏhanganelano ya Muvhuso wa, 2005 (Mulayo wa nomboro ya. 13 wa 2005);
“tshanduko i pfadzaho” zwi amba u sudzuluwela kwa zwa khaboni ya fhi, ikononi yo kwa kwa qhathela na hahone isaka kakhiseise na tsitshashva na ikojo dodzi ya ikononi dzo kwaphatha na zwitshashva zwine zwine dzenhena kwa u sika mishumo yavhu, hu tshi katelewa zwa matshilisano na u fhelela vhusha;

“Muvhuso Wapo: Mulayo wa Zwiimiswa zwa Masipala” zwi amba Muvhuso Wapo: Mulayo wa Zwiimiswa zwa Masipala wa, 1998 (Mulayo wa nomboro ya. 117 wa 1998);
“ŋədorobo”, malagana na tshaka dzo fhambanaho dza mamasipala, zwi amba-
(a) ŋədorobo o khethiwaho u tshi khou tevhedzwa khethekanyo ya 48 ya Muvhuso Wapo: Mulayo wa Zwiimiswa zwa Masipala wa; kana
(b) ŋədorobo wako khorotshitumbe o khethiwaho u nga khethekanyo ya 55 ya Muvhuso Wapo: Mulayo wa Zwiimiswa zwa Masipala;

“Muraŋa wa Khorotshitumbe (MEC)” zwi amba muraŋa wa Khorotshitumbe ane khe Muvhuso Wa, u dzhelela ha vbvho kana u phungudza u tswonzwiwa ha khaboni ya gese dza tshikhalani;

“Mulayo wa Tshanduko ya Kilima, 2024” "Mulayo wa Tshanduko ya Kilima, 2024" zwine amba Tshanduko ya Kilima ya, 2024, "Mulayo wa Tshumelo ya Tshitshavha wa, 1994 (Muvhuso Wa, 1994)
"Mulayo wa Tshanduko ya Kilima, 2024" zwine amba Tshanduko ya Kilima ya, 2024, "Mulayo wa Tshumelo ya Tshitshavha wa, 1994 (Muvhuso Wa, 1994)

"u randlela" zwi amba u randlela nga ndangulo;
"Khomishini ya Kilima ya Phresidennde" zwi amba Khomishini ya Phresidennde ya zwine amba Khomishini ya Kilima yo ambiwaho kha khethekanyo ya 10;
“Provincial Forum on Climate Change” means a Provincial Forum on Climate Change contemplated in section 8;
“Public Finance Management Act” means the Public Finance Management Act, 1999 (Act No. 1 of 1999);
“regulation” means a regulation made, and includes a notice issued, under this Act;
“Resilience” means the capacity of social, economic and environmental systems to cope with a hazardous event or trend or disturbance, responding and re-organising in ways that maintain their essential function, identity and structure, while also maintaining the capacity for adaptation, learning and transformation;
“sector” means a collective term for a group of activities with similar characteristics which either emit greenhouse gases or are vulnerable to climate change;
“sectoral emissions targets” means quantitative or qualitative goals informed by sectoral policies and measures that may lead to greenhouse gas emission reductions, for the sector or sub-sector, over a defined time period as determined in terms of section 25;
“sub-sector” means, in respect of mitigation, a further subdivision of a group of greenhouse gas emitting activities as defined by the latest version of the guidelines of the Intergovernmental Panel on Climate Change, established by the World Meteorological Organisation and the United Nations Environment Programme in 1988;
“sustainable development” has the meaning assigned to it in section 1 of the National Environmental Management Act;
“synthetic greenhouse gas” means an artificial greenhouse gas as declared by the Minister in terms of section 28;
“this Act” includes the Schedules to this Act and any regulations or notices issued under this Act;
“United Nations Framework Convention on Climate Change” means the United Nations Framework Convention on Climate Change adopted by the United Nations General Assembly in New York in 1992, and ratified by the Republic on 29 August 1997; and
“vulnerability” means the degree to which a system is susceptible to, or unable to cope with, adverse effects of climate change, including climate variability and extremes.

Objects of Act

2. The objects of this Act are to—

(a) provide for a coordinated and integrated response by the economy and society to climate change and its impacts in accordance with the principles of cooperative governance;

(b) provide for the effective management of inevitable climate change impacts by enhancing adaptive capacity, strengthening resilience and reducing vulnerability to climate change, with a view to building social, economic and environmental resilience and an adequate national adaptation response in the context of the global climate change response;

(c) make a fair contribution to the global effort to stabilise greenhouse gas concentrations in the atmosphere at a level that avoids dangerous anthropogenic interference with the climate system;

(d) to ensure a just transition towards a low carbon economy and society considering national circumstances;

(e) give effect to the Republic’s international commitments and obligations in relation to climate change; and

(f) protect and preserve the planet for the benefit of present and future generations of humankind.
"Foramu ya Vundu kha zwa Tshanduko ya Kilima" zwi amsa Foramu ya Vundu kha zwa Tshanduko ya Kilima yo eleganywabo kha khethekanyo ya 8;
"Mulayo wa Ndango ya Mashekeni a Tshitshavha" zwi amsa Mulayo wa Ndango ya Mashekeni a Tshitshavha wa, 1999 (Mulayo wa nomboro ya. 1 wa 1999);
"ndangulo" zwi amsa ndangulo yo itwaho, nabone hu katelewa njivhazodo yo qetshekhekwe nga fhasi ha uno Mulayo;
"Khwat’hela" zwi amsa vhukoni ha sisitezha dza matshilisano, inokoni na mupo kha u dhowela zihwalo re khombo kana zwizhakhishe, jiga na nzudzanyo-haflu nga njilila dzine dza tikedza mushumo wa ndeme, vhuge na tshisimhemo hu na u tikedza vhukoni ha u dhowela, u guda na tshanduko;
"sekithara" zwi amsa themokateli kha tshigwada tsha matshepho, kha zwa tshanduko ya kilima;
"zwipikwa zwa vhuvbisagese kha sekithara" zwi amsa zwipikwa zwa kwambanwatho tsha mishumo iyo dzechedzaba dzino dzine zwa nhwacha ya tshikhalani, kha sekithara kana sekithara tshikhalani, nga nhwacha na hukone tshikhalani, hu sekithara hukone tshikhalani kha zwa tshanduko ya kilima;
"sekithara tshikhalani" zwi amsa gesenyitwa ya tshikhalani sa zwa tshikhalani, nga nhwacha ya zwa tshikhalani, nga nhwacha ya zwo dzicikisa zwo dzicikisa, kana kwambanwatho mulenzhe hu pfadzaho kha zwa mishumo iyo dzicikisa zwi dzicikisa.

Zwipikwa zwa Mulayo

2. Zwipikwa zwa uno Mulayo ni—
(a) ita mbetshelo ya jiga jo konanywaho nabone jo tshapangela nga inokoni na tshitshavha kha zwa Tshanduko ya Kilima na tshumisano dza hone u ya nga nday o dza tshumisano kwa mawhusele;
(b) ita mbetshelo kha zwa ndango iyo shumah moo zimhawu ho sedzwa tshumisano dza tshanduko ya Kilima nga u khwafithiha vhukoni dzine, u khwafithiha u tinu u tshumisano dzicikisa u zwo dzicikisa, kana kwambanwatho, inokoni na mupo u jiga jo linganelo ja u dhowela dza ndemhele kwa nhwacha ya tshikhalani, kana kwambanwatho mulenzhe hu pfadzaho kha zwa khakhisa kana khethekwe kwa vhukoni dzine, kana kwambanwatho mulenzhe hu pfadzaho kha zwo dzicikisa, kana kwambanwatho mulenzhe hu pfadzaho kha zwa mishumo ya khalulo.
(c) shela mulenzhe hu pfadzaho kha ndingedzo ya fhangi u dzibika u dala ha gese tshikhalani, kwa tshikhalani nga tshimhela mu mulungo nga u khakhisa ha zwitso zwetwa kwa sisitezha kwa mhuxwalo.
(d) vhona uri hu vhe na u shanduka hu pfadzaho kwa zwa inokoni na tshitshavha zwa khaboni ya fhasi hu tsi lavhelesa nyimbe dza luhwalo;
(e) vhe na u shuma kha moshoko na thvichimiseli kwa zwi mashango a dzitshakatsaka nga Ribhiphuliki zwi tshi jiga kwa mhungo a tshanduko ya kilima; na
(f) tsireledzwa na u vhulungu pulanetse hu tsh i telwa u vhulungu la mura fla ho vhangi? ho vhathu vha re hone zwoine na vhane vha khou jiga.
Principles

3. The interpretation and application of this Act must be guided by—

(a) the national environmental management principles set out in section 2 of the National Environmental Management Act where applicable in this Act;

(b) the principle that the climate system must be protected for the benefit of present and future generations of humankind;

(c) the principle that acknowledges international equity and each country’s common but differentiated responsibilities and respective capabilities, in light of different national circumstances;

(d) a contribution to a just transition towards low-carbon, climate-resilient and ecologically sustainable economies and societies which contribute to the creation of decent work for all, social inclusion and the eradication of poverty;

(e) the need for integrated management, in the context of climate change, which requires climate change considerations to be integrated into the making of decisions which may have a significant effect on the Republic’s ability to mitigate or which exacerbate its vulnerability to climate change;

(f) the need for decision-making to consider the special needs and circumstances of localities and people that are particularly vulnerable to the adverse effects of climate change, including vulnerable workers and groups such as women, especially poor and rural women, children, especially infants and child-headed families, the aged, the poor, the sick and persons with disabilities;

(g) the need for a risk-averse and cautious approach to be adopted, which takes into account the limits of current knowledge about causes and effects of climate change and the consequences of decisions and actions in relation thereto;

(h) the need for climate change mitigation and adaptation responses to be informed by evolving climate change scientific knowledge and decisions which must be based on the best available science, evidence and information;

(i) an effective climate change response which requires preventative measures to mitigate the causes of climate change and to strengthen resilience through the adoption of adaptation measures;

(j) the costs of responding to the adverse impacts of climate change and of mitigation which must be paid for by those responsible for causing the adverse impacts;

(k) an integrated climate change response which requires the enhancement of public awareness of climate change causes and impacts and the promotion of participation and action at all levels; and

(l) a recognition that a robust and sustainable economy and a healthy society depends on the services that well-functioning ecosystems provide, and that enhancing the sustainability of the economic, social and ecological services is an integral component of an effective and efficient climate change response.

Application of Act

4. (1) This Act applies to the Republic, including—

(a) its internal waters, territorial waters, exclusive economic zone and continental shelf of the Republic as referred to in sections 3, 4, 7 and 8 of the Maritime Zones Act, 1994 (Act No.15 of 1994), respectively; and

(b) the Prince Edward Islands referred to in the Prince Edward Islands Act, 1948 (Act No. 43 of 1948).

(2) This Act binds all organs of state.
Ndayo

3. Kutšalutshelele na kushumele kwa uno Mulayo zwi tea u sumbiwa njila nga—
   (a) ndayo dza ndango ya mupo dzo sumbedzwaho kha khethekanyo ya 2 ya Mulayo wa Ndango ya Mupo wa Lushaka hune dza vho dzo tea kha uno Mulayo;
   (b) ndayo ya uri sisišemwe ya kiliima i tea u tsireledzwa u itela u vhuelwa ha mirafho ya vhatunza ya zvino na ya tshifhinga tshi dało;
   (c) ndayo ine ya ŋaŋanedza na u dzhiela nzhele u lingana kha mashango a dzishakatshaka na zwine zwa fana kha shango Jiwwe na Jiwwe fhedzi hu tshi fhambana vhulifhinduleli na vhukoni, ho sedzwa nyimele dza mashango o fhambanaho;
   (d) u shela mulenzhe kha tshanduko i pfadzaho kha zwa khaboni ya fhasi, kiliima yo kwa fhathelaho na zwitshavha na ikonomi zwa ikhojošdži yo kwa fhathelaho zwine zwa shela mulenzhe kha u sikwa ha mishumo ya kwine kha vhatunza vhothèque, u katelwa ha zwa matsihlisano na pheliso ya vhushai;
   (e) ŋhoqeja ya ndango yo ŋaŋanelenaho, kha nyimele ya tshanduko ya kiliima, ine ya ŋoja ndvheleso na u dzhiela nzhele tshanduko na kiliima i tshi tuiteŋaŋyiswa kha u itwa ha tsheo dzine dza nga vha na masiandoitwa mahulu kha vhukoni ha Riphabujiki kha u fhungudza kana zwine zwa vhangula kana u qaŋisa tshayatsireledzjo kha tshanduko ya kiliima;
   (f) ŋhoqeja ya u dzhiya tsheo ya u lavhelesa ŋhoqeja na nyimele dza tshipentshela kha vhupho hapo na vhatunza vhane, nga maaněza a vho ngo tsireledzwe kha masiandoitwa mavhi a tshanduko ya kiliima, hu tshi katełwa vhashumi vha songo tsireledzweho na zwigwada zwa vhatunza u tou fana na vhaʃumakadzi, zwihulusa vhashai na vhaʃumakadzi vha vhupho ha mahayani, vhana, zwihulusa dzisitsheštse na miți ine ya rangwa phanda nga vhana, vhahutwa, vhashai, vhatunza vhane vha khou lwala na vhatunza vha re na vhuhelefali;  
   (g) ŋhoqeja ya njila ya u sa funa khovhakhombo na u dzhiela zwitshu nzhele i tea u ŋaŋanedzwa, zwine zwa dzhiela njha fhungudzelo dza njivho i re hoe zvino nga ha zhvihangi na masiandoitwa a tshanduko na kiliima ya kiliima na masiandoitwa a tsheo na nyito kha zwenɛzwi;
   (h) ŋhoqeja ya fhungudzo ya tshanduko ya kiliima na maga a vhudɔwedzi i ćho ċhe ćhendeka kha njivho ya sainthifiki ine ya khou vha hone nga ha tshanduko ya kiliima na tsheo dzine dza tea u sendekwa kha maʃungo, vhuṭanzi na saintsí zwi re hone;
   (i) liga ja tshanduko ya kiliima lìne ja shuma zwavhuşdí jìne ja ŋoja maga a u fhungudza zwihangi ni tshanduko na kiliima na u kwaʃhisasa vhuʃkwaʃheli njha kha u ŋaŋanedza maga a vhudɔwedzi;
   (j) mbadelo dza u shumana na masiandoitwa mavhi a tshanduko ya kiliima na a fhungudzo dzine dza tea u badelwa nga avho vha re na vhuʃifhinduleli ha u vhanga masiandoitwa mavhi;
   (k) liga ja tshanduko ya kiliima jìo ŋaŋanelenaho jìne ja ŋoja kwaʃhisayo ya tshitshavha tshìne tsha divaŋa nga ha zhvihangi na masiandoitwa zwa tshanduko ya kiliima na u tʃuʃwedza u dzhenela na nyito kha masia oʃhe; na
   (l) u dzhiela nzhele uri ikonomi yo dzingindelaho na tshitshavha tshi re na mutakalo wawhudi zwo sendekwa kha tshumelo dzine ekhosisišemwe ine ya khou shuma zwawhuşdí ya ċhe ćhedza, na u kwaʃhisasa tshumelo dza zwa ikonomi, zwa matsihlisano na ikhojošdži ni tshi pidi tsha ndemesa kha liga ja tshanduko ya kiliima jìne ja shuma zwawhuşdí.

Kushumisele kwa Mulayo

4. (1) Uno Mulayo u shuma kha Riphabujiki, hu tshi katełwa—
   (a) maʃi a ngomu ha Riphabujiki, maʃi a re kha mavu a Riphabujiki, zounu ya ikonomi yo khethehaño na phendelasango zwa Riphabujiki zwine zwo ambia wa khethekanyo dza 3, 4, 7 na 8 dza Mulayo wa Dzizounu dza Lwanže wa, 1994 (Mulayo wa nomboro ya.15 wa 1994), na
   (b) zwitʃangadzime zwa Prince Edward zwine izwi zwo ambia wa Mulayo wa Zwitʃangadzime zwa Prince Edward wa, 1948 (Mulayo wa nomboro ya. 43 wa 1948).
   (2) Uno Mulayo u vhoʃha zwiišiswa zoʃće zwa mvhuʃuso.
Application of National Environmental Management Act

5. (1) This Act must, in relation to climate change, be read, interpreted and applied in conjunction with the National Environmental Management Act.

(2) This Act must be regarded as a specific environmental management Act as defined in section 1 of the National Environmental Management Act.

Conflict with other legislation

6. In the event of any conflict between a provision of this Act and other legislation specifically relating to climate change, this Act prevails.

CHAPTER 2

POLICY ALIGNMENT AND INSTITUTIONAL ARRANGEMENTS

Alignment of policies

7. (1) Every organ of state that exercises a power or performs a function that is affected by climate change, or is entrusted with powers and duties aimed at the achievement, promotion and protection of a sustainable environment, must review and if necessary revise, amend, coordinate and harmonise their policies, laws, measures, programmes and decisions in order to—

(a) ensure that the risks of climate change impacts and associated vulnerabilities are taken into consideration; and

(b) give effect to the principles and objects set out in this Act.

(2) In order to give effect to the principles and objects set out in this Act, organised labour, civil society, business, traditional leaders and other relevant stakeholders may advise on the Republic’s climate change response, the mitigation of climate change impacts and adaptation to the effects of climate change towards the attainment of the just transition to a climate resilient and low carbon economy and society.

Provincial Forums on Climate Change

8. (1) Every Premier’s intergovernmental forum, established in terms of section 16 of the Intergovernmental Relations Framework Act, also serves as a Provincial Forum on Climate Change.

(2) Sections 17 and 19 of the Intergovernmental Relations Framework Act apply to a Provincial Forum on Climate Change.

(3) A Provincial Forum on Climate Change must—

(a) coordinate climate change response actions in the relevant province in accordance with this Act; and

(b) provide a report to the President’s Coordinating Council in terms of section 20(a) of the Intergovernmental Relations Framework Act, which report must include climate change considerations.

(4) A Provincial Forum on Climate Change may establish an intergovernmental technical support structure in terms of section 30 of the Intergovernmental Relations Framework Act if there is a need for formal technical support to the Provincial Forum on Climate Change.

Municipal Forums on Climate Change

9. (1) Every district intergovernmental forum, established in terms of section 24 of the Intergovernmental Relations Framework Act, also serves as a Municipal Forum on Climate Change.
U shumiswa ha Mulayo wa Ndango ya Mupo wa Lushaka

5. (1) Zwi tshi kwama tshanduko ya kilima, uno Mulayo u tea u vhalwa, u šulutshedzwa na u shumiswa u tshi šanganyiswa na Mulayo wa Ndango ya Mupo wa Lushaka.

(2) Uno Mulayo u tea u dzhiwu sa Mulayo wa ndango ya mupo wo šuluswaho kana wa tshiphentshela sa zve zwa šulutshedzwa kha khethekanyo ya 1 ya Mulayo wa Ndango ya Mupo wa Lushaka.

Khušano na mušwe mulayosišwa

6. Kha nyimele ya musi hu na khušano šišwe na šišwe vhukati ha mbetsheko ya uno Mulayo na mušwe mulayosišwa wo sedzaho kwa zwa tshanduko ya kilima, uno Mulayo ndi wone une wa do šumiswa.

NDIMA YA 2

NDIVHANYISO YA MBEKANYAMAITELE NA NZUDZANYO DZA TSHIIMISWA

Ndivhanyiso ya dzimbekeyamaitele

7. (1) Tshiišmiswa tšišwe na tšišwe tsha muvhuso tšine tsha shumisa maanĝa kana u shuma mushumo une wa kwamea nga tshanduko ya kilima, kana tsho hweswaho maanĝa na mishumo ine ndivho ya honhe ndi u swikelela, u ŋušwedza na tšireledzo sa muvhuso wo kwashašelaho, tshi tea u ŋušhuvha nhonhe arali zwi tshí tšo tsha tshandukise, kwaingise, konanye na u kwakwanyisa mbekeyamaitele, milayo, maga, mbekeyamaitele na tšheo dzatsho u itela u—

(a) vhona uri khou vhukati dza ŋušhuvhewedzo dza tshanduko ya kilima na vhushayatsireledzo zwi dzhielwe nzhele; na

(2) U itela u shuma ha ndayo na zwipikwa zwo sumbedzwaho kha uno Mulayo, mazangano a zwa vhushumi, tshebekeke tsha vhudzulapo, mabindu, vhugamakho vha silala na vhunwe vhafaramakho vha nga eletshedza malugana na Jiga J’a tshanduko ya kilima J’a Riphabuljiki, ŋušhuvwedzo na vhughowedzi zwa tshanduko ya kilima kha masiandoitwana a tshanduko ya kilima kha u swikelela tshanduko i pfadzaho kwa u kwashašelaho kha ku ku tshanduko ya kilima na tshihlahla ha kilima na tshihlahla na ikonomi zwi re na khaboni ya fhasi.

Foramu dza Mavundu dza Tshanduko ya Kilima

8. (1) Inwe na inwe foramu ya ŋhanganešlo ya muvhuso ya muvhuso ya Mavundu, yo tsho hwerehu hou tshi kwama tshanduko ya kilima, uno Mulayo u tea u tshanduko ya kilima, uno Mulayo u tea u tshanduko ya kilima, uno Mulayo u tea u tshanduko ya kilima.

(2) Khethekanyo ya 17 na 19 ya Mulayo wa Mutheo wa Vhushaka ha ŋhanganelano ya Muvhuso dzi khethekanyo ya 17 na 19 ya Mulayo wa Mutheo wa Vhushaka ha ŋhanganelano ya Muvhuso.

(3) Foramu ya Mavundu ya Tshanduko ya Kilima i tea u—

(a) konanya nyito dza Jiga J’a tshanduko ya kilima kwa Mavundu, tshako tshi lelo hou ya nga uno Mulayo; na

(b) fha muvhexho Khoro ya u Konanya ya Phresidennde u ya nga khethekanyo ya 20(a) ya Mulayo wa Mutheo wa Vhushaka ha ŋhanganelano ya Muvhuso, une uyo muvhexho u katele ndavhelela dza tshanduko ya kilima.

(4) Foramu ya Mavundu ya Tshanduko ya Kilima i nga thoma tshimišiswa tsha šikhedzo ya tšekhenikhalája u ya nga khethekanyo ya 30 ya Mulayo wa Mutheo wa Vhushaka ha ŋhanganelano ya Muvhuso arali hou ya ŋhodeka ya šikhedzo ya tšekhenikhalája ya šomala ya Mavundu ya Tshanduko ya Kilima.

Foramu dza Masisipala dza Tshanduko ya Kilima

9. (1) Inwe na inwe Foramu ya ŋhanganelano ya muvhuso ya tshiširiki, yo tsho hwerehu hou tshi kwama tshanduko ya kilima, uno Mulayo u tea u tshanduko ya kilima, uno Mulayo u tea u tshanduko ya kilima.
(2) Sections 25 and 27 of the Intergovernmental Relations Framework Act apply to a Municipal Forum on Climate Change.

(3) A Municipal Forum on Climate Change must—
   (a) coordinate climate change response actions for those activities within the operational control of the relevant municipality in accordance with this Act; and
   (b) provide a report on such actions to the relevant Provincial Forum on Climate Change.

(4) A Municipal Forum on Climate Change may establish an intergovernmental technical support structure in terms of section 30 of the Intergovernmental Relations Framework Act if there is a need for formal technical support to the Municipal Forum on Climate Change.

**Presidential Climate Commission**

10. (1) (a) The Presidential Climate Commission which existed immediately before the commencement of this Act continues to exist.

   (b) A person who was a commissioner of the Presidential Climate Commission immediately prior to the commencement of this Act will, subject to subsection (6), continue to serve as a commissioner for the remainder of the term for which such commissioner was appointed.

   (2) The Presidential Climate Commission will, upon being listed as a public entity in Schedule 3 to the Public Finance Management Act, be a national public entity for purposes of the Public Finance Management Act and will be subject to the provisions of the said Act.

   (3) The Presidential Climate Commission is independent, impartial and will have the full legal capacity of a juristic person once it is listed as a national public entity in Schedule 3 to the Public Finance Management Act.

   (4) (a) The President must appoint not more than 25 members who will serve as commissioners of the Presidential Climate Commission, comprising representatives of, including but not limited to, a fair representation of government, organised labour, civil society, traditional leaders, the South African Local Government Association and business, to advise on the Republic’s climate change response, the mitigation of climate change impacts and adaptation to the effects of climate change towards the attainment of the just transition to a low-carbon and climate-resilient economy and society.

   (b) A serving member of Parliament, as well as a member of a provincial legislature and a member of a municipal council, except a member of a municipal council who has been nominated by the South African Local Government Association, may not be appointed as a commissioner of the Presidential Climate Commission.

   (5) Ministers, whose portfolios are affected by the work of the Presidential Climate Commission, must be invited to attend the meetings of the Presidential Climate Commission.

   (6) The commissioners of the Presidential Climate Commission are appointed for a period of five years, renewable for one further period not exceeding five years.

   (7) The Presidential Climate Commission is chaired by the President.

   (8) The President must appoint a deputy chairperson.

   (9) In the absence of the chairperson, the deputy chairperson must perform all functions of the chairperson.

   (10) The Presidential Climate Commission may—

         (a) determine its own procedures to be followed at its meetings;
         (b) adopt a code of conduct for the commissioners of the Presidential Climate Commission; and
         (c) adopt rules which list the circumstances under which a commissioner may be removed, as well as the process for such removal.
(2) Khethekanyo dza 25 na 27 dza Mulayo wa Mutheo wa Vhushaka ha ḏhanganelano ya Muvhuso dzı shuma kha Foramu ya Masipala ya Tshanduko ya Kilima.

(3) Foramu ya Masipala ya Tshanduko ya Kilima i te—a—

(a) konanya nyito dza ḏiga Jā tshanduko ya kilima kha يها mishumo i re nga ngumú ha zwine yaya zwi shuma nahone ya zwi langa kha masipala zwo teaho u ya nga uno Mulayo; na

(b) ḏha muvhigo Foramu ya Vundu ya Tshanduko ya Kilima yo teaho malugana na يها mishumo.

(4) Foramu ya Masipala ya Tshanduko ya Kilima i nga thoma tshiimiswa thša ḏihkedzo ya ḏekhenikhalaleza ya ḏhanganelano ya muvhuso u ya nga khethekanyo ya 30 ya Mulayo wa Mutheo wa Vhushaka ha ḏhanganelano ya Muvhuso arali hu na ḏhoţea ya uri hu vhe na ḏihkedzo ya ḏekhenikhalaleza ya fomalaza kha Foramu ya Masipala ya Tshanduko ya Kilima.

Khomishini ya Kilima ya Phresidennde

10. (1) (a) Khomishini ya Kilima ya Phresidennde yo ḏha ho hone phanda ha u thoma u shumiswa uno Mulayo i ya phanda na u dzulu i hone.

(b) Muthu we a vha e khomishinari wa Khomishini ya Kilima ya Phresidennde phanda ha u thoma u shumiswa uno Mulayo, hu tshí khou ḏevhedzwa khethekanyo ḏθukhu ya (6), u ya phanda na u shuma sa khomishinari lwa tshi fishermen thšo salaho thša uho u tholiwa hawe.

(2) Khomishini ya Kilima ya Phresidennde, musi i tshi tou vha kha mutho ḏevhe ḏwako za ḏzmiswa zwa tshithi fishermen kha Shedul’u ya 3 kha Mulayo wa Ndango ya Masheleni a Tshithi fishermen, na ḏo mbo ḏi vha tshiimiswa thša tshithi fishermen u itela ndiho dza Mulayo wa Ndango ya Masheleni a Tshithi fishermen na Mulayo wo bulwaho.

(3) Khomishini ya Kilima ya Phresidennde yo ḏjimisahoko, a i ḏzhi i sa nahone i ḏo vha na vhukoni ho ḏheleleho ha u vha tshiimiswa thši re mulayoni musi i tshí tou vha kha mutho ḏevhe ḏwako za ḏzmiswa zwa tshithi fishermen kha Shedul’u ya 3 kha Mulayo wa Ndango ya Masheleni a Tshithi fishermen.

(4) (a) Phresidennde u te—a u thola muraqo i sa ho ḏhiri 25 ine ya ḏo shuma sa dźikhomishinari dza Khomishini ya Kilima ya Phresidennde, ine ya ḏumhwbwa nga vhai melé, hu tshí katalena vha sa gumiho kha, u imelwa u ḏfádzáho ha muvhuso, mazdango a vhai melé, tshi fishermen thša khudzulapo, vhurangaphandža ha sialala, Asosiiheni ya Muvhuso Wapo ya Afrika Tshipe membe na magubu, u u tshí eleshedza nga nga ḏiga Jā tshanduko ya kilima Jā Riphabulikži, phungudzo ya ḏhumwedzo ya tshanduko ya kilima na vhudźifari ḏa kha kha mazıendoitwa a tshanduko ya kilima malugana na u ḏwikelelewa ha tshanduko i ḏfádzáho kha zwa khaboni ya ḏhási ha mutho ḏfádzáho na kwacimisahoko zwo ḏzingindelahoko.

(b) Muraqo wa Phalamennde ane a khou sa muraqo Phalamenndeni ra, khatthi kha muraqo wa vhusimamilayo ha vundu u muraqo wa khoro ya masipala, hu u kaita muraqo wa khoro ya masipala ane a ḏángwa nga Asosiiheni ya Muvhuso Wapo ya Afrika Tshipe membe, a nga si ḏolwe sa khomishinari wa Khomishini ya Kilima ya Phresidennde.

(5) Dziimisitša, dzīne maismo adzo a kwame nga mshumho wa Khomishini ya Kilima ya Phresidennde, dzī tele u ḏambwe uzi dzī dżhenele mitžanino ya Khomishini ya Kilima ya Phresidennde.

(6) Khomishinari dza Khomishini ya Kilima ya Phresidennde dzī tele lwa tshi fishermen tsha minvwača mitžanu, ine ya ḏusuludzwa hafu luthihi lwa tshi fishermen tshi reča mitžanu sa ḏpaqči minvwača mitžanu.

(7) Mudzulatshidulo wa Khomishini ya Kilima ya Phresidennde ndi Phresidennde.

(8) Phresidennde u te—a u thola muthusamudzulatshidulo.

(9) Musi mudzulatshidulo a si ho, muthusamudzulatshidulo u te—a u shuma mshumho yoqhe ya mudzulatshidulo.

(10) Khomishini ya Kilima ya Phresidennde i nga—

(a) ta maittele ayo ane a ḏo tevhelwa kha mitžanino yaya;

(b) ḏtanganevezha mulayo wa vhudźifari wa khomishinari dza Khomishini ya Kilima ya Phresidennde; na

(c) ḏtanganevezha ndayo dzīne dzī ita mutho wa nyimele dzīne nga ḏhási hadzo, khomishinari a nga bviiswako vha vhuimo ha u vhe khomishinari, khatthi na kuitelo ḏwako uho u bviiswako.
Functions of Presidential Climate Commission

11. (1) The functions of the Presidential Climate Commission are to—
   
   (a) advise on the Republic’s climate change response to ensure realisation of the vision for effective climate change response and the long-term just transition to a low-carbon and climate-resilient-economy and society;
   
   (b) advise government on the mitigation of climate change impacts, including through the reduction of emissions of greenhouse gases, and adapting to the effects of climate change; and
   
   (c) advise government on any socio-economic matter related to the just transition.

   (2) The Presidential Climate Commission may establish committees to assist it in the performance of its functions and may delegate or assign such functions to such committees.

   (3) The committees established in terms of subsection (2) must be composed of persons suitably qualified in environmental management, climate change mitigation, finance, law and related fields.

Process of appointment

12. (1) Before appointing the commissioners in terms of section 10(4), the President must—

   (a) invite nominations by notice in the Gazette and in at least two nationally circulated newspapers; and

   (b) in the notice referred to in paragraph (a), specify the period within which nominations must be submitted and stipulate the procedure to be adopted regarding such nominations.

   (2) The composition of the Presidential Climate Commission must—

   (a) broadly reflect the demographics and gender composition of the Republic; and

   (b) be appropriately qualified and have expertise in the socio-economic, environmental and broader sustainability field.

   (3) The role of a commissioner is to provide advice to the Presidential Climate Commission on the Republic’s climate change response, the mitigation of climate change impacts and adaptation to the effects of climate change towards the attainment of the just transition to a low-carbon and climate-resilient economy and society.

   (4) No person shall be appointed as a commissioner unless he or she is a South African citizen.

   (5) Commissioners who are not in the employment of the state are eligible for remuneration.

   (6) The remuneration of commissioners must be determined by the Minister in consultation with the Minister of Finance.

Appointment of Executive Director

13. (1) The Minister must appoint a person with appropriate qualifications, experience and expertise as the Executive Director of the Presidential Climate Commission following a competitive recruitment process.

   (2) The Executive Director is the accounting authority who must perform the functions of office in accordance with this Act.

   (3) A person appointed as Executive Director holds office—

   (a) for an agreed term not exceeding five years, but which is renewable for one further period of no longer than five years; and

   (b) on terms and conditions determined by the Minister, which must include salary, allowances, benefits and performance standards after taking into consideration the recommendations of the Minister of Finance.
Mishumo ya Khomishini ya Kilima ya Phresidennde ya zwa

11. (1) Mishumo ya Khomishini ya Kilima ya Phresidennde ndi u—
   (a) eletshedza zwa jiga ja tshanduko ya kilima ja Riphabuljiki u itela u vhona uri
      hu vhe na u kumafhadza bona u itela jiga ja tshanduko ya kilima jine ja shuma
      zwavhu ya tshanduko i pfadzaho ya tshifhinga tshilapfu kha khaboni ya
      fhasi na tshitshavha na ikonomi na kilima zwo khwathelafo;
   (b) eletshedza muvhuso kha zwa u fhunguda tshutshwedzo dza tshanduko ya kilima,
      hu tshi katele zwa u fhunguda mabvele a gese dza tshikhaliani, na
      vhujowedzidzi kha masiandoitwa a tshanduko ya kilima; na
   (c) u eletshedza muvhuso kha fhungo jiwe na jiwe ji kwamaheto tshanduko ine
      ya pfadza.

(2) Khomishini ya Kilima ya Phresidennde i nga thoma komiti dza u i thusa kha u
   shuma mishumo yawo nahone i nga hwesa kana ya fha iyo mishumo kha idzo komiti.
   (3) Komiti dzo thomiwaho hu tshi khu tevhedzwa khethekanyo tshukhu ya (2) dzi tea
      u vha na vhathu vho teaho vha re na ndalukano dza ndangamupo, fhungudzo ya
      tshanduko ya kilima, zwa masheleeni na ma'iwe masia o teaho.

Kuitele kwa u thola

12. (1) Phandza ha musi hu tshi tholwa khomishinari u ya nga khethekanyo ya 10(4),
   Phresidennde u tea u—
      (a) ita khuwelelo ya uri vhathu vha ite zwa u qanga, izwi zwi itwe nga ndivhado
         kha Gazete ne guranqanda di si ho fhasi ha mbili dzine dzwa pfadzaladzwa na
        lushaka lwothe; na
      (b) kha ndivhado yo bulwaho kha pharagirafu ya (a), a taluse tshifhinga tshine
         zwa u qanga zwa tea u qiswa kana u qetshezwe nahone a bule na kuitele
         kune kwa dzo xanganedzwa maluguna na u qanga.
   (2) Kuvhumbele kwa Khomishini ya Kilima ya Phresidennde ku tea u—
      (a) nga vhuphara ku tea u vhona ku na mirafho na mbeu zwa Riphabuljiki; na
      (b) u vha na vhathu vha re na ndalukano dzo teaho na vhudzvhiho teo ho teaho kha zwa
         ikonomi na matshilisano, mupo na vhuphara ha zwa sia lo kwathahabo.
   (3) Mushumo wa khomishinari ndi u fhayeletshedzo kha Khomishini ya Kilima ya
      Phresidennde kha jiga ja tshanduko ya kilima ja Riphabuljiki, vhujowedzidzi
      na tshutshwedzo zwa fhungudzo ya tshanduko ya kilima kha masiandoitwa u itela u
      swikelela tshanduko i pfadzaho kha zwa khaboni ya fhasi na ikonomi na tshithavha zwi
      re na kilima yo kwathelahelo.
   (4) A bu na muthu ane a tea u tholwa sa khomishinari nga ndza ha musi a mudzulapo
      wa Afrika Tshipembe.
   (5) Khomishinari dzine a dzo ngo tholwa muvhusoni dza a tea u hotelwa.
   (6) Muholo wa khomishinari u tea u tiwa nga Minisiti a tshi khou kwamanana na
      Minisiti wa zwa mashele.

U tholwa ha Mulangwa wa Khorotsitumbe

13. (1) Minisiti a tea u thola muthu a re na ndalukano dzo teaho, tsenzhemo yo teaho
   na vhudianthesi ho teaho sa Mulangwa wa Khorotsitumbe ya Khomishini ya Kilima ya
   Phresidennde, izwi zwi itwe nga murahu ha kuitele kwa u tou taisanwa musi hu tshi
   tholwa.
   (2) Mulangwa wa Khorotsitumbe ndi ene maanjalanga a re na vhudihindudule ane a
      tea u shuma mishumo ya ofisi u ya nga uno Mulayo.
   (3) Muthu o tholwaho sa Mulangwa wa Khorotsitumbe u vha kha ofisi—
      (a) iwa tshifhinga tsho tendelanwaho tshine a tshi padzi minwa miyanu, fhedzi
         tshifhinga itshi tshi a vsuludzwa iwa tshifhinga tshinwe tshine tsha sa fhire
         minwa miyanu; na
      (b) zwo sendekia kha zwine zwa tea u tevehedzwa zwine zwo tiwa nga Minisiti,
         zwine zwa tea u katela muholo, mitendelo, mbeu elo na zwilinganyo zwa
         kushumele nga murahu ha u dzhiela nzhele themendelo dza Minisiti wa
         Mashele.
Financial administration

14. (1) The Presidential Climate Commission must comply with the provisions of the Public Finance Management Act.

(2) The Presidential Climate Commission must be funded from moneys—

(a) appropriated by Parliament for that purpose through its respective departmental vote in terms of the Public Finance Management Act; and

(b) received by way of grants, donations or inheritance from any of the social partners or any source, whether inside or outside the Republic, in accordance with a fundraising strategy to be adopted by the Presidential Climate Commission from time to time.

(3) Monies appropriated by Parliament for this purpose—

(a) constitutes earmarked funds on the Minister’s departmental vote; and

(b) may not be used by the Presidential Climate Commission for any other purpose without the approval of Parliament.

(4) The fundraising strategy contemplated in subsection (2)(b) shall provide that such funding, amongst others—

(a) must be unconditional other than that it will be used towards the fulfilment of the functions of the Presidential Climate Commission;

(b) will not result in a conflict of interests for the Presidential Climate Commission or any commissioner; and

(c) must be disclosed in full in accordance with this Act and any other applicable legislation.

(5) All grants, donations and inheritances must be disclosed in the annual report of the Presidential Climate Commission and all material grants, donations and inheritance must be itemised.

Reporting to government

15. (1) The Presidential Climate Commission must submit its reports, studies, strategies, recommendations and related information to the National Assembly and to the Ministers whose Portfolios may be affected, for information purposes, within 30 days of the finalisation thereof.

(2) The Presidential Climate Commission must furnish the National Assembly with such additional information and particulars as the National Assembly may from time to time require in writing in connection with the activities or functions of the Presidential Climate Commission.

(3) The National Assembly may require the Presidential Climate Commission to provide a report on any advice and guidance it has provided to government in terms of section 11.

(4) The reports of the Presidential Climate Commission must be made available to the public by publication on the Presidential Climate Commission’s website.

(5) The Executive Director of the Presidential Climate Commission must submit to the Minister—

(a) at the end of every quarter, a report on the Presidential Climate Commission’s activities, the performance of its functions and expenditure, including the implementation of its approved strategic plan; and

(b) annually, within six months after the end of each financial year, the Presidential Climate Commission’s financial statements and the audit report on such financial statements.

(6) The Minister must table, in the National Assembly, the reports and financial statements submitted in terms of subsection (3)—

(a) within 15 business days after receiving the reports and financial statements from the Executive Director of the Presidential Climate Commission; or

(b) if the National Assembly is not then sitting, within 15 business days after the commencement of the next sitting.
Ndaulo ya masheleni

14. (1) Khomishini ya Kilima ya Phresidennde i tea u tevhedza mbetshelo dza Mulayo wa Ndango ya Maseleni a Tshitshavha.

(2) Khomishini ya Kilima ya Phresidennde i tea u newa masheleni a bvaho kha—

(a) nyavhelelo nga Phalanemende u itela iyo ndivhelo nga kha vouuthy u muhasho wo teaho hu tshi khou tevhedzwa Mulayo wa Ndango ya Maseleni a Muvhuso; na

(b) a ūyanganezdzwaho nga njila ya magavhelo, ndambedzo kana vhulaifa u bva kha ėhama dza matshilisano kana tshiko tshiiniwe na tshiiniwe, hu nga vha ngomu kana nga mndja ha Riphabulíki, u ya nga njila ya yyaluatsikwamha ine ya ūdō ūyanganezdzwaho nga Khomishini ya Kilima ya Phresidennde misi yoṭhe.

(3) Maseleni a avhelwaho nga Phalanemende hu tshi itelwa ino ndivhelo a—

(a) vhumba maseleni o gadziwaho kha vouuthy na Minisitja wa muhasho; na

(b) nga si shumiswe nga Khomishini ya Kilima ya Phresidennde kha ndivhelo ine inwe na inwe hu si na tshendelo ya Phalanemende.

(4) Njila ya yyaluatsikwamha yo elekanywaho kha khethekanyo ūhukhu ya (2)(b) i tea u vhetsheha uri ayo maseleni, vhukati ha zwiinni—

(a) a tea u sa vha na phungudzelo kana zwine zwa tea u tevhedzwa nga nnja ha uri a ūdo shumiswa kha u fusha mishumo ya Khomishini ya Kilima ya Phresidennde;

(b) a i nga do ėhedza i tshi vha na khudzano ya madzangaledo kha Khomishini ya Kilima ya Phresidennde kana kha khomishinari muwipe na muwipe; na

(c) i tea u bvukululwa nga vhudzalo u ya nga uno Mulayo ya muwipe mulayosiwwa muwipe na muwipe wo teaho.

(5) Magavhelo oṭhe, ndambedzo na vhulaifa nga muhivo kha muhivo wa ṅwaha wa Khomishini ya Kilima ya Phresidennde na magavhelo oṭhe, ndambedzo dzọtọhe na vhulaifa hoṭhe zwi tou itwa zventiwa.

U vhiga kha muhuvho

15. (1) Khomishini ya Kilima ya Phresidennde i tea u isa mivhigo, dzingudo, zwitiratedzhi, themendelo na mafhungo o teaho kha Buthano Ja Lushaka na kha Dziminisitja dzine Mishumo yadoz wo nga kwamea, u itela ndivhelo dza mafhungo, hu saathu fhela maďauvha a 30 a musi izwi zwo khunjelwedzwa.

(2) Khomishini ya Kilima ya Phresidennde i tea u fha Buthano Ja Lushaka ayo mafhungonyengedzwa na zwidodombezdwa sa musi a tshi nga ūdojwa nga Buthano Ja Lushaka misi yoṭhe nga u tou ūwala malugana na mishumo kana zwi itwaho nga Khomishini ya Kilima ya Phresidennde.

(3) Buthano Ja Lushaka Ji nga ūdoja Khomishini ya Kilima ya Phresidennde i tshi ėhedzwo mivhigo malugana na nyeletshedzo na tsumbedzelo dze ya fha muvhuso u ya nga khethekanyo ya 11.

(4) Mivhigo ya Khomishini ya Kilima ya Phresidennde i tea u itwa uri i wanwe nga tshitshavha nga u anjadzwa kwa webusaithi ya Khomishini ya Kilima ya Phresidennde.

(5) Mulangi wa Khorotshitumbe wa Khomishini ya Kilima ya Phresidennde u fanele u isa kha Minisitja—

(a) mafheleni a kotara iṅwe na inwe a ise mivhigo nga ha mishumo ya Khomishini ya Kilima ya Phresidennde, kushumele kha mishumo yayo Khomishini na mshumisele a maseleni, hu tshi katalwe u shumiswa ha pujane ya tshitiratedzhi yo tendelwaho; na

(b) nga ṅwaha hu saathu fhela miṅwedzhi ya rathi nga murahu ha mafhelo a ṅwaha wa mvtshelanelo muwipe na muwipe, a ise zwititamemenda zwa maseleni a Khomishini ya Kilima ya Phresidennde na mivhigo wa ṭholambalelano nga ha izwo zwititamemenda zwa maseleni.

(6) Minisitja u fanele u ita nzudzanyo da uri mivhigo na zwititamemenda zwa maseleni zwi zwa diwa khae zwi laheleswe negi Buthanoni Ja Lushaka u ya nga khethekanyo ūhukhu ya (3)—

(a) hu saathu fhela maďauvha a 15 a mishumo nga murahu ha musi o ūyanganezda mivhigo na zwititamemenda zwine zwa bva kha Mulangi wa Khorotshitumbe wa Khomishini ya Kilima ya Phresidennde; kana

(b) arali Buthano Ja Lushaka Ji sa khou dzula, izwi zwi itwe hu saathu fhela maďauvha a 15 nga murahu ha dzulo Jine ja khou tevhela.
Administrative and secretariat support

16. (1) The Executive Director must appoint the secretariat of the Presidential Climate Commission in consultation with National Treasury.

(2) The secretariat is responsible for the management of the administrative affairs of the Presidential Climate Commission, the preparation of meetings and the running of the day-to-day operations, communications and research of the Presidential Climate Commission.

CHAPTER 3

CLIMATE CHANGE RESPONSE: PROVINCES AND MUNICIPALITIES

Climate change response

17. (1) An MEC and a mayor of a metropolitan or district municipality, as the case may be, must—

(a) at least within one year of the publication of the National Adaptation Strategy and Plan contemplated in section 21, undertake a climate change needs and response assessment for the province, metropolitan or district municipality, as the case may be;

(b) for the purposes of paragraph (c), assess the extent to which its constitutionally mandated functions are affected by climate change and formulate steps to address these effects in the performance of its functions;

(c) review and, to the extent necessary, amend and publish in the Gazette the climate change needs and response assessment at least once every five years;

(d) at least within two years of undertaking the climate change needs and response assessment contemplated in paragraph (a), develop, implement and publish in the Gazette a climate change response implementation plan as a component of, and in conjunction with, provincial, metropolitan or district municipal planning instruments, policies and programmes; and

(e) review and, to the extent necessary, amend and publish in the Gazette the climate change response implementation plan at least once every five years.

(2) The climate change needs and response assessment, contemplated in subsection (1), must—

(a) identify climate change response considerations and options;

(b) analyse the nature and characteristics of the province or metropolitan or district municipality, as the case may be, and the particular and unique climate change needs and risks that arise as a result of such nature and characteristics;

(c) identify and spatially map, within the sphere of operations of the province, district or metropolitan municipality, as the case may be, risks, vulnerabilities, areas, ecosystems and communities that will arise, or that are vulnerable to the impacts of climate change;

(d) be based on the best available science, evidence and information; and

(e) identify and determine measures and mechanisms to manage and implement the required climate change response.

(3) A climate change response implementation plan, contemplated in subsection (1)(d), must—

(a) be informed by the climate change needs and response assessment contemplated in subsection (1)(a);

(b) include measures or programmes relating to both adaptation and mitigation in line with the constitutional mandate of the province, or the metropolitan or district municipality; and

(c) comply with any requirements as may be prescribed by the Minister inclusive of the relevant technical guidelines.
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Thuso ya ndaulo na vhuñwaleli

16. (1) Mulangi wa Khorotshitumbe u tea u thola vhuñwaleli ha Khomishini ya Kilima ya Phresidennde a tshi khou kwama na Vhufaragwama ha Lushaka.

(2) Vhuñwaleli vhu na vhuñifhinduleli ha ndango ya mañhungo a ndaulo ya Khomishini ya Kilima ya Phresidennde, u dzudzanya mitşangano na u tshimbidza mashumele a qůvha na qůvha, vhudavhidzani na ṭhôqisiso ya Khomishini ya Kilima ya Phresidennde.

NDIMA YA 3

LIĜA LA TSHANDUKO YA KILIMA: MAVUNDU NA MIMASIPALA

Liga Ja tshanduko ya kilima

17. (1) Muraço wa Khorotshitumbe na ṭeşorobo wa masipala wa ṭorobo khulwane kana masipala wa tšišitširi, u ya nga hune nyimele ya vha zwone, vha tea—

(a) uri lu si ho fhsa ha lutlhisi kha núa musi ho vha na nyandzado ya Pulpane na Tshitširatedzhi tsha Vhujowedzhi tsha Lushaka sa zwo elekanywaho kha khethekanyo ya 21, vha tea u ita ṭhâţhuvho ya ŉjga na ṭhôqeda dza tshanduko ya kilima kha vundu, masipala wa ṭorobo khulwane kana masipala wa tšišitširi, u ya nga hune nyimele ya vha zwone;

(b) vha tshi itela ndivho dza pharagirafu ya (c), vha ṭhâţhuvhe vhuñulu ha mishumo yo hweswaho nga ndayotewa uri iyi mishumo i kwamea hani nga tshanduko ya kilima ya khomishini nahone hu vhe na u ita maga a u tandulula a ya masiandoitwa kha u shuma mishumo yawo;

(c) u tôle na, u ya kha vhuñulu vhâوطeĥa, vha khwinqise na u aŋândaza kha Gazete vha tshi aŋândaza ṭhâţhuvho ya ŉjga na ṭhôqeda dza tshanduko ya kilima lu si ho fhsa ha lutlhisi kha minwåa minwe na minwe mitšanu;

(d) lu si ho fhsa ha minwåa mivhili ya u ita ṭhâţhuvho ya ŉjga na ṭhôqeda dza tshanduko ya kilima sa zwo elekanywa kha pharagirafu ya (a), vha bveledze, vha shumise na u aŋândaza kha Gazete vha tshi aŋândaza pulpane ya u shumisa ŉjga Ja zwa tshanduko ya kilima sa tshišipà tsha, nahone hu na mitşanganelano na mbekanyamaitele na mbekanyamushumo dzâ vundu, zwishumiswa zwa vhuñulu kana masipala wa ṭorobo khulwane kana masipala wa tšišitširi; na

(e) u tôle nahone u ya kha vhuñulu ho teaho, vha khwinqise na u aŋândaza kha Gazete vha tshi aŋândaza pulpane ya u shumisa ŉjga Ja a tshanduko ya kilima lu si ho fhsa ha lutlhisi kha minwåa mitšanu minwe na minwe.

(2) ṭhâţhuvho ya ŉjga na ṭhôqeda zwa tshanduko ya kilima, sa zwo zwa elekanywa kha khethekanyo ṭhukyu ya (1)(a), i tea u—

(a) sumba ndavheleso na dzínjila;

(b) sengulusa vhuñulu na zwâţalusi zwa vundu kana masipala wa ṭorobo khulwane kana masipala wa tšišitširi, u ya nga hune nyimele ya vha, na khovhakhombo na ṭhôqeda dza tshanduko ya kilima zwo imaho nga uri kana zwenezwo zwine zwa vhangwa nga uvho vhuñulu na zwâţaluli;

(c) sumba na u mapà tshîkîhà , ngomu kha vhuñethu ha mishumo ya vundu, tšišitširi kana masipala wa ṭorobo khulwane, u ya nga hune nyimele ya vha zwone, khovhakhombo, vhushayatsireledzo, vhuko, dzîkhosisişîme na zwîtshavha zwine zwa ŝô vha ēone, kana zwine zwa vha zwi sîngo tsireledze kha masiandoitwa a tshanduko ya kilima;

(d) disendeka kha vhuñophene ha saintsi, vhûtânji na mañhungo zwa khwinqesà; na

(e) sumba na u ta maga na nûjila dza u langa na u thòma u shumisa ŉjga Ja a tshanduko ya Kilima.

(3) Pulpane ya u shumisa zwa ŉjga Ja a tshanduko ya kilima, sa zwo zwa elekanywa kha khethekanyo ṭhukyu ya (1)(d), i tea u—

(a) disendeka nga ṭhôqeda dza tshanduko ya kilima na ṭhâţhuvho ya ŉjga sa zwo zwa elekanywa kha khethekanyo ṭhukyu ya (1)(a);

(b) katela maga kana mbekanyamushumo dzi kwamaho vhuñowedzi na phungułu, bu tshi khou tevehêla musumrobwesa wa vundu, kana wa ṭoroboni khulu kana kha tšišitširi tsha masipala; na

(c) tevehêla ṭhôqeda dzîniwe na dzîniwe sa zwine zwa nya ngandzela nga Minisîta hu tshi khou katela tsımbanîldza dza thekenikhala dzo teaho.
(4) A provincial climate change response implementation plan, contemplated in subsection (1)(d), must form a component of the province’s environmental implementation plan developed in terms of section 11(1) of the National Environmental Management Act.

(5) A metropolitan or district municipal climate change response implementation plan, contemplated in subsection (1)(d), must form a component of the relevant municipality’s integrated development plan adopted in terms of section 25 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000).

Finance mechanism

18. The Minister must prescribe a mechanism to support and finance the Republic’s climate change response, planning and implementation by national, provincial and local government in consultation with the Minister of Finance.

CHAPTER 4
NATIONAL ADAPTATION TO IMPACTS OF CLIMATE CHANGE

Adaptation objectives

19. (1) The Minister must, within one year of the coming into operation of this Act, determine by notice in the Gazette—
(a) national adaptation objectives which will guide the Republic’s adaptation to climate change impacts, the development of resilience and sustainable development;
(b) indicators for measuring progress towards achieving the national adaptation objectives; and
(c) a date by which the national adaptation objectives must be incorporated into all relevant national planning instruments, policies and programmes which address, or are affected by, the actual and potential impacts of climate change.

(2) The Minister must, periodically, review and amend the national adaptation objectives contemplated in subsection (1)(a).

Adaptation scenarios

20. (1) The Minister must, within one year of the coming into operation of this Act, develop adaptation scenarios which anticipate the likely impacts of climate change in the Republic and associated vulnerabilities over the short, medium and longer term.

(2) The adaptation scenarios must—
(a) be based on best available science, evidence and information;
(b) include climate monitoring infrastructure for the climate system and early warning systems;
(c) include a consideration of the potential impacts of climate change on the environment of the Republic and associated vulnerabilities; and
(d) contain available adaptation response options to reduce identified vulnerabilities by building adaptive capacity and resilience, in the context of actual or anticipated social, economic and environmental costs.

(3) The Minister must, periodically, review and amend the national adaptation scenarios contemplated in subsection (1).
(4) Pulane ya u shumisa Jiga ja tshanduko ya kilima ya vundu, yo elekyanyaho kha khethekanyo t'hubku ya (1)/(d), i tea u vha tshipidja tsha pulane ya u shumisa ya mupo ya vundu yo bvledziswaho u ya nga khethekanyo ya 11(1) ya Mulayo wa Ndango ya Mupo wa Lushaka.

(5) Pulane ya u shumisa Jiga ja tshanduko ya kilima ya masipala wa jorobo khulwane kana masipala wa tshitirikiki, sa zwo elekyanyaho kha khethekanyo t'hubku ya (1)/(d), i tea u vhumba tshipidja tsha pulane ya mvledziso yo t'anganelanaho ya masipala yo t'anganedzwaho u ya nga khethekanyo ya 25 ya Muvhuso Wapo: Mulayo wa Sisit'eme dza Masipala wa, 2000 (Mulayo wa nomboro ya. 32 wa 2000).

Nd'ila ya zwa mashele

18. Minisita u tea u randela nd'ila ya u tikedza na u lambedza nga masheleli hu tshi lambedza Jiga ja tshanduko ya kilima ja Riphabul'jiki, vhupul'ani ha tshanduko ya kilima na u shumisa izwi nga muhasho wa lushaka, vundu na muvhuso wapo hu na u kwamana na Minisita wa Masheleli.

NDIMA YA 4

VHUD'OWEDZI HA LUSHAKA KHA T'HU'HUWEDZO DZA TSHANDUKO YA KILIMA

Zwipikwa zwa vhud'owedzi

19. (1) Minisita, kha n'waha muthihi wa musi uno Mulayo u tshi tou shumiswa, u tea u ta nga nd'ihadzo kha Gazete—

(a) zwipikwa zwa vhud'owedzi ha lushaka zwine zwa şo sumba nd'ila ya kuqowedzele kwa Riphabul'jiki kha t'houlwedzo dza tshanduko ya kilima, mvledziso ya hvukhwâtheli na mvledziso yo khwâthaho;

(b) zwine zwa sumbedza u kala kutshimbilele kwa malugana na u swikelela zwipikwa zwa vhud'owedzi ha lushaka; na

(c) datumu ine nyayo zwipikwa zwa vhud'owedzi ha lushaka zwa tea u katelwa kha zwothhe zwishumiswa zwa hvupul'ani ha lushaka, kha mpekanyaamitele na mpekanyaamushumo zwine izwi zwi a tandulula, kana zwi a kwamea nga, t'houlwedzo dza vhukuma na khonadzeo ya t'houlwedzo dza tshanduko ya kilima.

(2) Minisita, nga misi, u tea u šola na u khwïqisa zwipikwa zwa vhud'owedzi ha lushaka sa zwe zwa elekyanyo kha khethekanyo t'hubku ya (1)/(a).

Nyimlele dza vhud'owedzi

20. (1) Minisita, kha n'waha muthihi wa musi uno Mulayo u tshi tou thoma u shumiswa, u tea u bvledziswa nyimlele dza vhud'owedzi dzine dza lavhelela u vha na t'houlwedzo kana u kwama tshanduko ya kilima kha Riphabul'jiki na vhushayatsireledzo nga murahu ha tshihinga tshifuphi, tsha vhukati na tshihinga tshilapfu.

(2) Nyimlele dza vhud'owedzi dzine dza—

(a) vha dzo sendeka kha vhuhone ha sints'i, vhutanzi na mafhungo zwa khwïqesa;

(b) katela themamveledziso ya u lavhelela kilima ya sisit'eme ya kilima na sisit'eme dza kharuso nga u tou t'avhanya;

(c) katela nd'vhelela ya khonadzeo ya t'houlwedzo dza tshanduko ya kilima kha mupo wa Riphabul'jiki na vhushayatsireledzo; na

(d) faredza nd'ila dza Jiga ja vhud'owedzi malugana na u fhungudza vhushayatsireledzo ho vhonalalo nga u fhata hvukori hvuhene ha hweleza na hvukhwâtheyi, kha nyimlele ya hvukuma kana ine ya khou tou lavhelela kha zwa masheleli a zwa matshilisano, zwa ikonomi na mupo.

(3) Minisita, nga misi, u tea u šola na u khwïqisa nyimlele dza vhud'owedzi ha lushaka sa zwe zwa elekyanyo kha khethekanyo t'hubku ya (1).
National Adaptation Strategy and Plan

21. (1) Climate change adaptation within the Republic must be managed in a coherent and coordinated manner and in accordance with a National Adaptation Strategy and Plan.

(2) The Minister must, in consultation with the Ministers responsible for the functions listed in Schedule 2, develop and publish a National Adaptation Strategy and Plan by notice in the Gazette within two years of the coming into operation of this Act.

(3) The Minister must review and amend the National Adaptation Strategy and Plan at a five-yearly interval to take into account—
   (a) monitoring and evaluation results;
   (b) technological advances;
   (c) the best available science, evidence or information; or
   (d) the Republic’s international commitments and obligations.

(4) The purpose of the National Adaptation Strategy and Plan is to—
   (a) achieve a reduction in the vulnerability of society, the economy and the environment to the effects of climate change, strengthen the resilience of the socio-economic and environmental system and enhance the adaptive capacity of society, the environment and economy to the impacts of climate change;
   (b) reduce the risk and vulnerabilities from current and future climate scenarios;
   (c) achieve the national adaptation objectives contemplated in section 19;
   (d) provide a strategic and policy directive for adaptation to the impacts of climate change; and
   (e) provide an integrated and coordinated approach to the management of adaptation measures in response to the impacts of climate change by organs of state in all spheres of government, and where relevant it must also include non-governmental organisations, the private sector and local communities.

(5) The National Adaptation Strategy and Plan must include—
   (a) the national adaptation objectives contemplated in section 19;
   (b) a consideration of the Republic’s climate change scenarios as informed by the adaptation scenarios contemplated in section 20;
   (c) an assessment of the Republic’s vulnerability to climate change and related risks at sectoral, cross-sectoral and geographic levels, including a consideration of relevant disaster risk assessments in terms of the Disaster Management Act;
   (d) available adaptation response options to reduce identified vulnerabilities by building adaptive capacity and resilience, in the context of actual or anticipated social, economic and environmental costs; and
   (e) a plan that details the implementation of adaptation responses informed by the objectives and indicators contemplated in section 19.

Sector Adaptation Strategy and Plan

22. (1) A Minister responsible for functions listed in Schedule 2 must—
   (a) at least within one year of the publication of the National Adaptation Strategy and Plan, and in alignment with such National Adaptation Strategy and Plan, conduct and publish in the Gazette an assessment of the functions under the Minister’s operational control which—
      (i) identifies and spatially maps risks and vulnerabilities, areas, ecosystems and communities that will arise and that are vulnerable to the impacts of climate change; and
Pulâne na Ndîla ya Vhûdowedzi ha Lushaka

21. (1) Vhûdowedzi ha tshanduko ya kilima kha Riphabulîjiki vhutu te u langwa nga ndîla i re na ndunzhendunzhе na honе yo konanywaho na honе hu tshi khоu tevhedzwâ Pulâne na Ndîla ya Vhûdowedzi ha Lushaka.

(2) Minisîìa, a tshi khоu kwamana na Dziminisîìa dzì re na vhudiﬁhinduleli ha mishumо ya mutevhe wâ Shedulù ya 2, u teu u bveledzisa na u anâdza Pulâne na Ndîla ya Vhûdowedzi ha Lushaka nga ñjīvhadzo kha Gazete kha minvâhâ mivìhîl ya musi uno Mulayо u tshi tou thoma u shumiswa.

(3) Minisîìa u teu u tōla na u kwińjsa Pulâne na Ndîla ya Vhûdowedzi ha Lushaka kha minwâhâ mînwâ na mînwâ miyanu hu na u dzhiela ñhele—

(a) u lavhelesa na u t̄hat̄huvha mveleleo;
(b) zwa kwińjefhadzo dza thekhinojodzhi;
(c) vhuhone ha saintsi, vhuţanzi kana maţhunго zwa kwińjesa; kana
(d) Mboţho na Vhûdjiimiseli kha zwa Mashango a Dzitshakatshaka nga Riphabulîjiki.

(4) Ndvìhо ya Pulâne na Ndîla ya Vhûdowedzi ha Lushaka ndi u—

(a) swikelela phungudzo ya thayatsireledzo ya tshiţhavha, ikonomi na mupo kha masiandoitwa a tshanduko ya kilima, u kwâţhîsa vhuķwâţhèli kha zwa ikonomi ya matisilisano na sisisîme ya mupo na u kwâţhîsa vhuķonî kha tshiţhavha kha u dɔwela, mupo na ikonomi kha t̄hûtweduţdo dza tshanduko ya kilima;
(b) thungudza khovhakhombo na vhûshayatsireledzo kha ñyîmêle dza kilima zwino na tshiţhîñgîñ tshi 饬o;
(c) u swikelela zwìpikwa zwa vhuţdowedzalushaka zwe zwa elekanywya kha khetekanye ya 19;
(d) u fâa ndâela ya thîntirâdetzîhí na mbekanyamaitele kha zwa vhuţdowedzi kha t̄hûtweduţdo dza tshanduko ya kilima; na
(e) u fâa ndîla ya t̄angânelûnâhô honë yo konanywaho kha ndandgo ya maga a vhuţdowedzi kha jîga ja t̄hûtweduţdo dza tshanduko ya kilima nga zwi;miswa zwa muvhuso kha mäsi o щение a muvhuso, nhone hune zwa vha zwo teu hu teu u katełwâ m dzângâno ane a sa vhe a muvhuso, sekîthara ya phuârâvethâ na zwìtshavha zwâpo.

(5) Pulâne na Ndîla ya Vhûdowedzi ha Lushaka ia teu u katela—

(a) zwìpikwa zwa vhuţdowedzîhâ Lushaka zwo elekanywya kha khetekanye ya 19;
(b) u dzhiela ñhele ñyîmêle dza tshanduko ya kilima dza Riphabulîjiki dzø sendekâho kha ñyîmêle dza tshanduko sa zwo elekanywya kha khetekanye ya 20;
(c) t̄hat̄huvho ya vhûshayatsireledzo ha Riphabulîjiki kha tshanduko ya kilima na khovhakhombo dzø teabo kha sekîthara, tshumisano ya dzisîkithara na kha lêvhelâ dza mivhuuduni, hu tshi katełwâ u dzhiela ñhele t̄hat̄huvho dza khovhakhombo dza zwiwîo zwo teabo ho tshi khou tevhedzwâ Mulayо wa Ndango ya Žwîwîo;
(d) ndîla dza jîga ja vhuţdowedzîhí dzì re hone dzø u fhungudza vhûshayatsireledzo ho sumbedzwâho nga u fâa vhuķonî kha vhuţdowedzi na vhuķwâţhèli, kha ñyîmêle ya vhukuma kana ine ya khòu tòu lavhelelwa kha zwâ màsheleni, a zwâ mâtisilisano, zwa ikonomi na zwâ mupo; na
(e) pulâne ine ya dodombedza u shumiswa ha maga a vhuţdowedzi ine ya dîsîndëka nga zwìpikwa na tsumbedzelo sa zwo elekanywya kha khetekanye ya 19.

Pulâne na Ndîla ya Vhûdowedzîha Sekîthara

22. (1) Minisîìa a re na vhudiﬁhinduleli ha mishumо i re kha mutevhe wa Shedulù ya 2 u teu u—

(a) lu si ho fhâsi ha âwâha muthîhi musi ho anâdza pulâne na Ndîla ya Vhûdowedzîhâ Lushaka, nhone zwi tshi 饬a kha u lìvânyïsa pulâne na Ndîla ya Vhûdowedzîhâ Lushaka, u teu u ita na u anâdza kha Gazete, a anâdza t̄hûtweduţho ya mishumø i re fhâsi ha ndango ya kushumële kwa Minisîìa ine—

(i) za sumbedza na u pulâna nga ha khovhakhombo na vhûshayatsireledzo, vhûthethu, dziekhosîsîme na zwìtshavha zwine zwâ do vha hone na zwine zwâ sa vhe na tsireledzo kha u kwamea nga tshanduko ya kilima; na
(ii) determines measures and mechanisms to manage and implement the required adaptation response;

(b) at least within two years of the publication of the National Adaptation Strategy and Plan, develop and implement a Sector Adaptation Strategy and Plan which must be informed by the assessment undertaken in terms of paragraph (a)(i) and serve to implement the measures and mechanisms determined in terms of paragraph (a)(ii); and

(c) at least every five years, review a Sector Adaptation Strategy and Plan and, if required, amend the Sector Adaptation Strategy and Plan to take into account—

(i) monitoring and evaluation results;

(ii) technological advances;

(iii) the best available science, evidence or information; and

(iv) the Republic’s international commitments and obligations.

(2) A Minister responsible for functions listed in Schedule 2 must, at least within five years of the publication of a Sector Adaptation Strategy and Plan and at five-yearly intervals thereafter, submit reports to the Minister on the progress made in relation to the implementation of the relevant Sector Adaptation Strategy and Plan.

Adaptation Information and Synthesis Adaptation Report

23. (1) The Minister may by notice in the Gazette, or in writing, require any person to provide, within a reasonable time or on a regular basis, data, information, documents, samples or materials to the Minister that are reasonably required for the purposes of the fulfilment of the objectives of this Act.

(2) A notice under subsection (1) must indicate the manner and time-frames in which the information must be furnished and, if required, how the information must be verified.

(3) The Minister must collate, compile and synthesise information relevant to the achievement of the national adaptation objectives and the objectives of this Act and thereafter publish a Synthesis Adaptation Report for consideration by Cabinet and to be used in the Republic’s national and international reporting processes.

CHAPTER 5

GREENHOUSE GAS EMISSIONS AND REMOVALS

National greenhouse gas emissions trajectory

24. (1) The Minister must, in consultation with Cabinet, by notice in the Gazette determine a national greenhouse gas emissions trajectory for the Republic.

(2) The national greenhouse gas emissions trajectory must—

(a) specify a national greenhouse gas emissions reduction objective represented by a quantitative description of the total amount of greenhouse gas emissions projected to be emitted during a specified period in the Republic;

(b) be informed by relevant evidence-based and latest information regarding the total current and projected amounts of greenhouse gas emissions in the Republic; and

(c) be consistent with the principles and objectives of this Act and the Republic’s international obligations.

(3) Until such time as the Minister publishes the national greenhouse gas emissions trajectory in terms of subsection (1), the latest updated Nationally Determined Contribution serves as the trajectory.

(4) The Minister, in consultation with Cabinet—

(a) must review the national greenhouse gas emissions trajectory every five years from the coming into operation of this Act; and
(ii) ta maga na njila dza u langa na u shumisa jiga lo teaho;

(b) lu si ho fhasi ha luvhili kha ñwaha musi ho andadza Pułane na Njila ya Vhungowedzi ha Lushaka, a bveledzise na u shumisa Pułane na Njila ya Vhungowedzi ha Sekithara ine ya tea u vha yo sendeka kha thathuvho yo itwaho u ya nga pharagirafu ya (a)(i) na u shumisa maga na njila dzo tiwaho u ya nga pharagirafu ya (a)(ii); na

(c) lu si ho fhasi ha minwaha miwwe na miwwe mijanu, u tola Pułane na Njila ya Vhungowedzi ha Sekithara na hahone, arali zwi tshi tsothea, hu kwiniswe Pułane na Njila ya Vhungowedzi ha Sekithara uzi dza dzhiele ndzhe—
(i) u lavhelesa na u ñthahtuvha mvelelo;
(ii) u khwinethela ha themhinjozidzi;
(iii) vhuhone ha saintsy, vhutanzi kana mafhungo zwa khwiqesa; na
(iv) mbolho na vhuhimiseli kha zwa Mashango a Dzitshakatshaka nga Riphabulji.

(2) Minisita a re na vhufihinduleli kha mishumo i re kha mutevhe wa Sheduluy a 2 u tea, uri lu si ho fhasi ha minwaha mijanu na musi ho andadza Pułane na Njila ya Vhungowedzi ha Sekithara, na kha minwaha miwwe na miwwe mijanu, a ise mivhigo kha Minisita malugana na mvelaphandza yo itwaho kwa zwa u shumisa Pułane na Njila ya Vhungowedzi ha Sekithara.

Mafhungo nga ha Vhungowedzi na ñhanganyiso ya Muvhigo wa Vhungowedzi

23. (1) Minisita nga ndzivhadzo kha Gazete, kana nga u tou ñwala, a nga tsotha muthu miwwe na miwwe a tshi, nga tshifhinga tshi pfadhaho kana nga misi yothe, a tshi getshedza data, mafhungo, miwalo, sambula kana matheriala kha Minisita zwine izwi zwi khou tsotha nga njila na pfadhaho u itela u fusha zwipikwa zwa uno Mulayo.

(2) Ndzivhadzo nga fhasi ha khehekanyo ñthukhu ya (1) i tea u sumbedza njila na zwifhinga zwine mafhungo a tea u getshedzañwa na hahone, arali zwi tshi tsothea, hu sumbedze uzi mafhungo a fana u kha thahisedzwa hani.

(3) Minisita u tea u kuvhanganya na u ñganganyisa mafhungo o teaho malugana na u swikela zwipikwa zwa Vhungowedzi ha Lushaka na zwipikwa zwa uno Mulayo na nga murah, a andadza Muvhigo wa Vhungowedzi wo ñganganswaho u itela u lau vha lau nthanganyiso u kha khwiniswe nga Riphabulji nga zwa maitele a u vhigela Lushaka na kha mashango a dzitshakatshaka.

NDIMA YA 5
VHUBVISAGESE YA TSHIKHALANI NA U BVISWA

(Njila ya vhubvisagese ya tshikhalani ya Lushaka

24. (1) Minisita, a tshi khou kwamana na Khabinete, nga kha ndzivhadzo kha Gazete u fana u ta njila ya vhubvisagese ya tshikhalani kwa Lushaka kha hahone kha Riphabulji.

(2) Njila ya vhubvisagese ya tshikhalani kwa Lushaka i fana u—
(a) t_alusa tshipikwa tsha phungudzo ya vhubvisagese ya tshikhalani ya Lushaka tsho imelwaho nga nyolo ya tshivhala ya gumofulu ja vhubvisagese ya tshikhalani ho anganyelwaho na fviswa musini wa tshifhinga tshi ñlantwaho kwa Riphabulji;
(b) disendeka kha vhutanzi ho teaho na mafhungo a zwino-zwino malugana na gumofulu ja zwino na ñhanganyelo dzin anganyewaho dzva vhubvisagese ya tshikhalani kwa Riphabulji; na
(c) vha ine ya anana na ndayo na zwipikwa zwa uno Mulayo na Mbofho dzva mashango a dzitshakatshaka dzva Riphabulji.

(3) U swika tsho tshifhinga sa zwine Minisita a nga andadza njila ya vhubvisagese ya tshikhalani ya Lushaka u ya nga khehekanyo ñthukhu ya (1), vhubvisagese Vhushelamulenzhe ho Tiwaho kwa Lushaka vh shuma sa yone njila.

(4) Minisita, a tshi khou kwamana na Khabinete—
(a) u teu u tola njila ya vhubvisagese ya tshikhalani ya Lushaka kwa minwaha mijanu miwwe na miwwe u bva musi uno Mulayo u tshi tou thoma u shumisia; na

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(b) may periodically review the national greenhouse gas emissions trajectory when national circumstances require such a review, including when such requirement is demonstrated by—
(i) monitoring and evaluation results;
(ii) technological advances;
(iii) the best available science, evidence or information;
(iv) the Republic’s international commitments and obligations; or
(v) constraints and opportunities to implementation of policies and measures.

Sectoral emissions targets

25. (1) (a) The Minister must, within one year of the coming into operation of this Act, by notice in the Gazette, list the greenhouse gas emitting sectors and sub-sectors that are subject to sectoral emissions targets.
(b) The list contemplated in paragraph (a) must appropriately reflect the national greenhouse gas emissions profile.

(2) The Minister may vary the list of sectors and sub-sectors that are subject to sectoral emissions targets guided by the national greenhouse gas emissions profile.

(3) The Minister must, in consultation with the Ministers responsible for each sector and sub-sector listed in terms of subsections (1) and (2), determine by notice in the Gazette the prescribed framework and the sectoral emissions targets for sectors and sub-sectors.

(4) Sectoral emissions targets must—
(a) be implemented by the Ministers responsible for the administration of sectors or sub-sectors listed in terms of subsections (1) and (2) through the relevant planning instruments, policies and programmes;
(b) be aligned with the national greenhouse gas emissions trajectory, noting that the cumulative amount of greenhouse gas emission reductions which the sectoral emissions targets represent, ensures that the national greenhouse gas emissions profile is kept within the national greenhouse gas emissions trajectory; and
(c) include quantitative and qualitative greenhouse gas emission reduction goals for the first five years, the subsequent five to 10 years and for a 10 to 15 year period thereafter.

(5) When determining the sectoral emissions targets, the Minister must take all relevant considerations into account, including, amongst others—
(a) the socio-economic impacts of introducing the sectoral emissions targets; and
(b) the best available science, evidence and information.

(6) The Minister responsible for each sector or sub-sector for which sectoral emissions targets have been determined, in accordance with subsection (3), must adopt policies and measures towards the achievement of the sectoral emissions targets.

(7) The Minister, in consultation with the Ministers responsible for each sector and sub-sector listed in terms of subsections (1) and (2), must, every five years, review the sectoral emissions targets and, when the outcome of the review or national circumstances require it, revise and amend the sectoral emissions targets, including when the need for such revision and amendment is demonstrated by—
(a) monitoring and evaluation results;
(b) technological advances;
(c) the best available science, evidence or information;
(d) the Republic’s international commitments and obligations;
(e) the strategic importance of the sector or sub-sector as a catalyst for growth and job creation in the economy; or
(f) the agreed approach to the just transition.
Zwipikwa zwa vhuvubisagese kha sekithara

25. (1) (a) Minisitša, hu saathu fhela ſwaha muthihi musi unọ Mulayo wo thoma u shumiswa, nga njëvhadzo kha Gazette, u tea u ita mutevhe wa dzisëkithara na dzisëkithara ſhukhu dza vhuvubisagese ya tshikalani dzine dza tea u tevhedza zwipikwa zwa vhuvubisagese kha sekithara.

(b) Mutevhe wo elekanwyaho wa pharagirafu ya (a), nga njëliló ya teaho u tea u sumbedza mbonaló ya vhuvubisagese ya tshikalani kha lushaka.

(2) Minisitša a nga shandukisa mutevhe wa dzisëkithara ſhukhu dzine dza tea u tevhedza zwipikwa zwa vhuvubisagese kha sekithara kha sekithara a tshi khou sumbiwa njëlilo nga mbonaló ya vhuvubisagese dza tshikalani ya lushaka.

(3) Minisitša, a tshi khou kwamana na Minisitša dzi re na vhudifhindleleli se sekithara na sekithara ſhukhu dzi re kha mutevhe u ya nga khethekanyo ſhukhu dza (1) na (2), nga njëvhadzo kha Gazette, u fanela u ta mutheo wo randelwaho na zwipikwa zwa vhuvubisagese kha sekithara zwa dzisëkithara.

(4) Zwipikwa zwa vhuvubisagese kha sekithara zwi fanela u—

(a) shumiswa nga Minisitša dzi re na vhudifhindleleli kha zwa ndaulo ya dzisëkithara kana dzisëkithara dzo dzheniswaho kha mutevhe hube hu tshi khou tevhedza khethekanyo ſhukhu dza (1) na (2) nga kwa shumiswa zwa vhupulani zwo teaho, mbekanyamaitele na mbekanyamushumo;

(b) livhanyiswa na njëlilo ya vhuvubisagese ya tshikalani kha lushaka, hu tshi dzhielwa nhæle gumofulu ya ſhanganyelo dza phungudzo dza vhuvubisagese dzina tshikalani dzine dzina imelewa nga zwipikwa zwa vhuvubisagese kha sekithara, u vhona urí mbonaló ya vhuvubisagese dza tshikalani kha lushaka izwizwisa zwa tshikalani kha lushaka; na

c) katela zwipikwa zwa phungudzo dza vhuvubisagese kha tshikalani ya khwanthithethivi na ſha khwanthithethivi kwa mbonalo ya luhubvisagese dza tshikalani dzine dza ithele zwo teaho, musi mvelelo dza u tola kwa njëlelo dza lêshe kwa mbonalo ya mvelelo dza lêshe kwa vhukondó ya zwishumisa mbekanyamaitele na mvelelo dza u tsha 15 nga murahu.

(5) Musi hu tshi tiwa zwipikwa zwa vhuvubisagese ha sekithara, Minisitša u tea u dхиela nhæle zwo teaho, hu tshi katelela, zwi sa gumi kha—

(a) t:jhutunjwe dza kana u kwamwe ha ikonomi ya zwa matšalisisano malugana na u thoma zwipikwa zwa vhuvubisagese dza sekithara na

(b) vhuhone ha saiths, vhutænzi na mafhungo zwa khwëpësa.

(6) Minisitša a re na vhudifhindleleli se sekithara kana sekithara ſhukhu inwe na inwe hune zwipikwa zwa vhuvubisagese kha sekithara zwo tiwa, hu tshi khou tevhedza khethekanyo ſhukhu ya (3), u tea u khwaqhidseza mbekanyamaitele na maga malugana na u swikelela zwipikwa zwa vhuvubisagese ha sekithara.

(7) Minisitša, a tshi khou kwamana na Minisitša dzi re na vhudifhindleleli ha zwa inwe na inwe sekithara na sekithara ſhukhu dzo dzheniswaho kha mutevhe u ya nga khethekanyo ſhukhu dza (1) na (2), kwa minwahá minwe na minwe mitjána, u tea u tola zwipikwa zwa vhuvubisagese kha sekithara na uri, musi mvelelo dza u tola kwa njëlelo dza lêshe kwa zwithu kha sekithara kana sekithara t:jholo ya zwithu kwa ikonomi; kana

(c) ndëmë ya njëlilo ya maitele a zwithu kha sekithara kana sekithara ſhukhu sa tshileludzi tsha nyaluwo na vhuisi amoshumo kwa ikonomi; kana

(d) njëlilo ya tendelwanaho kha shandukiso ine ya pfadza.
(8) An amended sectoral emissions target must contain quantitative and qualitative mitigation targets for the first five years, for the subsequent five to 10 years and for a 10 to 15 year period thereafter.

(9) The Minister responsible for each sector and sub-sector for which sectoral emissions targets have been determined, within one year of the publication of the sectoral emissions targets, must—

(a) develop or amend the relevant sectoral and sub-sectoral policies and measures for which that Minister is responsible in terms of the achievement of the sectoral emissions targets;
(b) publish such amendment in the Gazette;
(c) implement the policies and measures within the relevant sectors and sub-sectors; and
(d) monitor the effectiveness of implementing such policies and measures in achieving the relevant sectoral emissions target.

(10) The Minister responsible for each sector and sub-sector for which sectoral emissions targets have been revised and amended in terms of subsection (7) must—

(a) within six months of the publication of the revised and amended sectoral emissions targets and to the extent required by such revision and amendment, revise and amend the policies and measures provided for in subsection (9);
(b) ensure that the duly revised and amended policies and measures are implemented and monitored for effectiveness.

(11) The Minister responsible for each sector and sub-sector for which sectoral emissions targets have been determined in terms of subsection (3), or for which revised and amended sectoral emissions targets have been determined in terms of subsection (7), must annually report to the Presidency on progress towards the achievement of the relevant sectoral emissions targets.

(12) The Minister must collate, compile and synthesise the reports provided in terms of subsection (11) and submit progress reports on the implementation of the sectoral emissions targets to Cabinet on an annual basis.

Listed greenhouse gases and activities

26. (1) The Minister must, by notice in the Gazette, publish a list of greenhouse gases which the Minister reasonably believes cause or are likely to cause or exacerbate climate change.

(2) The Minister must, by notice in the Gazette, publish a list of activities which emit, or have the potential to emit, one or more of the greenhouse gases listed in terms of subsection (1).

(3) A notice published in terms of subsection (2)—

(a) must apply to greenhouse gas emitting activities which have already commenced and new greenhouse gas emitting activities;
(b) must determine quantitative greenhouse gas emission thresholds expressed in carbon dioxide equivalent to identify persons to be assigned a carbon budget, in terms of section 27(1), and who are required, in terms of section 27(4), to submit greenhouse gas mitigation plans to the Minister;
(c) must specify that the notice does not apply to listed activities which emit quantities of greenhouse gases below the quantitative greenhouse gas emission thresholds determined in terms of paragraph (b); and
(d) may contain transitional provisions and other special arrangements in respect of the activities contemplated in paragraph (a); and
(e) must determine the date on which the notice takes effect.
(8) Tshipikwa tshe khwiqisiwatho tsha vhuvhisagese kha sekithara tshe tea u faredu zwipiuka zwa phungudzo zwa khwanhathethhivi kha khwajithethhivi kha miqiswa mitanu ya u thona, kha miniqiswa i tevtelabo mitanu u ya kha ya 10 na kha miniqiswa ya 10 u ya kha ya 15 nga murahu.

(9) Minisita a re na vhufihinduleli hle iwe na iwe sekithara na sekithara thukhu ine zwipiuka zwa hone zwa vhuvheledzegese kha sekithara zwo tiwa, hu saathu fhela nwa muthihi wu u anadza wa zwipiuka zwa vhuvheledzagese kha sekithara, fANELA U—

(a) bveledzisa kana u khwiqisi sisa maga na mbekayamaitole zwo tehzo kwa sekithara na sekithara thukhu zhine Minisita a vha na vhufihinduleli kha sekithara; zwo u ya nga tswekelelo ya zwipiuka zwa vhuvhisagese kha sekithara; 10

(b) anadza uho u khwiqisa kha Gazette; 5

(c) shumisa mbekayamaitole na maga ngomu ha sekithara na dzisekithara dzo tebo; na 15

(d) lavheleta kushumele kwa u shumisa idzo mbekayamaitole na ayo maga kha u swiwhela tshipikwa tsha vhuvhisagese kha sekithara.

(10) Minisita a re na vhufihinduleli hle iwe na iwe sekithara na sekithara thukhu dzine zwipiuka zwa hone zwa vhuvhisagese kha sekithara zwo shandukiswa na u khwiqiswa u ya nga khethekanyo thukhu ya (7) u fanelu u—

(a) hu saathu fhela minwedzi ya rathi ya u anadza wa zwipiuka zwa vhuvhisagese kha sekithara zwo shandukiswa na u kha tshikhala tshine tsha thodwa nga uho u shandukisa na u khwiqisa, ene Minisita u tea u shandukisa na u kha tshikhala tshine tsha thodwa nga khethekanyo thukhu ya (9); 20

(b) anadza uho u shandukisa na u khwiqisa nga kha ndjivhado kha Gazette; na 25

(c) vhona uri zwavhukuma mbekayamaitole na maga zwo shandukiswa na u khwiqiswa zwi a shumiswa na u lavheletha ha mashumele azwo.

(11) Minisita a re na vhufihinduleli hle sekithara na sekithara thukhu iwe na iwe ine zwipiuka zwa hone zwa vhuvhisagese kha sekithara zwo tiwa u ya nga khethekanyo thukhu ya (3), kana zwipiuka zwa vhuvhisagese kha sekithara zwo tiwa hu tshi khou tevhedzwa khethekanyo thukhu ya (7), nga nwa u tea u vhiga ngei kha khethekanyo thukhu ya (9); 30

(12) Minisita u tea u dzudzanyo, u kuvhanganyo na u t’anganyakwa mvhigoyo vhetshelela u ya u shandukiswa na u shandukisa na u khwiqiswa zwi a shumiswa na u lavheletha hla mashumele azwo.

(13) Mishumo na gese dza tshikhalani dze re kha mutevhe

26. (1) Minisita, nga ndjivhado kha Gazette, u fanelu u anadza wa mutevhe wa gese dza tshikhalani dzine Minisita zwi tshi pfadza a tenda uri dze khou vha kana hu na khotondze kholu ya uri dze vhangane kana dze ngiswe tshanduko ya kila.

(2) Minisita, nga ndjivhado kha Gazette, u fanelu u anadza wa mutevhe wa mishumo ine ya bveledza gese, kana ine ya vha na khotondze dze u bvelediza gese, nthisi kana vhunzhi ha gese dza tshikhalani dze re kha mutevhe wa u ya nga khethekanyo thukhu ya (1).

(3) Ndjivhado yo anadzwaho u ya nga khethekanyo thukhu ya (2)—

(a) i tea u shumiswa kha mishumo ya vhuvhisagese ya tshikhalani ine yo do thi thona na mishumo ya vhuvhisagese ya tshikhalani ine ndi miswa;

(b) i tea u ta mbalo ya phungudzele dza vhuvhisagese dza tshikhalani dzo ambiwha kha khabonipfudzi ya ndinganelo u itela u samba vhathu vhane vha do avhela mugaganyagwama wa khabon, u ya nga khethekanyo ya 27(1), nahone vhane vha thodwa, nga khethekanyo ya 27(4), uri vha netshezede Minisita pulane dza u fhungudza gese ya tshikhalani;

(c) i tea u talusa u ri ndjivhado a i shumiswa kha mishumo u re kha mutevhe une mbalo dza hone dza vhuvhisagese ya tshikhalani dze fhasi ha mbalo ya phungudzele dza vhuvhisagese dza tshikhalani sa zwo tiwaho u ya nga pharagirafu ya (b);

(d) i nga faredu mbetshele dza tshanduko na dziiwe nzudzanyo dza tshipentshela malugana na mishumo yo elekanywaho nga pharagirafu ya (a); na 55

(e) itea u ta datumu ine ngayo ndjivhado ya thona u shumiswa.
(4) The thresholds contemplated in subsection (3)(b)—
   (a) must be expressed in carbon dioxide equivalents for carbon budgets and greenhouse gas mitigation plans and shall be applicable at company level based on operational control;
   (b) must be based on the availability of feasible mitigation technology; and
   (c) must take into account any opportunities and constraints to implementation of policies and measures.

(5) The Minister may review the lists published in terms of subsections (1) and (2) in line with the requirements of national and international mitigation goals for the purposes of determining whether such lists require revision and amendment, including when the need for such review is demonstrated by—
   (a) monitoring and evaluation results;
   (b) technological advances;
   (c) the best available science, evidence or information;
   (d) the Republic’s international commitments and obligations; or
   (e) opportunities and constraints to implementation of policies and measures.

(6) In the event that a review undertaken in terms of subsection (5) indicates the need for revision and amendment of one or both of the lists, the Minister may, by notice in the Gazette, revise and amend the relevant list, by—
   (a) adding or removing greenhouse gases from the greenhouse gases list;
   (b) adding or removing activities from the activities list; or
   (c) making other changes to the particulars on the list, such as the applicability of greenhouse gases to certain activities.

Carbon budgets

27. (1) The Minister must allocate a carbon budget to any person that conducts an activity listed in terms of section 26(2).

(2) When allocating carbon budgets, the Minister must take all relevant considerations into account, including but not limited to—
   (a) the socio-economic impacts of imposing the carbon budget;
   (b) the best available science, evidence and information;
   (c) the best practicable environmental options available and alternatives that could be taken to mitigate the emission of greenhouse gases;
   (d) national strategic priorities;
   (e) the alignment of the carbon budgets with the national greenhouse gas emissions trajectory, noting that the cumulative amount of greenhouse gas emissions which the carbon budgets represent are not equivalent thereto; and
   (f) progress on the implementation of the greenhouse gas mitigation plans.

(3) A carbon budget—
   (a) must have a duration of at least three successive five-year periods; and
   (b) must specify the maximum amount of greenhouse gas emissions that may be emitted during the first five-year period.

(4) (a) A person to whom a carbon budget has been allocated in terms of subsection (1) must prepare and submit to the Minister, for approval, a greenhouse gas mitigation plan.
   (b) A greenhouse gas mitigation plan must—
      (i) describe the mitigation measures that the person, to whom a carbon budget is allocated, proposes to implement in order to remain within the person’s allocated carbon budget; and
      (ii) comply with the content requirements of such plans as may be prescribed by the Minister in terms of section 30, including requirements pertaining to processes, procedures and reporting.
(4) Phungudzelo dzo elekanywaho kha khethekanyo ṭhukhu ya (3)(b)—
   (a) dzi tea u ambiwa kha nyedʒano ya khabonipfuʃi kha migaganyagwama ya khaboni na pulane dza phungudzo dza gese dza tshikhulani nahone dzi tea u vha dzo fanelaho kha jehvele ya khamphani zwo sendeka kha ndango ya kushumele;
   (b) dzi tea u vha dzo ġisendakaho kha vuuhone ha khonadzeo ya thekhinoʃodžhi ya u phungudza; na
   (c) dzi tea u džhiela nzhele zwikhala zwiʃiwe na zwiʃiwe na vhukondʒi ha u shumisa mbekanyamaitele na maga.

(5) Minisitʃa a nga tɔla mitevhe vo aŋədzwaho u ya nga khethekanyo ṭhukhu dza (1) na (2) zwi tʃi anana na thọdjea dza lushaka na mashango a dzitshakatshaka dza zwipikwa zwa u phungudza kha ndvivo dza u ta uri naa iyo mitevhe i tɔda u shandukiswa na u khwishiswa, hu tʃi katelwa thọdjea ya uho u tɔla zwo sumbedzwa nga—
   (a) u lavelela na u thətuʃuva mvelelo;
   (b) u khwιneʃhadzesa ha thekhinoʃodžhi;
   (c) vuuhone ha saintsi, vuθanzi kana mafhungo zwa kwhoʃesa;
   (d) mbofho na vuθukimiseli kha zwa mashango a dzitshakatshaka nga Riphabuliʃi; kana
   (e) zwikhala na vhukondʒi ha u shumisa mbekanyamaitele na maga.

(6) Kha nyimele ya uri u tɔla hu itwa hu tʃi tevhedzwa khethekanyo ṭhukhu ya (5) hu sumbedzwa thọdjea ya tsandukisonsa kha khowiʃo ya mitevhe mutihi kana vuθuvihi ha mitevhe, ine Minisitʃa, nga ndvihadzo kha Gazette, a nga shandukiswa na u kwhoʃisa mitevhe wo teaho nga u—
   (a) engeδza kana u bvisa gese dza tshikhulani kha mitevhe wa gese dza tshikhulani;
   (b) engeδza kana u bvisa mishumo u bva kha mishumo i re kha mitevhe; kana
   (c) u ita dzinʃe tevhedzwa kхanduko kha zwidodombedzwa zwi re kha mitevhe, u tou fana na u tea ha gese dza tshikhulani kha mishumo yenenyo.

Migaganyagwama ya khaboni

27. (1) Minisitʃa u fanela u avhela mugaganyagwama wa khaboni kha muthu mu%nwe na mu%nwe ane a ita mishumo u re kha mitevhe une wa tevhedzwa khethekanyo ya 26(2).
   (2) Musi hu tʃi avhela magaganyagwama ya khaboni, Minisitʃa u fanela u džhiela nzhele ndavheleso dzotʰe dzo teaho, hu tʃi katelwa zwi sa gumihoh kha—
   (a) thətu重伤zlo dza zwa ikonomi ya zwa matʃhisian kha u vheya mugaganyagwama wa khaboni;
   (b) vuθhone ha saintsi, vuθanzi kana mafhungo zwa kwhoʃesa;
   (c) ndʒila dza zwa mupu dzine dza konadzea nahone dizi re hona na dzinʃe-who
       ndʒila dzine dza ngα shumiswa kha u phungudza u bva ha gese dza tshikhulani;
   (d) ndʒila dza lushaka dza ndmesa;
   (e) ndviθhaniso ya migaganyagwama ya khaboni na ndʒila dza mabhvele a gese ya tshikhulani dza lushaka, hu tʃi khou dzhielwa nzhele u engeδza hoʃe ʰo kuvhanganha ha u bva ha gese ya tshikhulani hune migaganyagwama ya khaboni ya imela a hu lingani; na
   (f) mvelaphandʃa ya u shumiswa ha pulane dza phungudzo ya gese ya tshikhulani.

(3) Mugaganyagwama wa khaboni—
   (a) u teu u vha na tʃiʃihinga tʃi si ho thasi ha mihwaha miʃanu i khou tou
       tevhekana; na
   (b) u teu u taluʃa gumofulu ja nʃhesa ja u bva ha gese ya tshikhulani ine ya nga
       bva tʃiʃihingani thas mi十九届 miʃanu ya u thoma.

(4) (a) Muthu ane mugaganyagwama wo avhela ene u ya nga khethekanyo ṭhukhu ya (1) u fanela u dzudzanya na u isa pulane ya u phungudza gese ya tshikhulani kha Minisitʃa uri i tendelwe.
   (b) Pulane ya u phungudza gese ya tshikhulani i fanela u—
      (i) thalutshedza maga a u phungudza gese ane muthu ane a khou avhela
          mugaganyagwama wa khaboni a khou dzinginya uri u ġo u shumisa u itela uri a
          shumise mugaganyagwama we a avhela wa khaboni une wa sa ihire wo
          avhelahe, na
      (ii) tevhedzwa thọdjea dzi re kha izdo pulane sa zwine zwa nga randelwe nga Minisitʃa
          u ya nga khethekanyo ya 30, hu tʃi khou katelwa thọdjea malugana na maitele
          na kuvhigele.
(5) At the time when the carbon budget is assigned for the first mandatory carbon budget cycle, all approved pollution prevention plans as contemplated in section 29 of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004), and the National Pollution Prevention Plans Regulations, 2017, published under Government Notice No. 712 of 21 July 2017, must be deemed to be greenhouse gas mitigation plans.

(6) A person to whom a carbon budget has been allocated must—
   (a) implement the approved greenhouse gas mitigation plan;
   (b) monitor annual implementation of the greenhouse gas mitigation plan in accordance with the prescribed methodology;
   (c) evaluate progress on the allocated carbon budget;
   (d) annually report on the progress against the allocated carbon budget to the Minister in the manner prescribed; and
   (e) in the event that such reporting indicates that the person has failed, is failing or will fail to comply with the allocated carbon budget, provide a description of measures the person will implement in order to remain within the allocated carbon budget.

(7) (a) The Minister must review a carbon budget allocated to a person in terms of subsection (1) at the end of the five-year carbon budget commitment period, or upon request by a person subject to a carbon budget.
   (b) A person to whom a carbon budget has been allocated may apply for a revision or cancellation of the carbon budget under circumstances to be prescribed in the regulations contemplated in section 30(2)(a)(i).
   (c) The factors listed in subsection (2) must be taken into consideration when a carbon budget is reviewed.

(8) The Minister must, within a reasonable time of the review provided for in subsection (7), revise a carbon budget—
   (a) to ensure that it always has a duration of at least three successive five-year periods; and
   (b) if the National Greenhouse Gas Inventory demonstrates an increase in national greenhouse gas emissions above the national and international climate change mitigation commitments and obligations.

(9) An allocated carbon budget may be amended if the activity for which the carbon budget has been issued is transferred or acquired in part or fully and the affected person must request a reallocation of a carbon budget from the Minister in the prescribed manner.

Phase-down and phase-out of synthetic greenhouse gas emissions and declaration

28. (1) The Minister, in consultation with the Ministers responsible for the greenhouse gas emitting sectors and sub-sectors contemplated in section 25, must by notice in the Gazette—
   (a) declare certain greenhouse gases to be synthetic greenhouse gases;
   (b) specify, in respect of each of the gases listed in the declaration contemplated in paragraph (a), whether such gases are required to be phased out or phased down;
   (c) prescribe thresholds for the use of synthetic greenhouse gases in terms of section 26(3)(b); and
   (d) contain timeframes for the phase-down or phase-out of synthetic greenhouse gases.

(2) The Minister, in consultation with the Ministers responsible for the greenhouse gas emitting sectors and sub-sectors contemplated in section 25, and any affected party, in the prescribed manner, must—
   (a) develop a plan to phase down or phase out synthetic greenhouse gases declared in terms of subsection (1); and
(5) Kha tšišifhinga tšha musi mugaganyagwama wa khaboni u tshi avhelwaho lwa mutevheňhandu wa mugaganyagwama wa khaboni une wa tou vhoľha wa mathomo, puljane dzqohe dzqo tendelwaho dz dza thvihela tšišiňhathado sa zwo elekanywaho kha khethekanyo ya 29 ya Ndango ya Mupo wa Lushaka: Mulayo wa Vhudi ha Muya wa, 2004 (Mulayo wa nomboro ya, 39 ya 2004), na Ndangelo dzqulune dzqulane dza Thvihela Tšišiňhathado dzqulune Lushaka dzqulane, 2017, dzqo anďadzwaho nga ġhasi ha Nqjiňhado ya Muvhušo ya nomboro ya. 712 ya 21 Fulŵana 2017, dzqulune u dzhišiwa hu puljane dzqulune phungudzo ya gese ya tšišikhalani.

(6) Muthu ane ndi ene o avhelwaho mugaganyagwama wa khaboni u fanelana—
(a) shumisa puljane yo tendelwaho ya phungudzo ya gese ya tšišikhalani;
(b) lavheleša nga ġwaha kwa puljane ya phungudzo ya gese ya tšišikhalani u ya nga ngona yo randelwaho;
(c) ŷhaňhavha mvelaphandu a kha mugaganyagwama wa khaboni wo avhelwaho;
(d) vhiğa nga ġwaha kha Minisitiľa malugušana na mvelaphanda a tshi u vhambedza na mugaganyagwama wa khaboni wo avhelwaho nahone u vhiğa zwi ite nga nqšila yo randelwaho; na
(e) kha nyimele ya uri uho u vhiğa hu sumbedza uri muthu o kundelwaho, u khou kundelwana kana u dzqo kundelwana u anana na mugaganyagwama wa khaboni wo avhelwaho, u tea u ġalušheda maga ane ene a dš a shumisa u itela uri a sa fhiřise mugaganyagwama wa khaboni wo avhelwaho.

(7) (a) Minisitiľu u tea u ġola mugaganyagwama wa khaboni wo avhelwaho kha muthu u ya nga khethekanyo ũthukhu ya (1) mafheloni a tšišiňhinga tsha mīnina mahituluna tsha tšišifhinga tsha vhuqišimosiši tsha mugaganyagwama wa khaboni, kana mūsi ho vha na khibelo nga muthu hu tshi tevheňzwa mugaganyagwama wa khaboni.
(b) Muthu ane mugaganyagwama wa khaboni wo avhelwaho ene a nga ita khumbelo ya khethekanyo tshhuši ya (1) mafheloni a tšišiňhinga tsha mīnina mahituluna tsha tšišifhinga tsha vhuqišimosiši tsha mugaganyagwama wa khaboni.

(8) Minisitiľu, hu saathu ġhuša tšišiňhinga tšišine tsha pďadza tsha ũholo ya mbetshelo ya khethekanyo ũthukhu ya (7), u tea u shandukisa mugaganyagwama wa khaboni—
(a) u ġiše u vhona uri u dzulana u na tšišiňhinga tsha zwiňhinga zwa mīnina mahituluna tsha tšišifhinga tsha vhuqišimosiši tsha mugaganyagwama wa khaboni u tšišiňhinga tsha mīnina mahituluna tsha tšišifhinga tsha vhuqišimosiši tsha mugaganyagwama wa khaboni;
(b) arali Mutevhe wa Gese ya Tšišikalani wa Lushaka u tshi sumbedza u engedzeşa ha Mahbeve a gese ya tšišikalani kha lushaka nahone zwi nthša ha mbolho na vhuqišimosiši ha zwa phungudzo ya tšandundo ya kilima kha mabvele a gese ya tšišikalani, nga nthša ya mabvele a gese ya tšišikalani.

(9) Mugaganyagwama wa khaboni wo avhelwaho u nga kwišišwa arali mushumu une mugaganyagwama wa khaboni wo ġetshedzwaŋo wa vha uri wo rathiswa kana u waňhwa u tšišipuša kana wo ũhelela nahone muthu a kwameaho u fanelana u ġumbela nyavhelo halhu ya mugaganyagwama wa khaboni kha Minisitiľu nga nqšila yo randelwaho.

U phungudza na u ũhelisa vhubvisagesetiša ya tšišikalani na u dįvĎadza

28. (1) Minisitiľu, a tshi khou kwamana na Dziminisitiľu dz diš re na vhuqišimbileli kha dzisikošiša na dzisikošiša ũthukhu dza vhubvisagesiše ya tšišikalani sa zwo elekanywaho kha khethekanyo ya 25, nga ndįvĎadzo kha Gazete u fanelana—
(a) dįvĎadza dzzenedo gese dzquluna dzquluna dzquluna u vha geseitwa dzquluna tšišikalani;
(b) ŷalusa, malugušana na gese dzšiňe na dzšiňe dzquluna re kha mutevhe va ndįvĎadzo sa zwo zwa elekanywana kha pharagirapha ya (a), hu nga idzo gese dzquluna tshi tea u ũheliswa kana u tshu phungudźwa;
(c) randela phungudzelo dzqulune dzqulane ya geseitwa dzquluna tšišikalani ya nga khethekanyo ya 26(3)(b); na
(d) faredza zwiňhingakalwa zwu a phungudza ka ũhelisa geseitwa dzquluna tšišikalani.

(2) Minisitiľu, a tshi khou kwamana na Dziminisitiľu dz diš re na vhuqišimbileli kha dzisikošiša na dzisikošiša ũthukhu dza zwa vhubvisagesiše ya tšišikalani sa zwo elekanywaho kha khethekanyo ya 25, na mūši u muňhwe a kwameaho, nga nqšila yo randelwaho, u tea u—
(a) bvelošiza puljane ya u phungudza kana u ũhelisa geseitwa dzquluna dzquluna dzquluna dzquluna dia phungudzelo ya nga khethekanyo ũthukhu ya (1); na
(b) review and update the plan provided for in paragraph (a) every five years.

(3) A plan developed in accordance with subsection (2)(a) must—

(a) address how importers and exporters of synthetic greenhouse gases must account for their emissions of synthetic greenhouse gases;

(b) contain measures that facilitate the phase-down or phase-out of synthetic greenhouse gases; and

(c) be consistent with the Republic’s international obligations.

(4) The Minister may allocate a carbon budget to persons undertaking activities that give rise to emissions of the synthetic greenhouse gases declared pursuant to subsection (1), in which event the Minister must follow the process for the allocation of carbon budgets provided for in section 27.

National Greenhouse Gas Inventory

29. (1) The Minister must establish an institutional arrangement to facilitate a national system of data collection for the creation of a National Greenhouse Gas Inventory and the annual compilation of the National Greenhouse Gas Inventory Report.

(2) The National Greenhouse Gas Inventory Report contemplated in subsection (1) must—

(a) set out and analyse emissions trends, including detailed reports on changes in the greenhouse gas emissions intensity in the economy; and

(b) compare actual greenhouse gas emissions against the national greenhouse gas emissions trajectory and national and international climate change mitigation commitments and obligations.

(3) The Minister may by notice in the Gazette identify a list of activities and thresholds for which measurements or estimations of greenhouse gas emissions and carbon sinks from stationary, mobile, fugitive, process, agriculture, land use and waste sources must be carried out.

(4) The thresholds stipulated in subsection (3) must be expressed as a function of activity for greenhouse gas emissions reporting and may be different for different activities, taking into account the significance of the contribution of these activities to total national greenhouse gas emissions as well as its completeness.

(5) A notice under subsection (3) must indicate the manner in which the information must be furnished and, if required, how the information must be verified.

CHAPTER 6

GENERAL MATTERS AND TRANSITIONAL ARRANGEMENTS

Regulations

30. (1) The Minister may make regulations—

(a) in relation to any matter necessary to give effect to the Republic’s international climate change commitments and obligations;

(b) in relation to the management of climate change response including incentives and disincentives to encourage a change in behaviour towards the generation of greenhouse gases amongst all sectors of society;

(c) that will promote effective monitoring, evaluation and the assessment of national progress in relation to climate change mitigation and adaptation matters, including—
(b) tôla na u kwakwanyisa pul ôane yo vhetshelwaho kha pharagirafu ya (a) kha miinôwa mi itânô miinwe na miinwe.
(3) Pul ôane yo bveledziswaô u ya nga khethekanyo ŋhukü ya (2)/(a) i teu u—
(a) ambô uri vharengamashangoôAvha na vharengiselamashangoôAvha vha dzigeiitwa dza tshikhâlání vha teu u vhiga malugana na u bveledza havho geseiitwa dza tshikhâlání; 
(b) faredza maga ane a leludza u ŋhungudza kana u fëlisa geseiitwa dza tshikhâlání; na 
(c) anana kana u tevhedza mbofho dza mashango a dzitshakatshaka dza Riphabulûjûki.
(4) Minisîta a nga avhela mugaganyagwama wa khabonî kha vhathu vha vha khôu shuma mishumô ine ya engedza vhuvîsigwase ya geseiitwa dza tshikhâlání dzô  ámbhîadzawaw ho tsi tevhelwa khethekanyo ŋhukü ya (1), hune Minisîta a teu u tevhela kuîtele kwa u avhela migaganyagwama ya khabonî sa zwo vhetshelwaho kha khethekanyo ya 27.

Mutevhe wa Gese ya Tshikhâlání wa Lushaka

29. (1) Minisîta u teu u thôma nzudzanyô ya tshiofisi ya u leludza sisîjème ya lushaka ya u kuvhanganyô data kana mafühungo u itela u síkwa ha Mutevhe wa Gese ya Tshikhâlání ya Lushaka na u dzudzanyô Muvhîgo wa Mutevhe wa Gese ya Tshikhâlání wa Lushaka.
(2) Muvhîgo wa Mutevhe wa Gese ya Tshikhâlání wa Lushaka wo élekganyawo kha khethekanyo ŋhukü ya (1) u fanela u—
(a) sumbedza na u saukônya vhuvîsigwase ha tshenêto tshîôtinha, hu tsi katalwa mivhigo yo domômbedzwawo nga ha tshanduko kha u engedzea ha vhuvîsigwese ya tshikhâlání kha ikônomô; na 
(b) vhambedza vhuvîsigwese dza tshikhâlání zwâvhuwkuma zwi tsi vhambedzâwa na ndjîla ya vhuvîsigwese dza tshikhâlání dza lushaka na mboôfo na vhuôjiîmisîli kha zwa phungudzo ya tshanduko ya kilima nga mashango a dzitshakatshaka na lushaka.
(3) Minisîta nga ndô vhaîdzo kha Gazette a nga sumbedza mutevhe wa mishumô na phunguzêlo dzine ngadzo dziphîmô kana nyànganyelo dza vhuvîsigwese dza tshikhâlání na mitswônzwe yo khabonî u bva kha thîtîtisî, tsudûlûwô, tshikomvisigwese tsi sa langwi nga tshishumiswandangatshika/adzawo ya múya, , kuîtele, vhuûlimvhuufûwi, kushumisèle kwa mavu na zwiko zwa malâjwa zwa teu u shaiwa.
(4) Phungudzêlo dzo bulwawo kha khethekanyo ŋhukü ya (3) dzî teu u bulwa sa mishumô wa nyîto ya u vhiga nga ha vhuvîsigwese ya tshikhâlání nanône zwi nga fambahana kha nyîto kana mishumô yo fambahana, hu tsi zhîelwa nhzele ndême ya u dzhenela kha idzi nyîto kha gomofûlû ja vhuvîsigwese ya tshikhâlání kha lushaka khotihî na u fêlëla kha hone.
(5) Nôvhaîdzo nga fhasî ha khethekanyo ŋhukü ya (3) i teu u sumbedza ndjîla ine ngayô ma phéungo a teu u ēlesêzwana nanône, araî zwi tsi tōôtjea, i sumbedze-vho na uri ma phéungo a nga khwâtâhîsedzwa hani.

NDIMA YA 6

MAPHUNGONYANGAREDZI NA NZUDZANYO DZA TSHANDUKO

Ndangulo

30. (1) Minisîta a nga ita ndangulo—
(a) maluguna na ma phéungo a u ita uri mbofho na vhuôjiîmisîli kha zwa mashango a dzitshakatshaka nga Riphabulûjûki zwi shumê; 
(b) maluguna na ndôngô ya jîga ja tshanduko ya kilima hu tsi katalwa u fha malambâľûthuwedzô na u sa fha malambâľûthuwedzô u itela u ŋtûtôtewda tshanduko ya mikhîwa kha u sika gese dza tshikhâlání kha sêkitâhara dôqeqe dza tshithavha;
(c) dzine dza dô ŋtûtôtewda u lahevôla na u thâtûhvha vwelephandzha ya lushaka kha zwa ma phéungo a vhuôjiôlô na phungudzo ya tshanduko ya kilima hu tsi katalwa—
(i) in relation to the progress made by national departments, provinces and municipalities with the development and implementation of Sector Adaptation Strategy and Plans, climate change needs and response assessments and climate change response implementation plans;

(ii) in relation to the performance of the departments responsible for the functions contemplated in Schedule 2, as well as provinces and municipalities, in respect of the national adaptation objectives; and

(iii) in relation to the consequences for the failure of the departments responsible for functions listed in Schedule 2 as well as provinces and municipalities, to report in the prescribed manner;

(d) that will promote the effective monitoring, evaluation and assessment of national progress in relation to climate change matters and climate change data and information, including information necessary to determine climate change vulnerability and to foster resilience; and

(e) in relation to the administration and operation of the Presidential Climate Commission or any committee established in terms of this Act, to ensure the achievement of its purpose, functions and responsibilities.

(2) The Minister must make regulations—

(a) in relation to the management of climate change response, including—

(i) the determination, review, revision, compliance with and enforcement of an allocated carbon budget, amendment and cancellation of a carbon budget allocation, the content, implementation and operation of a greenhouse gas mitigation plan, and all matters related thereto; and

(ii) the phasing down or phasing out of synthetic greenhouse gases, including the development of timeframes, inventories and mechanisms for reporting;

(b) that will promote the effective monitoring, evaluation and assessment of national progress in relation to climate change matters and climate change data and information, including information relating to direct and indirect greenhouse gas emissions, for the purposes of planning, analysis and monitoring and the compilation of the National Greenhouse Gas Inventory, and that will inform how the Republic may comply with any international obligations; and

(c) in relation to any other matter which the Minister must prescribe in terms of this Act.

(3) A regulation made in terms of this Act may provide that any person who contravenes or fails to comply with a provision thereof commits an offence and will be liable, upon conviction, to the penalties contemplated in section 49B(2) of the National Environmental Management Act.

(4) Any regulations made in terms of section 18 must, 30 days prior to the publication of the regulations in the Gazette, be tabled in Parliament.

Consultation

31. (1) Before exercising a function or power in terms of section 17(1), 19, 20, 21(2), 21(3), 22(1)(b), 22(1)(c), 23(1), 24(1), 24(4), 25(1), 25(2), 25(3), 25(7), 25(9), 25(10), 26(1), 26(2), 26(5), 26(6), 27(1), 27(7), 27(8), 27(9), 28, 29(3) or 30, the Minister, MEC or mayor, as the case may be, must follow such consultative processes as may be appropriate in the circumstances.

(2) When conducting a consultation contemplated in subsection (1), the Minister must—

(a) consult all Cabinet members whose areas of responsibility will be affected by the exercise of the function or power; and

(b) in accordance with the principles of cooperative governance as set out in Chapter 3 of the Constitution, consult the MEC in each province that will be affected by the exercise of the power.
(i) zwine zwa kwama mvelaphandža yo itwaho nga mihasho ya lushaka, mavundu na mimasipala hune ha vha na mveledziso na u shumiswa ha Pulane na Ndjila dza Vhujoweli kha Sekithara, tšoeda dza tshanduko ya kilima na ũthlavhuvho dza ṭiga ṭa pulane dza u shumiswa ha ṭiga kha zwa tshanduko ya kilima;

(ii) zwine zwa kwama kushumele kwa mihasho ine ya vha na vhuidjihludleli kha mishumo yo elekanywaho kha Shedulja ya 2, kathhihi na mavundu na mimasipala, malugana na zwipikwa zwa vhuidjowedzi ha lushaka; na

(iii) zwine zwa kwama masandoitwa a u kundelwa ha mihasho i re na vhuidjihludleli ha mishumo i re kha mutevhe wa Shedulja ya 2 kathhihi na mavundu na mimasipala, kha u vhiga nga ndjila yo randelwah;

(d) dzone dza ọtọdudzwa u lavhelesa na u ũthlavhuvha mvelaphandža malugana na maľhungo a tshanduko ya kilima na data na maľhungo a tshanduko ya kilima, hu tshi katelewa maľhungo o teako ane a ta tshayatsireledzo kha zwa tshanduko ya kilima na u ũthlavwedza vhukhwatšheli; na

(e) malugana na ndaulo na kushumele kwa Khomishini ya Kilima ya Phresidennde kana komiti inwe na inwe yonori hwe ndavele na zwipikwa zwa vhuidjowedzi ha liga na zwa tshanduko ya kilima; na

(2) Minisĵa u tea u ita ndangulo—

(a) malugana na ndango ya liga la tshanduko ya kilima, hu tshi katele—

(i) u ta, ũola, khwiĩiswa, tevhedza na u tevhedziswa ha mugaganyagwama wa khaboni wo avhelwaho, khwiĩiswa na pheliso ya nyakhelo ya mugaganyagwama wa khaboni, zwi re ngomu na u shumisa na kushumele kwa pulane ya phungudzo gese gese ya tshikhalan, na maľhungo otē a kwamanaho a neko; na

(ii) u ũhungudza kana u ũhela gese dza tshikhalan dze si dza mupo, hu tshi katele wa mvelaphandža ya zwifihungo, mitevhe na ndjila dza u vhiga;

(b) dzone dza ọtọdudzwa u lavhelesa, u ũthlavhuvha mvelaphandža ya lushaka kha zwa maľhungo a tshanduko ya kilima na maľhungo na data nga ha tshanduko ya kilima, hu tshi katelewa maľhungo o livhahoh a na sango livhahoh a mabvele a gese gese ya tshikhalan, u itela ndivho ya vhupulani, tsenguluso na ndavheleso na khuvhanganyo ya Mutevhe wa Gese ya Tshikhalan wa Lushaka, nahone izwi zwi dzo tsvhunzidza Rhipabudziki uri i nga tevhedza hani mbolho dza mashangano a dzishakathshaka dziwęre na dziwęre; na

(c) malugana na ũhungo ṭiwe na ṭiwe Minisĵa a tea u randela u ya nga uno Mulayo.

(3) Ndangulo yo itwaho hu tshi khou tevhedzwa uno Mulayo i nga ita mbetselho ya uri muniwe na muniwe muthu ane a pũka kana u kundelwa u tevhedza mbetselho u vha o ita vhuwshiniyina nanone u te u vha na vhuidjihludleli, musi o wanwa mulandu, u te u rwiwa nga ndaŋiizo dzo elekanywaho kha khethekanyo ya 49B(2) ya Mulayo wa Ndingo ya Mupo wa Lushaka.

(4) Dziwęre na dziwęre ndangulo dzo itwaho hu tshi khou tevhedzwa khethekanyo ya 18, kha maľvhuva 30 phandža ha u andadza ndangulo kha Gazete, dzi te u itwa uri dzi lavheleswe Phalamentendi.

Vhukwamani


(2) Musi hu tshi itwa zwa vhukwamani ho elekanywaho kha khethekanyo thukhu ya (1), Minisĵa u teu—

(a) u kumwe mireyouso ya Khabinete ine masia a vhuidjihludleli hayo a ya kwanwa nga u shuma mushumbo kana u shumisa maŋdu; na

(b) uri a tshi khou tevhedza ndango dza kuvhusele na tshumiso ao sumbedze kha Ndima ya 3 ya Ndayotewa, a kwanwe Muroño ya Khorotshitumbe (MEC) kha vundu ṭiwe ya ṭiwe kwa kwanwa nga u shumisa ha maŋdu.
(3) When conducting a consultation contemplated in subsection (1), an MEC must—
   (a) consult all members of the Executive Council whose areas of responsibility will be affected by the exercise of the function or power; and
   (b) in accordance with the principles of cooperative governance as set out in Chapter 3 of the Constitution, consult the Minister and all other national organs of state that will be affected by the exercise of the function or power.

(4) In respect of the carbon budgets issued in terms of section 27, the Minister must follow a fair procedure prior to the issue of the carbon budget including consultation with the person to whom a carbon budget is allocated.

(5) When conducting a consultation contemplated in subsection (1), a mayor must follow such consultative processes in accordance with the principles of cooperative governance as set out in Chapter 3 of the Constitution.

Public participation

32. (1) Before exercising a function or power in terms of section 17(1), 19(1), 19(2), 20(1), 20(3), 21(2), 22(1)(b), 22(1)(c), 23(1), 23(3), 24(1), 24(4), 25(1), 25(2), 25(3), 25(7), 25(9), 25(10), 26(1), 26(2), 26(5), 26(6), 28 or 30, the Minister, MEC or mayor, as the case may be, must give notice of the proposed exercise of the relevant function or power—
   (a) in the Gazette; and
   (b) in at least one newspaper distributed nationally or, if the exercise of the function or power will affect only a specific area, in at least one newspaper distributed in that area.

(2) The notice contemplated in subsection (1) must—
   (a) invite members of the public to submit to the Minister, MEC or mayor, as the case may be, within 30 days of publication of the notice in the Gazette, written representations on or objections to the proposed exercise of the function or power; and
   (b) contain sufficient information to enable members of the public to submit meaningful representations or objections.

(3) The Minister, MEC or mayor may in appropriate circumstances allow any interested person or community to present oral representations or objections in terms of subsection (2) to the Minister, MEC or mayor, or to a person designated by the Minister or MEC or mayor.

(4) The Minister, MEC or mayor must give due consideration to all representations and objections received or presented before exercising the function or power concerned.

Delegation

33. (1) The Minister may delegate a power or duty vested in him or her in terms of this Act, excluding the power to make regulations in terms of section 30, in accordance with section 42 of the National Environmental Management Act.

(2) An MEC may delegate a power or duty vested in or delegated to him or her in terms of this Act in accordance with section 42A of the National Environmental Management Act.

Access to information

34. Information provided to the Minister or the Department in terms of this Act must be made available by the Minister subject to the provisions of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000), and the Protection of Personal Information Act, 2013 (Act No. 4 of 2013).
(3) Musi hu tshi itwa zwa vhukwamani ho elekanywaho kha khethekanyo ũthukhu ya
(1), Muraño wa Khorotshitumbe (MEC) u tea—
   (a) u kwama miraño yoqê ya Khorotshitumbe ine masia ayo a vhüfhihinduleli a
   a kwamea ngu a shuma mushumo kana u shumisa maanďa; na
   (b) uri u ya nga ndayo dza kuvhusele na tshumisano sa zwo sumbedzwaho kha
      Ndima ya 3 ya Ndayotewa, a Kwame Minisîta na zwiniwe zwimiiswa zwô the
      zwa muvhuso zwine zwa do kwamea ngu a shuma mushumo kana u shumisa
      maanďa.

(4) Malugana na migaganyagwama ya zwa khaboni yo getshedzwoha u ya nga
   khethekanyo ya 27, Minisîta u fanela u tevhela kutele ku pfadhaho phanda ha u
   getshedza migaganyagwama wa zwa khaboni hu tshi katelwa vhukwamani na muthu
   ane migaganyagwama wa zwa khaboni u khou avhêlwâ ene.

(5) Musi hu tshi itwa zwa vhukwamani ho elekanywaho kha khethekanyo ũthukhu ya
   (1), ũdèrôbo u tea u tevhela ayo maitele u ya nga ndayo dza kuvhusele na tshumisano
   sa zwo sumbedzwaho kha Ndima ya 3 ya Ndayotewa.

U dzhenela ha tshitshavha

32. (1) Phanda ha musi hu tshi shumiwa mushumo kana u shumisa maanďa hu tshi
   khou tevhedzwa khethekanyo ya 17(1), 19(1), 19(2), 20(1), 20(3), 21(2), 22(1)(b),
   22(1)(c), 23(1), 23(3), 24(1), 24(4), 25(1), 25(2), 25(3), 25(7), 25(9), 25(10), 26(1),
   26(2), 26(5), 26(6), 28 kana 30, Minisîta, Muraño wa Khorotshitumbe kana nèdèrobo,
   zwi tshi ya nga zwine nyimele ya vha zwonve, u tea u îha ndîvîdîzho malugana na u
   dzîngînywa ha u shuma mushumo wo teaho kana u shumisa maanďa—
   (a) kha Gazete; na
   (b) kha guranno dzî si so ho fhasi ha nthîhi ine ya phâdîladzwa u mona a nushaka
      kana, arali u shuma mushumo kana u shumisa maanďa zwi tshi do kwama
      vhüfihetho honoho fhedzi, gurannâ dzî si so ho fhasi ha nthîhi dzî
      phâdîladzwa ho kha honoho vhupo dzî gi nga shumiswa.

(2) Ndîvîdîzho yo elekanywaho kha khethekanyo ũthukhu ya (1) i fanela u—
   (a) ramba miraño ya tshitshavha uri i ise kha Minisîta, Muraño wa
      Khorotshitumbe (MEC) kana ũdèrôbo, u ya nga hune nyimele ya vha zwonve,
      hu saatthu fhela madâvha 30 a u ândâdázwa ha ndîvîdîzho sa zwi zwa
      elekanywaho kha khethekanyo ũthukhu ya (1) kha Gazete, i ise zwine ya khou
      sumbedza nga ha kana khanedzo malugana na u shumisa maanďa ha
      dzîngînywaho; na
   (b) vha yo faredza mafhungo o edânahô ake a konîsa uri miraño i kone u isa
      zwine ya khou ambâ kana khanedzo zwi vhe zwi pfâlesahô.

(3) Minisîta, Muraño wa Khorotshitumbe (MEC) kana ũdèrôbo kha nyimele dzo
   teaho a nga tendela muthu munwe na munwe a re na dzangâlelo kana tshitshavha tshi re
   na dzangâlelo tshi tshi getshedzâ na kana u sumbedza nga u tou ambâ nga muloma kana
   u hânédza hu tshi khou tevhedzwa khethekanyo ũthukhu ya (2) kha Minisîta, Muraño wa
   Khorotshitumbe (MEC) kana ũdèrôbo, kana kha muthu a ngangâwaho nga Minisîta kana
   Muraño wa Khorotshitumbe kana ũdèrôbo.

(4) Minisîta, Muraño wa Khorotshitumbe (MEC) kana ũdèrôbo vha tea u lavelesa
   zwi zwa sumbedza zwô the na khanedzo dzô the dze dzô ânganedzwa kana u dzîswa
   phanda ha u shuma mushumo kana u shumisa maanďa a kwameaha.

Vhurumelwa

33. (1) Minisîta a nga rumela maanďa kana mishumo ye a hweswa ya u nga uno
   Mulayo, hu sa katelwi maanďa a u ita ndângulo u ya nga khethekanyo ya 30, hu tshi
   khou tevhedzwa khethekanyo ya 42 ya Mulayo wa Ndango ya Mupo wa Lushaka.

   (2) Muraño wa Khorotshitumbe (MEC) a nga rumela maanďa na mishumo ye a
      hweswa ya u nga uno Mulayo hu tshi khou tevhedzwa khethekanyo ya 42A ya Mulayo
      wa Ndango ya Mupo wa Lushaka.

U swikelela mafhungo

34. Mafhungo o fhiwaho Minisîta kana Muhasho u ya nga uno Mulayo a tea u ita
   uri a wâna nga Minisîta a tshi khou tevhedzwa mbetshelo dza Mulayo wa ũthu hwzôdo ya
   u Swikelela Mafhungo wa, 2000 (Mulayo wa nomboro ya. 2 wa 2000), na Mulayo wa
   Tsireledzo ya Mafhungo a Muthu wa, 2013 (Mulayo wa nomboro ya. 4 wa 2013).
Offences and penalties

35. (1) A person commits an offence if that person—
   (a) fails to provide data, information, documents, samples or materials to the Minister in terms of section 23(1);
   (b) provides false and misleading data, information, documents, samples or materials to the Minister in terms of section 23(1);
   (c) fails to prepare and submit a greenhouse gas mitigation plan to the Minister in terms of section 27(4);
   (d) fails to comply with or contravenes the notice of the Minister in terms of section 28(1); and
   (e) fails to comply with the measures contemplated in section 28(3)(b).

   (2) A person convicted of an offence in terms of subsection (1) is liable to a fine not exceeding R5 million or to imprisonment for a period not exceeding five years, and in the case of a second or subsequent conviction to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years or to both such fine and imprisonment.

Appeals

36. (1) Any person may appeal to the Minister against a decision taken by any person acting under a power delegated by the Minister under this Act.

   (2) Any person may appeal to an MEC against a decision taken by any person acting under a power delegated by that MEC under this Act.

   (3) An appeal lodged in terms of subsection (1) or (2) must be noted and dealt with in terms of section 43(4) of the National Environmental Management Act.

Savings, transitional provisions and amendment of laws


   (2) The National Environmental Management Act is hereby amended to the extent reflected in Schedule 3.

Short title and commencement

38. This Act is called the Climate Change Act, 2024, and comes into operation on a date fixed by the President by proclamation in the Gazette.
Vhutshinyi na ndaţiso

35. (1) Muthu u vha o ita vhutshinyi arali uyo muthu a—
(a) kundelwa u fha Minisîta data, mafhungo, mainwalo, sambula na matheriala u ya nga khethekanyo ya 23(1);
(b) fha Minisîta data, mafhungo, mainwalo, sambula kana matheriala a u zwîfha kana zwine zwa xedza u ya nga khethekanyo ya 23(1);
(c) kundelwa u dzudzanya na u isa pujane ya u ñhungudza gese ya tshikhální kha Minisîta u ya nga khethekanyo ya 27(4);
(d) kundelwa u tevhedza kana a pfükekanyana ñjèvhadzo ya Minisîta u ya nga khethekanyo ya 28(1); na
(e) kundelwa u tevhedza maga o elekanywaho kha khethekanyo ya 28(3)(b).

(2) Muthu ane a wanwa mulandu wa vhutshinyi u ya nga khethekanyo ñhukhu ya (1) u tea u badeliswa ndaţiso i sa pâjí R5 mîjioni kana u tou valelwâ dzhele îwa ñshifhinga tshi sa pâjí miñwâha mínjani, na uri kha nyîmele ya u wanwa mulandu îwa ñshuhîli kana u wanwa mulandu hune ha tevhela u tea u badeliswa ndaţiso ine ya sa pâjí R10 mîjioni kana u tou valelwâ îwa ñshifhinga tshi sa pâjí miñwâha ya 10, na uri kha ñshuhîli ha izwi hu na izwo zwa u tou badela ndaţiso na u valelwâ dzhele.

Dziaphili

36. (1) Mnûwe na mnûwe muthu a nga ita aphilî kha Minisîta malugana na tsheo yo dzhiwaho nga muthu mnûwe na mnûwe ane a khou zwi shuma nga fhasi ha mànqanda e a hweswa nga Minisîta nga fhasi ha uno Mulayo.

(2) Mnûwe na mnûwe muthu a nga ita aphilî kha Muráqo wa Khorotshitumbe (MEC) malugana na tsheo yo dzhiwaho nga muthu mnûwe na mnûwe ane a khou zwi ita nga fhasi ha mànqanda e a hweswa nga Muráqo wa Khorotshitumbe (MEC) nga fhasi ha uno Mulayo.

(3) Aphilî yo itwaho hu tshi khou tevhedzwa khethekanyo ñhukhu ya (1) kana (2) i tea u dzhiele nahele nhonâ i shumiwe u ya nga khethekanyo ya 43(4) ya Mulayo wa Ndango ya Mupo wa Lushaka.

Zwi sa katelwi, mbetselo dza tshanduko na khwiqîso ya milayo


(2) Mulayo wa Ndango ya Mupo wa Lushaka u khou khwiqîswa u ya nga zwe zwa sumbezdzwa kha Shedulja ya 3.

Dzina jípfufi na u thoma u shumisa Mulayo

38. Uno Mulayo u vhidzwa u pfi Mulayo wa Tshanduko ya Kilima wa, 2024, nahone u ðo thoma u shuma nga datumu ine ya ðo dzudzanya nga Phresidennde nga Mulevho kha Gazete.
SCHEDULE 1

Functions relevant to the development of Sectoral Emissions Targets

Agriculture;
Forestry;
Fisheries;
Cooperative Governance;
Traditional Affairs;
Economic Development;
Energy;
Environment;
Health;
Human Settlements;
International Relations;
Mineral Resources;
National Treasury;
Public Enterprises;
Public Works;
Rural Development;
Land Reform;
Science;
Technology;
Trade;
Industry;
Transport;
Water Affairs; and
Sanitation.

SCHEDULE 2

National Departments and State-Owned Entities responsible for certain functions required to develop a Sector Adaptation Strategy and Plan

Agriculture;
Education;
Cooperative Governance;
Forestry;
Fisheries;
Disaster Risk Reduction;
Energy;
Environment;
Health;
Human Settlements;
Manufacturing;
Public Enterprises;
Rural Development;
Land Reform;
Science;
Technology;
Tourism;
Traditional Affairs;
Transport;
Water Affairs; and
Sanitation.
SHEDULU YA 1

Mishumo yo teaho kha mveledziso ya Zwipikwa zwa Vhubvisagese kha Sekithara
Vhulimivhufuwi;
Maðaka;
Vhureakhovhe;
Kuvhusele na Tshumisano;
Zwa Sialala;
Mveledziso ya Ikonomi;
Fulufulu;
Mupo;
Mutakalo;
Madzulo a Vhathu;
Vhushaka na Mashango a Dzitshakatshaka;
Zwa Migodi;
Vhufaragwama ha Lushaka;
Mabindu a Tshitshavha;
Mishumo ya Tshitshavha;
Mveledziso ya Mashangohaya;
Myvusuludzo ya Mavu;
Saintsi;
Thekhinołodzhi;
Makwevho;
Ndowetshumo;
Vhuendi;
Zwa Maði; na
Vhuthathatshili.

SHEDULU YA 2

Mihasho ya Lushaka na Zwiimiswa zwa Muvhuso zwi re na vhufihinduleli ha mishumo yeneyo ine ya ñoæ ea u bveledzisa Pulane na Nðila ya Vhufowedzi kha Sekithara
Vhulimivhufuwi;
Pfunzo;
Kuvhusele na Tshumisano;
Maðaka;
Vhureakhovhe;
Phungudzo ya Khovhakhombo ya Zwiwo;
Fulufulu;
Mupo;
Mutakalo;
Madzulo a Vhathu;
Vhumagi;
Mabindu a Tshitshavha;
Mveledziso ya Mashangohaya;
Myvusuludzo ya Mavu;
Saintsi;
Thekhinołodzhi;
Vhuendelamashango;
Zwa Sialala;
Vhuendi;
Zwa Maði; na
Vhuthathatshili.
SCHEDULE 3

Amendment of laws: Section 34

<table>
<thead>
<tr>
<th>Act no.</th>
<th>Year</th>
<th>Title</th>
<th>Extent of amendment or repeal</th>
</tr>
</thead>
<tbody>
<tr>
<td>107</td>
<td>1998</td>
<td>National Environmental Management Act</td>
<td>1. The amendment of section 1—</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(a) by the deletion in the definition of “specific environmental management Act” of the word “or” at the end of paragraph (g);</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(b) by the deletion in the definition of “specific environmental management Act” of the comma at the end of paragraph (h) and the insertion of a semi-colon and the word “or”; and</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(c) by the addition to the definition of “specific environmental management Act” of the following paragraph: “(i) the Climate Change Act, 2024.”</td>
</tr>
</tbody>
</table>
## SHEDULU YA 3

Khwiŋiso ya milayo: Khethekanyo ya 34

<table>
<thead>
<tr>
<th>Nomboro ya Mulayo</th>
<th>Ňwaha</th>
<th>Dzina</th>
<th>Vhuhulu ha khwiŋiso kana pheliso</th>
</tr>
</thead>
</table>
| 107               | 1998  | Mulayo wa Ndango ya Mupo wa Lushaka | 1. Khwiŋiso ya khethekanyo ya 1—

(a) nga u thuthwa kha ṭhalu-tshedzo ya “Mulayo wa ndango ya mupo wonoyo” ha ipfi “kana” mafheloni a paragirafu ya (g);

(b) nga u thuthwa kha ṭhalu-tshedzo ya “Mulayo wa ndango ya mupo wonoyo” ha khoma mafheloni a pharagirafu ya (h) na u dzhe-niswa ha semi-khojoni na ipfi “kana”; na

(c) nga u engedzwa ha ṭhalu-tshedzo ya “Mulayo wa ndango ya mupo” kha pharagirafu i tevhelaho:

“(i) Mulayo wa Tshanduko ya Kilima wa, 2024.” |