

**A COMPARISON OF THE ENVIRONMENTAL IMPACT
ASSESSMENT LEGISLATION OF SOUTH AFRICA AND
MALAWI**

by

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Abstract

It is generally accepted that the environment has three inter-dependent components: economic, socio-political and natural. Consequently, integrated environmental management coupled with sustainable development is critical, and in order to achieve this goal, effective guidelines and implementable legislation are necessary. This evaluation aims to determine and compare the effectiveness of the South African and Malawian environmental impact assessment (EIA) legislation, using the comparative criteria set out by Wood (1995, 2003), and accordingly to determine whether any further amendments are necessary to improve the effectiveness of these countries' EIA systems. In the Southern African Development Community (SADC) region, it is particularly important that environmental legislation and policies are aligned across borders, to allow for better integration of these economies. The alignment of EIA systems in the SADC region could enhance regional sustainable development if managed using similar criteria.

The primary objective of this study is to compare the EIA legislation of South Africa and Malawi using Wood's (1995, 1999, 2003) 14-point evaluation criteria. The effectiveness and not the implementation and practice of the legislation is being compared. The secondary objective of this study is to determine whether Wood and Roux's recommendations have been incorporated into the South African *National Environmental Management Amendment Act 8 of 2004* and the January 2005 draft EIA regulations, and whether South African legislation meets Wood's 14 criteria for a sound EIA system.

In the South African evaluation, 11 of Wood's 14 criteria are met, while an additional two criteria are partially met and one criterion is failed, resulting in an overall

improvement in the South African EIA system. The Malawian EIA legislation meets 11 of Wood's 14 criteria, with three criteria being partially met, in principle making it more effective than the South African EIA legislation. However, although Malawi theoretically has a slightly more effective EIA legislation than South Africa, in practice this is not the case. Ideally, when South Africa's updated EIA legislation is published it will meet with all 14 of Wood's criteria for an effective EIA system based on international standards.

Keywords: Environmental impact assessment; Malawi; South Africa; legislation; comparative evaluation.

Opsomming

Die omgewing het drie interafhanklike dele naamlik: die ekonomiese-, sosiaal-politieke- en die natuurlike deel. Om hierdie rede is geïntegreerde omgewingsbestuur, gepaard met volhoubare ontwikkeling, noodsaaklik. Om hierdie doelstellings te bereik is effektiewe riglyne en uitvoerbare wetgewing nodig. Die doelwit van hierdie evaluering is om die doelmatigheid van die Malawiese- en Suid-Afrikaanse omgewingsinvloedbepaling (OIB)-wetgewing te bepaal en met mekaar te vergelyk deur Wood (1995, 2003) se vergelykende maatstawwe te gebruik en om vas te stel of enige verdere veranderinge nodig is om die doelmatigheid van hierdie lande se omgewingsinvloedbepaling-sisteme te verbeter. Hierdie veranderinge is belangrik om die Suid-Afrikaanse Ontwikkelings Gemeenskap (SAOG) se omgewingswetgewing en -beleid oor grense heen in lyn te bring sodat die SAOG-streek se ekonomieë beter by mekaar kan inskakel. Wanneer OIB-stelsels in die SAOG-streek met mekaar in lyn gebring is, behoort volhoubare streeksontwikkeling te verbeter indien hierdie ontwikkeling deur dieselfde maatstawwe bestuur word.

Die hoofdoelwit van hierdie studie is om die OIB-wetgewing van Suid-Afrika met die van Malawi te vergelyk deur Wood (1995, 2003) se 14-punt evaluasie-maatstawwe te gebruik. Slegs die doelmatigheid van die wetgewing word vergelyk, nie die toepassing en uitvoering daarvan nie. Die tweede doel van hierdie studie is om vas te stel of Wood en Roux se aanbevelings in die *Nasionale Omgewingsbestuur Wysigingswet 8* van 2004 en in die Januarie 2005 OIB-Ontwerpwetgewing opgeneem is, en of die Suid-Afrikaanse wetgewing aan die 14 maatstawwe vir 'n deeglike OIB stelsel voldoen.

In die evaluering van die Suid-Afrikaanse OIB-wetgewing word aan 11 van Wood (1995, 1999, 2003) se 14-punt evaluasie-maatstawwe voldoen, aan nog twee gedeeltelik voldoen, en een kriterium misluk wat op 'n algehele verbetering van die Suid-Afrikaanse OIB-stelsel dui. In die evaluering van die Malawiese OIB-wetgewing word ook aan 11 van Wood (1995, 2003) se 14-punt evaluasie-maatstawwe voldoen en aan nog drie gedeeltelik voldoen, wat daarop dui dat dit meer doelmatig as die Suid-Afrikaanse OIB-wetgewing is. Hoewel Malawi teoreties oor 'n meer doelmatige OIB-wetgewing as Suid-Afrika beskik, is dit nie in die praktyk die geval nie. Die ideaal word gestel dat wanneer Suid-Afrika se nuwe OIB-wetgewing gepubliseer word, dit aan al 14 van Wood (1995, 2003) se evaluasie-maatstawwe vir 'n doelmatige OIB-stelsel, gebaseer op internasionale vereistes vir 'n doeltreffende OIB-stelsel, sal voldoen,

Sleutelwoorde: omgewingsimpakstudies; Malawi; Suid-Afrika; wetgewing; evaluasie-maatstawwe; vergelyk.

LIST OF ABBREVIATIONS

AJEAM	African Journal of Environmental Assessment and Management
DEAT	Department of Environmental Affairs and Tourism
EAD	Malawian Environmental Affairs Department
ECA	<i>Environmental Conservation Act 73 of 1989</i>
EIA	Environmental Impact Assessment
EIR	Environmental Impact Report
EMA	<i>Malawian Environment Management Act 23 of 1996</i>
GG	<i>Government Gazette</i>
GN	<i>Government Notice</i>
I&AP	Interested and Affected Parties
NEAP	<i>Malawian National Environmental Action Plan (1994)</i>
NEMA	<i>National Environmental Management Act 107 of 1998</i>
NEP	<i>Malawian National Environmental Policy (1996)</i>
NEPAD	New Partnership for Africa's Development
SA	South Africa
SADC	Southern African Development Community
SAGJ	South African Geographical Journal
SAJELP	South African Journal of Environmental Law and Policy
SEA	Strategic Environmental Assessment
TCE	Malawian Technical Committee on the Environment
UNEP	United Nations Environment Programme
USA	United States of America

PREFACE

Environmental impact assessment (EIA) legislation differs from country to country. Environmental assessment can assist to achieve one of the objectives of the New Partnership for Africa's Development (NEPAD) in the Southern African Development Community (SADC), namely sustainable development. In order to achieve this, EIA legislation needs to be aligned in the SADC region and the comparison of EIA legislation is a step towards achieving this. As far as can be ascertained, the South African and Malawian EIA legislation has not yet been compared, necessitating this study.

The first objective of this study is to compare the EIA legislation of South Africa and Malawi using Wood's (1995, 2003) criteria. The second objective is to determine to what extent Wood (1999, 2003) and Roux's (2003) recommendations have been incorporated into the South African *National Environmental Management Amendment Act 8 of 2004* and the January 2005 draft EIA regulations, and whether South African legislation meets the 14 criteria for a sound EIA system. Malawi introduced EIA legislation in 1996, but its legislation has never been analysed against Wood's criteria.

This study therefore comprises a comparison of EIA legislation of two SADC countries using Wood's (1995, 2003) evaluation criteria. The methodology used for this study is outlined in the second section of this article. The third section discusses the current EIA system in South Africa and the proposed new EIA regulations in addition to the evaluations of Wood (1999, 2003) and Roux (2003). The fourth section discusses and evaluates the Malawian EIA system using Wood's 14-point criteria for an effective EIA system. The Malawian evaluation is presented differently to that of South Africa, as Malawi has not previously been evaluated according to Wood's evaluation criteria. The

fifth section compares the South African and Malawian evaluations, and based on the comparison provides recommendations to improve the South African EIA system.

The format used for this mini-dissertation is that of an article manuscript. As such, the instructions to authors for the chosen journal (*Environmental Impact Assessment Review*) are followed for style and layout (see Attachment A). However, for ease of reading for evaluation purposes, the margins are full justified and not left aligned and the tables and figures are included within the document.

Article manuscript

Cover page

A comparison of the environmental impact assessment legislation of South Africa and Malawi

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A COMPARISON OF THE ENVIRONMENTAL IMPACT ASSESSMENT LEGISLATION OF SOUTH AFRICA AND MALAWI

ABSTRACT

One of the first steps in successful environmental management is effective environmental legislation; which in turn supports sustainable development. This paper evaluates the proposed changes and amendments in the South African environmental impact assessment (EIA) legislation. These amendments are then compared to the existing Malawian EIA legislation. The South African evaluation revealed that there are improvements with 11 of Wood's (1995, 1999, 2003) 14 evaluation criteria being met, additionally the legislation partially meets two criteria and fails to meet one criterion. The Malawian evaluation indicates that 11 of Wood's (1995, 2003) 14 evaluation criteria are met, and partially meets three criteria, thus proving to be more effective in principle than the South African EIA legislation. Recommendations are made for improvements to the two countries' EIA legislation in order to advance the regional integration of the SADC economies and the goals of NEPAD.

Keywords: Environmental impact assessment; Malawi; South Africa; legislation; comparative evaluation.

1. INTRODUCTION

It is widely acknowledged that the total environment has three inter-dependent components: economic, socio-political and natural. These are also the three legs of sustainable development. For this reason, integrated environmental management coupled with sustainable development is critical, and in order to achieve these criteria

effective guidelines and implementable legislation are necessary (Glazewski, 2000; Weaver et al., 2003). UNEP states that “(t)he benefits of legislation are measured by their efficiency and their effectiveness” (Nel and du Plessis, 2001). In the USA, the *National Environmental Policy Act* was introduced in the 1970s. Since then, many other countries have followed suit. For example, in Africa, environmental impact assessment (EIA) legislation was introduced to Malawi in 1996 and to South Africa in 1997.

Both Malawi and South Africa are members of the Southern African Development Community (SADC). One of SADC's objectives in their vision for sustainable development is to “ensure equitable and sustainable use of the environment and natural resources for the benefit of present and future generations” (Weaver et al., 2003). In addition, SADC and the New Partnership for Africa's Development (NEPAD) encourage the integration of EIA in decision-making to further enhance sustainable development (Weaver et al., 2003). Environmental assessment will play a major role in NEPAD and thereby assist in ensuring sustainable development in Africa. A key factor in the implementation of NEPAD is the alignment of legal frameworks such as EIA legislation. African countries with existing and well established environmental assessment systems could assist in the aligning of legal frameworks in order to achieve the goals of NEPAD (Weaver et al., 2003). By evaluating the EIA legislation of Malawi and South Africa, recommendations may be made for their alignment, which could further the goals of NEPAD.

Wood (1999, 2003) evaluated the South African EIA legislation (*Environmental Conservation Act 73 (ECA)* of 1989 and the *National Environmental Management Act 107 (NEMA)* of 1998) using 14 evaluation criteria for effective EIA legislation examining the various stages and aspects of the EIA system. These criteria follow the principles of international best practice. His findings were that seven of the criteria

were met, two were partially met and five criteria were failed. Based upon these findings, he made various recommendations to improve the South African EIA system. As part of her comparison of the South African, Namibian and Swaziland's EIA legislation, Roux (2003) expanded on Wood's evaluation of South African EIA. Roux used Wood's 14 evaluation criteria and included the *National Environmental Management Second Amendment Bill of 2004* (this Bill was enacted on 7 January 2005 and amends section 24 of the *National Environmental Management Act 107 of 1998* (NEMA)). Her findings revealed that there were improvements, as nine of the criteria were met, four were partially met and only one criterion failed. In the period since these evaluations were conducted, draft EIA regulations (issued in terms of section 24 of NEMA) have been published with proposed amendments to the South African EIA system.

Kakonge (1999) assessed the status of EIA in Malawi and found that it was utilised on an ad hoc basis and that there was no legislation in place. However, at the time of Kakonge's assessment (pre-1999) the legislation was being promulgated. No amendments have been made to the Malawian EIA legislation since its enactment in 1996 other than the publishing of the list of projects requiring EIAs on 14 May 1998. Since Kakonge's assessment of EIA in Malawi, as far as can be ascertained, no evaluation similar to that of Wood (1999, 2003) for South Africa has been conducted on the Malawian EIA legislation.

The main purpose of **this** evaluation is to determine and compare the inclusion of effective EIA criteria in the Malawian and South African EIA legislation, as identified by Wood (1995, 1999, 2003) and to determine whether any further amendments are necessary to improve EIA effectiveness. These criteria are based on the various stages, requirements and procedures of the EIA process. The **first** objective of this study is to compare the EIA legislation of South Africa and Malawi using these criteria.

The **second** objective is to determine the extent to which Wood's (1999, 2003) and Roux's (2003) recommendations have been incorporated into the *National Environmental Management Amendment Act 8 of 2004* and the January 2005 draft EIA regulations, and whether South African legislation meets the 14 criteria for a sound EIA system.

This evaluation forms part of a broader, on-going study of EIA legislation of the SADC region, based at the Centre for Environmental Management of the North-West University (Potchefstroom Campus). The Centre identified the necessity of comparing EIA legislation in the SADC region. This is particularly important where the alignment of the regional environmental legislation and policies are necessary for the regional integration of the SADC economies. The alignment of EIA systems in the SADC region should enhance sustainable regional development in that it is managed with similar criteria (Nel, 2001).

2. METHODOLOGY

The methodology used for this study is based on that of Wood (1995, 2003) who formulated a set of 14 criteria with which to evaluate the effectiveness and design of EIA legislation. Wood's evaluation criteria for EIA systems fulfil international best practice (Wood 1995, 2003). These criteria are formulated from an analysis of the various stages in the EIA process which include the consideration of alternatives in project design, screening, scoping, report preparation, review, decision-making, monitoring of project impacts, mitigation of impacts, and consultation and participation. Further criteria include the evaluation of the legal aspects of the system on its EIA coverage, system monitoring, the costs and benefits of EIA and strategic environmental assessment (these 14 criteria are listed in Table 1). This study focuses on the

inclusion of effective criteria and design of EIA legislation and is not a comparison of the practice of the legislation itself.

An extensive literature database search was conducted to source relevant information for this study on South Africa and Malawi's EIA legislation. The results of this search were sparse for both countries. Numerous EIA reports are submitted in South Africa, however little empirical research on EIA practice has taken place, thus making it difficult to assess the effectiveness of the EIA process in South Africa (Sandham et al., 2005). The information used to conduct the comparison was derived from both countries' EIA legislation and guideline documents; Wood's (1999, 2003) evaluation of the *Environmental Conservation Act 73 (ECA)* of 1989 and the *National Environmental Management Act 107 (NEMA)* of 1998 and Roux's (2003) evaluation of the *National Environmental Management Second Amendment Bill* of 2004. Where no published information was available for specific aspects of the Malawian EIA system, the author interviewed Ms T. Mbale, a member of staff at the Malawian Environmental Affairs Department for clarity.

The first draft South African EIA regulations issued in terms of NEMA were published in GN R764 and R765 in GG 26503 of 25 June 2004. This first draft was not used in this evaluation as amendments were made and a second draft was published after the interested and affected parties' comments were incorporated. The second South African draft EIA regulations (published in GN 12 in GG 27163 of 14 January 2005) were used in this evaluation, as these are the most current at the time of concluding this study.

Wood (1995, 2003) identified the following criteria, for an international best practice evaluation of countries EIA legislation, as indicated in Table 1.

Table 1. Wood's 14-point international best practice EIA legislation evaluation criteria (Wood, 1995, 2003).

	Criterion:
1.	Is the EIA system based on clear and specific legal provisions?
2.	Must the relevant environmental impacts of all significant actions be assessed?
3.	Must evidence of the considerations, by the proponent, of the environmental impacts of reasonable alternative actions be demonstrated in the EIA process?
4.	Must screening of actions for environmental significance take place?
5.	Must scoping of the environmental impacts of actions take place and specific guidelines be produced?
6.	Must EIA reports meet prescribed content requirements and do checks to prevent the release of inadequate EIA reports exist?
7.	Must EIA reports be publicly reviewed and the proponent's respond to the points raised?
8.	Must the findings of the EIA report and the review be a central determinant of the decision on the action?
9.	Must monitoring of action impacts be undertaken, and is it linked to the earlier stages of the EIA process?
10.	Must the mitigation of action impacts be considered at the various stages of the EIA process?
11.	Must consultation and participation take place, prior to and following EIA report publication?
12.	Must the EIA system be monitored, and if necessary, be amended to incorporate feedback from experience?

13.	Are the financial costs and time requirements of the EIA system acceptable to those involved, and are they believed to be outweighed by discernible environmental benefits?
14.	Does the EIA system apply to significant programmes, plans and policies, as well as to projects?

3. THE SOUTH AFRICAN EIA SYSTEM

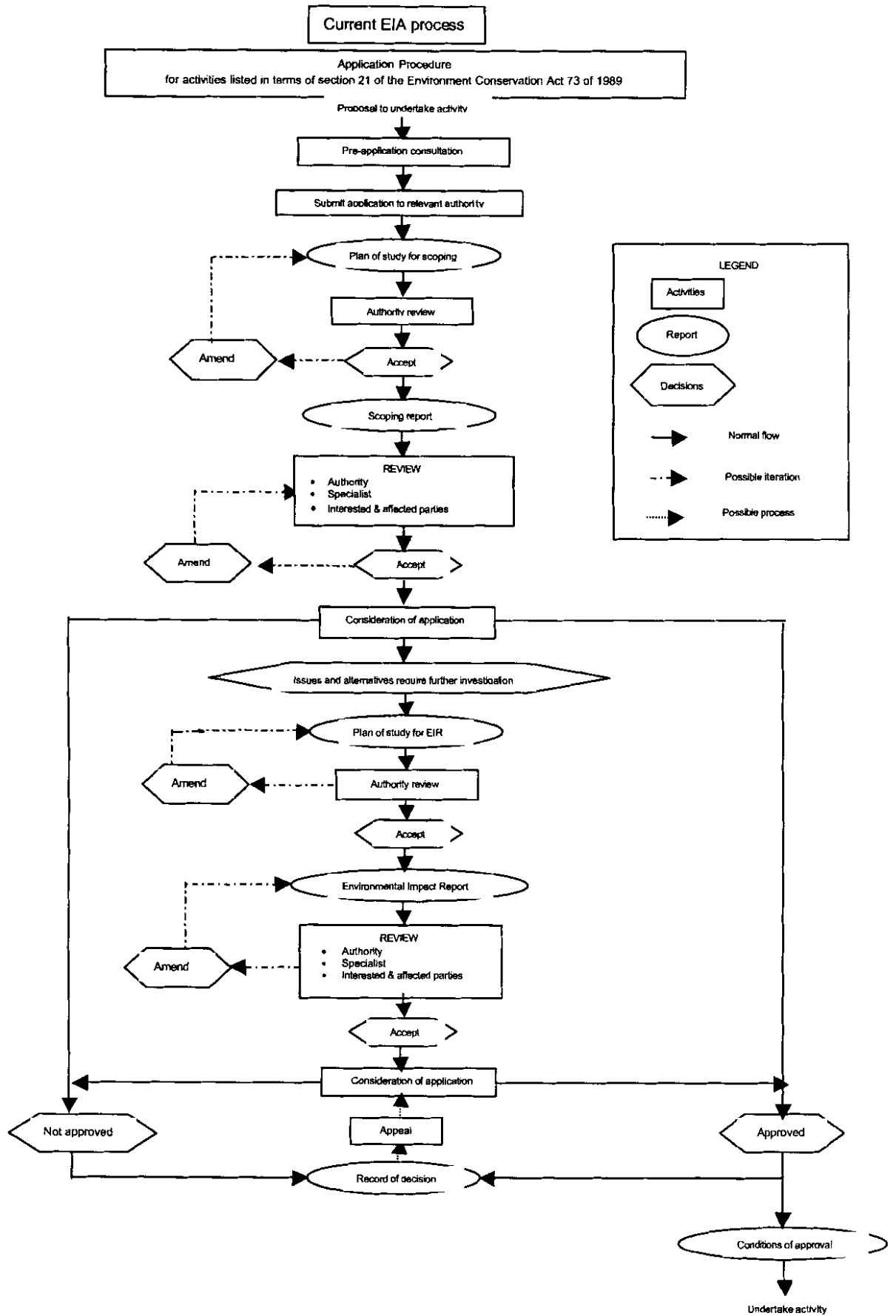
3.1 Introduction: Development of the South African EIA system

The development of the South African EIA system started in the 1970s with an academic recognition of the need for EIA legislation (Peckham, 1997). Before the promulgation of the regulations governing EIAs, they were conducted voluntarily and followed the *Integrated Environmental Management Guidelines* as published by the then Department of Environmental Affairs in 1992. The current EIA regulations were gazetted on 5 September 1997 (Winstanley, 1998).

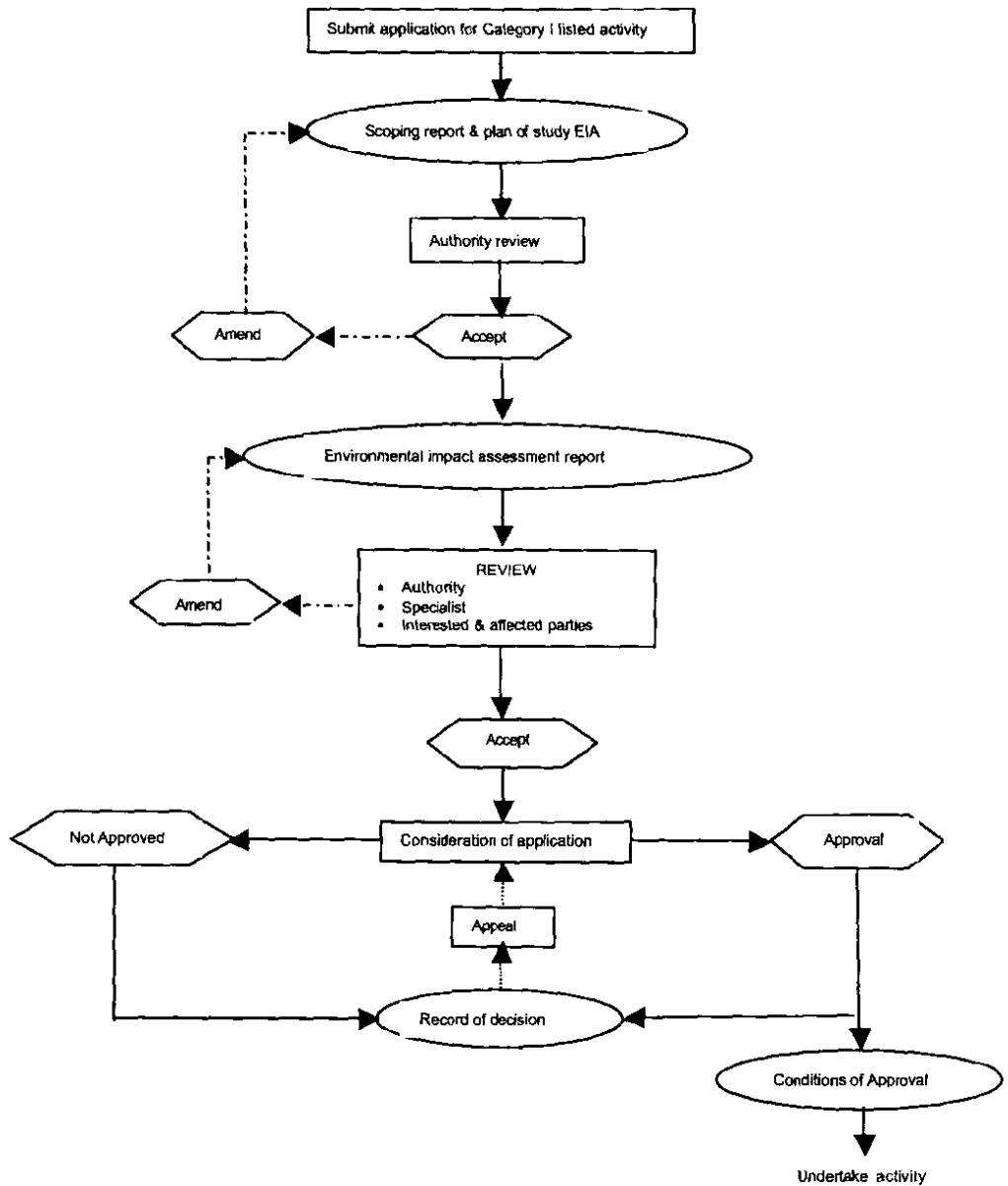
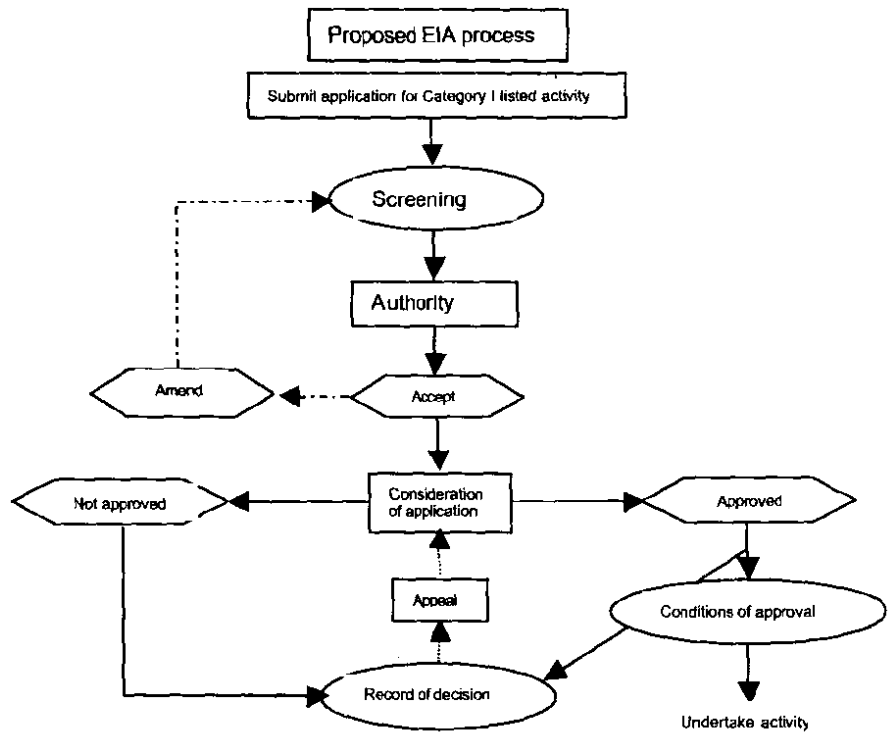
The South African EIA system is currently governed by the *Environmental Conservation Act 73 (ECA)* of 1989 sections 21, 22 and 26 and is to be read with GN R1182-R1184 in GG 18261 of 5 September 1997. These sections of ECA and its regulations will be repealed once the new EIA regulations are promulgated. The new draft EIA regulations are to be read with the *National Environmental Management Amendment Act 8* of 2004. As mentioned above, draft EIA regulations were published for comment under section 24(5) of the *National Environmental Management Act 108 (NEMA)* of 1998 (GN 12 in GG 27163 of 14 January 2005).

Figure 1 indicates the differences between the EIA system as set out in the regulations according to GN R1182-R1184 in GG 18261 of 5 September 1997 and those proposed in the draft EIA regulations of GN 12 in GG 27163 of 14 January 2005.

Figure 1: The



Source: DEAT, 1998



The first difference between the current and proposed South African EIA process as illustrated in Figure 1 is that the current list of activities requiring EIA has been separated into two categories. The second difference is that for Category I activities only a screening report is required, where currently a scoping report is needed for all listed activities. Category II activities require a scoping report and an EIA report; which is the same as the current process. The intention of the screening report for Category I activities is to speed up the process with a reduction in submission requirements.

3.2 Evaluation of the South African EIA system

Wood (1999, 2003) evaluated the South African EIA system as set out in ECA, and the NEMA, and made various recommendations. Roux (2003) extended these evaluations and recommendations to include the *National Environmental Management Second Amendment Bill of 2004* (this Bill was enacted on 7 January 2005) in her assessment. Following these evaluations, various critical amendments were made to NEMA with the *National Environmental Management Amendment Act 8 of 2004* and draft amendments to the EIA regulations published in January 2005. These draft regulations and NEMA *Amendment Act* are assessed together with Wood and Roux's negative findings and comments in Tables 2 and 3 respectively. The assessments are represented in two separate tables as Roux's evaluation includes the *National Environmental Management Second Amendment Bill of 2004*.

In Wood's evaluation of SA EIA legislation, he found that seven of the criteria were met, two were partially met and five criteria were failed. An assessment of the subsequent amendments is presented in Table 2.

Table 2. An assessment of Wood's (1999) findings on ECA and NEMA against the amendments made in the *National Environmental Management Amendment Act 8 of 2004* and the January 2005 draft regulations.

Wood's (1999) findings on ECA and NEMA:	Amendments made in the <i>National Environmental Management Amendment Act 8 of 2004</i> and the January 2005 draft regulations
<p>Criterion 2: Coverage of EIA systems.</p> <p>The principle omissions for EIA coverage are mining-related activities, developments within rivers and intensification of various land uses.</p>	<p>Chapter 4 of the January 2005 draft regulations provides for the identification of activities and geographical areas requiring either screening or EIA. Mining-related activities are covered in Section 23 and require an EIA. In addition, the applicant has to comply with the requirements of the <i>Mineral and Petroleum Resources Development Act 28 of 2002</i>. Developments within the one to hundred year flood line of a river or stream require screening.</p> <p>Thresholds are given for a variety of activities, including intensification of land-uses such as the concentration of animals and storage of water.</p>
<p>Criterion 6: EIA report preparation.</p> <p>The acceptance of plan of study ensures that content requirements are met, but no</p>	<p>In the January 2005 draft regulations, sections 10(1)(b) & (2), 12(1)(b) & (c) & (2) and 17(1)(c) &(d) & (2) allow for the</p>

<p>formal checks on adequacy exist, despite informal use of draft environmental impact report (EIR's).</p>	<p>competent authority to request that the applicant amends inter alia the: plan of study, screening, scoping, or EIA reports, due to inadequacy based on the regulations, requirements or requested information by the authority. These reports may also be rejected, and after amendments have been made, the applicant may re-submit them. The <i>National Environmental Management (NEMA) Amendment Act 8 of 2004</i> Section 24(5)(h) provides for the prescription of minimum criteria for report content to ensure consistent quality and ease of evaluation. In addition, the Act allows for the registration of environmental assessment practitioners thus enabling their accreditation and ensuring competent report preparation.</p>
<p>Criterion 7: EIA report review. No requirement for scoping report, or EIR review, but guidance on review exists and previous good practice suggests adequate review should often occur.</p>	<p>The <i>NEMA Amendment Act 8 of 2004</i> section 5(c) and 24l, and the January 2005 draft regulations 17(3) and (4) make provision for specialist reviewers. These reviewers are to assist where specialist knowledge is required and where high levels of objectivity are</p>

	required.
<p>Criterion 8: Decision-making.</p> <p>Environmental authorisation must be based on scoping report, or EIR (and any review), but decisions are sometimes narrowly based on nature conservation matters, not on full range of EIR issues. Refusals are very rare.</p>	<p>Section 18 of the January 2005 draft regulations stipulates the requirements for issuing environmental authorisations. These requirements include inter alia environmental, economic and social considerations.</p>
<p>Criterion 9: Monitoring and auditing of actions.</p> <p>No formal requirements for monitoring exist, but uses of monitoring (not auditing) conditions are common.</p>	<p>The <i>NEMA Amendment Act 8 of 2004</i> in section 24(4)(f) makes provision for audits, the management of impacts and the assessments of their effectiveness after their implementation. No regulations have been compiled to describe how the audits are to occur, but section 24(5)(a) makes provision for these regulations to be written.</p>
<p>Criterion 11: Consultation and participation.</p> <p>Extensive provisions are made for public involvement during scoping and in EIR preparation, but this is not matched by formal rights of I&AP to comment on completed scoping and environmental impact reports.</p>	<p>The January 2005 draft regulations make no formal provision for comments by the public on completed reports. However, Section 4(1)(f) provides for the distribution of public information to interested and affected parties (I&AP), and stipulates that they are given a reasonable opportunity to participate within the process.</p>

<p>Criterion 12: Monitoring of EIA systems.</p> <p>No formal EIA system monitoring or review requirements. Few records are kept, therefore proposed EIA system changes unlikely to be based on experience to date.</p>	<p>There are to date no requirements for system monitoring, however the <i>NEMA Amendment Act 8 of 2004</i> Section 24(5)(f) recommends that authorities have a registry of applications and the ensuing environmental authorisations.</p>
<p>Criterion 14: Strategic environmental assessment.</p> <p>Assessments are conducted on project proposals to extend environmental assessment to land use plans and possibly to policies and programmes. There is some limited informal strategic environmental assessment (SEA) practice.</p>	<p>The January 2005 draft regulations require that the cumulative impacts of an activity be assessed. The <i>NEMA Amendment Act 8 of 2004</i> Section 24(5)(b)(iii) provides for the Minister to make regulations regarding the preparation and evaluation of strategic environmental assessments.</p>

Table 2 indicates that **eight** of Wood's findings have been incorporated within the *NEMA Amendment Act* and the draft January 2005 EIA regulations. (Table 4 in section 5 describes in more detail Wood's evaluation of ECA and NEMA.)

Roux's (2003) findings and recommendations from her evaluation of ECA, NEMA and the *National Environmental Management Second Amendment Bill of 2004* are presented in Table 3. Roux (2003) used Wood's evaluation criteria in her evaluation and therefore there is some repetition in this assessment. Roux's recommendations following her evaluation of South African EIA legislation indicate that **nine** of her findings have been incorporated within the *NEMA Amendment Act* and the draft January 2005 EIA regulations. Seven findings have been only partially incorporated.

Table 3. An assessment of Roux's (2003) recommendations on ECA, NEMA and the *National Environmental Management Second Amendment Bill* of 2004 against the amendments made in the *National Environmental Management Amendment Act 8* of 2004 and the January 2005 draft regulations.

Roux's (2003) recommendations on ECA, NEMA and <i>National Environmental Management Second Amendment Bill</i> of 2004:	Amendments made in the <i>National Environmental Management Amendment Act 8</i> of 2004 and the January 2005 draft regulations
<p>Key definitions such as "environment", "EIA", "significant impact" and "SEA" should be defined and explained.</p>	<p>The January 2005 draft regulations define:</p> <ul style="list-style-type: none"> •• "EIA" as "the process of collecting, organising, analysing, interpreting and communicating information that is relevant to a decision contemplated in regulation 17 in respect of the potential impact of a proposed activity"; •• "significant impact" as "an impact that by its magnitude, duration, intensity or probability of occurring may have an effect on an important aspect of the environment". <p>NEMA's definition of "environment" has been retained and "SEA" has not been defined.</p>
<p>Provision must be made for one set of framework legislation, which sufficiently prescribes the minimum national</p>	<p>The January 2005 draft regulations provide minimum national standards for EIA.</p>

<p>standards with which all EIA procedures must comply.</p>	
<p>NEMA must make provision for uniform departmental policy regarding the administration of the regulations. A mechanism must be created to facilitate and ensure integration and co-operation between the respective environmental authorities. They must attempt to consolidate the previous fragmented legislation and promote a standardised environmental approach toward development planning.</p>	<p>The <i>NEMA Amendment Act 8 of 2004</i> in section 24(4)(g) makes provision for coordination and cooperation between state departments where a project falls under the jurisdiction of more than one body.</p>
<p>The regulations must include one complete list of all possible activities which may have a detrimental effect on the environment (including mining-related activities among others) and a list of geographical areas based on environmental attributes in which activities may not commence without prior environmental authorisation from the competent authorities. In this respect, provinces should be given the ability to identify sensitive areas in which additional criteria should apply. Attention should be given to aspects of desirability or need of</p>	<p>The January 2005 draft regulations have two lists of activities, namely those that require screening and those that require EIA. Mining-related activities are covered in regulation 23 and require an EIA. In addition, geographical areas have been identified in which specified activities require environmental authorisation. The need or desirability of the activity is to be included in the scoping document.</p>

<p>the activity.</p>	
<p>Although section 24(3) of the <i>NEMA Amendment Bill</i> provides for the investigation of cumulative effects of the activity this aspect needs more consideration. Because cumulative effects may be local, regional or global in scale, co-ordinated institutional arrangements are required in dealing with them. In most cases, cumulative effects must be addressed before the project level, because cumulative impacts may result from broader biophysical, social and economic considerations.</p>	<p>The January 2005 draft regulations require that the cumulative impact of the activity need to be assessed. The assessment is to be based on the "nature of the impact, the extent and duration of the impact in terms of the spatial size or area of influence". Thus, the scale of the assessment would need to be determined by the competent authority and the environmental assessment practitioner.</p>
<p>Screening process must make provision for thresholds to eliminate minor activities. The proponent should submit clear and detailed information for the discretionary determination of which action should be assessed. Public participation should play an important part during this stage, as this might be the final stage before the proponent will be given authorisation to proceed with the project.</p>	<p>Activities as listed in Category I in regulation 22 of the January 2005 draft regulations require screening. In addition, thresholds are given for these activities. Public participation is stipulated as part of the screening process, and the minimum requirement is that interested and affected parties (I&AP) are notified of the application and how they may participate in the process.</p>
<p>The current comprehensive scoping procedure must be streamlined. Authorities with the necessary expertise,</p>	<p>It is intended that with the two lists of activities (Chapter 4 of the January 2005 draft regulations) identifying those that</p>

<p>accredited consultants and interest groups could assist in the identification of potential significant impacts.</p>	<p>need screening, EIA or authorisation, a more streamlined process will have been created.</p>
<p>Public participation must be part of the decision-making process. The regulations must include factors which ought to be considered in reaching the final decision, and they must describe the weight that must be given to the different factors in order to establish a fair decision-making process.</p>	<p>The January 2005 draft regulations provide factors, which are to be taken into account for consideration of an applicant in regulation 18. However, no weight is given to any of the factors. Provision is made to include I&AP comments as part of the decision-making process.</p>
<p>The regulations must pay special attention to mitigation measures and must make provision for the option of not implementing the activity. A separate document specifically concerned with mitigation measures, which includes implementation of mitigation measures as well as reporting procedures, similar to the Comprehensive Mitigation Plan of Swaziland, could be helpful to address this issue.</p>	<p>The January 2005 draft regulations require mitigation measures for both screening and scoping applications. The no-go option is also to be considered in both applications.</p>
<p>Public participation must take place prior and following the EIA report preparation. Copies of the EIA documents must be available to the public at designated places and the results should be</p>	<p>Regulation 5 of the January 2005 draft regulations stipulates the responsibilities of I&AP. No provision is made for public participation to occur after report preparation, other than the leave to</p>

<p>published. The roles, responsibilities and duties of I&AP must be defined.</p>	<p>appeal the authority's decision. I&AP are to be notified of the record of decision.</p>
<p>The EIA system must be monitored in order to get feedback from experience and to remedy any weaknesses. An accurate record of the time required to complete all facets of the EIA report must be maintained. The regulations should set out effective feedback procedures and must establish a system for the keeping of records relating to the EIA procedures. These records must be available for the public, at a stipulated place, and on an internet website.</p>	<p>The January 2005 draft regulations have timeframes in which the applicant and competent authority have to conduct the screening or EIA process. There are no requirements for monitoring of the system nor record keeping other than a register of applicants received and authorisations granted. Records are available in terms of the <i>Promotion of Access to Information Act</i> 2 of 2000 that sets out the rights of information requesters and the obligations of the entities who must make records of information available. However records are not available on a website</p>
<p>The <i>NEMA Amendment Bill</i> does not stipulate the process for appeal that must be followed when the minister is the responsible decision-making authority. It is important to address this issue, as an appeal cannot be heard by the same official or department, who originally made the decision which is subject to appeal.</p>	<p>The <i>NEMA Amendment Act</i> 8 of 2004 and the January 2005 draft regulations stipulate the process to appeal, but do not have a specific process if the Minister of Environmental Affairs is the responsible decision-making authority.</p>

Tables 2 and 3 therefore indicate that improvements have been made in the amendments to the South African EIA system. (Table 4 in section 5 describes in more

detail the evaluation of *NEMA Amendment Act* and the draft January 2005 EIA regulations.)

No assessment using Wood's (1995, 2003) 14-point evaluation framework has been conducted on the Malawian EIA legislation; therefore, a detailed evaluation using Wood's 14 criteria for effective EIA legislation is presented in section 4.2.

4. THE MALAWIAN EIA SYSTEM

4.1 Introduction: Development of the Malawian EIA system

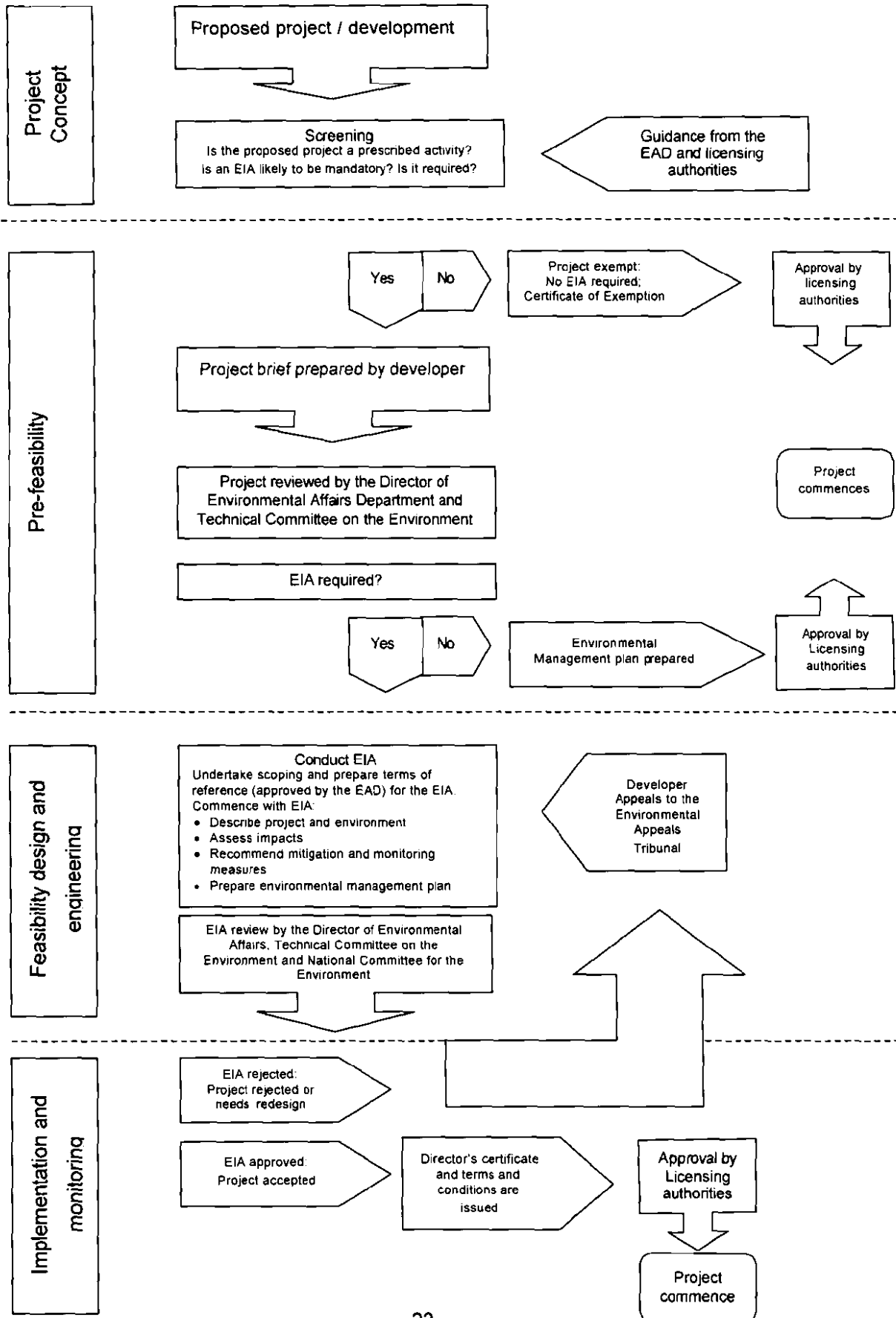
In the 1980s, Malawian environmentalists recognised the need for framework legislation on environmental management, despite the existence in Malawi of various sectoral legislations covering many environmental concerns. This resulted in *Malawi's Economic Report on Environmental Policy and National Environmental Action Plan* (NEAP) on 6 December 1994. As part of NEAP, the *National Environmental Policy* (NEP) was compiled in February 1996. This policy was intended to provide a sound environmental framework for future development policies. One of the objectives of NEP was to develop a system and guidelines for EIAs, audits, monitoring and evaluation of environmental impacts, in order to reduce the impacts, or mitigate them, and to enhance the environmental benefits. The resultant *Environment Management Act* (EMA) was enacted in 1996. Government Notice 42 of 14 May 1998 contains the list of projects requiring EIAs as provided for in section 24 of EMA (EAD, 1997).

Malawi's EMA is complemented by the *Guidelines for Environmental Impact Assessment* (EAD, 1997). This document is a comprehensive guideline indicating the

EIA process and report requirements, including the legal requirements – the relevant sections from EMA and the Government Notice are included.

The formal requirements of the Malawian EIA system are shown in Figure 2.

Figure 2: The EIA process in Malawi



4.2 Evaluation of the Malawian EIA system

Subsequent to Kakonge's (1999) assessment of the status of EIA in Malawi, Spong and Walmsley (2003) produced a report on EIA in Malawi. They indicate that EIAs started in 1998 and by April 2001, 35 project EIAs and two sectoral EIAs had been undertaken. No amendments have been made to the Malawian EIA legislation since its enactment in 1996 other than the publishing of the list of projects requiring EIAs on 14 May 1998.

The evaluation criteria, as discussed below, of the current Malawian EIA legislation are those of Wood (1995, 2003) as listed in Table 1. A summary of the evaluation is presented in Table 4 with a comparison to the South African EIA system.

- Evaluation criterion 1: Is the EIA system based on clear and specific legal provisions?

Malawi is a signatory to the 1992 *Rio Declaration on Environment and Development* (EAD, 1997). The *Environment Management Act* (EMA) 23 of 1996, Sections 24 to 29, provides clear instructions on how to conduct an EIA. There is no degree of discretion in the EIA provisions as GN 42 of 14 May 1998 has two lists of projects, those for which an EIA is mandatory and those for which an EIA might be required. Section 63 of EMA provides the legal grounds for enforcing the EIA process.

A clear outline is presented in sections 24 to 27 of EMA of the procedures required to conduct the EIA process, however no time limits are specified. The *Guidelines for Environmental Impact Assessment* (EAD, 1997) provides a timeframe, which the EAD requires for their review of the various report submissions.

- Evaluation criterion 2: Must the relevant environmental impacts of all significant actions be assessed?

The sections 24 and 25 of EMA require that all potentially significant impacts are identified and that the assessment focuses on these impacts. EIAs are to be conducted for all public and private environmentally significant projects.

- Evaluation criterion 3: Must evidence of the consideration, by the proponent, of the environmental impacts of reasonable alternative actions be demonstrated in the EIA process?

The project brief requires a description of the various alternatives that have been considered by the proponent. Section 25 of the EMA requires that all reasonable alternatives and the reasons for not choosing these alternatives be included in the EIA report. The “no-go” alternative is also to be considered.

The Malawian Environmental Affairs Department (EAD) has developed sector-specific EIA guidelines for projects relating to: mining, irrigation and drainage, sanitation and waste management. These guidelines include information on the treatment of impacts (Spong and Walmsley, 2003).

- Evaluation criterion 4: Must screening of actions for environmental significance take place?

Government Notice 42 of 14 May 1998 lists the types and specifications of projects requiring an EIA. This list provides clear thresholds, such as size and location for the proposed projects. The screening of actions for environmental significance takes place

through the project brief. This document is submitted to the Director of the EAD, who after considering the information supplied during the screening process, may decide whether an EIA is required.

To assist in screening, section 24(3) of the EMA stipulates that the Director may request further information, if required, after the submission of the project. The *Guidelines for Environmental Impact Assessment* (EAD, 1997) provides information on actions, criteria, thresholds and screening procedures.

During screening, relevant stakeholders and the Malawian Technical Committee on the Environment (TCE) are consulted. The TCE is an independent body, appointed by the Minister, and provides technical guidance to the EAD (Spong and Walmsley, 2003).

- Evaluation criterion 5: Must scoping of the environmental impacts of actions take place and specific guidelines be produced?

Section 25 (1)(b) of the EMA provides for both the scoping of environmental impacts and an environmental management plan to address the mitigation of these impacts. The proponent needs to consult the EAD at the start of the EIA process to determine whether a full EIA is required. Scoping of each project is not mandatory, as the project brief would determine the extent of the EIA process to be followed.

The EIA must address key significant environmental impacts. For those sectors that have sector-specific EIA guidelines, there are generic environmental impacts that need to be assessed. The environmental management plan is required to address the monitoring and management of impacts and to assign responsibility either to the developer, or to the government (EAD, 1997).

Appendix E of the *Guidelines for Environmental Impact Assessment* (EAD, 1997) provides guidance on the scoping procedure, but no methodology is provided. Consultation and participation is required in scoping before the EIA process is too advanced, to provide the opportunity for objection to the process followed thus far.

- Evaluation criterion 6: Must EIA reports meet prescribed content requirements and do checks to prevent the release of inadequate EIA reports exist?

Section 25 of the EMA and Appendix C of the *Guidelines for Environmental Impact Assessment* (EAD, 1997) lists the requirements for the EIA report. Appendix H of the *Guidelines for Environmental Impact Assessment* (EAD, 1997) provides the reviewer with guidance on evaluating the adequacy of an EIA report, and thus serves as a checklist for the report's content to the proponent. The report is to describe the activities to be undertaken, the environments that might be affected, the methodology used to identify the likely impacts and their significance. A non-technical summary of the report is required.

Relevant information held by the authorities should be made available to the proponent. However, this is not a written requirement. The EAD has a directory of EIA experts who may conduct EIAs in Malawi (pers. comm. T. Mbale).

The TCE reviews the EIA report for adequacy, and in addition, it is sent to key institutions and individuals who are identified as interested and affected parties. Public consultation is required during EIA report preparation (EAD, 1997).

- Evaluation criterion 7: Must EIA reports be publicly reviewed and the proponents respond to the points raised?

Section 26 of the EMA provides for the public review of EIA reports and for the developer to make the necessary amendments arising from comments received during this process. Checks on the objectivity of the report occur during the TCE review. Appendix H of the *Guidelines for Environmental Impact Assessment* (EAD, 1997) provides guidance to reviewers on evaluating the adequacy of an EIA report. Two reports, a draft and final EIA report, may be prepared depending on the outcome of the various reviews.

- Evaluation criteria 8: Must the findings of the EIA report and the review be a central determinant of the decision on the action?

The EIA report is central to decision-making in addition to expert advice from the TCE. For projects that require a full EIA, the decision to proceed with development is postponed until the EIA has been prepared. If the project is deemed unacceptable after the submission of the project brief, for example, due to unsuitable location, the proponent may be advised to discontinue with the EIA process. The EAD may refuse permission to develop, impose conditions, or request modifications to the project at this stage. A body other than the proponent makes decisions regarding projects. The EAD is a co-ordinating body and not an implementing one and therefore would not be a proponent (per. comm. T. Mbale).

The decision on the project is communicated to the developer in writing by the EAD. If the EIA is approved, an EIA certificate is issued together with the conditions of approval. The developer publishes the certificate and makes it available for public inspection. Section 69 of the EMA provides for the establishment of an Environmental Appeals Tribunal to whom appeals may be made against the EAD's decision (EAD, 1997).

- Evaluation criteria 9: Must monitoring of action impacts be undertaken, and is it linked to the earlier stages of the EIA process?

The monitoring of action impacts during the lifecycle of the project is required by section 27 of the EMA. This monitoring and resultant mitigation includes impacts that were not identified during the EIA, and is to be reported to the EAD Director. The Director may request an audit to be carried out at any time during the lifecycle of the project, to ascertain whether approved mitigation measures are being implemented. Once the project has been approved, the TCE formulates a government audit programme to ensure that the project complies with the EIA results and the terms and conditions of the approval (EAD, 1997).

- Evaluation criterion 10: Must the mitigation of action impacts be considered at the various stages of the EIA process?

The mitigation of action impacts is to be considered throughout the EIA process. The project brief is to state the likely impacts of the project and proposed environmental management measures. Details of mitigation measures and the implementation thereof are discussed in the EIA report under the environmental management plan as required by section 25 of the EMA. Published guidelines are available for the sectors that have sector-specific EIA guidelines.

- Evaluation criterion 11: Must consultation and participation take place prior to, and following, EIA report publication?

Consultation and participation takes place throughout the EIA process and forms a fundamental part of the process. The various EIA documents are made available to the public for review and comment. The methods of public consultation used and interested and affected parties' responses are to be included in the EIA report (EAD, 1997).

EIA reports are not sold, but can be perused at the EAD. The *Guidelines for Environmental Impact Assessment* is sold by the EAD and provides information on various methods of public participation. This document is also available on the internet at the following website <http://www.sdn.org.mw/enviro/eia/index.html>. The guidelines are also suited to assist the general public on the EIA process (pers. comm. T. Mbale).

The developer is to fund the public participation process and the Director of the EAD may conduct his own public consultation if it is a contentious project, or to verify and extend the consultation process of the developer (EAD, 1997).

- Evaluation criterion 12: Must the EIA system be monitored, and if necessary, be amended to incorporate feedback from experience?

There are no legal requirements for the monitoring of the EIA system, however monitoring is conducted. A record of EIA reports and documents are kept by the EAD where they are made available to the public. In addition, EIA reports are deposited at the District Assembly Offices where the project is proposed. No records of the financial costs of the EIA are collected, nor is information on the time required for the EIA process to be completed collected. Students and consultants have conducted reviews of the EIA system; these reviews have led to the establishment of improved relationships between the EAD and other licensing authorities. As a result of some of the studies, the EAD now sits on the technical committees of these authorities in order

to present their environmental concerns. These environmental concerns are related to projects under the jurisdiction of the other licensing authorities. For example, if the Ministry of Water Development wishes to build a dam, the EAD would ensure that the appropriate EIA process is followed. Monitoring of the system is a huge challenge due to insufficient staff at the EAD, however, the Environmental District Officers do assist in this regard (pers. comm. T. Mbale).

- Evaluation criterion 13: Are the financial costs and time requirements of the EIA systems acceptable to those involved and are they believed to be outweighed by discernible environmental benefits?

It is difficult to clarify this question for Malawi; however, some developers have complained about the high costs and the lengthy process of EIAs. This is usually due to the late stage at which EIAs are started. The actual EIA should be done at the feasibility or pre-feasibility stage in the project cycle, but this is usually not the case. Some of those developers who complain conduct their EIAs just before project implementation in order to fulfil legal or financial requirements. If the EIAs were conducted at the appropriate stage when other feasibility studies are being conducted, the duration of the EIA would not be a problem (pers. comm. T. Mbale).

The time required to complete the various stages of the EIA process sometimes exceeds those specified, but most EIAs are conducted within the required timeframe (pers. comm. T. Mbale).

- Evaluation criterion 14: Does the EIA system apply to significant programmes, plans and policies, as well as to projects?

The *Guidelines for Environmental Impact Assessment* (EAD, 1997) encourages the use of Strategic Environmental Assessment (SEA) for policies, programmes and plans, however no guidelines are provided. SEA is not explicitly mentioned in the EMA. However, GN 42 of 14 May 1998 is the prescribed list for which an EIA is mandatory, with section A14 listing "Major Policy Reforms" as a "project" for which an EIA is mandatory.

Malawian EIA legislation meets 11 of Wood's (1995, 2003) 14-point evaluation criteria, and partially meets three criteria, thus proving in principle to be more inclusive of Wood's criteria than South African EIA legislation (Table 4).¹ Malawi in principle might have a more effective EIA legislation, but in practice this is not so. Spong and Walmsley (2003) and Mbale (pers. comm.) mention the challenges that face EIA in Malawi to include the following:

- Lack of capacity in government to enforce the implementation of EIAs
- Inadequate collection, storage, capturing and the distribution of information and publications pertaining to environmental resources
- Lack of environmental standards to assist with the assessing of environmental impacts
- Limited services and facilities for effective environmental management and monitoring
- Relevant government agencies are not always informed about the monitoring tasks that are recommend in the EIA
- Not all the government licensing agencies are committed to implementing the EIA process and enforcing the requirements of the EMA

¹ Perhaps during an EIA system review, a need would be identified to improve on these three aspects, thus enabling Malawi to meet all of Wood's (1995, 2003) criteria for effective EIA legislation.

- EIAs needs to be successfully integrated into development planning
- Despite the commitment by the authorities to sustainable development, the needs of the environment are often overlooked by the need for socio-economic growth, development priorities and basic needs of communities
- A lack of public awareness of environmental protection and the benefits of a healthy environment
- A lack of EIA awareness amongst developers results in the commencement of the EIA process after the feasibility and design studies have been completed
- Inefficient public participation in the EIA process.

5. CONCLUSION AND RECOMMENDATIONS

5.1 Comparison of the EIA legislation of South Africa and Malawi

There are improvements to the South African EIA legislation in the January 2005 draft regulations, with 11 of Wood's (1995, 1999, 2003) 14-point evaluation criteria being met, two criteria partially met and failure to meet one criterion. (These improvements are indicated in Table 4.)

The evaluation of Malawian EIA legislation indicates that it meets 11 of Wood's (1995, 2003) 14-point evaluation criteria, and partially meets three criteria as indicated in Table 4. The challenges facing EIA in Malawi as mentioned above in section 4.2 negate the potential effectiveness of the legislation as clarified in the evaluation.

Table 4 is a summary of the evaluation and comparison of South Africa's current and proposed EIA regulations with those of Malawi's.

Table 4. Comparison of the South African and Malawian EIA system using Wood's (1995, 1999, 2003) 14-point evaluation criteria. (The answer "yes" indicates that the evaluation criterion is fully met, "partially" indicates that some of the criterion has been met and "no" indicates that the criterion has not been met.)

	Criterion	SOUTH AFRICA: Current position ^a	SOUTH AFRICA: Proposed position ^b	MALAWI ^c
1.	Is the EIA system based on clear and specific legal provisions?	Yes	Yes	Yes
2.	Must the relevant environmental impacts of all significant actions be assessed?	Yes	Yes	Yes
3.	Must evidence of the considerations, by the proponent, of the environmental impacts of reasonable alternative actions be demonstrated in the EIA process?	Yes	Yes	Yes
4.	Must screening of actions for environmental significance take place?	Yes	Yes	Yes
5.	Must scoping of the environmental impacts of actions take place and specific guidelines be produced?	Yes	Yes	Yes
6.	Must EIA reports meet prescribed content requirements and do checks to prevent the release of inadequate EIA reports exist?	Partially	Yes	Partially
7.	Must EIA reports be publicly reviewed and the proponent's respond to the points raised?	No	Yes	Yes
8.	Must the findings of the EIA report and the review be a central determinant of the decision on the action?	No	Yes	Yes

^a Wood's (1999) evaluation of EIA legislation as in ECA and NEMA.

^b Evaluation of the January 2005 draft EIA regulations and NEMA Amendment Act 8 of 2004.

^c Environment Management Act 23 of 1996.

	Criterion	SOUTH AFRICA: Current position ^a	SOUTH AFRICA: Proposed position ^b	MALAWI ^c
9.	Must monitoring of action impacts be undertaken, and is it linked to the earlier stages of the EIA process?	No	Yes	Yes
10.	Must the mitigation of action impacts be considered at the various stages of the EIA process?	Yes	Yes	Yes
11.	Must consultation and participation take place, prior to and following EIA report publication?	Partially	Partially	Yes
12.	Must the EIA system be monitored, and if necessary, be amended to incorporate feedback from experience?	No	No	Partially
13.	Are the financial costs and time requirements of the EIA system acceptable to those involved, and are they believed to be outweighed by discernible environmental benefits?	Yes	Yes	Yes
14.	Does the EIA system apply to significant programmes, plans and policies, as well as to projects?	No	Partially	Partially

5.2 Recommendations

Various amendments have been made in the NEMA *Amendment Act 8* of 2004 and the January 2005 draft regulations; however there is room for improvement to satisfy all Wood's (1995, 2003) criteria for an internationally recognised best practise EIA system. In order to address the deficiencies in the South African EIA legislation and to adequately meet all 14 of the evaluation criteria the following recommendations are made:

- Formal provision should be made for interested and affected parties to have the opportunity to review final EIA documents.
- The factors and weights used in decision-making should be published in order to achieve a fair decision making process.
- Formal EIA system monitoring is required. Few records are kept, so proposed EIA system changes are unlikely to be based on cumulative experience to date. However, there are regular meetings of Working Group Three where EIA issues from each South African province are discussed by the relevant officials with the Department of Environmental Affairs and Tourism. This might not be sufficient to meet the criterion of formal system monitoring, but it is a degree of monitoring. An accurate record of the time required to complete all facets of the EIA report must be maintained. When implementing changes to the EIA system, a broadbased stakeholder group should be consulted in order to learn from past experiences.
- The process for appeal that must be followed, when the government is the proponent and the minister is the responsible decision-making authority, should be stipulated in the regulations.
- Legislation for the conducting of strategic environmental assessments should be promulgated.

- In Malawi, the developer conducts the public consultation process and includes the comments in the EIA report. However, when necessary, the department may conduct a public hearing in addition to the developer's public consultation, to enable an informed decision in the case of controversial projects. Similarly, notices may be placed in newspapers and in public places by the developer and/or department, requesting comments. South Africa would benefit from implementing a similar process.

Internationally the need for SEA was identified in the 1980s, before South Africa's EIA regulations were written (Wood, 1995). It is hoped that when the new EIA regulations are published that SEA will be a legal requirement and the South African EIA legislation will meet all 14 of Wood's (1995, 2003) evaluation criteria, thus South Africa will be following international environmental assessment trends with an effective EIA legislation.

To conclude on a positive and encouraging note for environmental legislation within the SADC region, this study has shown that few amendments to the South African and Malawian EIA legislation are necessary for their successful alignment. Thus making SADC's objective of sustainable development and the implementation of NEPAD in the region a foreseeable and realistic goal.

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ATTACHMENT A

Environmental Impact Assessment Review

Guide for Authors

Instructions to Authors

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Print the manuscript on one side of the paper only, double spaced with wide (3 cm) margins. (Avoid full justification, i.e. a constant right-hand margin.) Present tables and figure legends on separate pages at the end of the manuscript. If possible, consult a recent issue of the journal to become familiar with layout and conventions. Make sure all pages are numbered, and numbered consecutively.

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- Author name(s), affiliations and brief (5-10 lines) biography for each.

Third, a separate title page with:

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- Keywords
Immediately after the abstract, list up to six keywords.
- Acknowledgements

Fourth, separate pages with the manuscript

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