

COMPLIANCE NOTICES – A NEW TOOL IN ENVIRONMENTAL ENFORCEMENT

LA Feris*

Summary

This note examines compliance notices, a new administrative remedy that has been created to assist in compliance and enforcement of environmental laws. The note considers the aim and scope of compliance and the process of issuing a compliance notice. In addition, it reflects on objections to compliance notices as well as the effect of non-compliance with compliance notices. It furthermore considers the mandate of Environmental Management Inspectors (EMIs) to issue compliance notices, the legislation in terms of which they may issue compliance notices and the ability of EMIs to issue compliance notices beyond the designated legislation. The note also assesses the overall effectiveness of compliance notices and the extent to which it is likely to be utilised by EMIs in the exercise of their mandate.

* LLB (Stell), LLM (Georgetown) LLD (Stell), Associate Professor of Law, University of Pretoria.