



The Honorable Ms AF Muthambi

MP Chairperson of the Portfolio Committee on Environment, Forestry, and Fisheries

For the attention of:

Ms Tyhileka Madubela

Secretary of the Portfolio Committee on Environment, Forestry and Fisheries

Email: climatechangebill2022@parliament.gov.za

27 May 2022

Dear Ms Madubela,

Comments on the proposed South Africa Climate change bill.

We refer to the Climate Change Bill which was formally introduced to the National Assembly by the Minister of Forestry, Fisheries, and Environment on Friday 18 February 2022, and published for public comment.

Thank you for the opportunity to make input on the bill.

We wish to endorse the joint submission by the Adaptation Network focused on adaptation issues, as well as make the additional comments below.

Our general and overriding comments are summarized below:

- I. The bill states that Information provided must be made available by the Minister subject to PAIA and POPIA.
Our major concern on this is that:
 - a. both PAIA and POPIA have grounds on which the providing of information can be refused, for example on commercial grounds.
 - b. the processes required by PAIA and POPIA are time-consuming and can be costly and overly burdensome
 - c. The wording of the clause also suggests that information generated by the Minister or Department of the Environment does not need to be made publicly available.

We request that everyone should have access to information on adaptation and climate response plans from different sectors and ministries (for example energy, agriculture, transport, water) as well as from municipalities and provinces. The public need to know what is planned so that informed input into these plans can be made. Without the necessary information, the public cannot adequately participate. In summary, we would want a climate change bill [act] where information is readily available to anyone.

II. The Bill provides that the Minister must set a GHG emissions trajectory. There is, however, no timeframe stipulated for the deadline.

We request that:

- The Bill should contain strong emission reduction targets that are based on the best available and latest science to ensure that we stay within 1.5 °C of global warming, by:
 - assigning carbon budgets to emitters (how much companies and entities are allowed to emit in terms of GHGs)
 - assigning Sectoral Emissions Targets (how much each sector – such as energy, agriculture, transport – is allowed to emit).
- There should be a long-term target of net zero by 2050 included in the Bill. There also needs to be a clear definition of net-zero and an understanding of the conditions for its application.
- Require progress reports on the performance of emitters regarding GHG emissions reduction responsibilities.

We look forward to receiving a response to the Adaptation Network submission as well as our additional comments submitted in good faith and in the interests of advancing environmental protection and upholding the rights granted to us all in the Constitution.

Yours Sincerely,



Gabriel S. Manyangadze
Programmes Manager