

Environmental licence access no longer buried in bureaucracy

Interest groups and members of the public now have automatic access to environmental licences, the Department of Environmental Affairs (DEA) has announced.



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Victory for transparency

Non-profit environmental rights law clinic, the Centre for Environmental Rights (CER), which has been campaigning for automatic, online public access to environmental licences and compliance data, says the DEA announcement on 15 April 2016 is a huge and long-awaited victory for transparency in environmental governance.

“While we regard this decision of the DEA as a significant victory, we also see this as a first step towards the longer-term goal of automatic, online public access not only to environmental licences, including those held by the department of water & sanitation and the department of mineral resources, but also to reports and data that demonstrate whether companies are complying with environmental licence requirements, the CER says in a statement.

Commitment to open governance

The organisation went on to commend the minister and the DEA for their commitment to open governance, the constitutional right to access to information, just administrative action and environmental rights.

Environmental licences and permits set out the conditions under which environmentally harmful operations such as mining may be conducted. Failure to comply with these conditions may lead to suspension or withdrawal of licences, and is usually also a criminal offence under environmental laws.

Difficult to access documents

As a result, the CER has long argued that the public has a right to know what those conditions are, and to monitor compliance with them. However until now, it has in many cases been extremely difficult for members of the public, civil society, and the media to access these documents, the CER notes.

The DEA will make environmental licences public without have to submit a request in terms of the Promotion of Access to Information Act (PAIA). The permits listed in DEA's new notice published under PAIA's Section 15 include environmental authorisations, waste management licences, atmospheric emission licences and Biodiversity Act permits.

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