

# Appeal Procedure In Terms of Regulation 543 of the Environmental Impact Assessment Regulations, 2010

Regulation 543 Chapter 7 - Appeals Regulation 60 – Notice of Intention to Appeal		
Regulation	Sub-Section	Details
60	1	A person affected by a decision referred to in these regulations who wishes to appeal against the decision, must submit a notice of intention to appeal with the Minister, MEC, or delegated organ of state, as the case may be, within 20 days after the date of the decision
	2	If the appellant is an applicant, the appellant must provide each person and organ of state which was a registered interested and affected party in relation to the applicant's application, within 10 days of having submitted the notice contemplated in subregulation (1), with—
	2(a)	a copy of the notice referred to in subregulation (1); and
	2(b)	a notice indicating that the appeal submission will be made available on the day of lodging it with the Minister or MEC and where and for what period the appeal submission will be available for inspection by such person or organ of state.
	3	If the appellant is a person other than an applicant, the appellant must provide the applicant, within 10 days of having lodged the notice contemplated in subregulation (1), with—
	3(a)	a copy of the notice referred to in subregulation (1); and
	3(b)	a notice indicating where and for what period the appeal submission will be available for inspection by the applicant.

<b>Regulation 543</b>		
<b>Chapter 7 - Appeals</b>		
<b>Regulation 61 – Submission of Appeals</b>		
<b>Regulation</b>	<b>Sub-Section</b>	<b>Details</b>
61	1	An appeal lodged must be submitted to the appeal authority as indicated in section 43 of the Act
	2	An appeal must be—
	2(a)	submitted in writing; and
	2(b)	accompanied by—
	2(b)(i)	a statement setting out the grounds of appeal;
	2(b)(ii)	supporting documentation which is referred to in the appeal and which is not in the possession of the Minister, MEC, Minister of Mineral Resources or designated organ of state;
	2(b)(iii)	a statement by the appellant that regulation 60(2) or (3) has been complied with together with copies of the notices referred to in that regulation; and
	2(b)(iv)	the prescribed appeal fee, if any.
3	The appellant must take into account any guidelines applicable to appeals as contemplated in section 24J of the Act	