



# agriculture, forestry & fisheries

Department:  
Agriculture, forestry & fisheries  
REPUBLIC OF SOUTH AFRICA

## FORESTRY WESTERN CAPE

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WCT0030/11/19-20

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Enquiries: M Koen Date: 22 November 2019

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### Status- Mark Property Management

Attention: Mr. C. Steyl

Email: [status2@status-mark.co.za](mailto:status2@status-mark.co.za)

Cell/ Tel: 044 691 2539

### ILLEGAL DISTURBANCE OF PROTECTED TREE STREET, MOSSEL BAY GOLF ESTATE:

- 1 The Department of Agriculture, Forestry and Fisheries (DAFF) is responsible for the implementation and the enforcement of the National Forest Act (NFA), Act 84 of 1998 as amended and the National Veld and Forest Fire Act, Act 101 of 1998 as amended (NVFFA).
- 2 **Section 15** of the NFA as amended prohibits the cutting, disturbing, damaging or destroying of protected tree species without a licence. Anyone contravening this prohibition, is guilty of a first category offence, and can be sentenced to up to 3 years imprisonment, or a fine, or both. **Section 7** of the National Forest Act (NFA), act no 84 of 1998 as amended provides for the prohibition of the destruction/ disturbing of indigenous trees in any natural forest without a license. Under Section 7 of the NFA the whole forest ecosystem is protected and not just the indigenous/ protected trees within the forest. "Forest" is defined in the NFA to include i.a. "a natural forest... and the ecosystems which it makes up", thereby including all components of the forest, not only the trees."
- 3 DAFF is responsible for all regulatory functions of the NFA on state land as well as non-state land. It is a criminal offence for anyone to cut, disturb, damage or destroy a protected tree or any indigenous, living tree in a natural forest, or to remove or receive any such tree, except in terms of a licence, which may be issued by DAFF under the NFA with certain conditions.
- 4 Upon a recent site inspection it was found that protected Milkwood trees crowns have been disturbed without a valid NFA licence.
- 5 DAFF views this illegal activity in a very serious light as protected trees have been disturbed without DAFF issuing a valid NFA licence.
- 6 Kindly note that this letter serves as a final written warning.

Yours Faithfully

AREA MANAGER FORESTRY: WESTERN CAPE

CC Mr. Rossouw

