

**2. You will have to go for training.** NOW proposes that owners of off-road vehicles (including quads and motorcycles) obtain a driver competency certificate (DCC) by completing a training course before they can go off-road in sensitive areas.

**3. Your trail will have to be accredited.** Trails will have to be accredited with a regulatory body and maintain certain standards, or face the consequences. This is nothing new, as current legislation requires trails to comply with existing environmental regulations.

### Here's a few FAQs

**Are there any guarantees that the strategy will be accepted?** No – neither that it will be denied. NOW hopes that the worst case would be that the DEAT would request changes to the strategy until it is acceptable.

**When will it take effect?** The strategy will be implemented once the minister has accepted it. It is expected to be phased in over 3-5 years.

**Why not just use existing legislation?** Existing legislation is insufficient to regulate the industry. Although additional legislation is an option, this will likely result in very strict controls, to the detriment of the industry.

NOW believes control should rather be achieved through self-regulation, a route preferred by the minister and stakeholders.

The strategy is an attempt to create a framework which will best fit the industry, comply with government requirements, and be environmentally sound and considerate, and sustainable.

NOW suggests that future legislation should be a collective process between the private sector and the government, and not necessarily a unilateral process such as the one that resulted in the beach ban.

### The story so far

After the ban on beach driving, the department of environmental affairs and tourism (DEAT) focused on inland off-roading to minimise the negative impacts on inland habitats by off-road vehicles, including 4x4 and 4x2 leisure vehicles, quad bikes, and off-road motorcycles.

In a parliamentary speech in April 2005, environment minister Marthinus van Schalkwyk told the off-road community to get their house in order, or he will do it for them. He gave them a simple choice: develop a strategy for self-regulation or face unilateral implementation of legislation, like the beach ban.

In response to this challenge, the first National Off-Road Workshop (NOW) was held later that year.

Over the past two and a half years there has been brainstorming, putting together of heads, strategising, infighting, appointment of consultants and heated arguments, but also a public participation process and regional public workshops to which interested parties were invited to comment on the draft regulations.

The strategy for self-regulation, the culmination of all this, will now be handed to Van Schalkwyk.

**Too ghastly to contemplate.** Should the off-road community's strategy for self-regulation fail, the environment minister could regulate the sector through legislation – a repeat of the beach ban situation.

### Will self-regulation work?

The strategy was developed over two years and is based on extensive research and consultation with the sector. No one wants it to fail, because that may result in the minister regulating the sector through legislation – the beach ban all over again...

### How will it work?

NOW proposes that a national regulatory body be established to ensure that the self-regulation strategy is adhered to, applied and enforced.

The government will also play a role, because existing environmental laws may have to be amended to clamp down on people in sensitive areas that don't adhere to the strategy or rules set by the industry. It is moreover likely that certain monitoring activities will be conducted by government departments and authorities.

**How will offenders be punished?** NOW proposes that, where possible, the existing legal framework be used to punish offenders.

Apart from amendments to

current legislation, additional laws may be considered for the punishment of offenders.

### And if I cross the borders?

At this stage the self-regulation strategy is only being developed for South Africa.

### How will I know I'm in a sensitive area?

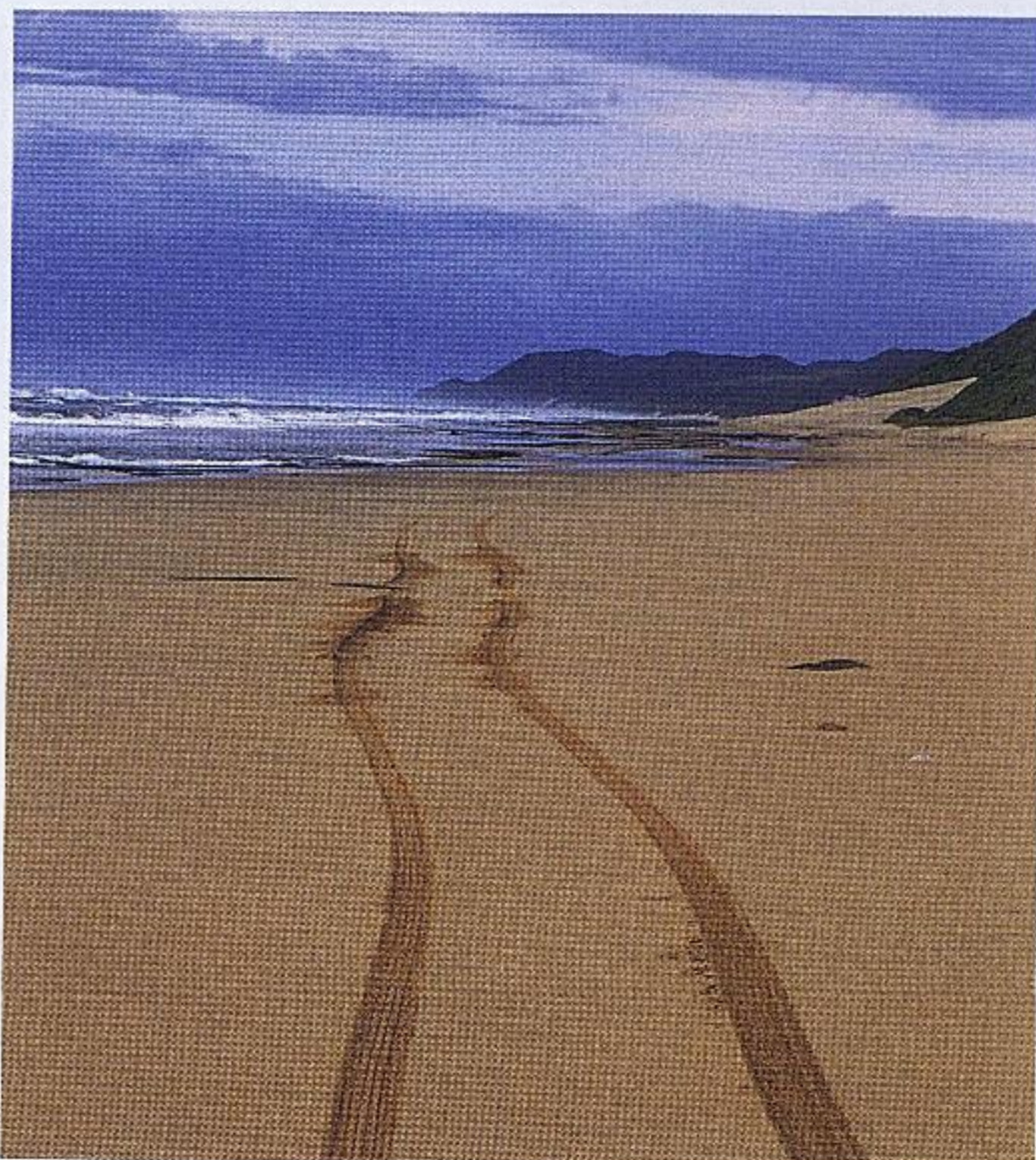
Eco-sensitive areas might be identified through national and local legislation, rules and regulations.

The DEAT has indicated that sensitive areas will be mapped. There are a few mapping options to help with identification, the most common could be Tracks4Africa, widely used in the 4x4 industry.

### Will trails necessarily be classified as eco-sensitive?

Only certain trails which will fall within the definition, will be classified as eco-sensitive.

**How do I get a DCC?** You will have to undergo an accredited training programme, and then demonstrate that you can carry out certain off-road vehicle operations and other activities. Training is expected to last for one to two days. >



PHOTOGRAPH DRIVE OUT ARCHIVES