

Stephan Jacobs

From: Liandra Scott-Shaw
Sent: Wednesday, 15 April 2020 12:11 PM
To: Tarryn Curtis; Kerry Schwartz; Stephan Jacobs
Subject: FW: IQ/20/0121: External Peer Reviewer/ Specialists

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FYI

From: IQ [mailto:IQ@environment.gov.za]
Sent: Wednesday, 15 April 2020 11:55 AM
To: Liandra Scott-Shaw
Subject: IQ/20/0121: External Peer Reviewer/ Specialists

Dear Liandra

A specialist permanently employed by an EAP is regarded as independent, provided he has no vested interest in the project and receives fair and normal remuneration of the work. In this instance no external peer review of reports is required, unless the competent authority has reason to believe that the EAP or specialist is not complying or has not complied with the requirements of regulation 13 of the EIA regulations, as amended, in respect of the application.

For an example, where an engineering company has a vested interest in the final design or future engineering contracts for a particular project and the in-house EAPs and /or specialists are used for the environmental component of the project, then the EIA and specialist reports must be externally peer reviewed prior to the commencement of the public participation processes.

If there is reasonable suspicion that the objectivity of a specialist may be compromised, then the competent authority has the power to request that an external peer review of that particular study/studies be undertaken in terms of Regulation 14.

Further to the above, all specialists are required to sign a declaration of independence which must be submitted with their reports. Should the specialist is found not to be independent, then the process specified in Regulation 14 would apply, similar to when it relates to an EAP.

Kind regards
Chantal Engelbrect

From: Liandra Scott-Shaw [mailto:LiandraS@sivest.co.za]
Sent: Thursday, 09 April 2020 12:15
To: IQ <IQ@environment.gov.za>
Subject: External Peer Reviewer/ Specialists

Dear IQ

If an EAP uses internal specialists (specialists and EAP from the same company) to undertake specialist work according to Appendix 6 of the Regulations, can the EAP be forced to appoint a peer reviewer and / or external specialist in the absence of Regulation 14 being enforced?

Kind regards

Liandra Scott-Shaw (Pr.Sci.Nat)

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