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OCTOBER 2018 SHE LEGISLATION UPDATE

SAFETY, HEALTH & ENVIRONMENTAL (SHE) LEGISLATION UPDATE

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PART ONE: LEGISLATION, DRAFT LEGISLATION, REGULATIONS, POLICY AND OTHER DOCUMENTS - NATIONAL AND PROVINCIAL GAZETTES

SECTION A: ENVIRONMENTAL (NATIONAL)

NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT 39 OF 2004

1. The 2017 National Framework for Air Quality Management in the Republic of South Africa. Published in GG 41996 Notice Number 114 dated 26 October 2018.
2. Amendments to the listed activities and associated minimum emission standards identified in terms of section 21 of the Act. Published in GG 42013 Notice Number 1207 dated 31 October 2018.

NATIONAL WATER ACT 36 OF 1998

3. Reserve determination of water resources for the Mvoti to Umzimkulu Catchments. Published in GG 41970 Notice Number 1097 dated 12 October 2018.

NATIONAL ENVIRONMENTAL MANAGEMENT ACT 107 OF 1998

4. Environmental Management Plan 2016/2020 for the Department of Mineral Resources. Published in GG 42010 Notice Number 1192 dated 2 November 2018.

SUBDIVISION OF AGRICULTURAL LAND ACT 70 OF 1970

5. Exclusion of various properties from the provisions of the Act. Published in GG 41970 Notice Number 626 dated 12 October 2018.

SPECIAL ECONOMIC ZONES ACT 16 OF 2014

6. Designation of Atlantis Special Economic Zone in the Western Cape Province. Published in GG 41982 Notice Number 1130 dated 19 October 2018.

STATISTICS SOUTH AFRICA

7. Consumer Price Index (CPI) for September 2018. Published in GG 42010 Notice Number 677 dated 2 November 2018.

SECTION B: SAFETY AND HEALTH (NATIONAL)

HEALTH PROFESSIONS ACT 56 OF 1974

8. Rules relating to the payment of fees for accreditation of education and training offered by Education and Training Institutions under the Act. Published in GG 41970 Notice Number 112 dated 12 October 2018.

MEDICINES AND RELATED SUBSTANCES ACT 101 OF 1965

9. Schedules of various substances to particular conditions and inclusion of New Chemical Entities in the Schedules. Published in GG 41971 Notice Number 1098 dated 12 October 2018.
10. Correction Notice for Call Up for Registration of Oral Preparations which contain a bacterial strain(s). Published in GG 41971 Notice Number 1099 dated 12 October 2018.

SECTION C: SAFETY, HEALTH AND ENVIRONMENTAL (DRAFT NATIONAL LEGISLATION AND REGULATIONS)

NATIONAL ENVIRONMENTAL MANAGEMENT: BIODIVERSITY ACT 10 OF 2004

11. Draft National Biodiversity Framework. Members of the public are invited to submit written

comments within 30 days after the publication of the notice. Published in GG 41982 Notice Number 1109 dated 26 October 2018 and published in GG 41996 Notice Number 1143 dated 26 October 2018.

12. Draft National Norms and Standards for the Management of Elephants in South Africa. Members of the public are invited to submit written comments within 30 days after the publication of this notice. Published in GG 42015 Notice Number 1208 dated 2 November 2018.

NATIONAL ENVIRONMENTAL MANAGEMENT: PROTECTED AREAS ACT 57 OF 2003

13. Draft National Protected Areas Expansion Strategy for South Africa. Members of the public are invited to submit written comments within 60 days after the publication of this notice. Published in GG 42010 Notice Number 667 dated 2 November 2018.

COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT 130 OF 1993

14. Draft Regulations on Compensation Fund New Assessment Model made by the Minister under the Act. Members of the public are invited to submit written comments within 30 days of the publication of the notice. Published in GG 41977 Notice Number 1105 dated 16 October 2018 and in GG 41984 Notice Number 1132 dated 18 October 2018.
15. Compensation for Occupational Injuries and Diseases Amendment Bill, 2018. Members of the public are invited to submit written comments within 60 days of the publication of the notice. Published in GG 41985 Notice Number 1133 dated 18 October 2018.

NATIONAL ENERGY REGULATION ACT 40 OF 2004

16. Eskom's Proposed Third Multi-Year Price Determination Regulatory Clearing Account Year 5 (2017/18), Fourth Multi Year Determination Applications and the Timelines for the Determination Process. Interested persons are invited to submit written comments by 30 November 2018. Published in GG 41993 Notice Number 1136 dated 24 October 2018.

CIVIL AVIATION ACT 13 OF 2009

17. Notice of intention to introduce the Civil Aviation Amendment Bill, 2018 into Parliament. The Bill and its Explanatory Memorandum were published for public comments in the Government Gazette Number 40326 dated 4 October 2016. Published in GG 41962 Notice Number 621 dated 8 October 2018.
18. Proposed amendments to the Civil Aviation Regulations, 2011. Interested persons are invited to submit written comments on or before 12 November 2018. Published in GG 41971 Notice Number 1102 dated 12 October 2018.

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

19. Draft Fertilizer Bill. Members of the public are invited to submit written comments within 60 days of the publication of the notice. Published in GG 41970 Notice Number 1083 dated 12 October 2018.

AGRICULTURAL PRODUCT STANDARDS ACT 119 OF 1990

20. Proposed Regulations for certain Raw Processed Meat Products intended for sale in the RSA. Members of the public are invited to submit written comments within 30 days of the publication of the notice. Published in GG 41996 Notice Number 1138 dated 26 October 2018.

SECTION D: SAFETY, HEALTH AND ENVIRONMENTAL (PROVINCIAL LEGISLATION AND MUNICIPAL BY-LAWS)

WESTERN CAPE PROVINCE

21. Department of Environmental Affairs and Development Planning: Declaration of Destiny Nature Reserve. Published in PG 7992 Notice Number 128 dated 12 October 2018.
22. Knysna Municipality: Electricity By-law, 2018. Published in PG 7994 dated 12 October 2018.

23. Western Cape Nature Conservation Board: Hunting Notice. Published in PG 7995 Notice Number 131 dated 12 October 2018.
24. City of Cape Town Metropolitan Municipality: Extension of a Local State of Disaster as a result of the continuing drought. Published in PG 7993 dated 23 October 2018.
25. City of Cape Town Metropolitan Municipality: Extension of a Local State of Disaster as a result of the devastating fire in Hout Bay in 2017. Published in PG 7993 dated 23 October 2018

EASTERN CAPE PROVINCE

26. Disaster Management Act 57 of 2002: Extension of Local State of Disaster as published in PG 4115 of 14 September 2018 for a further month. Published in PG 4129 Notice Number 225 dated 12 October 2018.

LIMPOPO PROVINCE

27. Local Government: Municipal Systems Act 32 of 2000: Fetakgomo Tubatse Local Municipality Land Use Management By-law 2018. Published in PG 2949 Notice Number 143 dated 5 October 2018.

FREE STATE PROVINCE

28. Declaration of a State of Disaster: Moqhaka Local Municipality. Published in PG 85 Notice Number 103 dated 26 October 2018.

KWAZULU-NATAL PROVINCE

29. City of uMhlatuze: By-law relating to the building aesthetics in the municipal area. Published in PG 2106 Notice Number 113 dated 1 November 2018.

NORTH WEST PROVINCE

30. Local Government Municipal Systems Act 32 of 2000: Madibeng Local Municipality: Municipal Public Parks By-Law and Municipal Open Space By-Law. Published in PG 7946 Notice Number 129 dated 23 October 2018.

GAUTENG PROVINCE

31. City of Johannesburg Metropolitan Municipality Waste Management By-Law: Notice of the implementation of mandatory waste separation at source. Published in PG 293 Notice Number 1709 dated 12 October 2018.

SECTION E: SAFETY, HEALTH AND ENVIRONMENTAL (DRAFT PROVINCIAL LEGISLATION AND MUNICIPAL BY-LAWS)

NORTHERN CAPE PROVINCE

32. Northern Cape Planning and Development Act 7 of 1998: Publication of Explanatory Summary of the Northern Cape Planning and Development Act 7 Repeal Bill, 2018. Members of the public are invited to submit written comments by no later than 31 October 2018. Published in PG 2218 Notice Number 116 dated 8 October 2018.
33. Review of the Spatial Development Framework (PSDF) of the Northern Cape Province - draft report for public input. Published in PG 2219 Notice Number 117 dated 15 October 2018.
34. Kgatelopele Local Municipality: Review and updating the Spatial Development Framework, Land Use Management System, Land Development Procedures and Regulations and the By-law on Land Use Management. Interested and affected parties are invited to submit written comments before 18 January 2019. Published in PG 2221 Notice Number 121 dated 29 October 2018.

GAUTENG PROVINCE

35. Gauteng Provincial Laws General Amendment Bill, 2018: Members of the public are invited to

submit written comments within 30 days of the publication of this notice. Published in PG 307 Notice Number 3 dated 12 October 2018.

MPUMALANGA

36. National Environmental Management: Protected Areas Act 57 of 2003: Intention to exclude an area as part of an existing Mabola Protected Environment. Members of the public are invited to submit written comments within 60 days after the publication of this notice. Published in PG 2975 Notice Number 127 dated 12 October 2018.
37. Spatial Planning and Land Use Management Act 16 of 2013: Local Authority Notice Draft Spatial Development Framework Review (2018) for the City of Mbombela. Members of the public are invited to submit written comments within 60 days after the publication of this notice. Published in PG 2978 Notice Number 85 dated 26 October 2018.

PART TWO: PARLIAMENTARY MONITORING

This information was accessed through the Parliamentary Monitoring Group at www.pmg.org.za

BILLS BEFORE PARLIAMENT (AS OF 2 NOVEMBER 2018)

1. Firearms Control Amendment Bill (B40 of 2018)
2. National Health Amendment Bill (B29 of 2018)
3. Aquaculture Development Bill (B22 of 2018)
4. Local Government: Municipal Structures Amendment Bill (B19 of 2018)
5. South African National Roads Agency Limited and National Roads Amendment Bill (B20 of 2017)
6. National Environmental Management Laws Amendment Bill (B14 of 2017)
7. Marine Spatial Planning Bill (B9 of 2017)
8. National Forests Amendment Bill (B11 of 2016)
9. National Land Transport Amendment Bill (B7 of 2016)

BILLS BEFORE THE PRESIDENT (AS OF 2 NOVEMBER 2018)

1. Labour Relations Amendment Bill (B32 of 2017)
2. National Minimum Wage Bill (B31 of 2017)
3. Basic Conditions of Employment Amendment Bill (B30 of 2017)
4. Labour Laws Amendment Bill (B29 of 2017)
5. Plant Improvement Bill (B8 of 2015)
6. Plant Breeders Rights Bill (B11 of 2015)

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