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NOVEMBER 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 ACT 107 OF 1998

1. Department of Transport: 3rd Edition Environmental Implementation Plan (EIP) 2015-2020. Published in GG 42053 Notice Number 728 dated 23 November 2018.

NATIONAL WATER ACT 36 OF 1998

2. Limiting the use of water for domestic, irrigation and industrial purposes in the Breede-Gouritz and Berg-Olifants Water Management Areas. Published in GG 42075 Notice Number 1331 dated 3 December 2018.

ASTRONOMY GEOGRAPHIC ADVANTAGE ACT 21 OF 2007

3. Publication of the forms required to implement the Karoo Central Astronomy Advantage Area Regulations. Published in GG 42085 Notice Number 1337 dated 5 December 2018.

SUBDIVISION OF AGRICULTURAL LAND ACT 70 OF 1970

4. Exclusion of certain properties from the provisions of the Act in various municipalities within the Republic of South Africa. Published in GG 42053 Notice Number 715 dated 23 November 2018.

NATIONAL HERITAGE RESOURCES ACT 25 OF 1999

5. Declaration of the wreck of the Sao Jose as a National Heritage Site. Published in GG 42037 Notice Number 1238 dated 16 November 2018.

STATISTICS SOUTH AFRICA

6. Consumer Price Index (CPI) October 2018. Published in GG 42068 Notice Number 758 dated 30 November 2018.

SECTION B: SAFETY AND HEALTH (NATIONAL)

COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT 130 OF 1993

7. Regulation on IOD/OD Documents to be provided by Employers to Compensation Fund in Administration of Claims Adjudication Processes. Published in GG 42021 Notice Number 1217 dated 9 November 2018.

MEDICINES AND RELATED SUBSTANCES ACT 101 OF 1965

8. Amendments to the Schedules in the Act. Published in GG 42052 Notice Number 1262 dated 23 November 2018.

BROAD-BASED BLACK ECONOMIC EMPOWERMENT ACT 53 OF 2003

9. Codes of Good Practice on Broad Based Black Economic Empowerment – Defence Sector Code. Published in GG 42021 Notice Number 1223 dated 11 November 2018.

LABOUR LAWS AMENDMENT ACT 10 OF 2018

10. The President has assented to the Act and it is published for information. The Act will come into operation on a date fixed by the President by proclamation in the Gazette. Published in GG 42062 Notice Number 1305 dated 27 November 2018.

LABOUR RELATIONS AMENDMENT ACT 8 OF 2018

11. The President has assented to the Act and it is published for information. The Act will come into operation on a date fixed by the President by proclamation in the Gazette. Published in GG 42061 Notice Number 1304 dated 27 November 2018.

NATIONAL MINIMUM WAGE ACT 9 OF 2018

12. The President has assented to the Act and it is published for information. The Act will come into operation on a date fixed by the President by proclamation in the Gazette. National Minimum Wage Act. Published in GG 42060 Notice Number 1303 dated 27 November 2018.

BASIC CONDITIONS OF EMPLOYMENT ACT 7 OF 2018

13. The President has assented to the Act and it is published for information. The Act will come into operation on a date fixed by the President by proclamation in the Gazette. Published in GG 42059 Notice Number 1302 dated 27 November 2018.

AGRICULTURAL PRODUCT STANDARDS ACT 119 OF 1990

14. Amendment of Standards and Requirements Regarding Control of the Export of Table Grapes. Published in GG 42053 Notice Number 1265 dated 23 November 2018.

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

ASTRONOMY GEOGRAPHIC ADVANTAGE ACT 21 OF 2007

15. Notice of the Minister's decision regarding the proposed regulations on protection measures to be applied within declared SCAAA. Members of the public are invited to submit written comments within 60 days after the publication of this notice. Published in GG 42054 Notice Number 1299 dated 22 November 2018

16. Notice of the Minister's decision regarding the intended prohibition of certain mining activities within the Declared Sutherland Central Astronomy Advantage Area. Members of the public are invited to submit written comments within 60 days after the publication of this notice. Published in GG 42049 Notice Number 1261 dated 21 November 2018.

CONSTRUCTION INDUSTRY DEVELOPMENT BOARD ACT 38 OF 2000

17. Proposed Standard for Health and Safety Plans and Auditing Requirements and Standard for Primary Health Assessments for Construction Works. Interested persons are invited to submit written comments on this draft within 30 days of date of this notice. Published in GG 42021 Notice Number 689 dated 9 November 2018.

NATIONAL WATER ACT 36 OF 1998

18. Proposed classes of water resources and resource quality objectives for the Mzimvubu Catchment. Members of the public are invited to submit written comments within 60 days of the publication of the notice. Published in GG 42053 Notice Number 1297 dated 23 November 2018.

19. Proposed classes of water resources and resource quality objectives for the Breede-Gouritz Water Management Area. Published in GG 42053 Notice Number 1298 dated 23 November 2018

DEPARTMENT OF ENVIRONMENTAL AFFAIRS (DEA)

20. Request for information on chemicals recommended to be listed in the 9th Conference of the Parties (COPS) to the Stockholm Rotterdam Conventions as well as the candidate chemicals under review by the Chemical Review Committee (CRC). Members of the public are invited to submit written comments within 60 days of the publication of the notice. Published in GG 42068 Notice Number 1308 dated 30 November 2018.

STANDARD ACT 8 OF 2008

21. Draft standards issued for public comment, proposed amendments to existing SANS codes for public comment, issuance of new standards, amendment of current standards and withdrawn standards. Published in GG 42037 Notice Number 710 dated 16 November 2018 and published in GG 42068 Notice Number 759 dated 30 November 2018

PETROLEUM PRODUCTS ACT 120 OF 1977

22. Discussion document on the review of the Basic Fuel Price (BFP) structures for petrol, diesel and illuminating paraffin. The deadline for the submission of public comments is 31 January 2019. Published in GG 42053 Notice Number 717 dated 23 November 2018

FERTILIZER, FARM FEEDS, AGRICULTURAL REMEDIES AND STOCK REMEDIES ACT 36 OF 1947

23. Proposed amendments to the regulations relating to farm feeds. Interested persons are invited to submit written comments within 60 days of publication of this notice. Published in GG 42037 Notice Number 1237 dated 9 November 2018.

24. Proposed amendments to the regulations relating to farm feeds undesirable substances. Interested persons are invited to submit written comments within 60 days of publication of this notice. Published in GG 42021 Notice Number 1213 dated 9 November 2018.

AGRICULTURAL PRODUCT STANDARDS ACT 119 OF 1990

25. Proposed amendments to the standards and requirements regarding control of the export of apples, peaches and nectarines, plums and prunes, apricots and pears. Members of the public are invited to submit written comments within 30 days of the publication of the notice. Published in GG 42053 Notice Number 716 dated 23 November 2018.

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

WESTERN CAPE PROVINCE

26. Department of Environmental Affairs and Development Planning: Declaration of Vergelegen Nature Reserve. Published in PG 7997 Notice Number 135 dated 2 November 2018.

27. Swartland Municipality: Extension of Declaration of a Local State of Disaster within the boundaries of the Swartland Municipality fire at Swartland Hospital. Published in PG 7995 Notice dated 2 November 2018 and in PG 8012 Notice dated 30 November 2018

28. Saldanha Bay Municipality: Extension of a Local State of Disaster within the boundaries of the Saldanha Bay Municipality due to the continuing drought. Published in PG 7993 dated 2 November 2018 and in PG 8009 dated 23 November 2018.

29. Hessequa Municipality: Zoning Scheme By-Law. Published in PG 8002 dated 15 November 2018.

30. Department of Environmental Affairs and Development Planning: Declaration of the Witteberg Nature Reserve. Published in PG 8002 dated 15 November 2018.

31. City of Cape Town Metropolitan Municipality: Extension of a Local State of Disaster due to the continuing drought. Published in PG 8009 dated 23 November 2018.

32. 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 8009 dated 23 November 2018.
33. Overstrand Municipality: Events By-law. Published in PG 8013 dated 30 November 2018.

EASTERN CAPE PROVINCE

34. Disaster Management Act 57 of 2002: Extension of local state of disaster. Published in PG 4146 Notice Number 248 dated 12 November 2018.
35. Local Government: Municipal Systems Act 32 of 2000: Chris Hani District Municipality - By-Law relating to Municipal Health Services. Published in PG 4151 Notice Number 244 dated 19 November 2018.

LIMPOPO PROVINCE

36. National Environmental Management: Protected Areas Act 57 of 2003: Declaration of attached respective land parcels as the Mphaphuli Nature Reserve. Published in PG 2956 Notice Number 164 dated 2 November 2018 and in PG 2961 Notice Number 179 dated 30 November 2018.

KWAZULU-NATAL PROVINCE

37. National Environmental Management: Protected Areas Act 57 of 2003: Correction Notice for the KZN Provincial Gazette 370 Notice Number 2 of 14 January 2010. Published in PG 2020 Notice Number 129 dated 15 November 2018.

GAUTENG PROVINCE

38. Local Government Municipal Systems Act 32 of 2000: Adoption of the City of Tshwane's Regionalized Spatial Development Frameworks (RSDF's) 2018. Published in PG 347 Notice Number 2007 dated 21 November 2018.
39. Local Government Municipal Systems Act 32 of 2000: Mogale City Local Municipality: Land Acquisition and Disposal By-Law. Published in PG 359 Notice Number 2016 dated 28 November 2018.

NORTH WEST PROVINCE

40. Rustenburg Local Municipality: Reviewed Spatial Planning and Land Use Management By-law. Published in PG 7955 Notice Number 159 dated 20 November 2018.

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

EASTERN CAPE PROVINCE

41. National Environmental Management: Protected Areas Act 57 of 2003: Intention to declare Nature Reserves and Protected Environments. Members of the public are invited to submit written comments within 60 days from the date of this notice. Published in PG 4143 Notice Number 237 dated 5 November 2018.
42. Eastern Cape Parks and Tourism Agency Act 2 of 2010: Invitation for applications and nomination of candidates for consideration to serve as members must be submitted within 30 calendar days from the date of publication of this notice. Published in PG 4148 Notice Number 240 dated 15 November 2018.
43. Spatial Planning and Land Use Management Act 16 of 2013: Ndlambe Municipality: Port Alfred: Draft Land Use Management Scheme. Members of the public are invited to submit written comments on or before 31 January 2019. Published in PG 4151 Notice Number 253 dated 19 November 2018.

FREE STATE PROVINCE

44. Xhariep District Municipality: Review of the Municipal Spatial Development Framework. Published in PG 88 Notice Number 106 dated 2 November 2018.

GAUTENG PROVINCE

45. Rationalisation of Local Government Affairs Act 10 of 1998: Proposed amendment to the Emergency Services By-Laws of the City of Johannesburg Metropolitan Municipality. Members of the public are invited to submit written comments within 30 days after the publication of this notice. Published in PG 334 Notice Number 1885 dated 13 November 2018.

46. National Environmental Management: Biodiversity Act 10 of 2004: Intended determination of Bioregion and Publication of Bioregional Plan for City of Tshwane Metropolitan Municipality. Members of the public are invited to submit written comments within 30 days after the publication of this notice. Published in PG 335 Notice Number 1204 dated 14 November 2018

WESTERN CAPE PROVINCE

47. City of Cape Town: Draft By-Law Relating to the Repeal of By-Laws, 2018. Members of the public are invited to submit written comments from 20 November 2018 to 11 December 2018. Published in PG 8004 dated 20 November 2018.

LIMPOPO PROVINCE

48. National Environmental Management: Protected Areas Act 57 of 2003: Intention to declare attached respective land parcels as the Bokgobelo Nature Reserve. Members of the public are invited to submit written comments within 60 days from the date of the publication of this notice. Published in PG 2958 Notice Number 174 dated 16 November 2018.

49. Spatial Planning and Land Use Management Act 16 of 2013: Draft Thulamela Spatial Development Framework. Members of the public are invited to submit written comments from 20 November 2018 to 11 December 2018 Published in PG 2959 Notice Number 156 dated 23 November 2018.

50. National Environmental Management: Protected Areas Act 57 of 2003: Intention to declare attached respective land parcels as addition to Balule Nature Reserves in Limpopo Province. Members of the public are invited to submit written comments within 60 days from the date of the publication of this notice. Published in PG 2961 Notice Number 182 dated 30 November 2018

NORTHERN CAPE PROVINCE

51. National Environmental Management: Protected Areas Act 57 of 2003: Intention to declare a Nature Reserve. Members of the public are invited to submit written comments within 30 days after the publication of this notice. Published in PG 2226 Notice Number 129 dated 26 November 2018.

PART TWO: PARLIAMENTARY MONITORING

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

BILLS BEFORE PARLIAMENT (AS OF 4 DECEMBER 2018)

1. Carbon Tax Bill (B46 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)
10. Mineral and Petroleum Resources Development Amendment Bill (B27 – 2013)

BILLS BEFORE THE PRESIDENT (AS OF 4 DECEMBER 2018)

1. Plant Improvement Bill (B8 of 2015)
2. Plant Breeders Rights Bill (B11 of 2015)

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