



www.imbewu.co.za

IMBEWU

Sustainability Legal Specialists (Pty) Ltd



APRIL 2019 SHE LEGISLATION UPDATE

SAFETY, HEALTH & ENVIRONMENTAL (SHE) LEGISLATION UPDATE

Note that clients who have a current SHE Legal Register with IMBEWU as well as paid-up subscribers to the IMBEWU's SHE legislation update service are entitled to receive electronic copies of the government gazettes listed below.

INDEX

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

SECTION A: ENVIRONMENTAL (NATIONAL)

SECTION B: HEALTH AND SAFETY (NATIONAL)

SECTION C: SAFETY, HEALTH AND ENVIRONMENTAL (SHE DRAFT LEGISLATION & POLICY)

SECTION D: SHE PROVINCIAL AND MUNICIPAL BY-LAWS

SECTION E: DRAFT SHE PROVINCIAL AND MUNICIPAL BY-LAWS

PART TWO: PARLIAMENTARY MONITORING

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. Regulations laying down the procedure to be followed for the adoption of Spatial Tools or Environmental Management Instruments. Published in GG 42380 Notice Number 542 dated 5 April 2019.

NATIONAL HERITAGE RESOURCES ACT 25 OF 1999

2. Identified types of objects that are protected and may not be exported without a permit from the South African Heritage Resources Agency (SAHRA). Published in GG 42407 Notice Number 587 dated 18 April 2019.
3. Declaration of 19 sites within the Bo-Kaap area as National Heritage Sites. Published in GG 42429 Notice Number 622 dated 30 April 2019.

CONSERVATION OF AGRICULTURAL RESOURCES ACT 43 OF 1984

4. Notice of appointment of members to the Conservation Advisory Board. Published in GG 42417 Notice Number 599 dated 26 April 2019.

NATURAL SCIENTIFIC PROFESSIONS ACT 27 OF 2003

5. South African Council for Natural Scientific Professions (SACNASP) Code of Conduct. Published in GG 42391 Notice Number 212 dated 12 April 2019.

MERCHANT SHIPPING (INTERNATIONAL OIL POLLUTION COMPENSATION FUND) CONTRIBUTIONS ACT 36 OF 2013

6. Determination of rate of levy for 2017 tax period and payment date. Published in GG 42391 Notice Number 215 dated 12 April 2019.

ELECTRICITY ACT 41 OF 1984

7. License fees payable by licensed generators of electricity. Published in GG 42417 Notice Number 602 dated 26 April 2019 and in GG 42417 Notice Number 603 dated 26 April 2019.

SECTION B: SAFETY AND HEALTH (NATIONAL)

NATIONAL RAILWAY SAFETY REGULATOR ACT 16 OF 2002

8. Determination of permit fees. Published in GG 42391 Notice Number 578 dated 12 April 2019.

COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT 130 OF 1993

9. Amendment to the Standard Rates 2014/2019 per 100 earnings. Published in GG 42372 Notice Number 532 dated 2 April 2019.

NURSING ACT 33 OF 2005

10. National Policy on Nursing Education and Training. Published in GG 42380 Notice Number 544 dated 5 April 2019.

BROAD-BASED BLACK ECONOMIC EMPOWERMENT ACT 53 OF 2003

11. Codes of Good Practice on Broad-Based Black Economic Empowerment – Defence Sector Code. Published in GG 42391 Notice Number 567 dated 12 April 2019.

FOODSTUFFS, COSMETICS AND DISINFECTANTS ACT 54 OF 1972

12. Repeal of the Regulations relating to Edible Fats and Oils. Published in GG 42380 Notice Number 543 dated 5 April 2019.

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

NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT 59 OF 2008

13. Consultation on intention to require a person who conducts a Waste Management Activity listed under the Act on the date of coming into effect of the Act, and who immediately, before that date, lawfully conducted that waste management activity under Government Notice No. 91 of 1 February 2002, to apply for a Waste Management Licence under the Act. Members of the public are hereby invited to submit written comments within 30 days of publication of this notice. Published in GG 42380 Notice Number 541 dated 5 April 2019.

14. Notice of intention to take a decision on the applications for the exclusion of a waste stream or a portion of such a waste stream for beneficial use from the definition of waste (for waste slag from ferrochrome metallurgy; ash from combustion plants; gypsum from pulp; paper and cardboard production and processing; as well as biomass from pulp, paper and cardboard production and processing). Members of the public are hereby invited to submit written comments within 30 days of publication of this notice. Published in GG 42376 Notice Number 535 dated 3 April 2019.

NATIONAL FORESTS ACT 84 OF 1998

15. Intention to declare State Forests Properties as Forest Nature Reserves. Members of the public are hereby invited to submit written comments within 60 days from the date of publication of this notice. Published in GG 42391 Notice Number 210 dated 12 April 2019.

TOURISM AMENDMENT BILL 2019

16. Members of the public are invited to submit their written comments within 60 days of publication of this notice. Published in GG 42404 Notice Number 235 dated 15 April 2019 and in GG 42391 Notice Number 228 12 April 2019.

STANDARDS ACT 8 OF 2008

17. 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 42391 Notice Number 229 dated 12 April 2019.

ASTRONOMY GEOGRAPHIC ADVANTAGE ACT 21 OF 2007

18. Proposed exemption of Radio Frequency Spectrum use within the declared Karoo Central Astronomy Advantages Areas. Interested persons are invited to submit written comments within 90 days of publication of this notice. Published in GG 42399 Notice Number 583 dated 12 April 2019.

NURSING ACT 33 OF 2005

19. Proposed Regulations relating to the approval of and the minimum requirements for the Education and Training of a Learner/student leading to Registration in the Category Midwife.

Members of the public are hereby invited to submit written comments within 3 months from the date of publication of this notice. Published in GG 42381 Notice Number 558 and dated 5 April 2019.

ANIMAL DISEASES ACT 35 OF 1984

20. Proposed amendments to the Animal Diseases Regulations with regard to African horse sickness. Members of the public are invited to submit their written comments within 90 days of publication of this notice. Published in GG 42417 Notice Number 600 dated 26 April 2019.

AGRICULTURAL PRODUCT STANDARDS ACT 119 OF 1990

21. Proposed amendments to the Regulations relating to the Grading, Packing and Marking of Bread Wheat intended for sale in the Republic of South Africa. Members of the public are hereby invited to submit written comments within 5 weeks of publication of this notice. Published in GG 42408 Notice Number 591 dated 18 April 2019.

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

WESTERN CAPE PROVINCE

22. Western Cape Special Economic Development Infrastructure Company Act 3 of 2019. Published in PG 8077 Notice Number 46 dated 8 April 2019 and correction notice published in PG 8080 Notice Number 48 dated 12 April 2019.
23. Swartland Local Municipality: By-Law relating to Public Nuisances. Published in PG 8081 dated 12 April 2019.
24. Western Cape Land Use Planning Act 3 of 2014. Amendment to the Western Cape Land Use Planning Regulations, 2015. Published in PG 8083 Notice Number 51 dated 15 April 2019.
25. City of Cape Town Metropolitan Municipality: Extension of a Local State of Disaster due to the devastating fire. Published in PG 8087 dated 26 April 2019.
26. City of Cape Town Metropolitan Municipality: Extension of a Local State of Disaster due to drought conditions. Published in PG 8087 dated 26 April 2019.
27. Swellendam Municipality: Annual amendment of the Municipal Spatial Development Framework. Published in PG 8087 dated 26 April 2019.

EASTERN CAPE PROVINCE

28. Disaster Management Act of 57 of 2002: Kouga Local Municipality: Extension of a local state of disaster. Published in PG 4226 Notice Number 81 dated 15 April 2019.

NORTHERN CAPE PROVINCE

29. Pixley Ka Seme District Municipality: Municipal Health Services By-law, 2019. Published in PG 2259 Notice Number 22 dated 15 April 2019.
30. Spatial Planning and Land Use Management Act 16 of 2013: Kgatelopele Municipality - Approval of the revised and updated Spatial Development Framework (SDF), a single Land Use Scheme (LUS) as part of the Land Use Management System (Land Use Scheme, Manual & Application Procedure and Application Form - LUMS) and By-law on Land Use Management. Published in PG 2260 Notice Number 38 dated 22 April 2019.

NORTH WEST PROVINCE

31. North West Department of Rural, Environment and Agricultural Development: The North West Hunting Regulations with necessary Biodiversity Permit Administration Fees for 2019. Published in PG 8001 Notice Number 56 dated 23 April 2019.

KWAZULU-NATAL PROVINCE

32. Ugu District Municipality: Amendment to the Water and Sanitation Services First By-Law. Published in PG 2069 Notice Number 49 dated 18 April 2019.
33. eThekweni Metropolitan Municipality: Coastal Management By-Law. Published in PG 2071 Notice Number 44 dated 25 April 2019.

GAUTENG PROVINCE

34. Amendment to the various regulations in the Hospitals Ordinance 14 of 1958. Published in PG 123 Notice Number 639 dated 18 April 2019.

MPUMALANGA PROVINCE

35. City of Mbombela Municipality: By-law for the Control of Outdoor Advertising, 2019. Published in PG 3031 Notice Number 11 dated 5 April 2019.
36. Thaba Chweu Local Municipality: Community Fire Safety By-law for Fire and Rescue Services. Published in PG 3031 Notice Number 45 dated 5 April 2019.
37. Thaba Chweu Local Municipality: Cleaning Services/Solid Waste Management By-law. Published in PG 3031 Notice Number 46 dated 5 April 2019.
38. Thaba Chweu Local Municipality: By-law for the Control of Outdoor Advertising. Published in PG 3031 Notice Number 49 dated 5 April 2019.
39. Thaba Chweu Local Municipality: Cemeteries, Crematoria and Funeral Undertakers By-law. Published in PG 3031 Notice Number 52 dated 5 April 2019.
40. Thaba Chweu Local Municipality: Public Parks and Open Spaces By-law. Published in PG 3031 Notice Number 55 dated 5 April 2019.
41. Thaba Chweu Local Municipality: Traffic and Crime Prevention By-law. Published in PG 3031 Notice Number 56 dated 5 April 2019.
42. Victor Khanye Local Municipality: Air Quality Management By-Law. Published in PG 3038 Notice Number 16 dated 26 April 2019.

LIMPOPO PROVINCE

43. Collins Chabane Local Municipality: Spatial Planning, Land Development and Land Use Management By-Law, 2019. Published in PG 2990 Notice Number 46 dated 12 April 2019.
44. Collins Chabane Local Municipality: Transportation of Goods By-law, 2019. Published in PG 2990 Notice Number 47 dated 12 April 2019.
45. Collins Chabane Local Municipality: Advertising & Billboards By-law, 2019. Published in PG 2990 Notice Number 49 dated 12 April 2019.
46. Collins Chabane Local Municipality: Hardware Storage of Goods By-Law, 2019. Published in PG 2990 Notice Number 50 dated 12 April 2019.
47. Collins Chabane Local Municipality: Noise Control By-Law, 2019. Published in PG 2990 Notice Number 51 dated 12 April 2019.
48. Collins Chabane Local Municipality: Public Open Space By-law, 2019. Published in PG 2992 Notice Number 58 dated 26 April 2019.
49. National Environmental Management: Protected Areas Act 57 of 2003: Declaration of attached respective land parcels as a Protected Environment. Published in PG 2989 Notice Number 43 dated 5 April 2019.

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

GAUTENG PROVINCE

50. Spatial Planning and Land Use Management Act 16 of 2013 (SPLUMA): City of Ekurhuleni Metropolitan Municipality: draft SPLUMA by-law. Members of the public are invited to submit written comments by 13 May 2019. Published in PG 116 Notice Number 750 dated 11 April 2019.

WESTERN CAPE PROVINCE

51. Heritage Western Cape: Draft Regulations Relating to the Consultation Process for Listing Heritage Resources in the Heritage Register and for the Designation of Heritage Areas by Heritage Western Cape, 2019. Members of the public are invited to submit written comments by 15 May 2019. Published in PG 8082 Notice Number 49 dated 12 April 2019.

52. Department of Cultural Affairs and Sport: Draft Regulations Relating to the Consultation Process for Listing Places in the Heritage Register by Heritage Western Cape and for the Designation of Heritage Areas by a Local Authority, 2019. Interested persons are invited to submit written comments within 30 days of publication of this notice. Published in PG 8082 Notice Number 5-dated 12 April 2019.

PART TWO: PARLIAMENTARY MONITORING

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

BILLS BEFORE PARLIAMENT (AS OF 3 MAY 2019)

1. National Minimum Wage Amendment Bill (B9 of 2019)
2. National Health Amendment Bill (B8 of 2019)
3. Local Government: Municipal Systems Amendment Bill (B1 of 2019)
4. National Health Amendment Bill (B29 of 2018)
5. Aquaculture Development Bill (B22 of 2018)
6. Local Government: Municipal Structures Amendment Bill (B19 of 2018)
7. South African National Roads Agency Limited and National Roads Amendment Bill (B20 of 2017)
8. National Environmental Management Laws Amendment Bill (B14 of 2017)
9. National Forests Amendment Bill (B11 of 2016)
10. National Land Transport Amendment Bill (B7 of 2016)
11. Mineral and Petroleum Resources Development Amendment Bill (B27 – 2013)

BILLS BEFORE THE PRESIDENT (AS OF 3 MAY 2019)

1. Carbon Tax Bill (B46 of 2018)
2. Marine Spatial Planning Bill (B9 of 2017)

DISCLAIMER: The information contained in IMBEWU's SHE Legislation Update has been obtained from sources believed to be reliable. IMBEWU does not warrant the accuracy, completeness or adequacy of such information.

If you would no longer like to receive IMBEWU's SHE Legislation Update, please email lulu@imbewu.co.za.