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MAY 2019 SHE LEGISLATION UPDATE

SAFETY, HEALTH & ENVIRONMENTAL (SHE) LEGISLATION UPDATE

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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: AIR QUALITY ACT 39 OF 2004

1. Strategy to address air pollution in dense low-income settlements. Published in GG 42464 Notice Number 666 dated 17 May 2019.
2. Amendment to the Listed Activities and Associated Minimum Emission Standards Identified. Published in GG 42472 Notice Number 687 dated 22 May 2019.

CARBON TAX ACT 15 OF 2019

3. The President has assented to the Act – the Act came into effect on 1 June 2019. Published in GG 42483 Notice Number 800 dated 23 May 2019.

NATIONAL ENVIRONMENTAL MANAGEMENT: PROTECTED AREAS ACT 57 OF 2003

4. Port Elizabeth Corals Marine Protected Area:
 - a. Notice declaring a protected area. Published in GG 4247 Notice Number 770 dated 23 May 2019.
 - b. Regulations for the management of the protected area. Published in GG 42479 Notice Number 789 dated 23 May 2019.
5. Isimangaliso Marine Protected Area:
 - a. Notice declaring a protected area. Published in GG 42478 Notice Number 773 dated 23 May 2019.
 - b. Regulations for the management of the protected area. Published in GG 42479 Notice Number 788 dated 23 May 2019.
6. Agulhas Front Marine Protected Area.
 - a. Notice declaring a protected area. Published in GG 42478 Notice Number 761 dated 23 May 2019.
 - b. Regulations for the management of the protected area. Published in GG 42479 Notice Number 779 and 133 dated 23 May 2019.
7. Childs Bank Marine Protected Area.
 - a. Notice declaring a protected area. Published in GG 42478 Notice Number 764 dated 23 May 2019.
 - b. Regulations for the management of the protected area. Published in GG 42479 Notice Number 785 dated 23 May 2019.
8. Aliwal Shoal Marine Protected Area.
 - a. Notice declaring a protected area. Published in GG 42478 Notice Number 759 dated 23 May 2019.
 - b. Regulations for the management of the protected area. Published in GG 42479 Notice Number 781 dated 23 May 2019.
9. Uthukela Banks Marine Protected Area
 - a. Notice declaring a protected area. Published in GG 42478 Notice Number 776 dated 23 My 2019.
 - b. Regulations for the management of the protected area. Published in GG 42479 Notice Number 790 dated 23 May 2019.

10. Amathole Offshore Marine Protected Area.
 - a. Notice declaring a protected area. Published in GG 42478 Notice Number 763 dated 23 May 2019.
 - b. Regulations for the management of the protected area. Published in GG 42479 Notice Number 778 dated 23 May 2019.
11. Agulhas Muds Marine Protected Area.
 - a. Notice declaring a protected area. Published in GG 42478 Notice Number 760 dated 23 May 2019.
 - b. Regulations for the management of the protected area. Published in GG 42479 Notice Number 796 dated 23 May 2019.
12. Browns Bank Coral Marine Protected Area.
 - a. Notice declaring a protected area. Published in GG 42478 Notice Number 765 dated 23 May 2019.
 - b. Regulations for the management of the protected area. Published in GG 42479 Notice Number 783 dated 23 May 2019.
13. Addo Elephant Marine Protected Area.
 - a. Notice declaring a protected area. Published in GG 42478 Notice Number 757 dated 23 May 2019.
 - b. Regulations for the management of the protected area. Published in GG 42479 Notice Number 777 dated 23 May 2019.
14. South West Indian Seamount Marine Protected Area.
 - a. Notice declaring a protected area. Published in GG 42478 Notice Number 775 dated 23 May 2019.
 - b. Regulations for the management of the protected area. Published in GG 42479 Notice Number 795 dated 23 May 2019.
15. Robben Island Marine Protected Area.
 - a. Notice declaring a protected area. Published in GG 42478 Notice Number 774 dated 23 May 2019.
 - b. Regulations for the management of the protected area. Published in GG 39646 Notice Number 794 dated 23 May 2019.
16. Namaqua Fossil Forest Marine Protected Area.
 - a. Notice declaring a protected area. Published in GG 42478 Notice Number 767 dated 23 May 2019.
 - b. Regulations for the management of the protected area. Published in GG 42479 Notice Number 786 dated 23 May 2019.
17. Namaqua National Park Marine Protected Area.
 - a. Notice declaring a protected area. Published in GG 42478 Notice Number 768 dated 23 May 2019.
 - b. Regulations for the management of the protected area. Published in GG 42479 Notice Number 787 dated 23 May 2019.
18. Orange Shelf Edge Marine Protected Area.
 - a. Notice declare a protected area. Published in GG 42478 Notice Number 769 dated 23 May 2019.
 - b. Regulations for the management of the proposed area. Published in GG 42479 Notice Number 791 dated 23 May 2019.
19. Cape Canyon Marine Protected Area.
 - a. Notice declaring a protected area. Published in GG 42478 Notice Number 766 dated 23 May 2019.
 - b. Regulations for the management of the protected area. Published in GG 42479 Notice Number 784 dated 23 May 2019.

20. Agulhas Bank Complex Marine Protected Area.
 - a. Notice declaring a protected area. Published in GG 42478 Notice Number 758 dated 23 May 2019.
 - b. Regulations for the management of the protected area. Published in GG 42479 Notice Number 780 dated 23 May 2019.
21. South East Atlantic Seamount Marine Protected Area.
 - a. Notice declaring a protected area. Published in GG 42478 Notice Number 773 dated 23 May 2019.
 - b. Regulations for the management of the proposed area. Published in GG 42479 Notice Number 792 dated 23 May 2019.
22. Protea Banks Marine Protected Area.
 - a. Notice declaring a protected area. Published in GG 42478 Notice Number 771 dated 23 May 2019.
 - b. Regulations for the management of the proposed area. Published in GG 42479 Notice Number 793 dated 23 May 2019.
23. Benguela Muds Marine Protected Area.
 - a. Notice declaring a protected area. Published in GG 42478 Notice Number 762 dated 23 May 2019.
 - b. Regulations for the management of the protected area. Published in GG 42479 Notice Number 782 dated 23 May 2019.

MARINE SPATIAL PLANNING ACT 16 OF 2018

24. The President has assented to the Act. Published in GG 42444 Notice Number 641 dated 6 May 2019.

BROAD BASED BLACK ECONOMIC EMPOWERMENT ACT 53 OF 2003

25. Amendment of Schedule 1 in terms of Codes of Good Practice on Broad Based Black Economic Empowerment. Published in GG 42496 Notice Number 303 dated 31 May 2019.
26. Codes of Good Practice on Broad Based Black Economic Empowerment: Amended Code Series 400, Statement 400. Published in GG 42496 Notice Number 304 dated 31 May 2019.
27. Codes of Good Practice on Broad Based Black Economic Empowerment: Amended Code Series 300, Statement 300. Published in GG 42496 Notice Number 305 dated 31 May 2019.
28. Codes of Good Practice on Broad Based Black Economic Empowerment: Amended Code Series 000, Statement 000. Published in GG 42496 Notice Number 306 dated 31 May 2019.

ASTRONOMY GEOGRAPHIC ADVANTAGE ACT 21 OF 2007

29. Notice of effective date of the Regulations on Astronomy Protection regarding certain activities within the Sutherland Central Astronomy Advantage Area in terms of the Act. Published in GG 42492 Notice Number 805 dated 31 May 2019.
30. Declaration to prohibit certain mining activities within the Sutherland Central Astronomy Advantage Area. Published in GG 42492 Notice Number 806 dated 31 May 2019.

DISASTER MANAGEMENT ACT 57 OF 2002

31. Declaration of a provincial disaster in the KwaZulu-Natal Province. Published in GG 42488 Notice Number 803 dated 27 May 2019.

STATISTICS SOUTH AFRICA

32. Consumer Price Index: March 2019. Published in GG 424431 Notice Number 253 dated 3 May 2019.
33. Consumer Price Index: April 2019. Published in GG 42496 Notice Number 302 dated 31 May 2019.

SECTION B: SAFETY AND HEALTH (NATIONAL)

COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT 130 OF 1993

- 34. Wound Care Gazette 2019. Published in GG 42431 Notice Number 250 dated 3 May 2019.
- 35. Retracting of the Chiropractor Gazette. Published in GG 42431 Notice Number 251 dated 3 May 2019.
- 36. Final opportunity to submit outstanding information with regard to claims lodged before 1st August 2014. Published in GG 42431 Notice Number 626 dated 3 May 2019.
- 37. Increase in monthly pensions and manner of calculating compensation. Published in GG 42431 Notice Number 627 dated 3 May 2019.

MINE HEALTH AND SAFETY ACT 29 OF 1996

- 38. Guidance note on medico-legal investigations of mine deaths. Published in GG 42451 Notice Number 651 dated 10 May 2019.

LEGAL METROLOGY ACT 9 OF 2014

- 39. Amendment to the regulations relating to the tariff of fees charged for services rendered in terms of the Legal Metrology Act by the National Regulator for Compulsory Specifications (NRCS). Published in GG 42431 Notice Number 630 dated 3 May 2019.

NATIONAL REGULATION FOR COMPULSORY SPECIFICATIONS ACT 5 OF 2008

- 40. Amendment to the regulations relating to the payment of levy and fees with regard to compulsory specifications. Published in GG 42431 Notice Number 631 dated 3 May 2019.

NATIONAL HEALTH ACT 61 OF 2003

- 41. Procedural regulations pertaining to the functioning of the office of health standards compliance and Handling of complaints by the Ombud. Published in GG 42496 Notice Number 817 dated 31 May 2019 and in GG 42496 Notice Number 818 dated 31 May 2019.

MEDICINES AND RELATED SUBSTANCES ACT 101 OF 1965

- 42. Exemption of Medical Devices and In-Vitro Diagnostics (IVDS) from the provisions of sections 18A and 18B of the Act. Published in GG 42465 Notice Number 685 dated 17 May 2019 and in GG 42474 Notice Number 696 dated 24 May 2019.
- 43. South African Health Regulatory Authority (SAHPRA) Schedules. Published in GG 42477 Notice Number 755 dated 23 May 2019.
- 44. Exclusion of certain preparations containing Cannabidiol (CBD) from operation of certain provisions of the Act. Published in GG 42477 Notice Number 756 dated 23 May 2019.
- 45. Fees payable in terms of the provisions of the Act. Published in GG 42474 Notice Number 695 dated 24 May 2019.

PHARMACY ACT 53 OF 1974

- 46. Regulations relating to Continuing Professional Development. Published in GG 42464 Notice Number 668 dated 17 May 2019.

NURSING ACT 33 OF 2005

- 47. Notice regarding fees payable to the Council in terms of the regulations regarding fees and fines payable to the South African Nursing Council. Published in GG 42496 Notice Number 80 dated 31 May 2019.

PLANT IMPROVEMENT ACT 53 OF 1976

48. Amendment to the regulations relating to establishments, varieties, plants and propagating material. Published in GG 42451 Notice Number 263 dated 10 May 2019.

PLANT BREEDERS' RIGHTS ACT 15 OF 1976

49. Amendment to the Regulations relating to Plant Breeders' Rights. Published in GG 42496 Notice Number 809 dated 31 May 2019.

FOODSTUFFS, COSMETICS AND DISINFECTANTS ACT 54 OF 1972

50. Repeal of regulations relating to a number of products promulgated under the repealed Food, Drugs and Disinfectants Act 13 of 1923. Published in GG 42453 Notice Number 656 dated 10 May 2019.

51. Amendment to the regulations relating to the reduction of sodium in certain foodstuffs and related matters. Published in GG 42496 Notice Number 812 dated 31 May 2019

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

NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT 39 OF 2004

52. Draft National Climate Change Adaptation Strategy. Members of the public are hereby invited to submit written comments within 30 days of publication of this notice. Published in GG 42446 Notice Number 644 dated 6 May 2019.

53. Notice of intention to amend the Listed Activities and Associated Minimum Emission Standards Identified. Members of the public are hereby invited to submit written comments within 30 days of publication of this notice. Published in GG 42472 Notice Number 686 dated 22 May 2019.

NATIONAL WATER ACT 36 OF 1998

54. Proposed classes of water resource and resource quality objectives for the Berg Catchment. 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 42451 Notice Number 655 dated 10 May 2019.

NATIONAL ENVIRONMENTAL MANAGEMENT ACT 107 OF 1998

55. Proposed procedures to be followed for the assessment and minimum criteria for reporting of identified environmental themes when applying for an environmental authorisation. Members of the public are invited to submit written comments within 30 days of publication of this notice. Published in GG 42451 Notice Number 648 dated 10 May 2019.

56. Draft consultation on minimum standards for the consideration of environmental aspects in preparation and review of municipal spatial development frameworks. Members of the public are invited to submit written comments within 30 days of publication of this notice. Published in GG 42451 Notice Number 647 dated 10 May 2019.

57. Proposed regulations pertaining to financial provisioning for the rehabilitation and remediation of environmental damage caused by reconnaissance, prospecting, exploration, mining or production operations. Members of the public are invited to submit written comments within 45 days of publication of this notice. Published in GG 42464 Notice Number 667 dated 17 May 2019.

STANDARDS ACT 8 OF 2008

58. 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 42464 Notice Number 275 dated 17 May 2019 and in GG 42474 Notice Number 283 dated 24 May 2019

SPECIAL ZONES ACT 16 OF 2014

59. Proposed amendment to the ORTIA SEZ land area and the incorporation of the Impala to the designated area. Members of the public are invited to submit written comments within 30 days of publication of this notice. Published in GG 42451 Notice Number 654 dated 10 May 2019.
60. Intention to designate the Bojanala Special Economic Zone. Members of the public are invited to submit written comments within 30 days of publication of this notice. Published in GG 42451 Notice Number 653 dated 10 May 2019.

NATIONAL ROAD TRAFFIC ACT 93 OF 1996

61. Publication of draft fees payable for the operation of an abnormal vehicle on a public road and the conveyance of an abnormal load. Members of the public are invited to submit their written comments within 4 weeks of publication of this notice. Published in GG 42459 Notice Number 661 dated 15 May 2019.

MARINE LIVING RESOURCES ACT 18 OF 1998

62. Proposed resource split in the traditional linefish and squid fishing sectors and proposal to classify white mussel, oysters and hake handline fishing as small-scale fishing species. Members of the public are invited to submit their written comments before or on 28 June 2019. Published in GG 42457 Notice Number 660 dated 13 May 2019.

THE GAS REGULATOR LEVIES ACT 75 2002 AND THE PETROLEUM PIPELINE LEVIES ACT 28 OF 2004

63. Draft licensing exemption and registration notice. Members of the public are invited to submit their written comments before or on 24 May 2019. Published in GG 42456 Notice Number 659 dated 13 May 2019.

CIVIL AVIATION ACT 13 OF 2009

64. Proposed amendment to the Civil Aviation Regulations, 2011. Members of the public are invited to submit their written comments before or on 24 June 2019. Published in GG 42475 Notice Number 754 dated 24 May 2019.

WORLD HERITAGE CONVENTION ACT 49 OF 1999

65. Notice of intention to proclaim certain land situated in the Northern Cape Province to be the #Khomani Cultural Landscape World Heritage Site and to appoint a Management Authority thereof. Members of the public are invited to submit their written comments within 60 days of publication of this notice. Published in GG 42496 Notice Number 290 dated 31 May 2019.

PHARMACY ACT 53 OF 1974

66. The South African Pharmacy Council: Proposed Rules relating to Good Pharmacy Practice. Members of the public are invited to submit their written comments within 60 days of publication of this notice. Published in GG 42451 Notice Number 75 dated 10 May 2019.

MEDICINES AND RELATED SUBSTANCES ACT 10 OF 1965

67. Proposed amendment to the general regulations made in terms of the Act. Members of the public are invited to submit their written comments within 3 months of publication of this notice. Published in GG 52500 Notice Number 846 dated 30 May 2019.

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

68. Proposed prohibition notice regarding the use of nitrofurans, nitromidazoles, carbadox and diethylstilbestrol in food producing animals. Members of the public are invited to submit their

written comments within 4 weeks of publication of this notice. Published in GG 42496 Notice Number 807 dated 31 May 2019.

69. Proposed regulations regarding stock remedies. Members of the public are invited to submit their written comments within 8 weeks of publication of this notice. Published in GG 42496 Notice Number 808 dated 31 May 2019.

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

WESTERN CAPE PROVINCE

70. Department of Environmental Affairs and Development Planning: Declaration of Wolfgat Nature Reserve. Published in PG 8089 Notice Number 55 dated 3 May 2019.
71. Department of Environmental Affairs and Development Planning: Declaration of Rietkraal Nature Reserve. Published in PG 8095 Notice Number 61 dated 10 May 2019.
72. City of Cape Town Metropolitan Municipality: Extension of a Local State of Disaster due to the devastating fire. Published in PG 8102 dated 31 May 2019.
73. City of Cape Town Metropolitan Municipality: Extension of a Local State of Disaster due to drought conditions. Published in PG 8102 dated 31 May 2019.

EASTERN CAPE PROVINCE

74. Ndlambe Municipality: Adoption of the Integrated Land Use Scheme. Published in PG 4239 Notice Number 97 dated 13 May 2019.
75. National Environmental Management: Protected Areas Act 57 of 2003: Declaration of a number of Nature Reserves and Protected Environments. Published in PG 4241 Notice Number 137 dated 14 May 2019.
76. Declaration of a provincial state of disaster due to the floods which affected the Alfred Nzo and OR Tambo District Municipalities. Published in PG 4247 Notice Number 149 dated 31 May 2019.
77. Umzimvubu Local Municipality: Building Regulations By-law. Published in PG 4246 Notice Number 106 dated 27 May 2019.

FREE STATE PROVINCE

78. Mantsopa Local Municipality: Waste Management By-Law. Published in PG 14 Notice Number 10 dated 17 May 2019.

KWAZULU-NATAL PROVINCE

79. Amendment to the uMhlathuze Spatial Planning and Land Use Management By-law. Published in PG 2073 Notice Number 51 dated 9 May 2019.
80. Mtubatuba Municipality: Traffic and Crime Prevention By-law. Published in PG 2080 Notice Number 66 dated 23 May 2019.
81. Mtubatuba Municipality: Nuisances and Behaviour in Public Places By-law. Published in PG 2080 Notice Number 66 dated 23 May 2019
82. Declaration of Nature Reserves. Published in PG 2074 Notice Number 55 dated 16 May 2019.
83. Disaster Management Act 57 of 2002: Declaration of a KwaZulu-Natal Provincial State of Disaster. Published in PG 2075 Notice Number 60 dated 20 May 2019.

MPUMALANGA PROVINCE

84. Mpumalanga Nature Conservation Act 10 of 1998: Open Season: Ordinary Game. Published in PG 3045 Notice Number 72 dated 24 May 2019.

LIMPOPO PROVINCE

85. Adoption of the Spatial Development Framework (SDF) for the Sekhukhune District Municipality. Published in PG 2995 Notice Number 37 dated 10 May 2019.
86. Polokwane Local Municipality: Waste Management By-law. Published in PG 3003 Notice Number 69 dated 31 May 2019.

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

WESTERN CAPE PROVINCE

87. Department of Environmental Affairs and Development Planning: Draft Western Cape Biodiversity Bill, 2019. Members of the public are invited to submit written comments before or on 8 July 2019. Published in PG 8094 Notice Number 60 dated 7 May 2019.

PART TWO: PARLIAMENTARY MONITORING

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

BILLS BEFORE PARLIAMENT (AS OF 4 JUNE 2019)

1. Mineral and Petroleum Resources Development Amendment Bill (B27 – 2013)

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