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Sustainability Legal Specialists (Pty) Ltd



AUGUST 2020 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.

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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. Amendment to Section 24H Registration Authority Regulations, 2016. Published in GG 43632 Notice Number 906 dated 21 August 2020.

NATIONAL ENVIRONMENTAL MANAGEMENT BIODIVERSITY ACT 10 OF 2004

2. Amendments to Appendices I and II of the Convention of International Trade in Endangered Species of Wild Fauna and Flora (CITES). Published in GG 43643 Notice Number 919 dated 24 August 2020.

BROAD-BASED BLACK ECONOMIC EMPOWERMENT ACT 53 OF 2003

3. Amendment to the determination of the address of the Broad-Based Black Economic Empowerment Commission ("B-BBEE Commission"). Published in GG 43591 Notice Number 428 dated 7 August 2020.

STATISTICS SOUTH AFRICA

4. Consumer Price Index (CPI) May 2020. Published in GG43632 Notice Number 445 dated 21 August 2020.

SECTION B: SAFETY AND HEALTH (NATIONAL)

NATIONAL MINIMUM WAGE AMENDMENT ACT 3 OF 2020

16. The President has assented to the Act which has been published for general information. Published in GG 43603 Notice Number 871 dated 7 August 2020.

NATIONAL PUBLIC HEALTH INSTITUTE OF SOUTH AFRICA ACT 1 OF 2020

4. The President has assented to the Act which has been published for general information. Published in GG 43604 Notice Number 872 dated 7 August 2020.

MEDICINES AND RELATED SUBSTANCES ACT 101 OF 1965

5. Annual Single Exit Price Adjustment (SEPA) of medicines and scheduled substances for the year 2021. Published in GG 43614 Notice Number 885 dated 14 August 2020.

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

NATIONAL ENVIRONMENTAL MANAGEMENT ACT 107 OF 1998

6. Proposed amendments to the Environment Conservation Act Plastic Carrier Bags and Plastic Flat Bags Regulations (2003). Members of the public are invited to submit written comments within 30 days from the date of publication of this notice. Published in GG 43601 Notice Number 869 and dated 7 August 2020.

NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT 39 OF 2004

7. Proposed declaration of certain printing industry activities as controlled emitters and establishment of emission standards. Members of the public are invited to submit written

comments within 90 days from the date of publication of this notice. Published in GG 43591 Notice Number 855 and dated 7 August 2020.

8. Draft Technical Guidelines for Validation and Verification of Greenhouse Gas Emissions. Members of the public are invited to submit written comments within 30 days from the date of publication of this notice. Published in GG 43644 Notice Number 920 and dated 24 August 2020.

NATIONAL ENVIRONMENTAL MANAGEMENT: PROTECTED AREAS ACT 57 OF 2003

9. Draft amendments to the regulations for the management of the Aliwal Shoal Marine Protected Area. Members of the public are invited to submit written comments within 60 days from the date of publication of this notice. Published in GG 43618 Notice Number 890 and dated 17 August 2020.

COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES AMENDMENT BILL 2020

10. The Minister of Employment and Labour intends to introduce the Bill into the National Assembly. Published in GG 43658 Notice Number 930 dated 27 August 2020.

EMPLOYMENT EQUITY ACT 55 OF 1998

11. Proposed amendments to the draft Code of Good Practice on the Prevention and Elimination of Violence and Harassment in the World of Work. Members of the public are invited to submit written comments within 60 days from the date of publication of this notice. Published in GG 43630 Notice Number 896 and dated 20 August 2020.

MEDICINES AND RELATED SUBSTANCES ACT 101 OF 1965

12. Proposed amendment to the annual Single Exit Price Adjustment (SEPA) of Medicines and Scheduled Substances for the Year 2021. Members of the public are invited to submit written comments within 3 months from the date of publication of this notice. Published in GG 43614 Notice Number 885 and dated 14 August 2020.
13. Proposed amendment to the dispensing fee to be charged by persons licensed in terms of section 22C (1) (a). Members of the public are invited to submit written comments within 3 months from the date of publication of this notice. Published in GG 43614 Notice Number 886 dated 14 August 2020.
14. Proposed amendments to the dispensing fee for pharmacists in terms of the regulations relating to transparent pricing for medicines and scheduled substance. Interested persons are invited to submit written comments within 3 months from the date of publication of this notice. Published in GG 43633 Notice Number 914 dated 21 August 2020.

HEALTH PROFESSIONS ACT 56 OF 1974

15. Proposed regulations defining the scope of the profession of radiography. Interested persons are invited to submit written comments within 3 months from the date of publication of this notice. Published in GG 43630 Notice Number 907 dated 21 August 2020.
16. Proposed amendment to the rules relating to the registration by medical practitioners and dentists of additional qualifications. Interested persons are invited to submit written comments within 3 months from the date of publication of this notice. Published in GG 43632 Notice Number 97 dated 21 August 2020.

PHARMACY ACT 53 OF 1974

17. Proposed amendments to the rules relating to good pharmacy practice. Members of the public are invited to submit written comments within 60 days of publication of this notice. Published in GG 43660 Notice Number 100 dated 28 August 2020.

STANDARDS ACT 8 OF 2008

18. Draft standards, proposed amendments to existing SANS codes, issuance of new standards, amendment of current standards and withdrawn standards issued for public comment. Published in GG 43660 Notice Number 458 dated 28 August 2020.

SECTION D: COVID-19 LEGISLATION

(note to IMBEWU SHE Legal Register Clients – this legislation will NOT be included in your SHE Legal Registers and associated legislation databases as the regulations will be repealed when the virus has been contained i.e. they are temporary regulations to deal with a particular situation).

DISASTER MANAGEMENT ACT 57 OF 2002

19. Extension of a National State of Disaster. Published in GG 43616 Notice Number 889 dated 15 August 2020.
20. Amendment to the directions issued regarding the Biodiversity Sector. Published in GG 43602 Notice Number 870 dated 7 August 2020.
21. Amendment to the of directions in terms of the risk adjusted strategy for tourism facilities, services and products. Published in GG 43585 Notice Number 414 dated 6 August 2020 and in GG 43653 Notice Number 452 dated 25 August 2020.
22. Amendments to the directives issued in terms of the regulation allowing sporting events, training and matches to resume, including opening of libraries, museums, cinemas, theatres, galleries and archives in compliance with the regulations. Published in GG 43584 Notice Number 852 dated 6 August 2020.
23. Amendment to the directions issued in terms of the regulations by the National Department of Basic Education, all Provincial Departments of Education, all Education District Offices and all Schools in the Republic of South Africa in relation to the re-opening of schools. Published in GG 43578 Notice Number 411 dated 2 August 2020 and in GG 43642 Notice Number 448 dated 21 August 2020.
24. Directions issued by the Department of Social Development. Published in GG 43588 Notice Number 853 dated 6 August 2020.
25. Amendment of directions – Department of Health. Published in GG 43600 Notice Number 868 dated 7 August 2020.
26. Directives issued - guide to determination of alert levels. Published in GG 43599 Notice Number 867 dated 7 August 2020.
27. Directions relating to Spatial Planning, Land Use Management and Land Development Processes. Published in GG 435981 Notice Number 431 dated 7 August 2020.
28. Directives issued in terms of the Covid-19 Temporary Employee/Employer Relief Scheme (C19 Ters), 2020. Published in GG 43611 Notice Number 878 dated 13 August 2020.
29. Determination of Alert Level. Published in GG 43620 Notice Number 891 dated 17 August 2020.
30. Directives issued in terms of the sea ports. Published in GG 43629 Notice Number 895 dated 20 August 2020.
31. Amendment to the Directives issued regarding sport, arts and culture. Published in GG 43667 Notice Number 943 dated 28 August 2020.
32. Amendment to the directives in terms of public transport. Published in GG 43652 Notice Number 925 dated 25 August 2020.
33. Amendment to the directives in terms of air services. Published in GG 43651 Notice Number 924 dated 25 August 2020.
34. Fifth amendment to the directives issued by the Minister of Home Affairs. Published in GG 43650 Notice Number 923 dated 25 August 2020.

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

WESTERN CAPE PROVINCE

35. Overstrand Municipality: Municipal Land Use Planning By-law. Published in PG 8305 dated 7 August 2020.
36. Overstrand Municipality: Land Use Scheme 2020. Published in PG 8305 Notice dated 7 August 2020.
37. Overstrand Municipality: Heritage Protection Overlay Zone Regulations. Published in PG 8305 Notice dated 7 August 2020.
38. Overstrand Municipality: Environmental Management Overlay Zone Regulations. Published in PG 8305 Notice dated 7 August 2020.
39. City of Cape Town: Coastal By-law, 2020. Published in PG 8301 Notice dated 11 August 2020.
40. Department of Environmental Affairs and Development Planning: Western Cape Land Use Planning Act 3 of 2014: Notice of authorisation to deviate from provisions of act. Published in PG 8310 Notice Number 84 dated 18 August 2020.
41. Theewaterskloof Municipality: Notice of adoption of the Municipal Spatial Development Framework. Published in PG 8309 Notice dated 14 August 2020.
42. Theewaterskloof Municipality: Zoning Scheme Maps. Published in PG 8312 Notice dated 24 August 2020.
43. Theewaterskloof Municipality: Zoning Scheme By-law. Published in PG 8312 Notice dated 24 August 2020.

EASTERN CAPE PROVINCE

34. Kouga Municipality - Extension of Local State of Disaster Declaration (due to the drought). Published in PG 4426 Notice Number 131 dated 3 August 2020.
35. Kouga Municipality: Declaration of Local State of Disaster - due to the breaching and imminent further breaching of the St Francis Bay Beach Spit. Published in PG 4431 Notice Number 140 dated 14 August 2020.

MPUMALANGA PROVINCE

44. Notice for the approval of the Dipaleseng Spatial Development Framework. Published in PG 3179 Notice Number 61 dated 7 August 2020.
45. Publication of the approved/adopted Msukaligwa Spatial Development Framework. Published in PG 3180 Notice Number 79 dated 14 August 2020.
46. Local Municipality Waste Management By-law. Published in PG 3185 Notice Number 63 dated 28 August 2020.
47. Spatial Planning and Land Use Management Act 16 of 2013: Notice for the approval of the Dr Pixley Ka Isaka Seme Spatial Development Framework. Published in PG 3185 Notice Number 87 dated 28 August 2020.

KWAZULU NATAL PROVINCE

48. eThekweni Metropolitan Municipality: Air Quality Management By-law. Published in PG 2203 Notice Number 63 dated 13 August 2020.
49. Disaster Management Act 57 of 2002: Declaration of a KwaZulu-Natal Provincial State of Disaster. Published in PG 2208 Notice Number 77 dated 28 August 2020.

GAUTENG PROVINCE

50. Merafong Local Municipality - Spatial Planning and Land Use Management By-law, 2020; Amendment Spatial Development Framework, 2016-2021; Merafong Land Use Management

Document, 2020 and Amendment of Tariff Charges. Published in PG 138 Notice Number 827 dated 12 August 2020.

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

GAUTENG PROVINCE

51. City of Ekurhuleni Metropolitan Municipality - Draft Integrated Waste Management By-law. Members of the public are invited to submit written comments by not later than 7 September 2020. Published in PG 130 Notice Number 780 dated 5 August 2020.

MPUMALANGA PROVINCE

52. Spatial Planning and Land Use Management Act 16 of 2013: Public notice calling for public participation on the draft Govan Mbeki Land Use Scheme, 2020. Interested persons are invited to submit written comments within 60 days from the first day of publication of this notice. Published in PG 3185 Notice Number 67, 68 and 69 dated 28 August 2020.

53. National Environmental Management: Protected Areas Act 57 of 2003: Intention to declare a Nature Reserve: Bezuidenhoutshoek Private Nature Reserve. Interested persons are invited to submit written comments within 60 days from the first day of publication of this notice. Published in PG 3185 Notice Number 86 and 92 dated 28 August 2020.

54. Intention to declare land as part of the Sabie Sand Wildtuin Nature Reserve. Interested persons are invited to submit written comments within 60 days from the first day of publication of this notice. Published in PG 3185 Notice Number 88 dated 28 August 2020.

55. Intention to withdraw land as part of the Buffelshoek Nature Reserve and declare that land as part of the Manyeleti Nature Reserve. Interested persons are invited to submit written comments within 60 days from the first day of publication of this notice. Published in PG 3185 Notice Number 89 dated 28 August 2020.

56. National Environmental Management: Protected Areas Act 57 of 2003: Intention to declare a Protected Environment: Afrikan Farms Protected Environment. Interested persons are invited to submit written comments within 60 days from the first day of publication of this notice. Published in PG 3185 Notice Number 90 dated 28 August 2020.

57. Intention to declare an area as part of the existing Blyderivierspoort Nature Reserve. Interested persons are invited to submit written comments within 60 days from the first day of publication of this notice. Published in PG 3185 Notice Number 91 dated 28 August 2020.

PART TWO: PARLIAMENTARY MONITORING

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

BILLS BEFORE PARLIAMENT (AS OF 3 SEPTEMBER 2020)

1. Economic Regulation of Transport Bill (B1-2020).
2. National Road Traffic Amendment Bill (B7-2020).
3. Disaster Management Tax Relief Bill (B11-2020).
4. Disaster Management Tax Relief Administration Bill (B12-2020).
5. Employment Equity Amendment Bill (B-14-2020).
6. Independent Electricity Management Operator Bill (B14-2019).
7. National Health Insurance Bill (B11 – 2019).
8. National Health Amendment Bill (B29 – 2018).

9. National Environmental Management Laws Amendment Bill (B12-2017).
10. National Forests Amendment Bill (B11-2016).

BILLS BEFORE THE PRESIDENT (AS OF 3 SEPTEMBER 2020)

1. Science and Technology Laws Amendment Bill (B42 – 2018).
2. National Land Transport Amendment Bill (B7-2016).

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