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**IMBEWU**

*Sustainability Legal Specialists (Pty) Ltd*



## SEPTEMBER 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.*

### 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: COVID-19 LEGISLATION

SECTION E: SHE PROVINCIAL AND MUNICIPAL BY-LAWS

SECTION F: 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: AIR QUALITY ACT 39 OF 2004**

1. Amendments to the National Greenhouse Gas Emission Reporting Regulations, 2016. Published in GG 43712 Notice Number 994 dated 11 September 2020.

### **NATIONAL ENVIRONMENTAL MANAGEMENT: BIODIVERSITY ACT 10 OF 2004**

2. Alien and Invasive Species Regulations, 2020. Published in GG 43735 Notice Number 1020 dated 25 September 2020.
3. Alien and Invasive Species Lists of 2020. Published in GG 43726 Notice Number 1003 dated 18 September 2020.

### **NATIONAL WATER ACT 36 OF 1998**

4. Reserve Determination for the Water Resources of the Vaal Water Management Area. Published in GG 43734 Notice Number 1019 dated 25 September 2020.
5. Determination of Classes of Water Resources and Resource Quality Objectives for the Breede-Gouritz Water Management Area. Published in GG 43726 Notice Number 1008 dated 18 September 2020.
6. Extension of time period to install water measuring devices for water taken for irrigation purposes in all water management areas. Published in GG 43726 Notice Number 1010 dated 18 September 2020.

### **NATIONAL HERITAGE RESOURCES ACT 25 OF 1999**

7. Declaration of the Rocklands Community Hall, Mitchell's Plain, Cape Town, Western Cape as a National Heritage Site. Published in GG 43734 Notice Number 1016 dated 25 September 2020.
8. Declaration of the historical portion of the Phoenix Settlement, Inanda, Ethekewini, KwaZulu-Natal as a National Heritage Site. Published in GG 43734 Notice Number 1017 dated 25 September 2020.

### **STATISTIC SOUTH AFRICA**

9. Notification for the general information of the Consumer Price Index (CPI). Published in GG 43686 Notice Number 489 dated 4 September 2020.

### **ELECTRICITY REGULATIONS ACT 4 OF 2006**

10. Determination under section 34(1) of the Act. Published in GG 43734 Notice Number 1015 dated 25 September 2020.

### **NATIONAL NUCLEAR REGULATOR ACT 47 OF 1999**

11. Notice in terms of terms of section 28 of the Act, determining fees for Nuclear Authorisations for the 2020/2021 financial year. Published in GG 43734 Notice Number 516 dated 25 September 2020.

## **SECTION B: SAFETY AND HEALTH (NATIONAL)**

### **NATIONAL ROAD TRAFFIC ACT 39 OF 1996**

12. List of approved Dangerous Goods Training Bodies in terms of regulation 280(1) of the National Road Traffic Regulations, 2000. Published in GG 43708 Notice Number 991 dated 11 September 2020.

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

### **NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT 107 OF 1998**

13. Draft 7th National Greenhouse Gas Inventory Report for the Republic of South Africa. Members of the public are invited to submit written comments within 30 days from the date of publication of this notice. Published in GG 43706 Notice Number 989 and dated 11 September 2020.

### **NATIONAL ENVIRONMENTAL MANAGEMENT ACT 107 OF 1998**

14. Consultation on the intention to publish draft Regulations to Prohibit the Production, Distribution, Import, Export, Sale and Use of Persistent Organic Pollutants. Members of the public are invited to submit written comments within 30 days from the date of publication of this notice. Published in GG 43747 Notice Number 1026 and dated 30 September.

### **NATIONAL FOREST ACT 84 OF 1998**

15. Consultation on intention to declare the Grey Dell and Fort Grey Forests Areas as Natural Forests under section 7(2) of the Act. Members of the public are invited to submit written comments within 14 days from the date of publication of this notice. Published in GG 43700 Notice Number 973 and dated 10 September 2020.
16. Consultation on the intention to declare the Grey Dell and Fort Grey Forests Areas a Controlled Forest area under section 17(2) of the Act. Members of the public are invited to submit written comments within 14 days from the date of publication of this notice. Published in GG 43699 Notice Number 972 and dated 10 September 2020.
17. Extension of time period to comment on the draft notices to declare the Grey Dell and Forests areas as a Natural Forest and Controlled Forest Area under sections 7(2) and 17(2) of the Act. Members of the public are invited to submit written comments no later than 9 October 2020. Published in GG 43742 Notice Number 1023 and dated 29 September 2020.

### **NATIONAL WATER ACT 36 OF 1998**

18. Proposed Reserve Determination for Water Resources of the Mokolo and Matlabas catchments. Members of the public are invited to submit written comments within 60 days from the date of publication of this notice. Published in GG 43726 Notice Number 1009 and dated 18 September 2020.

### **NATIONAL ENVIRONMENTAL MANAGEMENT: BIODIVERSITY ACT 10 OF 2004**

19. Proposed Emergency Intervention in terms of section 105A of the Act. Members of the public are invited to submit written comments within 60 days from the date of publication of this notice. Published in GG 43686 Notice Number 961 and dated 4 September 2020.

### **CIVIL AVIATION ACT 13 OF 2009**

20. Draft Amendment to the Civil Aviation Regulations, 2011. Members of the public are invited to submit written comments on or before 4 October 2020. Published in GG 43687 Notice Number

966 and dated 4 September 2020.

#### **HEALTH PROFESSIONS ACT 56 OF 1974**

21. Proposed Regulations relating to the Qualifications for the Registration of Environmental Health Practitioners. Members of the public are invited to submit written comments within 3 months from the date of publication of this notice. Published in GG 43686 Notice Number 964 and dated 4 September 2020.
22. Proposed Regulations Defining the Scope of the Profession of Clinical Technology. Members of the public are invited to submit written comments within 3 months from the date of publication of this notice. Published in GG 43686 Notice Number 963 and dated 4 September 2020.

#### **ANIMALS PROTECTION AMENDMENT BILL, 2020**

23. Draft notice of intention to introduce a Private Member's Bill into Parliament. Members of the public are invited to submit written comments within 30 of publication of this notice. Published in GG 43702 Notice Number 497 and dated 11 September 2020.

#### **FIRE BRIGADE SERVICES ACT 99 OF 1987**

24. White Paper on Fire Services. Published in GG 43734 Notice Number 515 dated 25 September 2020.

#### **STANDARDS ACT 8 OF 2008**

25. 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 43686 Notice Number 490 dated 4 September 2020 and in GG 43702 Notice Number 498 dated 11 September 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**

26. Directives for Level 2 issued in terms of Regulations in all Correctional Centres and Remand Detention Facilities in the Republic of South Africa. Published in GG 43688 Notice Number 967 dated 4 September 2020.
27. Directives issued in terms of Railway Operations. Published in GG 43675 Notice Number 950 dated 2 September 2020.
28. Directives relating to Environmental Management Permits and Licences. Published in GG 43696 Notice Number 970 dated 9 September 2020.
29. Directives issued in terms of the COVID-19 Temporary Employee/Employer Relief Scheme (C19 TERS). Published in GG 43693 Notice Number 968 dated 7 September 2020.
30. Directive issued in terms of regulation 4(5), (12) and 58 of the Section 27(2) Regulations. Published in GG 43710 Notice Number 993 dated 11 September 2020.
31. Directives issued to all courts, court houses and justice service points in the Republic of South Africa. Published in GG 43709 Notice Number 992 dated 11 September 2020.
32. Electronic Communications Act 36 of 2005: Amendment of Information and Communications Technology COVID-19 National Disaster Regulations. Published in GG 43707 Notice Number 500 dated 11 September 2020.
33. Extension of a National State of Disaster (Covid-19). Published in GG 43713 Notice Number 995 dated 14 September 2020.
34. Amendment to the Directives issued in terms of the Regulations regarding the Re-opening of

- Schools. Published in GG 437151 Notice Number 503 dated 15 September 2020.
35. Directives issued in terms of Public Transport Services. Published in GG 43679 Notice Number 953 dated 2 September 2020.
  36. Amendment to the Directives issued in terms of the Regulations regarding the Public Transport Services. Published in GG 43716 Notice Number 996 dated 16 September 2020.
  37. Directives issued in terms Determination of Alert Levels and Hotspots. Published in GG 43719 Notice Number 998 dated 18 September 2020.
  38. Amendment to the Directives issued in terms of section 27(2). Published in GG 43725 Notice Number 999 dated 18 September 2020 and published in GG 43727 Notice Number 1011 dated 20 September 2020.
  39. Amendment to the Directives in terms of Air Services. Published in GG 43695 Notice Number 969 dated 9 September 2020 and published in GG 437171 Notice Number 997 dated 16 September 2020.
  40. Amendment to the Directives issued on Risk Adjusted Strategy for Tourism Facilities, Services and Product. Published in GG 43731 Notice Number 514 dated 23 September 2020.
  41. Amendment to the Directives issued in terms of Mandating of a Short Code for the National Emergency Services. Published in GG 43729 Notice Number 512 dated 22 September 2020.

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

### **WESTERN CAPE PROVINCE**

42. Knysna Municipality: Road and Traffic By-law. Published in PG 8317 dated 1 September 2020.
43. Overstrand Municipality: Heritage Protection Overlay Zone Regulations. Published in PG 8305 Notice dated 7 August 2020.
44. Western Cape Laws Repeal Act 4 of 2020. Published in PG 8324 Notice Number 21 dated 19 September 2020.

### **EASTERN CAPE PROVINCE**

34. Nature and Environmental Conservation Ordinance 19 of 1974: 2020 Hunting Seasons and the Daily Bag Limits. Published in PG 4442 Notice Number 140 dated 7 September 2020.
35. Disaster Management Act 57 of 2002: Declaration of a Local State of Drought Disaster in terms of section 55(1) of the Act. Published in PG 4442 Notice Number 142 dated 7 September 2020.
36. Disaster Management Act 57 of 2002: Extension of Local State of Disaster Declaration: Provincial Notice 133/2018. Published in PG 4450 Notice Number 195 dated 28 September 2020.

### **FREE STATE PROVINCE**

45. Mangaung Metropolitan Municipality Publication Notice of Spatial Development Framework, 2020/2021. Published in PG 33 Notice Number 30 dated 4 September 2020.

### **KWAZULU NATAL PROVINCE**

46. Local Government Municipal Structures Act 117 of 1998: Notice in terms of section 16(3)(c) of the Act: Endumeni Municipality. Published in PG 2214 Notice Number 21 dated 17 September 2020.

### **GAUTENG PROVINCE**

47. Nature Conservation Ordinance 12 of 1983 as amended: Open Season for Ordinary Game. Published in PG 166 Notice Number 677 dated 11 September 2020.

### **LIMPOMPO PROVINCE**

48. National Road Traffic Act 93 of 1996: Notice is given for the increase of Exemption Permit Fees for the Department of Transport and Community Safety in Limpopo Province. Published in PG 3104 Notice Number 45 dated 25 September 2020.
49. National Road Traffic Act 93 of 1996: Notice is given for the increase of Vehicle Registration and Licensing Fees for the Department of Transport and Community Safety in Limpopo Province. Published in PG 3104 Notice Number 46 dated 25 September 2020.

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

### **WESTERN CAPE PROVINCE**

50. Draft Western Cape Land Use Planning Amendment Bill, 2020. Published in PG 8321 Notice Number 91 dated 10 September 2020.

### **EASTERN CAPE PROVINCE**

51. Spatial Planning and Land Use Management Act 16 of 2013: Draft Local Spatial Development Framework for the Settlersway located in the Buffalo City Metropolitan Municipality. Interested persons are invited to submit written comments within 60 days from the first day of publication of this notice. Published in PG 4445 Notice Number 174 dated 14 September 2020.
52. Spatial Planning and Land Use Management Act 16 of 2013: Draft Municipal Spatial Development Framework for the Buffalo City Metropolitan Municipality. Interested persons are invited to submit written comments within 60 days from the first day of publication of this notice. Published in PG 4445 Notice Number 175 dated 14 September 2020.

### **GAUTENG PROVINCE**

53. Gauteng Township Economic Development Bill, 2020. Interested persons are invited to submit written comments within 30 days from the first day of publication of this notice. Published in PG 182 Notice Number 467 dated 30 September 2020.

## **PART TWO: PARLIAMENTARY MONITORING**

*This information was accessed through the Parliamentary Monitoring Group at [www.pmg.org.za](http://www.pmg.org.za)*

### **BILLS BEFORE PARLIAMENT (AS OF 6 OCTOBER 2020)**

1. Economic Regulation of Transport Bill (B1-2020).
2. National Road Traffic Amendment Bill (B7-2020).
3. Employment Equity Amendment Bill (B-14-2020).
4. Compensation for Occupational Injuries and Disease Amendment Bill (B21-2020).
5. Independent Electricity Management Operator Bill (B14-2019).
6. National Health Insurance Bill (B11 – 2019).
7. National Health Amendment Bill (B29 – 2018).
8. National Environmental Management Laws Amendment Bill (B12-2017).
9. National Forests Amendment Bill (B11-2016).

## BILLS BEFORE THE PRESIDENT (AS OF 6 OCTOBER 2020)

1. Disaster Management Tax Relief Administration Bill (B12-2020).
2. Disaster Management Tax Relief Bill (B11-2020).
3. Science and Technology Laws Amendment Bill (B42 – 2018).
4. National Land Transport Amendment Bill (B7-2016).

***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.***

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