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Sustainability Legal Specialists (Pty) Ltd

AUGUST 2021 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. Publication of the Consolidated Environmental Implementation and Management Plan 2020/2024 for the Department of Forestry, Fisheries and the Environment. Published in GG 45014 Notice Number 747 dated 20 August 2021.

NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT 39 OF 2004

2. Second Generation Air Quality Management Plan for the Vaal Triangle Airshed Priority Area: Final Plan. Published in GG 44945 Notice Number 693 dated 6 August 2021.

NATURAL SCIENTIFIC PROFESSIONAL ACT 27 OF 2003

3. Recommended consultation fees. Published in GG 44945 Notice Number 98 dated 6 August 2021.
4. Fields of Practice. Published in GG 44981 Notice Number 469 dated 13 August 2021.

AGRICULTURAL PESTS ACT 36 OF 1983

5. Control measures relating to the Polyphagous Shot Hole Borer. Published in GG 44983 Notice Number 725 dated 13 August 2021.

ELECTRICITY REGULATION ACT 4 OF 2006

6. Amendment of Notice relating to Licensing Exemption and Registration Notice. Published in GG 44989 Notice Number 737 dated 12 August 2021.
7. Further amendment of the aforementioned Government Notice published in GG 44989 Notice Number 737 dated 12 August 2021, relating to Licensing Exemption and Registration Notice. Published in GG 45023 Notice Number 751 dated 20 August 2021.

ASTRONOMY GEOGRAPHIC ADVANTAGE ACT 21 OF 2007

8. Promulgation of the revised exempted Radio Frequency Spectrum for the Karoo Central Astronomy Advantage Areas. Published in GG 45045 Notice Number 753 dated 26 August 2021.

PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000

9. Regulations relating to the Promotion of Access to Information, 2021. Published in GG 45057 Notice Number 757 dated 27 August 2021.

PETROLEUM PRODUCTS ACT 120 OF 1977

10. Regulations regarding Petroleum Products Specifications and Standards for Implementation. Published in GG 45068 Notice Number 784 dated 31 August 2021.

SECTION B: SAFETY AND HEALTH (NATIONAL)

THE PHARMACY ACT 53 OF 1974

11. Primary Care Drug Therapy Pharmacist notice. Published in GG 44981 Notice Number 102 dated 13 August 2021.
12. Rules relating to the services to which a pharmacist may levy a fee. Published in GG 44981 Notice Number 101 dated 13 August 2021.
13. Pharmacist who provides immunisation services notice. Published in GG 44981 Notice Number 100 dated 13 August 2021.

MEDICINES AND RELATED SUBSTANCES ACT 101 OF 1965

14. Annual Single Exit Price Adjustment of Medicines and Scheduled Substances for the Year 2022. Published in GG 45022 Notice Number 750 dated 20 August 2021.
15. Exclusion of certain alcohol-based hand-rubs from the operation of specified provisions of the Act. Published in GG 45057 Notice Number 756 dated 27 August 2021.

COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASE ACT 130 OF 1993

16. Privacy Statement of the Compensation Fund. Published in GG 45057 Notice Number 755 dated 27 August 2021.

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

NATIONAL ENVIRONMENTAL MANAGEMENT: INTEGRATED COASTAL MANAGEMET ACT 24 OF 2008

17. Draft Coastal Management Line for Garden Route National Park. Members of the public are invited to submit written comments within 30 days of publication of this notice. Published in GG 44981 Notice Number 720 dated 13 August 2021.

NATIONAL ENVIRONMENTAL MANAGEMENT ACT 107 OF 1998

18. Proposed Regulations pertaining to Financial Provisioning for the Mitigation and Rehabilitation of Environmental Damage caused by Reconnaissance, Prospecting, Exploration, Mining or Production Operations. Members of the public are invited to submit written comments within 40 days of publication of this notice. Published in GG 45058 Notice Numbers 765 and 766 dated 27 August 2021.

INFRASTRUCTURE DEVELOPMENT ACT 23 OF 2014

19. National Infrastructure Plan 2050. Members of the public are invited to submit written comments no later than 17 September 2021. Published in GG 44951 Notice Number 711 dated 10 August 2021.

NATIONAL WATER ACT 36 OF 1998

20. Proposed Reserve Determination for Water Resources of the Breede Gouritz Water Management Area. Members of the public are invited to submit written comments within 60 days of publication of this notice. Published in GG 44945 Notice Number 700 dated 6 August 2021.

AGRICULTURAL PRODUCT STANDARDS ACT 119 OF 1990

21. Proposed amendment to Regulations relating to the protection of geographical indications used on agricultural products intended for sale in the Republic of South Africa. Members of the public are invited to submit written comments within 30 days of publication of this notice. Published in GG 44981 Notice Number 467 dated 13 August 2021.

STANDARDS ACT 8 OF 2008

22. 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 44981 Notice Numbers 470 dated 13 August 2021, in GG 45011 Notice Numbers 489 dated 20 August 2021 and GG 45058 Notice Numbers 507 dated 27 August 2021.

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

23. Directions on the Determination of Extension for the Validity period of Learner's Licences, Driving Licence Cards, Licence Discs, Professional Driving Permits and Registration of Motor Vehicles for Adjusted Alert Level 3. Published in GG 45073 Notice Number 788 dated 31 August 2021.
24. Measures to Prevent and Combat the Spread of COVID-19: Sports, Arts and Culture. Published in GG 44924 Notice Number 674 dated 2 August 2021.
25. Amendment of Directions regarding the Re-opening of Schools and Measures to Address, Prevent and Combat the Spread of COVID-19. Published in GG 44922 Notice Number 442 dated 1 August 2021.
26. Adjusted Alert Level 3 Directions issued in terms of Regulations 4(5) and (10) of the Section 27(2) Regulations. Published in GG 44950 Notice Number 710 dated 10 August 2021.
27. Amendment of Directions issued in terms of Regulation 4(10) of the Section 27(2) Regulations. Published in GG 44924 Notice Number 674 dated 2 August 2021.
28. Directions issued by the Minister of Employment and Labour in terms of Regulation 4(10) of the Section 27(2) Regulations. Published in GG 44978 Notice Number 712 dated 10 August 2021.
29. Extension of a National State of Disaster. Published in GG 44986 Notice Number 733 dated 12 August 2021.
30. Directions issued in terms of Regulation 4(5) and 4(10) of the Section 27(2) Regulations. Published in GG 44938 Notice Number 681 dated 3 August 2021.

MINE HEALTH AND SAFETY ACT 29 OF 1996

31. Guideline for the compilation of a mandatory code of practice for the prevention, mitigation and management of the COVID-19 outbreak. Published in GG 44947 Notice Number 701 dated 6 August 2021.

UNEMPLOYMENT INSURANCE ACT 63 OF 2001

32. Correction Notice: Directions issued by the Minister of Employment and Labour in terms of Regulation 4(10) of the Section 27(2) of Regulations. Published in GG 44980 Notice Number 713 dated 11 August 2021.

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

EASTERN CAPE PROVINCE

33. Matatiele Local Municipality: By-laws relating to keeping of animals, birds, poultry, cats, dogs and pets and businesses involving the keeping of animals, birds, poultry, cats dogs and pets. Published in PG 4603 Notice Number 174 dated 8 August 2021.
34. Municipal Systems Act, 2000 and Spatial Planning and Land Use Management Act, 2013: Adoption of the review of the Eastern Cape Provincial Spatial Development Framework, 2020. Published in PG 4615 Notice Number 210 dated 27 August 2021.

NORTHERN CAPE PROVINCE

35. Spatial Planning and Land Use Management Act 16 of 2013:
 - a. Review of the Spatial Development Framework of Nama Khoi Local Municipality. Published in PG 2436 Notice Number 82 dated 2 August 2021.

- b. Gamagara Local Municipality: Notice of Adopted Spatial Development Framework. Published in PG 2441 Notice Number 33 dated 23 August 2021.
 - c. Gamagara Local Municipality: Notice of Adopted Land Use Scheme. Published in PG 2441 Notice Number 34 dated 23 August 2021.
 - d. Adoption of the Spatial Development Framework for the Frances Baard District Municipality Review, 2021. Published in PG 2439 Notice Number 31 dated 9 August 2021.
36. National Water Act 36 of 1998: Saamfarm Workers Trust Water Usage Rights Application. Published in PG 2441 Notice Number 3 dated 23 August 2021.

KWAZULU NATAL PROVINCE

37. Spatial Planning and Land Use Management Act 16 of 2013: Umhlathuze Local Municipality: Adoption of the Fourth Review of the Spatial Development Framework, 2017/2018-2021/2022. Published in PG 2316 Notice Number 78 dated 1 August 2021.

MPUMALANGA PROVINCE

38. Steve Tshwete Local Municipality:
- a. Electricity By-law, 2021. Published in PG 3287 Notice Number 94 dated 13 August 2021.
 - b. Noise By-laws, 2021. Published in PG 3287 Notice Number 93 dated 13 August 2021.
 - c. Sand Mining By-law, 2021. Published in PG 3287 Notice Number 91 dated 13 August 2021.
39. National Environmental Management: Protected Areas Act 57 of 2003: Declaration of an area as part of an Existing Nature Reserve of Blyderivierspoort Nature Reserve. Published in PG 3289 Notice Number 82 dated 20 August 2021.

WESTERN CAPE PROVINCE

40. National Land Transport Act 5 of 2009: Amendment of Notice of Extraordinary Measures in Declared Areas. Published in PG 8475 Notice Number 82 dated 6 August 2021.
41. Cederberg Municipality: Waste Management By-law. Published in PG 8481 dated 30 August 2021.

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

MPUMALANGA PROVINCE

42. Steve Tshwete Municipal Spatial Development Framework, 2018. Members of the public are invited to submit written comments by 23 August 2021. Published in PG 39 Notice Number 79 dated 6 July 2021.

GAUTENG PROVINCE

43. Gauteng Transport Infrastructure Act 8 of 2001, as amended by Gauteng Transport Infrastructure Amendment Act 6 of 2003: Notice of proposed route determination for Phase 1 of the Gauteng Rapid Rail Integrated Network Extensions. Published in PG 259 Notice Number 624 dated 4 August 2021.

KWAZULU NATAL PROVINCE

51. National Environmental Management: Protected Areas Act 57 of 2003: Notice of intention to declare the Mkhothane Protected Environment. Members of the public are invited to submit written comments within 60 days from the date of publication. Published in PG 2314 Notice Number 83 dated 5 August 2021.
52. Spatial Planning and Land Use Management Act 16 of 2013: Mandeni Local Municipality Draft Spatial Development Framework. Members of the public are invited to submit written

comments within 90 days from the date of publication. Published in PG 2318 Notice Number 15 dated 28 August 2021.

EASTERN CAPE PROVINCE

52. National Environmental Management Act 107 of 1998:

- a. Environmental Impact Assessment Application. Members of the public are invited to submit written comments before or on 20 August 2021. Published in PG 4607 Notice Number 2 dated 9 August 2021.
- b. Environmental Authorisation Application Process. Members of the public are invited to submit written comments. Published in PG 4618 Notice Number 31 dated 30 August 2021.

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 2021)

1. Gas Amendment Bill (B9-2021).
2. Preservation and Development of Agricultural Land Bill (B8-2021).
3. Railway Safety Bill (B7-2021).
4. Disaster Management Amendment Bill (B2-2021).
5. Animals Protection Amendment Bill (B1-2021).
6. Economic Regulation of Transport Bill (B1-2020).
7. National Road Traffic Amendment Bill (B7-2020).
8. Employment Equity Amendment Bill (B-14-2020).
9. Compensation for Occupational Injuries and Disease Amendment Bill (B21-2020).
10. Independent Electricity Management Operator Bill (B14-2019).
11. National Health Insurance Bill (B11 – 2019).
12. National Health Amendment Bill (B29 – 2018).
13. National Environmental Management Laws Amendment Bill (B12-2017).
14. National Forests Amendment Bill (B11-2016).

BILLS BEFORE THE PRESIDENT (AS OF 3 SEPTEMBER 2021)

1. National Land Transport Amendment Bill (B7-2016).

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