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Sustainability Legal Specialists (Pty) Ltd

JANUARY 2022 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

SECTION A: ENVIRONMENTAL (NATIONAL)

NATIONAL ENVIRONMENTAL MANAGEMENT AIR QUALITY ACT 39 OF 2004

1. Methodological Guidelines for Quantification of Greenhouse Gas Emissions – Carbon Sequestration in the Forestry Industry. Published in GG 45816 Notice Number 1700 dated 28 January 2022.

NATIONAL WATER ACT 36 OF 1998

2. Reserve determination for Water Resources of the Mokolo and Matlabas Catchments. Published in GG 455735 Notice Number 1669 dated 14 January 2022.

NATIONAL ROAD TRAFFIC ACT 93 OF 1996

3. Determination of Commencement Date for Regulations 8 [Manner of application for registration of motor vehicle] and 18 [Motor vehicle to be licensed] of the Twenty Second Amendment to the National Road Traffic Regulations, 2000 under the Act. Published in GG 45847 Notice Number 1713 dated 31 January 2022.

TAXATION LAW AMENDMENT ACT 20 OF 2021

4. Amendment of Carbon Tax Act, 2019. Published in GG 45787 Notice Number 770 dated 19 January 2022.

STANDARD ACT 8 OF 2008

5. Issuance of CoC for Electromagnetic Compatibility for Manufacturers. Published in GG 45717 Notice Number 751 dated 3 January 2022

SECTION B: SAFETY AND HEALTH (NATIONAL)

6. No applicable or relevant National Safety and Health legislative updates were published in January 2022.

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

PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013

7. Notice in terms of Section 61 (2) of the Protection of the Act. Members of the public are invited to submit written comments before 29 January 2022. Published in GG 45778 Notice Numbers 1685 dated 19 January 2022.

NATIONAL ENVIRONMENT MANAGEMENT ACT 107 OF 1998

8. Notice calling for submission of comments and information to the Isimangaliso panel of experts. Members of the public are invited to submit written comments within 30 days of publication. Published in GG 45790 Notice Numbers 1688 dated 20 January 2022

CIVIL AVIATION ACT 13 OF 2009

9. Draft amendments to the Civil Aviation Regulations, 2011. Members of the public are invited to submit written comments on or before 17 February 2022. Published in GG 45777 Notice Number 1684 dated 18 January 2022.

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).

10. Extension of a National State of Disaster for Covid-19. Published in GG 45754 Notice Number 1672 dated 14 January 2022.
11. Classification of National Disaster in terms of Section 23 of the Ac issued in terms of Severe Weather Events. Published in GG 45789 Notice Number 1687 dated 19 January 2022.

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

LIMPOPO PROVINCE

12. Spatial Planning and Land Use Management Act 16 of 2013: Notice for Establishment and Commencement of the Thulamela Municipal Planning Tribunal and Municipal Appeal Authority. Published in PG 3226 Notice Number 166 dated 14 January 2022.
13. Limpopo Environmental Management Act 7 of 2003: Section 31 (1) of the Act: Open season to hunt game. Published in PG 3231 Notice Number 171 dated 21 January 2022 and in PG 3233 Notice Number 171 dated 28 January 2022.

FREE STATE PROVINCE

14. Declaration of the Upper Wilge Protected Environment. Published in PG 83 Notice Number 91 dated 21 January 2022.

NORTHERN CAPE PROVINCE

15. National Environmental Management: Protected Areas Act (107/1998 – NEMA)): Notification: Environmental Authorisation Application Process. Published in PG 2475 Notice Number 147 dated 28 January 2022.

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

GAUTENG PROVINCE

16. National Environmental Management: Biodiversity Act 10 of 2004: Invitation for comments: Intended Determination of BioRegion, and Publication of BioRegional Plan, for City of Ekurhuleni Metropolitan Municipality. Members of the public are invited to submit written comments within 30 days from the date of publication. Published in PG 16 Notice Number 47 dated 21 January 2022.

WESTERN CAPE PROVINCE

17. Overberg District Municipality: Drafting of the Spatial Development Framework. Members of the public are invited to submit written comments on or before 15 March 2022. Published in PG 8532 dated 14 January 2022.
18. Nature Conservation Ordinance 19 of 1974: Notice of Intention to Abolish Drafts and Nature Reserve in terms of the Department of Environmental Affairs and Development. Members of the public are invited to submit written comments within 60 days from the date of publication of this notice. Published in PG 8535 Notice Number 4 dated 21 January 2022.

19. National Environmental Management: Integrated Coastal Management Act 24 of 2008: Draft Estuarine Management Plans. Members of the public are invited to submit written comments on or before 4 March 2022. Published in PG 8538 Notice Number 6 dated 28 January 2022 and in PG 8538 Notice Number 7 dated 28 January 2022.

FREE STATE PROVINCE

20. Publication of the Free State Integrated Local Economic Development and Transformation Bill. Members of the public are invited to submit written comments on or before 11 February 2022. Published in PG 85 Notice Number 124 dated 28 January 2022.

PART TWO: PARLIAMENTARY MONITORING

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

BILLS BEFORE PARLIAMENT (AS OF 31 JANUARY 2022)

1. Marine Pollution (Prevention of Pollution from Ships) Amendment Bill (B5- 2022)
2. Agricultural Product Standards Amendment Bill (B15 – 2021).
3. Animals Protection Amendment Bill (B1 – 2021).
4. Cannabis for Private Purposes Bill (B19 – 2020).
5. Compensation for Occupational Injuries and Disease Amendment Bill (B21 – 2020).
6. Disaster Management Amendment Bill (B2 – 2021).
7. Economic Regulation of Transport Bill (B1 – 2020).
8. Employment Equity Amendment Bill (B14 – 2020).
9. Gas Amendment Bill (B9 – 2021).
10. Independent Electricity Management Operator Bill (B14 – 2019).
11. Local Government: Municipal Systems Amendment Bill (B2 – 2018).
12. National Environmental Management Laws Amendment Bill (B12 – 2017).
13. National Forests Amendment Bill (B11 – 2016).
14. National Health Insurance Bill (B11 – 2019).
15. National Land Transport Amendment Bill (B7 – 2016).
16. National Road Traffic Amendment Bill (B7 – 2020).
17. National Veld and Forest Fire Amendment Bill (B24 – 2021)
18. Preservation and Development of Agricultural Land Bill (B8 – 2021).
19. Railway Safety Bill (B7 – 2021).
20. Upstream Petroleum Resources Development Bill (B13 – 2021).

BILLS BEFORE THE PRESIDENT (AS OF 31 JANUARY 2022)

1. Civil Aviation Amendment Bill (B44 – 2018).

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