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Sustainability Legal Specialists (Pty) Ltd

MAY 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.

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PART TWO: PARLIAMENTARY MONITORING

SECTION A: ENVIRONMENTAL (NATIONAL)

NATIONAL ENVIRONMENT MANAGEMENT ACT 107 OF 1998

1. Amendments to the Financial Provisioning Regulations, 2015. Published in GG 46378 NN 2087 dated 19 May 2022.

NATIONAL LAND TRANSPORT ACT 22 OF 2009

2. White Paper on the National Rail Policy, March 2022. Published in GG 46356 NN 2077 dated 12 May 2022 and in GG 46422 NN 1050 dated 27 May 2022.

ANIMAL DISEASE ACT 35 OF 1984

3. Control measures relating to foot and mouth disease in certain areas. Published in GG 46350 NN 2075 dated 10 May 2022.

PETROLEUM PRODUCTS ACT 120 OF 1977

4. Liquefied Petroleum Gas Rollout Strategy. Published in GG 46358 NN 2080 dated 13 May 2022.

PLANT BREEDER'S RIGHTS ACT 15 OF 1976

5. Amendment to the Regulations relating to Plant Breeder's Rights. Published in GG 46382 NN 2098 dated 20 May 2022.

SECTION B: SAFETY AND HEALTH (NATIONAL)

OCCUPATIONAL HEALTH AND SAFETY ACT 85 OF 1993

6. Asbestos Abatement Regulations, 2020. Published in GG 46380 NN 2092 dated 20 May 2022.
7. Commercial Diving Regulations, 2022. Published in GG 46380 NN 2091 dated 20 May 2022.

NATIONAL RAILWAY SAFETY REGULATION ACT 16 OF 2002

8. Determination of Permit Fees under section 23(2) of the Act. Published in GG 46366 NN 2084 dated 13 May 2022.

NATIONAL HEALTH ACT 61 OF 2003

9. Amendment to the Regulations relating to the Surveillance and the Control of Notification Medical Conditions. Published in GG 46319 NN 2060 dated 4 May 2022.

EMPLOYMENT EQUITY ACT 55 OF 1998

10. Public Register Notice. Published in GG 46322 NN 2064 dated 6 May 2022.

MEDICINES AND RELATED SUBSTANCES ACT 101 OF 1965

11. Notification of registration of medicines in terms of section 17 of the Act. Published in GG 46358 NN 2079 dated 13 May 2022.

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

NATIONAL HEALTH ACT 61 OF 2003 AND INTERNATIONAL HEALTH REGULATIONS ACT 28 OF 1974

12. An extension of comment period for the regulations relating to surveillance and the control of notifiable medical conditions: Amendment; regulations relating to public health measures in

points of entry; regulations relating to the Management of Human Remains and regulations relating to Environmental Health. Comment period has been extended for 3 months from the date of publication of this notice. Published in GG 46319 NN 2061 dated 4 May 2022.

NATIONAL ENVIRONMENTAL MANAGEMENT ACT 107 OF 1998

13. Suspension and postponement of compliance with the minimum emission standards and the applications for the issuance of Provisional Atmospheric Emission Licences. Members of the public are invited to submit written comments within 14 days from the date of publication of this gazette. Published in GG 6355 NN 2076 dated 12 May 2022.

NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT 59 OF 2008

14. Consultation on the intention to take a decision on applications for the exclusion of a waste stream or a portion of such a waste stream for beneficial use from the definition of waste. Members of the public are invited to submit written comments within 30 days from the date of publication of this notice. Published in GG 46389 NN 2106 dated 20 May 2022.

DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENTAL

15. Stockholm and Rotterdam Conventions: Request for information on chemicals to be recommended for listing at the 10th Conference of the Parties (COP Members of the public are invited to submit written comments within 30 days of publication. Published in GG 46347 NN 2073 dated 10 May 2022.

NATIONAL WATER ACT 36 OF 1998

16. Proposal for the amendment of the Vaal River Catchment Management Agency Area through the extension of the boundaries and operational area to include the Orange Water Management Area in terms of section 78(4) of the Act. Published in GG 46422 NN 2116.

WATER SERVICE ACT 108 OF 1997

17. Intention to disestablish Sedibeng Water (SW) and transferring of staff; assets and liabilities into both Magalies Water and Bloem Water. Members of the public are invited to submit written comments within 40 days from the date of publication of this notice. Published in GG 46393 NN 2107 dated and in GG 46422 NN 2117 dated 27 May 2022.

CIVIL AVIATION ACT 13 OF 2009

18. Civil Aviation Regulations, 2011. Members of the public are invited to submit written comments before or on 11 June 2022. Published in GG 46366 NN 2085 dated 13 May 2022.

STANDARDS ACT 8 OF 2008

19. Drafts for comments: Amendment of existing standards; Withdrawal of the South African National Standards; Withdrawal of informative and normative documents; Issuing of the South African National Standards. Published in GG 46382 NN1037 dated 20 May 2022.

THE INFRASTRUCTURE DEVELOPMENT ACT 23 OF 2014

20. Country Investment Strategy for comments. Members of the public are invited to submit written comments within 30 days from the date of publication. Published in GG 46382 Notice Number 1035 dated 20 May 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).

DISASTER MANAGEMENT ACT 57 OF 2002

No applicable or relevant COVID – 19 legislative updates were published in May 2022.

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

NORTHERN CAPE PROVINCE

21. Spatial Planning and Land Use Management Act 16 of 2013 and Section 13 of Local Government: Municipal Systems Act 32 of 2000: Compilation of an all – inclusive Land Use Management Scheme:
- for the Karoo Hoogland Municipality. Published in PG 2500 NN 82 dated 2 May 2022.
 - for the Kareeberg Municipality. Published in PG 2500 NN 83 dated 2 May 2022.
 - Ubuntu Local Municipality: Compilation of an All-Inclusive Land Use Management Scheme (LUMS) for the Ubuntu Municipality. Published in PG 2506 NN 86 dated 23 May 2022.
 - Compilation of an all-inclusive Land Use Scheme for the Siyancuma Local Municipality. Published in PG 2507 NN 217 dated 30 May 2022.
 - Compilation of an all-inclusive land use scheme for the Emthanjeni Local Municipality. Published in PG 2507 NN 210 dated 30 May 2022.
24. Spatial Planning and Land Use Management Act 10 of 2013: Approval of the updated Spatial Development Framework, as well as a single Land Use Management System (Land Use Scheme, Manual & Application Procedure and Application Form – LUMS) and By-law on Land Use Management for the Khâi-Ma Municipality. Published in PG 2503 NN 202 dated 9 May 2022.
25. National Water Act 36 of 1998: Namakwa and Pixley ka Seme District Municipalities Groundwater Use, limiting the use of water in terms of Item 6 of Schedule 3. Published in PG 2507 NN 218 dated 30 May 2022.

WESTERN CAPE PROVINCE

26. Department of Environmental Affairs and Development Planning: Declaration of Twee Rivieren Nature Reserve. Published in PG 8586 NN 51 dated 29 April 2022.

NORTH WEST PROVINCE

27. Ramotshere Moiloa Spatial Planning and Land Use Management By-law, 2017: Notice of Adopted Spatial Development Framework. Published in PG 8361 NN 191 dated 31 May 2022.

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

EASTERN CAPE PROVINCE

28. National Environmental Management: Integrated Coastal Management Act 24 of 2008. Consultation process in terms of Section 33(1) of the Act. Draft on the Qinirha Estuarine Management Plan. Members of the public are invited to submit written comments within 30 days from the date of publication. Published in PG 4731 NN 285 dated 2 May 2022.

29. Constitution, Act 108 of 1996: Kouga Municipality: Notice No. 79/2022 Public Invitation for comments to the Draft Waste Management By-laws of Kouga Municipality. Members of the public are invited to submit written comments within 30 days from the date of publication. Published in PN 749 NN 458 dated 30 May 2022.

GAUTENG PROVINCE

30. Spatial Planning and Land Use Management Act 16 of 2013: Draft on the Lesedi Local Municipality Spatial Development Framework (2022). Members of the public are invited to submit written comments within 60 days from 4 May 2022 to 4 July 2022. Published in PG 151 NN 528 dated 4 May 2022.

31. Gauteng Transport Infrastructure Act 8 of 2001:

a. Notice of Route Determination of a Railway Line in terms of the Act, as amended by Gauteng Transport Infrastructure Amendment Act (6/2003): Gauteng Department of Roads and Transport. Members of the public are invited to submit written comments within 30 days of publication. Published in PG 173 NN 380 dated 25 May 2022.

b. Notice of Acceptance of New and Amended Sections of Provincial Routes. Members of the public are invited to submit written comments within 30 days of publication. Published in PG 173 NN 374 dated 25 May 2022 and in PG 173 NN 373 dated 25 May 2022.

NORTH WEST PROVINCE

32. Municipal Systems Act 32 of 2000: Naledi Local Municipality: Public notice of Draft Spatial Development Framework and Draft Vryburg CBD Precinct Plan. Members of the public are invited to submit written comments within 60 days of publication. Published in PG 8355 NN 303 dated 17 May 2022 and in PG 8359 NN 304 dated 24 May 2022.

NORTHERN CAPE PROVINCE

33. Spatial Planning and Land Use Management Act 16 of 2013: Review of the Dakgatlona Spatial Development Framework. Members of the public are invited to submit written comments on or before 2 July 2022. Published in PG 2500 NN 81 dated 2 May 2022.

WESTERN CAPE PROVINCE

34. Department of Environmental Affairs and Development Planning: Land Development Application for the Development of a Sand Mine. Members of the public are invited to submit written comments within 21 days of this publication. Published in PG 8587 dated 6 May 2022.

35. City of Cape Town: Invitation for Public Comment on the Draft Diep Estuarine Management Plan. Members of the public are invited to submit written comments on or before 30 June 2022 of publication. Published in PG 8596 dated 27 May 2022.

FREE STATE PROVINCE

36. Spatial Planning and Land Use Management Act 16 of 2013: Local Municipality: Development Framework of Setsoto Local Municipality in terms of the Act. Members of the public are invited to submit written comments on or before the 13th of July 2022. Published in PG 12 NN 25 dated 13 May 2022.

KWAZULU NATAL PROVINCE

37. Spatial Planning and Land Use Management Act 16 of 2013: Amajuba District Draft Spatial Development Framework (SDF). Members of the public are invited to submit written comments on or before 30 June 2022 of publication. Published in PG 2405 NN 144 dated 26 May 2022.

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PART TWO: PARLIAMENTARY MONITORING

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

BILLS BEFORE PARLIAMENT (AS OF 31 MAY 2022)

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

BILLS BEFORE THE PRESIDENT (AS OF 31 MAY 2022)

1. Civil Aviation Amendment Bill (B44 – 2018).
2. Employment Equity Amendment Bill (B14 – 2020).
3. Local Government: Municipal Systems Amendment Bill (B2 – 2019).
4. National Environmental Management Laws Amendment Bill (B12 – 2017).
5. National Forests Amendment Bill (B11 – 2016).

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