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JULY 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)

ANIMAL DISEASES ACT 35 OF 1984

1. Amendment of Animal Diseases Regulations. Published in GG 47133 NN 2318 dated 29 July 2022.

DISASTER MANAGEMENT ACT 57 OF 2002

2. Extension of a National State of Disaster: Impact of Severe Weather Events. Published in GG 47048 NN 2294 dated 18 July 2022.

MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT 28 OF 2002

3. Amendment of the Mineral and Petroleum Resources Development Regulations, 2004. Published in GG 46673 NN 2243 dated 6 July 2022.

NATIONAL ENVIRONMENTAL MANAGEMENT ACT 107 OF 1998

4. Adoption of the Standard for the Development and Expansion of Power Lines and Substations within Identified Geographical Areas and the Exclusion of this Infrastructure from the requirement to obtain an Environmental Authorisation. Published in GG 47095 NN 2313 dated 27 July 2022.
5. Amendment of the section 24H Registration Authority Regulations, 2016. Published in GG 47133 NN 2320 dated 29 July 2022.

NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT 39 OF 2004

6. Draft 8th National Inventory Report for the Republic of South Africa. Published in GG 47133 NN 2321 dated 29 July 2022.

NATIONAL ENVIRONMENTAL MANAGEMENT: INTERGRATED COASTAL MANAGEMENT ACT 24 OF 2008 (“NEM:ICMA”)

7. General Discharge Authorisation in terms of section 69(2) of NEM:ICMA. Published in GG 47019 NN 2290 dated 15 July 2022.

NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT 59 OF 2008

8. Extension of Reporting Period by Identified Producer Responsibility Organisations and Producers to the Extended Producer Responsibility Online System until **31 August 2022**. Published in GG 47134 NN 2328 dated 27 July 2022.

NATIONAL FOREST AMENDMENT ACT 1 OF 2002 (“NFAA”)

9. Promulgation of the NFAA. Published in GG 46650 NN 1131 dated 1 July 2022.

NATIONAL WATER ACT 36 OF 1998

10. Review of the National Water Resources Strategy. Published in GG 47133 NN 2327 dated 29 July 2022.

WATER SERVICE ACT 108 OF 1997

11. Disestablishment of Sedibeng Water. Published in GG 47094 NN 2310 dated 26 July 2022.
12. Extension of area of:
 - a. Bloem Water. Published in GG 47094 NN 2311 dated 26 July 2022.
 - b. Magalies Water. Published in GG 47094 NN 2312 dated 26 July 2022.

WORLD HERITAGE CONVENTION ACT 49 OF 1999

13. Amended Format and Procedure for nomination of World Heritage Sites in the Republic of South Africa. Published in GG 46649 NN 2224 dated 1 July 2022 and Published in GG 46685 NN 2251 dated 8 July 2022.

SECTION B: SAFETY AND HEALTH (NATIONAL)

LABOUR RELATIONS ACT 66 OF 1995

14. Withdrawal of Code of Practice: Managing Exposure to SARS-CoV-2 in the Workplace, 2022. Published in GG 47062 NN 2308 dated 22 July 2022.

COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT 130 OF 1993

15. Amended Notice informing Employers of COIDA Compliance and Intentions to Conduct Employer COIDA Audits and Employer Site Visits. Published in GG 47018 NN 1151 dated 14 July 2022 and Published in GG 47016 NN 1149 dated 14 July 2022.

OCCUPATIONAL HEALTH AND SAFETY ACT 85 OF 1993 ("OHSA")

16. Notice of Exemption in terms of section 40 of OHSA, read with regulation 3 (4) of the General Safety Regulations. Published in GG 46667 NN 2240 dated 6 July 2022.
17. Notice regarding the Implementation of Regulation 8 of the Commercial Diving Regulations, 2022. Published in GG 46668 NN 2241 dated 6 July 2022.
18. Notice of Direction in terms of section 27 (2) of OHSA, read with regulation 3 (11) of the Commercial Diving Regulations: Renewal of Diving Entities previously issued by the Department of Employment and Labour. Published in GG 46669 NN 2242 dated 6 July 2022.
19. Schedule of Fees to Register Entities with the Department of Employment and Labour, as from **1 July 2022**. Published in GG 47109 NN 2317 dated 29 July 2022.

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

CIVIL AVIATION ACT 13 OF 2009

20. Amendment to the Civil Aviation Regulations, 2011. Members of the public are invited to submit written comments on or before **30 July 2022**. Published in GG 46649 NN 1086 dated 1 July 2022.

CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA 108 OF 1996 ("Constitution")

21. Proposed amendment to section 6 of the Constitution. Members of the public are invited to submit written comments within 30 working days after the date of publication. Published in GG 47049 NN 1156 dated 19 July 2022.

CYBERCRIME ACT 19 OF 2020

22. Draft Standard Operating Procedures for the Investigation, Search, Access or Seizure of Articles ("Standard Operating Procedures"). Members of the public are invited to submit written comments no later than **15 August 2022**. Published in GG 47021 NN 2292 dated 15 July 2022.

BROAD-BASED BLACK ECONOMIC EMPOWERMENT ACT 53 OF 2003

23. Draft to the Legal Sector Code. Members of the public are invited to submit written comments within 60 days from the date of publication. Published in 47061 NN 1165 dated 22 July 2022.

GAME MEAT STRATEGY FOR SOUTH AFRICA, 2022

24. Consultation on the draft Game Meat Strategy for 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 47024 NN 2293 dated 18 July 2022.

INFRASTRUCTURE DEVELOPMENT ACT 23 OF 2014

25. Extension of Deadline for submission of Written Comments. Members of the public were invited to submit written comments on or before 27 July 2022. Published in GG 46675 NN 2245 dated 1 July 2022.

NATIONAL ENVIRONMENTAL MANAGEMENT ACT 107 OF 1998 (“NEMA”)

26. Intention to Repeal and Replace the Regulations to Domesticated the Requirements of the Rotterdam Convention on the Prior Informed Consent Procedure for certain Hazardous Chemicals and Pesticides in International Trade. Members of the public are invited to submit written comments within 30 days from the date of publication of this Gazette. Published in GG 46665 NN 2239 dated 5 July 2022.

27. Intention to Prescribe Minimum Requirements for Submission of Applications for an Authorisation, Right, Permit or Licence for the Onshore Exploration of Oil and Gas intending to utilize Hydraulic Fracturing. Members of the public are invited to submit written comments within 45 days from the date of publication of this Gazette. Published in GG 46688 NN 2265 dated 8 July 2022.

28. 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 45 days from the date of publication of this Gazette. Published in GG 47112 NN 2272 dated 11 July 2022.

29. Proposed Regulations Pertaining to the Exploration and Production of Onshore Oil and Gas Requiring Hydraulic Fracturing. Members of the public are invited to submit written comments within 45 days from the date of publication of this Gazette. Published in GG 47112 NN 2273 dated 11 July 2022.

30. Intention to amend the Procedures for the Assessment and Minimum Criteria for Reporting on Identified Environmental Themes in terms of sections 24 (5) (a) and (h) and 44 of NEMA, when applying for Environmental Authorisation. Members of the public are invited to submit written comments within 45 days from the date of publication of this Gazette. Published in GG 47112 NN 2274 dated 11 July 2022.

NATIONAL ENVIRONMENTAL MANAGEMENT: BIODIVERSITY ACT 10 OF 2004

31. Consultation on the Draft White Paper on Conservation and Sustainable Use. Members of the public are invited to submit written comments within 60 days from the date of publication of this notice. Published in GG 46687 NN 2252 dated 8 July 2022.

32. Draft African Penguin Biodiversity Management Plan. Members of the public are invited to submit written comments within 30 days from the date of publication. Published in GG 47061 NN2302 dated 22 July 2022.

NATIONAL HERITAGE RESOURCES ACT 25 OF 1999

33. Proposed revised schedule of fees for applications made to the South African Heritage Resources Agency (SAHRA). Members of the public are invited to submit written comments no later than 1 October 2022.

PLANT BREEDER’S RIGHTS ACT 15 OF 1976

34. Receipt of Applications for Plant Breeder's Rights. Members of the public are invited to submit written comments within 3 months from the date of publication. Published in GG 47061 NN 2300 dated 22 July 2022.

PETROLEUM PRODUCTS ACT 120 OF 1977

35. Petroleum Products Amendment Bill, 2022: Intention to Introduce a Private Member’s Bill into Parliament. Members of the public are invited to submit written comments within 60 days from the date of publication of this notice. Published in GG 46688 NN 1142 dated 8 July 2022.

STANDARDS ACT 8 OF 2008

36. 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 47017 NN 1150 dated 8 July 2022, in GG 47061 NN 1163 dated 22 July 2022 and in GG 47133 NN 1190.

WORLD HERITAGE COVENTION ACT 49 OF 1999

37. Intention to declare Management Authorities for Robben Island Museum World Heritage Site and Ukhahlamba Drakensberg Park World Heritage Site, the South African Component of Maloti-Drakensberg Park World Heritage Site under the Act. Members of the public were invited to submit written comments within 30 days from the date of publication of this Gazette. Published in GG 46546 NN 1086 dated 1 July 2022.

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

MPUMALANGA PROVINCE

38. Spatial Planning and Land Use Management Act 16 of 2013: Dipaleseng Local Municipality Land Use Scheme, 2022. Published in PG 3388 NN 145 dated 17 June 2022.
39. Bushbuckridge Spatial Planning and Land Use Management By-law, 2022: Final: 17 March 2022. Published in PG 3397 NN 190 dated 1 July 2022.
40. Steve Tshwete Local Municipality: Integrated Waste Management By-laws, 2022. Published in PG 397 NN 193 dated 1 July 2022.

NORTHERN CAPE PROVINCE

41. Spatial Planning and Land Use Management Act 16 of 2013: Compilation of an All-inclusive Land Use Scheme (LUS) for the Siyathemba Local Municipality. Published in PG 2517 NN 241 dated 4 July 2022.

KWAZULU NATAL PROVINCE

42. Spatial Planning and Land Use Management Act 16 of 2013: uMhlatuze Local Municipality: Adoption of the Fifth Generation Spatial Development Framework (SDF), 2022/2023 – 2026/2027. Published in PG 2424 NN 179 dated 30 June 2022.

EASTERN CAPE PROVINCE

43. Sarah Baartman District: Final Fire Services By-law, 2021. Published in PG 4769 NN 65 dated 11 July 2022.

GAUTENG PROVINCE

44. Air Quality Management By-laws: Rand West City Local Municipality. Published in PG 263 NN 1113 dated 6 July 2022.
45. Rand West City Local Municipality: Integrated Waste Management By-laws. Published in PG 263 NN 1148 dated 6 July 2022.

FREE STATE PROVINCE

46. Letsemeng Land Use Scheme, 2022. Published in PG 30 dated 1 July 2022.
47. Dihlabeng Local Municipality Electricity Supply By-law Schedule Table Of Contents. Published in PG 40 NN 47 dated 29 July 2022.
48. Dihlabeng Local Municipality Environmental Management By-law. Published in PG 40 NN 49 dated 29 July 2022.

49. Dihlabeng Local Municipality Fire and Emergency Services By-law. Published in PG 40 NN 50 dated 29 July 2022.
50. Dihlabeng Local Municipality Storm Water By-laws. Published in PG 40 NN 63 dated 29 July 2022.
51. Dihlabeng Local Municipality Refuse Removal By-laws. Published in PG 40 NN 61 dated 29 July 2022.
52. Dihlabeng Local Municipality Waste Management By-laws. Published in PG 40 NN 66 dated 29 July 2022.
53. Dihlabeng Local Municipality Water Services By-laws. Published in PG 40 NN 67 dated 29 July 2022.

LIMPOPO PROVINCE

54. Greater Giyani Municipality: Cemetery By-laws and Waste Management By-laws. Published in PG 30 dated 1 July 2022.
55. Colins Chabane Local Municipality: Waste Management By-law. Published in PG 3309 NN 412 dated 22 July 2022.

WESTERN CAPE PROVINCE

56. Cape Agulhas Municipality: By-law on Municipal Land Use Planning, 2022. Published in PG 8632 dated 15 July 2022.

NORTH WEST PROVINCE

57. Local Government Municipal Systems Act 32 of 2000: City of Matlosana: Amendment of Electricity By-laws in order to Provide for Small Scale Imbedded Generation (SSEG) Installation. Published in PG 8391 NN 221 dated 26 July 2022.

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

MPUMALANGA PROVINCE

58. Municipal Systems Act 32 of 2000: Dr JS Moroka Local Municipality: Draft Prevention and Suppression of Nuisance By-law. Members of the public are invited to submit written comments within 60 days from the date of publication. Published in PG 3390 NN 149 dated 24 June 2022 and Published in PG 3397 NN 155 dated 1 July 2022.
59. Emalahleni Spatial Planning and Land Use Management By-law, 2016: Notice of the review of the Emalahleni Municipality Spatial Development Framework. Published in PG 3412 NN 171 dated 29 July 2022.

KWAZULU NATAL PROVINCE

60. Spatial Planning and Land Uses Management Act 16 of 2013. uMgungundlovu District Municipality: Request for comment on the Draft uMgungundlovu District Municipality's Spatial Development Framework. Members of the public are invited to submit written comments within 60 days from the date of publication. Published in PG 2430 NN 188 dated 30 June 2022.

LIMPOPO PROVINCE

61. Municipal System Act 32 of 2000: Draft Polokwane Integrated Land Use Scheme, 2022. Members of the public are invited to submit written comments within 60 days from the date of first publication of this notice. Published in PG 3295 NN 385 dated 1 July 2022.
62. Draft of the Greater Letaba Municipal Spatial Planning and Land Use Management By-law, 2016. Members of the public are invited to submit written comments within 60 days from 15 July 2022. Published in PG 3302 NN 189 dated 15 July 2022 and Published in PG 3309 NN 189 dated 22 July 2022.

WESTERN CAPE PROVINCE

63. City of Cape Town: Comment on the City of Cape Town's Spatial Development Frameworks. Members of the public are invited to submit written comments within 30 days of this publication. Published in PG 8617 dated 24 June 2022.

EASTERN CAPE STATE PROVINCE

64. Notice of Matatiele Local Municipality's Draft Land Use Management Scheme. Members of the public are invited to submit written comments within 60 days from the date of publication of this notice. Published in PG 4778 NN 507 dated 25 July 2022.

65. Spatial Planning & Land Use Management Act 16 of 2013: Koukamma Local Municipality: Draft Koukamma Spatial Development Framework (SDF). Members of the public are invited to submit written comments on or before **13 September 2022**. Published in GG 4776 NN 339 dated 18 July 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 JULY 2022)

1. Climate Change Bill (B9-2022).
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. Economic Regulation of Transport Bill (B1 – 2020).
7. Gas Amendment Bill (B9 – 2021).
8. Independent Electricity Management Operator Bill (B14 – 2019).
9. Marine Oil Pollution (Preparedness, Response and Cooperation) Bill
10. Marine Pollution (Prevention of Pollution from Ships) Amendment Bill (B5- 2022)
11. National Health Insurance Bill (B11 – 2019).
12. National Land Transport Amendment Bill (B7 – 2016).
13. National Road Traffic Amendment Bill (B7 – 2020).
14. National Veld and Forest Fire Amendment Bill (B24 – 2021)
15. Preservation and Development of Agricultural Land Bill (B8 – 2021).
16. Railway Safety Bill (B7 – 2021).
17. Upstream Petroleum Resources Development Bill (B13 – 2021).

BILLS BEFORE THE PRESIDENT (AS OF 31 JULY 2022)

1. Employment Equity Amendment Bill (B14 – 2020).
2. Local Government: Municipal Systems Amendment Bill (B2 – 2019).

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