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NOVEMBER 2023 SHE LEGISLATION UPDATE

SAFETY, HEALTH & ENVIRONMENTAL (SHE) LEGISLATION UPDATE

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PART TWO: PARLIAMENTARY MONITORING

SECTION A: ENVIRONMENTAL (NATIONAL)

National Water Act 36 of 1998 (NWA)

1. Transformation of:
 - a. Cogmanskloof Irrigation Board into Cogmanskloof Water User Association, in terms of Section 98 (6) of NWA. Published in GG 49720 NN 4077 dated 17 November 2023.
 - b. Smalblaar Irrigation Board into Smalblaar Water User Association, in terms of Section 98 (6) of the NWA. Published in GG 49720 NN 4078 dated 11 November 2023.
 - c. Buffelsjagsriver Irrigation Board into Buffelsjagsriver Water User Association, in terms of Section 98 (6) of the NWA. Published in GG 49720 NN 4079 dated 17 November 2023.
 - d. Amalgamation of Vyeboom & Houtveld Irrigation Boards into the Vyeboom Water User Association, in terms of Section 98 (6) of the NWA. Published in GG 49720 NN 4080 dated 17 November 2023.
 - e. Underberg Irrigation Board into the Underberg Water User Association, in terms of Section 98 (6) of the NWA. Published in GG 49720 NN 4081 dated 17 November 2023.
 - f. Mooi River Irrigation Board into Mpofana Water User Association, in terms of Section 98 (6) of the NWA. Published in GG 49720 NN 4082 dated 17 November 2023.
 - g. Mvoti Irrigation Board into Upper Mvoti Water User Association, in terms of Section 98 (6) of the NWA. Published in GG 49720 NN 4083 dated 17 November 2023.
 - h. Pholela Irrigation Board into Pholela Water User Association, in terms of Section 98 (6) of the NWA. Published in GG 49720 NN 4084 dated 17 November 2023.
 - i. Umzikhulwana Irrigation Board into Umzikhulwana Water User Association, in terms of Section 98 (6) of the NWA. Published in GG 49720 NN 4085 dated 17 November 2023.
 - j. Egmont Irrigation Board into Vanstadensrus Water User Association, in terms of Section 98 (6) of the NWA. Published in GG 49720 NN 4086 dated 17 November 2023.

National Environmental Management: Biodiversity Act 10 of 2004

2. Amendments to Appendices I and II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Published in GG 49774 NN 4116 dated 28 November 2023.

Disaster Management Act 57 of 2001 (DMA)

3. Classification of a National Disaster in terms of section 23 of the DMA: Impact of Severe Weather in:
 - a. KwaZulu-Natal. Published in GG 49611 NN 4034 dated 7 November 2023.
 - b. Eastern Cape and Western Cape. Published in GG 49612 NN 4035 dated 7 November 2023.

National Land Transport Act 5 of 2009

4. Publication of Final Operating Licence Conditions as determined by the Western Cape Province Regulatory Entity and stipulated by Planning Authorities. Published in GG 49764 NN 2198 dated 23 November 2023.

SECTION B: SAFETY AND HEALTH (NATIONAL)

Compensation for Occupational Injuries and Diseases Act 130 of 1993

5. As amended: Final reminder for the submission of 2022 and prior years outstanding return of earnings (ROE's). Published in GG 49643 NN 2164 dated 9 November 2023.
6. As amended: Update to the Schedule 3 List of Occupational Diseases. Published in GG 49722 NN 4091, GG 49726 NN 4093 dated 16 November 2023 and GG 49655 NN 4054 dated 10 November 2023.

Civil Aviation Act 13 of 2009

7. Twenty-Eighth Amendment of the Civil Aviation Regulations, 2023. Published in GG 49657 NN 4057 dated 10 November 2023.

Health Professional Act 56 of 1974 (HPA)

8. Proposed Amendments to the Ethical Rules of Conduct for Practitioners Registered under the HPA. Published in GG 49790 NN 510 dated 17 November 2023.

Labour Relations Act 66 of 1995 (LRA)

9. As amended: Notice published by the Essential Services Committee in terms of section 71, read with section 71 (8) of the Act. Published in GG 49757 NN 2190 dated 24 November 2023.

**SECTION C: SAFETY, HEALTH AND ENVIRONMENTAL
(DRAFT NATIONAL LEGISLATION AND REGULATIONS)****National Water Amendment Bill, 2023**

10. National Water Amendment Bill. Published in GG 49733 NN 4097 dated 17 November 2023.

Water Services Amendment Bill, 2023

11. Water Services Amendment Bill. Published in GG 49733 NN 4097 dated 17 November 2023.

Draft Aquaculture Development Bill, 2023

12. For public comment. Members of the public are invited to submit their written comments within 60 days of publication of this notice. Published in GG 49736 NN 4098 dated 17 November 2023.

National Environmental Management: Protected Areas Act 57 OF 2003 (NEM:PAA)

13. Consultation on the intention to declare certain properties situated in Northern Cape Province to be part of the existing:

- a. Tankwa Karoo National Park in terms of the NEM:PAA. Members of the public are invited to submit their written comments within 60 days of publication of this notice. Published in GG 49644 NN 2164 dated 9 November 2023.
- b. Garden Route National Park in terms of the NEM:PAA. Members of the public are invited to submit their written comments within 60 days of publication of this notice. Published in GG 49644 NN 2165 dated 9 November 2023.

14. Consultation on the intention to declare certain land situated in the Eastern Cape Province and Western Cape Province to be part of the existing Mountain Zebra-Camdeboo Protected Environment in terms of the NEM:PAA. Members of the public are invited to submit their written comments within 60 days of publication of this notice. Published in GG 49644 NN 2166 dated 9 November 2023.

National Environmental Management Act 107 of 1998

15. Consultation on the intention to:

- a. Adopt the Solar Exclusion Norm and exclude the development and expansion of solar photovoltaic facilities from the requirement to obtain an environmental authorisation. Members of the public are invited to submit their written comments within 15 days of publication of this notice. Published in GG 49788 NN 4121 dated 30 November 2023.
- b. Adopt the Battery Storage Exclusion Norm and exclude identified activities associated with the development and expansion of battery storage facilities from the requirement to obtain an environmental authorisation. Members of the public are invited to submit

their written comments within 15 days of publication of this notice. Published in GG 49788 NN 4120 dated 30 November 2023.

- c. Amend the Transitional Arrangements in the Financial Provisioning Regulations, 2015. Members of the public are invited to submit their written comments within 40 days of publication of this notice. Published in GG 49788 NN 4121 dated 30 November 2023.
- d. Extend the appointment of the Environmental Practitioners Association of South Africa as the single registration authority in terms of section 24H(3) read with 24H(6) of the National Environmental Management Act, 1998, for a period of 2 years. Members of the public are invited to submit their written comments within 30 days of publication of this notice. Published in GG 49793 NN 4137 dated 1 December 2023.

National Environmental Management: Waste Act 59 of 2008

16. Notice of extension of commenting period on the draft Strategy for reducing food losses and waste. Members of the public are invited to submit their written comments by no later than 18 December. Published in GG 49794 NN 4138 dated 1 December 2023.

Civil Aviation Act 13 of 2009

17. Civil Aviation Regulations, 2011. Members of the public are invited to submit their written comments on or before 3 December 2023. Published in GG 49603 NN 4033 dated 3 November 2023.

Inaugural Maritime Legislation

18. Another CMTPI Inspired Initiative: Inaugural Maritime Legislation Stakeholders Consultation Week. Members of the public are invited to submit their written comments not later than the 21 November 2023. Published in GG 49605 NN 2161 dated 6 November 2023.

National Land Transport Act 5 of 2009

19. Western Cape Provincial Regulatory Entity: Final Draft of Municipal Operating Licence Conditions. Members of the public are invited to submit their written comments before 10 November 2023. Published in GG 49613 NN 2161 dated 7 November 2023.

Merchant Shipping Act 57 of 1951

20. The Draft Merchant Shipping Training, Certification and Safe Manning Amendment Regulations, 2024. Members of the public are invited to submit their written comments within on or before 11 December 2023. Published in GG 49618 NN 40741 dated 10 November 2023.

Spatial Planning and Land Use Management Act 16 of 2013

21. Gazette Notice for Mnquma Spatial Development Framework. Members of the public are invited to submit their written comments within 60 days of publication of this notice. Published in GG 49646 NN 2168 dated 10 November 2023.

Standards Act 8 of 2008

22. Drafts for comment: 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 49603 NN 2159 dated 3 November 2023, and GG 49720 NN 2183 dated 17 November 2023.

South African Civil Aviation Authority Levies Act 41 of 1998 (SACAALA)

23. Proposal for fuel levy increase in terms of the SACAALA. Members of the public are invited to submit their written comments within 30 December 2023. Published in GG 49771 NN 4114 dated 27 November 2023.

South African National Petroleum Company Bill (SANPC)

24. Publication of Draft South African National Petroleum Company Bill, 2023 for public comment. Members of the public are invited to submit their written comments within 30 from the date of publication of this notice. Published in GG 49711 NN 4062 and GG 49716 NN 4066 dated 13 November 2023.

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

Eastern Cape Province

25. Spatial Planning and Land Use Management Act 16 of 2013 (**SPLUMA**): Notice in terms of section 25 (1) and (2) of the:

- a. Ngqushwa Local Municipality Spatial Planning and Land Use Management By-law, 2016 read with Section 24 (1) of the SPLUMA. Published in PG 5007 NN 109 dated 3 November 2023.
- b. Nyandeni Local Municipality Spatial Planning and Land Use Management By-laws 18 of 2007 read with section 24 (1) of the SPLUMA. Published in PG 5007 NN 110 dated 3 November 2023.
- c. Inxuba Yethemba Spatial Planning and Land Use Management By-laws, 2015 read with Section 24 (1) of the SPLUMA. Published in PG 5007 NN 111 dated 3 November 2023.

26. Spatial Planning and Land Use Management Act 16 of 2013:

- a. Blue Crane Route Spatial Development Framework & Integrated Land Use Scheme Adoption notice. Published in PG 5009 NN 901 dated 6 November 2023.
- b. Spatial Planning and Land Use Management Act 16 of 2013: Adoption of the Spatial Development Framework for Senqu Local Municipality, January 2023. Published in PG 5011 NN 724 dated 13 November 2023.

27. Buffalo City Metropolitan Municipality: Electricity Supply By-law, 2023. Published in PG 5016 NN 739 dated 24 November 2023.

Western Cape Province

28. Western Cape Nature Conservation Board: Hunting Seasons, Daily Bag Limits and Hunting by the Use of Prohibited Hunting Methods. Published in PG 8857 NN 122 dated 24 November 2023.

Gauteng Province

29. Water, Sanitation and energy oversight committee's report: report to request approval of the amended Water Services by-law. Published in PG 399 NN 1458 dated 8 November 2023.

30. City of Ekurhuleni Energy Department: Electricity Supply By-laws - Revision of 11 August 2022. Published in PG 422 NN 1522 dated 22 November 2023.

Free State Province

31. Notice of Intention to Develop a Provincial Spatial Development Framework for the Free State Province. Published in PG 68 NN 68 dated 10 November 2023.

KwaZulu Natal Province

32. National Environmental Management: Protected Areas Act 57 of 2003 (**NEM:PAA**): Declaration of the Babanango Game Reserve in terms of section 23(1) of the NEMPAA. PG 2618 NN 603 dated 9 November 2023.

SECTION E: SAFETY, HEALTH AND ENVIRONMENTAL

(DRAFT PROVINCIAL LEGISLATION AND MUNICIPAL BY-LAWS)

KwaZulu Natal Province

33. National Water Act 36 of 1998: Proposed reserve determination for Water Resources of the Thukela Catchments in the Pongola-Mtamvuna Water Management Area. Members of the public are invited to submit their written comments within 60 days of publication of this notice. Published in PG 2615 NN 81 dated 2 November 2023.

Free State Province

34. Setsoto Local Municipality Publication of Draft By-laws for comments: Connection of Embedded Generation to a Municipal Distribution System: Electricity Supply By-law. Members of the public are invited to submit their written comments by 5 January 2024. Published in PG 71 NN 68 dated 24 November 2023.

Western Cape Province

35. Draft Western Cape Land Use Planning Amendment Bill, 2023 Members of the public are invited to submit their written comments on or before 17 January 2024. Published in PG 8848 dated 9 November 2023.

Eastern Cape Province

36. National Environmental Management Act 107 of 1998: Notice of a basic assessment for the proposed construction of a new taxi rank facility in Willowvale, Mbhashe Local Municipality. Members of the public are invited to submit their written comments within 30 days of publication of this notice. Published in PG 5009 NN 113 dated 6 November 2023.

37. Spatial Planning and Land Use Management By-Law: Mbhashe Local Municipality Spatial Development Framework. Members of the public are invited to submit their written comments within 60 days of publication of this notice. Published in PG 5012 NN 916 and PG 5012 NN917 dated 20 November 2023.

North West Province

38. Municipal Systems Act 32 of 2000: Call for comments on the Amendment of the Rustenburg Local Municipality Spatial Planning and Land Use Management By-law, 2018. Members of the public are invited to submit their written comments within a period of 21 days from 17 November 2023. Published in PG 8295 NN 463 dated 14 November 2023.

Gauteng Province

39. National Environmental Management: Protected Areas Act 57 of 2003. Intention to declare a Nature Reserve and Amend the Boundary of an Existing Nature Reserve: Members of the public are invited to submit their written comments within 60 days of publication of this notice. Published in PG 422 NN 1019 dated 22 November 2023.

PART TWO: PARLIAMENTARY MONITORING

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

BILLS BEFORE PARLIAMENT (AS OF 30 NOVEMBER 2023)

1. Cannabis for Private Purposes Bill (B19 – 2020).
2. Constitution Nineteenth Amendment Bill (B17- 2023).
3. Constitution Twentieth Amendment Bill (B20 – 2023)
4. Agricultural Product Standards Amendment Bill (B15 – 2021).

5. Economic Regulation of Transport Bill (B1 – 2020).
6. Electricity Regulation Amendment Bill (B23 – 2023)
7. Expropriation Bill (B23-2020).
8. Independent Electricity Management Operator Bill (B14 – 2019).
9. Marine Oil Pollution (Preparedness, Response and Cooperation) Bill (B10-2022).
10. Marine Pollution (Prevention of Pollution from Ships) Amendment Bill (B5- 2022).
11. Merchant Shipping Bill, 2023 (B12-2023).
12. National Health Insurance Bill (B11 – 2019).
13. National Land Transport Amendment Bill (B7 – 2016).
14. National Nuclear Regulator Amendment Bill (B25 – 2023)
15. National Road Traffic Amendment Bill (B7 – 2020).
16. National Veld and Forest Fire Amendment Bill (B24 – 2021)
17. Preservation and Development of Agricultural Land Bill (B8 – 2021).
18. South African National Water Resources Infrastructure Agency SOC Limited Bill (B24 – 2023)
19. Upstream Petroleum Resources Development Bill (B13 – 2021).

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