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## DECEMBER 2023 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 Water Act 36 of 1998 (NWA)**

1. General Authorisations in terms of section 39 of the Act, for water uses as defined in section 21(c) or section 21(i). Published in GG 49833 NN 4167 dated 8 December 2023.
2. Transformation of:
  - a. Brand River Irrigation Board into Brand River Water User Association in terms of section 98 (6) of the Act. Published in GG 49863 NN 4201 dated 14 December 2023.
  - b. Tierpoort Irrigation Board into Tierpoort Water User Association in terms of section 98 (6) of the Act. Published in GG 49944 NN 4224 dated 29 December 2023.

### **Marine Living Resources Act 18 of 1998 (MLRA)**

3. Amendment of the Regulations published in terms of the Act in Government Notice R. 1111 of 2 September 1998: West Coast Rock Lobster Fishing Season Published in GG 49774 NN 4116 dated 28 November 2023. Published in GG 49889 NN 4203 dated 14 December 2023.

### **National Environmental Management Act 107 of 1998**

4. Amendment of certain requirements for an application for Environmental Authorisation for a Renewable Energy Facility. Published in GG 49815 NN 4143 dated 4 December 2023.
5. Extension of the commencement date of the Regulations to Domesticate the Requirements of the Rotterdam Convention on the prior informed consent procedure for certain Hazardous Chemicals and Pesticides in International Trade, 2023. Published in GG 49892 NN 4204 dated 14 December 2023.

### **National Environmental Management: Protected Areas Act 57 of 2003**

6. Publication of amendments to the Regulations for the Management of the Aliwal Shoal Marine Protected Area for Implementation. Published in GG 49937 NN 4210 dated 22 December 2023.

### **Disaster Management Act 57 of 2001 (DMA)**

7. Classification of a National Disaster in terms of section 23 of the DMA: Impact of Severe Weather in the Free State. Published in GG 49952 NN 4231 dated 22 December 2023.

### **Petroleum Products Act 120 of 1977**

8. Amendment of the Regulations in respect of petroleum products. Published in GG 49823 NN 4148 dated 5 December 2023 and published in GG 49972 NN 4236 dated 2 January 2024.

## SECTION B: SAFETY AND HEALTH (NATIONAL)

The are currently no applicable legislative updates

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

### **Marine Pollution (Prevention of Pollution from Ships) Act 2 of 1986**

9. Draft notice in terms of section 2A (2) of the Act. Members of the public are invited to submit their written comments by 29 January 2024. Published in GG 49946 NN 4225 dated 29 December 2023.

**Electricity Regulation Act 4 of 2006**

10. Minister of Mineral Resources & Energy: Publication for comments: Integrated Resource Plan, 2023. Members of the public are invited to submit their written comments by 23 February 2024. Published in GG 49974 NN 4238 dated 4 January 2024.

**National Heritage Resources Act 25 of 1999**

11. Draft National Thematic Framework for Heritage Resource Management for comment. Published in GG 49968 NN 540 dated 5 January 2024.

**National Environmental Management Act 107 of 1998**

12. Consultation on the Draft National Regulations for the Management of Mercury in South Africa. Members of the public are invited to submit their written comments within 60 days of publication of this notice. Published in GG 49816 NN 4144 dated 4 December 2023.

**National Environmental Management: Waste Act 59 of 2008**

13. Notice of extension of commenting period on the proposed amendments to the Regulations regarding the Control of the Import or Export of Waste. Members of the public are invited to submit their written comments under GG 49390 NN 3928 dated 2 October 2023 by no later than 18 December 2023. Published in GG 49840 NN 4171 dated 8 December 2023.

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

14. Extension of comment period on proposed fuel levy increase in GG 49771 NN 4114 of 27 November 2023. Members of the public are invited to submit their written comments by 27 January 2024. Published in GG 49863 NN 4200 dated 14 December 2023.

15. Correction Notice: This notice is correcting information published in GG 39771 on 27 November 2023 under Government Notice R. 4114: Proposal for fuel levy increase in terms of the Act. Members of the public are invited to submit their written comments by 27 January 2024. Published in GG 49942 NN 4223 dated 22 December 2023.

**Merchant Shipping Act 57 of 1951**

16. The Draft Safety of Navigation Amendment Regulations, 2023. Members of the public are invited to submit their written comments within 30 days of publication of this notice. Published in GG 49938 NN 2259 dated 22 December 2023.

**National Land Transport Act 5 of 2009**

17. Draft Regulations required by the National Land Transport Amendment Bill, 2016: Draft Second National Land Transport Regulations. Members of the public are invited to submit their written comments within 30 days of publication of this notice. Published in GG 49863 NN 2250 dated 14 December 2023.

**Civil Aviation Act 13 of 2009**

18. Draft amendments. Members of the public are invited to submit their written comments within on or before 11 December 2023. Published in GG 49938 NN 4220 dated 22 December 2023.

**Standards Act 8 of 2008**

19. 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 49863 NN 2249 dated 14 December 2023, GG 49938 NN 2257 dated 22 December 2023 and GG 49938 NN 2258 dated 22 December 2023.

### **Health Professions Act 56 of 1974**

20. Proposed amendment to the Ethical Rules of Conduct for Practitioners Registered under the Act. Members of the public are invited to submit their written comments within 3 months from the date of publication of this notice. Published in GG 49833 NN 528 dated 8 December 2023.

### **National Railway Safety Regulator Act 16 of 2002**

21. Publication of fees for comments. Members of the public are invited to submit their written comments within 30 from the date of publication of this notice. Published in GG 49833 NN 2239 dated 8 December 2023.

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

### ***Eastern Cape Province***

22. Spatial Planning and Land Use Management Act 16 of 2013 (**SPLUMA**): Review of the Municipal Spatial Development Framework - Buffalo City Metropolitan Municipality. Published in PG 5022 NN 16 dated 4 December 2023.

### ***Mpumalanga Province***

23. Mpumalanga Nature Conservation Act 10 of 1998: Amendment of the description of the Thornybush Nature Reserve. Published in PG 3615 NN 388 dated 15 December 2023.

### ***Western Cape Province***

24. 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 1 December 2023.  
25. Prince Albert Municipality: Integrated Waste Management By-Law, 2023. Published in PG 8860 dated 8 December 2023.

### ***Limpopo Province***

26. National Environmental Management: Protected Areas Act 57 of 2003 (**NEM:PAA**): Declaration of areas as parts of existing nature reserve in terms of the Act. Published in PG 3467 NN 490 dated 15 December 2023.

### ***Free State Province***

27. Compilation of the Land Use Scheme of Dihlabeng Local Municipality in terms of the Spatial Planning and Land Use Management Act 16 of 2013. Published in PG 77 NN 72 dated 8 December 2023.

### ***KwaZulu Natal Province***

28. National Environmental Management: Protected Areas Act 57 of 2003 (**NEM:PAA**): Declaration of the Normandien Protected Environment in terms of section 28(1) of NEM:PAA. Published in PG 2630 NN 623 dated 7 December 2023.

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

### ***Eastern Cape Province***

29. National Environmental Management Act: Integrated Coastal Management Act 24 of 2008: Draft Tyolomnqa Estuarine Management Plan. Members of the public are invited to submit their written comments within 30 days of publication of this notice. The 30 days commenting period will exclude the period between 15 December 2023 to 5 January 2024. Published in PG 5025 NN 754 dated 11 December 2023.

### **Northern Cape Province**

30. National Environmental Management: Protected Areas Act 57 of 2003: Notice of intention to declare the properties as the Strandfontein Protected Environment and Grasberg Protected Environment. Members of the public are invited to submit their written comments within 60 days of publication of this notice. Published in PG 2650 NN 488 dated 18 December 2023.

### **Mpumalanga Province**

31. Thaba Chweu Spatial Planning and Land Use Management By-Law, 2016: Notice of the review of Thaba Chweu Municipality Spatial Development Framework. Members of the public are invited to submit any proposal in writing. Published in PG 3609 NN 452 dated 8 December 2023.

## **PART TWO: PARLIAMENTARY MONITORING**

*This information was accessed through the Parliamentary Monitoring Group at [www.pmg.org.za](http://www.pmg.org.za)*

### **BILLS BEFORE PARLIAMENT (AS OF 31 DECEMBER 2023)**

1. Climate Change Bill (B9-2022).
2. Cannabis for Private Purposes Bill (B19 – 2020).
3. Constitution Nineteenth Amendment Bill (B17- 2023).
4. Constitution Twentieth Amendment Bill (B20 – 2023)
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 Nuclear Regulator Amendment Bill (B25 – 2023)
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. South African National Water Resources Infrastructure Agency SOC Limited Bill (B24 – 2023)
18. Upstream Petroleum Resources Development Bill (B13 – 2021).

### **BILLS BEFORE THE PRESIDENT (AS OF 31 DECEMBER 2023)**

1. Agricultural Product Standards Amendment Bill (B15 – 2021).
2. National Health Insurance Bill (B11 – 2019).
3. National Land Transport Amendment Bill (B7 – 2016).
4. National Veld and Forest Fire Amendment Bill (B24 – 2021).

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