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FEBRUARY 2024 SHE LEGISLATION UPDATE

SAFETY, HEALTH & ENVIRONMENTAL (SHE) LEGISLATION UPDATE

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PART TWO: PARLIAMENTARY MONITORING

SECTION A: ENVIRONMENTAL (NATIONAL)

National Environmental Management Act 107 of 1998 (NEMA)

1. Human Settlements Environmental Implementation Plan 2020-2025. Published in GG 50105 NN 4353 dated 9 February 2024.

Department of Forestry, Fisheries and the Environment

2. Publication of South Africa's 2021 Grid Emission Factors Report. Published in GG 50071 NN 4317 dated 2 February 2024.
3. Extension of the period for establishment of the Ministerial Task Team to identify and recommend voluntary exit options and pathways for the Captive Lion Industry by a further period of 3 months from 1 January 2024 to 31 March 2024. Published in GG 50076 NN 4332 dated 5 February 2024.

National Water Act 36 of 1998 (NWA)

4. Transformation and amalgamation of Jan Du Toit's, Olifantsberg and Waaihoek Irrigation boards into Jan Du Toit's Water User Association in terms of section 98 (6) of the NWA. Published in GG 50071 NN 4329 dated 2 February 2024.
5. Water and Sanitation Services Policy on Privately Owned Land. Published in GG 50133 NN 4375 dated 16 February 2024.
6. Caledon-Modder Subsystem – Limiting the use of water in terms of item 6 of Schedule 3 of the Act for urban and irrigation purposes from the dams within the Caledon-Modder Subsystem. Published in GG 50138 NN 4392 dated 16 February 2024.
7. Transformation & Amalgamation of Bossieveld, Bo-Doorn River, Doornrivier, Moddergat & Stettyn Irrigations Boards into Bossieveld Water User Association in terms of section 98(6) of NMW. Published in GG 50243 NN 4461 dated 1 March 2024.
8. Transformation of Dwariga Irrigation Board into Dwariga Water User Association, in terms of section 98(6) of NMA. Published in GG 50243 NN 4462 dated 1 March 2024.

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

9. Declaration of certain areas situated in the Northern Cape Province to be the Gys Wiese Protected Environment. Published in GG 50071 NN 4310 dated 2 February 2024.
10. Declaration of land situated in the:
 - a. Limpopo Province as part of the existing Marakele National Park in terms of NEM:PAA. Published in GG 50071 NN 4311 dated 2 February 2024.
 - b. Western Cape Province as part of the existing Agulhas National Park in terms of NEM:PAA. Published in GG 50071 NN 4312 dated 2 February 2024.
 - c. Eastern Cape Province as part of the existing Addo Elephant National Park in terms of NEM:PAA. Published in GG 50071 NN 4313 dated 2 February 2024.
 - d. Northern Cape Province as part of the existing Mokala National Park in terms of NEM:PAA. Published in GG 50071 NN 4314 dated 2 February 2024.
 - e. Northern Cape Province as part of the existing Namaqua National Park in terms of NEM:PAA. Published in GG 50071 NN 4315 dated 2 February 2024.
 - f. Western Cape Province as part of the existing Karoo National Park in terms of NEM:PAA. Published in GG 50071 NN 4316 dated 2 February 2024.

Petroleum Products Act 120 of 1977

11. Amendment of the Regulations in respect of Petroleum Products. Published in GG 50088 NN 4339 dated 6 February 2024.

Disaster Management Act 57 of 2002 (DMA)

12. Guideline on Integration of Disaster Risk Reduction into Municipal Integrated Development Plans. Published in GG 50138 NN 4385 dated 16 February 2024.

SECTION B: SAFETY AND HEALTH (NATIONAL)**Health Professions Act 56 of 1974**

13. Annual Fees. Published in GG 50105 NN 551 dated 9 February 2024.

14. Rules relating to fees payable to Council. Published in GG 50105 NN 552 dated 9 February 2024.

Medicines and Related Substances Act 101 of 1965 (MRSA)

15. Exemption of Manufacturers, Wholesalers and Distributors of Class A Medical and in Vitro Diagnostics from the operation of the provisions of section 22c of the Act. Published in GG 50164 NN 4406 dated 23 February 2024.

Compensation for Occupational Injuries and Diseases Act 130 of 1993

16. Amendment of Schedule 4: Manner of Calculating Compensation. Published in GG 50164 NN 2324 dated 23 February 2024 and GG 50180 NN 2337 dated 23 February 2024.

Occupational Diseases in Mines and Works Act 78 of 1973

17. Increase of Pension Benefits. Published in GG 50138 NN 4387 dated 16 February 2024.

National Minimum Wage Act 9 of 2018 (NMW)

18. Amendment of the National Minimum Wages contained in Schedule 1 and Schedule 2 of NMW. Published in GG 50073 NN 4331 dated 2 February 2024 and effective from 1 March 2024.

**SECTION C: SAFETY, HEALTH AND ENVIRONMENTAL
(DRAFT NATIONAL LEGISLATION AND REGULATIONS)****National Environmental Management Act 107 of 1988 (NEMA)**

19. Consultation on the Development and Adoption of the KwaZulu-Natal Provincial Watercourse Infrastructure Standard and Associated Excluded Activities and Proposed Exclusion of Activities from the Requirement to Obtain an Environmental Authorisation. Members of the public are invited to submit their written comments within 30 days of publication of this notice. Published in GG 50108 NN 4362 dated 9 February 2024.

20. Notice of the intention to adopt Environmental Management Instruments for the purpose of excluding in terms of section 24(2)(c) and (e) of NEMA, identified activities from the requirement to obtain environmental authorisation. Members of the public are invited to submit their written comments within 30 days of publication of this notice. Published in GG 50138 NN 4386 dated 16 February 2024.

National Water Act 36 of 1998

21. 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 GG 50071 NN 4330 dated 2 February 2024 and GG 50105 NN4357 9 February 2024.

Medicines and Related Substances Act 101 of 1965 (MRSA)

22. As amended: Draft dispensing fee to be charged by persons licensed in terms of section 22C (1) (a) of MRSA. Members of the public are invited to submit their written comments within 3 months of publication of this notice. Published in GG 50071 NN 4324 dated 2 February 2024.
23. Regulations relating to a transparent pricing system for medicines and scheduled substances: Draft dispensing fee for pharmacists for 2024. Members of the public are invited to submit their written comments within 3 months of publication of this notice. Published in GG 50071 NN 4325 dated 2 February 2024.

Spatial Planning and Land Use Management Act 16 of 2013

24. Notice of the draft Vaal-River Regional Spatial Development Framework in terms of Section 18(4) of SPLUMA. Members of the public are invited to submit their written comments within 60 days of publication of this notice. Published in GG 50122 NN 2317 dated 14 February 2024.

Civil Aviation Act 13 of 2009

25. Civil Aviation Regulations, 2011. Members of the public are invited to submit their written comments on or before the 24 March 2024. Published in GG 50164 NN 4421 dated 23 February 2024.

Merchant Shipping Act 57 of 1951

26. Draft Merchant Shipping: National Small Vessel Safety Regulations, 2024. Members of the public are invited to submit their written comments within on or before the 17 March 2024. Published in GG 50129 NN 4374 dated 16 February 2024.

National Environmental Management: Waste Act 59 of 2008

27. Draft Guideline and Toolkit for the Determination of Extended Producer Responsibility Fees. Members of the public are invited to submit their written comments within 30 days of publication of this notice. Published in GG 50067 NN 4308 dated 2 February 2024.
28. Intention to amend the List of Waste Management Activities that have, or may have, a detrimental effect on the environment. Members of the public are invited to submit their written comments within 30 days of publication of this notice. Published in GG 50107 NN 4361 dated 9 February 2024.

National Energy Regulator Act 40 of 2004 (NERA)

29. Notice in terms of section 6(7) of NERA to invite nominations to the Board of the National Energy Regulator of South Africa. Published in GG 50243 NN 4455 dated 1 March 2024.

Standards Act 8 of 2008

30. 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 50243 NN 2356 dated 1 March 2024.

Occupational health and Safety Act 85 of 1993

31. Draft Lead Regulation. Published in GG 50203 NN 4437 dated 1 March 2024.

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

Eastern Cape Province

32. Dr Beyers Naudé Local Municipality: Water and Sanitation Services By-law, 2023. Published in PG 5044 NN 784 dated 5 February 2024.

33. National Environmental Management: Protected Areas Act 57 of 2003 (**NEM:PAA**):
- a. Declaration of Camdeboo Private Nature Reserve in terms of NEM:PAA. Published in PG 5044 NN 784 dated 5 February 2024.
 - b. Dr Beyer Declaration of the Royalston Nature Reserve in terms of the section 23 (1) of NEMPA. Published in PG 5051 NN 17 dated 15 February 2024.
 - c. Assignment of a Management Authority for the Noorsekloof Nature Reserve in terms of section 38 (2)(a) of NEM:PAA. Published in PG 5051 NN 18 dated 15 February 2024.
 - d. Declaration of the Thula Moya Nature Reserve in terms of section 23 (1) of NEM:PAA. Published in PG 5051 NN 19 dated 15 February 2024.
 - e. Declaration of the Vorentoe Nature Reserve in terms of Section 23 (1) of NEM:PAA. Published in PG 5051 NN 20 dated 15 February 2024.
34. Nature and Environmental Conservation Ordinance 19 of 1974: section 18 of the Problem Animal Control Ordinance 26 of 1957: Determination of the hunting season and the daily bag limits. Published in PG 5050 NN 789 dated 12 February 2024.

KwaZulu Natal Province

35. eThekweni Municipality: Problem Buildings First Amendment By-law, 2023. Published in PG 2652 NN 371 dated 8 February 2024.
36. National Environmental Management: Air Quality Act 39 of 2004: King Cetshwayo District Municipality: Air Quality Management By-law, 2023. Published in PG 2663 NN 389 dated 29 February 2024.

North West Province

37. Spatial Planning Land Use Management Act 16 of 2013: Kgetlengrivier Local Municipality and Moretele Local Municipality: Development of the Moretele Local Municipality Spatial Development Framework in terms of SPLUMA. Published in PG 8624 NN 727 dated 6 February 2024.

Free State Province

38. Adoption of Phumelela Spatial Development Framework, 2024. Published in PG 100 NN 153 dated 26 February 2024.

Northern Cape Province

39. Spatial Planning and Land Use Management Act 16 of 2013: Approval and adoption of the Municipal Spatial Development Framework of the Richtersveld Local Municipality. Published in PG 2660 NN 192 dated 12 February 2024.

Western Cape Province

40. Drakenstein Municipality: Improvement Areas By-law. Published in PG 8880 dated 9 February 2024.
41. Kannaland Municipality: By-law Relating to
- a. Community Fire Safety Regulations. Published in PG 8891 dated 1 March 2024.
 - b. By-law Relating Dumping and Littering By-law Regulations. Published in PG 8891 dated 1 March 2024.
 - c. Keeping/Controlling of Animals Regulations. Published in PG 8891 dated 1 March 2024.

Limpopo Province

41. Limpopo Environmental Management Act 2003 Act 7 of 2003 (**LEMA**): Open Season for Hunting and Catching of Wild and Alien Animals in term of section 32 (1) and 48 (c) of the LEMA. Published in PG 3477 NN 510 dated 2 February 2024.

42. Spatial Planning and Land Use Management Act 16 of 2013 Mogalakwena Spatial Development Framework. Published in PG 3477 NN 759 dated 2 February 2024.

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

KwaZulu Natal Province

43. National Environmental Management: Protected Areas Act 57 of 2003 (**NEM:PAA**): Consultation process in terms of section 33(1) of NEM:PAA: Notice of intention to declare the Umphafa Private Nature Reserve. Members of the public are invited to submit their written comments within 60 days of publication of this notice. Published in GG 2658 NN 658 dated 15 February 2024.

Gauteng Province

44. Notice: Environmental Impact Assessment Application. Members of the public are invited to submit their written comments within 30 days of publication of this notice. Published in GG 57 NN 191 dated 21 February 2024.

Mpumalanga Province

45. National Environmental Management: Protected Areas Act 57 of 2003. Intention to declare the:

- a. Ukuthanda Ukukhanya Protected Environment. Members of the public are invited to submit their written comments within 60 days of publication of this notice. Published in PG 3629 NN 404 dated 2 February 2024.
- b. Bambanani Protected Environment. Members of the public are invited to submit their written comments within 60 days of publication of this notice. Published in PG 3629 NN 404 dated 2 February 2024.
- c. Kwamandlangampisi Protected Environment. Members of the public are invited to submit their written comments within 60 days of publication of this notice. Published in PG 3629 NN 406 dated 2 February 2024.

46. Mpumalanga Nature Conservation Act 10 of 1998: Amendment of the description of the:

- a. Timbavati Private Nature Reserve and the withdrawal of properties from the nature reserve. Members of the public are invited to submit their written comments within 60 days of publication of this notice. Published in PG 3629 NN 405 dated 2 February 2024.
- b. Amendment of the description of the Klaserie Private Nature Reserve. Members of the public are invited to submit their written comments within 60 days of publication of this notice. Published in PG 3629 NN 407 dated 2 February 2024.

Western Cape Province

47. Department of Environmental Affairs and Development Planning: National Environmental Management Act 107 of 1998: Draft Sandveld Environmental Management Framework Standard, 2024 Members of the public are invited to submit their written comments within 60 days of publication of this notice. Published in PG 8885 NN 20 dated 22 February 2024.

PART TWO: PARLIAMENTARY MONITORING

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

BILLS BEFORE PARLIAMENT (AS OF 29 FEBRUARY 2024)

1. Climate Change Bill (B9-2022).
2. Constitution Nineteenth Amendment Bill (B17- 2023).
3. Constitution Twentieth Amendment Bill (B20 – 2023)
4. Electricity Regulation Amendment Bill (B23 – 2023).
5. Expropriation Bill (B23-2020).
6. Independent Electricity Management Operator Bill (B14 – 2019).
7. Marine Oil Pollution (Preparedness, Response and Cooperation) Bill (B10-2022).
8. Marine Pollution (Prevention of Pollution from Ships) Amendment Bill (B5- 2022).
9. Merchant Shipping Bill, 2023 (B12-2023).
10. National Nuclear Regulator Amendment Bill (B25 – 2023)
11. Preservation and Development of Agricultural Land Bill (B8 – 2021).
12. Railway Safety Bill (B7 – 2021).
13. South African National Water Resources Infrastructure Agency SOC Limited Bill (B24 – 2023)
14. Upstream Petroleum Resources Development Bill (B13 – 2021).

BILLS BEFORE THE PRESIDENT (AS OF 29 FEBRUARY 2024)

1. Agricultural Product Standards Amendment Bill (B15 – 2021).
2. Cannabis for Private Purposes Bill (B19 – 2020).
3. Economic Regulation of Transport Bill (B1 – 2020).
4. National Health Insurance Bill (B11 – 2019).
5. National Land Transport Amendment Bill (B7 – 2016).
6. National Road Traffic Amendment Bill (B7 – 2020).
7. National Veld and Forest Fire Amendment Bill (B24 – 2021).

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