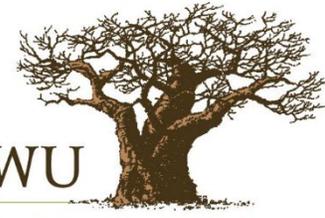




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MARCH 2024 SHE LEGISLATION UPDATE

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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SECTION A: ENVIRONMENTAL (NATIONAL)

National Environmental Management Act 107 of 1998 (NEMA)

1. Amendments to the Regulations laying down the procedure to be followed for the Adoption of Spatial Tools or Environmental Management Instruments. Published in GG 50289 NN 4494 dated 13 March 2024.
2. Adoption of the:
 - a. Battery Storage Exclusion Norm and Exclusion of Identified Activities Associated with the Development and Expansion of Battery Storage Facilities from the Requirement to obtain an Environmental Authorisation. Published in GG 50387 NN 4557 dated 27 March 2024.
 - b. Solar Exclusion Norm and Exclusion of the Development and Expansion of Solar Photovoltaic Facilities from the requirement to obtain an Environmental Authorisation. Published in GG 50388 NN 4558 dated 27 March 2024.

National Environmental Management: Biodiversity Act 10 of 2004

3. Public notice of the National Vulture Multi-Species Biodiversity Management Plan. Published in GG 50306 NN 4517 dated 18 March 2024.

National Environmental Management: Waste Act 59 of 2008

4. Amendments to the Waste Tyre Regulations, 2017. Published in GG 50321 NN 4541 dated 20 March 2024.
5. Industry Waste Tyre Management Plan. Published in GG 50322 NN 4542 dated 20 March 2024.
6. National Household Hazardous Waste Management Strategy. Published in GG 50411 NN 4583 dated 28 March 2024.

National Environmental Management: Air Quality Act 39 of 2004

7. Notice regarding the Manual Registration of Data Providers, Reporting of Atmospheric Emissions, and the Management of Atmospheric Emission Licenses, through a manual process while transitional arrangements are underway to establish New Systems, for the calendar years 2024 to 2026. Published in GG 50284 NN 4493 dated 8 March 2024.

National Forests Act 84 of 1998 (NFA)

8. Publication of the Annual List of All Tree Species which are protected under section 12 of the NFA. Published in GG 50291 NN 4496 dated 13 March 2024.

National Water Act 36 of 1998 (NWA)

9. Transformation of:
 - a. Keimoes, Brakboseiland, Eksteenskuil, Friesdale, Kousas, Malanshoek, Nietersdrift, Onderstekoms, Rooikopeiland and Skanskop Irrigation Boards Irrigation Board into Keimoes Water User Association in terms of section 98(6) of the NWA. Published in GG 50292 NN 4505 dated 15 March 2024.
 - b. Upington IB Strausburg, Olyvenhoutsdrift-Suid, Loivale, Blaauwsekop, Swartkop, Steynsvoor, and Kanoneiland Irrigation Boards Irrigation Board into Upington Islands Water User Association in terms of section 98(6) of the NWA. Published in GG 50292 NN 4506 dated 15 March 2024.
10. Caledon-Modder Subsystem-Limiting the use of water in terms of item 6 of Schedule 3 of the NWA for Urban and Irrigation purposes from the dams within the Caledon-Modder Subsystem. Published in GG 50292 NN 4507 dated 15 March 2024.

National Heritage Resources Act 25 of 1999

11. Declaration of Seven (7) Kramats in the "Circle of Tombs" situated at Various Locations around Cape Town, Western Cape as National Heritage Sites. Published in GG 50396 NN 4568 dated 28 March 2024.

Petroleum Pipelines Levies Act 28 of 2004 (PPLA)

12. Notice in terms of section 2(7) of the PPLA: Levy and Interest Payable on Petroleum Pipelines Industry. Published in GG 50367 NN 4465 dated 25 March 2024.

National Railway Safety Regulator Act 16 of 2002

13. Determination of Safety Permit Fees for the 2024/2025 Financial Year. Published in GG 50391 NN 2393 dated 28 March 2024.

14. Publication of the Common Safety Method on Risk Assessment as an Addendum to the existing safety management system determination, for implementation and compliance by Railway Operators. Published in GG 50391 NN 4563 dated 28 March 2024.

15. As amended: Publication of the Regulator Interface Agreements Standard for Implementation and Compliance by Railway Operators. Published in GG 50391 NN 4564 dated 28 March 2024.

World Heritage Convention Act 49 of 1999

16. Declaration of the MEC Responsible for the environment in the Gauteng Province as the Management Authority for the Fossil Hominid Site of Sterkfontein, Swartkrans, Kromdraai and Environs (Cradle of Humankind) World Heritage Site. Published in GG 50293 NN 4058 dated 15 March 2024.

SECTION B: SAFETY AND HEALTH (NATIONAL)

Medicines and Related Substances Act 101 of 1965 (MRSA)

17. Annual Single Exit Price Adjustment of Medicines and Scheduled Substances for the year 2024. Published in GG 50273 NN 4487 dated 8 March 2024.

18. Medical Schemes Registered in terms of MRSA, as of March 2024. Published in GG 50292 NN 2362 dated 15 March 2024.

Compensation for Occupational Injuries and Diseases Act 130 of 1993

19. As amended: Maximum amount of Earnings and Minimum Assessment on which the assessment of an Employer shall be calculated. Published in GG 50386 NN 2390 dated 27 March 2024.

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

National Environmental Management Act 107 of 1988 (NEMA)

20. Consultation on the proposed documents which represent the Methodology for Determining the Financial Provision required to be set aside for Reconnaissance, Prospecting, Exploration and Mining of Low-Risk Commodities as Identified in the proposed Amendment to the Financial Provisioning Regulations, 2015 published under Government Notice No. 2272 in Government Gazette No. 47112 on 11 July 2022. Published in GG 50393 NN 4567 dated 23 March 2024.

21. Consultation on the Intention to Adopt a Standard for the Development and Expansion of Electricity Transmission. Members of the public are invited to submit their written comments within 30 days of the publication of this notice. Published in GG 50417 NN 4586 dated 28 March 2024.

National Environmental Management: Air Quality Act 39 of 2004

22. Draft National Dust Control Amendment Regulations. Members of the public are invited to submit their written comments within 30 days of the publication of this notice. Published in GG 5027 NN 4475 dated 8 March 2024.

National Environmental Management: Biodiversity Act 10 of 2004

23. Consultation on Non-Detriment Findings for certain Species listed in terms of the Convention on International Trade in Endangered Species of Wild Fauna and Flora. Members of the public are invited to submit their written comments within 30 days of the publication of this notice. Published in GG 50258 NN 4473 dated 5 March 2024.

24. Draft National Biodiversity Economy Strategy. Members of the public are invited to submit their written comments within 14 days of the publication of this notice. Published in GG 50279 NN 4492 dated 8 March 2024. The period for comments on the revised draft Strategy were extended by a further period of 14 days.

National Environmental Management: Integrated Coastal Management Act 24 of 2008

25. Draft South African Water Quality Guidelines for Coastal Marine Waters – Volume 1: Natural Environment and Mariculture Use. Members of the public are invited to submit their written comments within 30 days of the publication of this notice. Published in GG 50311 NN 4527 dated 22 March 2024.

Standards Act 8 of 2008

26. 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 50273 NN 4485 dated 8 March 2024, GG 50292 NN 2366 15 March 2024 and GG 50311 NN 2381 22 March 2024.

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

KwaZulu Natal Province

27. Air Quality Management By-law, 2023: King Cetshwayo District Municipality. Published in PG 26564 NN 391 dated 7 March 2024.

Northern Cape Province

28. Local Government: Municipal Systems Act 32 of 2000 as amended: Ga-Segonyana Local Municipality:

- a. Electricity Supply By-Laws. Published in PG 2665 NN 197 dated 4 March 2024.
- b. Fire Brigade Services By-Laws. Published in PG 2665 NN 197 dated 4 March 2024.
- c. Building Plans and Constructions By-Laws. Published in PG 2665 NN 197 dated 4 March 2024.
- d. Sewage Disposal By-Laws. Published in PG 2665 NN 197 dated 4 March 2024.
- e. Keeping of Wild Animals, Poultry and Bees By-Laws. Published in PG 2665 NN 197 dated 4 March 2024.
- f. Refuse Removal, Illegal Dumping and Usage of Municipal Landfill Site By-Laws. Published in PG 2665 NN 197 dated 4 March 2024.
- g. Parking and Loading Management By-laws. Published in PG 2665 NN 197 dated 4 March 2024.

29. National Building Regulations and Building Standards Act 103 of 1977: As amended: Gamagara Local Municipality: Building Control By-law in line with the NBRBS. Published in PG 2665 NN 196 dated 4 March 2024.

Western Cape Province

30. George Municipality: Integrated Waste Management By-law. Published in PG 8897 dated 22 March 2024.

Limpopo Province

31. National Environmental Management: Protected Areas Act 57 of 2003 (NEM:PAA): Declaration of attached land Portions as:

- a. Makgokolo Nature Reserves in terms of NEM:PAA. Published in PG 3503 NN 530 dated 22 March 2024.
- b. Karongwe Game Reserve in terms of NEM:PAA. Published in PG 3503 NN 534 dated 22 March 2024.

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

35. Municipal Systems Act of 2000: Draft Municipal Spatial Development Framework Review 2024-2025. Members of the public are invited to submit their written comments 29 April 2024. Published in GG 2664 NN 390 dated 7 March 2024.

North West Province

36. City of Matlosana Spatial Planning and Land Use Management By-law on Spatial Planning and Land Use Management, 2016, read together with the Spatial Planning and Land Use Management Act 16 of 2013: Amendment Scheme 1559 with Annexure 1373. Members of the public are invited to submit their written comments within 30 days of the publication of this notice. Published in PG 8638 NN 769 dated 5 March 2024.

Gauteng Province

37. Municipal Systems Act 32 of 2000:
- a. Midvaal Local Municipality: Outdoor Advertising Draft By-Law. Members of the public are invited to submit their written comments by no later than 14 April 2024. Published in PG 90 NN 352 dated 13 March 2024.
 - b. Public comments on the draft Emfuleni Spatial Development Framework Vision 2035 Document. Members of the public are invited to submit their written comments within 60 days of the publication of this notice. Published in GG 99 NN 387 dated 30 March 2024.

Western Cape Province

38. Draft Drakenstein Municipality: Spatial Development Framework. Members of the public are invited to submit their written comments by no later than 6 May 2024. Published in PG 8894 NN 149 dated 8 March 2024.

Northern Cape Province

39. Spatial Planning and Land Use Management Act 16 of 2013: Review of the Emthanjeni Municipal Spatial Development Framework. Members of the public are invited to submit their written comments on or before 6 May 2024. Published in PG 2665 NN 195 dated 4 March 2024.
40. Spatial Planning and Land Use Management Act 16 of 2013: Review of the Gamagara Spatial Development Framework. Members of the public are invited to submit their written comments within 60 days of the publication of this notice. Published in PG 2665 NN 522 dated 4 March 2024.

Limpopo Province

41. National Environmental Management: Protected Areas Act 57 OF 2003: As amended intention to withdraw the declaration of part of:
- Tierkop Private Nature Reserve. Members of the public are invited to submit their written comments within 60 days of the publication of this notice. Published in PG 3503 NN 533 dated 22 March 2024.
 - Arzona Private Nature Reserve. Members of the public are invited to submit their written comments within 60 days of the publication of this notice. Published in PG 3497 NN 527 dated 15 March 2024.

Eastern Cape Province

42. Spatial Planning and Land Use Management Act 16 of 2013: Review of the Spatial Development Framework for Mhlonlto Local Municipality. Members of the public are invited to submit their written comments within 60 days of the publication of this notice. Published in PG 5080 NN 837 dated 1 April 2024.

PART TWO: PARLIAMENTARY MONITORING

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

BILLS BEFORE PARLIAMENT (AS OF 31 MARCH 2024)

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

BILLS BEFORE THE PRESIDENT (AS OF 31 MARCH 2024)

- Agricultural Product Standards Amendment Bill (B15 – 2021).
- Cannabis for Private Purposes Bill (B19 – 2020).
- Economic Regulation of Transport Bill (B1 – 2020).
- Expropriation Bill (B23-2020).
- National Health Insurance Bill (B11 – 2019).
- National Land Transport Amendment Bill (B7 – 2016).
- National Road Traffic Amendment Bill (B7 – 2020).
- National Veld and Forest Fire Amendment Bill (B24 – 2021).

DISCLAIMER: The information contained in IMBEWU's SHE Legislation Update has been obtained from sources believed to be reliable. IMBEWU does not warrant the accuracy, completeness or adequacy of such information.

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