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## **APRIL 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.*

### **INDEX**

#### **PART ONE: LEGISLATION, DRAFT LEGISLATION, REGULATIONS, POLICY AND OTHER DOCUMENTS - NATIONAL AND PROVINCIAL GAZETTES**

**SECTION A: ENVIRONMENTAL (NATIONAL)**

**SECTION B: HEALTH AND SAFETY (NATIONAL)**

**SECTION C: SAFETY, HEALTH AND ENVIRONMENTAL (DRAFT SHE LEGISLATION & POLICY)**

**SECTION D: SHE PROVINCIAL AND MUNICIPAL BY-LAWS**

**SECTION E: DRAFT SHE PROVINCIAL AND MUNICIPAL BY-LAWS**

#### **PART TWO: PARLIAMENTARY MONITORING**

## SECTION A: ENVIRONMENTAL (NATIONAL)

### **National Environmental Management Act 107 of 1998 (NEMA)**

1. Amendments to the notice declaring temporary Asphalt Plants as a controlled emitter and establishing emission standards previously published in GG 37461 NN 201 dated 28 March 2014. Published in GG 50550 NN 4753 dated 26 April 2024.
2. Establishment of a task team to facilitate the implementation of the outcomes of the Ministerial Task Team Report on voluntary exit options and pathways for the Captive Lion Industry for a period of 18 months, effective from 1 May 2024 to 30 November 2025. Published in GG 50575 NN 4765 dated 26 April 2024

### **National Environmental Management: Biodiversity Act 10 of 2004**

3. Policy position on the Conservation and Sustainable Use of Elephant, Lion, Leopard and Rhinoceros. Published in GG 50541 NN 4750 dated 24 April 2024.

### **National Water Act 36 of 1998 (NWA)**

4. Mzimvubu-Tsitsikama Water Management Area (WMA 7) in the Eastern Cape Province: Limiting the use of water in terms of section 6 of schedule 3 of the NWA; for urban, agricultural and industrial (including mining) purposes. Published in GG 50569 NN 4762 dated 26 April 2024.

### **National Veld and Forest Fire Amendment Act 13 of 2023**

5. Commencement of the Act. Published in GG 50428 NN 4595 dated 3 April 2024.

## SECTION B: SAFETY AND HEALTH (NATIONAL)

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

6. Amended publication of the Regulator Interface Agreements Standard for Implementation and Compliance by Railway Operators. Published in GG 50442 NN 4609 dated 5 April 2024.

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

### **National Environmental Management Act 107 of 1988 (NEMA)**

7. Consultation on the Intention to Adopt a Substation Exclusion Norm and to Exclude the Development and Expansion of Transmission and Distribution Substations from the Requirement to obtain an Environmental Authorisation. Members of the public are invited to submit their written comments within 30 days of the publication of this notice. Published in GG 50528 NN 4732 dated 19 April 2024.

### **National Environmental Management: Air Quality Act 39 of 2004**

8. Draft Sectoral Emission Targets Report 2025 to 2030. Members of the public are invited to submit their written comments within 60 days of the publication of this notice. Published in GG 50571 NN 4763 dated 26 April 2024.

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

9. Safety Management: Determination for Public comments by all interested and affected Railway Stakeholders. Members of the public are invited to submit their written comments within 60 days of the publication of this notice. Published in GG 50442 NN 4608 dated 5 April 2024.

### **Standards Act 8 of 2008**

10. 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 50442 NN 2400 dated 5 April 2024, GG 50460 NN 2407 14 April 2024.

### **Occupational Health and Safety Act 85 of 1993**

11. Draft Regulations for Hazardous Chemical Agents. Members of the public are invited to submit their written comments within 90 days of the publication of this notice. Published in GG 50431 NN 4598 dated 5 April 2024.

12. Driven Machinery Regulations, 2015: Draft Code of Practice for Conveyor Systems. Members of the public are invited to submit their written comments within 30 days of the publication of this notice. Published in GG 50460 NN 4718 dated 12 April 2024.

### **Nuclear Energy Act 46 of 1999**

13. Amendment of notice declaring certain substances, materials and equipments as restricted material, source material, special nuclear material and nuclear related equipment and material. Members of the public are invited to submit their written comments within 30 days of the publication of this notice. Published in GG 50550 NN 4754 dated 29 April 2024.

### **Agricultural Product Standards Act 119 of 1990**

14. Proposed amendment to the Regulations regarding the Classification, Packing and Marking of Processed Meat Products and certain Raw Processed Meat Products intended for Sale in the Republic of South Africa. Members of the public are invited to submit their written comments within 30 days of the publication of this notice. Published in GG 50528 NN 4728 dated 19 April 2024.

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

### **Gauteng Province**

15. National Environmental Management: Protected Areas Act 57 of 2003: Declaration of Area as part of an existing Nature Reserve the Crocodile River Reserve Central Nature Reserve Cluster. Published in PG 131 NN 395 dated 10 April 2024.

### **KwaZulu Natal Province**

16. National Environmental Management: Protected Areas Act, 2003: Declaration of a property as the Northern Drakensberg Nature Reserve in terms of section 23 (1) of NEM:PAA. Published in PG 2674 NN 685 dated 18 April 2024.

### **Free State Province**

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

### **Northern Cape Province**

18. Spatial Planning and Land Use Management Act 16 of 2013: Approval of the Revised and Updated Spatial Development Framework for the Kamiesberg Municipality. Published in PG 2676 NN 543 dated 15 April 2024.

**North West Province**

19. Local Government Municipal Systems Amendment Act 3 of 2022: City of Matlosana: Amendment of Fire Services By-law 2023/2024. Published in PG 8657 NN 509 dated 16 April 2024.

**Western Cape Province**

20. Heritage Western Cape: Exemption of the Geographical Area for the Mitchell's Plain Exemption Area. Published in PG 8910 dated 12 April 2024.

**Limpopo Province**

21. Spatial Planning and Land Use Management Act, Act 16 of 2013: Polokwane Local Municipality: Spatial Development Framework, 2024. Published in PG 3514 NN 166 dated 19 April 2024.

**Eastern Cape Province**

22. Chris Hani District Municipality, 2023: Water and Sanitation By-law, 2023. Published in PG 5082 NN 838 dated 8 April 2024.

23. Local Government Municipal Systems Act 32 of 2000, as amended: Promulgation of Chris Hani District Municipality:

- a. Water and Sanitation By-laws repealed. Published in PG 5084 NN 848 dated 15 April 2024.
- b. Municipal Health Services By-Laws, Air Quality By-Laws, and Community Fire Safety By-Laws. Published in PG 5087 NN 857 dated 22 April 2024, PG 5087 NN 858 dated 22 April 2024 and PG 5087 NN 859 dated 22 April 2024.

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

24. National Environmental Management: Integrated Coastal Management Amendment Act 36 of 2014:

- a. Draft KwaZulu-Natal Coastal Management Programme, 2023-2028. Members of the public are invited to submit their written comments within 30 days of the publication of this notice. Published in GG 2671 NN 680 dated 4 April 2024.
- b. Draft Estuarine Management Plans for KwaZulu-Natal. Members of the public are invited to submit their written comments within 30 days of the publication of this notice. Published in GG 2671 NN 681 dated 4 April 2024.

**Gauteng Province**

25. Municipal Systems Act 32 of 2000: 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 129 NN 459 dated 9 April 2024.

**Mpumalanga Province**

26. Draft Thaba Chweu Local Municipality Spatial Development Framework (2024). Members of the public are invited to submit their written comments within 60 days of the publication of this notice. Published in PG 3660 NN 498 dated 14 April 2024.

**Northern Cape Province**

27. Spatial Planning & Land Use Management Act 16 of 2013: Review of the Spatial Development Framework of Joe Morolong Local Municipality in terms SPLUMA. Members of the public are invited to submit their written comments on or before 3 June 2024. Published in PG 2677 NN 546 dated 22 April 2024.

### **Eastern Cape Province**

28. Municipal Systems Act 32 of 2000: Chris Hani District Municipality By-law relating to Draft Municipal Health Services; Draft Air Quality By-law 2022; and Draft Community Fire Safety By-laws 2022. Published in PG 5082 NN 839 dated 8 April 2024.
29. Spatial Planning and Land Use Management Act 16 of 2013:
  - a. Draft Land Use Scheme and Draft Spatial Development Framework of the Musina Local Municipality. Members of the public are invited to submit their written comments by no later than 18 June 2024. Published in PG 3514 NN 814 dated 19 April 2024.
  - b. Draft Sarah Baartman 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 5087 NN 1054 dated 22 April 2024.
  - c. Review of the Municipal Spatial Development Framework for the Tsantsabane 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 2676 NN 206 dated 15 April 2024.

### **Western Cape Province**

30. National Environmental Management: Integrated Coastal Management Act 24 of 2008: Draft revised Breede River Estuarine Management Plan. Members of the public are invited to submit their written comments on or before 21 May 2024. Published in PG 8912 NN 40 dated 26 April 2024.

## **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 30 APRIL 2024)**

1. Constitution Nineteenth Amendment Bill (B17- 2023).
2. Constitution Twentieth Amendment Bill (B20 – 2023).
3. Electricity Regulation Amendment Bill (B23 – 2023).
4. Marine Oil Pollution (Preparedness, Response and Cooperation) Bill (B10-2022).
5. Marine Pollution (Prevention of Pollution from Ships) Amendment Bill (B5- 2022).
6. Merchant Shipping Bill, 2023 (B12-2023).
7. National Nuclear Regulator Amendment Bill (B25 – 2023).
8. Preservation and Development of Agricultural Land Bill (B8 – 2021).
9. Railway Safety Bill (B7 – 2021).
10. South African National Water Resources Infrastructure Agency SOC Limited Bill (B24 – 2023).

### **BILLS BEFORE THE PRESIDENT (AS OF 30 APRIL 2024)**

1. Climate Change Bill (B9-2022).
2. Agricultural Product Standards Amendment Bill (B15 – 2021).
3. Cannabis for Private Purposes Bill (B19 – 2020).
4. Economic Regulation of Transport Bill (B1 – 2020).
5. Expropriation Bill (B23-2020).
6. National Health Insurance Bill (B11 – 2019).
7. National Land Transport Amendment Bill (B7 – 2016).
8. National Road Traffic Amendment Bill (B7 – 2020).
9. Upstream Petroleum Resources Development Bill (B13 – 2021).

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